CITY OF ONTARIO
CITY COUNCIL/HOUSING AUTHORITY
AGENDA
JULY 20, 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 speak in person during public comment or on a particular item will be required to fill out a blue slip. Blue slips must be turned in prior to public comment beginning or before an agenda item is taken up. The Clerk will not accept blue slips after that time. To comment by email, submit your comments no later than 4:00 p.m. on the day of the meeting by emailing your name, agenda item you are commenting on and your comments to publiccomments@ontarioca.gov. All comments received by the deadline will be forwarded to the City Council for consideration before action is taken on the matter and will be entered into the record.**
- **Comments will be limited to 3 minutes. Speakers will be alerted when they have 1 minute remaining and when their time is up. Speakers are then to return to their seats and no further comments will be permitted.**
- **In accordance with State Law, remarks during public comment are to be limited to subjects within Council's jurisdiction. Remarks on other agenda items will be limited to those items.**
- **Remarks from those seated or standing in the back of chambers will not be permitted. All those wishing to speak including Council and Staff need to be recognized by the Chair before speaking.**

ORDER OF BUSINESS
The regular City Council and Housing Authority meeting begins with 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.

(EQUIPMENT FOR THE HEARING IMPAIRED AVAILABLE IN THE RECORDS MANAGEMENT OFFICE)

CALL TO ORDER *(OPEN SESSION)*

ROLL CALL

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

INVOCATION

Dr. Juan Williams, Sr., Ontario Christian Center

SPECIAL CEREMONIES

ANGEL FLIGHT CEREMONY AND PLEDGE OF ALLEGIANCE

RECOGNITION OF OUTGOING PLANNING COMMISSIONER

Commissioner Bob Gregorek

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

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

To comment by email, submit your comments by email no later than 4:00 p.m. on the day of the meeting by emailing your name, agenda item you are commenting on and your comment to publiccomments@ontarioca.gov. All comments received by the deadline will be forwarded to the City Council for consideration before action is taken on the matter and entered into the record.

As previously noted -- if you wish to address the Council, fill out one of the blue slips at the rear of the chambers and give it to the City Clerk.

AGENDA REVIEW/ANNOUNCEMENTS

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

CONSENT CALENDAR

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

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

1. APPROVAL OF MINUTES

Minutes for the regular meeting of the City Council and Housing Authority of June 15, 2021, and the special meeting of June 21, 2021, and approving same as on file in the Records Management Department.

ATTACHMENT: 20210615 Minutes (Not official until approved)

ATTACHMENT: 20210621 S Minutes (Not official until approved)

2. BILLS & PAYROLL

Bills June 17, 2021 through July 1, 2021, and Payroll June 6, 2021 through June 19, 2021 when audited by the Finance Committee.

3. ADOPT A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE ANNUAL REPORT SUBMITTED BY THE DOWNTOWN ONTARIO IMPROVEMENT ASSOCIATION FOR THE DOWNTOWN ONTARIO COMMUNITY BENEFIT DISTRICT AND AUTHORIZE THE LEVYING OF THE ASSESSMENTS FOR FY 2021-22

That the City Council adopt a resolution approving the Downtown Ontario Improvement Association ("DOIA") Annual Report and authorizing levying of the special assessments for FY 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE ANNUAL REPORT SUBMITTED BY THE DOWNTOWN ONTARIO IMPROVEMENT ASSOCIATION FOR THE DOWNTOWN ONTARIO COMMUNITY BENEFIT DISTRICT AND AUTHORIZE THE LEVYING OF THE ASSESSMENTS FOR FY 2021-22.

ATTACHMENT: 20210720 Downtown Ontario CBD FY 2021-22^01 RESO^RM
ATTACHMENT: 20210720 Downtown Ontario Annual Report 2019-20^02 EXH 1
ATTACHMENT: 20210720 FY2122 Downtown Ontario CBD Assessment Roll^03 RESO EXH 2

4. AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH KLEINFELDER, INC., FOR ON-CALL MATERIAL TESTING AND GEOTECHNICAL ENGINEERING SERVICES

That the City Council approve an amendment to the Professional Services Agreement (on file in the Records Management Department) with Kleinfelder, Inc., of Ontario, California, to provide on-call geotechnical consulting, material testing, and compaction testing services for the FY21-22 Pavement Projects in the amount of $161,491 for a revised total of $1,463,900 and authorize the City Manager to execute said amendment and future amendments within the authorization limits.

5. A CONSTRUCTION CONTRACT FOR THE 2021 FALL PAVEMENT REHABILITATION PROJECT

That the City Council award a construction contract (on file in the Records Management Department) with All American Asphalt of Corona, California, for the 2021 Fall Pavement Rehabilitation Project in the bid amount of $4,433,499 plus a fifteen percent (15%) contingency of $665,025, for a total authorized expenditure of $5,098,524; and authorize the City Manager to execute said contract and all related documents and file a notice of completion at the conclusion of all construction activities.

ATTACHMENT: 20210720 - 2021 Fall Pavement Rehab Project^01 EXH A

6. A RESOLUTION ORDERING THE SUMMARY VACATION OF A PORTION OF THE NEIGHBORHOOD EDGE GENERALLY LOCATED ON THE SOUTH SIDE OF ONTARIO

RANCH ROAD APPROXIMATELY 1,600 FEET WEST OF ARCHIBALD AVENUE

That the City Council adopt a resolution ordering the summary vacation of a portion of the neighborhood edge for public utility and municipal purposes, generally located on the south side of Ontario Ranch Road approximately 1,600 feet west of Archibald Avenue, and reconveying any of the City's interest.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ORDERING THE SUMMARY VACATION OF A PORTION OF NEIGHBORHOOD EDGE GENERALLY LOCATED ON THE SOUTH SIDE OF ONTARIO RANCH ROAD APPROXIMATELY 1,600 FEET WEST OF ARCHIBALD AVENUE.

ATTACHMENT: 20210720 Vacation 296^01 EXH A
ATTACHMENT: 20210720 Vacation 296^02 RESO^RM
ATTACHMENT: 20210720 Vacation 296^03 RESO EXH A & B

7. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL PARCEL MAP NO. 20187, LOCATED AT THE SOUTHEAST CORNER OF GROVE AVENUE AND FRANCIS STREET

That the City Council adopt a resolution approving an Improvement Agreement, Improvement Security and Final Parcel Map No. 20187, located at the southeast corner of Grove Avenue and Francis Street.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 20187 LOCATED AT THE SOUTHEAST CORNER OF GROVE AVENUE AND FRANCIS STREET.

ATTACHMENT: 20210720 Parcel Map No. 20187^01 EXH A
ATTACHMENT: 20210720 Parcel Map No. 20187^02 RESO^RM

8. FIRST AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE ONTARIO HOUSING AUTHORITY AND CALIFORNIA CAPITAL, INC. FOR THE DEVELOPMENT OF FOUR SINGLE-FAMILY HOUSING UNITS LOCATED AT 1325-1329 SOUTH EUCLID AVENUE (APNS 1049-531-01 AND 1049-531-02)

That the Board of the Ontario Housing Authority ("Authority") adopt the attached Resolution approving the First Amendment to the Disposition and Development Agreement ("Amendment") between the Authority and California Capital, Inc. ("Developer") (on file in the Records Management Department) and authorize the Executive Director or his designee to sign all documents necessary to implement the Amendment.

A RESOLUTION OF THE ONTARIO HOUSING AUTHORITY OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE FIRST AMENDMENT TO DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE ONTARIO HOUSING AUTHORITY AND CALIFORNIA CAPITAL, INC. FOR THE DEVELOPMENT OF CERTAIN REAL PROPERTY LOCATED AT 1325/1329 SOUTH EUCLID AVENUE, ONTARIO (APNS: 1049-531-01 / 1049-531-02).

ATTACHMENT: 20210720 OHA Reso DDA 1325 1329 South Euclid Ave^01^RESO^RM

9. ***AN ORDINANCE LEVYING SPECIAL TAXES WITHIN CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 60 (ONTARIO RANCH BUSINESS PARK SERVICES)***

That the City Council consider and adopt an ordinance authorizing the levy of special taxes within City of Ontario Community Facilities District No. 60 (Ontario Ranch Business Park Services).

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 60 (ONTARIO RANCH BUSINESS PARK SERVICES)

ATTACHMENT: 20210720 Community Facilities District 60 Ontario Ranch Business Park Services 01^ORD^RM

10. ***A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, AMENDING AND ADOPTING LOCAL GUIDELINES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (PUBLIC RESOURCES CODE SECTION 21000 ET SEQ.) AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES (CALIFORNIA CODE OF REGULATIONS SECTION 15000 ET SEQ.).***

That the City Council consider and adopt the Resolution approving the adoption of the 2021 City of Ontario Local Guidelines for Implementing the California Environmental Quality Act (Public Resources Code §§ 21000 et seq.) and the California Environmental Quality Act Guidelines (California Code of Regulations §§ 15000 et seq.).

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING AND ADOPTING LOCAL GUIDELINES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (COMMENCING WITH PUBLIC RESOURCES CODE §§ 21000) AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES (COMMENCING WITH CALIFORNIA CODE OF REGULATIONS §§ 15000).

ATTACHMENT: 20210720 2021 Local Guidelines For Implementing CEQA^01 RESO^RM
ATTACHMENT: 20210720 Local Guidelines for Implementing CEQA^02 RESO - ATTACH A

11. ***CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CERTIFYING THE GROVE AVENUE CORRIDOR PROJECT FINAL ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2014101071) AND ADOPTING A MITIGATION MONITORING PROGRAM FOR THE PROPOSED WIDENING OF GROVE AVENUE FROM FOUR TO SIX LANES, BETWEEN FOURTH STREET AND STATE STREET/AIRPORT DRIVE.***

That the City Council consider and adopt the resolution certifying the Grove Avenue Corridor Project Final Environmental Impact Report (State Clearinghouse No. 2014101071) and adopting a Mitigation Monitoring Program for the proposed widening of the portion of Grove Avenue located between Fourth Street and State Street/Airport Drive.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2014101071) PREPARED FOR THE

GROVE AVENUE CORRIDOR WIDENING PROJECT AND ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND A MITIGATION MONITORING PROGRAM.

ATTACHMENT: 20210720 Grove Avenue Corridor Project FEIR Certification^01 RESO^RM
ATTACHMENT: 20210720 Grove Avenue Corridor Project FEIR Certification 02 RESO_ATTACHMENT A

12. AUTHORIZE THE PURCHASE OF FLEET VEHICLES

That the City Council authorize the cooperative purchase and delivery of ten Ford Police Utility vehicles for the Police Department in the amount of $416,865 from National Auto Fleet Group of Watsonville, California consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 120716-NAF.

13. MAINTENANCE SERVICES AGREEMENT FOR ON-CALL DOOR AND GATE MAINTENANCE AND REPAIR SERVICES

That the City Council take the following actions:

1. Reject Action Door Repairs' protest against South Coast Industrial Door Inc. in its entirety; and
2. Authorize the City Manager to execute a three-year Maintenance Services Agreement (on file in the Records Management Department) with South Coast Industrial Door, Inc. of Corona, California for on-call door and gate maintenance and repair services and up to two additional one-year terms for an amount not to exceed $625,000 over a 5-year term.

14. PROJECT AND CONSTRUCTION MANAGEMENT, INSPECTION AND TESTING SERVICES FOR THE CONSTRUCTION OF THE C-BLOCK PARKING STRUCTURE

That the City Council take the following actions:

A. Authorize Transtech Engineers, Inc. for project and construction management support for the construction of the C-Block Parking Structure in an amount not to exceed $498,980; and
B. Authorize Kleinfelder, Inc. for construction inspection and testing services for the construction of the C-Block Parking Structure in an amount not to exceed $317,998.

15. A GOODS AND SERVICES AGREEMENT WITH KIRKSEY AND CO. FOR THE ONTARIO MUNICIPAL SERVCES CENTER MODULAR OFFICES FURNITURE PURCHASE

That the City Council approve and authorize a Goods and Services Agreement (on file in the Records Management Department) with Kirksey and Co. of Irvine, California, for the Ontario Municipal Services Center Modular Offices Furniture Purchase in the amount of $259,588.02, including a 10% contingency; and authorize the City Manager to execute the agreement and any future amendments within the authorization limits.

16. ONTARIO RECREATION & PARKS MASTER PLAN

That the City Council approve the Recreation & Parks Master Plan (on file in the Records Management Department).

17. RESOLUTIONS ESTABLISHING THE ANNUAL SPECIAL TAXES WITHIN COMMUNITY FACILITIES DISTRICTS IN OLD MODEL COLONY AND ONTARIO RANCH FOR FISCAL YEAR 2021-22.

That the City Council adopt resolutions establishing the annual special taxes within City of Ontario Community Facilities Districts in Old Model Colony and Ontario Ranch for Fiscal Year 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 9 (EDENGLEN), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 10 (ONTARIO AIRPORT TOWERS), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 13 (CALIFORNIA COMMERCE CENTER - PHASE IV), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 19 (COUNTRYSIDE PHASE 1 - SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 20 (WAL-MART), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 21 (PARKSIDE), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES PHASE 1), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 25 (PARK PLACE FACILITIES PHASE 1I), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 26 (PARK PLACE FACILITIES PHASE 1II), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 27 (NEW HAVEN SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 28 (NEW HAVEN FACILITIES - AREA A), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 NEW HAVEN FACILITIES - AREA B), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 31 (CARRIAGE HOUSE/AMBERLY LANE), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 32 (ARCHIBALD/SCHAEFER - SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 33 (ARCHIBALD/SCHAEFER FACILITIES), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 34

(COUNTRYSIDE PHASE I NORTH - FACILITIES), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 37 (PARK & TURNER NE SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 38 (PARK & TURNER NE FACILITIES), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 39 (NEW HAVEN FACILITIES - AREA C), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 40 (EMERALD PARK FACILITIES), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 41 (CANVAS PARK FACILITIES), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 42 (WEST HAVEN FACILITIES), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 43 (PARK PLACE FACILITIES PHASE IV), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 44 (ESPERANZA SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 45 (NORTHPARK AND COUNTRYSIDE), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 46 (AVENUE 176 FACILITIES), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 47 (COLONY COMMERCE CENTER WEST I SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 48 (TEVLEDE SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 49 (AVENUE 176 SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 50 (WEST ONTARIO LOGISTICS CENTER SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 51 (ONTARIO RANCH LOGISTICS CENTER SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 53 (TEVELDE FACILITIES), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 54

(ESPERANZA FACILITIES), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 55 (PARKLANE), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 57 (NEUHOUSE), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 58 COLONY COMMERCE CENTER EAST SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

ATTACHMENT:	20210720 Special Tax Ontario Ranch Bonded CFDs^01 EXH A AR Levy Table.pdf
ATTACHMENT:	20210720 Special Tax Old Model Colony Bonded CFD No. 13^02 EXH B AR Levy Table.pdf
ATTACHMENT:	20210720 Special Tax Ontario Ranch Bonded Facilities Services CFD No. 31 and 45^03 EXH C AR Levy Table.pdf
ATTACHMENT:	20210720 Special Tax Old Model Colony Non-Bonded CFD No. 41, 42, 53, and 54^04 EXH D AR Levy Table.pdf
ATTACHMENT:	20210720 Special Tax Ontario Ranch Non-Bonded Facilities Services CFDs^05 EXH E AR Levy Table.pdf
ATTACHMENT:	20210720 Special Tax Ontario Ranch Services CFD No. 09,19,23,27,32,37,44,47,48,49,50,51,58^06 EXH F AR L.pdf
ATTACHMENT:	20210720 Special Tax Old Model Colony Services CFD No. 10, 20, and 21^07 EXH G AR Levy Table.pdf
ATTACHMENT:	20210720 Special Tax Ontario Ranch Services CFD No. 09^08^RESO^RM
ATTACHMENT:	20210720 Special Tax Old Model Colony Services CFD No. 10^09^RESO^RM
ATTACHMENT:	20210720 Special Tax Old Model Colony Bonded CFD No. 13^10^RESO^RM
ATTACHMENT:	20210720 Special Tax Ontario Ranch Services CFD No. 19^11^RESO^RM
ATTACHMENT:	20210720 Special Tax Old Model Colony Services CFD No. 20^12^RESO^RM
ATTACHMENT:	20210720 Special Tax Old Model Colony Services CFD No. 21^13^RESO^RM
ATTACHMENT:	20210720 Special Tax Ontario Ranch Services CFD No. 23^14^RESO^RM
ATTACHMENT:	20210720 Special Tax Ontario Ranch Bonded CFD No. 24^15^RESO^RM
ATTACHMENT:	20210720 Special Tax Ontario Ranch Bonded CFD No. 25^16^RESO^RM
ATTACHMENT:	20210720 Special Tax Ontario Ranch Bonded CFD No 26^17^RESO^RM
ATTACHMENT:	20210720 Special Tax Ontario Ranch Services CFD No. 27^18^RESO^RM
ATTACHMENT:	20210720 Special Tax Ontario Ranch Bonded CFD No. 28^19^RESO^RM
ATTACHMENT:	20210720 Special Tax Ontario Ranch Bonded CFD No. 30^20^RESO^RM

ATTACHMENT: 20210720 Special Tax Ontario Ranch Bonded Facilities Services CFD No. 31^21^RESO^RM
ATTACHMENT: 20210720 Special Tax Ontario Ranch Services CFD No. 32^22^RESO^RM
ATTACHMENT: 20210720 Special Tax Ontario Ranch Bonded CFD No. 33^23^RESO^RM
ATTACHMENT: 20210720 Special Tax Ontario Ranch Bonded CFD No. 34^24^RESO^RM
ATTACHMENT: 20210720 Special Tax Ontario Ranch Services CFD No. 37^25^RESO^RM
ATTACHMENT: 20210720 Special Tax Ontario Ranch Bonded CFD No. 38^26^RESO^RM
ATTACHMENT: 20210720 Special Tax Ontario Ranch Bonded CFD No. 39^27^RESO^RM
ATTACHMENT: 20210720 Special Tax Ontario Ranch Bonded CFD No. 40^28^RESO^RM
ATTACHMENT: 20210720 Special Tax Ontario Ranch Non-Bonded CFD No. 41^29^RESO^RM
ATTACHMENT: 20210720 Special Tax Ontario Ranch Non-Bonded CFD No. 42^30^RESO^RM
ATTACHMENT: 20210720 Special Tax Ontario Ranch Bonded CFD No. 43^31^RESO^RM
ATTACHMENT: 20210720 Special Tax Ontario Ranch Services CFD No. 44^32^RESO^RM
ATTACHMENT: 20210720 Special Tax Ontario Ranch Bonded Facilities Services CFD No. 45^33^RESO^RM
ATTACHMENT: 20210720 Special Tax Ontario Ranch Bonded CFD No. 46^34^RESO^RM
ATTACHMENT: 20210720 Special Tax Ontario Ranch Services CFD No. 47^35^RESO^RM
ATTACHMENT: 20210720 Special Tax Ontario Ranch Services CFD No. 48^36^RESO^RM
ATTACHMENT: 20210720 Special Tax Ontario Ranch Services CFD No. 49^37^RESO^RM
ATTACHMENT: 20210720 Special Tax Ontario Ranch Services CFD No. 50^38^RESO^RM
ATTACHMENT: 20210720 Special Tax Ontario Ranch Services CFD No. 51^39^RESO^RM
ATTACHMENT: 20210720 Special Tax Ontario Ranch Non-Bonded CFD No. 53^40^RESO^RM
ATTACHMENT: 20210720 Special Tax Ontario Ranch Non-Bonded CFD No. 54^41^RESO^RM
ATTACHMENT: 20210720 Special Tax Ontario Ranch Bonded Facilities Services CFD No. 55^42^RESO^RM
ATTACHMENT: 20210720 Special Tax Ontario Ranch Bonded Facilities Services CFD No. 57^43^RESO^RM
ATTACHMENT: 20210720 Special Tax Ontario Ranch Services CFD No. 58^44^RESO^RM

18. APPROVAL OF AN AGREEMENT WITH THE INLAND VALLEY HUMANE SOCIETY FOR ANIMAL CONTROL SERVICES

That the City Council approve a two-year agreement with the Inland Valley Humane Society (IVHS) of Pomona, California for the purpose of animal control services.

19. APPROVAL OF AMENDED AND RESTATED AGREEMENT BETWEEN THE CITY OF ONTARIO AND THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY

That the City Council authorize the City Manager to finalize negotiations, approve and execute an Amended and Restated Agreement ("the Agreement") between the City of Ontario and the Ontario International Airport Authority ("OIAA") to provide municipal services.

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.

20. A PUBLIC HEARING TO CONSIDER AN APPEAL OF THE PLANNING COMMISSION'S DECISION TO APPROVE (I) A DEVELOPMENT PLAN (FILE NO. PDEV18-022) TO CONSTRUCT A 6,870 SQUARE-FOOT INDUSTRIAL BUILDING AND (II) A CONDITIONAL USE PERMIT (FILE NO. PCUP18-021) TO ESTABLISH AND OPERATE A TOWING SERVICE ON 3.1 ACRES OF LAND LOCATED AT 580 EAST BELMONT STREET WITHIN THE IL (LIGHT INDUSTRIAL) ZONING DISTRICT (APNS: 1049-491-01, 1049-491-02, AND 1049 491-03).

That the City Council conduct a public hearing on the appeal and, after receiving all public testimony, consider the following: (1) Uphold the Planning Commission's approval of File Nos. PDEV18-022 and PCUP18-021 or (2) overturn the Planning Commission's decision of approval and deny File Nos. PDEV18-022 and PCUP18-021; and (3) Direct staff to prepare a resolution adopting findings and formalizing the decision and placing the decision on the Consent Calendar for consideration at the next regular City Council meeting.

ATTACHMENT: 20210720 File No. PCUP18-021 and PDEV18-022 Appeal^01 EXH A
ATTACHMENT: 20210720 File No. PCUP18-021 and PDEV18-022 Appeal^02 PC Backup

21. A PUBLIC HEARING TO CONSIDER THE SALE OF CITY OWNED PROPERTY IN ACCORDANCE WITH GOVERNMENT CODE SECTION 52201; MAKING CERTAIN FINDINGS; AND ADOPTION OF A RESOLUTION APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF ONTARIO AND DUKE REALTY, L.P.

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 Duke Realty, L.P. ("Developer") of Irvine, California (on file in 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 A PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF ONTARIO AND DUKE REALTY, L.P. FOR THE PURCHASE AND SALE OF CERTAIN REAL PROPERTY LOCATED AT 717-825 EAST STATE STREET AND 235 SOUTH CAMPUS AVENUE, ONTARIO.

ATTACHMENT: 20210720 Duke Realty, LP^01 Staff Rpt. EXH 1
ATTACHMENT: 20210720 Duke Realty, LP^02 RESO^RM

22. A PUBLIC HEARING TO CONSIDER APPROVAL OF A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND TIPPING

DEVELOPMENT, INC. FOR THE DEVELOPMENT OF A 39-UNIT HOUSING DEVELOPMENT AT 221 NORTH MOUNTAIN AVENUE

That the City Council ("City"):

1. Open the public hearing and receive testimony from the public regarding the proposed sale of the property located at 221 North Mountain Avenue ("Property");
2. Close the public hearing and, if any protest was received regarding the sale of the Property, overrule the protest by a 4/5 majority vote; and
3. Adopt the attached Resolution approving the Disposition and Development Agreement ("Agreement") related to the Property between the City of Ontario and Tipping Development, Inc. ("Developer") (on file in the Records Management Department) and authorize the City Manager or his designee to sign all documents necessary to implement the Agreement.

   A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND TIPPING DEVELOPMENT, INC. FOR THE DEVELOPMENT OF CERTAIN REAL PROPERTY LOCATED AT 221 NORTH MOUNTAIN AVENUE IN THE CITY OF ONTARIO (APN: 1010-521-28).

ATTACHMENT: 20210720 Tipping Development DDA 221 N. Mountain^01 RESO^RM

23. ANNUAL LEVY OF ASSESSMENTS WITHIN STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND 2 FOR FISCAL YEAR 2021-22

That the City Council conduct a combined public hearing for the districts and take the following actions pertaining to the levy of assessments within Street Lighting Maintenance Districts (SLMD) Nos. 1 and 2 and consider:

A. Adopting a resolution approving the Engineer's Reports relating to the levy of assessments for each district;
B. Adopting a resolution confirming the diagram and assessment and providing for the assessment levy within Street Lighting Maintenance District 1; and
C. Adopting a resolution confirming the diagram and assessment and providing for the assessment levy within Street Lighting Maintenance District 2.

   A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE ENGINEER'S REPORTS FOR THE ANNUAL LEVY OF ASSESSMENTS WITHIN STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND 2 FOR FISCAL YEAR 2021-22.

   A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT AND PROVIDING FOR THE ANNUAL ASSESSMENT LEVY WITHIN STREET LIGHTING MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2021-22.

   A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT AND

PROVIDING FOR THE ANNUAL ASSESSMENT LEVY WITHIN STREET LIGHTING MAINTENANCE DISTRICT NO. 2 FOR FISCAL YEAR 2021-22.

ATTACHMENT: 20210720 SLMD Levy^ 01 EXH A
ATTACHMENT: 20210720 SLMD Levy^02 Vicinity Maps
ATTACHMENT: 20210720 SLMD Levy^03 RESO-Approving Engineers Report SLMD 1 and 2^RM
ATTACHMENT: 20210720 SLMD Levy^04 RESO - Confirming Assessment SLMD 1^RM
ATTACHMENT: 20210720 SLMD Levy^05 RESO - Confirming Assessment SLMD 2^RM

24. ANNUAL LEVY OF ASSESSMENTS WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NOS. 1, 2, 3 AND 4 FOR FISCAL YEAR 2021-22

That the City Council conduct a combined public hearing for the districts and take the following actions pertaining to the levy of assessments within Ontario Parkway Maintenance Assessment Districts (OPMAD) Nos. 1, 2, 3 and 4 and consider:

A. Adopting a resolution approving the Engineer's Reports relating to the levy of assessments for each district;
B. Adopting a resolution confirming the diagrams and assessments and providing for the assessment levy within Ontario Parkway Maintenance Assessment Districts Nos. 1, 2, & 3; and
C. Adopting a resolution confirming the diagram and assessment and providing for the assessment levy within Ontario Parkway Maintenance Assessment District No. 4.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE ENGINEER'S REPORTS FOR THE ANNUAL LEVY OF ASSESSMENTS WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2, 3 AND 4 FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CONFIRMING THE DIAGRAMS AND ASSESSMENTS, AND PROVIDING FOR THE ANNUAL ASSESSMENT LEVY WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2 AND 3 FOR FISCAL YEAR 2021-22.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT AND PROVIDING FOR THE ANNUAL ASSESSMENT LEVY WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICT NO. 4 FOR FISCAL YEAR 2021-22.

ATTACHMENT: 20210720 OPMAD Levy^01 EXH A
ATTACHMENT: 20210720 OPMAD Levy^02 VICINITY MAPS.pdf
ATTACHMENT: 20210720 OPMAD Levy 03 RESO-Approving Engineers Report OPMAD 1, 2, 3 and 4^RM
ATTACHMENT: 20210720 OPMAD Levy^04 RESO - Confirming Assessment OPMAD 1, 2, 3^RM
ATTACHMENT: 20210720 OPMAD Levy 05 RESO-Confirming Assessment OPMAD 4^RM

25. A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE CALIFORNIA

COMMERCE CENTER SPECIFIC PLAN, FILE NO. PSPA20-003, CHANGING THE LAND USE DESIGNATION ON 10.64 ACRES OF LAND FROM COMMERCIAL/FOOD/HOTEL TO LIGHT INDUSTRIAL TO BE CONSISTENT WITH THE ONTARIO PLAN POLICY PLAN (GENERAL PLAN) INDUSTRIAL LAND USE DESIGNATION, LOCATED AT THE NORTHEAST CORNER OF HAVEN AVENUE AND AIRPORT DRIVE (APN: 0211-222-66).

That the City Council consider and adopt a resolution approving the use of an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140); and a resolution approving File No. PSPA20-003 pursuant to the facts and reasons contained in this staff report and the attached resolution.

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. PSPA20-003, AN AMENDMENT TO THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN, CHANGING THE LAND USE DESIGNATION ON 10.64 ACRES OF LAND FROM COMMERCIAL/FOOD/HOTEL TO LIGHT INDUSTRIAL, TO BE CONSISTENT WITH THE ONTARIO PLAN POLICY PLAN (GENERAL PLAN) INDUSTRIAL (0.55 FAR) LAND USE DESIGNATION, LOCATED AT THE NORTHEAST CORNER OF HAVEN AVENUE AND AIRPORT DRIVE, WITHIN THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF - APN: 0211-222-66.

ATTACHMENT:	20210720 File No PSPA20-003 Vogel Haven Industrial^01 PC Backup
ATTACHMENT:	20210720 File No PSPA20-003 Vogel Haven Industrial^02 RESO Addendum^RM
ATTACHMENT:	20210720 File No PSPA20-003 Vogel Haven Industrial^03 Addendum
ATTACHMENT:	20210720 File No PSPA20-003 Vogel Haven Industrial^04 Addendum Attachment
ATTACHMENT:	20210720 File No PSPA20-003 Vogel Haven Industrial^05 RESO SPA^RM
ATTACHMENT:	20210720 File No PSPA20-003 Vogel Haven Industrial^06 ATTACH A

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

26. A RESOLUTION AUTHORIZING THE ISSUANCE OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 53 (TEVELDE FACILITIES) SPECIAL TAX BONDS, SERIES 2021, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $25,000,000 AND RELATED MATTERS

That the City Council consider and adopt a resolution authorizing the issuance of City of Ontario Community Facilities District No. 53 (Tevelde Facilities) Special Tax Bonds, Series 2021.

A. Authorizes the issuance of special tax bonds for public improvements required to facilitate the development of the Tevelde Facilities project and the Ontario Ranch development;

B. Approves the forms of the Indenture, the Bond Purchase Agreement, the Continuing Disclosure Agreement, and the Preliminary Official Statement;
C. Authorizes a negotiated sale of the special tax bonds to Stifel, Nicolaus & Company, Incorporated (the "Underwriter") in accordance with the terms of the Bond Purchase Agreement; and
D. Authorizes the execution of the Indenture, the Bond Purchase Agreement, the Continuing Disclosure Agreement, a deemed final certification in connection with the Preliminary Official Statement, a final Official Statement and other documents in connection with the issuance of the bonds by the City Manager or the other specified authorized officers.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE ISSUANCE OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 53 (TEVELDE FACILITIES) SPECIAL TAX BONDS, SERIES 2021, IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED $25,000,000, AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDENTURE, A BOND PURCHASE AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT, AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION THEREWITH AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS.

ATTACHMENT: 20210720 CFD 53 Tevelde Facilities 01 RESO^RM

27. RESOLUTION APPROVING AN EQUIPMENT LEASE AND A TAXABLE EQUIPMENT LEASE/PURCHASE AGREEMENT TO FINANCE THE EXPANSION OF THE CITY'S BROADBAND/FIBER OPTIC NETWORK

That the City Council adopt a resolution approving the Equipment Lease and Taxable Equipment Lease/Purchase Agreement with respect to financing improvements to the City's Broadband/Fiber Optic Network in an amount not to exceed $18,250,000, and authorizing the City Manager and the Executive Director of Finance to execute such agreements.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN EQUIPMENT LEASE AND A TAXABLE EQUIPMENT LEASE/PURCHASE AGREEMENT WITH RESPECT TO FINANCING IMPROVEMENTS TO THE CITY'S FIBER OPTIC NETWORK IN AN AMOUNT NOT TO EXCEED $18,250,000

ATTACHMENT: 20210720 2021 Fiber Optic Equipment Lease Resolution of Issuance^01 RESO^RM
ATTACHMENT: 20210720 OntarioNet Overview For Council^02 EXH

28. FISCAL YEAR 2021-22 POST ADOPTION BUDGET UPDATE REPORT

That the City Council approve the budget adjustments and recommendations as listed in the Fiscal Year 2021-22 Post Adoption Budget Update Report (Exhibit A) for the Citywide Full-Time Equivalent (FTE) Position Count, the Community Life & Culture's Fee Schedule in relation with the City's Empowerment Scholarships program, and the AmeriCorps State Formula Grant for Ontario Promise Corps program; and adopt the resolution to incorporate the Fiscal Year 2021-22 Community Life & Culture Proposed Fee Schedule (Exhibit B) into the City of Ontario Fiscal Year 2021-22 Adopted Citywide Fee Schedule.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING THE FY 2021-22 COMMUNITY LIFE & CULTURE FEE SCHEDULE ESTABLISHING CERTAIN FEES FOR CITY SERVICES, AND REPEALING PREVIOUS ACTIONS IN CONFLICT HEREWITH.

ATTACHMENT: 20210720 Community Life Culture Fees Added to Citywide Fee Schedule^01 RESO^RM
ATTACHMENT: 20210720 Fiscal Year 2021-22 Post Adoption Budget Update Report^02 EXH A
ATTACHMENT: 20210720 City of Ontario FY 2021-22 Community Life & Culture Proposed Fee Schedule^03 EXH B

29. APPROVAL OF AMENDMENTS TO THE COMPENSATION AND BENEFITS PROFILE FOR EXECUTIVE MANAGEMENT

That the City Council approve amendments to the Compensation and Benefits Profile for Executive Management, (on file in the Records Management Department), regarding wages, hours and other terms and conditions of employment.

ATTACHMENT: 20210720 Compensation and Benefits Profile for City of Ontario Executive Management^01 EXH

STAFF MATTERS

CITY MANAGER OCHOA

COUNCIL MATTERS

MAYOR LEON
MAYOR PRO TEM WAPNER
COUNCIL MEMBER BOWMAN
COUNCIL MEMBER DORST-PORADA
COUNCIL MEMBER VALENCIA

ADJOURNMENT

ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
JUNE 15, 2021
(Not official until approved)

JOINT MEETINGS

Regular meetings of the Ontario City Council and Ontario Housing Authority were held on Tuesday, June 15, 2021, at the Ontario City Hall, 303 East B Street, Ontario, California.

CALL TO ORDER

Mayor Leon called the Joint City Council and Ontario Housing Authority meetings to order at 5:00 p.m.

ROLL CALL

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

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

CLOSED SESSION

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 5:01 p.m. for discussion of the following:

- GC 54956.9(d), CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION - One (1) case

- GC 54656.9(d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION City of Ontario v. Hogg Brothers, San Bernardino Superior Court Case No. CIVDS1616522

- GC 549556.8, CONFERENCE WITH REAL PROPERTY NEGOTIATOR Property: 415 E. B Street; City/Authority Negotiator: Scott Ochoa, City Manager; Negotiating Parties: Ontario Montclair School District; Under Negotiation: Price and terms.

CALL TO ORDER – OPEN SESSION

Mayor Leon called the City Council and Ontario Housing Authority meetings to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

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

INVOCATION

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

REPORT ON CLOSED SESSION

City Attorney Duran stated there was no reportable actions.

PUBLIC COMMENTS

Jeana Helton, spoke on the importance of getting background checks for public servants who work with children.

Celina Lopez, requested online meetings.

Xochitl Escamilla, requested online meetings and to speak with a staff member for follow up.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa announced three written correspondences for Item No. 15 and noted they were entered into the record.

SPECIAL CEREMONIES

TWENTY-FIRST ANNUAL MODEL COLONY AWARDS

The City Council presented the 2021 “Model Colony” Awards for Historic Preservation.

Mayor Leon recessed the meetings at 7:03 p.m. and reconvened at 7:14 p.m.

ITEMS PULLED FROM CONSENT: Item No. 12 was pulled by Council Member Valencia for discussion.

Public Comment: *Xochitl Escamilla,* spoke in support of campaign limits.

Council Member Valencia spoke in support of campaign limits.

Mayor Leon spoke in opposition of campaign limits.

12. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING CHAPTER 10 OF TITLE 2 SECTIONS 2-10.06, OF THE ONTARIO MUNICIPAL CODE RELATING TO CAMPAIGN CONTRIBUTION LIMITS

The City Council adopted an Ordinance amending Chapter 10 of Title 2 Sections 2-10.06, of the Ontario Municipal Code relating to Campaign Contribution Limits. Introduction and first reading took place at a regular meeting on June 1, 2021.

ORDINANCE NO. 3185 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING CHAPTER 10 OF TITLE 2 OF THE ONTARIO MUNICIPAL CODE RELATING TO CAMPAIGN CONTRIBUTION LIMITS.

MOTION: Moved by Council Member Bowman, seconded by Mayor pro Tem Wapner, and carried by a 4-1 vote, with Council Member Valencia opposed, to adopt Ordinance No. 3185.

CONSENT CALENDAR

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman and carried by unanimous 5-0 vote, to approve the Consent Calendar as presented, with the exception of Item No. 12.

1. APPROVAL OF MINUTES

City Council approved Minutes for the regular meeting of the City Council and Housing Authority on May 18, 2021, approving same as on file in the Records Management Department.

2. BILLS/PAYROLL

City Council approved **Bills** for the period May 20, 2021 through May 27, 2021 in the amount of $44,622,454.76 and **Payroll** for the period May 9, 2021 through May 22, 2021 in the amount of $3,350,477.44 when audited by the Finance Committee.

3. AN AMENDMENT TO THE LEASE AND OPERATING AGREEMENT BETWEEN THE WESEE COLLECTIVE, LLC AND THE CITY ON ONTARIO, FOR THE PURPOSE OF EXERCISING A ONE YEAR EXTENSION

The City Council:

A. Approved an amendment to the Lease Agreement between The WESEE Collective, LLC and the City of Ontario for the purpose of extending the lease for one year and for a reduction in yearly fees.
B. Authorized the City Manager to execute a one-year extension to the Operating Agreement with The WESEE Collective, LLC for the purpose of operating a Business Incubator, Accelerator and Co-working space, in the amount of $200,000 annually, with the option to extend for one additional one-year period.

4. AN AMENDMENT TO PROFESSIONAL SERVICES AGREEMENTS FOR ON-CALL APPRAISAL, ENVIRONMENTAL, LAND ACQUISITION, RELOCATION AND PROPERTY MANAGEMENT SERVICES

The City Council ("City") and Ontario Housing Authority Board ("Authority") approved and authorized the City Manager/Executive Director to execute Amendment No. 1 to Professional Services Agreements with R.P. Laurain & Associates in the amount of $80,000, Converse Consultants in the amount of $75,000, and Property Specialist Inc., (dba CPSI) in the amount of $320,000.

5. AN AMENDMENT TO THE CONSTRUCTION CONTRACT FOR THE BON VIEW AVENUE STORM DRAIN PROJECT

The City Council approved an amendment to Contract No. SM1701 with Christensen Brothers General Engineering, Inc., of Apple Valley, California, (Contractor) for the Bon View Avenue Storm Drain Project in the amount of $165,867, resulting in a revised total authorized expenditure of $2,889,028.

6. A RESOLUTION APPROVING FINAL PARCEL MAP NO. 20126, LOCATED AT THE SOUTHWEST CORNER OF SAN ANTONIO AVENUE AND FRANCIS STREET

The City Council adopted a resolution approving Final Parcel Map No. 20126, located at the southwest corner of San Antonio Avenue and Francis Street within the Low-Density Residential zoning district.

RESOLUTION NO. 2021-054 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 20126, LOCATED AT THE SOUTHWEST CORNER OF SAN ANTONIO AND FRANCIS STREET.

7. PROFESSIONAL SERVICES AGREEMENT FOR COLLECTION AGENCY SERVICES

The City Council authorized the City Manager to execute a professional services agreement with Ray Klein Inc., dba Professional Credit Service of Vancouver, Washington to perform collection agency services for delinquent accounts for a

period of one year, with two, one-year extension options to continue providing collection agency services for various City Agencies.

8. CHANGE ORDER TO CONSTRUCTION CONTRACT FOR ON-CALL MAINTENANCE, REHABILITATION, INSPECTIONS, AND EMERGENCY WELL REPAIRS

The City Council approved and authorized the City Manager to execute Change Order No. 3 to Construction Contract No. UTOP 1819-01 to General Pump Company Inc. of San Dimas, California for on-call maintenance, rehabilitation, inspection and emergency well repairs for $730,000 for FY 2021-22; and authorized the annual cost of $730,000 consistent with the City Council approved budgets.

9. A CONSTRUCTION CONTRACT, A PROFESSIONAL SERVICES AGREEMENT, AND TWO AMENDMENTS FOR THE WATER MAIN REPLACEMENT PROJECT

The City Council took the following actions:

A. Rejected Big Ben Engineering's bid for the Water Main Replacement Project as being nonresponsive.
B. Approved the plans and specifications and award Contract No. UT-1027 to Gentry Brothers, Inc. of Irwindale, California, for the construction of the Water Main Replacement Project, in the amount of $3,671,129 plus a 15% contingency of $550,670 for a total amount of $4,221,799; 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.
C. Approved and authorized the City Manager to execute a Professional Services Agreement with SA Associates of Arcadia, California, in the amount of $100,000 plus a 15% contingency of $15,000 for a total amount of $115,000 for construction engineering services.
D. Approved and authorized the City Manager to execute two amendments with Group Delta Inc. of Ontario, California, in the amount of $80,558 plus a 15% contingency of $12,084 for a total amount of $92,642 for geotechnical and material testing services; and Wallace & Associates Consulting, Inc. of Murrieta, California, in the amount of $114,436 plus a 15% contingency of $17,165 for a total amount of $131,601 for construction management services.

10. PURCHASE OF POLICE DEPARTMENT FRONTLINE PATROL EQUIPMENT

The City Council approved and authorized the sole source purchase of training and duty equipment for frontline police personnel, not to exceed $355,000 over

two fiscal years, from San Diego Police Equipment Co., Inc of San Diego, California and Dooley Enterprise of Anaheim, California.

11. A PROFESSIONAL SERVICES AGREEMENT FOR LEGAL SERVICES RELATED TO PERSONNEL AND EMPLOYMENT RELATED MATTERS

The City Council authorized the City Manager to execute a two (2) year Professional Services Agreement with the law firm of Liebert Cassidy Whitmore, of Los Angeles, California for on-going legal services; and authorize the extension of the contract term for up to two, one-year periods.

13. MAINTENANCE SERVICES AGREEMENT FOR ON-CALL HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) MAINTENANCE AND REPAIR SERVICES

The City Council authorized the City Manager to execute a three-year Maintenance Services Agreement with Western Allied Corporation of Santa Fe Springs, California for HVAC maintenance and repair services in an amount not to exceed $1,425,000; and authorized the option to extend the agreement for up to two additional one-year terms.

14. AMENDMENT TO THE MAINTENANCE SERVICES AGREEMENT WITH MERCHANTS LANDSCAPE SERVICES, INC.

The City Council authorized the City Manager to execute Amendment No. 1 to the existing Maintenance Services Agreement with Merchants Landscape Services, Inc. of Rancho Cucamonga, California to perform landscape maintenance services for two newly acquired parkway planter areas located in the Ontario Ranch area, by an amount not to exceed $128,136.

PUBLIC HEARINGS

15. A PUBLIC HEARING TO CONSIDER ADOPTING A RESOLUTION OF NECESSITY FOR THE ACQUISITION OF PERMANENT EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT INTERESTS IN PORTIONS OF REAL PROPERTY, AMENDING RESOLUTION OF NECESSITY NO. 2018-083, TO APPLY NUNC PRO TUNC (RETROACTIVELY) TO JUNE 19, 2018

The City Council conducted a public hearing and:

A. Adopted an Amended Resolution of Necessity to confirm the acquisitions sought by the City's previously adopted Resolution of Necessity No. 2018-083, including the type, scope and durations of the acquisitions sought therein for the Mountain Avenue and Holt Boulevard Intersection Widening Project,

applying the proposed amendment nunc pro tunc (to apply the Amended Resolution of Necessity retroactive as of June 19, 2018);

B. Considered the adoption of an Amended Resolution of Necessity and provided all parties interested in the affected properties, their attorneys or representatives, an opportunity to be heard on the issues relevant to the Amended Resolution of Necessity;
C. Made the following findings as hereinafter described in this report:
    1. The public interest and necessity required the proposed project;
    2. The project is planned or located in a 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; and
    4. The offers of just compensation have been made to the property owners; and
    5. Adopted a Resolution of Necessity declaring that the acquisition of permanent and temporary easement interests in certain real property, more particularly described as Assessor Parcel No.'s 1010-522-13, 1010-522-06, 1010-522-12, 1010-522-11, 1010-522-10, 1010-502-13, 1010-502-12, 1010-502-11, 1010-502-10, 1010-502-09, 1010-502-08, 1010-502-07, 1010-502-06, 1011-131-02, 1011-131-03, 1011-131-04, 1011-131-19, 1011-132-06, and 1011-132-07 by eminent domain was necessary for public right-of-way and the construction of the Mountain Avenue and Holt Boulevard Intersection Widening Project ("Project") and related public infrastructure improvements in the City of Ontario, San Bernardino County, amending Resolution of Necessity No. 2018-083, to apply nunc pro tunc (retroactively) to June 19, 2018.

RESOLUTION NO. 2021-055 A RESOLUTION OF NECESSITY OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR THE ACQUISITION OF PERMANENT EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT INTERESTS IN PORTIONS OF REAL PROPERTY AMENDING RESOLUTION 2018-083, TO APPLY NUNC PRO TUNC (RETROACTIVELY) TO JUNE 19, 2018.

Notice of public hearing was duly given and affidavits of compliance were on file in the Records Management Department.

There were three written communications in opposition. Mayor Leon opened the public hearing asking those persons interested in this item to speak.

Andrew S. Parslow, with the California Eminent Domain Law Group, spoke in opposition of the item.

Hearing no one else, Mayor Leon closed the public hearing.

City Attorney Duran asked the Mayor for an opportunity to explain the Resolution. Attorney Gregory Snarr, representing the City, provided an explanation.

Mayor Leon reopened the public hearing asking those persons interested in this item to speak. Hearing no one else, Mayor Leon closed the public hearing.

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman, and carried by a unanimous 5-0 vote, to adopt Resolution No. 2021-055.

16. A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE EMPORIA FAMILY HOUSING PLANNED UNIT DEVELOPMENT ("PUD"), AMENDING CERTAIN PROVISIONS TO: [1] EXPAND THE PROJECT AREA FROM APPROXIMATELY 2.80 ACRES OF LAND TO 4.95 ACRES OF LAND; [2] ESTABLISH MINIMUM BUILDING SETBACKS FROM PALM AVENUE AND TRANSIT STREET RIGHTS-OF-WAY; [3] MODIFY MINIMUM PARKING REQUIREMENTS; [4] ALLOW ON-STREET LOADING; AND [5] UPDATE THE PLANTING PALETTE

The City Council considered and adopted a resolution approving the use of an Addendum to the Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) and introduced and waived further reading of an ordinance approving File No. PUD21-001, an amendment to the Emporia Family Housing Planned Unit Development to expand the project area, establish certain building setback requirements, modify parking requirements, allow on-street loading, and update the plant palette.

RESOLUTION NO. 2021-056 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE USE OF AN ADDENDUM TO THE ONTARIO PLAN ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2008101140), PURSUANT TO THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NO. PUD21-001.

ORDINANCE NO. 3186 (FIRST READING) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PUD21-001, AN AMENDMENT TO THE EMPORIA FAMILY HOUSING PLANNED UNIT DEVELOPMENT (”PUD”), AMENDING CERTAIN PROVISIONS TO: [1] EXPAND THE PROJECT AREA FROM APPROXIMATELY 2.80-ACRES OF LAND TO 4.95 ACRES OF LAND; ESTABLISH MINIMUM BUILDING SETBACKS FROM PALM AVENUE AND TRANSIT STREET RIGHTS-OF-WAY; [3] MODIFY MINIMUM PARKING REQUIREMENTS; [4] ALLOW ON-STREET LOADING; AND [5] UPDATE THE PLANTING PALETTE FOR A 3-BLOCK AREA LOCATED WITHIN LUA2-N (ARTS DISTRICT-NORTH) AND LUA-3 (HOLT BOULEVARD DISTRICT) OF THE MU-1 (DOWNTOWN MIXED USE) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF — APNS: 1049-051-04, 1049-054-02, 1049-054-03, 1049-054-04, 1049-054-06, 1049-059-06, AND 1049-059-07.

Notice of public hearing was duly given and affidavits of compliance were on file in the Records Management Department.

There were no written communications. Mayor Leon opened the public hearing asking those persons interested in this item to speak. Hearing no one, Mayor Leon closed the public hearing.

City Council spoke on the need of affordable and beautiful housing and thanked the developer for their work.

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman, and carried by a unanimous 5-0 vote, to adopt Resolution No. 2021-056 and introduce Ordinance No. 3186.

17. A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE SUBAREA 29 SPECIFIC PLAN (FILE NO. PSPA20-006) TO INCREASE THE OVERALL DENSITY WITHIN PLANNING AREA 27 (CLUSTER HOMES - 7-14 DU/AC) FROM 4.8 TO 4.9 DWELLING UNITS PER GROSS ACRE AND ESTABLISH A NEW RESIDENTIAL PRODUCT TYPE (MOTORCOURT CLUSTER D - 8-PLEX). THE PROJECT SITE IS BOUNDED BY MERRILL AVENUE TO THE NORTH, SOUTHERN CALIFORNIA EDISON EASEMENT TO THE WEST, AND THE SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT AND THE CITY OF EASTVALE TO THE SOUTH. (APN: 0218-331-42)

The City Council considered and adopted a resolution approving the use of an Addendum to the Subarea 29 Specific Plan Environmental Impact Report (State Clearinghouse No. 2004011009; and a Resolution approving File No. PSPA20-006 pursuant to the facts and reasons contained in this staff report and the attached resolution.

RESOLUTION NO. 2021-057 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE USE OF AN ADDENDUM TO THE SUBAREA 29 SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2004011009), PURSUANT TO THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NO. PSP03-003.

RESOLUTION NO. 2021-058 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA20-006, AN AMENDMENT TO THE SUBAREA 29 SPECIFIC PLAN TO INCREASE THE OVERALL DENSITY FROM 4.8 TO 4.9 DWELLING UNITS PER GROSS ACRE AND ESTABLISH A NEW RESIDENTIAL PRODUCT TYPE (MOTORCOURT CLUSTER D-8-PLEX) WITHIN PLANNING AREA 27. THE PROJECT SITE IS BOUNDED BY MERRILL AVENUE TO THE NORTH, SOUTHERN CALIFORNIA EDISON EASEMENT TO THE WEST, AND THE SAN BERNARDINO COUNTY

FLOOD CONTROL DISTRICT AND THE CITY OF EASTVALE TO THE SOUTH AND MAKING FINDINGS IN SUPPORT THEREOF - APN: 0218-331-42.

Notice of public hearing was duly given and affidavits of compliance were on file in the Records Management Department.

There were no written communications. Mayor Leon opened the public hearing asking those persons interested in this item to speak.

Sage McCleve, spoke in support of the item.

Hearing no one else, Mayor Leon closed the public hearing.

MOTION: Moved by Council Member Bowman, seconded by Mayor pro Tem Wapner, and carried by a unanimous 5-0 vote, to adopt Resolution Nos. 2021-057 and 058.

18. A PUBLIC HEARING TO CONSIDER AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA AMENDING CHAPTER 3 OF THE TITLE 6 OF THE ONTARIO MUNICIPAL CODE RELATING TO INTEGRATED SOLID WASTE MANAGEMENT

The City Council conducted a public hearing to introduce and waive further reading of an ordinance adopting standards for mandatory organic waste disposal reduction for commercial businesses and residential customers to meet requirements of California legislative bills AB 1826 and SB 1383, and associated CalRecycle regulations.

ORDINANCE NO. 3187 (FIRST READING) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING CHAPTER 3 OF TITLE 6 OF THE ONTARIO MUNICIPAL CODE RELATING TO INTEGRATED SOLID WASTE MANAGEMENT.

Notice of public hearing was duly given and affidavits of compliance were on file in the Records Management Department.

There were no written communications. Mayor Leon opened the public hearing asking those persons interested in this item to speak. Hearing no one, Mayor Leon closed the public hearing.

Mayor pro Tem Wapner inquired if staff was planning on having a education campaign.

City Manager Ochoa stated staff intended on an education campaign between now and the January deadline.

MOTION: Moved by Council Member Bowman, seconded by Mayor pro Tem Wapner, and carried by a unanimous 5-0 vote, to introduce Ordinance No. 3187.

19. A PUBLIC HEARING TO CONSIDER AN ORDINANCE APPROVING AN AMENDMENT TO THE CITY OF ONTARIO MUNICIPAL CODE ADDING SECTION 4-6.1019 TO ADOPT STANDARDS FOR PARKING RESTRICTIONS ON PUBLIC STREETS FOR STREET SWEEPING SERVICES

The City Council introduced and waived further reading of an ordinance adopting standards for parking restrictions on public streets for street sweeping services.

ORDINANCE NO. 3188 (FIRST READING) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADDING SECTION 4-6.1019 TO ARTICLE 10 OF CHAPTER 6 OF TITLE 4 OF THE ONTARIO MUNICIPAL CODE, ADOPTING STANDARDS FOR PARKING RESTRICTIONS ON PUBLIC STREETS FOR STREET SWEEPING SERVICES.

Notice of public hearing was duly given and affidavits of compliance were on file in the Records Management Department.

There were no written communications. Mayor Leon opened the public hearing asking those persons interested in this item to speak. Hearing no one, Mayor Leon closed the public hearing.

Mayor Leon and Council Member Bowman spoke in support of the item.

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman, and carried by a unanimous 5-0 vote, to introduce Ordinance No. 3188.

20. A PUBLIC HEARING TO RECEIVE AND RESPOND TO PUBLIC COMMENTS ON THE DRAFT 2020 URBAN WATER MANAGEMENT PLAN, DRAFT WATER SHORTAGE CONTINGENCY PLAN, AND ADDENDUM TO THE 2015 URBAN WATER MANAGEMENT PLAN AND RESOLUTIONS ADOPTING THE 2020 URBAN WATER MANAGEMENT PLAN, WATER SHORTAGE CONTINGENCY PLAN, AND ADDENDUM TO THE 2015 URBAN WATER MANAGEMENT PLAN

The City Council:

A. Conducted a public hearing to receive and respond to public comments on the Draft 2020 Urban Water Management Plan, Draft Water Shortage Contingency Plan, and Addendum to the 2015 Urban Water Management Plan; and
B. Adopted Resolutions adopting the 2020 Urban Water Management Plan, Water Shortage Contingency Plan, and Addendum to the 2015 Urban Water Management Plan.

RESOLUTION NO. 2021-059 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING THE 2020 URBAN WATER MANAGEMENT PLAN.

RESOLUTION NO. 2021-060 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A WATER SHORTAGE CONTINGENCY PLAN (WSCP).

RESOLUTION NO. 2021-061 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING AN ADDENDUM TO THE 2015 URBAN WATER MANAGEMENT PLAN.

Notice of public hearing was duly given and affidavits of compliance were on file in the Records Management Department.

There were no written communications. Mayor Leon opened the public hearing asking those persons interested in this item to speak. Hearing no one, Mayor Leon closed the public hearing.

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman, and carried by a unanimous 5-0 vote, to adopt Resolution Nos. 2021-059, 2021-060, and 2021-061.

STAFF MATTERS

City Manager Ochoa made no announcements.

COUNCIL MATTERS

City Council Appointments

Mayor Leon announced the following appointments:

Daisy Macias – Recreation and Parks Commission

Guadalupe Anderson – Planning Commission

Elizabeth Ricci – Library Board Commission

MOTION: Moved by Mayor pro Tem Wapner, seconded by Council Member Dorst-Porada, and carried by a unanimous vote 5-0 vote, to appoint Daisy Macias to the Recreation and Parks Commission, Guadalupe Anderson to the Planning Commission, and Elizabeth Ricci to the Library Board Commission.

Mayor Leon announced the City's Fireworks Takeback event on June 19th from 9:00 a.m. to 2:00 p.m. and asked for Council consensus to reconsider the location of summer programs. Council concurred.

Council Member Valencia spoke on the importance of offering meetings online and inquired about a potential ordinance regarding vacating a Council seat to run for Mayor. Stated there is no Code of Ethics in the City and asked that the item be placed on a future agenda for Council consideration.

City Attorney Duran stated he had nothing to report in a public setting.

Mayor pro Tem Wapner commented on his opposition to certain posts on social media sites.

Council Member Bowman made no comments.

Council Member Dorst-Porada stated she appreciated everyone.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 8:20 p.m. to the next regular meetings to be held on Tuesday, July 6, 2021.

Respectfully submitted,

_____
SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:

_____
PAUL S. LEON, MAYOR/CHAIRMAN

SPECIAL ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
JUNE 21, 2021
(Not official until approved)

JOINT MEETINGS

Special Meetings of the Ontario City Council/Ontario Housing Authority were held on Monday, June 21, 2021, at Ontario City Hall, Community Conference Rooms 1 and 2, 303 East B Street, Ontario, California.

CALL TO ORDER

Mayor Leon called the Joint City Council and Ontario Housing Authority meetings to order at 10:02 a.m.

ROLL CALL

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

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

The Pledge of Allegiance was led by Council Member Bowman.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa made no announcements.

PUBLIC COMMENT

There were no public comments.

PUBLIC HEARINGS

1. A RESOLUTION APPROVING A CITYWIDE FEE SCHEDULE ESTABLISHING AND AMENDING CERTAIN SERVICE AND DEVELOPMENT-RELATED FEES FOR CITY SERVICES, AND REPEALING PREVIOUS ACTIONS TO THE EXTENT THEY ARE IN CONFLICT

The City Council adopted a resolution to approve the City of Ontario FY 2021-22 Proposed Citywide Fee Schedule (Exhibit "A" of the Resolution) in order to

establish and amend certain service and development-related fees for City services.

RESOLUTION NO. 2021-062 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A CITYWIDE FEE SCHEDULE ESTABLISHING AND AMENDING CERTAIN SERVICE AND DEVELOPMENT-RELATED FEES FOR CITY SERVICES, AND REPEALING PREVIOUS ACTIONS IN CONFLICT HEREWITH.

Notice of public hearing was duly given and affidavits of compliance were on file in the Records Management Department.

There were no written communications. Mayor Leon opened the public hearing asking those persons interested in this item to speak. Hearing no one, Mayor Leon closed the public hearing.

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman, and carried by a unanimous 5-0 vote, to adopt Resolution No. 2021-062.

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

2. A RESOLUTION APPROVING THE FY 2021-22 THROUGH FY 2025-26 MEASURE I FIVE-YEAR CAPITAL IMPROVEMENT EXPENDITURE PLAN AND EXPENDITURE STRATEGY

The City Council adopted a resolution approving the FY 2021-22 through FY 2025-26 Measure I Five-Year Capital Improvement Expenditure Plan and Expenditure Strategy.

RESOLUTION NO. 2021-063 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING THE FY 2021-22 THROUGH FY 2025-26 MEASURE I FIVE-YEAR CAPITAL IMPROVEMENT PLAN.

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman, and carried by a unanimous 5-0 vote, to adopt Resolution No. 2021-063.

3. FISCAL YEAR 2020-21 YEAR-END BUDGET UPDATE REPORT AND REVIEW AND ADOPTION OF THE CITY'S FISCAL YEAR 2021-22 BUDGET AND APPROVAL OF BUDGET-RELATED ACTIONS

A. The City Council approved the budget adjustments and recommendations as listed in the Fiscal Year 2020-21 Year-End Budget Update Report;
B. The City Council and Housing Authority Board adopted resolutions establishing the appropriations limit of the City of Ontario for Fiscal Year 2021-22 and approved the operating budgets of the City of Ontario and Ontario Housing Authority for Fiscal Year 2021-22;

C. The City Council approved the annual budget of the Ontario Convention Center for Fiscal Year 2021-22; and
D. Approved the updated Purchasing Policies and Procedures Manual.

RESOLUTION NO. 2021-064 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE CITY OF ONTARIO FOR FISCAL YEAR 2021-22.

RESOLUTION NO. 2021-065 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING THE OPERATING BUDGET OF SAID CITY FOR THE FISCAL YEAR 2021-22.

RESOLUTION NO. OHA-106 A RESOLUTION OF THE ONTARIO HOUSING AUTHORITY OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A BUDGET FOR SAID AUTHORITY FOR THE FISCAL YEAR 2021-22.

City Manager Ochoa gave a brief presentation regarding the Fiscal Year 2020-2021 Year End Budget and the City's Fiscal Year 2021-2022 Budget.

City Council discussed the item and thanked Staff for financially getting the City through the pandemic year. Mayor pro Tem Wapner spoke on concerns regarding the police sub-station at the Ontario Mills and asked that Staff meet with Simon Property Group, L.P. to discuss future staffing needs. Mayor Leon spoke on the value of park and recreation programs and requested that Community Life and Culture recreation program fees be revisited by Staff to determine if they could be reduced. City Manager Ochoa indicated that Staff would review fees, review the sub-station and noted that Staff would bring the recreation program fees as well as other items to the July 20 ,2021 regular Council meeting.

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman, and carried by a unanimous 5-0 vote, to adopt Resolution Nos. 2021-064, 2021-065, and Resolution No. OHA-106.

CONSENT CALENDAR

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

4. AN AGREEMENT WITH SOMA GLOBAL, INC. FOR A NEW CITYWIDE PUBLIC SAFETY PLATFORM

The City Council authorized the City Manager to negotiate and execute the following agreements related to the purchase and implementation of a new citywide Public Safety platform:

A. Five (5) year master subscription agreement (MSA) with SOMA Global, Inc. for the cloud-based Public Safety as a service (PSAAS) platform subscription, in the amount of $1,670,975.
B. Professional service agreement with SOMA Global, Inc. for implementation and training services on the Public Safety as a service (PSAAS) platform, for an amount of $471,977, including a 10 percent implementation contingency of $47,198, and a total not to exceed amount of $519,175.
C. Amendment to the professional services agreement with National Public Safety Group to expand the scope of work to include project management services throughout the implementation of the SOMA Global platform for an increase of $142,900, including a 10 percent contingency of $14,290, and a revised not to exceed amount from $57,150 to $214,340.
D. Authorized the City Manager to negotiate and execute contracts for equipment purchases and implementation services related to the Public Safety platform project, for a total not to exceed amount of $604,660.

5. AWARD OF BID FOR PROCUREMENT OF ASPHALT MATERIALS

The City Council authorized the City Manager to approve the procurement of asphalt materials for a one-year period at set pricing per Bid Invitation # 1421 with All American Asphalt of Corona, California, and Vulcan Material Co. of Irwindale, California, in a total amount consistent with City Council approved budget and authorized the option to execute any necessary agreements and related documents for delivery services.

6. AMENDMENT TO THE MAINTENANCE SERVICES AGREEMENT WITH FUEL SERV, INC. FOR ON-CALL GARAGE AND FUEL SITE MAINTENANCE AND REPAIR SERVICES

The City Council authorized the City Manager to execute Amendment No. 1 to the Maintenance Services Agreement with Fuel Serv, Inc of Chino, California in the amount of $260,000; and to extend the term of the agreement to June 30, 2023.

7. GOODS AND EQUIPMENT PURCHASE AGREEMENT WITH MCLAUGHLIN INC. FOR ROLL-OFF CONTAINERS AND PARTS

The City Council approved and authorized the City Manager to execute a Goods and Equipment Purchase Agreement with McLaughlin Waste Equipment Inc. of Galt, California for the purchase of roll-off containers and parts for an annual not to exceed cost of $180,000; and authorized the City Manager to extend the agreement for up to four additional one-year periods consistent with City Council approved budgets.

8. AMENDMENT TO THE GOODS AND SERVICES AGREEMENT WITH WASTEBUILT ENVIRONMENTAL SOLUTIONS, LLC. FOR COMMERCIAL BIN MATERIALS AND SUPPLIES

The City Council authorized the City Manager to execute Amendment No. 2 to the existing Goods and Services agreement with Wastebuilt Environmental Solutions, LLC of Ontario, California for the purchase of new and replacement commercial bin containers, exercising the second option year of the agreement and extending the term of the agreement to November 30, 2022, for an amended not-to-exceed amount of $320,000.

9. AMENDMENT TO THE GOODS AND SERVICES AGREEMENT WITH CONSOLIDATED ELECTRICAL DISTRIBUTORS, INC. FOR THE PURCHASE OF STREETLIGHT POLES, LUMINAIRES, AND ELECTRICAL SUPPLIES

The City Council authorized the City Manager to execute Amendment No. 3 to the Goods and Services Agreement with Consolidated Electrical Distributors, Inc. of Ontario, California, in the amount of $1,138,197; and to exercise the three one-year option years and extend the term of the agreement to June 30, 2024.

10. AMENDMENT TO THE MAINTENANCE SERVICES AGREEMENT WITH WEST COAST ARBORIST, INC. FOR TREE MAINTENANCE SERVICES

The City Council authorized the City Manager to execute Amendment No. 10 to the existing Maintenance Services Agreement with West Coast Arborist, Inc. of Anaheim, California to perform tree maintenance services, exercising the fifth option year of the agreement and extending the term of the agreement to June 30, 2022, in an amount not to exceed $1,263,583.

11. PUBLIC WORKS CONTRACT FOR CONCRETE REPAIR AND MAINTENANCE; AND INSTALLATION OR RECONSTRUCTION OF WHEELCHAIR RAMP SERVICES

The City Council approved and authorized the City Manager to execute a second option year to the Public Works Contract for Concrete Repair and Maintenance and Installation or reconstruction of Wheelchair Ramp Services with CT&T Concrete Paving, Inc. located in Diamond Bar, California, for Fiscal Year 2021-22

12. AN AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR LEGAL AND TECHNICAL SERVICES PERTAINING TO WATER AND WASTEWATER MATTERS

The City Council approved and authorized the City Manager to execute Amendment No. 3 to the Professional Services Agreement with Nossaman LLP of Los Angeles, California, in the amount of $400,000 for legal and technical services with respect to matters relating to sewer disposal, water supply and water rights

for Fiscal Year 2021-22; and authorize the annual cost of $400,000 per year consistent with City Council approved budgets.

13. AN AMENDMENT TO MAINTENANCE SERVICES CONTRACT FOR ON-CALL SERVICES FOR WATER DISTRIBUTION AND SEWAGE COLLECTIONS SYSTEMS REPAIRS

The City Council approved and authorized the City Manager to execute Amendment No. 2 to Maintenance Services Contract with T.E. Roberts, Inc. of Orange, California, in the amount of $1,200,000 for water distribution and sewage collections system repairs for Fiscal Year 2021-22; and authorize the annual cost of $1,200,000 per year consistent with City Council approved budgets.

14. AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR THE SOUTH ARCHIBALD ALTERNATIVE WATER SUPPLY PROGRAM

The City Council approved and authorized the City Manager to execute Amendment No. 4 to the Professional Services Agreement with EEC Environmental (EEC) of Orange, California, in the amount of $615,950, and extend the agreement term for one year.

15. AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR SUPERVISORY CONTROL AND DATA ACQUISITION COMPUTER PROGRAMMING SUPPORT SERVICES

The City Council approved and authorized the City Manager to execute Amendment No. 3 to the Professional Services Agreement with Freedom Automation Inc. of Oceanside, California, for the City's Supervisory Control and Data Acquisition (SCADA) computer programming support services for $150,000 for Fiscal Year 2021-22; and authorize the annual cost of $150,000 per year consistent with the City Council approved budgets.

16. AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH WEST YOST & ASSOCIATES, INC. FOR ON-CALL RECYCLED WATER CROSS-CONNECTION AND OVERSPRAY TESTING SERVICES

The City Council approved and authorized the City Manager to execute Amendment No. 3 to the Professional Services Agreement with West Yost & Associates, Inc. of Davis, California, for Recycled Water Cross-Connection and Overspray Testing Services for $180,000 for Fiscal Year 2021-22; and authorized the annual cost of $180,000 per year consistent with City Council approved budgets.

17. AN AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR STAFF AUGMENTATION SERVICES

The City Council approved and authorized the City Manager to execute Amendment No. 5 to the Professional Services with Wallace & Associates Consulting, Inc., of Corona, California, in the amount of $750,000.

18. CHANGE ORDER TO CONSTRUCTION CONTRACT FOR ON-CALL/EMERGENCY UTILITY TRENCH PAVING

The City Council approved and authorized the City Manager to execute Change Order No. 4 to Construction Contract UT-OPS 1718-01 with G.M. Sager Construction Inc., of Pomona, California, in the amount of $400,000 for utility trench repairs at various locations for Fiscal Year 2021-22.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 10:40 a.m.

Respectfully submitted,

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

APPROVED:

_____
PAUL S. LEON, MAYOR/CHAIRMAN

CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: City Manager's Office Prepared By: Charity Hernandez Staff Member Presenting: Jennifer McLain Hiramoto, Economic Development Director Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 3

SUBJECT: ADOPT A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE ANNUAL REPORT SUBMITTED BY THE DOWNTOWN ONTARIO IMPROVEMENT ASSOCIATION FOR THE DOWNTOWN ONTARIO COMMUNITY BENEFIT DISTRICT AND AUTHORIZE THE LEVYING OF THE ASSESSMENTS FOR FY 2021-22

RECOMMENDATION: That the City Council adopt a resolution approving the Downtown Ontario Improvement Association ("DOIA") Annual Report and authorizing levying of the special assessments for FY 2021-22.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the Growth and Evolution of the City's Economy
Operate in a Businesslike Manner
Focus Resources in Ontario's Commercial and Residential Neighborhoods

FISCAL IMPACT: The Fiscal Year Adopted Budget includes appropriations in the General Fund and Housing Authority Fund. Should there be any adjustments and/or corrections to the assessment amounts, the appropriations will be included in the First Quarter Budget Report to the City Council.

BACKGROUND & ANALYSIS: On August 20, 2019, the City Council approved the formation of the Downtown Ontario Community Benefit District ("CBD") for an initial five-year term. The objective of the CBD is to provide enhanced services and improvements benefiting downtown property owners by increasing economic activity and enhancing the value of commercial, retail and residential property. As a key component of the overall downtown revitalization strategy, the implementation of the CBD has increased commerce, attracted new businesses, and is supporting the transformation of the downtown into an 18-hour vibrant hub of retail and residential activity.

California Streets and Highway Code, Section 36650, the law governing CBD requirements and processes, requires that the DOIA prepare an Annual Report for each fiscal year for which assessments are to be levied and collected for the purposes of paying for the cost of the improvements and activities described in the Report. The Annual Report must be consistent with the components outlined in the Management District Plan. The code requires that the City Council authorize the levying of the assessments.

Each year, the DOIA will establish a budget that focuses on three main components; those being civil

sidewalk, marketing/district identity/placemaking, and Administration.

The following items are highlights of the Annual Report:

The Assessment: The CBD uses common parcel-based factors to assess special benefit in a commercial/retail/residential business district. These factor are parcel size, street frontage, and building size. Street frontage has been determined to provide approximately 36% of the total assessment, land area approximately 26% of the total assessment, and building area approximately 38% of the total assessment. Annual assessments on property will be $0.06 (6 cents) per parcel square foot, $0.16 (16 cents) per building square foot, plus $6.00 per frontage foot. Residential condominiums are assessed at $0.25 (25 cents) per square foot. The District is comprised of 206 parcels, including 46 City or Housing Authority owned parcels.

A summary of the percentage of the assessment funds that were distributed for each program is as follows:

Category of Special Benefit Services **2020**	**Approximate Annual Amount, First Year**	**Approximate Percentage of total budget**
Civil Sidewalks	$ 275,000	60%
District Identity/Placemaking	$ 92,000	20%
Administration	$ 75,000	16%
Contingency	$ 19,000	4%
Total	***$ 461,000.00***	***100%***

The Budget: The DOIA Board of Directors approved a budget for Fiscal Year 2019-2020 for $461,000. Being that this was the association's first operating year, it took some time to begin full operations. As a result, DOIA estimates roughly 32% of the budget to be carried over to the next fiscal year. The carry over funds will be incorporated into the 2020-2021 budget.

Activities and Improvements: For more detail an the activities and improvements, please refer to Exhibit 1 of the Resolution.

In order to continue levying the special assessment with the CBD program for the next fiscal year, the City Council must adopt a Resolution levying the assessment for FY 2020-21. As a result, staff recommends approval of the DOIA Annual Report and authorize levying of the special assessments for FY 2021-22.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE ANNUAL REPORT SUBMITTED BY THE DOWNTOWN ONTARIO IMPROVEMENT ASSOCIATION FOR THE DOWNTOWN ONTARIO COMMUNITY BENEFIT DISTRICT AND AUTHORIZE THE LEVYING OF THE ASSESSMENTS FOR FY 2021-22.

WHEREAS, on August 20, 2019, the City Council approved a Management District Plan entitled the "Downtown Ontario CBD Management District Plan" (the "Management District Plan").

WHEREAS, the City Council conducted the public hearing on August 20, 2019, at which ballots cast in favor of and in opposition to proposed assessment and formation of the Downtown Ontario Community Benefit ("CBD") for a five-year term were tabulated; and

WHEREAS, of the ballots cast, property owners representing a majority of the total assessments voted in favor of the proposed assessment and formation of the CBD; and

WHEREAS, on August 20, 2019, the City Council adopted Resolution No. 2019-108 to establish the District and approve the levy of assessments commencing with FY 2019-2020, and ending with FY 2023-2024 with the provision for maximum five percent (5%) annual increases for the term of the CBD; and

WHEREAS, Streets and Highways Code Section 36650 requires the improvement association of a property-based community benefit district submit an Annual Report to the legislative body for approval beginning its second year of operation and each year thereafter; and

WHEREAS, the Downtown Ontario Improvement Association ("DOIA") has submitted its Annual Report for FY 2019-2020 for approval by the City Council.

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

SECTION 1. The City Council has reviewed the Annual Report for FY 2019-2020 submitted by the Downtown Ontario Improvement Association and determined that the Annual Report presented is consistent with the services and improvement components outlined in the approved Management District Plan.

SECTION 2. That the Annual Report for FY 2019-2020 is hereby approved in substantially the form submitted and attached hereto as Exhibit 1.

SECTION 3. That the CBD assessments to be levied for FY 2021-22, attached hereto as Exhibit 2, are hereby approved for submittal to the San Bernardino County Assessor for the period beginning July 1, 2021 and ending June 30, 2022.

SECTION 4. That Willdan Financial Services is hereby authorized to file all required documents and notice of assessments, in accordance with Section 3114 of the Streets and Highways Code, with the San Bernardino County Recorder.

SECTION 5. That the City Treasurer shall deposit all CBD assessments remitted into the fund established for the District for distribution to the District by the Director of Finance in accordance with the approved Management District plan.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

DOWNTOWN ONTARIO
IMPROVEMENT ASSOCIATION

DOWNTOWN Ontario Community Benefit DISTRICT

ANNUAL REPORT

December 1, 2019 to November 30, 2020

January 15, 2021

Prepared By: Downtown Ontario Improvement Association
Ismael Arias
Executive Director
425 N. Euclid Ave.
Ontario, CA 91762
(909) 706-7877

ANNUAL REPORT

December 1, 2019 to November 30, 2020

This Annual Report is being submitted to the City Council of the City of Ontario to outline current and past improvements, activities, expenses, budgets and assessments for the Downtown Ontario Community Benefit District ("CBD") for the fiscal year 2019 - 2020. This annual report presents the budget and assessments approved by the DOIA Board of Directors on April 2nd, 2019.

EXECUTIVE SUMMARY

The first, and inaugural, year of the Downtown Ontario CBD saw the implementation of services that proved to be effective for the properties located within the district boundaries. Also, the DOIA has hired an Executive Director to manage and oversee the day-to-day operations to benefit downtown property owners and merchants. The Downtown Ontario CBD began receiving the benefit of a 7-day maintenance ambassador program as well as marketing and advocacy initiatives. All environmental and economic enhancements within the CBD do not replace, but rather augment the services provided by the City of Ontario.

The Downtown Ontario Improvement Association ("DOIA"), the CBD's governing body, has contracted maintenance services from District Maintenance Services, Inc. a professional service provider. A truck and pressure washing machine have been provided by District Maintenance Services, Inc. to enhance the cleaning of sidewalks and gutters throughout downtown. Environmentally friendly leaf blowers, and trash carts have been purchased by DOIA to help with cleaning efforts. DOIA will purchase and install more trash cans within the downtown as well as several pet clean-up stations and directional signage, to make the downtown Ontario more pedestrian friendly.

The DOIA is marketed via various mediums. To further enhance the power of electronic advertising and networking, the DOIA has designed, and launched a logo and website www.DowntownOntario.org and uses various social media accounts such as, Facebook, YouTube, Twitter, and Instagram accounts to promote a positive image of Downtown Ontario.

ADMINISTRATION

BOARD OF DIRECTORS:

President: Rick Byrd
Vice President: Alex Baroian
Secretary: Richard Galvez
Treasurer: Yossi Gabay
Member: John Andrews
Member: David Puscizna
Member: Jack Gingold
Member: Maria Razo
Member: Jerry Rowley
Member: Jerry Rosenblum
Member: Sarah Rubel Londer
Member: William Rojas
Member: Octavio Vazquez
Member: Peggi Hazlett

KEY PERSONNEL:
Executive Director: Ismael Arias
Maintenance Contractor: District Maintenance Services, Inc.
Auditor: Smith Marion & Co.

The following is the schedule of meetings:

Board of Directors: 4th Thursday of the month at 9:00am at 425 N. Euclid Ave.

District Identity & Placemaking Committee: 2nd Thursday of the month at 10:00am at 425 N. Euclid

Civil Sidewalks Committee: 2nd Thursday of the month at 9:00am at 425 N. Euclid

Ave. **Executive Board Meeting:** 3rd Thursday of the month at 9:00am at 425 N.

Euclid Ave.

In addition, every year the DOIA holds its **Annual Meeting** where all property owners, residents, and merchants are invited for a special report, board elections and discussion on DOIA's program and services. The Annual Meeting is held on a date determined by the DOIA Board of Directors .

ACTIVITIES AND IMPROVEMENTS

Civil Sidewalks: The 2019-2020 budget was $275,000. The civil sidewalks committee oversees the civil sidewalk operations. The DOIA contracts with a maintenance service provider for two full time maintenance ambassadors to perform power washing, trash clean up, sidewalk and gutter sweeping along with other maintenance duties. One pickup truck equipped with a power washer provided by the maintenance provider along with two trash carts have been placed into service to facilitate operations. Since its creation, DOIA has funded over 2,500-man hours dedicated to cleaning and maintenance services within the downtown.

On-going and future projects (please note all services provided by DOIA are over and above the city of Ontario's baseline of services):

- Seven days a week maintenance ambassador service.
- Regular sidewalk and gutter sweeping.
- Regular sidewalk power washing.
- Trash can emptying.
- Timely graffiti removal, within 24 hours as necessary.
- Maintenance of existing and new public spaces.
- Beautification of the district.
- Tree and vegetation maintenance.
- DOIA has worked with the City of Ontario Utilities Dept. to address overflowing, illegal dumping and cleanliness of dumpsters and alleys in the Downtown.
- Environmentally friendly quiet leaf blowers and push trash carts have been purchased to facilitate sidewalk clean up.
- DOIA plans to plant flowers in sidewalk planters throughout the district.
- DOIA plans to install Pet cleanup stations.
- DOIA plans to install new trash cans throughout the district.
- DOIA plans to install surveillance cameras in key areas of the Downtown.
- DOIA plans to discuss with the Public Works Dept. the viability of removing all public pay phones and newspaper racks in the Downtown.

District Identity/Placemaking: The 2019-2020 marketing budget was $92,000. The District Identity committee oversees and implements placemaking programs. In addition to ongoing advertising in local and regional publications, the District Identity committee authorized the printing of introductory postcards, the creation of DOIA's logo, the creation and launch of the DOIA website, and curating of the uniform colors for the maintenance ambassadors.

On-going and future projects:

- The DOIA website www.downtownontario.org was launched in October 2020. Early website stats look promising.
- A logo has been designed as a branding tool for DOIA.
- DOIA has purchased uniforms, hats and safety vests for the maintenance ambassadors.
- DOIA and the City of Ontario are working together to create a downtown banner program, which the DOIA will fund.
- The DOIA promotes the downtown via social media platforms i.e. Facebook, Twitter and, Instagram.
- DOIA's office serves as an information center for all downtown visitors.
- DOIA produces and distributes promotional postcards explaining its services to the downtown Ontario community.
- DOIA is promoting the district as a pedestrian friendly community.
- DOIA has applied and is a participant of the City of Ontario's façade improvement program.
- The DOIA plans to promote the downtown locally and regionally.
- The DOIA plans to hire a Social Media Coordinator to manage all social media activities.

Administration: The 2019-2020 administrative budget was $75,000. The Executive Committee and the Executive Director oversee administrative operations. The DOIA has hired an Executive Director to oversee and manage the implementation of the services the DOIA funds. The DOIA has also leased an office space located at 425 North Euclid Ave., Ontario, CA 91762. The DOIA Executive Director is in close contact with city of Ontario staff to provide insight to the needs of the downtown.

On-going and future expenses:

- Staff and administrative costs
- Directors and Officers Insurance, General Liability and other insurance coverages.
- Office related expenses
- Financial reporting, accounting, and legal services.

BUDGET

The CBD (DOIA) is funded through property tax assessments. Maintaining financial balance is a key objective in any organization; the budget is managed through monitoring expenditures and looking for variances. Marketing, maintenance, and administration, which include costs for building, equipment, supplies, services and staff, are all managed via the budget.

The board approved budget for Fiscal Year 2019-2020 was $461,000. Being that this was the association's first operating year, it took some time to begin full operations, as a result DOIA estimates roughly 32% of the budget to be carried over to the next fiscal year. The carry over funds will be incorporated into the 2020-2021 budget. The budget is shown in Exhibit A.

ASSESSMENTS

The CBD (DOIA) uses common parcel-based factors to assess special benefit in a commercial/retail/residential business district, which are parcel size, street frontage, and building size. Street frontage has been determined to provide approximately 36% of the total assessment, land area approximately 26% of the total assessment, and building area approximately 38% of the total assessment. Annual assessments on property will be $0.06 (6 cents) per parcel square foot, $0.16 (16 cents) per building square foot, plus $6.00 per frontage foot. Residential condominiums are assessed $0.25 (25 cents) per square foot for residential condominiums.

The benefits provided to properties within the district are listed in the diagram below. These services are only be applied to properties within the boundaries of the district.

Category of Special Benefit Services 2020	Approximate Annual Amount, First Year	Approximate Percentage of total budget
Civil Sidewalks	$ 275,000	60%
District Identity/Placemaking	$ 92,000	20%
Administration	$ 75,000	16%
Contingency	$ 19,000	4%
Total	***$ 461,000.00***	***100%***

Properties that are owned and operated as a non-profit, and are property tax exempt, are not assessed the full assessment because these parcels are deemed to benefit from most, but not all, of the proposed District improvements and services. As stated above, these properties receive benefits from, maintenance and streetscape, and administration, but do not receive any marketing. Therefore, properties that are owned and operated as a non-profit, and are property tax exempt, and exclude the per building square foot assessment.

Due to the unforeseen circumstances that were brought upon by the COVID-19 pandemic, beginning in early 2020 the DOIA board for directors implemented a hardship reimbursement policy. The policy allows for the partial reimbursement for property owners that applied for the hardship reimbursement and have provided satisfactory evidence of an economic hardship due to the COVID-19 pandemic. The reimbursement was a partial reimbursement, and proof of full payment of property taxes was required. Therefore, properties that received a reimbursement, were only assessed $0.06 (6 cents) per parcel square foot, and $6.00 per frontage foot.

Based on the above factors, the resulting assessments are shown in the chart attached hereto as Appendix 1. The CBD assessment is collected with regular property taxes. The assessment appeared as a separate line item on annual Property Tax bills prepared by the County of San Bernardino.

EXHIBIT A
Downtown Ontario Improvement Association Detailed Budget Fiscal Year 2019-2020

	Total
Income	
Assessment Income	461,000.00
Delinquency	-19,000.00
Total Assessment Income	**$ 442,000.00**
Total Income	**$ 442,000.00**
Gross Profit	**$ 442,000.00**
Expenses	
Administration	0.00
Accounting Fees	2,000.00
Admin Contingency	210.00
Annual Elections/Mailings	240.00
Bank Charges/Interest	1,000.00
Board Meetings / Retreats	1,500.00
Insurance - Liability, D and O	3,000.00
Legal Fees	1,000.00
Meeting Refreshments	350.00
Office Supplies	3,000.00
Printing and Copying	700.00
Rent	0.00
Staff Contract	61,000.00
Telephone, Telecommunications	1,000.00
Total Administration	**$ 75,000.00**
Civil Sidewalks	0.00
Civil Sidewalks Contingency	124,336.00
DMS Contractor	146,664.00
Storage Rent	4,000.00
Total Civil Sidewalks	**$ 275,000.00**
District Identity/Placemaking	0.00
Branding & Signage	3,000.00
Creative Agency	15,000.00
District Identity Contingency	58,000.00
Public Space Dev.	5,000.00
Seasonal Displays	5,000.00
Website	6,000.00
Total District Identity/Placemaking	**$ 92,000.00**
Total Expenses	**$ 442,000.00**
Net Income	**$ 0.00**

APPENDIX 1 – Year 1 PARCEL ASSESSMENT CALCULATIONS

APN	Annual Assessment
1048-354-01-0000	$1,809.48
1048-354-02-0000	$3,724.44
1048-354-03-0000	$3,041.60
1048-354-04-0000	$1,038.50
1048-354-05-0000	$306.00
1048-354-06-0000	$401.40
1048-354-07-0000	$1,724.60
1048-354-08-0000	$655.20
1048-354-09-0000	$1,038.50
1048-354-10-0000	$916.36
1048-354-11-0000	$3,937.00
1048-354-12-0000	$3,455.28
1048-354-13-0000	$814.80
1048-355-02-0000	$796.14
1048-355-03-0000	$2,177.32
1048-355-04-0000	$1,268.56
1048-355-05-0000	$687.06
1048-355-06-0000	$870.40
1048-355-07-0000	$1,708.48
1048-355-08-0000	$1,329.94
1048-355-09-0000	$1,781.48
1048-355-10-0000	$2,087.32
1048-355-11-0000	$961.02
1048-355-13-0000	$912.28
1048-355-15-0000	$4,170.16
1048-356-01-0000	$3,689.28
1048-356-02-0000	$3,254.16
1048-356-03-0000	$1,190.84
1048-356-04-0000	$1,264.76
1048-356-05-0000	$2,824.72
1048-356-06-0000	$700.68
1048-356-07-0000	$420.36
1048-356-08-0000	$731.60
1048-356-09-0000	$1,162.00
1048-356-10-0000	$447.12
1048-356-11-0000	$917.94
1048-356-12-0000	$2,657.52
1048-356-13-0000	$3,595.44
1048-361-01-0000	$3,315.24
1048-361-02-0000	$748.86
1048-361-03-0000	$715.80
1048-361-04-0000	$1,897.12
1048-361-05-0000	$1,101.60
1048-361-06-0000	$849.12
1048-361-07-0000	$2,048.48
1048-361-08-0000	$2,559.84
1048-361-09-0000	$2,638.02
1048-361-10-0000	$1,682.80
1048-361-11-0000	$840.72
1048-361-12-0000	$843.30
1048-362-02-0000	$764.52
1048-362-03-0000	$4,140.72
1048-362-04-0000	$1,330.24
1048-362-05-0000	$1,646.16
1048-362-06-0000	$1,122.80
1048-362-07-0000	$2,621.12
1048-362-08-0000	$3,036.44
1048-362-09-0000	$5,189.80
1048-362-10-0000	$2,264.10
1048-363-01-0000	$1,284.16
1048-363-02-0000	$4,751.16
1048-363-03-0000	$2,034.72
1048-363-04-0000	$3,514.80
1048-363-05-0000	$8,589.74
1048-551-10-0000	$5,376.12
1048-551-11-0000	$3,887.16
1048-551-12-0000	$2,996.40
1048-551-13-0000	$1,621.80
1048-552-13-0000	$5,350.74
1048-552-14-0000	$1,727.76
1048-552-15-0000	$206.34
1048-552-16-0000	$3,147.60
1048-552-17-0000	$3,055.58
1048-552-18-0000	$131.34
1048-552-19-0000	$2,785.94
1048-553-01-0000	$1,556.04
1048-553-02-0000	$1,509.76
1048-553-03-0000	$797.76
1048-553-04-0000	$1,859.76
1048-553-05-0000	$585.60
1048-553-06-0000	$1,170.60
1048-553-07-0000	$449.46
1048-553-08-0000	$721.86
1048-553-09-0000	$381.36
1048-553-10-0000	$1,027.20
1048-553-11-0000	$420.36
1048-553-12-0000	$420.36
1048-553-13-0000	$2,440.72
1048-553-14-0000	$448.08
1048-553-15-0000	$1,037.44
1048-553-16-0000	$1,237.24
1048-553-17-0000	$3,665.40
1048-561-07-0000	$2,406.48
1048-561-08-0000	$2,221.34
1048-561-09-0000	$1,023.96
1048-561-10-0000	$797.76
1048-561-11-0000	$1,432.40
1048-561-12-0000	$1,182.24
1048-561-13-0000	$24,568.08
1048-562-01-0000	$8,404.20
1048-562-02-0000	$2,528.24
1048-562-03-0000	$7,451.34
1048-562-06-0000	$806.28
1048-562-07-0000	$2,623.68
1048-563-01-0000	$1,606.80
1048-563-02-0000	$797.76
1048-563-03-0000	$2,678.24

1048-563-04-0000	$1,344.00
1048-563-05-0000	$3,956.40
1048-563-06-0000	$1,917.90
1048-563-07-0000	$1,564.80
1048-563-08-0000	$4,266.24
1048-563-09-0000	$785.76
1048-563-10-0000	$1,859.76
1048-563-11-0000	$552.40
1048-564-01-0000	$2,618.88
1048-564-02-0000	$3,473.60
1048-564-03-0000	$4,209.20
1048-564-04-0000	$1,402.50
1048-564-05-0000	$887.64
1048-564-06-0000	$834.72
1048-564-07-0000	$2,866.20
1048-564-08-0000	$791.62
1048-564-09-0000	$1,319.52
1048-564-10-0000	$2,089.40
1048-564-11-0000	$1,383.72
1048-564-12-0000	$3,203.32
1048-564-13-0000	$725.94
1048-564-14-0000	$1,140.72
1048-565-01-0000	$3,149.28
1048-565-02-0000	$642.00
1048-565-03-0000	$7,429.56
1048-565-04-0000	$620.16
1048-565-05-0000	$2,487.36
1048-565-06-0000	$2,090.64
1048-565-07-0000	$1,019.28
1048-565-08-0000	$969.60
1048-565-09-0000	$1,315.60
1048-565-10-0000	$2,866.80
1048-565-11-0000	$7,021.20
1048-565-12-0000	$1,436.96
1048-565-13-0000	$950.16
1048-565-14-0000	$506.88
1048-566-01-0000	$1,176.00
1048-566-02-0000	$1,775.52
1048-566-03-0000	$797.76
1048-566-04-0000	$3,759.04
1048-566-05-0000	$7,535.56
1048-566-06-0000	$1,633.12
1048-566-07-0000	$3,937.56
1048-566-08-0000	$144.00
1048-566-09-0000	$1,479.72
1048-566-10-0000	$1,859.76
1048-566-11-0000	$1,037.04
1049-055-01-0000	$3,146.08
1049-055-02-0000	$1,074.36
1049-055-03-0000	$1,259.42
1049-055-04-0000	$1,202.26
1049-055-05-0000	$1,238.32
1049-055-06-0000	$1,080.06
1049-055-07-0000	$532.98
1049-055-08-0000	$546.06
1049-055-09-0000	$4,231.76
1049-056-01-0000	$2,437.50
1049-056-02-0000	$580.32
1049-056-03-0000	$580.32
1049-056-04-0000	$1,220.40
1049-056-05-0000	$4,813.50
1049-056-06-0000	$2,413.50
1049-057-01-0000	$3,937.92
1049-057-02-0000	$1,310.16
1049-057-03-0000	$2,098.72
1049-057-04-0000	$1,466.00
1049-057-05-0000	$4,314.00
1049-057-06-0000	$1,272.00
1049-057-07-0000	$523.38
1049-058-01-0000	$3,224.00
1049-058-02-0000	$712.62
1049-058-03-0000	$5,096.76
1049-058-04-0000	$2,471.68
1049-058-05-0000	$2,651.96
1049-059-07-0000	$680.16
1049-059-08-0000	$1,398.00
1049-059-09-0000	$824.40
1049-059-14-0000	$4,794.18
1049-059-21-0000	$7,062.30
1049-061-01-0000	$13,042.62
1049-061-02-0000	$3,773.76
1049-061-03-0000	$557.28
1049-062-01-0000	$6,815.22
1049-062-02-0000	$4,804.80
1049-063-01-0000	$2,567.02
1049-063-02-0000	$3,218.88
1049-063-03-0000	$358.64
1049-063-04-0000	$699.28
1049-063-05-0000	$1,380.96
1049-063-06-0000	$1,664.16
1049-063-07-0000	$819.04
1049-063-08-0000	$1,117.26
1049-063-09-0000	$1,131.54
1049-063-10-0000	$1,195.54
1049-064-12-0000	$483.84
1049-064-13-0000	$2,588.08
1049-064-14-0000	$7,611.64

EXHIBIT 2
Downtown Ontario Community Benefit District
Fiscal Year 2021/22
Assessment Roll

Assessor's Parcel Number (APN)	Assessor's Parcel Number Formatted (APN)	Owner Name	Land Use	Linear Frontage (Ft)	Lot Size (Sq Ft)	Building Area (Sq Ft)	Linear Frontage Assess Rate ($/Ft)	Lot Size Assess Rate ($/Sq Ft)	Building Assess Rate ($/Sq Ft)	FY 2021/22 Assessment ($)
1048354010000	1048-354-01-0000	123 W E STREET LLC	MISCELLANEOUS	201	10,058	-	6.00	0.06000	0.1600	1,809.48
1048354020000	1048-354-02-0000	123 W E STREET LLC	OFFICE	50	8,850	18,084	6.00	0.06000	0.1600	3,724.44
1048354030000	1048-354-03-0000	123 W E STREET LLC	RETAIL SALES	187	7,812	9,068	6.00	0.06000	0.1600	3,041.6
1048354040000	1048-354-04-0000	WASHINGTON CARRYE	RETAIL SALES	31	3,875	3,875	6.00	0.06000	0.1600	1,038.5
1048354050000	1048-354-05-0000	BORGES BENITO I & ESTELA C JNT LIV	OFFICE	16	1,100	900	6.00	0.06000	0.1600	306.0
1048354060000	1048-354-06-0000	NOFFSINGER FAMILY TRUST 11/2/95	RETAIL SALES	16	1,890	1,200	6.00	0.06000	0.1600	401.4
1048354070000	1048-354-07-0000	WORK BOOT WAREHOUSE	RETAIL SALES	42	5,418	7,172	6.00	0.06000	0.1600	1,724.6
1048354080000	1048-354-08-0000	YAMAMOTO HARVEY H TR	RETAIL SALES	20	2,520	2,400	6.00	0.06000	0.1600	655.2
1048354090000	1048-354-09-0000	YAMAMOTO HARVEY H TR	RETAIL SALES	31	3,875	3,875	6.00	0.06000	0.1600	1,038.5
1048354100000	1048-354-10-0000	MARCOS FARID	RETAIL SALES	31	3,906	3,100	6.00	0.06000	0.1600	916.36
1048354110000	1048-354-11-0000	CAMPUZANO GLORIA	RETAIL SALES	250	15,750	9,325	6.00	0.06000	0.1600	3,937.0
1048354120000	1048-354-12-0000	CITY OF ONTARIO	VACANT	321	25,488	-	6.00	0.06000	0.1600	3,455.28
1048354130000	1048-354-13-0000	CITY OF ONTARIO	VACANT	70	6,580	-	6.00	0.06000	0.1600	814.8
1048355020000	1048-355-02-0000	CITY OF ONTARIO	VACANT	48	8,469	-	6.00	0.06000	0.1600	796.14
1048355030000	1048-355-03-0000	EUCLID PROPERTIES 531 LLC	OFFICE	173	5,922	4,900	6.00	0.06000	0.1600	2,177.32
1048355040000	1048-355-04-0000	EUCLID PROPERTIES 531 LLC	RETAIL SALES	46	5,764	4,042	6.00	0.06000	0.1600	1,268.56
1048355050000	1048-355-05-0000	LE DA HONG	RETAIL SALES	31	3,927	1,659	6.00	0.06000	0.1600	687.06
1048355060000	1048-355-06-0000	LE DA HONG	RETAIL SALES	41	3,876	2,449	6.00	0.06000	0.1600	870.4
1048355070000	1048-355-07-0000	CHEN JEFFREY J H LIVING TR 3-9-06	OFFICE	44	7,560	6,193	6.00	0.06000	0.1600	1,708.48
1048355080000	1048-355-08-0000	CHEN JEFFREY J H LIVING TR 3-9-06	OFFICE	44	5,555	4,579	6.00	0.06000	0.1600	1,329.94
1048355090000	1048-355-09-0000	DYLAN INVESTMENTS GROUP LLC	RETAIL SALES	250	19,268	2,430	6.00	0.06000	0.1600	3,044.88
1048355100000	1048-355-10-0000	DYLAN INVESTMENTS GROUP LLC	OFFICE	-	-	-	6.00	0.06000	0.1600	0.0
1048355110000	1048-355-11-0000	CITY OF ONTARIO	VACANT	58	10,217	-	6.00	0.06000	0.1600	961.02
1048355130000	1048-355-13-0000	SELLERS JUERGEN L TR	OFFICE	57	5,358	1,555	6.00	0.06000	0.1600	912.28
1048355150000	1048-355-15-0000	AEGIS REAL ESTATE MANAGEMENT CORP	OFFICE	333	16,992	7,204	6.00	0.06000	0.1600	4,170.16
1048356010000	1048-356-01-0000	WHITEHURST DANIEL K	CEMETERY/MORTUARY	259	19,492	7,083	6.00	0.06000	0.1600	3,856.8
1048356020000	1048-356-02-0000	635 NORTH EUCLID LLC	RETAIL SALES	208	10,396	8,640	6.00	0.06000	0.1600	3,254.16
1048356030000	1048-356-03-0000	ALVA LUX GROUP LLC	OFFICE	48	5,850	3,449	6.00	0.06000	0.1600	1,190.84
1048356040000	1048-356-04-0000	MAGIC NUMBER 3 INVESTMENTS LLC	RESID. APARTMENTS	45	5,670	4,091	6.00	0.06000	0.1600	1,264.76
1048356050000	1048-356-05-0000	EAST FOREST INVESTMENT LLC	OFFICE	62	7,812	12,400	6.00	0.06000	0.1600	2,824.72
1048356060000	1048-356-06-0000	CARABAJAL MARIA ZAIDA	OFFICE	31	3,906	1,752	6.00	0.06000	0.1600	700.68
1048356070000	1048-356-07-0000	LE DA HONG	VACANT	31	3,906	-	6.00	0.06000	0.1600	420.36
1048356080000	1048-356-08-0000	CITY OF ONTARIO	OFFICE	31	2,480	2,480	6.00	0.06000	0.1600	731.6
1048356090000	1048-356-09-0000	ROSE-IN -BLOOM INC	OFFICE	111	2,480	2,170	6.00	0.06000	0.1600	1,162.0
1048356100000	1048-356-10-0000	ROSENBLUM JERRY A & CHERYL REVOCABL	RESID. SINGLE FAMILY	46	2,852	-	6.00	0.06000	0.1600	447.12
1048356110000	1048-356-11-0000	CITY OF ONTARIO	VACANT	55	9,799	-	6.00	0.06000	0.1600	917.94
1048356120000	1048-356-12-0000	WHITEHURST DANIEL K	PARKING LOT	273	16,992	-	6.00	0.06000	0.1600	2,657.52
1048356130000	1048-356-13-0000	WHITEHURST DANIEL K	RETAIL SALES	62	5,564	2,068	6.00	0.06000	0.1600	1,036.72
1048361010000	1048-361-01-0000	NEWTON DANIEL DEWITT IRREV TR 12/14	RESTAURANT	250	15,710	5,454	6.00	0.06000	0.1600	3,315.24
1048361020000	1048-361-02-0000	NEWTON DANIEL DEWITT IRREV TR 12/14	PARKING LOT	48	7,681	-	6.00	0.06000	0.1600	748.86
1048361030000	1048-361-03-0000	NEWTON DANIEL DEWITT IRREV TR 12/14	PARKING LOT	50	6,930	-	6.00	0.06000	0.1600	715.8
1048361040000	1048-361-04-0000	MERCADO OSCAR	RESID. SINGLE FAMILY	191	7,140	2,017	6.00	0.06000	0.1600	1,897.12
1048361050000	1048-361-05-0000	HODGSON MICHAEL L	RESID. SINGLE FAMILY	121	3,108	1,182	6.00	0.06000	0.1600	1,101.6
1048361060000	1048-361-06-0000	PIGLET & PIGGY ONTARIO FAMILY LP	PARKING LOT	58	8,352	-	6.00	0.06000	0.1600	849.12
1048361070000	1048-361-07-0000	PIGLET & PIGGY ONTARIO FAMILY LP	OFFICE	62	8,928	7,130	6.00	0.06000	0.1600	2,048.48

Assessor's Parcel Number (APN)	Assessor's Parcel Number Formatted (APN)	Owner Name	Land Use	Linear Frontage (Ft)	Lot Size (Sq Ft)	Building Area (Sq Ft)	Linear Frontage Assess Rate ($/Ft)	Lot Size Assess Rate ($/Sq Ft)	Building Assess Rate ($/Sq Ft)	FY 2021/22 Assessment ($)
1048361080000	1048-361-08-0000	LIU JAMES T	RETAIL SALES	202	8,352	5,292	6.00	0.06000	0.1600	2,559.84
1048361090000	1048-361-09-0000	YAN LIPING	OFFICE	188	7,855	6,492	6.00	0.06000	0.1600	2,638.02
1048361100000	1048-361-10-0000	SERRANO RIGOBERTO	RETAIL SALES	62	7,812	5,263	6.00	0.06000	0.1600	1,682.8
1048361110000	1048-361-11-0000	SERRANO RIGOBERTO	PARKING LOT	62	7,812	-	6.00	0.06000	0.1600	840.72
1048361120000	1048-361-12-0000	NEWTON DANIEL DEWITT IRREV TR 12/14	PARKING LOT	62	7,855	-	6.00	0.06000	0.1600	843.3
1048362020000	1048-362-02-0000	BETHEL CONGREGATIONAL CHURCH	VACANT	46	8,142	-	6.00	0.06000	0.1600	764.52
1048362030000	1048-362-03-0000	WALLA WALL GROUP	OFFICE	273	16,800	9,342	6.00	0.06000	0.1600	4,140.72
1048362040000	1048-362-04-0000	ROSALES BARBARA	RESID. SINGLE FAMILY	86	7,680	2,209	6.00	0.06000	0.1600	1,330.24
1048362050000	1048-362-05-0000	ALELUK LLC	PARKING LOT	187	8,736	-	6.00	0.06000	0.1600	1,646.16
1048362060000	1048-362-06-0000	SCHNEIDER FAMILY TRUST 02/16/90	VETERINARIAN/HOSP	49	8,640	1,940	6.00	0.06000	0.1600	1,122.8
1048362070000	1048-362-07-0000	SHOKER BROTHERS LLC	MINI MART	250	15,624	1,148	6.00	0.06000	0.1600	2,621.12
1048362080000	1048-362-08-0000	ALELUK LLC	OFFICE	93	11,718	11,096	6.00	0.06000	0.1600	3,036.44
1048362090000	1048-362-09-0000	BETHEL CONGREGATIONAL CHURCH	CHURCH	220	11,782	-	6.00	0.06000	0.1600	2,026.92
1048362100000	1048-362-10-0000	PENTECOSTAL CHURCH OF GOD I M PAC RE	CHURCH	62	7,855	-	6.00	0.06000	0.1600	843.3
1048363010000	1048-363-01-0000	AFSARI FAISAL	AUTOMOTIVE USES	160	5,136	100	6.00	0.06000	0.1600	1,284.16
1048363020000	1048-363-02-0000	CITY OF ONTARIO	PARKING LOT	411	38,086	-	6.00	0.06000	0.1600	4,751.16
1048363030000	1048-363-03-0000	CITY OF ONTARIO	PARKING LOT	224	11,512	-	6.00	0.06000	0.1600	2,034.72
1048363040000	1048-363-04-0000	CITY OF ONTARIO	BANK	205	10,080	10,500	6.00	0.06000	0.1600	3,514.8
1048363050000	1048-363-05-0000	CITY OF ONTARIO	RETAIL SALES	260	31,901	31,973	6.00	0.06000	0.1600	8,589.74
1048551100000	1048-551-10-0000	CITY OF ONTARIO	VACANT	430	46,602	-	6.00	0.06000	0.1600	5,376.12
1048551110000	1048-551-11-0000	ONTARIO HOUSING AUTHORITY	VACANT	349	29,886	-	6.00	0.06000	0.1600	3,887.16
1048551120000	1048-551-12-0000	ONTARIO HOUSING AUTHORITY	VACANT	287	21,240	-	6.00	0.06000	0.1600	2,996.4
1048551130000	1048-551-13-0000	ONTARIO HOUSING AUTHORITY	VACANT	206	6,430	-	6.00	0.06000	0.1600	1,621.8
1048552130000	1048-552-13-0000	CITY OF ONTARIO	PARKING LOT	546	34,579	-	6.00	0.06000	0.1600	5,350.74
1048552140000	1048-552-14-0000	CITY OF ONTARIO	PARKING LOT	97	19,096	-	6.00	0.06000	0.1600	1,727.76
1048552150000	1048-552-15-0000	ONTARIO HOUSING AUTHORITY	PARKING LOT	10	2,439	-	6.00	0.06000	0.1600	206.34
1048552160000	1048-552-16-0000	ONTARIO HOUSING AUTHORITY	VACANT	238	28,660	-	6.00	0.06000	0.1600	3,147.6
1048552170000	1048-552-17-0000	ONTARIO HOUSING AUTHORITY	BANK	218	10,993	6,800	6.00	0.06000	0.1600	3,055.58
1048552180000	1048-552-18-0000	CITY OF ONTARIO	VACANT	14	789	-	6.00	0.06000	0.1600	131.34
1048552190000	1048-552-19-0000	CITY OF ONTARIO HOUSING AUTHORITY	RETAIL SALES	170	5,891	8,828	6.00	0.06000	0.1600	2,785.94
1048553010000	1048-553-01-0000	CITY OF ONTARIO HOUSING AUTHORITY	VACANT	185	7,434	-	6.00	0.06000	0.1600	1,556.04
1048553020000	1048-553-02-0000	CITY OF ONTARIO	RETAIL SALES	48	8,496	4,450	6.00	0.06000	0.1600	1,509.76
1048553030000	1048-553-03-0000	CITY OF ONTARIO	VACANT	48	8,496	-	6.00	0.06000	0.1600	797.76
1048553040000	1048-553-04-0000	CITY OF ONTARIO	PARKING LOT	225	8,496	-	6.00	0.06000	0.1600	1,859.76
1048553050000	1048-553-05-0000	ONTARIO HOUSING AUTHORITY	RETAIL SALES	40	5,760	-	6.00	0.06000	0.1600	585.6
1048553060000	1048-553-06-0000	ONTARIO HOUSING AUTHORITY	SHOPPING CENTERS	157	3,810	-	6.00	0.06000	0.1600	1,170.6
1048553070000	1048-553-07-0000	ONTARIO HOUSING AUTHORITY	RETAIL SALES	33	4,191	-	6.00	0.06000	0.1600	449.46
1048553080000	1048-553-08-0000	ONTARIO HOUSING AUTHORITY	SHOPPING CENTERS	53	6,731	-	6.00	0.06000	0.1600	721.86
1048553090000	1048-553-09-0000	ONTARIO HOUSING AUTHORITY	PARKING LOT	28	3,556	-	6.00	0.06000	0.1600	381.36
1048553100000	1048-553-10-0000	ONTARIO HOUSING AUTHORITY	PARKING LOT	146	2,520	-	6.00	0.06000	0.1600	1,027.2
1048553110000	1048-553-11-0000	ONTARIO HOUSING AUTHORITY	PARKING LOT	31	3,906	-	6.00	0.06000	0.1600	420.36
1048553120000	1048-553-12-0000	ONTARIO HOUSING AUTHORITY	RETAIL SALES	31	3,906	-	6.00	0.06000	0.1600	420.36
1048553130000	1048-553-13-0000	ONTARIO HOUSING AUTHORITY	RETAIL SALES	62	7,812	10,000	6.00	0.06000	0.1600	2,440.72
1048553140000	1048-553-14-0000	ONTARIO HOUSING AUTHORITY	RETAIL SALES	32	4,268	-	6.00	0.06000	0.1600	448.08
1048553150000	1048-553-15-0000	ONTARIO HOUSING AUTHORITY	RETAIL SALES	31	3,780	3,904	6.00	0.06000	0.1600	1,037.44
1048553160000	1048-553-16-0000	CITY OF ONTARIO	RETAIL SALES	31	8,854	3,250	6.00	0.06000	0.1600	1,237.24
1048553170000	1048-553-17-0000	CITY OF ONTARIO	RETAIL SALES	65	8,190	17,400	6.00	0.06000	0.1600	3,665.4
1048561070000	1048-561-07-0000	GROUP 1 EL MONTE PROPERTIES LTD	RESID. APARTMENTS	225	8,496	3,417	6.00	0.06000	0.1600	2,406.48
1048561080000	1048-561-08-0000	JOSHUA 1 PROPERTY MANAGEMENT LLC	MEDICAL/DENTAL/LABS	96	17,169	3,845	6.00	0.06000	0.1600	2,221.34
1048561090000	1048-561-09-0000	HU ZHENGQIANG	RESIDENTIAL	48	8,554	1,392	6.00	0.06000	0.1600	1,023.96
1048561100000	1048-561-10-0000	J-JLACE LP	VACANT	48	8,496	-	6.00	0.06000	0.1600	797.76
1048561110000	1048-561-11-0000	CLS-INVESTMENTS INC	OFFICE	123	8,400	1,190	6.00	0.06000	0.1600	1,432.4
1048561120000	1048-561-12-0000	BELLO CONSTRUCTION COMPANY INC	COMMERCIAL	102	4,896	1,728	6.00	0.06000	0.1600	1,182.24

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1048561130000	1048-561-13-0000	FRONTIER CALIFORNIA INC	VACANT	642	54,516	109,032	6.00	0.06000	0.1600	24,568.08
1048562010000	1048-562-01-0000	UNITED CHRISTIAN CHURCH/HACIENDA HTS	CHURCH	417	42,834	-	6.00	0.06000	0.1600	5,072.04
1048562020000	1048-562-02-0000	RMEICH LLC	OFFICE	225	8,496	4,178	6.00	0.06000	0.1600	2,528.24
1048562030000	1048-562-03-0000	RUBEL FAMILY TRUST 1-7-91 - EST OF	SHOPPING CENTERS	369	34,161	19,923	6.00	0.06000	0.1600	7,451.34
1048562060000	1048-562-06-0000	HALE KENNETH D	OFFICE	55	2,658	1,980	6.00	0.06000	0.1600	806.28
1048562070000	1048-562-07-0000	PAN DE VIDA SPANISH MINISTRY OF ONTA	COMMERCIAL	170	13,032	-	6.00	0.06000	0.1600	1,801.92
1048563010000	1048-563-01-0000	TORRES MARIA	OFFICE	175	6,096	1,194	6.00	0.06000	0.1600	1,606.8
1048563020000	1048-563-02-0000	JJDR REAL ESTATE CORP	VACANT	48	8,496	-	6.00	0.06000	0.1600	797.76
1048563030000	1048-563-03-0000	JJDR REAL ESTATE CORP	RETAIL SALES	96	16,992	6,767	6.00	0.06000	0.1600	2,678.24
1048563040000	1048-563-04-0000	JJDR REAL ESTATE CORPORATION	RETAIL SALES	48	8,640	3,360	6.00	0.06000	0.1600	1,344.0
1048563050000	1048-563-05-0000	JJDR REAL ESTATE CORP	RETAIL SALES	225	8,496	13,104	6.00	0.06000	0.1600	3,956.4
1048563060000	1048-563-06-0000	CITY OF ONTARIO	VACANT	226	9,365	-	6.00	0.06000	0.1600	1,917.9
1048563070000	1048-563-07-0000	ROSENBLUM JERRY A & CHERYL REV TR 1	OFFICE	48	7,536	5,154	6.00	0.06000	0.1600	1,564.8
1048563080000	1048-563-08-0000	ROSENBLUM JERRY A & CHERYL REV TR 1	SHOPPING CENTERS	96	16,992	16,692	6.00	0.06000	0.1600	4,266.24
1048563090000	1048-563-09-0000	ROSENBLUM JERRY A & CHERYL REV TR	AUTOMOTIVE USES	46	8,496	-	6.00	0.06000	0.1600	785.76
1048563100000	1048-563-10-0000	ROSENBLUM JERRY A & CHERYL REV TR	AUTOMOTIVE USES	225	8,496	-	6.00	0.06000	0.1600	1,859.76
1048563110000	1048-563-11-0000	BECERRA GLORIA A	RESIDENTIAL	47	2,400	790	6.00	0.06000	0.1600	552.4
1048564010000	1048-564-01-0000	LCS ENTERPRISES LLC	RETAIL SALES	176	7,680	6,888	6.00	0.06000	0.1600	2,618.88
1048564020000	1048-564-02-0000	JIANPING LLC	RETAIL SALES	48	8,496	16,724	6.00	0.06000	0.1600	3,473.6
1048564030000	1048-564-03-0000	Y&A INVESTMENT LLC	RETAIL SALES	196	8,820	15,650	6.00	0.06000	0.1600	4,209.2
1048564040000	1048-564-04-0000	Y & A INVESTMENT LLC	RETAIL SALES	55	6,875	4,125	6.00	0.06000	0.1600	1,402.5
1048564050000	1048-564-05-0000	Y & A INVESTMENTS LLC	RETAIL SALES	36	3,906	2,733	6.00	0.06000	0.1600	887.64
1048564060000	1048-564-06-0000	CITY OF ONTARIO	VACANT	61	7,812	-	6.00	0.06000	0.1600	834.72
1048564070000	1048-564-07-0000	ROUMBOS JOHN P & GEORGIA TRUST	SHOPPING CENTERS	93	10,278	10,572	6.00	0.06000	0.1600	2,866.2
1048564080000	1048-564-08-0000	MENDEZ MARIANA Y L	RETAIL SALES	21	1,835	3,472	6.00	0.06000	0.1600	791.62
1048564090000	1048-564-09-0000	DAMON DAN & JACKIE FAMILY TRUST 8-1	RETAIL SALES	93	2,132	3,960	6.00	0.06000	0.1600	1,319.52
1048564100000	1048-564-10-0000	CHANG CHIEN-KUO & YU-YUN CHEN SUR S	RETAIL SALES	74	4,330	8,660	6.00	0.06000	0.1600	2,089.4
1048564110000	1048-564-11-0000	JJDR REAL ESTATE CORPORATION	RETAIL SALES	48	8,622	3,615	6.00	0.06000	0.1600	1,383.72
1048564120000	1048-564-12-0000	CARPENTER RICHARD R TRUST	RETAIL SALES	214	8,914	8,653	6.00	0.06000	0.1600	3,203.32
1048564130000	1048-564-13-0000	CITY OF ONTARIO	VACANT	58	6,299	-	6.00	0.06000	0.1600	725.94
1048564140000	1048-564-14-0000	CITY OF ONTARIO	VACANT	97	9,312	-	6.00	0.06000	0.1600	1,140.72
1048565010000	1048-565-01-0000	245 ONTARIO PLACE LLC	PARKING LOT	291	23,388	-	6.00	0.06000	0.1600	3,149.28
1048565020000	1048-565-02-0000	CITY OF ONTARIO	MEDICAL/DENTAL/LABS	30	2,100	2,100	6.00	0.06000	0.1600	642.0
1048565030000	1048-565-03-0000	245 ONTARIO PLACE LLC	RETAIL SALES	219	11,782	33,804	6.00	0.06000	0.1600	7,429.56
1048565040000	1048-565-04-0000	TRUEBLOOD B R & PAULINE M 2002 REV	RETAIL SALES	24	1,536	2,400	6.00	0.06000	0.1600	620.16
1048565050000	1048-565-05-0000	RUBEL ENTERPRISES	RETAIL SALES	37	5,820	11,976	6.00	0.06000	0.1600	2,487.36
1048565060000	1048-565-06-0000	SALDANAS ISIDRO REVOCABLE TR 8/29/1	RETAIL SALES	62	7,812	7,812	6.00	0.06000	0.1600	2,090.64
1048565070000	1048-565-07-0000	GINGOLD FAMILY TRUST 1-28-09	RETAIL SALES	31	4,032	3,696	6.00	0.06000	0.1600	1,019.28
1048565080000	1048-565-08-0000	GARDNER DENTAL PROPERTY LLC	MEDICAL/DENTAL/LABS	31	3,780	3,480	6.00	0.06000	0.1600	969.6
1048565090000	1048-565-09-0000	MOBAY INVESTMENT LLC	RETAIL SALES	31	4,000	5,560	6.00	0.06000	0.1600	1,315.6
1048565100000	1048-565-10-0000	CISNEROS JOSE JESUS	RETAIL SALES	188	7,812	7,938	6.00	0.06000	0.1600	2,866.8
1048565110000	1048-565-11-0000	INDEPENDENT ORDER OF ODD FELLOWS	RETAIL SALES	95	9,216	36,864	6.00	0.06000	0.1600	7,021.2
1048565120000	1048-565-12-0000	KIM BRUCE	MEDICAL/DENTAL/LABS	118	3,360	3,296	6.00	0.06000	0.1600	1,436.96
1048565130000	1048-565-13-0000	CITY OF ONTARIO	VACANT	107	5,136	-	6.00	0.06000	0.1600	950.16
1048565140000	1048-565-14-0000	CITY OF ONTARIO	VACANT	-	8,448	-	6.00	0.06000	0.1600	506.88
1048566010000	1048-566-01-0000	CITY OF ONTARIO	VACANT	148	4,800	-	6.00	0.06000	0.1600	1,176.0
1048566020000	1048-566-02-0000	CITY OF ONTARIO	RETAIL SALES	48	8,496	6,111	6.00	0.06000	0.1600	1,775.52
1048566030000	1048-566-03-0000	POMONA FIRST FED SAVINGS/LOAN ASSOC	VACANT	48	8,496	-	6.00	0.06000	0.1600	797.76
1048566040000	1048-566-04-0000	POMONA FIRST FED SAVINGS/LOAN ASSOC	BANK	219	11,844	10,840	6.00	0.06000	0.1600	3,759.04
1048566050000	1048-566-05-0000	BETHLEHEM AJAM ONE INC	RETAIL SALES	136	17,262	35,524	6.00	0.06000	0.1600	7,535.56
1048566060000	1048-566-06-0000	TANG LAN T	RETAIL SALES	52	6,552	5,800	6.00	0.06000	0.1600	1,633.12
1048566070000	1048-566-07-0000	ESOLA CAPITAL INVESTMENT LLC	RETAIL SALES	219	11,718	12,003	6.00	0.06000	0.1600	3,937.56
1048566080000	1048-566-08-0000	CITY OF ONTARIO	PARKING LOT	-	2,400	-	6.00	0.06000	0.1600	144.0

Assessor's Parcel Number (APN)	Assessor's Parcel Number Formatted (APN)	Owner Name	Land Use	Linear Frontage (Ft)	Lot Size (Sq Ft)	Building Area (Sq Ft)	Linear Frontage Assess Rate ($/Ft)	Lot Size Assess Rate ($/Sq Ft)	Building Assess Rate ($/Sq Ft)	FY 2021/22 Assessment ($)
1048566090000	1048-566-09-0000	CITY OF ONTARIO	PARKING LOT	100	14,662	-	6.00	0.06000	0.1600	1,479.72
1048566100000	1048-566-10-0000	CITY OF ONTARIO	VACANT	225	8,496	-	6.00	0.06000	0.1600	1,859.76
1048566110000	1048-566-11-0000	CITY OF ONTARIO	VACANT	77	3,696	2,208	6.00	0.06000	0.1600	1,037.04
1049055010000	1049-055-01-0000	MCKENRICK FAMILY TRUST (5-16-03)	RETAIL SALES	192	9,064	9,064	6.00	0.06000	0.1600	3,146.08
1049055020000	1049-055-02-0000	TORRES JOSE OSVALDO	RETAIL SALES	42	3,738	3,738	6.00	0.06000	0.1600	1,074.36
1049055030000	1049-055-03-0000	HATFIELD DEBRA LEE FAM TRUST 10/26	SHOPPING CENTERS	50	4,361	4,361	6.00	0.06000	0.1600	1,259.42
1049055040000	1049-055-04-0000	DEFINITELY MAYBE LLC	SHOPPING CENTERS	47	4,183	4,183	6.00	0.06000	0.1600	1,202.26
1049055050000	1049-055-05-0000	TRAKHMAN ALEXSANDR	AUTOMOTIVE USES	137	4,272	1,000	6.00	0.06000	0.1600	1,238.32
1049055060000	1049-055-06-0000	TRAKHMAN ALEXSANDR	AUTOMOTIVE USES	137	4,301	-	6.00	0.06000	0.1600	1,080.06
1049055070000	1049-055-07-0000	DEFINITELY MAYBE LLC	VACANT	47	4,183	-	6.00	0.06000	0.1600	532.98
1049055080000	1049-055-08-0000	HATFIELD DEBRA LEE FAM TRUST 10/26	VACANT	48	4,301	-	6.00	0.06000	0.1600	546.06
1049055090000	1049-055-09-0000	BODKIN FAMILY TRUST 2-8-93	RETAIL SALES	233	12,816	12,905	6.00	0.06000	0.1600	4,231.76
1049056010000	1049-056-01-0000	CITY OF ONTARIO	VACANT	254	15,225	-	6.00	0.06000	0.1600	2,437.5
1049056020000	1049-056-02-0000	CITY OF ONTARIO	VACANT	48	4,872	-	6.00	0.06000	0.1600	580.32
1049056030000	1049-056-03-0000	CITY OF ONTARIO	VACANT	48	4,872	-	6.00	0.06000	0.1600	580.32
1049056040000	1049-056-04-0000	CITY OF ONTARIO	VACANT	153	5,040	-	6.00	0.06000	0.1600	1,220.4
1049056050000	1049-056-05-0000	CITY OF ONTARIO	SCHOOLS	250	15,225	15,000	6.00	0.06000	0.1600	4,813.5
1049056060000	1049-056-06-0000	CITY OF ONTARIO	VACANT	250	15,225	-	6.00	0.06000	0.1600	2,413.5
1049057010000	1049-057-01-0000	UNITED STATES OF AMERICA	VACANT	430	22,632	-	6.00	0.06000	0.1600	3,937.92
1049057020000	1049-057-02-0000	LANDAVERDE XENIA E TRUST 2020	RETAIL SALES	56	4,428	4,428	6.00	0.06000	0.1600	1,310.16
1049057030000	1049-057-03-0000	FLORES JOSE JAIMIE	RETAIL SALES	158	5,280	5,212	6.00	0.06000	0.1600	2,098.72
1049057040000	1049-057-04-0000	PUSCIZNA DAVID	RETAIL SALES	31	3,520	6,680	6.00	0.06000	0.1600	1,466.0
1049057050000	1049-057-05-0000	THEE AGUILA INC	SHOPPING CENTERS	430	4,900	9,000	6.00	0.06000	0.1600	4,314.0
1049057060000	1049-057-06-0000	CITY OF ONTARIO	VACANT	156	5,600	-	6.00	0.06000	0.1600	1,272.0
1049057070000	1049-057-07-0000	CITY OF ONTARIO	VACANT	50	3,723	-	6.00	0.06000	0.1600	523.38
1049058010000	1049-058-01-0000	VEJ ONTARIO LP	COMMERCIAL	208	9,856	8,654	6.00	0.06000	0.1600	3,224.0
1049058020000	1049-058-02-0000	CITY OF ONTARIO	VACANT	68	5,077	-	6.00	0.06000	0.1600	712.62
1049058030000	1049-058-03-0000	HOUSING AUTHORITY/CO SAN BERNARDINO	COMMERCIAL	191	8,910	21,351	6.00	0.06000	0.1600	5,096.76
1049058040000	1049-058-04-0000	ROJAS LUIS ALBERTO FAM TR 12/15/08	OFFICE	214	9,000	4,048	6.00	0.06000	0.1600	2,471.68
1049058050000	1049-058-05-0000	CORNERSTONE CA LLC	MEDICAL/DENTAL/LABS	204	13,346	3,920	6.00	0.06000	0.1600	2,651.96
1049059070000	1049-059-07-0000	ONTARIO HOUSING AUTHORITY	RESID. SINGLE FAMILY	52	6,136	-	6.00	0.06000	0.1600	680.16
1049059080000	1049-059-08-0000	VEJ ONTARIO LP	SHOPPING CENTERS	74	8,140	2,910	6.00	0.06000	0.1600	1,398.0
1049059090000	1049-059-09-0000	VEJ ONTARIO LP	PARKING LOT	56	8,140	-	6.00	0.06000	0.1600	824.4
1049059140000	1049-059-14-0000	CITY OF ONTARIO	VACANT	405	39,403	-	6.00	0.06000	0.1600	4,794.18
1049059210000	1049-059-21-0000	VEJ ONTARIO LP	COMMERCIAL	269	29,645	22,935	6.00	0.06000	0.1600	7,062.3
1049061010000	1049-061-01-0000	SEC EUCLID & HOLT AVE PROPERTY LP	OFFICE	428	20,097	57,930	6.00	0.06000	0.1600	13,042.62
1049061020000	1049-061-02-0000	SEC EUCLID & HOLT AVE PROPERTY LP	OFFICE	427	20,196	-	6.00	0.06000	0.1600	3,773.76
1049061030000	1049-061-03-0000	SEC EUCLID & HOLT AVE PROPERTY LP	PARKING LOT	48	4,488	-	6.00	0.06000	0.1600	557.28
1049062010000	1049-062-01-0000	CITY OF ONTARIO	RECREATIONAL	395	34,087	15,000	6.00	0.06000	0.1600	6,815.22
1049062020000	1049-062-02-0000	CITY OF ONTARIO	RECREATIONAL	412	38,880	-	6.00	0.06000	0.1600	4,804.8
1049063010000	1049-063-01-0000	NA SUSAN TR	AUTOMOTIVE USES	190	9,021	5,536	6.00	0.06000	0.1600	2,567.02
1049063020000	1049-063-02-0000	CITY OF ONTARIO	SHOPPING CENTERS	97	13,548	11,400	6.00	0.06000	0.1600	3,218.88
1049063030000	1049-063-03-0000	ROJAS ALICIA FAMILY TRUST 12/15/08	RETAIL SALES	17	1,504	1,040	6.00	0.06000	0.1600	358.64
1049063040000	1049-063-04-0000	ROJAS ALICIA FAMILY TRUST 12-15-08	RETAIL SALES	31	3,008	2,080	6.00	0.06000	0.1600	699.28
1049063050000	1049-063-05-0000	CARVALHO JOAO R	RETAIL SALES	142	4,512	1,614	6.00	0.06000	0.1600	1,380.96
1049063060000	1049-063-06-0000	GREEN ARCHIE L	AUTOMOTIVE USES	142	4,512	3,384	6.00	0.06000	0.1600	1,664.16
1049063070000	1049-063-07-0000	GREEN ARCHIE L	COMMERCIAL	48	4,464	1,645	6.00	0.06000	0.1600	819.04
1049063080000	1049-063-08-0000	GREEN ARCHIE L	VACANT	96	9,021	-	6.00	0.06000	0.1600	1,117.26
1049063090000	1049-063-09-0000	NA CHRIS SUNG	VACANT	143	4,559	-	6.00	0.06000	0.1600	1,131.54
1049063100000	1049-063-10-0000	HARMAN JOHN D	SHOPPING CENTERS	47	4,559	4,000	6.00	0.06000	0.1600	1,195.54
1049064120000	1049-064-12-0000	CITY OF ONTARIO	RECREATIONAL	-	8,064	-	6.00	0.06000	0.1600	483.84
1049064130000	1049-064-13-0000	CITY OF ONTARIO	RECREATIONAL	133	12,768	6,400	6.00	0.06000	0.1600	2,588.08
1049064140000	1049-064-14-0000	CITY OF ONTARIO	PARKING LOT	620	48,242	6,232	6.00	0.06000	0.1600	7,611.64

Assessor's Parcel Number (APN)	Assessor's Parcel Number Formatted (APN)	Owner Name	Land Use	Linear Frontage (Ft)	Lot Size (Sq Ft)	Building Area (Sq Ft)	Linear Frontage Assess Rate ($/Ft)	Lot Size Assess Rate ($/Sq Ft)	Building Assess Rate ($/Sq Ft)	FY 2021/22 Assessment ($)
Total				27,356	2,035,879	1,019,773				$449,452.42
Parcel Count										204

CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Engineering Prepared By: Tricia Espinoza Staff Member Presenting: Scott Murphy, Executive Director Community Development Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 04

SUBJECT: AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH KLEINFELDER, INC., FOR ON-CALL MATERIAL TESTING AND GEOTECHNICAL ENGINEERING SERVICES

RECOMMENDATION: That the City Council approve an amendment to the Professional Services Agreement (on file in the Records Management Department) with Kleinfelder, Inc., of Ontario, California, to provide on-call geotechnical consulting, material testing, and compaction testing services for the FY21-22 Pavement Projects in the amount of $161,491 for a revised total of $1,463,900 and authorize the City Manager to execute said amendment and future amendments within the authorization limits.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
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)

FISCAL IMPACT: The Fiscal Year 2021-22 Adopted Budget and Capital Improvement Program (CIP) includes appropriations for construction related services for projects. The consultant, Kleinfelder, Inc., has agreed to the fixed billing rate and will be compensated for the scope of work, as set forth in the Agreement. The proposed Amendment 15 increases the Agreement amount by $161,491 for a revised total of $1,463,900.

BACKGROUND & ANALYSIS: In December 2017, after an extensive solicitation and procurement selection process, the City entered into a Professional Services Agreement with Kleinfelder, Inc., for on-call geotechnical engineering and material testing services for one year with four additional one-year periods at the City's discretion. The selection was based on the firm's experience, knowledge and qualifications.

The City is currently in the fourth year of the contract and has expended $1,302,409 towards projects for the Engineering Department, Ontario Municipal Utilities Company and the Public Works Agency.

This amendment is to revise the scope to include services for the FY21/22 Pavement Projects, extend the contract term and increase the not-to-exceed compensation amount.

CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Engineering Prepared By: Ariana Kern Staff Member Presenting: Scott Murphy, Executive Director Community Development Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 05

SUBJECT: A CONSTRUCTION CONTRACT FOR THE 2021 FALL PAVEMENT REHABILITATION PROJECT

RECOMMENDATION: That the City Council award a construction contract (on file in the Records Management Department) with All American Asphalt of Corona, California, for the 2021 Fall Pavement Rehabilitation Project in the bid amount of $4,433,499 plus a fifteen percent (15%) contingency of $665,025, for a total authorized expenditure of $5,098,524; and authorize the City Manager to execute said contract and all related documents and file a notice of completion at the conclusion of all construction activities.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
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)

FISCAL IMPACT: The Fiscal Year 2021-22 Adopted Budget allocated funds for the 2021 Fall Pavement Rehabilitation Project in the amount of $6,610,000 from Measure I Funds, Water Capital Funds, RMRA (SB1), and Assessment District Administration. The total recommended expenditure authorization consists of $4,433,499, plus a 15% contingency of $665,025 for a total authorized expenditure of $5,098,524, consistent with the adopted budget.

BACKGROUND & ANALYSIS: The general scope of work to be performed consists of, but is not limited to, header & slot grinding existing pavement, placement of an asphalt level course, placement of base pavement, placement of an ARHM overlay, placement of PCC pavement, removal and replacement of PCC sidewalks, curb & gutter, access ramps, replace irrigation in like and kind, installation of video detection system, and construction of any other appurtenances necessary to complete the project improvements. This project will extend the lifespan of the streets by 15 to 20 years.

The project locations include rehabilitation of Bon View Avenue from Riverside Drive to State Route 60 Freeway (Project No. ST2004), Haven Avenue & Jurupa Street (Project No. ST2201), Lytle Creek Loop (Project No. ST2202), Mill Creek Avenue from Lytle Creek Loop to Riverside Drive (Project No. ST2203), Jurupa Street and Milliken Avenue (Project No. ST2204), Day Creek from Turner Avenue to Deer Creek Loop (Project No. ST2206), Haven Avenue from Creekside Drive to Riverside Drive (Project No. ST2207), Creekside Drive from Deer Creek Loop to Lytle Creek Loop (Project No.

ST2208), Deer Creek Loop (Project No. ST2209), Grove Avenue from State Route 60 Freeway to Philadelphia Street (Project No. ST2210), and Guasti Road and Milliken Avenue (Project No. ST2211). A project location map is provided for reference as Exhibit "A".

In May 2021, the City solicited bids for the project and four bids were received. The following is a summary of the bid results:

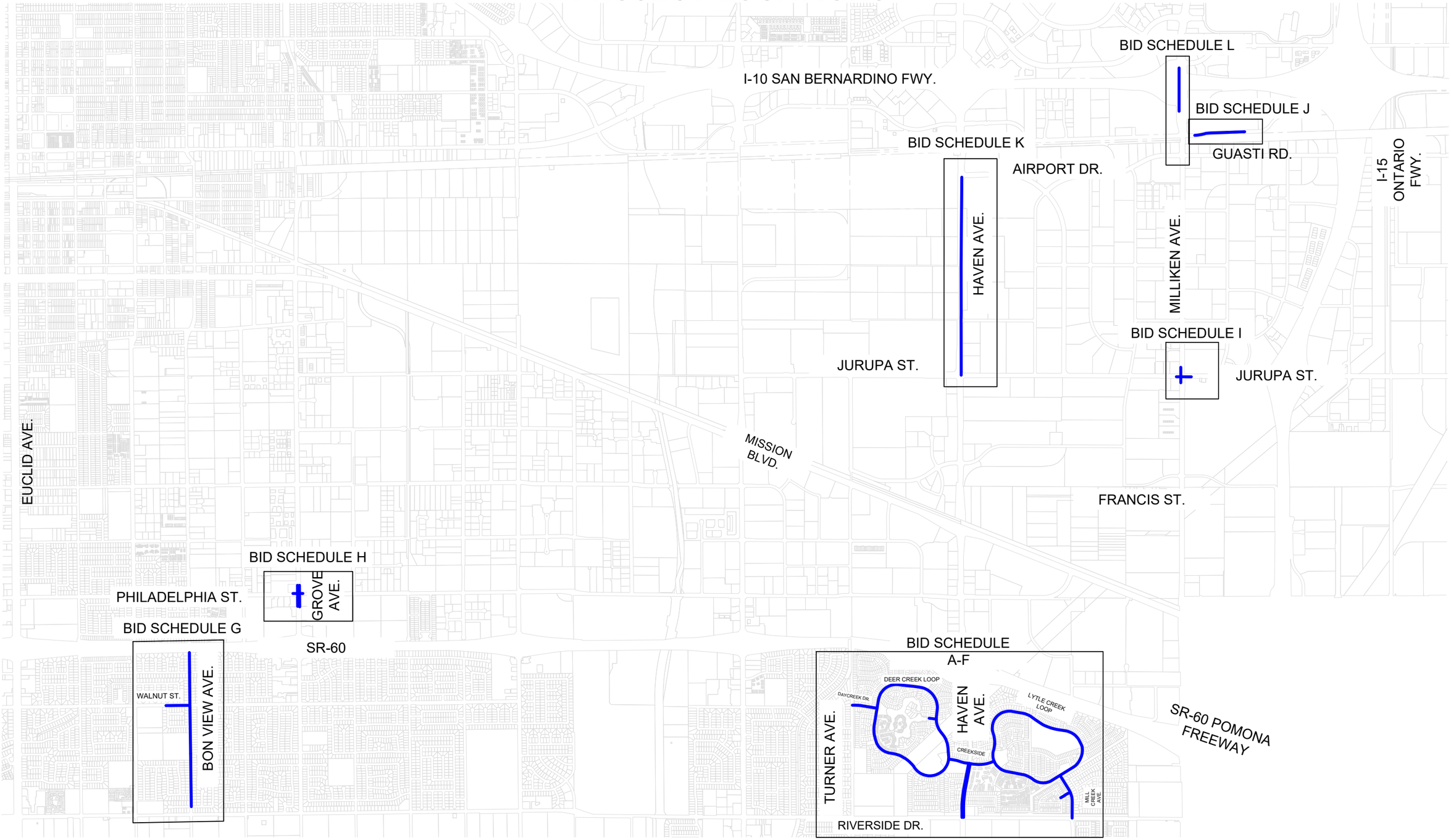
COMPANY	LOCATION	AMOUNT
All American Asphalt	Corona, CA	$ 4,433,499
Hardy & Harper, Inc	Lake Forest, CA	$ 5,077,000
R. J. Noble Company	Orange, CA	$ 5,603,933
Sequel Contractors, Inc.	Santa Fe Springs, CA	$ 5,751,269

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

EXHIBIT "A"
PROPOSED 2021
FALL PAVEMENT REHABILITATION
PROJECT LOCATIONS

LEGEND

21/22 FALL PAVEMENT REHABILITATION LOCATION



CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Engineering Prepared By: Jesus Plasencia Staff Member Presenting: Scott Murphy, Executive Director Community Development Reviewed By: Raymond Lee, Khoi Do Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 06

SUBJECT: A RESOLUTION ORDERING THE SUMMARY VACATION OF A PORTION OF THE NEIGHBORHOOD EDGE GENERALLY LOCATED ON THE SOUTH SIDE OF ONTARIO RANCH ROAD APPROXIMATELY 1,600 FEET WEST OF ARCHIBALD AVENUE

RECOMMENDATION: That the City Council adopt a resolution ordering the summary vacation of a portion of the neighborhood edge for public utility and municipal purposes, generally located on the south side of Ontario Ranch Road approximately 1,600 feet west of Archibald Avenue, and reconveying any of the City's interest.

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

FISCAL IMPACT: There is not a direct fiscal impact associated with this action. The City did not pay to acquire the subject property. There will be no revenue as a result of the reconveyance. The developer has paid the applicable processing fees to defray any City cost to process this request.

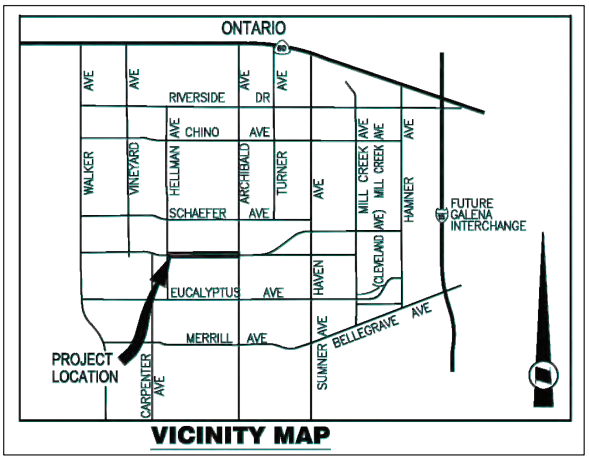
BACKGROUND & ANALYSIS: The neighborhood edge on the south side of Ontario Ranch Road between the Cucamonga Creek Channel and Archibald Avenue was dedicated in fee simple to the City for public utility and municipal purposes by SC Ontario Development Company, LLC (subdivider), as one of the requirements for the development of Tract Map No. 18048, within the Parkside Specific Plan area. The San Bernardino County Flood Control District (SBCFCD) has required fee title ownership of a portion of this neighborhood edge as a requirement to receiving a permit that allows the subdivider to construct the proposed bridge on Ontario Ranch Road across the Cucamonga Creek Channel. This portion of neighborhood edge is needed by SBCFCD to accommodate their new access driveway to be constructed as part of the bridge improvements.

The subdivider has requested the City vacate that portion of neighborhood edge (see attached Exhibit A) and reconvey the vacated portion to the subdivider. This would then allow the subdivider to transfer ownership of the property directly to SBCFD.

Section 66477.5(c) of the California Government Code requires the City to reconvey the subject property in interest to the subdivider or successor in interest, if the dedication was made in fee simple, and the City has determined that the same public purpose for which the dedication was required no longer exists. Since the subdivider offered the right of way in fee simple, and this portion of neighborhood edge is not required for public utility and other municipal purposes, the City will reconvey the subject property to the subdivider or the successor in interest.

Section 8334(b) of the California Streets and Highways Code authorizes the City to summarily vacate (by Resolution without a public hearing) public right of way that has been determined to be excess.

EXHIBIT A
VACATION V-296



N

SCALE: 1"=200'

LEGEND:

RIGHT-OF-WAY

INDICATES AREA OF NEIGHBORHOOD EDGE TO BE VACATED

CITY OF ONTARIO	SHEET
VACATION V-296	1 OF 1

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ORDERING THE SUMMARY VACATION OF A PORTION OF NEIGHBORHOOD EDGE GENERALLY LOCATED ON THE SOUTH SIDE OF ONTARIO RANCH ROAD APPROXIMATELY 1,600 FEET WEST OF ARCHIBALD AVENUE.

WHEREAS, a portion of the neighborhood edge on the south side on Ontario Ranch Road being a portion of Lot A in Tract Map 18048, recorded May 11, 2010 on file in Book 334, pages 10 through 15 of Tract Maps, San Bernardino County, is not needed for any present or future public utility or other municipal purposes and is determined to be excess; and

WHEREAS, the City Council of the City of Ontario, California, pursuant to Section 66477.5(c) of the California Government Code, may reconvey property in interest to the subdivider or success in interest if the dedication was made in fee simple and the City has determined that the same public purposes for which the dedication was required no longer exists; and

WHEREAS, Section 8334(b) of the California Streets and Highways Code authorizes the City to summarily vacate (by resolution with no public hearing) a right of way that has been determined to be excess.

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

1. That the above recitals are true and correct.

2. That title to the above-described said property, more specifically described in Exhibit A and depicted on Exhibit B attached hereto, shall be vacated.

3. That the City Clerk of the City of Ontario, California, shall cause a copy of this Resolution to be recorded in the office of the County Recorder of San Bernardino County, California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A

VACATION
V-296

LEGAL DESCRIPTION

BEING THAT PORTION OF LETTERED LOT A, TRACT MAP NO. 18048, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 334, PAGES 10 THROUGH 15, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, WITHIN THE FOLLOWING DESCRIBED BOUNDARIES:

BEGINNING AT THE EAST QUARTER CORNER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, SAID POINT ALSO BEING THE "OLD" CENTERLINE INTERSECTION OF ARCHIBALD AVENUE` AND EDISON AVENUE AS SHOWN ON SAID TRACT MAP NO. 18048; THENCE SOUTH 89°50'10" WEST ALONG THE CENTERLINE OF EDISON AVENUE, 1504.16 FEET; THENCE SOUTH 00°09'50" EAST, PERPENDICULAR TO SAID CENTERLINE, 95.55 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE SOUTH 00°10'56" EAST, 1.96 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°39'30" AN ARC DISTANCE OF 18.67 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT A; THENCE NORTH 89°50'10" WEST ALONG SAID SOUTHERLY LINE, 175.60 FEET TO A POINT ON THE EASTERLY LINE OF CUCAMONGA CREEK CHANNEL AS SHOWN ON DOCUMENT RECORDED SEPTEMBER 29, 1977 IN BOOK 9273, PAGE 254, OFFICIAL RECORDS OF SAID COUNTY, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID LOT A; THENCE NORTH 40°18'56" EAST ALONG SAID EASTERLY LINE, 24.35 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 11,567.00 FEET, A RADIAL LINE THROUGH SAID POINT BEARS SOUTH 00°04'27" EAST; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°49'10" AN ARC DISTANCE OF 165.41 FEET TO THE **TRUE POINT OF BEGINNING**;

CONTAINING 3,223 SQUARE FEET (0.07 ACRES) MORE OR LESS.

SEE EXHIBIT B ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

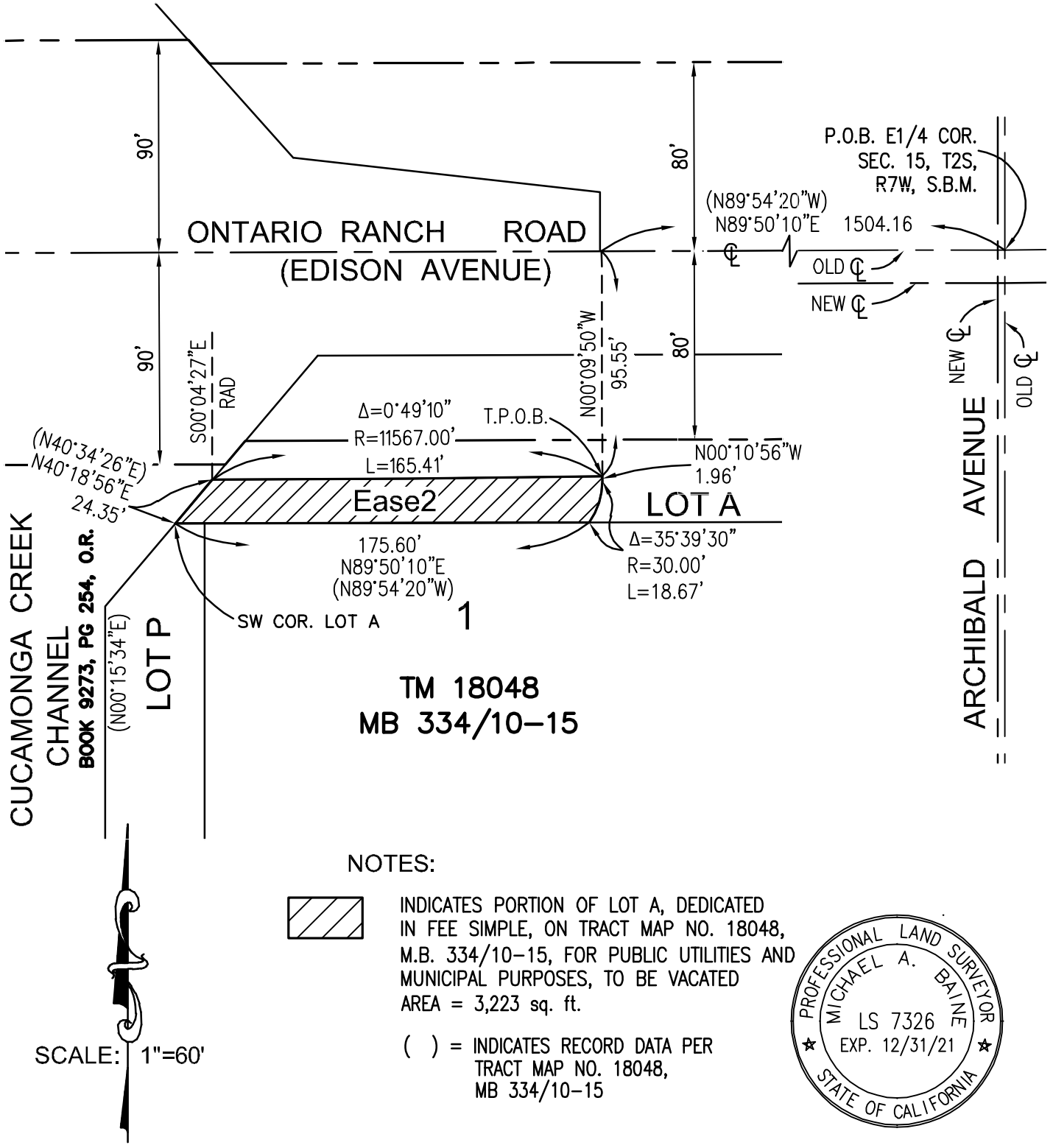
JUNE 1, 2021

MICHAEL A. BAINE, P.L.S. 7326 DATE

EXHIBIT B

V-296

SHEET 1 OF 1



TM 18048
MB 334/10–15

NOTES:

INDICATES PORTION OF LOT A, DEDICATED IN FEE SIMPLE, ON TRACT MAP NO. 18048, M.B. 334/10–15, FOR PUBLIC UTILITIES AND MUNICIPAL PURPOSES, TO BE VACATED
AREA = 3,223 sq. ft.

( ) = INDICATES RECORD DATA PER TRACT MAP NO. 18048, MB 334/10–15

SCALE: 1"=60'

PROFESSIONAL LAND SURVEYOR
MICHAEL A. BAINE
LS 7326
EXP. 12/31/21
STATE OF CALIFORNIA

LDKING
Engineers/Planners/Surveyors

975 N. HAVEN AVENUE
SUITE 200
ONTARIO, CA 91764
Phone: (909) 945-0526

SKETCH TO ACCOMPANY
LEGAL DESCRIPTION

CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Engineering Prepared By: Michael Bhatanawin Staff Member Presenting: Scott Murphy, Executive Director Community Development Reviewed By: Raymond Lee, Khoi Do Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 07

SUBJECT: A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL PARCEL MAP NO. 20187, LOCATED AT THE SOUTHEAST CORNER OF GROVE AVENUE AND FRANCIS STREET

RECOMMENDATION: That the City Council adopt a resolution approving an Improvement Agreement, Improvement Security and Final Parcel Map No. 20187, located at the southeast corner of Grove Avenue and Francis Street.

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)
Focus Resources in Ontario's Commercial and Residential Neighborhoods

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.

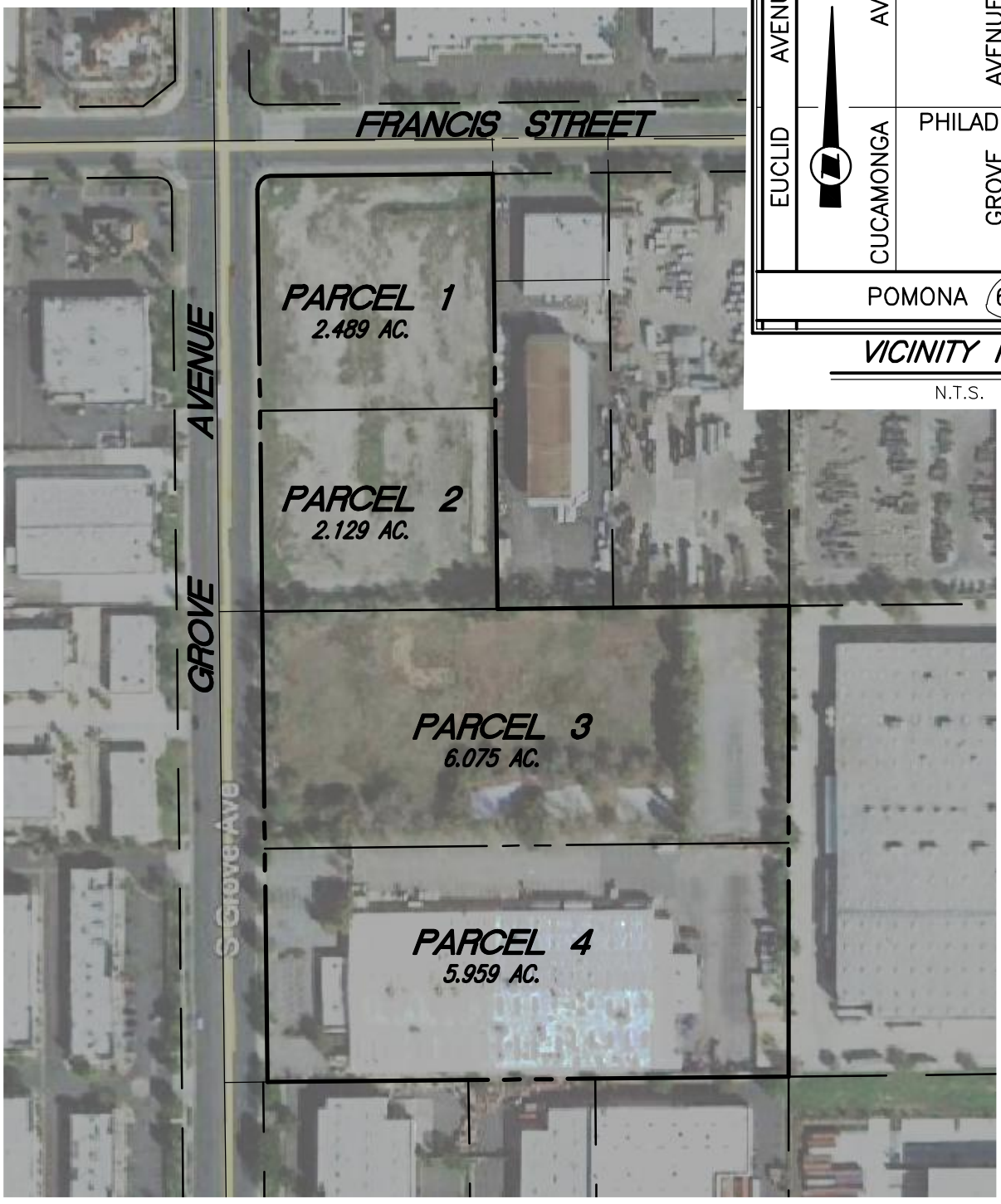
BACKGROUND & ANALYSIS: Final Parcel Map No. 20187, consisting of four numbered parcels on approximately 16 acres of land, as shown on Exhibit A, has been submitted by the Developer, PSIP EBS Francis, LLC. The Tentative Parcel Map No. 20187 was approved by the Planning Commission on October 27, 2020.

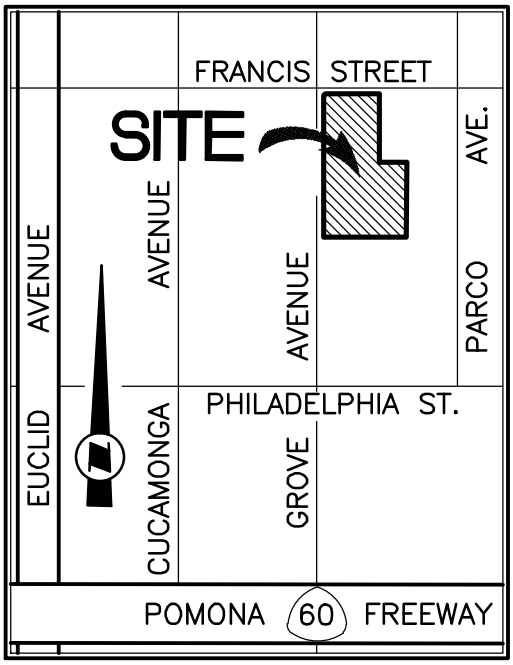
Improvements will include AC pavement, curb, gutter, sidewalk, landscaped parkways, fiber optic conduits, fire hydrants, sewer, water, recycled water mains, storm drain and street lights. Improvements in the parkway will be consistent with current City approved drought measures.

The Developer has entered into an Improvement Agreement with the City for Final Parcel Map No. 20187 and has posted adequate security to ensure construction of the required public improvements.

This 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
PM 20187





VICINITY MAP

N.T.S.

PREPARED BY:
Thienes Engineering, Inc.
CIVIL ENGINEERING • LAND SURVEYING
14349 FIRESTONE BOULEVARD
LA MIRADA, CALIFORNIA 90638
PH.(714)521-4811 FAX(714)521-4173

CITY OF ONTARIO
ENGINEERING DEPARTMENT

FILE NO. PM - 20187

APPLICANT: EBS REALTY PARTNERS, LLC.

PROJECT: PARCEL MAP NO. 20187

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 20187 LOCATED AT THE SOUTHEAST CORNER OF GROVE AVENUE AND FRANCIS STREET.

WHERAS, Tentative Parcel Map No. 20187 submitted for approval by EBS Realty Partners, was approved by the Planning Commission of the City of Ontario on October 27, 2020; and

WHEREAS, Tentative Parcel Map No. 20187 consists of 4 numbered parcels being a subdivision of Parcel 2 of Parcel Map No. 2566, as per map filed in Book 34, Pages 74 and 75 of Parcel Maps, together with Lot 2, Block “L” of Map of Blackburn’s Addition to Ontario, as per map recorded in Book 12, Page 55 of Maps, both maps in the Office of the County Recorder of said County; and

WHEREAS, to meet the requirements established as prerequisite to final approval of Parcel Map No. 20187, PSIP EBS Francis, LLC 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 Parcel 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 Parcel Map No. 20187 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 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Housing Prepared By: Katryna Gonzalez Staff Member Presenting: Scott Murphy, Executive Director Community Development Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 08

SUBJECT: FIRST AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE ONTARIO HOUSING AUTHORITY AND CALIFORNIA CAPITAL, INC. FOR THE DEVELOPMENT OF FOUR SINGLE-FAMILY HOUSING UNITS LOCATED AT 1325-1329 SOUTH EUCLID AVENUE (APNS 1049-531-01 AND 1049-531-02)

RECOMMENDATION: That the Board of the Ontario Housing Authority ("Authority") adopt the attached Resolution approving the First Amendment to the Disposition and Development Agreement ("Amendment") between the Authority and California Capital, Inc. ("Developer") (on file in the Records Management Department) and authorize the Executive Director or his designee to sign all documents necessary to implement the Amendment.

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

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

BACKGROUND & ANALYSIS: The Authority Board approved the Disposition and Development Agreement between the Authority and California Capital, Inc. for the development of the site located at 1325/1329 South Euclid Avenue on March 16, 2021. The original Agreement required the Developer to provide evidence of financing commitments and submit construction loan and lender information to the Authority for approval, among other conditions, prior to the close of escrow. The original Agreement allows for the transfer of the Agreement with Authority approval. The Developer intends to sell the property and transfer the Agreement to a qualified "Substitute Developer" (with Authority approval) who will complete the project. The proposed Amendment will waive the requirements for financing commitments, construction loan and lender information to allow the Developer to acquire the property from the Authority. In addition, the Amendment will set forth conditions for the Substitute Developer to complete the project and requires the Developer to establish a Project Construction Escrow account to secure project completion within a specified timeline.

The Amendment allows the Developer 60 days to identify a buyer, submit the buyer for approval, and close escrow; transferring the site to the approved Substitute Developer subsequent to escrow closing. The Developer will be required to deposit half of the sales price paid by the Substitute Developer in the Project Construction Escrow account. The Substitute Developer will have 180 days from acquiring the property to commence construction. Should the Substitute Developer fail to commence construction

within the required time frame, the funds in the Project Construction Escrow account will be forfeited to the Authority. The project is estimated to be complete by December 2022.

RESOLUTION NO. OHA-

A RESOLUTION OF THE ONTARIO HOUSING AUTHORITY OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE FIRST AMENDMENT TO DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE ONTARIO HOUSING AUTHORITY AND CALIFORNIA CAPITAL, INC. FOR THE DEVELOPMENT OF CERTAIN REAL PROPERTY LOCATED AT 1325/1329 SOUTH EUCLID AVENUE, ONTARIO (APNS: 1049-531-01/1049-531-02).

WHEREAS, the Ontario Housing Authority, a California public agency ("Authority"), currently owns certain real property generally located at 1325/1329 South Euclid Avenue, Ontario (APNS: 1049-531-01/1049-531-02) and more specifically described in Exhibit A attached to this Resolution and incorporated herein by this reference ("Property"); and

WHEREAS, the Authority and California Capital, Inc., a California corporation ("Developer") have been in exclusive negotiations regarding the development of the Property since October 22, 2020 following submittal of a proposal by Developer to construct four single-family residences on the Property, each with approximately 2,000 square feet of living area and a two-car garage ("Project"); and

WHEREAS, a duly noticed public hearing was held on March 16, 2021 in accordance with California Health and Safety Code Section 33431, and California Health and Safety Code Section 34312.3 (the Housing Authority law); and

WHEREAS, following Authority Board approval at the public hearing, provided pursuant to the Housing Authority Law, the Authority and Developer entered into that certain 2021 Disposition and Development Agreement (1325/1329 South Euclid Avenue Site) dated, for reference purposes, as of March 16, 2021 (the "Agreement"); and

WHEREAS, the Developer has requested certain changes to the Agreement (the "First Amendment") for the purpose of facilitating provision of the Project financing and construction of the Project by a substitute developer satisfactory to the Authority; and

WHEREAS, the Authority is willing to accommodate Developer's request, while also protecting the interests of the Authority, by requiring, among other things, Developer to deposit one-half of the funds from purchase of the Property by any substitute developer into an escrow account for the benefit of the Authority to ensure timely commencement of construction on the Project.

NOW, THEREFORE, THE AUTHORITY DOES HEREBY RESOLVE AND DECLARE 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. Findings. The First Amendment continues to further the goals and purposes of the Authority, and provide funding for future development of housing for low income persons.

SECTION 3. CEQA Compliance. City staff has determined that the City's approval of the First Amendment is exempt from the California Environmental Quality Act ("CEQA"), pursuant to CEQA Guidelines Sections 15061(b)(3), because it can be seen with certainty that there is no possibility that the First Amendment may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of CEQA. The City Clerk of the City of Ontario is authorized and directed to file a Notice of Exemption with the appropriate official of the County of San Bernardino, California, within five (5) days following the date of adoption of this Resolution.

SECTION 4. Approval of First Amendment. The Authority Board hereby approves the First Amendment in substantially the form presented, subject to any non-substantive revisions which do not increase the Authority's liability and are approved by the Authority counsel, and authorizes the Executive Director to sign and enter into the First Amendment and perform the obligations of the Authority pursuant to the First Amendment.

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 Authority declares that the Authority would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

SECTION 6. Effective Date. This Resolution shall become effective immediately upon its adoption.

The Secretary of the Ontario Housing Authority shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 20th day of July 2021.

_____

PAUL S. LEON, CHAIRMAN

ATTEST:

_____
SHEILA MAUTZ, AUTHORITY SECRETARY

APPROVED AS TO FORM:

_____
AUTHORITY COUNSEL

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

I, SHEILA MAUTZ, Secretary of the Ontario Housing Authority, DO HEREBY CERTIFY that the foregoing Resolution No. OHA- was duly passed and adopted by the Board Members of the Ontario Housing Authority at their regular meeting held July 20, 2021 by the following roll call vote, to wit:

AYES: BOARD MEMBERS:

NOES: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

_____
SHEILA MAUTZ, AUTHORITY SECRETARY

(SEAL)

The foregoing is the original of Resolution No. OHA- duly passed and adopted by the Ontario Housing Authority at their regular meeting held July 20, 2021.

_____
SHEILA MAUTZ, AUTHORITY SECRETARY

(SEAL)

EXHIBIT “A”

Legal Description of the Property

1325 South Euclid Avenue
APN: 1049-531-02

Legal Description: SOUTH PARK TR LOT 22, City of Ontario, County of San Bernardino, State of California

1329 South Euclid Avenue
APN: 1049-531-01

Legal Description: SOUTH PARK TR LOT 23, City of Ontario, County of San Bernardino, State of California

CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Investments & Revenue Resources Prepared By: Jason M Jacobsen Staff Member Presenting: Armen Harkalyan, Executive Director of Finance Reviewed By: Jason M Jacobsen, Armen Harkalyan Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 09

SUBJECT: AN ORDINANCE LEVYING SPECIAL TAXES WITHIN CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 60 (ONTARIO RANCH BUSINESS PARK SERVICES)

RECOMMENDATION: That the City Council consider and adopt an ordinance authorizing the levy of special taxes within City of Ontario Community Facilities District No. 60 (Ontario Ranch Business Park Services).

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

FISCAL IMPACT: In accordance with the City Council's long-standing direction that development of the Ontario Ranch generate sufficient revenues to fund required City services without reliance on the financial resources of the existing City, the use of Mello-Roos financing in connection with the Community Facilities District No. 60 (Ontario Ranch Business Park Services) development is projected, at build-out, to generate approximately $552,500 per year, to fund City services required for the district. The use of Mello-Roos financing for City services is critical in achieving the City Council's goal to "Ensure the development of a Well Planned, Balanced, and Self-Sustaining Community in Ontario Ranch". The use of Mello-Roos financing for the Ontario Ranch Business development will not be used to generate funds for facilities; therefore, bonds will not be issued as part of this formation. There is no General Fund impact associated with this item. City Council approval will be required in future years to process annual special tax levies.

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

At a public hearing conducted by the City Council on July 6, 2021, the City Council adopted resolutions which established Community Facilities District No. 60 (Ontario Ranch Business Park Services); authorized the levy of a special tax within the Community Facilities District; and called a special election to submit to the qualified electors of the Community Facilities District the combined

proposition to levy a special tax within the Community Facilities District and establish an appropriations limit for the Community Facilities District. On that date, an election was held in which the qualified electors of the Community Facilities District approved said proposition by more than the two-thirds vote required by the Act. Adoption of the ordinance authorizing the levy of special taxes within the Community Facilities District will conclude the formation process for City of Ontario Community Facilities District No. 60 (Ontario Ranch Business Park Services).

The Ontario Ranch Business Park Services project addresses the development of approximately 85.6 acres located south of Eucalyptus Avenue, north of Merrill Avenue, east of Euclid Avenue, and west of Sultana Avenue. At build out, the development is projected to include 1,905,027 square feet for industrial/business park uses.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 60 (ONTARIO RANCH BUSINESS PARK SERVICES).

WHEREAS, on June 1, 2021, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Intention to Establish a Community Facilities District Proposed to be Named City of Ontario Community Facilities District No. 60 (Ontario Ranch Business Park Services) and to Authorize the Levy of Special Taxes" stating its intention to establish City of Ontario Community Facilities District No. 60 (Ontario Ranch Business Park Services) (the "Community Facilities District") and to finance certain services (the "Services"); and

WHEREAS, on July 6, 2021, the City Council held a noticed public hearing on the establishment of the Community Facilities District, as required by the Act; and

WHEREAS, subsequent to the close of said hearing, the City Council adopted resolutions entitled "A Resolution of the City Council of the City of Ontario, California, of Formation of the City of Ontario Community Facilities District No. 60 (Ontario Ranch Business Park Services), Authorizing the Levy of a Special Tax within the Community Facilities District and Establishing an Appropriations Limit for the Community Facilities District" (the "Resolution of Formation") and "A Resolution of the City Council of the City of Ontario, California, Calling Special Election for City of Ontario Community Facilities District No. 60 (Ontario Ranch Business Park Services)," which resolutions established the Community Facilities District, authorized the levy of a special tax within the Community Facilities District and called an election within the Community Facilities District on the proposition of levying a special tax within the Community Facilities District and establishing an appropriations limit for the Community Facilities District, respectively; and

WHEREAS, on July 6, 2021, an election was held in which the qualified electors of the Community Facilities District approved said proposition by more than the two-thirds vote required by the Act.

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

SECTION 1. The City Council hereby authorizes and levies special taxes within the Community Facilities District pursuant to Sections 53328 and 53340 of the Act, at the rate and in accordance with the method of apportionment set forth in Exhibit B to the Resolution of Formation (the "Rate and Method of Apportionment"). The special taxes are hereby levied commencing in fiscal year 2021-22 and in each fiscal year thereafter until the last fiscal year in which such special taxes are authorized to be levied pursuant to the Rate and Method of Apportionment.

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

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

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

SECTION 5. The special tax shall be collected in the same manner as ordinary *ad valorem* property taxes are collected and shall be subject to the same penalties and the same procedure, sale and lien priority in the case of delinquency as is provided for *ad valorem* taxes, unless another procedure is adopted by the City Council.

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

SECTION 7. 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 fifteen (15) days of 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 20th day of July 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. 3189 was duly introduced at a regular meeting of the City Council of the City of Ontario held July 6, 2021 and adopted at the regular meeting held July 20, 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. 3189 duly passed and adopted by the Ontario City Council at their regular meeting held July 20, 2021 and that Summaries of the Ordinance were published on July 13, 2021 and July 27, 2021, in the Inland Valley Daily Bulletin newspaper.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Planning Prepared By: Charles Mercier Staff Member Presenting: Scott Murphy, Executive Director Community Development 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, AMENDING AND ADOPTING LOCAL GUIDELINES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (PUBLIC RESOURCES CODE SECTION 21000 ET SEQ.) AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES (CALIFORNIA CODE OF REGULATIONS SECTION 15000 ET SEQ.).

RECOMMENDATION: That the City Council consider and adopt the Resolution approving the adoption of the 2021 City of Ontario Local Guidelines for Implementing the California Environmental Quality Act (Public Resources Code §§ 21000 et seq.) and the California Environmental Quality Act Guidelines (California Code of Regulations §§ 15000 et seq.).

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

FISCAL IMPACT: No fiscal impact is anticipated as a result of amending the City of Ontario Local Guidelines for Implementing the California Environmental Quality Act (Public Resources Code §§ 21000 et seq.) and the California Environmental Quality Act Guidelines (California Code of Regulations §§ 15000 et seq.).

BACKGROUND & ANALYSIS: The California Environmental Quality Act ("CEQA"), codified at Public Resources Code Section 21000 et seq., is California's most comprehensive environmental law. It generally requires public agencies to evaluate the environmental effects of their actions before they are taken. CEQA also aims to prevent significant environmental effects from occurring as a result of agency actions by requiring agencies to avoid or reduce, when feasible, the significant environmental impacts of their decisions. To this end, CEQA requires public agencies to adopt specific objectives, criteria, and procedures for evaluating public and private projects that are undertaken or approved by such agencies.

Updated Local Guidelines for the Implementation of CEQA and the CEQA Guidelines have been prepared for 2021 in compliance with CEQA's requirements (included as Attachment A to the Resolution). These Guidelines reflect recent changes in the CEQA Guidelines and relevant court opinions. These Local CEQA Guidelines also provide instructions and forms for preparing all environmental documents required under CEQA.

Environmental Review: Amending and adopting updated Local Guidelines for the Implementation of

CEQA and the CEQA Guidelines is not a project under CEQA pursuant to Section 15378(b)(5) of the Guidelines, as it involves an administrative activity involving process only and would not result in any environmental impacts.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING AND ADOPTING LOCAL GUIDELINES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (COMMENCING WITH PUBLIC RESOURCES CODE §§ 21000) AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES (COMMENCING WITH CALIFORNIA CODE OF REGULATIONS §§ 15000).

WHEREAS, the California Legislature has amended the California Environmental Quality Act ("CEQA") (Pub. Resources Code §§ 21000 et seq.), the Natural Resources Agency has amended the State CEQA Guidelines (Cal. Code Regs, tit. 14, §§ 15000 et seq.), and the California courts have interpreted specific provisions of CEQA; and

WHEREAS, Public Resources Code §§ 21082 requires all public agencies to adopt objectives, criteria, and procedures for (1) the evaluation of public and private projects undertaken or approved by such public agencies, and (2) the preparation, if required, of environmental impact reports and negative declarations in connection with that evaluation; and

WHEREAS, the City of Ontario must revise its local guidelines for implementing CEQA to make them consistent with the current provisions and interpretations of CEQA and the CEQA Guidelines, and to that end, the City has initiated the amendment and adoption of updated Local Guidelines for Implementing CEQA and the CEQA Guidelines, as described in the title of this Resolution; and

WHEREAS, amending and adopting updated Local Guidelines for the Implementation of CEQA and the CEQA Guidelines is not a project under CEQA pursuant to §§ 15378(b)(5) of the Guidelines, as it involves an administrative activity of government that will not result in direct or indirect physical changes in the environment; and

WHEREAS, on July 20, 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 administrative record has been completed in compliance with CEQA, the CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The adoption of this Resolution to amend and adopt updated Local Guidelines for the Implementation of CEQA and the CEQA Guidelines is not a project under CEQA pursuant to §§ 15378(b)(5) of the Guidelines, as it involves an administrative activity of government that will not result in direct or indirect physical changes in the environment; and

(3) The determination that the adoption of this Resolution is not a project under CEQA reflects the independent judgment of the City Council.

SECTION 2. ***City Council Action.*** The City Council hereby adopts the "2021 Local Guidelines for Implementing the California Environmental Quality Act for the City of Ontario," included as Attachment A of this Resolution and all prior actions of the City council enacting earlier local guidelines for implementing CEQA are hereby repealed.

SECTION 3. ***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 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

ATTACHMENT A:

2021 Local Guidelines for Implementing the California Environmental Quality Act for the City of Ontario

(Guidelines follow this page)

2021

CITY OF ONTARIO
LOCAL GUIDELINES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (PUBLIC RESOURCES CODE §§ 21000 ET SEC.) AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES (CALIFORNIA CODE OF REGULATIONS §§ 15000 ET SEC.)

PREPARED BY:

BESY BEST & KRIEGER LLP

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LOCAL GUIDELINES
FOR IMPLEMENTING THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT

(2021 REVISION)

1. GENERAL PROVISIONS, PURPOSE AND POLICY.

1.01 GENERAL PROVISIONS.

These Local Guidelines ("Local Guidelines") are to assist the City of Ontario ("City") in implementing the provisions of the California Environmental Quality Act ("CEQA"). These Local Guidelines are consistent with the Guidelines for the Implementation of CEQA ("State CEQA Guidelines"), which have been promulgated by the California Natural Resources Agency for the guidance of state and local agencies in California. These Local Guidelines have been adopted pursuant to California Public Resources Code section 21082.

1.02 PURPOSE.

The purpose of these Local Guidelines is to help the City accomplish the following basic objectives of CEQA:

(a) To enhance and provide long-term protection for the environment, while providing a decent home and satisfying living environment for every Californian;
(b) To provide information to governmental decision-makers and the public regarding the potential significant environmental effects of the proposed project;
(c) To provide an analysis of the environmental effects of future actions associated with the project to adequately apprise all interested parties of the true scope of the project for intelligent weighing of the environmental consequences of the project;
(d) To identify ways that environmental damage can be avoided or significantly reduced;
(e) To prevent significant avoidable environmental damage through utilization of feasible project alternatives or mitigation measures; and
(f) To disclose and demonstrate to the public the reasons why a governmental agency approved the project in the manner chosen. Public participation is an essential part of the CEQA process. Each public agency should encourage wide public involvement, formal and informal, in order to receive and evaluate public reactions to environmental issues related to a public agency's activities. Such involvement should include, whenever possible, making environmental information available in electronic format on the Internet, on a web site maintained or utilized by the public agency.

1.03 APPLICABILITY.

These Local Guidelines apply to any activity that constitutes a "project," as defined in Local Guidelines Section 11.57, for which the City is the Lead Agency or a Responsible Agency. These Local Guidelines are also intended to assist the City in determining whether a proposed

activity constitutes a project that is subject to CEQA review, or whether the activity is exempt from CEQA.

1.04 REDUCING DELAY AND PAPERWORK.

The State CEQA Guidelines encourage local governmental agencies to reduce delay and paperwork by, among other things:

(a) Integrating the CEQA process into early planning review; to this end, the project approval process and these procedures, to the maximum extent feasible, are to run concurrently, not consecutively;
(b) Identifying projects which fit within categorical or other exemptions and are therefore exempt from CEQA processing;
(c) Using initial studies to identify significant environmental issues and to narrow the scope of Environmental Impact Reports (EIRs);
(d) Using a Negative Declaration when a project, not otherwise exempt, will not have a significant effect on the environment;
(e) Consulting with state and local responsible agencies before and during the preparation of an EIR so that the document will meet the needs of all the agencies which will use it;
(f) Allowing applicants to revise projects to eliminate possible significant effects on the environment, thereby enabling the project to qualify for a Negative Declaration rather than an EIR;
(g) Integrating CEQA requirements with other environmental review and consultation requirements;
(h) Emphasizing consultation before an EIR is prepared, rather than submitting adverse comments on a completed document;
(i) Combining environmental documents with other documents, such as general plans;
(j) Eliminating repetitive discussions of the same issues by using EIRs on programs, policies or plans and tiering from statements of broad scope to those of narrower scope;
(k) Reducing the length of EIRs by means such as setting appropriate page limits;
(l) Preparing analytic, rather than encyclopedic EIRs;
(m) Mentioning insignificant issues only briefly;
(n) Writing EIRs in plain language;
(o) Following a clear format for EIRs;
(p) Emphasizing the portions of the EIR that are useful to decision-makers and the public and reducing emphasis on background material;
(q) Incorporating information by reference; and
(r) Making comments on EIRs as specific as possible.

1.05 COMPLIANCE WITH STATE LAW.

These Local Guidelines are intended to implement the provisions of CEQA and the State CEQA Guidelines, and the provisions of CEQA and the State CEQA Guidelines shall be fully complied with even though they may not be set forth or referred to herein.

1.06 TERMINOLOGY.

The terms "must" or "shall" identify mandatory requirements. The terms "may" and "should" are permissive, with the particular decision being left to the discretion of the City.

1.07 PARTIAL INVALIDITY.

In the event any part or provision of these Local Guidelines shall be determined to be invalid, the remaining portions that can be separated from the invalid unenforceable provisions shall continue in full force and effect.

1.08 ELECTRONIC DELIVERY OF COMMENTS AND NOTICES.

Individuals may file a written request to receive copies of public notices provided for under these Local Guidelines or the State CEQA Guidelines. The requestor may elect to receive these notices via email rather than regular mail. Notices sent by email are deemed delivered when the staff person sending the email sends it to the last email address provided by the requestor to the City. Any request to receive public notices shall be in writing and shall be renewed annually.

Individuals may also submit comments on the CEQA documentation for a project via email. Comments submitted via email shall be treated as written comments for all purposes. Comments sent to the City via email are deemed received when they actually arrive in an email account of a staff person who has been designated or identified as the point of contact for a particular project.

CEQA also requires the lead agency to make copies of certain environmental documents available in an electronic format (such as Draft Environmental Impact Reports, Draft Negative Declarations and Draft Mitigated Negative Declarations), upon request.

1.09 THE CITY MAY CHARGE REASONABLE FEES FOR REPRODUCING ENVIRONMENTAL DOCUMENTS.

A public agency may charge and collect a reasonable fee from members of the public that request a copy of an environmental document, so long as the fee does not exceed the cost of reproduction. The kinds of "environmental documents" that CEQA specifically allows public agencies to seek reimbursement for include: initial studies, negative declarations, mitigated negative declarations, draft and final EIRs, and documents prepared as a substitute for an EIR, negative declaration, or mitigated negative declaration.

The City may choose to make documents available to the public-at-large on its website or charge a reasonable fee for reproducing the document in hard-copy form, on compact discs, email attachments, or other digital transfers. Requests for documents made pursuant to the California Public Records Act must comply with the Government Code. (See, for example, Government Code section 6253.9 for information regarding providing documents in electronic format.)

1.10 TIME OF PREPARATION

Before granting any approval of a project subject to CEQA, the Lead Agency or Responsible Agency shall consider a Final EIR, Negative Declaration, Mitigated Negative Declaration, or another document authorized by the State CEQA Guidelines to be used in the place of an EIR or Negative Declaration.

Choosing the precise time for CEQA compliance involves a balancing of competing factors. EIRs, Negative Declarations, and Mitigated Negative Declarations should be prepared as early as feasible in the planning process to enable environmental considerations to influence project program and design and yet late enough to provide meaningful information for environmental assessment.

With public projects, at the earliest feasible time, project sponsors shall incorporate environmental considerations into project conceptualization, design, and planning. CEQA compliance should be completed prior to acquisition of a site for a public project.

To implement the above principles, the City shall not undertake actions concerning the proposed public project that would have a significant adverse effect or limit the choice of alternatives or mitigation measures, before completion of CEQA compliance. For example, the City shall not:

(A) Formally make a decision to proceed with the use of a site for facilities which would require CEQA review, regardless of whether the City has made any final purchase of the site for these facilities, except that the City may designate a preferred site for CEQA review and may enter into land acquisition agreements when the City has conditioned its future use of the site on CEQA compliance.

(B) Otherwise take any action that gives impetus to a planned or foreseeable project in a manner that forecloses alternatives or mitigation measures that would ordinarily be part of CEQA review of that public project.

With private projects, the City shall encourage the project proponent to incorporate environmental considerations into project conceptualization, design, and planning at the earliest feasible time.

While mere interest in, or inclination to support, a project does not constitute approval, a public agency entering into preliminary agreements regarding a project prior to approval shall not, as a practical matter, commit the agency to the project. For example, the City shall not grant any vested development entitlements prior to compliance with CEQA. Further, any such pre-approval agreement should, for example:

(A) Condition the agreement on compliance with CEQA;
(B) Not bind any party, or commit to any definite course of action, prior to CEQA compliance;
(C) Not restrict the Lead Agency from considering any feasible mitigation measures and alternatives, including the “no project” alternative; and
(D) Not restrict the Lead Agency from denying the project.

The City's environmental document preparation and review should be coordinated in a timely fashion with the City's existing planning, review, and project approval processes. These procedures, to the maximum extent feasible, are to run concurrently, not consecutively.

1.11 STATE AGENCY FURLOUGHS.

Due to budget concerns, the State may institute mandatory furlough days for state government agencies. Local agencies may also change their operating hours.

Because state and local agencies may enact furloughs that limit their operating hours, if the City has time-sensitive materials or needs to consult with a state agency, the City should check with the applicable state agency office or with the City's attorney to ensure compliance with all applicable deadlines.

1.12 ENVIRONMENTAL COMPLIANCE FOR CITY-INITIATED PROJECTS..

In an effort to provide consistent CEQA review and coordination of City-initiated projects, an Environmental Review Coordinator ("ERC") has been designated within the Planning Department to aid City departments on the ever-changing environmental statutes and to create a CEQA repository. This section 1.11 only applies to City-initiated projects.

To achieve the desired level of review, the project manager for each City-initiated project* will contact the ERC following project inception and provide the ERC with a written description of the project, including any preliminary plans, special studies completed, and other information that may be helpful evaluating the project. The ERC will review the information and determine if 1) existing CEQA documents are sufficient to address the potential impacts of the project; 2) if existing CEQA documents may be used to tier off to provide the necessary CEQA review; 3) if a new CEQA review is necessary for the project, or 4) an exemption from CEQA applies to the project. Additionally, the ERC will provide direction to the project manager on the level of CEQA review required for the project (e.g. Negative Declaration, Environmental Impact Report ("EIR"), etc.).

Once a memorandum on the scope/preliminary plans for a project has been submitted to the ERC, the ERC will work with the project manager to complete the CEQA review in-house to the extent possible. Should the need arise for studies or an EIR beyond staff's ability to complete, the ERC shall work with the project manager to 1) develop a Request for Proposal ("RFP") for the necessary services; 2) review the RFPs with the project manager and assist in the selection of a consultant; 3) prepare the consultant contract for the services; 4) provide coordination between the consultant and the project manager; 5) coordinate preparation of the CEQA document; 6) review and comment on the CEQA document; 7) review invoices/billing by the consultant; and 8) ensure compliance with established legal procedures, filings, etc.

Upon successful completion of the CEQA review, the ERC shall retain copies of pertinent CEQA information, including, but not limited to, CEQA documents and Notice of Determinations. The central CEQA repository will provide ease of access to previous CEQA documents that may be needed for future actions (e.g. grant applications, project modifications, new projects, etc.).

**As determined under CEQA*

(Section added October 2011)

2. LEAD AND RESPONSIBLE AGENCIES

2.01 LEAD AGENCY PRINCIPLE.

The City will be the Lead Agency if it will have principal responsibility for carrying out or approving a project. Where a project is to be carried out or approved by more than one public agency, only one agency shall be responsible for the preparation of environmental documents. This agency shall be called the Lead Agency.

2.02 SELECTION OF LEAD AGENCY.

Where two or more public agencies will be involved with a project, the Lead Agency shall be designated according to the following criteria:

(a) If the project will be carried out by a public agency, that agency shall be the Lead Agency even if the project will be located within the jurisdiction of another public agency; or

(b) If the project will be carried out by a nongovernmental person or entity, the Lead Agency shall be the public agency with the greatest responsibility for supervising and approving the project as a whole.

The Lead Agency will normally be the agency with general governmental powers, rather than an agency with a single or limited purpose. (For example, a city that will provide a public service or utility to the project serves a limited purpose.) If two or more agencies meet this criteria equally, the agency that acts first on the project will normally be the Lead Agency.

If two or more public agencies have a substantial claim to be the Lead Agency under either (a) or (b), they may designate one agency as the Lead Agency by agreement. An agreement may also provide for cooperative efforts by contract, joint exercise of powers, or similar devices. If the agencies cannot agree which agency should be the Lead Agency for preparing the environmental document, any of the disputing public agencies or the project applicant may submit the dispute to the Office of Planning and Research. Within 21 days of receiving the request, the Office of Planning and Research will designate the Lead Agency. The Office of Planning and Research shall not designate a Lead Agency in the absence of a dispute. A "dispute" means a contested, active difference of opinion between two or more public agencies as to which of those agencies shall prepare any necessary environmental document. A dispute exists when each of those agencies claims that it either has or does not have the obligation to prepare that environmental document.

2.03 DUTIES OF A LEAD AGENCY.

As a Lead Agency, the City shall decide whether a Negative Declaration, Mitigated Negative Declaration or an EIR will be required for a project and shall prepare, or cause to be prepared, and consider the document before making its decision on whether and how to approve the project. The documents may be prepared by Staff or by private consultants pursuant to a contract with the City. However, the City shall independently review and analyze all draft and final EIRs or Negative Declarations prepared for a project and shall find that the EIR or Negative

Declaration reflects the independent judgment of the City prior to approval of the document. If a Draft EIR or Final EIR is prepared under a contract with the City, the contract must be executed within forty-five (45) days from the date on which the City sends a Notice of Preparation. (See Local Guidelines Section 7.02.) The City, however, may take longer to execute the contract if the project applicant and the City mutually agree to an extension of the 45-day time period. (Pub. Resources Code, § 21151.5; see also Local Guidelines Section 7.02.)

During the process of preparing an EIR, the City, as Lead Agency, shall have the following duties:

(a) If a California Native American tribe has requested consultation, within 14 days after determining that an application for a project is complete or a decision to undertake a project, the City shall begin consultation with the California Native American tribes (see Local Guidelines Section 7.07);
(b) Immediately after deciding that an EIR is required for a project, the City shall send to the Office of Planning and Research and each Responsible Agency a Notice of Preparation (Form "G") stating that an EIR will be prepared (see Local Guidelines Section 7.03);
(c) Prior to release of an EIR, if the California Native American tribe that is culturally affiliated with the geographic area of a project requests in writing to be informed of any proposed project, the City shall begin consultation with the tribe consistent with California law and Local Guidelines Section 7.07;
(d) The City shall prepare or cause to be prepared the Draft EIR for the project (see Local Guidelines Sections 7.06 and 7.18);
(e) Once the Draft EIR is completed, the City shall file a Notice of Completion (Form "H") with the Office of Planning and Research (see Local Guidelines Section 7.25);
(f) The City shall consult with state, federal and local agencies that exercise authority over resources that may be affected by the project for their comments on the completed Draft EIR (see, e.g., Local Guidelines Sections 5.02, 5.16, Section 7.26);
(g) The City shall provide public notice of the availability of a Draft EIR (Form "K") at the same time that it sends a Notice of Completion to the Office of Planning and Research (see Local Guidelines Section 7.25);
(h) The City shall evaluate comments on environmental issues received from persons who reviewed the Draft EIR and shall prepare or cause to be prepared a written response to all comments that raise significant environmental issues and that were timely received during the public comment period. A written response must be provided to all public agencies who commented on the project during the public review period at least ten (10) days prior to certifying an EIR (see Local Guidelines Section 7.30);
(i) The City shall prepare or cause to be prepared a Final EIR before approving the project (see Local Guidelines Section 7.31);
(j) The City shall certify that the Final EIR has been completed in compliance with CEQA and has been reviewed by the City Council (see Local Guidelines Section 7.33); and
(k) The City shall include in the Final EIR any comments received from a Responsible Agency on the Notice of Preparation or the Draft EIR (see Local Guidelines Sections 2.07, 7.30 and 7.31).

As Lead Agency, the City may charge a non-elected body with the responsibility of making a finding of exemption or adopting, certifying or authorizing environmental documents;

however, such a determination shall be subject to the City's procedures allowing for the appeal of the CEQA determination of any non-elected body to the City. In the event the City Council has delegated authority to a subsidiary board or official to approve a project, the City hereby delegates to that subsidiary board or official the authority to make all necessary CEQA determinations, including whether an EIR, Negative Declaration, Mitigated Negative Declaration or exemption shall be required for any project. A subsidiary board or official's CEQA determination shall be subject to appeal consistent with the City's established procedures for appeals.

2.04 PROJECTS RELATING TO DEVELOPMENT OF HAZARDOUS WASTE AND OTHER SITES.

An applicant for a development project must submit a signed statement to the City, as Lead Agency, stating whether the project and any alternatives are located on a site that is included in any list compiled by the Secretary for Environmental Protection of the California Environmental Protection Agency ("California EPA") listing hazardous waste sites and other specified sites located in the City's boundaries. The applicant's statement must contain the following information:

(a) The applicant's name, address, and phone number;
(b) Address of site, and local agency (city/county);
(c) Assessor's book, page, and parcel number; and
(d) The list which includes the site, identification number, and date of list.

Before accepting as complete an application for any development project as defined in Local Guidelines Section 11.17, the City, as Lead Agency, shall consult lists compiled by the Secretary for Environmental Protection of the California EPA pursuant to Government Code section 65962.5 listing hazardous waste sites and other specified sites located in the City's boundaries. When acting as Lead Agency, the City shall notify an applicant for a development project if the project site is located on such a list and not already identified. In the Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration (see Local Guidelines Section 6.04) or the Notice of Preparation of Draft EIR (see Local Guidelines Section 7.03), the City shall specify the California EPA list, if any, that includes the project site, and shall provide the information contained in the applicant's statement.

This provision does not apply to projects for which applications have been deemed complete on or before January 1, 1992.

2.05 RESPONSIBLE AGENCY PRINCIPLE.

When a project is to be carried out or approved by more than one public agency, all public agencies other than the Lead Agency that have discretionary approval power over the project shall be identified as Responsible Agencies.

2.06 DUTIES OF A RESPONSIBLE AGENCY.

When it is identified as a Responsible Agency, the City shall consider the environmental documents prepared or caused to be prepared by the Lead Agency and reach its own conclusions on whether and how to approve the project involved. The City shall also both respond to

consultation and attend meetings as requested by the Lead Agency to assist the Lead Agency in preparing adequate environmental documents. The City should also review and comment on Draft EIRs, Negative Declarations, and Mitigated Negative Declarations. Comments shall be limited to those project activities that are within the City's area of expertise or are required to be carried out or approved by the City or are subject to the City's powers.

As a Responsible Agency, the City may identify significant environmental effects of a project for which mitigation is necessary. As a Responsible Agency, the City may submit to the Lead Agency proposed mitigation measures that would address those significant environmental effects. If mitigation measures are required, the City should submit to the Lead Agency complete and detailed performance objectives for such mitigation measures that would address the significant environmental effects identified, or refer the Lead Agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to the Lead Agency by the City, when acting as a Responsible Agency, shall be limited to measures that mitigate impacts to resources that are within the City's authority. For private projects, the City, as a Responsible Agency, may require the project proponent to provide such information as may be required and to reimburse the City for all costs incurred by it in reporting to the Lead Agency.

2.07 RESPONSE TO NOTICE OF PREPARATION BY RESPONSIBLE AGENCIES.

Within thirty (30) days of receipt of a Notice of Preparation of an EIR, the City, as a Responsible Agency, shall specify to the Lead Agency the scope and content of the environmental information related to the City's area of statutory responsibility in connection with the proposed project. At a minimum, the response shall identify the significant environmental issues and possible alternatives and mitigation that the City, as a Responsible Agency, will need to have explored in the Draft EIR. Such information shall be specified in writing, shall be as specific as possible, and shall be communicated to the Lead Agency, by certified mail or any other method of transmittal that provides it with a record that the response was received. The Lead Agency shall incorporate this information into the EIR.

2.08 USE OF FINAL EIR OR NEGATIVE DECLARATION BY RESPONSIBLE AGENCIES.

The City, as a Responsible Agency, shall consider the Lead Agency's Final EIR or Negative Declaration before acting upon or approving a proposed project. As a Responsible Agency, the City must independently review and consider the adequacy of the Lead Agency's environmental documents prior to approving any portion of the proposed project. In certain instances, the City, in its role as a Responsible Agency, may require that a Subsequent EIR or a Supplemental EIR be prepared to fully address those aspects of the project over which the City has approval authority. Mitigation measures and alternatives deemed feasible and relevant to the City's role in carrying out the project shall be adopted. Findings that are relevant to the City's role as a Responsible Agency shall be made. After the City decides to approve or carry out part of a project for which an EIR or negative declaration has previously been prepared by the Lead Agency, the City, as Responsible Agency, should file a Notice of Determination with the County Clerk within five (5) days of approval, but need not state that the Lead Agency's EIR or Negative Declaration complies with CEQA. The City, as Responsible Agency, should state that it considered the EIR or Negative Declaration as prepared by a Lead Agency.

2.09 SHIFT IN LEAD AGENCY RESPONSIBILITIES.

The City, as a Responsible Agency, shall assume the role of the Lead Agency if any one of the following three conditions is met:

(a) The Lead Agency did not prepare any environmental documents for the project, and the statute of limitations has expired for a challenge to the action of the appropriate Lead Agency;

(b) The Lead Agency prepared environmental documents for the project, and all of the following conditions apply:

(1) A Subsequent or Supplemental EIR is required;

(2) The Lead Agency has granted a final approval for the project; and

(3) The statute of limitations has expired for a challenge to the action of the appropriate Lead Agency; or

(c) The Lead Agency prepared inadequate environmental documents without providing public notice of a Negative Declaration or sending Notice of Preparation of an EIR to Responsible Agencies and the statute of limitations has expired for a challenge to the action of the appropriate Lead Agency.

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3. ACTIVITIES EXEMPT FROM CEQA

3.01 ACTIONS SUBJECT TO CEQA.

CEQA applies to discretionary projects proposed to be carried out or approved by public agencies such as the City. If the proposed activity does not come within the definition of "project" contained in Local Guidelines Section 11.57, it is not subject to environmental review under CEQA.

"Project" does not include:

(a) Proposals for legislation to be enacted by the State Legislature;
(b) Continuing administrative or maintenance activities, such as purchases for supplies, personnel-related actions, and general policy and procedure making (except as provided in Local Guidelines Section 11.57);
(c) The submittal of proposals to a vote of the people in response to a petition drive initiated by voters, or the enactment of a qualified voter-sponsored initiative under California Constitution Art. II, Section 11(a) and Election Code Section 9214;
(d) The creation of government funding mechanisms or other government fiscal activities that do not involve any commitment to any specific project that may have a potentially significant physical impact on the environment. Government funding mechanisms may include, but are not limited to, assessment districts and community facilities districts;
(e) Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment; and
(f) Activities that do not result in a direct or reasonably foreseeable indirect physical change in the environment.

3.02 MINISTERIAL ACTIONS.

Ministerial actions are not subject to CEQA review. A ministerial action is one that is approved or denied by a decision that a public official or a public agency makes that involves only the use of fixed standards or objective measurements without personal judgment or discretion.

When a project involves an approval that contains elements of both a ministerial and discretionary nature, the project will be deemed to be discretionary and subject to the requirements of CEQA. The decision whether the approval of a proposed project or activity is ministerial in nature may involve or require, to some extent, interpretation of the language of the legal mandate, and should be made on a case-by-case basis. The following is a non-exclusive list of examples of ministerial activities:

(a) Issuance of business licenses;
(b) Approval of final subdivision maps and final parcel maps;
(c) Approval of individual utility service connections and disconnections;
(d) Issuance of licenses;
(e) Issuance of a permit to do street work; and
(f) Issuance of building permits where the Lead Agency does not retain significant discretionary power to modify or shape the project.

(g) Until January 1, 2024, approval of an application to install an emergency standby generator to serve a macro cell tower where conditions set forth in Government Code section 65850.75 are met.

3.03 EXEMPTIONS IN GENERAL.

CEQA and the State CEQA Guidelines exempt certain activities and provide that local agencies should further identify and describe certain exemptions. The requirements of CEQA and the obligation to prepare an EIR, Negative Declaration or Mitigated Negative Declaration generally do not apply to the exempt activities that are set forth in CEQA, the State CEQA Guidelines and Chapter 3 of these Local Guidelines.

3.04 PRELIMINARY EXEMPTION ASSESSMENT.

If, in the judgment of Staff, a proposed activity is exempt, Staff should so find on the form entitled "Preliminary Exemption Assessment" (Form "A"). The Preliminary Exemption Assessment shall be retained at City Offices as a public record.

3.05 NOTICE OF EXEMPTION.

After approval of an exempt project, a "Notice of Exemption" (Form "B") may be filed by the City or its representatives with the county clerk of each county in which the activity will be located. If the Lead Agency exempts an agricultural housing, affordable housing, or residential infill project under State CEQA Guidelines sections 15193, 15194 or 15195 and approves or determines to carry out that project, it must file a notice with the Office of Planning and Research ("OPR") identifying the exemption. The Preliminary Exemption Assessment shall be attached to the Notice of Exemption for filing. If filed, the Clerk must post the Notice within twenty-four (24) hours of receipt, and the Notice must remain posted for thirty (30) days. Although no California Department of Fish and Wildlife ("DFW") filing fee is applicable to exempt projects, most counties customarily charge a documentary handling fee to pay for record keeping on behalf of the DFW. Refer to the Index in the Staff Summary to determine if such a fee will be required for the project. The Notice of Exemption must also identify the person undertaking the project, including any person undertaking an activity that receives financial assistance from the City as part of the project or the person receiving a lease, permit, license, certificate, or other entitlement for use from the City as part of the project.

When filing a Notice of Exemption, Staff has different responsibilities for certain types of actions. If the activity is either:

(a) undertaken by a *person* (not a public agency) and is supported, in whole or in part, through contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies; or

(b) involves the issuance to a *person* (not a public agency) of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies; then

Staff may direct that person to file the Notice of Exemption with the county clerk of each county in which the activity will be located. (See Public Resources Code section 21065 (b) and

(c)). A Notice of Exemption filed by a person as described above must have a certificate of determination attached to it issued by the City stating that the action is not subject to CEQA. (See Public Resources Code sections 21080 and 21152.) The certificate of determination may be in the form of a certified copy of an existing document or record of the City.

The filing of a Notice of Exemption, when appropriate, is recommended for City actions because it starts a 35-day statute of limitations on legal challenges to the City's determination that the activity is exempt from CEQA. The City is encouraged to make postings of all filed notices available in electronic format on the Internet. These electronic postings are in addition to the procedures required by the State CEQA Guidelines and the Public Resources Code. If a Notice of Exemption is not filed, a 180-day statute of limitations will apply. Please see Local Guidelines Sections 3.13 and 3.17 for certain circumstances in which the Lead Agency is required to file a Notice of Exemption. The thirty-day posting requirement excludes the first day of posting and includes the last day of posting. On the 30th day, the Notice of Exemption must be posted for the entire day.

When a request is made for a copy of the Notice prior to the date on which the City determines the project is exempt, the Notice must be mailed, first class postage prepaid, within five (5) days after the City's determination. If such a request is made following the City's determination, then the copy should be mailed in the same manner as soon as possible.

3.06 DISAPPROVED PROJECTS.

Projects that the Lead Agency rejects or disapproves are exempt from CEQA. An applicant shall not be relieved of paying the costs for an EIR, Negative Declaration, or Mitigated Negative Declaration prepared for a project prior to the Lead Agency's disapproval of the project.

3.07 PROJECTS WITH NO POSSIBILITY OF SIGNIFICANT EFFECT.

Where it can be seen with absolute certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is exempt from CEQA.

3.08 EMERGENCY PROJECTS.

The following types of emergency projects are exempt from CEQA (the term "emergency" is defined in Local Guidelines Section 11.20):

(a) Work in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor pursuant to Section 8550 of the Government Code. This includes projects that will remove, destroy, or significantly alter a historical resource when that resource represents an imminent threat to the public of bodily harm or of damage to adjacent property or when the project has received a determination by the State Office of Historic Preservation pursuant to Section 5028(b) of the Public Resources Code.

(b) Emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety or welfare. Emergency repairs include those that require a reasonable amount of planning to address an anticipated emergency.

(c) Projects necessary to prevent or mitigate an emergency. This does not include long-term projects undertaken for the purpose of preventing or mitigating a situation that has a low probability of occurrence in the short-term, but this exclusion does not apply (i) if the anticipated period of time to conduct an environmental review of such a long-term project would create a risk to public health, safety or welfare, or (ii) if activities (such as fire or catastrophic risk mitigation or modifications to improve facility integrity) are proposed for existing facilities in response to an emergency at a similar existing facility.

(d) Projects undertaken, carried out, or approved by a public agency to maintain, repair, or restore an existing highway damaged by fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide, provided that the project is within the existing right of way of that highway and is initiated within one year of the damage occurring. Highway shall have the same meaning as defined in Section 360 of the Vehicle Code. This exemption does not apply to highways designated as official state scenic highways, nor to any project undertaken, carried out, or approved by a public agency to expand or widen a highway damaged by fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide.

(e) Seismic work on highways and bridges pursuant to Streets and Highways Code section 180.2.

3.09 FEASIBILITY AND PLANNING STUDIES.

A project that involves only feasibility or planning studies for possible future actions which the City has not yet approved, adopted or funded is exempt from CEQA.

3.10 RATES, TOLLS, FARES AND CHARGES.

The establishment, modification, structuring, restructuring or approval of rates, tolls, fares or other charges by the City that the City finds are for one or more of the purposes listed below are exempt from CEQA.

(a) Meeting operating expenses, including employee wage rates and fringe benefits;
(b) Purchasing or leasing supplies, equipment or materials;
(c) Meeting financial reserve needs and requirements; or
(d) Obtaining funds for capital projects necessary to maintain service within existing service areas.

When the City determines that one of the aforementioned activities pertaining to rates, tolls, fares or charges is exempt from the requirements of CEQA, it shall incorporate written findings setting forth the specific basis for the claim of exemption in the record of any proceeding in which such an exemption is claimed.

3.11 PIPELINES WITHIN A PUBLIC RIGHT-OF-WAY AND LESS THAN ONE MILE IN LENGTH.

Projects that are for the installation of a new pipeline or the maintenance, repair, restoration, reconditioning, relocation, replacement, removal, or demolition of an existing pipeline and that are:

(a) in a public street or highway or any other public right-of-way; and

(b) less than one mile in length

shall be exempt from CEQA requirements. See Public Resources Code section 21080.21.

"Pipeline" includes subsurface facilities but does not include any surface facility related to the operation of the underground facility.

3.12 PIPELINES OF LESS THAN EIGHT MILES IN LENGTH.

Projects that are for the inspection, maintenance, repair, restoration, reconditioning, relocation, replacement, or removal of an existing pipeline, or any valve, flange, meter, or other piece of equipment that is directly attached to the pipeline shall be exempt from CEQA requirements if all of the following conditions are met:

(a) The project is less than eight miles in length.
(b) Notwithstanding the project length, actual construction and excavation activities undertaken to achieve the maintenance, repair, restoration, reconditioning, relocation, replacement, or removal of an existing pipeline are not undertaken over a length of more than one-half mile at any one time.
(c) The project consists of a section of pipeline that is not less than eight miles from any section of pipeline that has been subject to an exemption pursuant to CEQA in the past 12 months.
(d) The project is not solely for the purpose of excavating soil that is contaminated by hazardous materials, and, to the extent not otherwise expressly required by law, the party undertaking the project immediately informs the lead agency of the discovery of contaminated soil.
(e) To the extent not otherwise expressly required by law, the person undertaking the project has, in advance of undertaking the project, prepared a plan that will result in notification of the appropriate agencies so that they may take action, if determined to be necessary, to provide for the emergency evacuation of members of the public who may be located in close proximity to the project.
(f) Project activities are undertaken within an existing right-of-way and the right-of-way is restored to its condition prior to the project.
(g) The project applicant agrees to comply with all conditions otherwise authorized by law, imposed by the city or county planning department as part of any local agency permit process, that are required to mitigate potential impacts of the proposed project, and to otherwise comply with the Keene-Nejedly California Wetlands Preservation Act (Chapter 7 (commencing with Section 5810) of Division 5), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), and other applicable state laws, and with all applicable federal laws.

If a project meets all of the requirements for this exemption, the person undertaking the project shall do all of the following:

(a) Notify, in writing, any affected public agency, including, but not limited to, any public agency having permit, land use, environmental, public health protection, or emergency response authority of this exemption.

(h) Provide notice to the public in the affected area in a manner consistent with paragraph (3) of Public Resources Code section 21092(b).

(i) In the case of private rights-of-way over private property, receive from the underlying property owner permission for access to the property.

(j) Comply with all conditions otherwise authorized by law, imposed by the city or county planning department as part of any local agency permit process, that are required to mitigate potential impacts of the proposed project, and otherwise comply with the Keene-Nejedly California Wetlands Preservation Act (Chapter 7 (commencing with Section 5810) of Division 5), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), and other applicable state laws, and with all applicable federal laws.

This exemption does not apply to a project in which the diameter of the pipeline is increased or to a project undertaken within the boundaries of an oil refinery.

For purposes of this exemption, the following definitions apply:

(a) "Pipeline" includes every intrastate pipeline used for the transportation of hazardous liquid substances or highly volatile liquid substances, including a common carrier pipeline, and all piping containing those substances located within a refined products bulk loading facility which is owned by a common carrier and is served by a pipeline of that common carrier, and the common carrier owns and serves by pipeline at least five such facilities in the state. "Pipeline" does not include the following:

(1) An interstate pipeline subject to Part 195 of Title 49 of the Code of Federal Regulations.

(2) A pipeline for the transportation of a hazardous liquid substance in a gaseous state.

(3) A pipeline for the transportation of crude oil that operates by gravity or at a stress level of 20 percent or less of the specified minimum yield strength of the pipe.

(4) Transportation of petroleum in onshore gathering lines located in rural areas.

(5) A pipeline for the transportation of a hazardous liquid substance offshore located upstream from the outlet flange of each facility on the Outer Continental Shelf where hydrocarbons are produced or where produced hydrocarbons are first separated, dehydrated, or otherwise processed, whichever facility is farther downstream.

(6) Transportation of a hazardous liquid by a flow line.

(7) A pipeline for the transportation of a hazardous liquid substance through an onshore production, refining, or manufacturing facility, including a storage or in plant piping system associated with that facility.

(8) Transportation of a hazardous liquid substance by vessel, aircraft, tank truck, tank car, or other vehicle or terminal facilities used exclusively to transfer hazardous liquids between those modes of transportation.

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3.13 CERTAIN RESIDENTIAL HOUSING PROJECTS.

CEQA does not apply to the construction, conversion, or use of residential housing if the project meets all of the general requirements described in Section A below and satisfies the specific requirements for any one of the following three categories: (1) agricultural housing (Section B below), (2) affordable housing projects in urbanized areas (Section C below), or (3) affordable housing projects near major transit stops (Section D below).

A. General Requirements. The construction, conversion, or use of residential housing units affordable to low-income households (as defined in Local Guidelines Section 11.36) located on an infill site in an urbanized area is exempt from CEQA if all of the following general requirements are satisfied:

(1) The project is consistent with:

(a) Any applicable general plan, specific plan, or local coastal program, including any mitigation measures required by such plan or program, as that plan or program existed on the date that the application was deemed complete; and

(b) Any applicable zoning ordinance, as that zoning ordinance existed on the date that the application was deemed complete. However, the project may be inconsistent with zoning if the zoning is inconsistent with the general plan and the project site has not been rezoned to conform to the general plan;

(2) Community level environmental review has been adopted or certified;

(3) The project and other projects approved prior to the approval of the project can be adequately served by existing utilities, and the project applicant has paid, or has committed to pay, all applicable in-lieu or development fees;

(4) The project site meets all of the following four criteria relating to biological resources:

(a) The project site does not contain wetlands;

(b) The project site does not have any value as a wildlife habitat;

(c) The project does not harm any species protected by the federal Endangered Species Act of 1973, the Native Plant Protection Act, or the California Endangered Species Act; and

(d) The project does not cause the destruction or removal of any species protected by a local ordinance in effect at the time the application for the project was deemed complete;

(5) The site is not included on any list of facilities and sites compiled pursuant to Government Code section 65962.5;

(6) The project site is subject to a preliminary endangerment assessment prepared by a registered environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity. In addition, the following steps must have been taken in response to the results of this assessment:

(a) If a release of a hazardous substance is found to exist on the site, the release shall be removed or any significant effects of the release shall be mitigated to a level of insignificance in compliance with state and federal requirements; or

(b) If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to a level of insignificance in compliance with state and federal requirements;

(7) The project does not have a significant effect on historical resources pursuant to Section 21084.1 of the Public Resources Code (see Local Guidelines Section 11.28);

(8) The project site is not subject to wildland fire hazard, as determined by the Department of Forestry and Fire Protection; unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a wildland fire hazard;

(9) The project site does not have an unusually high risk of fire or explosion from materials stored or used on nearby properties;

(10) The project site does not present a risk of a public health exposure at a level that would exceed the standards established by any state or federal agency;

(11) Either the project site is not within a delineated earthquake fault zone, or a seismic hazard zone, as determined pursuant to Section 2622 and 2696 of the Public Resources Code respectively, or the applicable general plan or zoning ordinance contains provisions to mitigate the risk of an earthquake or seismic hazard;

(12) Either the project site does not present a landslide hazard, flood plain, flood way, or restriction zone, or the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a landslide or flood;

(13) The project site is not located on developed open space;

(14) The project site is not located within the boundaries of a state conservancy;

(15) The project site has not been divided into smaller projects to qualify for one or more of the exemptions for affordable housing, agricultural housing, or residential infill housing projects found in the subsequent sections; and

(16) The project meets the requirements set forth in either Public Resources Code sections 21159.22, 21159.23 or 21159.24.

B. Specific Requirements for Agricultural Housing. (Public Resources Code sections 21084 and 21159.22, and State CEQA Guidelines section 15192.) CEQA does not apply to the construction, conversion, or use of residential housing for agricultural employees that meets all of the general requirements described above in Section A and meets the following additional criteria:

(1) The project either:

(a) Is affordable to lower income households, lacks public financial assistance, and the developer has provided sufficient legal commitments to ensure the continued availability and use of the housing units for lower income households for a period of at least fifteen (15) years; or

(b) If public financial assistance exists for the project, then the project must be housing for very low-, low-, or moderate-income households and the developer of the project has provided sufficient legal commitments to the appropriate local agency to ensure the continued availability and use of the housing units for low- and moderate-income households for a period of at least fifteen (15) years;

(2) The project site is adjacent on at least two sides to land that has been developed and the project consists of not more than forty-five (45) units or provides dormitories, barracks, or other group-living facilities for a total of forty-five (45) or fewer agricultural employees, and either:

(a) The project site is within incorporated city limits or within a census-defined place with a minimum population density of at least five thousand (5,000) persons per square mile; or

(b) The project site is within incorporated city limits or within a census-defined place and the minimum population density of the census-defined place is at least one thousand (1,000) persons per square mile, unless the Lead Agency determines that there is a reasonable possibility that the project, if completed, would have a significant effect on the environment due to unusual circumstances or that the cumulative effects of successive projects of the same type in the same area would, over time, be significant;

(3) If the project is located on a site zoned for general agricultural use, it must consist of twenty (20) or fewer units, or, if the housing consists of dormitories, barracks, or other group-living facilities, the project must not provide housing for more than twenty (20) agricultural employees; and

(4) The project is not more than two (2) acres in area if the project site is located in an area with a population density of at least one thousand (1,000) persons per square mile, and is not more than five (5) acres in area for all other project sites.

C. Specific Requirements for Affordable Housing Projects in Urbanized Areas. (Reference: Public Resources Code sections 21083 and 21159.23, and State CEQA Guidelines section 15194.) CEQA does not apply to any development project that consists of the construction, conversion, or use of residential housing consisting of one hundred (100) or fewer units that are affordable to low-income households if all of the general requirements described in Section A above are satisfied and the following additional criteria are also met:

(1) The developer of the project provides sufficient legal commitments to the local agency to ensure the continued availability and use of the housing units for lower income households for a period of at least thirty (30) years, at monthly housing costs deemed to be "affordable rent" for lower income, very low income, and extremely low income households, as determined pursuant to Section 50053 of the Health and Safety Code;

(2) The project site meets one of the following conditions:

(a) Has been previously developed for qualified urban uses;
(b) Is immediately adjacent to parcels that are developed with qualified urban uses; or
(c) At least 75% of the perimeter of the site adjoins parcels that are developed with qualified urban uses and the remaining 25% of the perimeter of the site adjoins parcels that have previously been developed for qualified urban uses, the site has not been developed for urban uses and no parcel within the site has been created within ten (10) years prior to the proposed development of the site;

(3) The project site is not more than five (5) acres in area; and

(4) The project site meets one of the following requirements regarding population density:

(a) The project site is within an urbanized area or within a census-defined place with a population density of at least five thousand (5,000) persons per square mile;

(b) If the project consists of fifty (50) or fewer units, the project site is within an incorporated city with a population density of at least twenty-five hundred (2,500) persons per square mile and a total population of at least twenty-five thousand (25,000) persons; or

(c) The project site is within either an incorporated city or a census-defined place with a population density of one thousand (1,000) persons per square mile, unless there is a reasonable possibility that the project would have a significant effect on the environment due to unusual circumstances or due to the related or cumulative impacts of reasonably foreseeable projects in the vicinity of the project.

D. Specific Requirements for Affordable Housing Projects Near Major Transit Stops. (Reference: Public Resources Code sections 21083 and 21159.24, and State CEQA Guidelines section 15195.) CEQA does not apply to a residential project on an infill site within an urbanized area if all of the general requirements described above in Section A are satisfied and the following additional criteria are also met:

(1) Within five (5) years prior to the date that the application for the project is deemed complete, community-level environmental review was certified or adopted. This exemption does not apply, however, if new information about the project or substantial changes regarding the circumstances surrounding the project become available after the community-level environmental review was certified or adopted;

(2) The site is not more than four (4) acres in total area;

(3) The project does not contain more than one hundred (100) residential units;

(4) The project meets either of the following criteria:

(a) At least 10% of the housing is sold to families of moderate income or rented to families of low income, or at least 5% of the housing is rented to families of very low income, and the project developer has provided sufficient legal commitments to ensure the continued availability and use of the housing units for very low-, low-, and moderate-income households at monthly housing costs; or

(b) The project developer has paid or will pay in-lieu fees sufficient to pay for the development of the same number of units that would otherwise be sold or rented to families of moderate or very low income pursuant to subparagraph (a);

(5) The project is within one-half mile of a major transit stop;

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(6) The project does not include any single-level building that exceeds one hundred thousand (100,000) square feet;

(7) The project promotes higher density infill housing:

(a) A project with a density of at least 20 units per acre shall be conclusively presumed to promote higher density infill housing; or

(b) A project with a density of at least 10 units per acre and a density greater than the average density of the residential properties within 1,500 feet shall be presumed to promote higher density housing unless the preponderance of the evidence demonstrates otherwise;

(8) Exception:

(a) Except as provided in subdivision (b), this division does not apply to a project if all of the following criteria are met:

1. The project is a residential project on an infill site.

2. The project is located within an urbanized area.

3. The project satisfies the criteria of Section 21159.21.

4. Within five years of the date that the application for the project is deemed complete pursuant to Section 65943 of the Government Code, community-level environmental review was certified or adopted.

5. The site of the project is not more than four acres in total area.

6. The project does not contain more than 100 residential units.

7. Either of the following criteria are met:

a. At least 10 percent of the housing is sold to families of moderate income, or not less than 10 percent of the housing is rented to families of low income, or not less than 5 percent of the housing is rented to families of very low income.

b. The project developer provides sufficient legal commitments to the appropriate local agency to ensure the continued availability and use of the housing units for very low-, low-, and moderate-income households at monthly housing costs determined pursuant to paragraph

(3) of the subdivision (h) of Section 65589.5 of the Government Code.

c. The project developer has paid or will pay in-lieu fees pursuant to a local ordinance in an amount sufficient to result in the development of an equivalent number of units that would otherwise be required pursuant to subparagraph (7)(a).

8. The project is within one-half mile of a major transit stop.

9. The project does not include any single level building that exceeds 100,000 square feet.

10. The project promotes higher density infill housing. A project with a density of at least 20 units per acre shall be conclusively presumed to promote higher density infill housing. A project with a density of at least 10 units per acre and a density greater than the average density of the residential properties within 1,500 feet shall be presumed to promote higher density housing unless the preponderance of the evidence demonstrates otherwise.

(b) The Exemption for Affordable Housing Projects near Major Transit Stops does not apply if any one of the following criteria is met:
   1. There is a reasonable possibility that the project will have a project-specific, significant effect on the environment due to unusual circumstances;
   2. Substantial changes have occurred since community-level environmental review was adopted or certified with respect to the circumstances under which the project is being undertaken, and those changes are related to the project; or
   3. New information regarding the circumstances under which the project is being undertaken has become available, and that new information is related to the project and was not known and could not have been known at the time of the community-level environmental review;

(c) If a project satisfies any one of the three criteria described above in Section 3.13D(8)(a), the environmental effects of the project must be analyzed in an Environmental Impact Report or a Negative Declaration. The environmental analysis shall be limited to the project-specific effects and any effects identified pursuant to Section 3.13D(8)(a).

E. Whenever the Lead Agency determines that a project is exempt from environmental review based on Public Resources Code sections 21159.22

[Section 3.13B of these Local Guidelines], 21159.23 [Section 3.13C of these Local Guidelines], or 21159.24 [Section 3.13D of these Local Guidelines], Staff and/or the proponent of the project shall file a Notice of Exemption with the Office of Planning and Research within five (5) working days after the approval of the project.

3.14 MINOR ALTERATIONS TO FLUORIDATE WATER UTILITIES.

Minor alterations to water utilities made for the purpose of complying with the fluoridation requirements of Health and Safety Code sections 116410 and 116415 or regulations adopted thereunder are exempt from CEQA.

3.15 BALLOT MEASURES.

The definition of project in the State CEQA Guidelines specifically excludes the submittal of proposals to a vote of the people of the state or of a particular community. This exemption does not apply to the public agency that sponsors the initiative. When a governing body makes a decision to put a measure on the ballot, that decision may be discretionary and therefore subject to CEQA. In contrast, the enactment of a qualified voter-sponsored initiative under California Constitution Art. II, Section 11(a) and Election Code Section 9214 is not a project and therefore is not subject to CEQA review. (See Local Guidelines Section 3.01.)

3.16 TRANSIT PRIORITY PROJECT.

Exemption: Transit Priority Projects (see Local Guidelines Section 11.75) that are consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a Sustainable Community Strategy or an alternative planning strategy may be exempt from CEQA. To qualify for the exemption, the decision-making body must hold a hearing and make findings that the project meets all of Public Resources Code section 21155.1's environmental, housing, and public safety conditions and requirements.

Streamlined Review: A Transit Priority Project that has incorporated all feasible mitigation measures, performance standards or criteria set forth in a prior environmental impact report, may be eligible for streamlined environmental review. For a complete description of the requirements for this streamlined review see Public Resources Code section 21155.2. Similarly, the environmental review for a residential or mixed use residential project may limit, or entirely omit, its discussion of growth-inducing impacts or impacts from traffic on global warming under certain limited circumstances. Note, however, that impacts from other sources of greenhouse gas emissions would still need to be analyzed. For complete requirements see Public Resources Code section 21159.28.

Note that neither the exemption nor the streamlined review will apply until: (1) the applicable Metropolitan Planning Organization prepares and adopts a Sustainable Communities Strategy or alternative planning strategy for the region; and (2) the California Air Resources Board has accepted the Metropolitan Planning Organization's determination that the Sustainable Communities Strategy or the alternative planning strategy would, if implemented, achieve the greenhouse gas emission reduction targets adopted for the region.

3.17 ROADWAY IMPROVEMENTS.

CEQA does not apply to a project or an activity to repair, maintain, or make minor alterations to an existing roadway, as defined in Local Guidelines Section 11.64, if all of the following conditions are met:

A. General Requirements:

(1) The project is carried out by a city or county with a population of less than 100,000 persons to improve public safety.
(2) The project does not cross a waterway as defined in Local Guidelines Section 11.84.
(3) The project involves negligible or no expansion of an existing use beyond that existing at the time of the lead agency's determination.
(4) The roadway is not a state roadway.
(5) The site of the project does not contain wetlands or riparian areas, and does not have "significant value as a wildlife habitat" (as defined in Local Guidelines Section 11.66) and the project does not harm any species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code), or the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), and the project does not cause the destruction or removal of any species protected by a local ordinance.
(6) The project does not impact cultural resources.
(7) The roadway does not affect scenic resources, as provided pursuant to subdivision (c) of Section 21084 of the Public Resources Code.

B. Prior to determining that a project is exempt pursuant to this section, the lead agency shall do both of the following:

(1) Include measures in the project to mitigate potential vehicular traffic and safety impacts and bicycle and pedestrian safety impacts.
(2) Hold a noticed public hearing on the project to hear and respond to public comments. The hearing on the project may be conducted with another noticed lead agency public hearing. Publication of the notice shall be no fewer times than required by Section 6061 of the Government Code, by the public agency in a newspaper of general circulation in the area.

C. Whenever the local agency determines that a project is not subject to this exemption, and it approves or determines to or carry out that project, the local agency shall file a notice with the Office of Planning and Research, and with the county clerk in the manner specified in subdivisions (b) and (c) of Public Resources Code section 21152.

3.18 CERTAIN INFILL PROJECTS

(a) (1) If an environmental impact report was certified for a planning level decision of the city or county, the application of CEQA to the approval of an infill project shall be limited to the effects on the environment that (A) are specific to the project or to the project site and were not addressed as significant effects in the prior environmental impact report or (B) substantial new information shows the effects will be more significant than described in the prior environmental impact report. The attached Form "S" shall be used for this determination. A lead agency's determination pursuant to this section shall be supported by substantial evidence.

(2) An effect of a project upon the environment shall not be considered a specific effect of the project or a significant effect that was not considered significant in a prior environmental impact report, or an effect that is more significant than was described in the prior environmental impact report if uniformly applicable development policies or standards adopted by the city, county, or the lead agency, would apply to the project and the lead agency makes a finding, based upon substantial evidence, that the development policies or standards will substantially mitigate that effect.

(b) If an infill project would result in significant effects that are specific to the project or the project site, or if the significant effects of the infill project were not addressed in the prior environmental impact report, or are more significant than the effects addressed in the prior environmental impact report, and if a mitigated negative declaration or a sustainable communities environmental assessment could not be otherwise adopted, an environmental impact report prepared for the project analyzing those effects shall be limited as follows:

(1) Alternative locations, densities, and building intensities to the project need not be considered.

(2) Growth inducing impacts of the project need not be considered.

(c) This section applies to an infill project that satisfies both of the following:

(1) The project satisfies any of the following:

A) Is consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy for which the State Air Resources Board, pursuant to subparagraph (H) of paragraph (2) of subdivision (b) of Section 65080 of the Government Code, has accepted a metropolitan planning organization's determination that the sustainable communities strategy or the alternative planning strategy would, if implemented, achieve the greenhouse gas emission reduction targets.

(B) Consists of a small walkable community project located in an area designated by a city for that purpose.

(C) Is located within the boundaries of a metropolitan planning organization that has not yet adopted a sustainable communities strategy or alternative planning strategy,

and the project has a residential density of at least 20 units per acre or a floor area ratio of at least 0.75.

(2) Satisfies all applicable statewide performance standards contained in the guidelines adopted pursuant to Public Resources Code section 21094.5.5 (Form "R").

(d) This section applies after the Secretary of the Natural Resources Agency adopts and certifies the guidelines establishing statewide standards pursuant to Public Resources Code section 21094.5.5.

(e) For the purposes of this section, the following terms mean the following:

(1) "Infill project" means a project that meets the following conditions:

(A) Consists of any one, or combination, of the following uses:

(i) Residential.

(ii) Retail or commercial, where no more than one-half of the project area is used for parking.

(iii) A transit station.

(iv) A school.

(v) A public office building.

(B) Is located within an urban area on a site that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses.

(2) "Planning level decision" means the enactment or amendment of a general plan, community plan, specific plan, or zoning code.

(3) "Prior environmental impact report" means the environmental impact report certified for a planning level decision, as supplemented by any subsequent or supplemental environmental impact reports, negative declarations, or addenda to those documents.

(4) "Small walkable community project" means a project that is in an incorporated city, which is not within the boundary of a metropolitan planning organization and that satisfies the following requirements:

(A) Has a project area of approximately one-quarter mile diameter of contiguous land completely within the existing incorporated boundaries of the city.

(B) Has a project area that includes a residential area adjacent to a retail downtown area.

(C) The project has a density of at least eight dwelling units per acre or a floor area ratio for retail or commercial use of not less than 0.50.

(5) "Urban area" includes either an incorporated city or an unincorporated area that is completely surrounded by one or more incorporated cities that meets both of the following criteria:

(A) The population of the unincorporated area and the population of the surrounding incorporated cities equal a population of 100,000 or more.

(B) The population density of the unincorporated area is equal to, or greater than, the population density of the surrounding cities.

3.19 EXEMPTION FOR INFILL PROJECTS IN TRANSIT PRIORITY AREAS

A residential or mixed-use project, or a project with a floor area ratio of at least 0.75 on commercially-zoned property, including any required subdivision or zoning approvals, is exempt from CEQA if the project satisfies the following criteria:

- The project is located within a transit priority area as defined in Section 11.74 below;
- The project is consistent with an applicable specific plan for which an environmental impact report was certified; and
- The project is consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy for which the State Air Resources Board has accepted the determination that the sustainable communities strategy or the alternative planning strategy would achieve the applicable greenhouse gas emissions reduction targets.

Further environmental review shall be required for a project meeting the above criteria only if one of the events specified in Section 8.04 below occurs.

3.20 EXEMPTION FOR RESIDENTIAL PROJECTS UNDERTAKEN PURSUANT TO A SPECIFIC PLAN

Where a public agency has prepared an EIR for a specific plan after January 1, 1980, a residential project undertaken pursuant to and in conformity with that specific plan is generally exempt from CEQA. Residential projects covered by this section include, but are not limited to, land subdivisions, zoning changes, and residential planned unit developments.

Further environmental review shall be required for a project meeting the above criteria only if, after the adoption of the specific plan, one of the events specified in Section 8.04 below occurs. In that circumstance, this exemption shall not apply until the city or county which adopted the specific plan completes a subsequent EIR or a supplement to an EIR on the specific plan. The exemption provided by this section shall again be available to residential projects after the Lead

Agency has filed a Notice of Determination on the specific plan as reconsidered by the subsequent EIR or supplement to the EIR.

3.21 TRANSIT PRIORITIZATION PROJECTS.

CEQA exempts the following projects when (i) the project is carried out by a public agency that is the lead agency for the project; (ii) the project is located in an urbanized area; (iii) the project is located within an existing public right-of-way; (iv) the project does not add physical infrastructure that increases new automobile capacity on existing rights-of-way except for minor modifications needed for efficient and safe movement of transit vehicles, such as extended merging lanes; (v) the project does not include the addition of any auxiliary lanes; and (vi) the construction of the project shall not require the demolition of affordable housing units:

(1) Pedestrian and bicycle facilities, including bicycle parking, bicycle sharing facilities, and bikeways as defined in Section 890.4 of the Streets and Highways Code;

(2) Projects that improve customer information and wayfinding for transit riders, bicyclists, or pedestrians;

(3) Transit prioritization projects, including projects relating to signal coordination, signal timing modifications, signal phasing modifications, the installation of wayside technology and onboard technology, the installation of ramp meters, the installation of dedicated transit or very high occupancy vehicle lanes (i.e., vehicle with six or more occupants), and shared turning lanes;

(4) On highways with existing public transit service or that will be implementing public transit service within six months of the conversion, a project for the designation and conversion of general purpose lanes or highway shoulders to bus-only lanes, for use either during peak congestion hours or all day.

(5) A project for the institution or increase of new bus rapid transit, bus, or light rail service, including the construction of stations, on existing public rights-of-way or existing highway rights-of-way, whether or not the right-of-way is in use for public mass transit.

(6) A project to construct or maintain infrastructure to charge or refuel zero-emission transit buses, provided the project is carried out by a public transit agency that is subject to, and in compliance with, the State Air Resources Board's Innovative Clean Transit regulations (Article 4.3 (commencing with Section 2023) of Chapter 1 of Division 3 of Title 13 of the California Code of Regulations) and the project is located on property owned by the transit agency or within an existing public right-of-way.

(7) The maintenance, repair, relocation, replacement, or removal of any utility infrastructure associated with a project identified in paragraphs (1) to (6), inclusive.

(8) A project that consists exclusively of a combination of any of the components of a project identified in paragraphs (1) to (7), inclusive.

(9) A project carried out by a city or county to reduce minimum parking requirements.

Additional conditions apply to a project otherwise exempt under this section if the project exceeds one hundred million dollars ($100,000,000) in 2020 United States dollars, as set forth in Public Resources Code section 21080.25.

If the City determines that a project is not subject to CEQA pursuant to this section and approves that project, the City must file a Notice of Exemption with both the Office of Planning and Research and the county clerk of the county in which the project is located.

This exemption shall remain in effect only until January 1, 2023, and as of that date it will be repealed. (Reference: Pub. Resources Code, § 21080.25.)

3.22 RESTRIPING STREETS AND HIGHWAYS FOR BICYCLE LANES.

CEQA does not apply to a bicycle transportation plan for an urbanized area for the restriping of streets and highways, bicycle parking and storage, signal timing to improve street and highway intersection operations, and the related signage for bicycles, pedestrians, and vehicles.

Before determining that a project is exempt pursuant to this section, the Lead Agency must hold noticed public hearings in areas affected by the bicycle transportation plan to hear and respond to public comments. Publication of the notice must comply with Government Code section 6061 and be in a newspaper of general circulation in the area affected by the proposed project.

If the City determines that a project is not subject to CEQA pursuant to this section and approves that project, the City must file a Notice of Exemption with both the Office of Planning and Research and the county clerk of the county in which the project is located.

This exemption shall remain in effect only until January 1, 2030, and as of that date it will be repealed. (Reference: Pub. Resources Code, § 20180.20.)

3.23 SMALL DISADVANTAGED COMMUNITY WATER SYSTEM AND STATE SMALL WATER SYSTEM.

CEQA does not apply to certain water infrastructure projects that primarily benefit a "small disadvantaged community water system" or a "state small water system," as these terms are defined in Public Resources Code section 21080.47. If certain labor requirements and other conditions are met as set forth in Public Resources Code section 21080.47, the installation, repair, or construction of the following for the benefit of a small disadvantaged community water system or state small water system is exempt from CEQA:

(1) Drinking water groundwater wells with a maximum flow rate of up to 250 gallons per minute;

(2) Drinking water treatment facilities with a footprint of less than 2,500 square feet that are not located in an environmentally sensitive area;

(3) Drinking water storage tanks with a capacity of up to 250,000 gallons;

(4) Booster pumps and hydropneumatic tanks;

(5) Pipelines of less than one mile in length in a road right-of-way or up to seven miles in length in a road right-of-way when the project is required to address threatened or current drinking water violations;

(6) Water services lines; and

(7) Minor drinking water system appurtenances, including, but not limited to, system and service meters, fire hydrants, water quality sampling stations, valves, air releases and vacuum break valves, emergency generators, backflow prevention devices, and appurtenance enclosures.

(Reference: Pub. Resources Code, § 21080.47.)

3.24 OTHER SPECIFIC EXEMPTIONS.

CEQA and the State CEQA Guidelines exempt many other specific activities, including early activities related to thermal power plants, ongoing projects, transportation improvement programs, family day care homes, congestion management programs, railroad grade separation projects, restriping of streets or highways to relieve traffic congestion, hazardous or volatile liquid pipelines, and the installation of solar energy systems, including, but not limited to solar panels. Specific statutory exemptions are listed in the Public Resources Code, including Sections 21080 through 21080.35, and in the State CEQA Guidelines, including Sections 15260 through 15285. In addition, other titles of the California Codes provide statutory exemptions from CEQA, including, for example, Government Code section 12012.70.

3.25 CATEGORICAL EXEMPTIONS.

The State CEQA Guidelines establish certain classes of categorical exemptions. These apply to classes of projects which have been determined not to have a significant effect on the environment and which, therefore, are generally exempt from CEQA. For any project that falls within one of these classes of categorical exemptions, the preparation of environmental documents under CEQA is not required. The classes of projects are briefly summarized below. (Reference to the State CEQA Guidelines for the full description of each exemption is recommended.)

The exemptions for Classes 3, 4, 5, 6 and 11 below are qualified in that such projects must be considered in light of the location of the project. A project that is ordinarily

insignificant in its impact on the environment may, in a particularly sensitive environment, be significant. Therefore, these classes are considered to apply in all instances except when the project may impact an environmental resource of hazardous or critical concern that has been designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

All classes of categorical exemptions are qualified. None of the categorical exemptions are applicable if any of the following circumstances exist:

(1) The cumulative impact of successive projects of the same type in the same place over time is significant;

(2) There is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances;

(3) The project may result in damage to a scenic resource or may result in a substantial adverse change to a historical resource; or

(4) The project is located on a site which is included on any hazardous waste site or list compiled pursuant to Government Code section 65962.5.

However, a project's greenhouse gas emissions do not, in and of themselves, cause an exemption to be inapplicable if the project otherwise complies with all applicable regulations or requirements adopted to implement statewide, regional, or local plans consistent with State CEQA Guidelines section 15183.5.

With the foregoing limitations in mind, the following classes of activity are generally exempt from CEQA:

Class 1: Existing Facilities. Activities involving the operation, repair, maintenance, permitting, leasing, licensing, minor alteration of—or legislative activities to regulate— existing public or private structures, facilities, mechanical equipment or other property, or topographical features, provided the activity involves negligible or no expansion of existing or former use. The types of "existing facilities" itemized in State CEQA Guidelines section 15301 are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of use. (State CEQA Guidelines section 15301.)

Class 2: Replacement or Reconstruction. Replacement or reconstruction of existing facilities, structures, or other property where the new facility or structure will be located on the same site as the replaced or reconstructed facility or structure and will have substantially the same purpose and capacity as the replaced or reconstructed facility or structure. (State CEQA Guidelines section 15302.)

Class 3: New Construction or Conversion of Small Structures. Construction of limited numbers of small new facilities or structures; installation of small new equipment or facilities in small structures; and the conversion of existing small structures from one use to another, when only minor modifications are made in the exterior of the structure. This exemption includes

structures built for both residential and commercial uses. (The maximum number of structures allowable under this exemption is set forth in State CEQA Guidelines section 15303.)

Class 4: Minor Alterations to Land. Minor alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees, except for forestry or agricultural purposes. (State CEQA Guidelines section 15304.)

Class 5: Minor Alterations in Land Use Limitations. Minor alterations in land use limitations in areas with an average slope of less than 20% which do not result in any changes in land use or density. (State CEQA Guidelines section 15305.)

Class 6: Information Collection. Basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. (State CEQA Guidelines section 15306.)

Class 7: Actions by Regulatory Agencies for Protection of Natural Resources. Actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment. (State CEQA Guidelines section 15307.)

Class 8: Actions By Regulatory Agencies for Protection of the Environment. Actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement or protection of the environment where the regulatory process involves procedures for protection of the environment. (State CEQA Guidelines section 15308.)

Class 9: Inspection. Inspection activities, including, but not limited to, inquiries into the performance of an operation and examinations of the quality, health or safety of a project. (State CEQA Guidelines section 15309.)

Class 10: Loans. Loans made by the Department of Veterans Affairs under the Veterans Farm and Home Purchase Act of 1943, mortgages for the purchase of existing structures where the loan will not be used for new construction and the purchase of such mortgages by financial institutions. (State CEQA Guidelines section 15310.)

Class 11: Accessory Structures. Construction or replacement of minor structures accessory or appurtenant to existing commercial, industrial, or institutional facilities, including, but not limited to, on-premise signs; small parking lots; and placement of seasonal or temporary use items, such as lifeguard towers, mobile food units, portable restrooms or similar items in generally the same locations from time to time in publicly owned parks, stadiums or other facilities designed for public use. (State CEQA Guidelines section 15311.)

Class 12: Surplus Government Property Sales. Sales of surplus government property, except for certain parcels of land located in an area of statewide, regional or area-wide concern identified in State CEQA Guidelines section 15206(b)(4). However, even if the surplus property to be sold is located in any of those areas, its sale is exempt if:

(a) The property does not have significant values for wildlife or other environmental purposes; and
(b) Any one of the following three conditions is met:
    1. The property is of such size, shape, or inaccessibility that it is incapable of independent development or use;
    2. The property to be sold would qualify for an exemption under any other class of categorical exemption in the State CEQA Guidelines; or
    3. The use of the property and adjacent property has not changed since the time of purchase by the public agency.

(State CEQA Guidelines section 15312.)

Class 13: Acquisition of Lands for Wildlife Conservation Purposes. Acquisition of lands for fish and wildlife conservation purposes, including preservation of fish and wildlife habitat, establishment of ecological preserves under Fish and Game Code section 1580, and preservation of access to public lands and waters where the purpose of the acquisition is to preserve the land in its natural condition. (State CEQA Guidelines section 15313.)

Class 14: Minor Additions to Schools. Minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more 25% or ten (10) classrooms, whichever is less. The addition of portable classrooms is included in this exemption. (State CEQA Guidelines section 15314.)

Class 15: Minor Land Divisions. Division(s) of property in urbanized areas zoned for residential, commercial or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two (2) years, and the parcel does not have an average slope greater than 20%. (State CEQA Guidelines section 15315.)

Class 16: Transfer of Ownership of Land in Order to Create Parks. Acquisition, sale, or other transfer of land in order to establish a park where the land is in a natural condition or contains historical or archaeological resources and either:

(a) The management plan for the park has not been prepared, or
(b) The management plan proposes to keep the area in a natural condition or preserve the historic or archaeological resources.

CEQA will apply when a management plan is proposed that will change the area from its natural condition or cause substantial adverse change in the significance of the historic or archaeological resource. (State CEQA Guidelines section 15316.)

Class 17: Open Space Contracts or Easements. Establishment of agricultural preserves, making and renewing of open space contracts under the Williamson Act, or acceptance of easements or fee interests in order to maintain the open space character of the area. (The cancellation of such preserves, contracts, interests or easements is not included in this exemption.) (State CEQA Guidelines section 15317.)

Class 18: Designation of Wilderness Areas. Designation of wilderness areas under the California Wilderness System. (State CEQA Guidelines section 15318.)

Class 19: Annexations of Existing Facilities and Lots for Exempt Facilities. This exemption applies only to the following annexations:

(a) Annexations to a city or special district of areas containing existing public or private structures developed to the density allowed by the current zoning or prezoning of either the gaining or losing governmental agency, whichever is more restrictive; provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities; and
(b) Annexations of individual small parcels of the minimum size for facilities exempted by Class 3, New Construction or Conversion of Small Structures.

(State CEQA Guidelines section 15319.)

Class 20: Changes in Organization of Local Agencies. Changes in the organization of local governmental agencies where the changes do not change the geographical area in which previously existing powers are exercised. Examples include but are not limited to:

(a) Establishment of a subsidiary district;
(b) Consolidation of two or more districts having identical powers; and
(c) Merger with a city of a district lying entirely within the boundaries of the city.

(State CEQA Guidelines section 15320.)

Class 21: Enforcement Actions by Regulatory Agencies. Actions by regulatory agencies to enforce or revoke a lease, permit, license, certificate or other entitlement for use issued, adopted or prescribed by the regulatory agency or enforcement of a law, general rule, standard or objective administered or adopted by the regulatory agency; or law enforcement activities by peace officers acting under any law that provides a criminal sanction. The direct referral of a violation of lease, permit, license, certificate, or entitlement to the City Attorney for judicial enforcement is exempt under this Class. (Construction activities undertaken by the public agency taking the enforcement or revocation action are not included in this exemption.) (State CEQA Guidelines section 15321.)

Class 22: Educational or Training Programs Involving No Physical Changes. The adoption, alteration or termination of educational or training programs which involve no physical alteration in the area affected or which involve physical changes only in the interior of existing school or training structures. Examples include but are not limited to:

(a) Development of or changes in curriculum or training methods; or
(b) Changes in the trade structure in a school which do not result in changes in student transportation.

(State CEQA Guidelines section 15322.)

Class 23: Normal Operations of Facilities for Public Gatherings. Continued or repeated normal operations of existing facilities for public gatherings for which the facilities were designed, where there is past history, of at least three years, of the facility being used for the same or similar purposes. Facilities included within this exemption include, but are not limited to, race tracks, stadiums, convention centers, auditoriums, amphitheaters, planetariums, swimming pools and amusement parks. (State CEQA Guidelines section 15323.)

Class 24: Regulation of Working Conditions. Actions taken by the City to regulate employee wages, hours of work or working conditions where there will be no demonstrable physical changes outside the place of work. (State CEQA Guidelines section 15324.)

Class 25: Transfers of Ownership of Interest in Land to Preserve Existing Natural Conditions and Historical Resources. Transfers of ownership of interest in land in order to preserve open space, habitat, or historical resources. Examples include, but are not limited to, acquisition, sale, or other transfer of areas to: preserve existing natural conditions, including plant or animal habitats; allow continued agricultural use of the areas; allow restoration of natural conditions; preserve open space or lands for natural park purposes; or prevent encroachment of development into floodplains. This exemption does not apply to the development of parks or park uses. (State CEQA Guidelines section 15325.)

Class 26: Acquisition of Housing for Housing Assistance Programs. Actions by a redevelopment agency, housing authority or other public agency to implement an adopted Housing Assistance Plan by acquiring an interest in housing units, provided the housing units are either in existence or possessing all required permits for construction when the agency makes its final decision to acquire the units. (State CEQA Guidelines section 15326.)

Class 27: Leasing New Facilities. Leasing of a newly constructed or previously unoccupied privately owned facility by a local or state agency when the City determines that the proposed use of the facility:

(a) Conforms with existing state plans and policies and with general, community, and specific plans for which an EIR or Negative Declaration has been prepared;
(b) Is substantially the same as that originally proposed at the time the building permit was issued;
(c) Does not result in a traffic increase of greater than 10% of front access road capacity; and
(d) Includes the provision of adequate employee and visitor parking facilities.

(State CEQA Guidelines section 15327.)

Class 28: Small Hydroelectric Projects as Existing Facilities. Installation of certain small hydroelectric-generating facilities in connection with existing dams, canals and pipelines, subject to the conditions in State CEQA Guidelines section 15328. (State CEQA Guidelines section 15328.)

Class 29: Cogeneration Projects at Existing Facilities. Installation of cogeneration equipment with a capacity of 50 megawatts or less at existing facilities meeting certain

conditions listed in State CEQA Guidelines section 15329. (State CEQA Guidelines section 15329.)

Class 30: Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substances. Any minor cleanup actions taken to prevent, minimize, stabilize, mitigate, or eliminate the release or threat of release of a hazardous waste or substance which are small or medium removal actions costing $1 million or less. (State CEQA Guidelines section 15330.)

(a) No cleanup action shall be subject to this Class 30 exemption if the action requires the onsite use of a hazardous waste incinerator or thermal treatment unit or the relocation of residences or businesses, or the action involves the potential release into the air of volatile organic compounds as defined in Health and Safety Code section 25123.6, except for small scale in situ soil vapor extraction and treatment systems which have been permitted by the local Air Pollution Control District or Air Quality Management District. All actions must be consistent with applicable state and local environmental permitting requirements including, but not limited to, off-site disposal, air quality rules such as those governing volatile organic compounds and water quality standards, and approved by the regulatory body with jurisdiction over the site;

(b) Examples of such minor cleanup actions include but are not limited to:

1. Removal of sealed, non-leaking drums of hazardous waste or substances that have been stabilized, containerized and are designated for a lawfully permitted destination;
2. Maintenance or stabilization of berms, dikes, or surface impoundments;
3. Construction or maintenance or interim of temporary surface caps;
4. Onsite treatment of contaminated soils or sludge provided treatment system meets Title 22 requirements and local air district requirements;
5. Excavation and/or offsite disposal of contaminated soils or sludge in regulated units;
6. Application of dust suppressants or dust binders to surface soils;
7. Controls for surface water run-on and run-off that meets seismic safety standards;
8. Pumping of leaking ponds into an enclosed container;
9. Construction of interim or emergency ground water treatment systems; or
10. Posting of warning signs and fencing for a hazardous waste or substance site that meets legal requirements for protection of wildlife.

Class 31: Historical Resource Restoration/Rehabilitation. Maintenance, repairs, stabilization, rehabilitation, restoration, preservation, conservation, or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer. (State CEQA Guidelines section 15331.)

Class 32: Infill Development Projects. Infill development meeting the following conditions:

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations;
(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses;
(c) The project site has no value as habitat for endangered, rare or threatened species;
(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
(e) The site can be adequately served by all required utilities and public services.

(State CEQA Guidelines section 15332.)

Class 33: Small Habitat Restoration Projects.

This exemption applies to projects to assure the maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife, provided that such projects meet the following criteria:

(a) The project does not exceed five acres in size;

(b) There would be no significant adverse impact on endangered, rare or threatened species or their habitat pursuant to Section 15065 of the State CEQA Guidelines;

(a) There are no hazardous materials at or around the project site that may be disturbed or removed; and

(b) The project will not result in impacts that 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.

Examples of small habitat restoration projects include, but are not limited to: revegetation of disturbed areas with native plant species; wetland restoration, the primary purpose of which is to improve conditions for waterfowl or other species that rely on wetland habitat; stream or river bank revegetation, the primary purpose of which is to improve habitat for amphibians or native fish; projects to restore or enhance habitat that are carried out principally with hand labor and not mechanized equipment; stream or river bank stabilization with native vegetation or other bioengineering techniques, the primary purpose of which is to reduce or eliminate erosion and sedimentation; and culvert replacement conducted in accordance with published guidelines of DFW or NOAA Fisheries, the primary purpose of which is to improve habitat or reduce sedimentation.

(State CEQA Guidelines section 15333.)

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4. TIME LIMITATIONS

4.01 REVIEW OF PRIVATE PROJECT APPLICATIONS.

Staff shall determine whether the application for a private project is complete within thirty (30) days of receipt of the application. No application may be deemed incomplete based on an applicant's refusal to waive the time limitations set forth in Local Guidelines Sections 4.03 and 4.04.

Accepting an application as complete does not limit the authority of the City, acting as Lead Agency or Responsible Agency, to require the applicant to submit additional information needed for environmental evaluation of the project. Requiring such additional information after the application is complete does not change the status of the application.

4.02 DETERMINATION OF TYPE OF ENVIRONMENTAL DOCUMENT.

Except as provided in Local Guidelines Sections 4.05 and 4.06, Staff's initial determination as to whether a Negative Declaration, Mitigated Negative Declaration or an EIR should be prepared shall be made within thirty (30) days from the date on which an application for a project is accepted as complete by the City. This period may be extended fifteen (15) days with consent of the applicant and the City.

4.03 COMPLETION AND ADOPTION OF NEGATIVE DECLARATION.

For private projects involving the issuance of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies, the Negative Declaration/Mitigated Negative Declaration shall be completed and approved within one hundred eighty (180) days from the date when the City accepted the application as complete. In the event that compelling circumstances justify additional time and the project applicant and Lead Agency consent thereto, Staff may provide that the 180-day time limit may be extended once for a period of not more than 90 days.

4.04 COMPLETION AND CERTIFICATION OF FINAL EIR.

For private projects, the Final EIR shall be completed and certified by the City within one (1) year after the date the City accepted the application as complete. In the event that compelling circumstances justify additional time and the project applicant consents thereto, the City may provide a one-time extension up to ninety (90) days for completing and certifying the EIR.

4.05 PROJECTS SUBJECT TO THE PERMIT STREAMLINING ACT.

The Permit Streamlining Act requires agencies to make decisions on certain development project approvals within specified time limits. If a project is subject to the Permit Streamlining Act, the City cannot require the project applicant to submit the informational equivalent of an EIR or prove compliance with CEQA as a prerequisite to determining whether the project application is complete. In addition, if requested by the project applicant, the City must begin processing the project application prior to final CEQA action, provided the information necessary to begin the process is available.

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Under the Permit Streamlining Act, the Lead Agency must approve or disapprove the development project application within one hundred eighty (180) days from the date on which it certifies the EIR, or within ninety (90) days of certification if an extension for completing and certifying the EIR was granted. If the Lead Agency adopts a Negative Declaration/Mitigated Negative Declaration or determines the development project is exempt from CEQA, it shall approve or disapprove the project application within sixty (60) days from the date on which it adopts the Negative Declaration/Mitigated Negative Declaration or determines that the project is exempt from CEQA.

Except for waivers of the time periods for preparing a joint Environmental Impact Report/Environmental Impact Statement (as outlined in Government Code sections 65951 and 65957), the City cannot require a waiver of the time limits specified in the Permit Streamlining Act as a condition of accepting or processing a development project application. In addition, the City cannot disapprove a development project application in order to comply with the time limits specified in the Permit Streamlining Act.

4.06 PROJECTS, OTHER THAN THOSE SUBJECT TO THE PERMIT STREAMLINING ACT, WITH SHORT TIME PERIODS FOR APPROVAL.

A few statutes require agencies to make decisions on project applications within time limits that are so short that review of the project under CEQA would be difficult. To enable the City as Lead Agency to comply with both the enabling statute and CEQA, the City shall deem a project application as not received for filing under the enabling statute until such time as the environmental documentation required by CEQA is complete. This section applies where all of the following conditions are met:

(a) The enabling statute for a program, other than development projects under Chapter 4.5 (commencing with Section 65920) of Division 1 of Title 7 of the Government Code, requires the City to take action on an application within a specified period of time of six (6) months or less;
(b) The enabling statute provides that the project is approved by operation of law if the City fails to take any action within the specified time period; and
(c) The project application involves the City's issuance of a lease, permit, license, certificate or other entitlement for use.

In any case, the environmental document shall be completed or certified and the decision on the application shall be made within the period established by the Permit Streamlining Act (Government Code sections 65920, et seq.).

4.07 WAIVER OR SUSPENSION OF TIME PERIODS.

These deadlines may be waived by the applicant if the project is subject to both CEQA and the National Environmental Policy Act ("NEPA"). (State CEQA Guidelines sections 15110 and 15224; see Section 5.04 of these Local Guidelines for information about projects that are subject to both CEQA and NEPA.)

An unreasonable delay by an applicant in meeting the City's requests necessary for the preparation of a Negative Declaration, Mitigated Negative Declaration, or an EIR shall suspend

the running of the time periods described in Local Guidelines Sections 4.03 and 4.04 for the period of the unreasonable delay. Alternatively, the City may disapprove a project application where there is unreasonable delay in meeting requests. The City may also allow a renewed application to start at the same point in the process where the prior application was when it was disapproved.

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5. INITIAL STUDY

5.01 PREPARATION OF INITIAL STUDY.

If the City determines that it is the Lead Agency for a project which is not exempt, the City will normally prepare an Initial Study to ascertain whether the project may have a substantial adverse effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial. All phases of project planning, implementation and operation must be considered in the Initial Study. An Initial Study may rely on expert opinion supported by facts, technical studies or other substantial evidence. However, an Initial Study is neither intended nor required to include the level of detail included in an EIR.

The City, as Lead Agency, may use any of the following arrangements or combination of arrangements to prepare an Initial Study:

(1) Preparing the Initial Study directly with the City's own staff.

(2) Contracting with another entity, public or private, to prepare the Initial Study.

(3) Accepting a draft Initial Study prepared by the applicant, a consultant retained by the applicant, or any other third person.

(4) Executing a third party contract or memorandum of understanding with the applicant to govern the preparation of an Initial Study by an independent contractor.

(5) Using a previously prepared Initial Study.

The Initial Study sent out for public review, however, must reflect the independent judgment of the Lead Agency.

For private projects, the person or entity proposing to carry out the project shall submit all data and information as may be required by the City to determine whether the proposed project may have a significant effect on the environment. All costs incurred by the City in reviewing the data and information submitted, or in conducting its own investigation based upon such data and information, or in preparing an Initial Study for the project shall be borne by the person or entity proposing to carry out the project.

5.02 INFORMAL CONSULTATION WITH OTHER AGENCIES.

When more than one public agency will be involved in undertaking or approving a project, the Lead Agency shall consult with all Responsible and any Trustee Agencies. Such consultation shall be undertaken in compliance with the notice procedures applicable to the type of CEQA document being prepared. See Section 6.04, Negative Declarations, and Sections 7.03 and 7.25, EIRs.

When the City is acting as Lead Agency, the City may choose to engage in early consultation with Responsible and Trustee Agencies before the City begins to prepare the Initial Study. This early consultation may be done quickly and informally and is intended to ensure that

the EIR, Negative Declaration or Mitigated Negative Declaration reflects the concerns of all Responsible Agencies that will issue approvals for the project and all Trustee Agencies responsible for natural resources affected by the project. The City's early consultation process may include consultation with other individuals or organizations with an interest in the project, if the City so desires. The OPR, upon request of the City or a private project applicant, shall assist in identifying the various Responsible Agencies for a proposed project and ensure that the Responsible Agencies are notified regarding any early consultation. In the case of a project undertaken by a public agency, the OPR, upon request of the City, shall ensure that any Responsible Agency or public agency that has jurisdiction by law with respect to the project is notified regarding any early consultation.

If, during the early consultation process it is determined that the project will clearly have a significant effect on the environment, the City, as Lead Agency, may immediately dispense with the Initial Study and determine that an EIR is required.

5.03 CONSULTATION WITH PRIVATE PROJECT APPLICANT.

During or immediately after preparation of an Initial Study for a private project, the City may consult with the applicant to determine if the applicant is willing to modify the project to reduce or avoid the significant effects identified in the Initial Study. If the project can be revised to avoid or mitigate effects to a level of insignificance and there is no substantial evidence before the City that the project, as revised, may have a significant effect on the environment, the City may prepare and adopt a Negative Declaration or Mitigated Negative Declaration. If any significant effect may still occur despite alterations of the project, an EIR must be prepared.

5.04 PROJECTS SUBJECT TO NEPA.

Projects that are carried out, financed, or approved in whole or in part by a federal agency are subject to the provisions of NEPA in addition to CEQA. To the extent possible, the State CEQA Guidelines encourage the City, when it is a Lead Agency under CEQA, to use the federally-prepared Environmental Impact Statement ("EIS") or Finding of No Significant Impact ("FONSI") or to prepare a joint CEQA/NEPA document instead of preparing separate NEPA and CEQA documents for a project that is subject to both NEPA and CEQA. (State CEQA Guidelines section 15220.)

For example, the City should attempt to work in conjunction with the federal agency involved in the project to prepare a combined EIR-EIS or Negative Declaration-FONSI. (State CEQA Guidelines section 15222.) To avoid the need for the federal agency to prepare a separate document for the same project, the Lead Agency must involve the federal agency in the preparation of the joint document. The Lead Agency may also enter into a Memorandum of Understanding with the federal agency to ensure that both federal and state requirements are met.

The City is required to cooperate with the federal agency and to utilize joint planning processes, environmental research and studies, public hearings, and environmental documents to the fullest extent possible. (State CEQA Guidelines section 15226.) However, since NEPA does not require an examination of mitigation measures or growth-inducing impacts, analysis of

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mitigation measures and growth-inducing impacts will need to be added before NEPA documents may be used to satisfy CEQA. (State CEQA Guidelines section 15221.)

For projects that are subject to NEPA, a scoping meeting held pursuant to NEPA satisfies the CEQA scoping requirement as long as notice is provided to the agencies and individuals listed in Local Guidelines Section 7.10, and provided in accordance with these Local Guidelines.

If the federal agency refuses to cooperate with the City with regard to the preparation of joint documents, the City should attempt to involve a state agency in the preparation of the EIR, Negative Declaration, or Mitigated Negative Declaration. Since federal agencies are explicitly permitted to utilize environmental documents prepared by agencies of statewide jurisdiction, it is possible that the federal agency will reuse the state-prepared CEQA documents instead of requiring the applicant to fund a redundant set of federal environmental documents. (State CEQA Guidelines section 15228.)

Where the federal agency has circulated the EIS or FONSI and the circulation satisfied the requirements of CEQA and any other applicable laws, the City, when it is a Lead Agency under CEQA, may use the EIS or FONSI in place of an EIR or Negative Declaration without having to recirculate the federal documents. The City's intention to adopt the previously circulated EIS or FONSI must be publicly noticed in the same way as a Notice of Availability of a Draft EIR.

Special rules may apply when the environmental documents are prepared for projects involving the reuse of military bases. (See State CEQA Guidelines section 15225.)

5.05 AN INITIAL STUDY.

The Initial Study shall be used to determine whether a Negative Declaration, Mitigated Negative Declaration or an EIR shall be prepared for a project. It provides written documentation of whether the City found evidence of significant adverse impacts which might occur. The purposes of an Initial Study are to:

(a) Identify environmental impacts;
(b) Enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is written;
(c) Focus an EIR, if one is required, on potentially significant environmental effects;
(d) Facilitate environmental assessment early in the design of a project;
(e) Provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment;
(f) Eliminate unnecessary EIRs; and
(g) Determine whether a previously prepared EIR could be used for the project.

5.06 CONTENTS OF INITIAL STUDY.

An Initial Study shall contain in brief form:

(a) A description of the project, including the location of the project. The project description must be consistent throughout the environmental review process;

(b) An identification of the environmental setting. The environmental setting is usually the existing physical environmental conditions in the vicinity of the project, as they exist at the time the Notice of Preparation is published, or if no Notice of Preparation is published, such as in the case of a Negative Declaration or Mitigated Negative Declaration, at the time environmental analysis begins. The environmental setting should describe both the project site and surrounding properties. The description should include, but not necessarily be limited to, a discussion of existing structures, land use, energy supplies, topography, water usage, soil stability, plants and animals, and any cultural, historical, or scenic aspects. This environmental setting will normally constitute the baseline physical conditions against which a Lead Agency may compare the project to determine whether an impact is significant;

(c) An identification of environmental effects by use of a checklist, matrix, or other method, provided that entries are briefly explained to show the evidence supporting the entries. The brief explanation may be through either a narrative or a reference to other information such as attached maps, photographs, or an earlier EIR or Negative Declaration or Mitigated Negative Declaration. A reference to another document should include a citation to the page or pages where the information is found;

(d) A discussion of ways to mitigate any significant effects identified;

(e) An examination of whether the project is consistent with existing zoning and local land use plans and other applicable land use controls;

(f) The name of the person or persons who prepared or participated in the Initial Study; and

(g) Identification of prior EIRs or environmental documents that could be used with the project.

5.07 USE OF A CHECKLIST INITIAL STUDY.

When properly completed, the Environmental Checklist (Form "J") will meet the requirements of Local Guidelines Section 5.05 for an Initial Study provided that the entries on the checklist are explained. Either the Environmental Checklist (Form "J") should be expanded or a separate attachment should be prepared to describe the project, including its location, and to identify the environmental setting.

California courts have rejected the use of a bare, unsupported Environmental Checklist as an Initial Study. An Initial Study must contain more than mere conclusions. It must disclose supporting data or evidence upon which the Lead Agency relied in conducting the Initial Study. The Lead Agency must augment checklists with supporting factual data and reference information sources when completing the forms. Explanation of all "potential impact" answers should be provided on attached sheets. For controversial projects, it is advisable to state briefly why "no" answers were checked. If practicable, attach a list of reference materials, such as prior EIRs, plans, traffic studies, air quality data, or other supporting studies.

5.08 EVALUATING SIGNIFICANT ENVIRONMENTAL EFFECTS.

In evaluating the environmental significance of effects disclosed by the Initial Study, the Lead Agency shall consider:

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(a) Whether the Initial Study and/or any comments received informally during consultations indicate that a fair argument can be made that the project may have a significant adverse environmental impact that cannot be mitigated to a level of insignificance. Even if a fair argument can be made to the contrary, an EIR should be prepared;

(b) Whether both primary (direct) and reasonably foreseeable secondary (indirect) consequences of the project were evaluated. Primary consequences are immediately related to the project, while secondary consequences are related more to the primary consequences than to the project itself. For example, secondary impacts upon the resources base, including land, air, water and energy use of an area, may result from population growth, a primary impact;

(c) Whether adverse social and economic changes will result from a physical change caused by the project. Adverse economic and social changes resulting from a project are not, in themselves, significant environmental effects. However, if such adverse changes cause physical changes in the environment, those consequences may be used as the basis for finding that the physical change is significant;

(d) Whether there is serious public controversy or disagreement among experts over the environmental effects of the project. However, the existence of public controversy or disagreement among experts does not, without more, require preparation of an EIR in the absence of substantial evidence of significant effects;

(e) Whether the cumulative impact of the project is significant and whether the incremental effects of the project are "cumulatively considerable" (as defined in Local Guidelines Section 11.14) when viewed in connection with the effects of past projects, current projects, and probable future projects. The City may conclude that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program (including, but not limited to, water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plan, plans or regulations for the reduction of greenhouse gas emissions) that provides specific requirements that will avoid or substantially lessen the cumulative problem. To be used for this purpose, such a plan or program must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process. In relying on such a plan or program, the City should explain which requirements apply to the project and ensure that the project's incremental contribution is not cumulatively considerable; and

(f) Whether the project may cause a substantial adverse change in the significance of an archaeological or historical resource.

The City may use a threshold of significance (as that term is defined in State CEQA Guidelines section 15064.7) to determine whether a project may cause a significant environmental impact. When using a threshold of significance, the City should briefly explain how compliance with the threshold means that the project's impacts are less than significant. Compliance with the threshold, however, does not relieve the City of the obligation to consider substantial evidence indicating that a project's environmental effects may still be significant.

5.09 DETERMINING THE SIGNIFICANCE OF TRANSPORTATION IMPACTS

On or about December 28, 2018, the California Natural Resources Agency added a new section to the State CEQA Guidelines—Section 15064.3, entitled "Determining the Significance of Transportation Impacts."

Section 15064.3 provides:

> (a) Purpose.
>
> This section describes specific considerations for evaluating a project's transportation impacts. Generally, vehicle miles traveled is the most appropriate measure of transportation impacts. For the purposes of this section, "vehicle miles traveled" refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Except as provided in subdivision (b)(2) below (regarding roadway capacity), a project's effect on automobile delay shall not constitute a significant environmental impact.
>
> (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.

(c) Applicability.

The provisions of this section shall apply prospectively as described in section 15007. A lead agency may elect to be governed by the provisions of this section immediately. Beginning on July 1, 2020, the provisions of this section shall apply statewide.

As noted above, the City does not elect to be governed by the provisions of Section 15064.3 before July 1, 2020. (State CEQA Guidelines, § 15064.3(c).)

5.10 MANDATORY FINDINGS OF SIGNIFICANT EFFECT.

Whenever there is substantial evidence, in light of the whole record, that any of the conditions set forth below may occur, the Lead Agency shall find that the project may have a significant effect on the environment and thereby shall require preparation of an EIR:

(a) The project has 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 major periods of California history or prehistory;
(b) The project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals;
(c) The project has possible environmental effects which are individually limited but cumulatively considerable, as defined in Local Guidelines Section 11.14. That is, the City, when acting as Lead Agency, is required to determine whether the incremental impacts of a project are cumulatively considerable by evaluating them against the back-drop of the environmental effects of the other projects; or
(d) The environmental effects of a project will cause substantial adverse effects on humans either directly or indirectly.

If, before the release of the CEQA document for public review, the potential for triggering one of the mandatory findings of significance is avoided or mitigation measures or project modifications reduce the potentially significant impacts to a point where clearly the mandatory finding of significance is not triggered, preparation of an EIR is not mandated. If the project's potential for triggering one of the mandatory findings of significance cannot be avoided or mitigated to a point where the criterion is clearly not triggered, an EIR shall be prepared, and the relevant mandatory findings of significance shall be used:

(1) as thresholds of significance for purposes of preparing the EIR's impact analysis;

(2) in making findings on the feasibility of alternatives or mitigation measures;

(3) when found to be feasible, in making changes in the project to lessen or avoid the adverse environmental impacts; and

(4) when necessary, in adopting a statement of overriding considerations.

Although an EIR prepared for a project that triggers one of the mandatory findings of significance must use the relevant mandatory findings as thresholds of significance, the EIR need not conclude that the impact itself is significant. Rather, the City, as Lead Agency, must exercise its discretion and determine, on a case-by-case basis after evaluating all of the relevant evidence, whether the project's environmental impacts are avoided or mitigated below a level of significance or whether a statement of overriding considerations is required.

With regard to a project that has the potential to substantially reduce the number or restrict the range of a protected species, the City, as Lead Agency, does not have to prepare an EIR solely due to that impact, provided the project meets the following three criteria:

(a) The project proponent must be bound to implement mitigation requirements relating to such species and habitat pursuant to an approved habitat conservation plan and/or natural communities conservation plan;
(b) The state or federal agency must have approved the habitat conservation plan and/or natural community conservation plan in reliance on an EIR and/or EIS; and
(c) The mitigation requirements must either avoid any net loss of habitat and net reduction in number of the affected species, or preserve, restore, or enhance sufficient habitat to mitigate the reduction in habitat and number of the affected species below a level of significance.

5.11 MANDATORY PREPARATION OF AN EIR FOR WASTE-BURNING PROJECTS.

Lead Agencies shall prepare or cause to be prepared and certify the completion of an EIR, or, if appropriate, an Addendum, Supplemental EIR, or Subsequent EIR, for any project involving the burning of municipal wastes, hazardous waste or refuse-derived fuel, including, but not limited to, tires, if the project consists of any of the following:

(a) The construction of a new facility;
(b) The expansion of an existing hazardous waste burning facility which would increase its permitted capacity by more than 10%;
(c) The issuance of a hazardous waste facilities permit to a land disposal facility, as defined in Local Guidelines Section 11.32; or
(d) The issuance of a hazardous waste facilities permit to an offsite large treatment facility, as defined in Local Guidelines Sections 11.33 and 11.53.

This section does not apply to projects listed in subsections (c) and (d), immediately above, if the facility only manages hazardous waste that is identified or listed pursuant to Health

and Safety Code section 25140 or 25141 or only conducts activities which are regulated pursuant to Health and Safety Code sections 25100, et seq.

The Lead Agency shall calculate the percentage of expansion for an existing facility by comparing the proposed facility's capacity with either of the following, as applicable:

(a) The facility capacity authorized in the facility's hazardous waste facilities permit pursuant to Health and Safety Code section 25200, or its grant of interim status pursuant to Health and Safety Code section 25200.5, or the facility capacity authorized in any state or local agency permit allowing the construction or operation of the facility for the burning of hazardous waste granted before January 1, 1990; or

(b) The facility capacity authorized in the facility's original hazardous facilities permit, grant of interim status, or any state or local agency permit allowing the construction or operation of a facility for the burning of hazardous waste, granted on or after January 1, 1990.

This section does not apply to any project over which the State Energy Resources Conservation and Development Commission has assumed jurisdiction per Health and Safety Code sections 25500 et seq.

The EIR requirement is also subject to a number of exceptions for specific types of waste-burning projects. (Public Resources Code section 21151.1 and State CEQA Guidelines section 15081.5.) Even if preparation of an EIR is not mandatory for a particular type of waste-burning project, those projects are not exempt from the other requirements of CEQA, the State CEQA Guidelines, or these Local Guidelines. In addition, waste-burning projects are subject to special notice requirements under Public Resources Code section 21092. Specifically, in addition to the standard public notices required by CEQA, notice must be provided to all owners and occupants of property located within one-fourth mile of any parcel or parcels on which the waste-burning project will be located. (Public Resources Code section 21092(c); see Local Guidelines Sections 6.12 and 7.27.)

5.12 DEVELOPMENT PURSUANT TO AN EXISTING COMMUNITY PLAN AND EIR.

Before preparing a CEQA document, Staff should determine whether the proposed project involves development consistent with an earlier zoning or community plan to accommodate a particular density for which an EIR has been certified. If an earlier EIR for the zoning or planning action has been certified, and if the proposed project concerns the approval of a subdivision map or development, CEQA applies only to the extent the project raises environmental effects peculiar to the parcel which were not addressed in the earlier EIR. Off-site and cumulative effects not discussed in the general plan EIR must still be considered. Mitigation measures set out in the earlier EIR should be implemented at this stage.

Environmental effects shall not be considered peculiar to the parcel if uniformly applied development policies or standards have been previously adopted by a city or county with a finding based on substantial evidence that the policy or standard will substantially mitigate the environmental effect when applied to future projects. Examples of uniformly applied development policies or standards include, but are not limited to: parking ordinances; public

access requirements; grading ordinances; hillside development ordinances; flood plain ordinances; habitat protection or conservation ordinances; view protection ordinances; and requirements for reducing greenhouse gas emissions as set forth in adopted land use plans, policies or regulations. Any rezoning action consistent with the Community Plan shall be subject to exemption from CEQA in accordance with this section. "Community Plan" means part of a city's general plan which: (1) applies to a defined geographic portion of the total area included in the general plan; (2) complies with Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of Title 7 of the Government Code by referencing each of the mandatory elements specified in Government Code section 65302; and (3) contains specific development policies adopted for the area in the Community Plan and identifies measures to implement those policies, so that the policies which will apply to each parcel can be determined.

5.13 LAND USE POLICIES.

When a project will amend a general plan or another land use policy, the Initial Study must address how the change in policy and its expected direct and indirect effects will affect the environment. When the amendments constitute substantial changes in policies that result in a significant impact on the environment, an EIR may be required.

5.14 EVALUATING IMPACTS ON HISTORICAL RESOURCES.

Projects that may cause a substantial adverse change in the significance of a historical resource, as defined in Local Guidelines Section 11.28 are projects that may have a significant effect on the environment, thus requiring consideration under CEQA. Particular attention and care should be given when considering such projects, especially projects involving the demolition of a historical resource, since such demolitions have been determined to cause a significant effect on the environment.

Substantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation or alteration of the resource or its immediate surroundings, such that the significance of a historical resource would be materially impaired.

The significance of a historical resource is materially impaired when a project:

(a) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the California Register of Historical Resources;
(b) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources or its identification in a historical resources survey, unless the Lead Agency establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
(c) 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 inclusion in the California Register of Historical Resources as determined by the Lead Agency for purposes of CEQA.

Generally, a project that follows either one of the following sets of standards and guidelines will be considered mitigated to a level of less than significant: (a) the Secretary of the

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Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings; or (b) the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer.

In the event of an accidental discovery of a possible historical resource during construction of the project, the City may provide for the evaluation of the find by a qualified archaeologist or other professional. If the find is determined to be a historical resource, the City should take appropriate steps to implement appropriate avoidance or mitigation measures. Work on non-affected portions of the project, as determined by the City, may continue during the process. Curation may be an appropriate mitigation measure for an artifact that must be removed during project excavation or testing.

5.15 EVALUATING IMPACTS ON ARCHAEOLOGICAL SITES.

When a project will impact an archaeological site, the City shall first determine whether the site is a historical resource, as defined in Local Guidelines Section 11.28 If the archaeological site is a historical resource, it shall be treated and evaluated as such, and not as an archaeological resource. If the archaeological site does not meet the definition of a historical resource, but does meet the definition of a unique archaeological resource set forth in Public Resources Code section 21083.2, the site shall be treated in accordance with said provisions of the Public Resources Code. The time and cost limitations described in Section 21083.2(c-f) do not apply to surveys and site evaluation activities intended to determine whether the project site contains unique archaeological resources.

If the archaeological resource is neither a unique archaeological resource nor a historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the Initial Study or EIR, if one is prepared to address impacts on other resources, but they need not be considered further in the CEQA process.

In the event of an accidental discovery of a possible unique archaeological resource during construction of the project, the City may provide for the evaluation of the find by a qualified archaeologist. If the find is determined to be a unique archaeological resource, the City should take appropriate steps to implement appropriate avoidance or mitigation measures. Work on non-affected portions of the project, as determined by the City, may continue during the process. Curation may be an appropriate mitigation measure for an artifact that must be removed during project excavation or testing.

When an Initial Study identifies the existence of, or the probable likelihood of, Native American human remains within the Project, the City shall comply with the provisions of State CEQA Guidelines section 15064.5(d). In the event of an accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the City shall comply with the provisions of State CEQA Guidelines section 15064.5(e).

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5.16 CONSULTATION WITH WATER AGENCIES REGARDING LARGE DEVELOPMENT PROJECTS.

(a) Projects Subject to Consultation Requirements.

For certain development projects, cities and counties must consult with water agencies. If the City is a municipal water provider, the city or county may request that the City prepare a water supply assessment to be included in the relevant environmental documentation for the project. The City may refer to this section when preparing such an assessment or when reviewing projects in its role as a Responsible Agency. This section applies only to water demand projects as defined by Guideline 11.78. Program level environmental review may not need to be as extensive as project level environmental review. (See Local Guidelines Sections 8.03 and 8.08.)

(b) Water Supply Assessment.

When a city or county as Lead Agency determines the type of environmental document that will be prepared for a water demand project or any project that includes a water demand project, the city or county must identify any public water system (as defined in Local Guidelines Sections 11.59 and 11.83) that may supply water for the project. The city or county must also request that the public water system determine whether the projected demand associated with the project was included in the most recently adopted Urban Water Management Plan. The city or county must also request that the public water system prepare a specified water supply assessment for approval at a regular or special meeting of the public water system governing body.

If no public water system is identified that may supply water for the water demand project, the city or county shall prepare the water supply assessment. The city or county shall consult with any entity serving domestic water supplies whose service area includes the site of the water demand project, the local agency formation commission, and the governing body of any public water system adjacent to the site of the water demand project. The city council or county board of supervisors must approve the water assessment prepared pursuant to this paragraph at a regular or special meeting.

As per Water Code section 10910, the water assessment must include identification of existing water supply entitlements, water rights, or water service contracts relevant to the water supply for the proposed project and water received in prior years pursuant to those entitlements, rights, and contracts, and further information is required if water supplies include groundwater. The water assessment must determine the ability of the public water system to meet existing and future demands along with the demands of the proposed water demand project in light of existing and future water supplies. This supply demand analysis is to be conducted via a twenty-year projection, and must assess water supply sufficiency during normal year, single dry year, and multiple dry year hydrology scenarios. If the public water agency concludes that the water supply is, or will be, insufficient, it must submit plans for acquiring additional water supplies.

The city or county may grant the public water agency a thirty (30) day extension of time to prepare the assessment if the public water agency requests an extension within ninety (90)

days of being asked to prepare the assessment. If the governing body of the public water system fails to request and receive an extension of time, or fails to submit the water assessment notwithstanding the thirty (30) day extension, the city or county may seek a writ of mandamus to compel the governing body of the public water system to comply.

If a water-demand project has been the subject of a water assessment, no additional water assessment shall be required for subsequent water-demand projects that were included in the larger water-demand project if all of the following criteria are met:

(1) The entity completing the water assessment concluded that its water supplies are sufficient to meet the projected water demand associated with the larger water-demand project, in addition to the existing and planned future uses, including, but not limited to, agricultural and industrial uses; and

(2) None of the following changes has occurred since the completion of the water assessment for the larger water-demand project:

(A) Changes in the larger water-demand project that result in a substantial increase in water demand for the water-demand project;

(B) Changes in the circumstances or conditions substantially affecting the ability of the public water system identified in the water assessment to provide a sufficient supply of water for the water demand project; and

(C) Significant new information becomes available which was not known and could not have been known at the time when the entity had reached its assessment conclusions. The city or county shall include the water assessment, and any water acquisition plan in the EIR, negative declaration, or mitigated negative declaration, or any supplement thereto, prepared for the project, and may include an evaluation of the water assessment and water acquisition plan information within such environmental document. A discussion of water supply availability should be included in the main text of the environmental document. Normally, this discussion should be based on the data and information included in the water supply assessment. In making its required findings under CEQA, the city or county shall determine, based on the entire record, whether projected water supplies will be sufficient to satisfy the demands of the project, in addition to existing and planned future uses. If a city or county determines that water supplies will not be sufficient, the city or county shall include that determination in its findings for the project.

The degree of certainty regarding the availability of water supplies will vary depending on the stage of project approval. A Lead Agency should have greater confidence in the availability of water supplies for a specific project than might be required for a conceptual plan (i.e. general plan, specific plan). An analysis of water supply in an environmental document may incorporate by reference information in a water supply assessment, urban water management plan, or other publicly available sources. The analysis shall include the following:

(1) Sufficient information regarding the project's proposed water demand and proposed water supplies to permit the Lead Agency to evaluate the pros and cons of supplying the amount of water that the project will need.

(2) An analysis of the reasonably foreseeable environmental impacts of supplying water throughout all phases of the project.

(3) An analysis of circumstances affecting the likelihood of the water's availability, as well as the degree of uncertainty involved. Relevant factors may include but are not limited to, drought, salt-water intrusion, regulatory or contractual curtailments, and other reasonably foreseeable demands on the water supply.

(4) If the Lead Agency cannot determine that a particular water supply will be available, it shall conduct an analysis of alternative sources, including at least in general terms the environmental consequences of using those alternative sources, or alternatives to the project that could be served with available water.

For complete information on these requirements, consult Water Code sections 10910, et seq. For other CEQA provisions applicable to these types of projects, see Local Guidelines Sections 7.03 and 7.25.

5.17 SUBDIVISIONS WITH MORE THAN 500 DWELLING UNITS.

Cities and counties must obtain written verification (see Form "O" for a sample) from the applicable public water system(s) that a sufficient water supply is available before approving certain residential development projects. If the City is a municipal water provider for a project, the city or county may request such a verification from the City. The City should also be aware of these requirements when reviewing projects in its role as a Responsible Agency.

Cities and counties are prohibited from approving a tentative map, parcel map for which a tentative map was not required, or a development agreement for a subdivision of property of more than 500 dwellings units, unless:

(1) The City Council, Board of Supervisors, or the advisory agency receives written verification from the applicable public water system that a sufficient water supply is available; or

(2) Under certain circumstances, the City Council, Board of Supervisors or the advisory agency makes a specified finding that sufficient water supplies are, or will be, available prior to completion of the project.

For complete information on these requirements, consult Government Code section 66473.7.

5.18 IMPACTS TO OAK WOODLANDS.

When a county prepares an Initial Study to determine what type of environmental document will be prepared for a project within its jurisdiction, the county must determine whether the project may result in a conversion of oak woodlands that will have a significant

effect on the environment. Normally, this rule will not apply to projects undertaken by the City. However, if the City is a Responsible Agency on such a project, the City should endeavor to ensure that the county, as Lead Agency, analyzes these impacts in accordance with CEQA.

(Reference: Pub. Resources Code, § 21083.4.)

5.19 CLIMATE CHANGE AND GREENHOUSE GAS EMISSIONS.

A. Estimating or Calculating the Magnitude of the Project's Greenhouse Gas Emissions.

The City shall analyze the greenhouse gas emissions of its projects as required by State CEQA Guidelines section 15064.4. For projects subject to CEQA, the City shall make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project.

In performing analysis of greenhouse gas emissions, the City, as Lead Agency, shall have discretion to determine, in the context of a particular project, whether to:

(1) Quantify greenhouse gas emissions resulting from a project; and/ or

(2) Rely on a qualitative analysis or performance-based standards.

B. Factors in Determining Significance.

In determining the significance of a project's greenhouse gas emissions, the City, when acting as Lead Agency, should focus its analysis on the reasonably foreseeable incremental contribution of the project's emissions to the effects of climate change. A project's incremental contribution may be cumulatively considerable even if it appears relatively small compared to statewide, national, or global emissions. The City's analysis should consider a timeframe that is appropriate for the project. The City's analysis also must reasonably reflect evolving scientific knowledge and state regulatory schemes.

Once the amount of a project's greenhouse gas emissions have been described, estimated, or calculated, the City should consider the following factors, among others, to determine whether those emissions are significant:

(1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting. Physical environmental conditions in the vicinity of the project, as they exist at the time the Notice of Preparation is published or the time when the environmental analysis is commenced, will normally constitute the baseline. All project phases, including construction and operation, should be considered in determining whether a project will cause emissions to increase or decrease as compared to the baseline;

(2) Whether the project emissions exceed a threshold of significance that the Lead Agency determines applies to the project. The Lead Agency may

rely on thresholds of significance developed by experts or other agencies, provided that application of the threshold and the significance conclusion is supported with substantial evidence. When relying on thresholds developed by other agencies, the Lead Agency should ensure that the threshold is appropriate for the project and the project's location; and

(3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions (see, e.g., State CEQA Guidelines section 15183.5(b)). Such requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project. In determining the significance of impacts, the Lead Agency may consider a project's consistency with the State's long-term climate goals or strategies, provided that substantial evidence supports the agency's analysis of how those goals or strategies address the project's incremental contribution to climate change and its conclusion that the project's incremental contribution is not cumulatively considerable.

The Lead Agency may use a model or methodology to estimate greenhouse gas emissions resulting from a project. The Lead Agency has discretion to select the model or methodology it considers most appropriate to enable decision makers to intelligently take into account the project's incremental contribution to climate change. The Lead Agency must support its selection of a model or methodology with substantial evidence. The Lead Agency should explain the limitations of the particular model or methodology selected for use.

C. Consistency with Applicable Plans.

When an EIR is prepared, it must discuss any inconsistencies between the proposed project and any applicable general plan, specific plans, and regional plans. This includes, but is not limited to, any applicable air quality attainment plans, regional blueprint plans, or plans for the reduction of greenhouse gas emissions.

D. Mitigation Measures Related to Greenhouse Gas Emissions.

Lead Agencies must consider feasible means of mitigating the significant effects of greenhouse gas emissions. Any such mitigation measure must be supported by substantial evidence and be subject to monitoring or reporting. Potential mitigation will depend on the particular circumstances of the project, but may include the following, among others:

(1) Measures in an existing plan or mitigation program for the reduction of emissions that are required as part of the Lead Agency's decision;

(2) Reductions in emissions resulting from a project through implementation of project features, project design, or other measures, such as those described in State CEQA Guidelines Appendix F;

(3) Off-site measures, including offsets that are not otherwise required, to mitigate a project's emissions;

(4) Measures that sequester greenhouse gases; and

(5) In the case of the adoption of a plan, such as a general plan, long range development plan, or plan for the reduction of greenhouse gas emissions, mitigation may include the identification of specific measures that may be implemented on a project-by-project basis. Mitigation may also include the incorporation of specific measures or policies found in an adopted ordinance or regulation that reduces the cumulative effect of emissions.

E. Streamlined Analysis of Greenhouse Gas Emissions.

Under certain limited circumstances, the legislature has specifically declared that the analysis of greenhouse gas emissions or climate change impacts may be limited. Public Resources Code sections 21155, 21155.2, and 21159.28 provide that if certain residential, mixed use and transit priority projects meet specified ratios and densities, then the lead agencies for those projects may conduct a limited review of greenhouse gas emissions or may be exempted from analyzing global warming impacts that result from cars and light duty trucks, if a detailed list of requirements is met. However, unless the project is exempt from CEQA, the Lead Agency must consider whether such projects will result in greenhouse gas emissions from other sources, including, but not limited to, energy use, water use, and solid waste disposal.

F. Tiering.

The City may analyze and mitigate the significant effects of greenhouse gas emissions at a programmatic level. Later project-specific environmental documents may then tier from and/or incorporate by reference that existing programmatic review.

G. Plans for the Reduction of Greenhouse Gas Emissions.

Public agencies may choose to analyze and mitigate greenhouse gas emissions in a plan for the reduction of greenhouse gas emissions or in a similar document. A plan for the reduction of greenhouse gas emissions should:

(1) Quantify greenhouse gas emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic area;

(2) Establish a level, based on substantial evidence, below which the contribution to greenhouse gas emissions from activities covered by the plan would not be cumulatively considerable;

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(3) Identify and analyze the greenhouse gas emissions resulting from specific actions or categories of actions anticipated within the geographic area;

(4) Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;

(5) Establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels; and

(6) Be adopted in a public process following environmental review.

A plan for the reduction of greenhouse gas emissions, once adopted following certification of an EIR, or adoption of another environmental document, may be used in the cumulative impacts analysis of later projects. An environmental document that relies on a plan for the reduction of greenhouse gas emissions for a cumulative impacts analysis must identify those requirements specified in the plan that apply to the project, and, if those requirements are not otherwise binding and enforceable, incorporate those requirements as mitigation measures applicable to the project. If there is substantial evidence that the effects of a particular project may be cumulatively considerable notwithstanding the project's compliance with the specified requirements in the plan for reduction of greenhouse gas emissions, an EIR must be prepared for the project.

H. Analyzing the Effects of Climate Change on the Project.

Where an EIR is prepared for a project, the EIR shall analyze any significant environmental effects the project might cause by bringing development and people into the project area that may be affected by climate change. In particular, the EIR should evaluate any potentially significant impacts of locating development in areas susceptible to hazardous conditions (e.g., floodplains, coastlines, wildfire risk areas) as identified in authoritative hazard maps, risk assessments or in land use plans addressing such hazards areas. The analysis may be limited to the potentially significant effects of locating the project in a potentially hazardous location. Further, this analysis may be limited by the project's life in relation to the potential of such effects to occur and the availability of existing information related to potential future effects of climate change. Further, the EIR need not include speculation regarding such future effects.

5.20 ENERGY CONSERVATION.

Potentially significant energy implications of a project must be considered in an EIR to the extent relevant and applicable to the project. Therefore, the project description should identify the following as applicable or relevant to the particular project:

(1) Energy consuming equipment and processes which will be used during construction, operation and/or removal of the project. If appropriate, this discussion should consider the energy intensiveness of materials and equipment required for the project;

(2) Total energy requirements of the project by fuel type and end use;

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(3) Energy conservation equipment and design features;

(4) Identification of energy supplies that would serve the project; and

(5) Total estimated daily vehicle trips to be generated by the project and the additional energy consumed per trip by mode.

As described in Local Guidelines Section 5.06, above, an initial study must include a description of the environmental setting. The discussion of the environmental setting may include existing energy supplies and energy use patterns in the region and locality. The City may also consider the extent to which energy supplies have been adequately considered in other environmental documents. Environmental impacts may include:

(1) The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project including construction, operation, maintenance and/or removal. If appropriate, the energy intensiveness of materials may be discussed;

(2) The effects of the project on local and regional energy supplies and on requirements for additional capacity;

(3) The effects of the project on peak and base period demands for electricity and other forms of energy;

(4) The degree to which the project complies with existing energy standards;

(5) The effects of the project on energy resources; and/or

(6) The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

As discussed above in Section 5.06, the Initial Study must identify the potential environmental effects of the proposed activity. That discussion must include the unavoidable adverse effects. Unavoidable adverse effects may include wasteful, inefficient and unnecessary consumption of energy during the project construction, operation, maintenance and/or removal that cannot be feasibly mitigated.

When discussing energy conservation, alternatives should be compared in terms of overall energy consumption and in terms of reducing wasteful, inefficient and unnecessary consumption of energy.

5.21 ENVIRONMENTAL IMPACT ASSESSMENT.

The Initial Study identifies which environmental impacts may be significant. Based upon the Initial Study, Staff shall determine whether a proposed project may or will have a significant effect on the environment. Such determination shall be made in writing on the Environmental Impact Assessment Form (Form "C"). If Staff finds that a project will not have a significant effect on the environment, it shall recommend that a Negative Declaration be prepared and

adopted by the decision-making body. If Staff finds that a project may have a significant effect on the environment, but the effects can be mitigated to a level of insignificance, it shall recommend that a Mitigated Negative Declaration be prepared and adopted by the decision-making body. If Staff finds that a project may have a significant effect on the environment, it shall recommend that an EIR be prepared and certified by the decision-making body.

5.22 FINAL DETERMINATION.

The City Council shall have the final responsibility for determining whether an EIR, Negative Declaration or Mitigated Negative Declaration shall be required for any project. The City Council's determination shall be final and conclusive on all persons, including Responsible Agencies and Trustee Agencies, except as provided in Section 15050(c) of the State CEQA Guidelines. Additionally, in the event the City Council has delegated authority to a subsidiary board or official to approve a project, the City Council also hereby delegates to that subsidiary board or official the authority to make all necessary CEQA determinations, including whether an EIR, Negative Declaration, Mitigated Negative Declaration or exemption shall be required for any project. A subsidiary board or official's CEQA determination shall be subject to appeal consistent with the City's established procedures for appeals.

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6. NEGATIVE DECLARATION

6.01 DECISION TO PREPARE A NEGATIVE DECLARATION.

A Negative Declaration (Form "E") shall be prepared for a project subject to CEQA when the Initial Study shows that there is no substantial evidence in light of the whole record that the project may have a significant or potentially significant adverse effect on the environment. (See Local Guidelines Sections 11.65 and 11.71.)

6.02 DECISION TO PREPARE A MITIGATED NEGATIVE DECLARATION.

A Mitigated Negative Declaration (Form "E") shall be prepared for a project subject to CEQA when the Initial Study identifies potentially significant effects on the environment, but:

(a) The project applicant has agreed to revise the project or the City can revise the project to avoid these significant effects or to mitigate the effects to a point where it is clear that no significant effects would occur; or
(b) There is no substantial evidence in light of the whole record before the City that the revised project may have a significant effect.

It is insufficient to require an applicant to adopt mitigation measures after final adoption of the Mitigated Negative Declaration or to state that mitigation measures will be recommended on the basis of a future study. The City must know the measures at the time the Mitigated Negative Declaration is adopted in order for them to be evaluated and accepted as adequate mitigation. Evidence of agreement by the applicant to such mitigation should be in the record prior to public review. Except where noted, the procedural requirements for the preparation and approval of a Negative Declaration and Mitigated Negative Declaration are the same.

6.03 CONTRACTING FOR PREPARATION OF NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION.

The City, when acting as Lead Agency, is responsible for preparing all documents required pursuant to CEQA. The documents may be prepared by Staff or by private consultants pursuant to a contract with the City, but they must be the City's product and reflect the independent judgment of the City.

6.04 NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION.

When, based upon the Initial Study, it is recommended to the decision-making body that a Negative Declaration or Mitigated Negative Declaration be adopted, a Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration (Form "D") shall be prepared. In addition to being provided to the public through the means set forth in Local Guidelines Section 6.07, this Notice shall also be provided to:

(a) Each Responsible and Trustee Agency;
(b) Any other federal, state, or local agency that has jurisdiction by law or exercises authority over resources affected by the project, including:

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(1) Any water supply agency consulted under Local Guidelines Section 5.16;

(2) Any city or county bordering on the project area;

(3) For a project of statewide, regional, or area-wide significance, to any transportation agencies or public agencies which have major local arterials or public transit facilities within five (5) miles of the project site or freeways, highways, or rail transit service within ten (10) miles of the project site which could be affected by the project; and

(4) For a subdivision project located within one mile of a facility of the State Water Resources Development System, to the California Department of Water Resources;

(c) The last known name and address of all organizations and individuals who have previously filed a written request with the City to receive these Notices;

(d) For certain projects that may impact a low-level flight path, military impact zone, or special use airspace and that meet the other criteria of Local Guidelines Section 6.05, to the specified military services contact;

(e) For certain projects that involve the construction or alteration of a facility anticipated to include hazardous air emissions or handle hazardous substances within one-quarter mile of a school and that meet the other requirements of Local Guidelines Section 6.06, to any potentially affected school district;

(f) For certain waste-burning projects that meet the requirements of Local Guidelines Section 5.11 (regarding mandatory preparation of EIR) (see also Local Guidelines Section 7.27), to the owners and occupants of property within one-fourth mile of any parcel on which the project will be located; and

(g) For a project that establishes or amends a redevelopment plan that contains land in agricultural use, notice shall be provided to the agricultural and farm agencies and organizations specified in Health and Safety Code section 33333.3.

Additionally, for a project of statewide, regional, or area-wide significance, the Lead Agency should also consult with public transit agencies with facilities within one-half mile of the proposed project.

A copy of the proposed Negative Declaration or Mitigated Negative Declaration and the Initial Study shall be attached to the Notice of Intent to Adopt that is sent to every Responsible Agency and Trustee Agency concerned with the project and every other public agency with jurisdiction by law over resources affected by the project.

The Notice of Intent to Adopt a Negative Declaration (Form "D") must be filed and posted with the County Clerk at least twenty (20) days before the final adoption of the Negative Declaration or Mitigated Negative Declaration by the decision-making body, unless the Negative Declaration or Mitigated Negative Declaration must be submitted to the State Clearinghouse for review by a state agency as set forth in Local Guidelines Section 6.11. Where the Negative Declaration or Mitigated Negative Declaration must be submitted to the State Clearinghouse (e.g., where a state agency is a Responsible Agency or Trustee Agency or where state agency

review is otherwise required for the proposed project), the Notice of Intent to Adopt a Negative Declaration must be filed and posted with the County Clerk and with the State Clearinghouse at least thirty (30) days before the final adoption of the Negative Declaration or Mitigated Negative Declaration. (Reference: State CEQA Guidelines, §§ 15105, 15205.)

For purposes of calculating the length of the public review period, the last day of the public review period cannot fall on a weekend, a legal holiday, or other day on which the lead agency's offices are closed.[1] (Reference: *Rominger v. County of Colusa* (2014) 229 Cal.App.4th 690, 708.)

If the Negative Declaration or Mitigated Negative Declaration has been submitted to the State Clearinghouse for circulation, the public review period shall be at least as long as the period of review by the State Clearinghouse. (See Local Guidelines Section 6.11.) Day one of the state review period shall be the date that the State Clearinghouse distributes the document to state agencies. If the Lead Agency is submitting a Negative Declaration or Mitigated Negative Declaration to the State Clearinghouse, the Notice of Completion form may be used.

The Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration shall contain the following information:

(a) The period during which comments shall be received;
(b) The date, time and place of any public meetings or hearings on the proposed project;
(c) A brief description of the proposed project and its location;
(d) The address where copies of the proposed Negative Declaration or Mitigated Negative Declaration and all documents incorporated by reference in the proposed Negative Declaration or Mitigated Negative Declaration are available for review;
(e) A description of how the proposed Negative Declaration or Mitigated Negative Declaration can be obtained in electronic format;
(f) The Environmental Protection Agency ("EPA") list on which the proposed project site is located, if applicable, and the corresponding information from the applicant's statement (see Local Guidelines Section 2.04); and
(g) The significant effects on the environment, if any, anticipated as a result of the proposed project.

6.05 PROJECTS AFFECTING MILITARY SERVICES; DEPARTMENT OF DEFENSE NOTIFICATION.

CEQA imposes additional requirements to provide notice to potentially affected military agencies when:

(a) The project meets one of the following three criteria:

[1] A public agency's "offices are closed" for purposes of this section on days in which the agency is formally closed for business (for example, due to a weekend, a legal holiday, or a formal furlough affecting the entire office). A public agency's office is not considered closed for purposes of this section where the agency's office may be physically closed, but the agency is nonetheless open for business and is operating remotely or virtually (for example, in response to the Covid-19 pandemic).

(1) The project includes a general plan amendment;

(2) The project is of statewide, regional, or area-wide significance; or

(3) The project relates to a public use airport or certain lands surrounding a public use airport; and

(b) A "military service" (defined in Section 11.42 of these Local Guidelines) has provided its contact office and address and notified the Lead Agency of the specific boundaries of a "low-level flight path" (defined in Section 11.37 of these Local Guidelines), "military impact zone" (defined in Section 11.41 of these Local Guidelines), or "special use airspace" (defined in Section 11.67 of these Local Guidelines).

When a project meets these requirements, the City must provide the military service's designated contact with a copy of the Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration that has been prepared for the project, unless the project involves the remediation of lands contaminated with hazardous wastes and meets certain other requirements. See Public Resources Code sections 21080.4 and 21092 and Health and Safety Code sections 25300, et seq.; 25396; and 25187.

The City must provide the military service with sufficient notice of its intent to adopt a Negative Declaration or Mitigated Negative Declaration to ensure that the military service has no fewer than twenty (20) days to review the documents before they are approved, provided that the military service shall have a minimum of thirty (30) days to review the environmental documents if the documents have been submitted to the State Clearinghouse. See State CEQA Guidelines sections 15105(b) and 15190.5(c).

6.06 SPECIAL FINDINGS REQUIRED FOR FACILITIES THAT MAY EMIT HAZARDOUS AIR EMISSIONS NEAR SCHOOLS.

Special procedural rules apply to projects involving the construction or alteration of a facility within one-quarter mile of a school/schools when: (1) the facility might reasonably be anticipated to emit hazardous air emissions or to handle an extremely hazardous substance or a mixture containing extremely hazardous substances in a quantity equal to or greater than the threshold specified in Health and Safety Code section 25532(j), and (2) the emissions or substances may pose a health or safety hazard to persons who would attend or would be employed at the school. If the project meets both of those criteria, a Lead Agency may not approve a Negative Declaration or a Mitigated Negative Declaration unless both of the following have occurred:

(a) The Lead Agency consulted with the affected school district or districts having jurisdiction over the school regarding the potential impact of the project on the school; and
(b) The school district(s) was given written notification of the project not less than thirty (30) days prior to the proposed approval of the Negative Declaration.

When the City is considering the adoption of a Negative Declaration or Mitigated Negative Declaration for a project that meets these criteria, it can satisfy this requirement by

providing the Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration, the proposed Negative Declaration or Mitigated Negative Declaration, and the Initial Study to the potentially affected school district at least thirty (30) days before the decision-making body will consider the adoption of the Negative Declaration or Mitigated Negative Declaration. See also Local Guidelines Section 6.04.

Implementation of this Guideline shall be consistent with the definitions and terms utilized in State CEQA Guidelines section 15186.

6.07 CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES.

Prior to the release of a Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration for a project, the Lead Agency shall begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project if:

(a) The California Native American tribe requested to the Lead Agency, in writing, to be informed by the Lead Agency through formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with the tribe; and

(b) The California Native American tribe responds, in writing, within 30 days of receipt of the formal notification, and requests the consultation. The California Native American tribe shall designate a lead contact person when responding to the Lead Agency. If a lead contact is not designated by the California Native American tribe, or it designates multiple lead contact people, the Lead Agency shall defer to the individuals listed on the contact list maintained by the Native American Heritage Commission. Consultation is defined in Local Guidelines Section 11.12.

To expedite the requirements of this section, the Native American Heritage Commission shall assist the Lead Agency in identifying the California American Native tribes that are traditionally and culturally affiliated with the project area.

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 trial representative of, traditionally and culturally affiliated California Native America tribes that have requested notice, which shall be accomplished by 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. Where the application for a housing development project is deemed to be complete on or after March 4, 2020 and before December 31, 2021, the California Native American tribe shall have 60 days to respond to the Lead Agency and request consultation. (Reference: Gov. Code, § 65583(i).)

The Lead Agency shall begin the consultation process within 30 days of receiving a California Native American tribe's request for consultation.

If consultation is requested, the parties may propose mitigation measures, including those set forth in Public Resources Code section 21084.3, capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to a tribal cultural resource. The consultation may include discussion concerning the type of environmental review necessary, the significance of tribal cultural resources, the significance of the project's impacts on the tribal cultural resources, and, if necessary, project alternatives or the appropriate measures for preservation or mitigation that the California Native American tribe may recommend to the Lead Agency.

The consultation shall be considered concluded when either of the following occurs:

(1) The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource.

(2) A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.

The California Native American tribe is not limited in its ability to submit information to the lead agency regarding the significance of the tribal cultural resources, the significance of the project's impact on tribal cultural resources, or any appropriate measures to mitigate the impacts. Additionally, the lead agency or project proponent is not limited in its ability to incorporate changes and additions to the project as a result of the consultation, even if not legally required.

6.08 IDENTIFICATION OF TRIBAL CULTURAL RESOURCES AND PROCESSING OF INFORMATION AFTER CONSULTATION WITH THE CALIFORNIA NATIVE AMERICAN TRIBE

After consultation with the California Native American tribe listed above in Local Guidelines Section 6.07, any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the Mitigated Negative Declaration and in an adopted mitigation monitoring and reporting program, if the mitigation measures are determined to avoid or lessen the proposed project’s impacts on tribal cultural resources, and if the mitigation measures are enforceable.

If a project may have a significant impact on a tribal cultural resource, the Lead Agency's Mitigated Negative Declaration shall discuss both of the following:

(a) Whether the proposed project has a significant impact on an identified tribal cultural resource;

(b) Whether feasible alternatives or mitigation measures, including those measures that may be agreed to during the consultation, avoid or substantially lessen the impact on the identified tribal cultural resource.

Any information provided regarding the location, description and use of the tribal cultural resource that is submitted by a California Native American tribe during the environmental review process shall not be included in the Negative Declaration or Mitigated Negative Declaration or otherwise disclosed by the Lead Agency or any other public agency to the public,

consistent with Governmental Code sections 6254(r) and 6254.10, and State CEQA Guidelines 15120(d), without the prior consent of the tribe that provided the information. If the Lead Agency publishes any information submitted by a California Native American tribe during the consultation or environmental review process, that information shall be published in a confidential appendix to the Negative Declaration or Mitigated Negative Declaration unless the tribe provides consent, in writing, to the disclosure of some or all of the information to the public. This does not prohibit the confidential exchange of the submitted information between public agencies that have lawful jurisdiction over the preparation of the Negative Declaration or the Mitigated Negative Declaration.

The exchange of confidential information regarding tribal cultural resources submitted by a California Native American tribe during the consultation or environmental review process among the Lead Agency, the California Native American tribe, the project applicant, or the project applicant's agent is not prohibited by Public Resources Code section 21082.3. The project applicant and the project applicant's legal advisers must use a reasonable degree of care and maintain the confidentiality of the information exchanged for the purposes of preventing looting, vandalism, or damage to tribal cultural resources and shall not disclose to a third party confidential information regarding the cultural resource unless the California Native American tribe providing the information consents in writing to the public disclosure of such information.

Public Resources Code section 21082.3 does not prevent a Lead Agency or other public agency from describing the information in general terms in the Negative Declaration or Mitigated Negative Declaration so as to inform the public of the basis of the Lead Agency's or other public agency's decision without breaching the confidentiality required. In addition, a Lead Agency may adopt a Mitigated Negative Declaration for a project with a significant impact on an identified tribal cultural resource only if one of the following occurs:

(a) The consultation process between the California Native American tribe and the Lead Agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to subdivision (b) of Section 21080.3.2.

(b) The California Native American tribe has requested consultation pursuant to Public Resources Code section 21080.3.1 and has failed to provide comments to the Lead agency, or otherwise failed to engage, in the consultation process.

(c) The Lead Agency has complied with subdivision (d) of Section 21080.3.1 of the Public Resources Code and the California Native American tribe has failed to request consultation within 30 days.

If substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource but the decision-makers do not include the mitigation measures recommended by the staff in the Mitigated Negative Declaration, or if there are no agreed upon mitigation measures at the conclusion of the consultation; or if no consultation has occurred, the Lead Agency must still consider the adoption of feasible mitigation.

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6.09 SIGNIFICANT ADVERSE IMPACTS TO TRIBAL CULTURAL RESOURCES

Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. If the Lead Agency determines that a project may cause a substantial adverse change to a tribal cultural resource, and measures are not otherwise identified in the consultation process provided in Public Resources Code section 21080.3.2 and as set forth in Local Guidelines Section 6.07, the following examples of mitigation measures, if feasible, may be considered to avoid or minimize the significant adverse impacts:

(a) Avoidance and preservation of the resources in place, including, but not limited to, planning and construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

(b) Treating the resource with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

(1) Protecting the cultural character and integrity of the resource.

(2) Protecting the traditional use of the resource.

(3) Protecting the confidentiality of the resource.

(c) Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

(d) Protecting the resource.

6.10 POSTING AND PUBLICATION OF NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION.

The City shall have a copy of the Notice of Intent to Adopt, the Negative Declaration or Mitigated Negative Declaration, and the Initial Study posted at the City's offices and shall make these documents available for public inspection. The Notice must be provided either twenty (20) or thirty (30) days prior to final adoption of the Negative Declaration or Mitigated Negative Declaration. The public review period for a Negative Declaration or Mitigated Negative Declaration prepared for a project subject to State Clearinghouse review must be circulated for at least as long as the review period established by the State Clearinghouse, usually no less than thirty (30) days. Under certain circumstances, a shortened review period of at least twenty (20) days may be approved by the State Clearinghouse as provided for in State CEQA Guidelines section 15105. See the Shortened Review Request Form "P." The state review period will commence on the date the State Clearinghouse distributes the document to state agencies. The State Clearinghouse will distribute the document within three (3) days of receipt if the Negative Declaration or Mitigated Negative Declaration is deemed complete.

The Notice must also be posted in the office of the Clerk in each county in which the project is located and must remain posted throughout the public review period. The County Clerk is required to post the Notice within twenty-four (24) hours of receiving it.

Notice shall be provided as stated in Local Guidelines Section 6.04. In addition, Notice must be given by at least one of the following procedures:

(a) Publication at least once in a newspaper of general circulation in the area affected by the proposed project. If more than one area will be affected, the notice shall be published in the newspaper of largest circulation from among the newspapers of general circulation in those areas;
(b) Posting of notice on and off site in the area where the project is to be located; or
(c) Direct mailing to owners and occupants of property contiguous to the project, as shown on the latest equalized assessment roll.

The City, when acting as Lead Agency, shall consider all comments received during the public review period for the Negative Declaration or Mitigated Negative Declaration. For a Negative Declaration or Mitigated Negative Declaration, the City is not required to respond in writing to comments it receives either during or after the public review period. However, the City may provide a written response to all comments if it will not delay action on the Negative Declaration or Mitigated Negative Declaration, since any comment received prior to final action on the Negative Declaration or Mitigated Negative Declaration can form the basis of a legal challenge. A written response that refutes the comment or adequately explains the City's action in light of the comment will assist the City in defending against a legal challenge. The City shall notify any public agency that comments on a Negative Declaration or Mitigated Negative Declaration of the public hearing or hearings, if any, on the project for which the Negative Declaration or Mitigated Negative Declaration was prepared.

6.11 SUBMISSION OF NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION TO STATE CLEARINGHOUSE.

A Negative Declaration or Mitigated Negative Declaration must be submitted to the State Clearinghouse for circulation in the following situations:

(a) The Negative Declaration or Mitigated Negative Declaration is prepared by a Lead Agency that is a state agency;
(b) The Negative Declaration or Mitigated Negative Declaration is prepared by a public agency where a state agency is a Responsible Agency, Trustee Agency, or otherwise has jurisdiction by law with respect to the project; or
(c) The Negative Declaration or Mitigated Negative Declaration is for a project identified in State CEQA Guidelines section 15206 as being of statewide, regional, or area-wide significance.

State CEQA Guidelines section 15206 identifies the following types of projects as being examples of projects of statewide, regional, or area-wide significance that require submission to the State Clearinghouse for circulation:

(1) Projects that have the potential to cause significant environmental effects beyond the city or county where the project would be located, such as:

(a) Residential development of more than 500 units;
(b) Commercial projects employing more than 1,000 persons or covering more than 500,000 square feet of floor space;
(c) Office building projects employing more than 1,000 persons or covering more than 250,000 square feet of floor space;
(d) Hotel or motel development of more than 500 rooms; or
(e) Industrial projects housing more than 1,000 persons, occupying more than 40 acres of land, or covering more than 650,000 square feet of floor area;

(2) Projects for the cancellation of a Williamson Act contract covering 100 or more acres;

(3) Projects in one of the following Environmentally Sensitive Areas:

(a) Lake Tahoe Basin;
(b) Santa Monica Mountains Zone;
(c) Sacramento-San Joaquin River Delta;
(d) Suisun Marsh;
(e) Coastal Zone, as defined by the California Coastal Act;
(f) Areas within one-quarter mile of a river designated as wild and scenic; or
(g) Areas within the jurisdiction of the San Francisco Bay Conservation and Development Commission;

(4) Projects that would affect sensitive wildlife habitats or the habitats of any rare, threatened, or endangered species;

(5) Projects that would interfere with water quality standards; and

(6) Projects that would provide housing, jobs, or occupancy for 500 or more people within 10 miles of a nuclear power plant.

A Negative Declaration or Mitigated Negative Declaration may also be submitted to the State Clearinghouse for circulation if a state agency has special expertise with regard to the environmental impacts involved.

When the Negative Declaration or Mitigated Negative Declaration is submitted to the State Clearinghouse for review, the review period shall be at least thirty (30) days. The review period begins (day one) on the date that the State Clearinghouse distributes the Negative Declaration or Mitigated Negative Declaration to state agencies. The State Clearinghouse is required to distribute the Negative Declaration or Mitigated Negative Declaration to state agencies within three (3) working days from the date the State Clearinghouse receives the document, as long as the Negative Declaration or Mitigated Negative Declaration is complete when submitted to the State Clearinghouse. If the document submitted to the State Clearinghouse is not complete, the State Clearinghouse must notify the Lead Agency. The review period for the public and all other agencies may run concurrently with the state agency

review period established by the State Clearinghouse, but the public review period cannot conclude before the state agency review period does. The review period for the public shall be at least as long as the review period established by the State Clearinghouse.

When a Negative Declaration or Mitigated Negative Declaration is submitted to the State Clearinghouse, a Notice of Completion (Form "H") should be included. The State Clearinghouse only accepts submissions of CEQA documents electronically via its "CEQA Submit database." As of November 3, 2020, the State Clearinghouse no longer accepts printed copies of CEQA documents. For instructions on how to submit a document to the State Clearinghouse, see http://www.opr.ca.gov/clearinghouse/ceqa/document-submission.html.

A shorter review period by the State Clearinghouse for a Negative Declaration or Mitigated Negative Declaration can be requested by the decision-making body. The shortened review period shall not be less than twenty (20) days. Such a request must be made in writing by the Lead Agency to the Office of Planning and Research. The decision-making body may designate by resolution or ordinance an individual authorized to request a shorter review period. (See Form "P"). Any approval of a shortened review period must be given prior to, and reflected in, the public notice. However, a shortened review period shall not be approved by the Office of Planning and Research for any proposed project of statewide, regional or area-wide environmental significance, as defined by State CEQA Guidelines section 15206.

6.12 SPECIAL NOTICE REQUIREMENTS FOR WASTE- AND FUEL-BURNING PROJECTS.

For any project that involves the burning of municipal waste, hazardous waste, or refuse-derived fuel (such as tires) and that does not require an EIR, as defined in Local Guidelines Section 5.11, a Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration shall be given to all organizations and individuals who have previously requested it and shall also be given by all three of the procedures listed in Local Guidelines Section 6.07. In addition, Notice shall be given by direct mailing to the owners and occupants of property within one-quarter mile of any parcel or parcels on which such a project is located. (Public Resources Code section 21092(c).)

These notice requirements apply only to those projects described in Local Guidelines Section 5.11. These notice requirements do not preclude the City from providing additional notice by other means if desired.

6.13 CONSULTATION WITH WATER AGENCIES REGARDING LARGE DEVELOPMENT PROJECTS.

Under specific circumstances a city or county acting as Lead Agency must consult with the public water system that will supply the project to determine whether the public water system can adequately supply the water needed for the project. As a Responsible Agency, the City should be aware of these requirements. See Local Guidelines Section 5.16 for more information on these requirements.

6.14 CONTENT OF NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION.

A Negative Declaration must be prepared directly by or under contract to the City and should generally resemble Form "E." It shall contain the following information:

(a) A brief description of the project proposed, including any commonly used name for the project;
(b) The location of the project and the name of the project proponent;
(c) A finding that the project as proposed will not have a significant effect on the environment; and
(d) An attached copy of the Initial Study documenting reasons to support the finding.

For a Mitigated Negative Declaration, feasible mitigation measures included in the project to substantially lessen or avoid potentially significant effects must be fully enforceable through permit conditions, agreements, or other measures. Such permit conditions, agreements, and measures must be consistent with applicable constitutional requirements such as the "nexus" and "rough proportionality" standards established by case law.

The proposed Negative Declaration or Mitigated Negative Declaration must reflect the independent judgment of the City.

6.15 TYPES OF MITIGATION.

The following is a non-exhaustive list of potential types of mitigation the City may consider:

(a) Avoidance;
(b) Preservation;
(c) Rehabilitation or replacement. Replacement may be on-site or off-site depending on the particular circumstances; and/or
(d) Participation in a fee program.

6.16 ADOPTION OF NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION.

Following the publication, posting or mailing of the Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration, but not before the expiration of the applicable twenty (20) or thirty (30) day public review period, the Negative Declaration or Mitigated Negative Declaration may be presented to the decision-making body at a regular or special meeting. Prior to adoption, the City shall independently review and analyze the Negative Declaration or Mitigated Negative Declaration and find that the Negative Declaration or Mitigated Negative Declaration reflects the independent judgment of the City.

If new information is added to the Negative Declaration or Mitigated Negative Declaration after public review, the City should determine whether recirculation is warranted. (See Local Guidelines Section 6.19). If the decision-making body finds that the project will not have a significant effect on the environment, it shall adopt the Negative Declaration or Mitigated Negative Declaration. If the decision-making body finds that the proposed project may have a

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significant effect on the environment that cannot be mitigated or avoided, it shall order the preparation of a Draft EIR and the filing of a Notice of Preparation of a Draft EIR.

When adopting a Negative Declaration or Mitigated Negative Declaration, the City shall specify the location and custodian of the documents or other material that constitute the record of proceedings upon which it based its decision. If adopting a Negative Declaration for a project that may emit hazardous air emissions within one-quarter mile of a school and that meets the other requirements of Local Guidelines Section 6.06, the decision-making body must also make the findings required by Local Guidelines Section 6.06.

As Lead Agency, the City may charge a non-elected official or body with the responsibility of independently reviewing the adequacy of and adopting a Negative Declaration or a Mitigated Negative Declaration; however, when a non-elected decision-making body adopts a Negative Declaration or Mitigated Negative Declaration, the City must have a procedure allowing for the appeal of that decision to the City Council.

6.17 MITIGATION REPORTING OR MONITORING PROGRAM FOR MITIGATED NEGATIVE DECLARATION.

When adopting a Mitigated Negative Declaration pursuant to Local Guidelines Section 6.13, the City shall adopt a reporting or monitoring program to assure that mitigation measures, which are required to mitigate or avoid significant effects on the environment, will be fully enforceable through permit conditions, agreements, or other measures and implemented by the project proponent or other responsible party in a timely manner, in accordance with conditions of project approval. The City shall also specify the location and the custodian of the documents that constitute the record of proceedings upon which it based its decision. There is no requirement that the reporting or monitoring program be circulated for public review; however, the City may choose to circulate it for public comments along with the Mitigated Negative Declaration. The mitigation measures required to mitigate or avoid significant effects on the environment must be adopted as conditions of project approval.

This reporting or monitoring program shall be designed to assure compliance during the implementation or construction of a project and shall otherwise comply with the requirements described in Local Guidelines Section 7.38. If a Responsible Agency or Trustee Agency has required that certain conditions be incorporated into the project, the City may request that agency to prepare and submit a proposed reporting or monitoring program. The City shall also require that, prior to the close of the public review period for a Mitigated Negative Declaration (see Local Guidelines Section 6.04), the Responsible or Trustee Agency submit detailed performance objectives for mitigation measures, or refer the City to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to the City by a Responsible or Trustee Agency shall be limited to measures that mitigate impacts to resources that are within the Responsible or Trustee Agency's authority.

Local agencies have the authority to levy fees sufficient to pay for this program. Therefore, the City can charge the project proponent a fee to cover actual costs of program processing and implementation.

Transportation information resulting from the reporting or monitoring program required to be adopted by the City shall be submitted to the regional transportation planning agency where the project is located and to the Department of Transportation for a project of statewide, regional or area-wide significance according to State CEQA Guidelines section 15206. The transportation planning agency and the Department of Transportation are required by law to adopt guidelines for the submittal of these reporting or monitoring programs, so the City may wish to tailor its submittal to such guidelines.

6.18 APPROVAL OR DISAPPROVAL OF PROJECT.

At the time of adoption of a Negative Declaration or Mitigated Negative Declaration, the decision-making body may consider the project for purposes of approval or disapproval. Prior to approving the project, the decision-making body shall consider the Negative Declaration or Mitigated Negative Declaration, together with any written comments received and considered during the public review period, and shall approve or disapprove the Negative Declaration or Mitigated Negative Declaration. In making a finding as to whether there is any substantial evidence that the project will have a significant effect on the environment, the factors listed in Local Guidelines Section 5.08 should be considered. (See Local Guidelines Section 6.06 for approval requirements for facilities that may emit hazardous pollutants or that may handle extremely hazardous substances within one-quarter mile of a school site.)

6.19 RECIRCULATION OF A NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION.

A Negative Declaration or Mitigated Negative Declaration must be recirculated when the document must be substantially revised after the public review period but prior to its adoption. A "substantial revision" occurs when the City has identified a new and avoidable significant effect for which mitigation measures or project revisions must be added in order to reduce the effect to a level of insignificance, or when the City determines that the proposed mitigation measures or project revisions will not reduce the potential effects to less than significant and new measures or revisions must be required.

Recirculation is not required under the following circumstances:

(a) Mitigation measures are replaced with equal or more effective measures, and the City makes a finding to that effect;
(b) New project revisions are added after circulation of the Negative Declaration or Mitigated Negative Declaration or in response to written or oral comments on the project's effects, but the revisions do not create new significant environmental effects and are not necessary to mitigate an avoidable significant effect;
(c) Measures or conditions of project approval are added after circulation of the Negative Declaration or Mitigated Negative Declaration, but the measures or conditions are not required by CEQA, do not create new significant environmental effects, and are not necessary to mitigate an avoidable significant effect; or
(d) New information is added to the Negative Declaration or Mitigated Declaration which merely clarifies, amplifies, or makes insignificant modifications to the Negative Declaration or Mitigated Negative Declaration.

If, after preparation of a Negative Declaration or Mitigated Negative Declaration, the City determines that the project requires an EIR, it shall prepare and circulate the Draft EIR for consultation and review and advise reviewers in writing that a proposed Negative Declaration or Mitigated Declaration had previously been circulated for the project.

6.20 NOTICE OF DETERMINATION ON A PROJECT FOR WHICH A PROPOSED NEGATIVE OR MITIGATED NEGATIVE DECLARATION HAS BEEN APPROVED.

After final approval of a project for which a Negative Declaration or Mitigated Negative Declaration has been prepared, Staff shall cause to be prepared, filed, and posted a Notice of Determination (Form "F"). The Notice of Determination shall contain the following information:

(a) An identification of the project, including the project title as identified on the proposed Negative Declaration or Mitigated Negative Declaration, location, and the State Clearinghouse identification number for the proposed Negative Declaration or Mitigated Negative Declaration if the Notice of Determination is filed with the State Clearinghouse;
(b) For private projects, identification of the person undertaking a project that is supported, in whole or in part, through contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies or the identity of the person receiving a lease, permit, license, certificate, or other entitlement for use from one or more public agencies;
(c) A brief description of the project;
(d) The name of the City and the date on which the City approved the project;
(e) The determination of the City that the project will not have a significant effect on the environment;
(f) A statement that a Negative Declaration or Mitigated Negative Declaration was adopted pursuant to the provisions of CEQA;
(g) A statement indicating whether mitigation measures were made a condition of the approval of the project, and whether a mitigation monitoring plan/program was adopted; and
(h) The address where a copy of the Negative Declaration or Mitigated Negative Declaration may be examined.

The Notice of Determination shall be filed with the Clerk of each county in which the project will be located within five (5) working days of project approval.

The City is encouraged to make copies of filed notices available in electronic format on the Internet. Such electronic notices are in addition to the posting requirements of the State CEQA Guidelines and the Public Resources Code. The Clerk must post the Notice of Determination within twenty-four (24) hours of receipt. The Notice must be posted in the office of the Clerk for a minimum of thirty (30) days. Thereafter, the Clerk shall return the notice to the City with a notation of the period it was posted. The City shall retain the notice for not less than twelve (12) months. If the project requires discretionary approval from any State agency, the Notice of Determination shall also be filed with OPR within five (5) working days of project approval along with proof of payment of the DFW fee or a no effect determination form from the DFW (see Local Guidelines Section 6.24). Simultaneously with the filing of the Notice of

Determination with the Clerk, Staff shall cause a copy of the Notice of Determination to be posted at City Offices.

If a written request has been made for a copy of the Notice prior to the date on which the City adopts the Negative Declaration or Mitigated Negative Declaration, the copy must be mailed, first class postage prepaid, within five (5) days of the City's determination. If such a request is made following the City's determination, then the copy should be mailed in the same manner as soon as possible. The recipients of such documents may be charged a fee reasonably related to the cost of providing the service.

For projects with more than one phase, Staff shall file a Notice of Determination for each phase requiring a discretionary approval.

The filing and posting of the Notice of Determination with the County Clerk, and, if necessary, with OPR, usually starts a thirty (30) day statute of limitations on court challenges to the approval under CEQA. When separate notices are filed for successive phases of the same overall project, the thirty (30) day statute of limitations to challenge the subsequent phase begins to run when the second notice is filed. Failure to file the Notice may result in a one hundred eighty (180) day statute of limitations.

6.21 ADDENDUM TO NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION.

The City may prepare an addendum to an adopted Negative Declaration or Mitigated Negative Declaration if only minor technical changes or additions are necessary. The City may also prepare an addendum to an adopted Negative Declaration or Mitigated Negative Declaration when none of the conditions calling for a subsequent Negative Declaration or Mitigated Negative Declaration have occurred. (See Local Guidelines Section 6.22 below.) An addendum need not be circulated for public review but can be attached to the adopted Negative Declaration or Mitigated Negative Declaration. The City shall consider the addendum with the adopted Negative Declaration or Mitigated Negative Declaration prior to project approval.

6.22 SUBSEQUENT NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION.

When a Negative Declaration or Mitigated Negative Declaration has been adopted for a project, or when an EIR has been certified, no subsequent Negative Declaration, Mitigated Negative Declaration, or EIR shall be prepared for that project unless the Lead Agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(a) Substantial changes are proposed in the project which will require major revisions of the previous EIR, Negative Declaration, or Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(b) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR, Negative Declaration, or Mitigated Negative Declaration due to the involvement of new significant

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

(c) New information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified or the Negative Declaration was adopted which shows any of the following:

(1) The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration;

(2) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(3) Mitigation measure(s) or alternative(s) 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 project proponents declined to adopt the mitigation measure(s) or alternative(s); or

(4) Mitigation measure(s) or alternative(s) which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure(s) or alternative(s).

The City, as Lead Agency, would then determine whether a Subsequent EIR, Supplemental EIR, Subsequent Negative Declaration, Subsequent Mitigated Negative Declaration, or Addendum would be applicable. Subsequent Negative Declarations and Mitigated Negative Declarations must be given the same notice and public review period as other Negative Declarations. The Subsequent Negative Declaration shall state where the previous document is available and can be reviewed.

6.23 PRIVATE PROJECT COSTS.

For private projects, the person or entity proposing to carry out the project shall bear all costs incurred by the City in preparing the Initial Study and in preparing and filing the Negative Declaration or Mitigated Negative Declaration and Notice of Determination.

6.24 FILING FEES FOR PROJECTS THAT AFFECT WILDLIFE RESOURCES.

At the time a Notice of Determination for a Negative Declaration or Mitigated Negative Declaration is filed with the County or Counties in which the project is located, a fee of $2,480.25, or the then applicable fee, shall be paid to the Clerk for projects that will adversely affect fish or wildlife resources. These fees are collected by the Clerk on behalf of DFW pursuant to Fish and Game Code section 711.4.

Only one filing fee is required for each project unless the project is tiered or phased and separate environmental documents are prepared. (Fish & Game Code section 711.4(g).) For projects where Responsible Agencies file separate Notices of Determination, only the Lead Agency is required to pay the fee.

Note: County Clerks are authorized to charge a documentary handling fee for each project in addition to the Fish and Game Code fees specified above. Refer to the Index in the Staff Summary to help determine the correct total amount of fees applicable to the project.

For private projects, the City may pass these costs on to the project applicant.

Fish and Game Code fees may be waived for projects with "no effect" on fish or wildlife resources or for certain projects undertaken by the DFW and implemented through a contract with a non-profit entity or local government agency; however, the Lead Agency must obtain a form showing that the DFW has determined that the project will have "no effect" on fish and wildlife. (Fish and Game Code section 711.4(c)(2)(A)). Projects that are statutorily or categorically exempt from CEQA are also not subject to the filing fee, and do not require a no effect determination. (State CEQA Guidelines sections 15260 through 15333; Fish and Game Code section 711.4(d)(1)). The applicable DFW Regional Office's environmental review and permitting staff are responsible for determining whether a project within their region will qualify for a no effect determination and if the CEQA filing fee will be waived.

The request should be submitted when the CEQA document is released for public review, or as early as possible in the public comment period. Documents submitted in digital format are preferred (e.g. compact disk). If insufficient documentation is submitted to DFW for the proposed project, a no effect determination will not be issued.

If the City believes that a project for which it is Lead Agency will have "no effect" on fish or wildlife resources, it should contact the appropriate DFW Regional Office. The project's CEQA document may need to be provided to the appropriate DFW Regional Office along with a written request. Documentation submitted to the appropriate DFW Regional Office should set forth facts in support of the fee exemption. Previous examples of projects that have qualified for a fee exemption include: minor zoning changes that did not lead to or allow new construction, grading, or other physical alterations to the environment; and minor modifications to existing structures, including addition of a second story to single or multi-family residences.

The fee exemption requirement that the project have "no" impact on fish or wildlife resources is more stringent than the former requirement that a project have only "de minimis" effects on fish or wildlife resources. DFW may determine that a project would have no effect on fish and wildlife if all of the following conditions apply:

- The project would not result in or have the potential to result in harm, harassment, or take of any fish and/or wildlife species.

- The project would not result in or have the potential to result in direct or indirect destruction, ground disturbance, or other modification of any habitat that may support fish and/or wildlife species.

- The project would not result in or have the potential to result in the removal of vegetation with potential to support wildlife.

- The project would not result in or have the potential to result in noise, vibration, dust, light, pollution, or an alteration in water quality that may affect fish and/or wildlife directly or from a distance.

- The project would not result in or have the potential to result in any interference with the movement of any fish and/or wildlife species.

Any request for a fee exemption should include the following information:

(1) the name and address of the project proponent and applicant contact information;

(2) a brief description of the project and its location;

(3) site description and aerial and/or topographic map of the project site;

(4) State Clearinghouse number or county filing number;

(5) a statement that an Initial Study has been prepared by the City to evaluate the project's effects on fish and wildlife resources, if any; and

(6) a declaration that, based on the City's evaluation of potential adverse effects on fish and wildlife resources, the City believes the project will have no effect on fish or wildlife.

If insufficient documentation is submitted to DFW for the proposed project, a no effect determination will not be issued. (A sample Request for Fee Exemption is attached as Form "L".) DFW will review the City's finding, and if DFW agrees with the City's conclusions, DFW will provide the City with written confirmation. Retain DFW's determination as part of the administrative record; the City is required to file a copy of this determination with the County after project approval and at the time of filing of the Notice of Determination.

The Lead Agency must have written confirmation of DFW's finding of "no impact" at the time the Lead Agency files its Notice of Determination with the County. The County cannot accept the Notice of Determination unless it is accompanied by the appropriate fee or a written no effect determination from DFW.

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7. ENVIRONMENTAL IMPACT REPORT

7.01 DECISION TO PREPARE AN EIR.

An EIR shall be prepared whenever there is substantial evidence in light of the whole record which supports a fair argument that the project may have a significant effect on the environment. (See Local Guidelines Sections 11.65 and 11.71.) The record may include the Initial Study or other documents or studies prepared to assess the project's environmental impacts.

7.02 CONTRACTING FOR PREPARATION OF EIRS.

If an EIR is prepared under a contract with the City, the contract must be executed within forty-five (45) days from the date on which the City sends a Notice of Preparation. The City may take longer to execute the contract if the project applicant and the City mutually agree to an extension of the 45-day time limit. (Reference: Pub. Resources Code, § 21151.5.)

The EIR prepared under contract must be the City's product. Staff, together with such consultant help as may be required, shall independently review and analyze the EIR to verify its accuracy, objectivity and completeness prior to presenting it to the decision-making body. The EIR made available for public review must reflect the independent judgment of the City. Staff may require such information and data from the person or entity proposing to carry out the project as Staff deems necessary for completion of the EIR. Reference: State CEQA Guidelines, §§ 15084, 15090.)

7.03 NOTICE OF PREPARATION OF DRAFT EIR.

After determining that an EIR will be required for a proposed project, the Lead Agency shall prepare and send a Notice of Preparation (Form "G") to OPR and to each of the following:

(a) Each Responsible Agency and Trustee Agency involved with the project;
(b) Any other federal, state, or local agency which has jurisdiction by law or exercises authority over resources affected by the project, including:

(1) Any water supply agency consulted under Local Guidelines Section 5.16;

(2) Any city or county bordering on the project area;

(3) For a project of statewide, regional, or area-wide significance, to any transportation agencies or public agencies which have major local arterials or public transit facilities within five (5) miles of the project site or freeways, highways, or rail transit service within ten (10) miles of the project site which could be affected by the project; and

(4) For a subdivision project located within one mile of a facility of the State Water Resources Development System, the California Department of Water Resources;

(c) The last known name and address of all organizations and individuals who have previously filed a written request with the City to receive these Notices;
(d) For certain projects that may impact a low-level flight path, military impact zone, or special use airspace and that meet the other criteria in Local Guidelines Section 7.04, the specified military services contact;
(e) For certain projects that involve the construction or alteration of a facility anticipated to emit hazardous air emissions or handle hazardous substances within one-quarter mile of a school and that meet the other requirements of Local Guidelines Section 7.36, any potentially affected school district;
(f) For certain waste-burning projects that meet the requirements of Local Guidelines Section 5.11 (See also Local Guidelines Section 7.27), the owners and occupants of property within one-fourth mile of any parcel on which the project will be located; and
(g) For a project that establishes or amends a redevelopment plan that contains land in agricultural use, the agricultural and farm agencies and organizations specified in Health and Safety Code section 33333.3.

Additionally, for a project of statewide, regional, or area-wide significance, the Lead Agency should also consult with public transit agencies with facilities within one-half mile of the proposed project.

The Notice of Preparation must also be filed and posted in the office of the Clerk in each county in which the project is located for thirty (30) days. The County Clerk must post the Notice within twenty-four (24) hours of receipt.

When submitting the Notice of Preparation to OPR, a Notice of Completion (Form "H") should be used as a cover sheet. Responsible and Trustee Agencies, the State Clearinghouse, and the state agencies contacted by the State Clearinghouse have thirty (30) days to respond to the Notice of Preparation. Agencies that do not respond within thirty (30) days shall be deemed not to have any comments on the Notice of Preparation.

The Lead Agency shall send copies of the Notice of Preparation by certified mail or any other method of transmittal which provides it with a record that the Notice was received.

At a minimum, the Notice of Preparation shall include:

(a) A description of the project;
(b) The location of the project indicated either on an attached map (preferably a copy of the USGS 15' or 7½' topographical map identified by quadrangle name) or by a street address and cross street in an urbanized area;
(c) The probable environmental effects of the project;
(d) The name and address of the consulting firm retained to prepare the Draft EIR, if applicable; and
(e) The Environmental Protection Agency ("EPA") list on which the proposed site is located, if applicable, and the corresponding information from the applicant's statement. (See Local Guidelines Section 2.04.)

7.04 SPECIAL NOTICE REQUIREMENTS FOR AFFECTED MILITARY AGENCIES

CEQA imposes additional requirements to provide notice to potentially affected military agencies when:

(a) A "military service" (defined in Section 11.42 of these Local Guidelines) has provided the City with its contact office and address and notified the City of the specific boundaries of a "low-level flight path" (defined in Section 11.37 of these Local Guidelines), "military impact zone" (defined in Section 11.41 of these Local Guidelines), or "special use airspace" (defined in Section 11.67 of these Local Guidelines); and

(b) The project meets one of the following criteria:

(1) The project is within the boundaries specified pursuant to subsection (a) of this guideline;

(2) The project includes a general plan amendment;

(3) The project is of statewide, regional, or area-wide significance; or

(4) The project relates to a public use airport or certain lands surrounding a public use airport.

When a project meets these requirements, the City must provide the military service's designated contact with any Notice of Preparation, and/or Notice of Availability of Draft EIRs that have been prepared for a project, unless the project involves the remediation of lands contaminated with hazardous wastes and meets certain other requirements. (See Public Resources Code sections 21080.4 and 21092 and Health and Safety Code sections 25300, et seq.; 25396; and 25187.)

The City must provide the military service with sufficient notice of its intent to certify an EIR to ensure that the military service has no fewer than thirty (30) days to review the document; or forty-five (45) days to review the environmental documents before they are approved if the documents have been submitted to the State Clearinghouse.

It should be noted that the effect, or potential effect, a project may have on military activities does not itself constitute an adverse effect on the environment pursuant to CEQA.

7.05 ENVIRONMENTAL LEADERSHIP DEVELOPMENT PROJECT.

Under certain circumstances, a project applicant may choose to apply to the Governor of the State of California to have the project certified as an Environmental Leadership Development Project. Only large, privately funded projects that will result in a minimum investment of $100 million in California upon completion of construction and that create high-wage, highly skilled jobs without resulting in any net additional emission of greenhouse gases, will qualify for certification. All construction workers employed in the execution of the project will receive at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Labor Code sections 1773 and 1773.9. If the project is certified for streamlining, the project applicant shall include this

requirement in all contracts for the performance of the work. The request for certification must be made and granted prior to the release of the Draft EIR. If the Governor certifies the project, the lead agency must make the administrative record available concurrently with the Draft EIR and certify the administrative record within five (5) days of project approval and must make it available in an electronic format. Within 10 days of the Governor certifying an Environmental Leadership Development Project, the Lead Agency shall, at the applicant's expense, issue a public notice. See Public Resources Code section 21187 for the language to be used in the public notice. If litigation is filed against such a project, certain fast-tracked litigation procedures will apply. Please see Public Resources Code section 21178 and Sections 21183 through 21187 for a complete description of the requirements for such projects.

7.06 PREPARATION OF DRAFT EIR.

The Lead Agency is responsible for preparing a Draft EIR. The Lead Agency may begin preparation of the Draft EIR without awaiting responses to the Notice of Preparation. However, information communicated to the Lead Agency not later than thirty (30) days after receipt of the Notice of Preparation shall be included in the Draft EIR.

7.07 CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES.

Prior to the release of a Draft EIR for a project, the Lead Agency shall begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project if:

(a) The California Native American tribe requested to the Lead Agency, in writing, to be informed by the Lead Agency through formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with the tribe; and

(b) The California Native American tribe responds, in writing, within 30 days of receipt of the formal notification, and requests the consultation. The California Native American tribe shall designate a lead contact person when responding to the Lead Agency. If a lead contact is not designated by the California Native American tribe, or if it designates multiple lead contact people, the Lead Agency shall defer to the individuals listed on the contact list maintained by the Native American Heritage Commission. Consultation is defined in Local Guidelines Section 11.12.

To expedite the requirements of this section, the Native American Heritage Commission shall assist the Lead Agency in identifying the California American Native tribes that are traditionally and culturally affiliated with the project area.

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 trial representative of, traditionally and culturally affiliated California Native America tribes that have requested notice, which shall be accomplished by 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.

The Lead Agency shall begin the consultation process within 30 days of receiving a California Native American tribe's request for consultation.

If consultation is requested, the parties may propose mitigation measures, including those set forth in Public Resources Code section 21084.3, capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to a tribal cultural resource. The consultation may include discussion concerning the type of environmental review necessary, the significance of tribal cultural resources, the significance of the project's impacts on the tribal cultural resources, and, if necessary, project alternatives or the appropriate measures for preservation or mitigation that the California Native American tribe may recommend to the lead agency.

The consultation shall be considered concluded when either of the following occurs:

(1) The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource.

(2) A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.

The California Native American tribe is not limited in its ability to submit information to the Lead Agency regarding the significance of the tribal cultural resources, the significance of the project's impact on tribal cultural resources, or any appropriate measures to mitigate the impacts. Additionally, the Lead Agency or project proponent is not limited in its ability to incorporate changes and additions to the project as a result of the consultation, even if not legally required.

(Reference: Pub. Resources Code, §§ 21080.3.1, 21080.3.2.)

7.08 IDENTIFICATION OF TRIBAL CULTURAL RESOURCES AND PROCESSING OF INFORMATION AFTER CONSULTATION WITH THE CALIFORNIA NATIVE AMERICAN TRIBE

After consultation with the California Native American tribe listed above in Local Guidelines Section 7.07, any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the EIR and in an adopted mitigation monitoring and reporting program, if the mitigation measures are determined to avoid or lessen the proposed project’s impacts on tribal cultural resources, and if the mitigation measures are enforceable.

If a project may have a significant impact on a tribal cultural resource, the Lead Agency's EIR shall discuss both of the following:

(a) Whether the proposed project has a significant impact on an identified tribal cultural resource;

(b) Whether feasible alternatives or mitigation measures, including those measures that may be agreed to during the consultation, avoid or substantially lessen the impact on the identified tribal cultural resource.

Any information provided regarding the location, description and use of the tribal cultural resource that is submitted by a California Native American tribe during the environmental review process shall not be included in the EIR or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Governmental Code sections 6254(r) and 6254.10, and State CEQA Guidelines 15120(d), without the prior consent of the tribe that provided the information. If the Lead Agency publishes any information submitted by a California Native American tribe during the consultation or environmental review process, that information shall be published in a confidential appendix to the EIR unless the tribe provides consent, in writing, to the disclosure of some or all of the information to the public. This does not prohibit the confidential exchange of the submitted information between public agencies that have lawful jurisdiction over the preparation of the EIR.

The exchange of confidential information regarding tribal cultural resources submitted by a California Native American tribe during the consultation or environmental review process among the Lead Agency, the California Native American tribe, the project applicant, or the project applicant's agent is not prohibited by Public Resources Code section 21082.3. The project applicant and the project applicant's legal advisers must use a reasonable degree of care and maintain the confidentiality of the information exchanged for the purposes of preventing looting, vandalism, or damage to tribal cultural resources and shall not disclose to a third party confidential information regarding the cultural resource unless the California Native American tribe providing the information consents in writing to the public disclosure of such information.

Public Resources Code section 21082.3 does not prevent a Lead Agency or other public agency from describing the information in general terms in the EIR so as to inform the public of the basis of the Lead Agency's or other public agency's decision without breaching the confidentiality required. In addition, a Lead Agency may certify an EIR for a project with a significant impact on an identified tribal cultural resource only if one of the following occurs:

(a) The consultation process between the California Native American tribe and the Lead Agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to subdivision (b) of Section 21080.3.2.

(b) The California Native American tribe has requested consultation pursuant to Public Resources Code section 21080.3.1 and has failed to provide comments to the Lead Agency, or otherwise failed to engage, in the consultation process.

(c) The Lead Agency has complied with subdivision (d) of Section 21080.3.1 of the Public Resources Code and the California Native American tribe has failed to request consultation within 30 days.

If substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource but the decision-makers do not include the mitigation measures

recommended by the staff in the Draft EIR, or if there are no agreed upon mitigation measures at the conclusion of the consultation, or if no consultation has occurred, the Lead Agency must still consider the adoption of feasible mitigation.

7.09 SIGNIFICANT ADVERSE IMPACTS TO TRIBAL CULTURAL RESOURCES

Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. If the Lead Agency determines that a project may cause a substantial adverse change to a tribal cultural resource, and measures are not otherwise identified in the consultation process provided in Public Resources Code section 21080.3.2 as set forth in Local Guidelines Section 7.07, the following examples of mitigation measures, if feasible, may be considered to avoid or minimize the significant adverse impacts:

(a) Avoidance and preservation of the resources in place, including, but not limited to, planning and construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

(b) Treating the resource with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to the following:

(1) Protecting the cultural character and integrity of the resource.

(2) Protecting the traditional use of the resource.

(3) Protecting the confidentiality of the resource.

(c) Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

(d) Protecting the resource.

7.10 CONSULTATION WITH OTHER AGENCIES AND PERSONS.

To expedite consultation in response to the Notice of Preparation, the Lead Agency, a Responsible Agency, or a project applicant may request a meeting among the agencies involved to assist in determining the scope and content of the environmental information that the involved agencies may require. For any project that may affect highways or other facilities under the jurisdiction of the State Department of Transportation, the Department of Transportation can request a scoping meeting. When acting as Lead Agency, the City must convene the meeting as soon as possible but no later than thirty (30) days after a request is made. When acting as a Responsible Agency, the City should make any requests for consultation as soon as possible after receiving a Notice of Preparation.

Prior to completion of the Draft EIR, the Lead Agency shall consult with each Responsible Agency and any public agency that has jurisdiction by law over the project.

When acting as a Lead Agency, the City may fulfill this obligation by distributing the Notice of Preparation in compliance with Local Guidelines Section 7.03 and soliciting the comments of Responsible Agencies, Trustee Agencies, and other affected agencies. The City may also consult with any individual who has special expertise with respect to any environmental impacts involved with a project. The City may also consult directly with any person or organization it believes will be concerned with the environmental effects of the project, including any interested individuals and organizations of which the City is reasonably aware. The purpose of this consultation is to "scope" the EIR's range of analysis. When a Negative Declaration or Mitigated Negative Declaration will be prepared for a project, no scoping meeting need be held, although the City may hold one if it so chooses. For private projects, the City as Lead Agency may charge and collect from the applicant a fee not to exceed the actual cost of the consultations.

In addition to soliciting comments on the Notice of Preparation, the Lead Agency may be required to conduct a scoping meeting to gather additional input regarding the impacts to be analyzed in the EIR. The Lead Agency is required to conduct a scoping meeting when:

(a) The meeting is requested by a Responsible Agency, a Trustee Agency, OPR, or a project applicant;
(b) The project is one of "statewide, regional or area wide significance" as defined in State CEQA Guidelines section 15206; or
(c) The project may affect highways or other facilities under the jurisdiction of the State Department of Transportation, and the Department of Transportation has requested a scoping meeting.

When acting as Lead Agency, the City shall provide notice of the scoping meeting to all of the following:

(a) Any county or city that borders on a county or city within which the project is located, unless the City has a specific agreement to the contrary with that county or city;
(b) Any Responsible Agency;
(c) Any public agency that has jurisdiction by law over the project;
(d) A transportation planning agency, or any public agency that has transportation facilities within its jurisdiction, that could be affected by the project; and
(e) Any organization or individual who has filed a written request for the notice.

The requirement for providing notice of a scoping meeting may be met by including the notice of the public scoping meeting in the public meeting notice.

Government Code section 65352 requires that before a legislative body may adopt or substantially amend a general plan, the planning agency must refer the proposed action to any city or county, within or abutting the area covered by the proposal, and any special district that may be significantly affected by the proposed action. CEQA allows that referral procedure to be conducted concurrently with the scoping meeting required pursuant to this section of the Local CEQA Guidelines.

For projects that are also subject to NEPA, a scoping meeting held pursuant to NEPA satisfies the CEQA scoping requirement as long as notice is provided to the agencies and individuals listed above, and in accordance with these Local Guidelines. (See Local Guideline 5.04 for a discussion of NEPA.)

The City shall call the scoping meeting as soon as possible but not later than 30 days after the meeting was requested. If the scoping meeting is being conducted concurrently with the procedure in Government Code section 65352 for the consideration of adoption or amendment of general plans, each entity receiving a proposed general plan or amendment of a general plan should have 45 days from the date the referring agency mails it or delivers it in which to comment unless a longer period is specified. The commenting entity may submit its comments at the scoping meeting.

A Responsible Agency or other public agency shall only make comments regarding those activities that are within its area of expertise or that are required to be carried out or approved by the Responsible Agency. These comments must be supported by specific documentation. Any mitigation measures submitted to the City by a Responsible or Trustee Agency shall be limited to measures that mitigate impacts to resources that are within the Responsible or Trustee Agency's authority.

For projects of statewide, area-wide, or regional significance, consultation with transportation planning agencies or with public agencies that have transportation facilities within their jurisdictions shall be for the purpose of obtaining information concerning the project's effect on major local arterials, public transit, freeways, highways, overpasses, on-ramps, off-ramps, and rail transit services. Moreover, the Lead Agency should also consult with public transit agencies with facilities within one-half mile of the proposed project. Any transportation planning agency or public agency that provides information to the Lead Agency must be notified of, and provided with, copies of any environmental documents relating to the project.

7.11 EARLY CONSULTATION ON PROJECTS INVOLVING PERMIT ISSUANCE.

When the project involves the issuance of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies, the City, upon request of the applicant, shall meet with the applicant regarding the range of actions, potential alternatives, mitigation measures and significant effects to be analyzed in depth in the EIR. The City may also consult with concerned persons identified by the applicant and persons who have made written requests to be consulted. Such requests for early consultation must be made not later than thirty (30) days after the City's decision to prepare an EIR.

7.12 CONSULTATION WITH WATER AGENCIES REGARDING LARGE DEVELOPMENT PROJECTS.

For certain development projects, cities and counties must consult with water agencies. If the City is a water provider for the project, the city or county may request consultation with the City. (See Local Guidelines Sections 5.16 and 5.17 for more information on these requirements.)

7.13 AIRPORT LAND USE PLAN.

When the City prepares an EIR for a project within the boundaries of a comprehensive airport land use plan, or, if such a plan has not been adopted, for a project within two (2) nautical miles of a public airport or public use airport, the City shall utilize the Airport Land Use Planning Handbook published by Caltrans' Division of Aeronautics to assist in the preparation of the EIR relative to potential airport or related safety hazards and noise problems.

7.14 GENERAL ASPECTS OF AN EIR.

Both a Draft and Final EIR must contain the information outlined in Local Guidelines Sections 7.17 and 7.18. Each element must be covered, and when elements are not separated into distinct sections, the document must state where in the document each element is covered.

The body of the EIR shall include summarized technical data, maps, diagrams and similar relevant information. Highly technical and specialized analyses and data should be included in appendices. Appendices may be prepared in separate volumes, but must be equally available to the public for examination. All documents used in preparation of the EIR must be referenced. An EIR shall not include "trade secrets," locations of archaeological sites and sacred lands, or any other information subject to the disclosure restrictions of the Public Records Act (Government Code section 6250, et seq.).

The EIR should discuss environmental effects in proportion to their severity and probability of occurrence. Effects dismissed in the Initial Study as clearly insignificant and unlikely to occur need not be discussed.

The Initial Study should be used to focus the EIR so that the EIR identifies and discusses only the specific environmental problems or aspects of the project that have been identified as potentially significant or important. A copy of the Initial Study should be attached to the EIR or included in the administrative record to provide a basis for limiting the impacts discussed.

The EIR shall contain a statement briefly indicating the reason for determining that various effects of a project that could possibly be considered significant were not found to be significant and consequently were not discussed in detail in the EIR. The City should also note any conclusion by it that a particular impact is too speculative for evaluation.

The EIR should omit unnecessary descriptions of projects and emphasize feasible mitigation measures and alternatives to projects.

7.15 USE OF REGISTERED CONSULTANTS IN PREPARING EIRS.

An EIR is not a technical document that can be prepared only by a registered consultant or professional. However, state statutes may provide that only registered professionals can prepare certain technical studies that will be used in an EIR, or that will control the detailed design, construction, or operation of the proposed project and that will be prepared in support of an EIR.

7.16 INCORPORATION BY REFERENCE.

An EIR, Negative Declaration, or Mitigated Negative Declaration may incorporate by reference all or portions of another document that is a matter of public record or is generally available to the public. Any incorporated document shall be considered to be set forth in full as part of the text of the environmental document. When all or part of another document is incorporated by reference, that document shall be made available to the public for inspection at the City's offices. The environmental document shall state where incorporated documents will be available for inspection.

When incorporation by reference is used, the incorporated part of the referenced document shall be briefly summarized, if possible, or briefly described if the data or information cannot be summarized. The relationship between the incorporated document and the EIR, Negative Declaration, or Mitigated Negative Declaration shall be described. When information from an environmental document that has previously been reviewed through the state review system ("State Clearinghouse") is incorporated by the City, the state identification number of the incorporated document should be included in the summary or text of the EIR.

7.17 STANDARDS FOR ADEQUACY OF AN EIR.

An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information that enables them to make a decision that takes into account the environmental consequences of the project. The evaluation of environmental effects need not be exhaustive, but must be within the scope of what is reasonably feasible. The EIR should be written and presented in such a way that it can be understood by governmental decision-makers and members of the public. A good faith effort at completeness is necessary. The adequacy of an EIR is assessed in terms of what is reasonable in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a Lead Agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters, but CEQA does require the Lead Agency to make a good faith, reasoned response to timely comments raising significant environmental issues.

There is no need to unreasonably delay adoption of an EIR in order to include results of studies in progress, even if those studies will shed some additional light on subjects related to the project.

7.18 FORM AND CONTENT OF EIR.

The text of the EIR should normally be less than 150 pages. For proposals of unusual scope or complexity, the EIR may be longer than 150 pages but should normally be less than 300 pages. The required contents of an EIR are set forth in Sections 15122 through 15132 of the State CEQA Guidelines. In brief, the EIR must contain:

(a) A table of contents or an index;
(b) A brief summary of the proposed project, including each significant effect with proposed mitigation measures and alternatives, areas of known controversy and issues to be resolved including the choice among alternatives, how to mitigate the significant effects

and whether there are any significant and unavoidable impacts (generally, the summary should be less than fifteen (15) pages);

(c) A description of the proposed project, including its underlying purpose and a list of permit and other approvals required to implement the project (see Local Guidelines Section 7.24 regarding analysis of future project expansion);

(d) A description of the environmental setting, which includes the project's physical environmental conditions from both a local and regional perspective at the time the Notice of Preparation is published, or if no Notice of Preparation is published, at the time environmental analysis begins. (State CEQA Guidelines section 15125.) This environmental setting will normally constitute the baseline physical conditions by which the Lead Agency determines whether an impact is significant. However, the City, when acting as Lead Agency, may choose any baseline that is appropriate as long as the City's choice of baseline is supported by substantial evidence;

(e) A discussion of any inconsistencies between the proposed project and applicable general, specific and regional plans. Such plans include, but are not limited to, the applicable air quality attainment or maintenance plan or State Implementation Plan, area-wide waste treatment and water quality control plans, regional transportation plans, regional housing allocation, regional blueprint plans, plans for the reduction of greenhouse gas emissions, habitat conservation plans, natural community conservation plans and regional land use plans;

(f) A description of the direct and indirect significant environmental impacts of the proposed project explaining which, if any, can be avoided or mitigated to a level of insignificance, indicating reasons that various possible significant effects were determined not to be significant and denoting any significant effects that are unavoidable or could not be mitigated to a level of insignificance. Direct and indirect significant effects shall be clearly identified and described, giving due consideration to both short-term and long-term effects;

(g) Potentially significant energy implications of a project must be considered to the extent relevant and applicable to the project (see Local Guidelines Section 5.20);

(h) An analysis of a range of alternatives to the proposed project that could feasibly attain the project's objectives as discussed in Local Guidelines Section 7.23;

(i) A description of any significant irreversible environmental changes that would be involved in the proposed action should it be implemented if, and only if, the EIR is being prepared in connection with:

(1) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;

(2) The adoption by a Local Agency Formation Commission of a resolution making determinations; or

(3) A project that will be subject to the requirement for preparing an Environmental Impact Statement pursuant to NEPA;

(j) An analysis of the growth-inducing impacts of the proposed action. The discussion should include ways in which the project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding

environment. Growth-inducing impacts may include the estimated energy consumption of growth induced by the project;

(k) A discussion of any significant, reasonably anticipated future developments and the cumulative effects of all proposed and anticipated action as discussed in Local Guidelines Section 7.24;

(l) In certain situations, a regional analysis should be completed for certain impacts, such as air quality;

(m) A discussion of any economic or social effects, to the extent that they cause, or may be used to determine, significant environmental impacts;

(n) A statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and, therefore, were not discussed in the EIR;

(o) The identity of all federal, state or local agencies or other organizations and private individuals consulted in preparing the EIR, and the identity of the persons, firm or agency preparing the EIR, by contract or other authorization. To the fullest extent possible, the City should integrate CEQA review with these related environmental review and consultation requirements;

(p) A discussion of those potential effects of the proposed project on the environment that the City has determined are or may be significant. The discussion on other effects may be limited to a brief explanation as to why those effects are not potentially significant; and

(q) A description of feasible measures, as set forth in Local Guidelines Section 7.22, which could minimize significant adverse impacts.

7.19 CONSIDERATION AND DISCUSSION OF SIGNIFICANT ENVIRONMENTAL IMPACTS.

An EIR must identify and focus on the significant effects of the proposed project on the environment. In assessing the proposed project's potential impacts on the environment, the City should normally limit its examination to comparing changes that would result from the project as compared to the existing physical conditions in the affected area as they exist when the Notice of Preparation is published. If a Notice of Preparation is not published for the project, the City should compare the proposed project's potential impacts to the physical conditions that exist at the time environmental review begins. Direct and indirect significant effects of the project on the environment must be clearly identified and described, considering both the short-term and long-term effects. The discussion should include relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems, and changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development), health and safety problems caused by the physical changes, and other aspects of the project that may impact resources in the project area, such as water, historical resources, scenic quality, and public services. The EIR must also analyze any significant environmental effects the project might cause or risk exacerbating by bringing development and people into the area. If applicable, an EIR should also evaluate any potentially significant direct, indirect, or cumulative environmental impacts of locating development in areas susceptible to hazardous conditions (e.g., floodplains, coastlines, wildfire risk areas), including both short-term and long-term conditions, as identified on authoritative hazard maps, risk assessments or in land use plans addressing such hazards areas.

If analysis of the project's energy use reveals that the project may result in significant environmental effects due to wasteful, inefficient, or unnecessary 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. 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 EIR must describe all significant impacts, including those that can be mitigated but not reduced to a level of insignificance. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect, should be described.

The EIR must also discuss any significant irreversible environmental changes that would be caused by the project. For example, use of nonrenewable resources during the initial and continued phases of a project may be irreversible if a large commitment of such resources makes removal or nonuse thereafter unlikely. Additionally, irreversible commitment of resources may include a discussion of how the project preempts future energy development or future energy conservation. The discussion of irreversible commitment of resources may include a discussion of how the project preempts future energy development or future energy conservation. Irretrievable commitments of resources to the proposed project should be evaluated to assure that such current consumption is justified.

7.20 ENVIRONMENTAL SETTING

An EIR must include a description of the physical environmental conditions in the vicinity of the project. This environmental setting will normally constitute the baseline physical conditions by which the Lead Agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to provide an understanding of the significant effects of the proposed project and its alternatives. The purpose of this requirement is to give the public and decision makers the most accurate and understandable picture practically possible of the project's likely near-term and long-term impacts.

(1) Generally, the Lead Agency should describe physical environmental conditions as they exist at the time the Notice of Preparation is published, or if no Notice of Preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. Where existing conditions change or fluctuate over time, and where necessary to provide the most accurate picture practically possible of the project's impacts, the Lead Agency may define existing conditions by referencing historic conditions, or conditions expected when the project becomes operational, or both, that are supported with substantial evidence. In addition, the Lead Agency may also use baselines consisting of both existing conditions and projected future conditions that are supported by reliable projections based on substantial evidence in the record.

(2) The Lead Agency may use projected future conditions (beyond the date of project operations) as the sole baseline for analysis only if it demonstrates with substantial evidence that use of existing conditions would be either misleading or without informative value to decision-makers and the public. Use of projected future conditions as the only baseline must be supported by reliable projections based on substantial evidence in the record.

(3) An existing conditions baseline shall not include hypothetical conditions—such as those that might be allowed, but have never actually occurred, under existing permits or plans—as the baseline.

7.21 ANALYSIS OF CUMULATIVE IMPACTS.

An EIR must discuss cumulative impacts when the project's incremental effect is "cumulatively considerable" as defined in Local Guidelines Section 11.14. When the City is examining a project with an incremental effect that is not "cumulatively considerable," it need not consider that effect significant, but must briefly describe the basis for this conclusion. A project's contribution may be less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure designed to alleviate the cumulative impact. When relying on a fee program or mitigation measure(s), the City must identify facts and analysis supporting its conclusion that the cumulative impact is less than significant.

The City may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program that provides specific requirements that will avoid or substantially lessen the cumulative problem in the geographic area in which the project is located. Such plans and programs may include, but are not limited to:

(1) Water quality control plans;

(2) Air quality attainment or maintenance plans;

(3) Integrated waste management plans;

(4) Habitat conservation plans;

(5) Natural community conservation plans; and/or

(6) Plans or regulations for the reduction of greenhouse gas emissions.

When relying on such a regulation, plan, or program, the City should explain how implementing the particular requirements of the plan, regulation or program will ensure that the project's incremental contribution to the cumulative effect is not cumulatively considerable.

A cumulative impact consists of an impact that is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. An EIR should not discuss impacts that do not result in part from the project evaluated in the EIR.

The discussion of cumulative impacts in an EIR must focus on the cumulative impacts to which the identified other projects contribute, rather than on the attributes of other projects that do not contribute to the cumulative impact. The discussion of significant cumulative impacts must include either of the following:

(1) A list of past, present, and probable future projects causing related or cumulative impacts including, if necessary, those projects outside the control of the City; or

(2) A summary of projections contained in an adopted local, regional or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect. Such plans may include: a general plan, regional transportation plan, or a plan for the reduction of greenhouse gas emissions. A summary of projections may also be contained in an adopted or certified prior environmental document for such a plan. Such projections may be supplemented with additional information such as a regional modeling program. Documents used in creating a summary of projections must be referenced and made available to the public.

When utilizing a list, as suggested above, factors to consider when determining whether to include a related project should include the nature of each environmental resource being examined and the location and type of project. Location may be important, for example, when water quality impacts are involved since projects outside the watershed would probably not contribute to a cumulative effect. Project type may be important, for example, when the impact is specialized, such as a particular air pollutant or mode of traffic.

Public Resources Code section 21094 also states that if a Lead Agency determines that a cumulative effect has been adequately addressed in an earlier EIR, it need not be examined in a later EIR if the later project's incremental contribution to the cumulative effect is not cumulatively considerable. A cumulative effect has been adequately addressed in the prior EIR if:

(1) it has been mitigated or avoided as a result of the prior EIR; or

(2) the cumulative effect has been examined in a sufficient level of detail to enable the effect to be mitigated or avoided by site-specific revisions, the imposition of conditions, or other means in connection with the approval of the later project.

Public Resources Code section 21094 only applies to earlier projects that (1) are consistent with the program, plan, policy, or ordinance for which an environmental impact report has been prepared and certified, (2) are consistent with applicable local land use plans and zoning of the city, county, or city and county in which the later project would be located and (3) are not subject to Public Resources Code section 21166.

If the Lead Agency determines that the cumulative effect has been adequately addressed in a prior EIR, the Lead Agency should clearly explain the basis for its determination in the current environmental documentation for the project.

The City should define the geographic scope of the area affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used.

7.22 ANALYSIS OF MITIGATION MEASURES.

The discussion of mitigation measures in an EIR must distinguish between measures proposed by project proponents and other measures proposed by Lead, Responsible or Trustee Agencies. This discussion shall identify mitigation measures for each significant environmental effect identified in the EIR.

Where several measures are available to mitigate an impact, each should be disclosed and the basis for selecting a particular measure should be identified. Formulation of mitigation measures shall not be deferred until some future time The specific details of a mitigation measure, however, may be developed after project approval when it is impractical or infeasible to include those details during the project's environmental review provided that the Lead Agency (1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will be considered, analyzed, and potentially incorporated in the mitigation measure. Compliance with a regulatory permit or other similar process may be identified as mitigation if compliance would result in implementation of measures that would be reasonably expected, based on substantial evidence in the record, to reduce the significant impact to the specified performance standards.

If a mitigation measure would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measure shall be disclosed but in less detail than the significant effects of the project itself.

If a project includes a housing development, the City may not reduce the project's proposed number of housing units as a mitigation measure or project alternative if the City determines that there is another feasible specific mitigation measure or project alternative that would provide a comparable level of mitigation without reducing the number of housing units.

Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments. In the case of the adoption of a plan, policy, regulation, or other public project, mitigation measures can be incorporated into the plan, policy, regulation, or project design. Mitigation measures must also be consistent with all applicable constitutional requirements such as the "nexus" and "rough proportionality" standards—i.e., there must be an essential nexus between the mitigation measure and a legitimate governmental interest, and the mitigation measure must be "roughly proportional" to the impacts of the project.

Where maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of a historical resource will be conducted in a manner consistent with the Secretary of the Interior's "Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings" (1995), Weeks and Grimmer, the project's impact on the historical resource shall generally be considered mitigated below a level of significance and thus not significant.

The City should, whenever feasible, seek to avoid damaging effects on any historical resource of an archaeological nature. The following must be considered and discussed in an EIR for a project involving an archaeological site:

(a) Preservation in place is the preferred manner of mitigating impacts to archaeological sites; and
(b) Preservation in place may be accomplished by, but is not limited to, the following:

(1) Planning construction to avoid archaeological sites;

(2) Incorporation of sites within parks, green space, or other open spaces;

(3) Covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site; and/or

(4) Deeding the site into a permanent conservation easement.

When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to excavation. Such studies must be deposited with the California Historical Resources Regional Information Center.

Data recovery shall not be required for a historical resource if the City determines that existing testing or studies have adequately recovered the scientifically consequential information from and about the archaeological or historical resource, provided that the determination is documented in the EIR and that the studies are deposited with the California Historical Resources Regional Information Center.

7.23 ANALYSIS OF ALTERNATIVES IN AN EIR.

The alternatives analysis must describe and evaluate the comparative merits of a range of reasonable alternatives to the project or to the location of the project which would feasibly attain most of the basic objectives of the project, but which would avoid or substantially lessen any of the significant effects of the project. An EIR need not consider every conceivable alternative to a project, and it need not consider alternatives that are infeasible. Rather, an EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation.

Purpose of the Alternatives Analysis: An EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment. For this reason, a discussion of alternatives must focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effect of the project, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly.

Selection of a Range of Reasonable Alternatives: The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one or more of the significant

effects, even if those alternatives would be more costly or would impede to some degree the attainment of the project's objectives. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the Lead Agency and rejected as infeasible during the scoping process, and it should briefly explain the reasons for rejecting those alternatives. Additional information explaining the choice of alternatives should be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (a) failure to meet most of the basic project objectives; (b) infeasibility; or (c) inability to avoid significant environmental impacts.

Evaluation of Alternatives: The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis and comparison with the proposed project. A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison. The matrix may also identify and compare the extent to which each alternative meets project objectives. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed but in less detail than the significant effects of the project as proposed.

The Rule of Reason: The range of alternatives required in an EIR is governed by a "rule of reason" which courts have held means that an alternatives discussion must be reasonable in scope and content. Therefore, the EIR must set forth only those alternatives necessary to permit public participation, informed decision-making, and 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 the City determines could feasibly attain most of the basic objectives of the project. An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative.

Feasibility of Alternatives: The factors that may be taken into account when addressing the feasibility of alternatives 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 already owns the alternative site or can reasonably acquire, control or otherwise have access to the site. No one factor establishes a fixed limit on the scope of reasonable alternatives.

Alternative Locations: The first step in the alternative location analysis is to determine whether any of the significant effects of the project could be avoided or substantially lessened by putting the project in another location. This is the key question in this analysis. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR.

The second step in this analysis is to determine whether any of the alternative locations are feasible. If the City concludes that no feasible alternative locations exist, it must disclose its reasons, and it should include them in the EIR. When a previous document has sufficiently analyzed a range of reasonable alternative locations and environmental impacts for a project with

the same basic purpose, the City should review the previous document and incorporate the previous document by reference. To the extent the circumstances have remained substantially the same with respect to an alternative, the EIR may rely on the previous document to help it assess the feasibility of the potential project alternative.

The "No Project" Alternative: The specific alternative of "no project" must be evaluated along with its impacts. The purpose of describing and analyzing the no project alternative is to allow decision-makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. The no project alternative may be different from the baseline environmental conditions. The no project alternative will be the same as the baseline only if it is identical to the existing environmental setting and the Lead Agency has chosen the existing environmental setting as the baseline.

A discussion of the "no project" alternative should proceed along one of two lines:

(a) When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the "no project" alternative will be the continuation of the existing plan, policy or operation into the future. Typically, this is a situation where other projects initiated under the existing plan will continue while the new plan is developed. Thus, the projected impacts of the proposed plan or alternative plans would be compared to the impacts that would occur under the existing plan; or

(b) If the project is other than a land use or regulatory plan, for example a development project on identifiable property, the "no project" alternative is the circumstance under which the project does not proceed. This discussion would compare the environmental effects of the property remaining in its existing state against environmental effects that would occur if the project is approved. If disapproval of the project would result in predictable actions by others, such as the proposal of some other project, this "no project" consequence should be discussed.

After defining the "no project" alternative, the City should proceed to analyze the impacts of the "no project" alternative by projecting what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the "no project" alternative is the environmentally superior alternative, the EIR must also identify another environmentally superior alternative among the remaining alternatives.

Remote or Speculative Alternatives: An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative.

7.24 ANALYSIS OF FUTURE EXPANSION.

An EIR must include an analysis of the environmental effects of future expansion (or other similar future modifications) if there is credible and substantial evidence that:

(a) The future expansion or action is a reasonably foreseeable consequence of the initial project; and

(b) The future expansion or action is likely to change the scope or nature of the initial project or its environmental effects.

Absent these two circumstances, future expansion of a project need not be discussed. CEQA does not require speculative discussion of future development that is unspecific or uncertain. However, if future action is not considered now, it must be considered and environmentally evaluated before it is actually implemented.

7.25 NOTICE OF COMPLETION OF DRAFT EIR; NOTICE OF AVAILABILITY OF DRAFT EIR.

Notice of Completion. When the Draft EIR is completed, a Notice of Completion (Form "H") must be filed with OPR in an electronic form. The State Clearinghouse only accepts submissions of CEQA documents electronically via its "CEQA Submit database." As of November 3, 2020, the State Clearinghouse no longer accepts printed copies of CEQA documents. For instructions on how to submit a document to the State Clearinghouse, see http://www.opr.ca.gov/clearinghouse/ceqa/document-submission.html. The Notice shall contain:

(a) A brief description of the proposed project;
(b) The location of the proposed project including the proposed project's latitude and longitude;
(c) An address where copies of the Draft EIR are available and a description of how the Draft EIR can be provided in an electronic format; and
(d) The review period during which comments will be received on the Draft EIR.

OPR has developed a model form Notice of Completion. Form H follows OPR's model. To ensure that the documents are accepted by OPR staff, this form should be used when documents are transmitted to OPR.

Notice of Availability. At the same time it sends a Notice of Completion to OPR, the City shall provide public notice of the availability of the Draft EIR by distributing a Notice of Availability of Draft EIR (Form "K"). The Notice of Availability shall include at least the following information:

(a) A brief description of the proposed project and its location;
(b) The starting and ending dates for the review period during which the City will receive comments, the manner in which the City will receive those comments, and whether the review period has been shortened;
(c) The date, time, and place of any scheduled public meetings or hearings to be held by the City on the proposed project, if the City knows this information when it prepares the Notice;
(d) A list of the significant environmental effects anticipated as a result of the project;
(e) The address where copies of the EIR and all documents incorporated by reference in the EIR will be available for public review, and a description of how the Draft EIR can be obtained in electronic format. This location shall be readily accessible to the public during the City's normal working hours ; and
(f) A statement indicating whether the project site is included on any list of hazardous waste facilities, land designated as hazardous waste property, or hazardous waste disposal site, and, if so, the information required in the Hazardous Waste and Substances Statement pursuant to Government Code section 65962.5.

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The Notice of Availability shall be provided to:

(a) Each Responsible and Trustee Agency;
(b) Any other federal, state, or local agency that has jurisdiction by law or exercises authority over resources affected by the project, including:

(1) Any water supply agency consulted under Local Guidelines Section 5.16;

(2) Any city or county bordering on the project area;

(3) For a project of statewide, regional, or area-wide significance, any transportation agencies or public agencies that have major local arterials or public transit facilities within five (5) miles of the project site; or freeways, highways, or rail transit service within ten (10) miles of the project site that could be affected by the project;

(4) For a subdivision project located within one mile of a facility of the State Water Resources Development System, the California Department of Water Resources; and

(5) For a general plan amendment, a project of statewide, regional, or area-wide significance, or a project that relates to a public use airport, to any "military service" (defined in Section 11.42 of these Local Guidelines) that has provided the City with its contact office and address and notified the City of the specific boundaries of a "low-level flight path" (defined in Section 11.37 of these Local Guidelines), "military impact zone" (defined in Section 11.41 of these Local Guidelines), or "special use airspace" (defined in Section 11.67of these Local Guidelines;

(c) The last known name and address of all organizations and individuals who have previously filed a written request with the City to receive these Notices;
(d) For certain projects that may impact a low-level flight path, military impact zone, or special use airspace and that meet the other criteria of Local Guidelines Section 7.04, the specified military services contact;
(e) For certain projects that involve the construction or alteration of a facility anticipated to emit hazardous air emissions or handle hazardous substances within one-quarter mile of a school and that meet the other requirements of Local Guidelines Section 7.36, any potentially affected school district;
(f) For certain waste-burning projects that meet the requirements of Local Guidelines Section 5.11 (see also Local Guidelines Section 7.27), the owners and occupants of property within one-fourth mile of any parcel on which the project will be located; and
(g) For a project that establishes or amends a redevelopment plan that contains land in agricultural use, notice and a copy of the Draft EIR shall be provided to the agricultural and farm agencies and organizations specified in Health and Safety Code section 33333.3.

The City requires requests for copies of these Notices to be in writing and to be renewed annually; moreover, the City may charge a fee for the reasonable cost of providing these Notices.

A project will not be invalidated due to a failure to send a requested Notice provided there has been substantial compliance with these notice provisions.

Staff may also consult with and obtain comments from any person known to have special expertise or any other person or organization whose comments relative to the Draft EIR would be desirable.

In addition, notice shall be given to the public by at least one of the following procedures:

(a) Publication of the Notice of Completion and/or the Notice of Availability at least once in a newspaper of general circulation in the area affected by the proposed project. If more than one area will be affected, the notice shall be published in the newspaper of largest circulation from among the newspapers of general circulation in those areas;
(b) Posting of the Notice of Completion and/or the Notice of Availability on and off site in the area where the project is to be located; or
(c) Direct mailing of the Notice of Completion and/or the Notice of Availability to owners and occupants of property contiguous to the project, as identified on the latest equalized assessment roll.

The Notice of Completion and Notice of Availability shall be posted in the office of the Clerk in each county in which the project is located for at least thirty (30) days. If the public review period for the Draft EIR is longer than thirty (30) days, the City may wish to leave the Notice posted until the public review period for the Draft EIR has expired.

Copies of the Draft EIR shall also be made available at the City office for review by members of the general public. The City may require any person obtaining a copy of the Draft EIR to reimburse the City for the actual cost of its reproduction. Copies of the Draft EIR should also be furnished to appropriate public library systems.

The City is encouraged to make copies of filed notices available in electronic format on the Internet. Such electronic postings are in addition to the procedures required by the CEQA Guidelines and the Public Resources Code.

7.26 SUBMISSION OF DRAFT EIR TO STATE CLEARINGHOUSE.

A Draft EIR must be submitted to the State Clearinghouse for review by state agencies in the following situations:

(a) A state agency is the Lead Agency for the Draft EIR;
(b) A state agency is a Responsible Agency, Trustee Agency, or otherwise has jurisdiction by law over resources potentially affected by the project; or
(c) The Draft EIR is for a project identified in State CEQA Guidelines section 15206 as being a project of statewide, regional, or area-wide significance.

State CEQA Guidelines section 15206 identifies the following types of projects as being examples of projects of statewide, regional, or area-wide significance that require submission to the State Clearinghouse for circulation:

(1) General plans, elements, or amendments for which an EIR was prepared;

(2) Projects that have the potential for causing significant environmental effects beyond the city or county where the project would be located, such as:

(a) Residential development of more than 500 units;
(b) Commercial projects employing more than 1,000 persons or covering more than 500,000 square feet of floor space;
(c) Office building projects employing more than 1,000 persons or covering more than 250,000 square feet of floor space;
(d) Hotel or motel development of more than 500 rooms; and
(e) Industrial projects housing more than 1,000 persons, occupying more than 40 acres of land, or covering more than 650,000 square feet of floor area;

(3) Projects for the cancellation of a Williamson Act contract covering more than 100 acres;

(4) Projects in one of the following Environmentally Sensitive Areas:

(a) Lake Tahoe Basin;
(b) Santa Monica Mountains Zone;
(c) Sacramento-San Joaquin River Delta;
(d) Suisun Marsh;
(e) Coastal Zone, as defined by the California Coastal Act;
(f) Areas within one-quarter mile of a river designated as wild and scenic; or
(g) Areas within the jurisdiction of the San Francisco Bay Conservation and Development Commission;

(5) Projects that would affect sensitive wildlife habitats or the habitats of any rare, threatened, or endangered species;

(6) Projects that would interfere with water quality standards; and

(7) Projects that would provide housing, jobs, or occupancy for 500 or more people within 10 miles of a nuclear power plant.

A Draft EIR may be submitted to the State Clearinghouse when a state agency has special expertise with regard to the environmental impacts involved.

When the Draft EIR will be reviewed through the State review process handled by the State Clearinghouse, a Notice of Completion (Form "H") should be used as a cover sheet. The State Clearinghouse only accepts submissions of CEQA documents electronically via its "CEQA Submit database." As of November 3, 2020, the State Clearinghouse no longer accepts printed copies of CEQA documents. For instructions on how to submit a document to the State Clearinghouse, see http://www.opr.ca.gov/clearinghouse/ceqa/document-submission.html.

Submission of the Draft EIR to the State Clearinghouse affects the timing of the public review period as set forth in Local Guidelines Section 7.28.

7.27 SPECIAL NOTICE REQUIREMENTS FOR WASTE- AND FUEL-BURNING PROJECTS.

For any waste-burning project, as defined in Local Guidelines Section 5.11, in addition to the notice requirements specified in Local Guidelines Sections 7.25 and 7.26, Notice of Availability of the Draft EIR shall be given by direct mailing or any other method calculated to provide delivery of the notice to the owners and occupants of property within one-fourth mile of any parcel or parcels on which the project is located.

7.28 TIME FOR REVIEW OF DRAFT EIR; FAILURE TO COMMENT.

A period of between thirty (30) and sixty (60) days from the filing of the Notice of Completion of the Draft EIR shall be allowed for review of and comment on the Draft EIR, except in unusual situations. When a Draft EIR is submitted to the State Clearinghouse for review by state agencies, the public review period shall be at least forty-five (45) days, unless a shorter period is approved by the State Clearinghouse as discussed below.

For purposes of calculating the length of the public review period, the last day of the public review period cannot fall on a weekend, a legal holiday, or other day on which the lead agency's offices are closed.[2] (Reference: *Rominger v. County of Colusa* (2014) 229 Cal.App.4th 690, 708.)

If a state agency is a Responsible Agency, or if the Draft EIR is submitted to the State Clearinghouse, the public review period shall be at least as long as the review period established by the State Clearinghouse. The public review period and the state agency review period may, but are not required to, begin and end at the same time. The state agency review period begins (day one) on the date that the State Clearinghouse distributes the Draft EIR to state agencies. The State Clearinghouse is required to distribute the Draft EIR to state agencies within three (3) working days from the date the State Clearinghouse receives the document, as long as the Draft EIR is complete when submitted to the State Clearinghouse. If the document submitted to the State Clearinghouse is not complete, the State Clearinghouse must notify the Lead Agency. The review period for the public and all other agencies may run concurrently with the state agency review period established by the State Clearinghouse.

Under certain circumstances, a shorter review period of the Draft EIR by the State Clearinghouse can be requested by the City; however, a shortened review period shall not be less than thirty (30) days for a Draft EIR. Any request for a shortened review period must be made in writing by the City to OPR. The City may designate a person to make these requests. The City must contact all Responsible and Trustee agencies and obtain their agreement prior to obtaining a shortened review period. (See the Shortened Review Request Form "P.")

A shortened review period is not available for any proposed project of statewide, regional or area-wide environmental significance as determined pursuant to State CEQA Guidelines

[2] A public agency's "offices are closed" for purposes of this section on days in which the agency is formally closed for business (for example, due to a weekend, a legal holiday, or a formal furlough affecting the entire office). A public agency's office is not considered closed for purposes of this section where the agency's office may be physically closed, but the agency is nonetheless open for business and is operating remotely or virtually (for example, in response to the Covid-19 pandemic).

section 15206. Any approval of a shortened review period shall be given prior to, and reflected in, the public notices.

In the event a public agency, group, or person whose comments on a Draft EIR are solicited fails to comment within the required time period, it shall be presumed that such agency, group, or person has no comment to make, unless the Lead Agency has received a written request for a specific extension of time for review and comment and a statement of reasons for the request.

Continued planning activities concerning the proposed project, short of formal approval, may continue during the period set aside for review and comment on the Draft EIR.

7.29 PUBLIC HEARING ON DRAFT EIR.

CEQA does not require formal public hearings for certification of an EIR; public comments may be restricted to written communications. (However, a hearing is required to utilize the limited exemption for Transit Priority Projects as explained in Local Guidelines Section 3.16; to adopt a bicycle transportation plan as explained in Local Guidelines Section 3.20; and for certain other actions involving the replacement or deletion of mitigation measures under State CEQA Guidelines section 15074.1.) However, if the City provides a public hearing on its consideration of a project, the City should include the project's environmental review documents as one of the subjects of the hearing. Notice of the time and place of the hearing shall be given in a timely manner in accordance with any legal requirements applicable to the proposed project. Generally, the requirements of the Ralph M. Brown Act will provide the minimum requirements for the inclusion of CEQA matters on agendas and at hearings. (Gov. Code, § 54950 et seq.) At a minimum, agendas for meetings and hearings before commissions, boards, councils, and other agencies must be posted in a location that is freely accessible to members of the public at least seventy-two (72) hours prior to a regular meeting. The agenda must contain a brief general description of each item to be discussed and the time and location of the meeting. (Gov. Code, § 54954.2.) Additionally, any legislative body or its presiding officer must post an agenda for each regular or special meeting on the local agency's Internet Web site, if the local agency has one.

7.30 RESPONSE TO COMMENTS ON DRAFT EIR.

The Lead Agency shall evaluate any comments on environmental issues received during the public review period for the Draft EIR and shall prepare a written response to those comments that raise significant environmental issues.

As stated below, the City, as Lead Agency, should also consider evaluating and responding to any comments received after the public review period. The written responses shall describe the disposition of any significant environmental issues that are raised in the comments. The responses may take the form of a revision of the Draft EIR, an attachment to the Draft EIR, or some other oral or written response that is adequate under the circumstances. If the City's position is at variance with specific recommendations or suggestions raised in the comment, the City's response must detail the reasons why such recommendations or suggestions were not accepted. The level of detail contained in the response, however, may correspond to the level of

detail provided in the comment (i.e., responses to general comments may be general). A general response may be appropriate when a comment does not contain or specifically refer to readily available information, or does not explain the relevance of evidence submitted with the comment.

Moreover, the City shall respond to any specific suggestions for project alternatives or mitigation measures for significant impacts, unless such alternatives or mitigation measures are facially infeasible. The response shall contain recommendations, when appropriate, to alter the project as described in the Draft EIR as a result of an analysis of the comments received.

At least ten (10) days prior to certifying a Final EIR, the Lead Agency shall provide its proposed written response, either in printed copy or in an electronic format, to any public agency that has made comments on the Draft EIR during the public review period. The City, as Lead Agency, is not required to respond to comments received after the public review period. However, the City, as Lead Agency, should consider responding to all comments if it will not delay action on the Final EIR, since any comment received before final action on the EIR can form the basis of a legal challenge. A written response that addresses the comment or adequately explains the City's action in light of the comment may assist in defending against a legal challenge.

7.31 PREPARATION AND CONTENTS OF FINAL EIR.

Following the receipt of any comments on the Draft EIR as required herein, such comments shall be evaluated by Staff and a Final EIR shall be prepared.

The Final EIR shall meet all requirements of Local Guidelines Section 7.18 and shall consist of the Draft EIR or a revision of the Draft, a section containing either verbatim or in summary the comments and recommendations received through the review and consultation process, a list of persons, organizations and public agencies commenting on the Draft, and a section containing the responses of the City to the significant environmental points raised in the review and consultation process.

7.32 RECIRCULATION WHEN NEW INFORMATION IS ADDED TO EIR.

When significant new information is added to the EIR after notice and consultation but before certification, the Lead Agency must recirculate the Draft EIR for another public review period. The term "information" can include changes in the project or environmental setting as well as additional data or other information.

New information is significant only when the EIR is changed in a way that would deprive the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of a project or a feasible way to mitigate or avoid such an effect, including a feasible project alternative, that the project proponents decline to implement. Recirculation is required, for example, when:

(1) New information added to an EIR discloses:

(a) A new significant environmental impact resulting from the project or from a new mitigation measure proposed to be implemented; or

(b) A significant increase in the severity of an environmental impact (unless mitigation measures are also adopted that reduce the impact to a level of insignificance); or

(c) A feasible project alternative or mitigation measure that clearly would lessen the significant environmental impacts of the project, but which the project proponents decline to adopt; or

(2) The Draft EIR is so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Recirculation is not required when the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. If the revision is limited to a few chapters or portions of the EIR, the City as Lead Agency need only recirculate the chapters or portions that have been modified. A decision to not recirculate an EIR must be supported by substantial evidence in the record.

When the City determines to recirculate a Draft EIR, it shall give Notice of Recirculation (Form "M") to every agency, person, or organization that commented on the prior Draft EIR. The Notice of Recirculation must indicate whether new comments must be submitted and whether the City has exercised its discretion to require reviewers to limit their comments to the revised chapters or portions of the recirculated EIR. The City shall also consult again with those persons contacted pursuant to Local Guidelines Section 7.25 before certifying the EIR. When the EIR is substantially revised and the entire EIR is recirculated, the City may require that reviewers submit new comments and need not respond to those comments received during the earlier circulation period. In those cases, the City should advise reviewers that, although their previous comments remain part of the administrative record, the final EIR will not provide a written response to those comments, and new comments on the revised EIR must be submitted. The City need only respond to those comments submitted in response to the revised EIR.

When the EIR is revised only in part and the City is recirculating only the revised chapters or portions of the EIR, the City may request that reviewers limit their comments to the revised chapters or portions. The City need only respond to: (1) comments received during the initial circulation period that relate to chapters or portions of the document that were not revised and recirculated, and (2) comments received during the recirculation period that relate to the chapters or portions of the earlier EIR that were revised and recirculated.

When recirculating a revised EIR, either in whole or in part, the City must, in the revised EIR or by an attachment to the revised EIR, summarize the revisions made to the previously circulated draft EIR.

7.33 CERTIFICATION OF FINAL EIR.

Following the preparation of the Final EIR, Staff shall review the Final EIR and make a recommendation to the decision-making body regarding whether the Final EIR has been completed in compliance with CEQA, the State CEQA Guidelines and the City's Local

Guidelines. The Final EIR and Staff recommendation shall then be presented to the decision-making body. The decision-making body shall independently review and consider the information contained in the Final EIR and determine whether the Final EIR reflects its independent judgment. Before it approves the project, the decision-making body must certify and find that: (1) the Final EIR has been completed in compliance with CEQA, the State CEQA Guidelines and the City's Local Guidelines; (2) the Final EIR was presented to the decision-making body and the decision-making body reviewed and considered the information contained in the Final EIR before approving the project; and (3) the Final EIR reflects the City's independent judgment and analysis.

Except in those cases in which the City Council is the final decision-making body for the project, any interested person may appeal the certification or denial of certification of a Final EIR to the City Council. Appeals must follow the procedures prescribed by the City.

7.34 CONSIDERATION OF EIR BEFORE APPROVAL OR DISAPPROVAL OF PROJECT.

Once the decision-making body has certified the EIR, it may then proceed to consider the proposed project for purposes of approval or disapproval.

7.35 FINDINGS.

The decision-making body shall not approve or carry out a project if a completed EIR identifies one or more significant environmental effects of the project unless it makes one or more of the following written findings for each such significant effect, accompanied by a brief explanation of the rationale supporting each finding. For impacts that have been identified as potentially significant, the possible findings are:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment as identified in the Final EIR, such that the impact has been reduced to a less-than-significant level;
(b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the City. Such changes have been, or can and should be, adopted by that other agency; or
(c) Specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the Final EIR. The decision-making body must make specific written findings stating why it has rejected an alternative to the project as infeasible.

The findings required by this Section shall be supported by substantial evidence in the record. Measures identified and relied on to mitigate environmental impacts identified in the EIR to below a level of significance should be expressly adopted or rejected in the findings. The findings should include a description of the specific reasons for rejecting any mitigation measures or project alternatives identified in the EIR that would reduce the significant impacts of the project. Any mitigation measures that are adopted must be fully enforceable through permit conditions, agreements, or other measures.

If any of the proposed alternatives could avoid or lessen an adverse impact for which no mitigation measures are proposed, the City shall analyze the feasibility of such alternative(s). If the project is to be approved without including such alternative(s), the City shall find that specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the alternatives identified in the Final EIR and shall list such considerations before such approval.

The decision-making body shall not approve or carry out a project as proposed unless: (1) the project as approved will not have a significant effect on the environment; or (2) the project's significant environmental effects have been eliminated or substantially lessened (as determined through one or more of the findings indicated above), and any remaining unavoidable significant effects have been found acceptable because of facts and circumstances described in a Statement of Overriding Considerations (see Local Guidelines Section 7.37). Statements in the Draft EIR or comments on the Draft EIR are not determinative of whether the project will have significant effects.

When making the findings required by this Section, the City as Lead Agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which it based its decision.

7.36 SPECIAL FINDINGS REQUIRED FOR FACILITIES THAT MAY EMIT HAZARDOUS AIR EMISSIONS NEAR SCHOOLS.

Special procedural rules apply to projects involving the construction or alteration of a facility within one-quarter mile of a school when: (1) the facility might reasonably be anticipated to emit hazardous air emissions or to handle an extremely hazardous substance or a mixture containing extremely hazardous substances in a quantity equal to or greater than the threshold specified in Health and Safety Code section 25532(j); and (2) the emissions or substances may pose a health or safety hazard to persons who would attend or would be employed at the school. If the project meets both of those criteria, the Lead Agency may not certify an EIR or approve a Negative Declaration or Mitigated Negative Declaration unless it makes a finding that:

(a) The Lead Agency consulted with the affected school district or districts having jurisdiction over the school regarding the potential impact of the project on the school; and
(b) The school district was given written notification of the project not less than thirty (30) days prior to the proposed certification of the EIR or approval of the Negative Declaration or Mitigated Negative Declaration.

Implementation of this Local Guideline shall be consistent with the definitions and terms utilized in State CEQA Guidelines section 15186.

Additionally, in its role as a Responsible Agency, the City should be aware that for projects involving the acquisition of a school site or the construction of a secondary or elementary school by a school district, the Negative Declaration, Mitigated Negative Declaration, or EIR prepared for the project may not be adopted or certified unless there is

sufficient information in the entire record to determine whether any boundary of the school site is within 500 feet of the edge of the closest traffic lane of a freeway or other busy traffic corridor.

If it is determined that the project involves the acquisition of a school site that is within 500 feet of the edge of the closest traffic lane of a freeway, or other busy traffic corridor, the Negative Declaration, Mitigated Negative Declaration, or EIR may not be adopted or certified unless the school board determines, through a health risk assessment pursuant to Section 44360(b)(2) of the Health and Safety Code and after considering any potential mitigation measures, that the air quality at the proposed project site does not present a significant health risk to pupils.

7.37 STATEMENT OF OVERRIDING CONSIDERATIONS.

Before a project that has unmitigated significant adverse environmental effects can be approved, the decision-making body must adopt a Statement of Overriding Considerations. If the decision-making body finds in the Statement of Overriding Considerations that specific benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

Accordingly, the Statement of Overriding Considerations allows the decision-making body to approve a project despite one or more unmitigated significant environmental impacts identified in the Final EIR. A Statement of Overriding Considerations can be made only if feasible project alternatives or mitigation measures do not exist to reduce the environmental impact(s) to a level of insignificance and the benefits of the project outweigh the adverse environmental effect(s). The feasibility of project alternatives or mitigation measures is determined by whether the project alternative or mitigation measure can be accomplished within a reasonable period of time, taking into account economic, environmental, social, legal and technological factors.

Project benefits that are appropriate to consider in the Statement of Overriding Considerations include the economic, legal, environmental, technological and social value of the project. The City may also consider region-wide or statewide environmental benefits.

Substantial evidence in the entire record must justify the decision-making body's findings and its use of the Statement of Overriding Considerations. If the decision-making body makes a Statement of Overriding Considerations, the Statement must be included in the record of the project approval and it should be referenced in the Notice of Determination.

7.38 MITIGATION MONITORING OR REPORTING PROGRAM FOR EIR.

When making findings regarding an EIR, the City must do all of the following:

(a) Adopt a reporting or monitoring program to assure that mitigation measures that are required to mitigate or avoid significant effects on the environment will be implemented by the project proponent or other responsible party in a timely manner, in accordance with conditions of project approval;
(b) Make sure all conditions and mitigation measures are feasible and fully enforceable through permit conditions, agreements, or other measures. Such permit conditions,

agreements, and measures must be consistent with applicable constitutional requirements such as the "nexus" and "rough proportionality" standards established by case law; and

(c) Specify the location and the custodian of the documents which constitute the record of proceedings upon which the City based its decision in the resolution certifying the EIR.

There is no requirement that the reporting or monitoring program be circulated for public review; however, the City may choose to circulate it for public comments along with the Draft EIR. Any mitigation measures required to mitigate or avoid significant effects on the environment shall be adopted and made fully enforceable, such as by being imposed as conditions of project approval.

The adequacy of a mitigation monitoring program is determined by the "rule of reason." This means that a mitigation monitoring program does not need to provide every imaginable measure. It needs only to provide measures that are reasonably feasible and that are necessary to avoid significant impacts or to reduce the severity of impacts to a less-than-significant level.

The mitigation monitoring or reporting program shall be designed to assure compliance with the mitigation measures during the implementation and construction of the project. If a Responsible Agency or Trustee Agency has required that certain conditions be incorporated into the project, the City may request that agency to prepare and submit a proposed reporting or monitoring program. The City shall also require that, prior to the close of the public review period for a Draft EIR, the Responsible or Trustee Agency submit detailed performance objectives for mitigation measures, or refer the City to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to the City by a Responsible or Trustee Agency shall be limited to measures that mitigate impacts to resources that are within the Responsible or Trustee Agency's authority.

When a project is of statewide, regional, or area-wide significance, any transportation information resulting from the reporting or monitoring program required to be adopted by the City shall be submitted to the regional transportation planning agency where the project is located and to the Department of Transportation. The transportation planning agency and the Department of Transportation are required by law to adopt guidelines for the submittal of these reporting or monitoring programs, so the City may wish to tailor its submittal to such guidelines.

Local agencies have the authority to levy fees sufficient to pay for this program. Therefore, the City may impose a program to charge project proponents fees to cover actual costs of program processing and implementation.

The City may delegate reporting or monitoring responsibilities to an agency or to a private entity that accepts the delegation; however, until mitigation measures have been completed, the City remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.

The City may choose whether its program will monitor mitigation, report on mitigation, or both. "Reporting" is defined as a written compliance review that is presented to the Board or an authorized staff person. A report may be required at various stages during project implementation or upon completion of the mitigation measure. Reporting is suited to projects

that have readily measurable or quantitative mitigation measures or that already involve regular review. "Monitoring" is generally an ongoing or periodic process of project oversight. Monitoring is suited to projects with complex mitigation measures that may exceed the expertise of the City to oversee, are expected to be implemented over a period of time, or require careful implementation to assure compliance.

At its discretion, the City may adopt standardized policies and requirements to guide individually adopted programs.

Standardized policies or requirements for monitoring and reporting may describe, but are not limited to:

(a) The relative responsibilities of various departments within the City for various aspects of the program;
(b) The responsibilities of the project proponent;
(c) Guidelines adopted by the City to govern preparation of programs;
(d) General standards for determining project compliance with the mitigation measures and related conditions of approval;
(e) Enforcement procedures for noncompliance, including provisions for administrative appeal; and/or
(f) A process for informing the Board and staff of the relative success of mitigation measures and using those results to improve future mitigation measures.

When a project is of statewide, regional, or area-wide importance, any transportation information generated by a mitigation monitoring or reporting program must be submitted to the transportation planning agency in the region where the project is located, as well as to the Department of Transportation.

7.39 NOTICE OF DETERMINATION.

After approval of a project for which the City is the Lead Agency, Staff shall cause a Notice of Determination (Form "F") to be prepared, filed, and posted. The Notice of Determination shall include the following information:

(a) An identification of the project, including its common name, where possible, and its location. If the notice of determination is filed with the State Clearinghouse, the State Clearinghouse identification number for the draft EIR shall be provided.
(b) A brief description of the project;
(c) The City's name and the applicant's name (if any). If different from the applicant, the Notice of Determination shall further provide, if applicable, the identity of the person undertaking the project that is supported, in whole or in part, through contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies, or the identity of the person receiving a lease, permit, license, certificate, or other entitlement for use from one or more public agencies.
(d) The date when the City approved the project;
(e) Whether the project in its approved form with mitigation will have a significant effect on the environment;

(f) A statement that an EIR was prepared and certified pursuant to the provisions of CEQA;
(g) Whether mitigation measures were made a condition of the approval of the project, and whether a mitigation monitoring plan/program was adopted;
(h) Whether findings were made and/or whether a Statement of Overriding Considerations was adopted for the project; and
(i) The address where a copy of the EIR (with comments and responses) and the record of project approval may be examined by the general public.

The Notice of Determination shall be filed with the Clerk of each county in which the project will be located within five (5) working days of project approval. (To determine the fees that must be paid with the filing of the Notice of Determination, see Local Guidelines Section 7.42 and the Staff Summary of the CEQA Process.) The County Clerk is required to post the Notice of Determination within twenty-four (24) hours of receipt. The Notice must be posted in the office of the Clerk for a minimum of thirty (30) days. Thereafter, the Clerk shall return the notice to the City with a notation of the period it was posted. The City shall retain the notice for not less than twelve (12) months.

Simultaneously with the filing of the Notice of Determination with the Clerk, Staff shall cause a copy of such Notice to be posted at City Offices. If the project requires discretionary approval from a state agency, the Notice of Determination shall also be filed with OPR within five (5) working days of project approval, along with proof that the City has paid the County Clerk the DFW fee or a completed form from DFW documenting DFW's determination that the project will have no effect on fish and wildlife. (If the City submits the Notice of Determination in person, the City may bring an extra copy to be date stamped by OPR.)

When a request is made for a copy of the Notice of Determination prior to the date on which the City approves the project, the copy must be mailed, first class postage prepaid, within five (5) days of the City's approval. If such a request is made following the City's approval of the project, then the copy should be mailed in the same manner as soon as possible. The recipients of such documents may be charged a fee reasonably related to the cost of providing the service.

The City may make copies of filed notices available in electronic format on the Internet. Such electronic notices, if provided, are in addition to the posting requirements of the CEQA Guidelines and the Public Resources Code.

For projects with more than one phase, Staff shall file a Notice of Determination for each phase requiring a discretionary approval. The filing and posting of a Notice of Determination with the Clerk, and, if necessary, with OPR, usually starts a thirty (30) day statute of limitations on court challenges to the approval under CEQA. When separate notices are filed for successive phases of the same overall project, the thirty (30) day statute of limitation to challenge the subsequent phase begins to run when the second notice is filed. Failure to file the Notice may result in a one hundred eighty (180) day statute of limitations.

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7.40 DISPOSITION OF A FINAL EIR.

The City shall file a copy of the Final EIR with the appropriate planning agency of any city or county where significant effects on the environment may occur. The City shall also retain one or more copies of the Final EIR as a public record for a reasonable period of time. Finally, for private projects, the City may require that the project applicant provide a copy of the certified Final EIR to each Responsible Agency.

7.41 PRIVATE PROJECT COSTS.

For private projects, the person or entity proposing to carry out the project shall be charged a reasonable fee to recover the estimated costs incurred by the City in preparing, circulating, and filing the Draft and Final EIRs, as well as all publication costs incident thereto.

7.42 FILING FEES FOR PROJECTS THAT AFFECT WILDLIFE RESOURCES.

At the time a Notice of Determination for an EIR is filed with the County or Counties in which the project is located, a fee of $3,445.25, or the then applicable fee, shall be paid to the Clerk for projects that will adversely affect fish or wildlife resources. These fees are collected by the Clerk on behalf of DFW.

Only one filing fee is required for each project unless the project is tiered or phased and separate environmental documents are prepared. For projects where Responsible Agencies file separate Notices of Determination, only the Lead Agency is required to pay the fee.

Note: County Clerks are authorized to charge a documentary handling fee for each project in addition to the Fish and Wildlife fees specified above. Refer to the Index in the Staff Summary to help determine the correct total amount of fees applicable to the project.

For private projects, the City should pass these costs on to the project applicant.

No fees are required for projects with "no effect" on fish or wildlife resources or for certain projects undertaken by the DFW and implemented through a contract with a non-profit entity or local government agency. (See Local Guidelines Section 6.24 for more information regarding a "no effect" determination.)

8. TYPES OF EIRS

8.01 EIRs Generally.

This chapter describes a number of examples of various EIRs tailored to different situations. All of these types of EIRs must meet the applicable requirements of Chapter 7 of these Local Guidelines.

8.02 Tiering.

(a) Tiering Generally.

"Tiering" refers to using the analysis of general matters contained in a previously certified broader EIR in later EIRs, Negative Declarations, or Mitigated Negative Declarations prepared for narrower projects. The later EIR, Negative Declaration, or Mitigated Negative Declaration may incorporate by reference the general discussions from the broader EIR and may concentrate solely on the issues specific to the later project.

An Initial Study shall be prepared for the later project and used to determine whether a previously certified EIR may be used and whether new significant effects should be examined. Tiering does not excuse the City from adequately analyzing reasonably foreseeable significant environmental effects of a project, nor does it justify deferring analysis to a later tier EIR, Negative Declaration, or Mitigated Negative Declaration. However, the level of detail contained in a first-tier EIR need not be greater than that of the program, plan, policy, or ordinance being analyzed. When the City is using the tiering process in connection with an EIR for a large-scale planning approval, such as a general plan or component thereof (e.g., an area plan, specific plan or community plan), the development of detailed, site-specific information may not be feasible. Such site-specific information can be deferred, in many instances, until such time as the Lead Agency prepares a future environmental document in connection with a project of a more limited geographical scale, as long as deferral does not prevent adequate identification of significant effects of the planning approval at hand.

(b) Identifying New Significant Impacts.

When assessing whether there is a new significant cumulative effect for purposes of a subsequent tier environmental document, the Lead Agency shall consider whether the incremental effects of the project would be considerable when viewed in the context of past, present, and probable future projects.

A Lead Agency may use only a valid CEQA document as a first-tier document. Accordingly, the City, in its role as Lead Agency, should carefully review the first-tier environmental document to determine whether or not the statute of limitations for challenging the document has run. If the statute of limitations has not expired, the City should use the first-tier document with caution and pay careful attention to the legal status of the document. If the first-tier document is subsequently invalidated, any later environmental document may also be defective.

(c) Infill Projects and Tiering.

Certain "infill" projects may tier off of a previously certified EIR. An "infill" project is defined as a project with residential, retail, and/or commercial uses, a transit station, a school, or a public office building. It must be located in an urban area on a previously developed site or on an undeveloped site that is surrounded by developed uses. The project must be either consistent with land use planning strategies that achieve greenhouse gas ("GHG") emission reduction targets, feature a small walkable community project, or where a sustainable communities or alternative planning strategy has not yet been adopted for the area, include a residential density of at least 20 units per acre or a floor area ratio of at least 0.75. The project must also meet a number of standards related to energy efficiency that are not yet defined but which SB 226 directs the Office of Planning and Research to prepare.

If an EIR was certified for a planning level decision by a city or county (such as a General Plan or Specific Plan), the scope of the CEQA review for a later "infill" project can be limited to those effects on the environment that: 1) are specific to the project or to the project site and were not addressed as significant effects in the prior EIR; or 2) substantial new information shows will be more significant than described in the prior EIR.

When a project meets the definition of "infill" and either of the above conditions exist but a Mitigated Negative Declaration cannot be adopted, then the subsequent EIR for such a project need not consider alternative locations, densities, and building intensities or growth-inducing impacts.

(d) Statement of Overriding Considerations.

A Lead Agency may also tier off of a previously prepared Statement of Overriding Considerations if certain conditions are met. (See Local Guidelines Section 7.37.)

8.03 PROJECT EIR.

The most common type of EIR examines the environmental impacts of a specific development project and focuses primarily on the changes in the environment that would result from the development project.

If the EIR for a redevelopment plan is a Project EIR, all public and private activities or undertakings pursuant to or in furtherance of the Redevelopment Plan shall constitute a single project, which shall be deemed approved at the time of the adoption of the Redevelopment Plan. Although the City will probably not act as a Lead Agency for a Redevelopment Plan, the City may act as a Responsible Agency. (State Guideline Section 15180.)

8.04 SUBSEQUENT EIR.

A Subsequent EIR is required when a previous EIR has been prepared and certified, or a Negative Declaration or Mitigated Negative Declaration has been adopted, for a project and at least one of the three following situations occur:

(a) Substantial changes are proposed in the project which will require major revisions of a previous EIR due to the identification of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(b) Substantial changes occur with respect to the circumstances under which the project is to be undertaken which will require major revisions of a previous EIR due to the identification of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(c) New information, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration/Mitigated Negative Declaration was adopted, becomes available and shows any of the following:

(1) the project will have one or more significant effects not discussed in a previous EIR, Negative Declaration, or Mitigated Negative Declaration;

(2) significant effects previously examined will be substantially more severe than shown in a previous EIR;

(3) mitigation measures or alternatives previously found not to be feasible are in fact feasible and would substantially reduce one or more significant effects, but the project proponent declines to adopt the mitigation measures or alternatives; or

(4) mitigation measures or alternatives which were not considered in a previous EIR would substantially lessen one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measures or alternatives.

A Subsequent EIR must receive the same circulation and review as the previous EIR received.

In instances where the City is evaluating a modification or revision to an existing use permit, the City may consider only those environmental impacts related to the changes between what was allowed under the old permit and what is requested under the new permit. Only if these differential impacts fall within the categories described above may the City require additional environmental review.

When the City is considering approval of a development project that is consistent with a general plan for which an EIR was completed, another EIR is required only if the project causes environmental effects peculiar to the parcel which were not addressed in the prior EIR or substantial new information shows the effects peculiar to the parcel will be more significant than described in the prior EIR.

8.05 SUPPLEMENTAL EIR.

The City may choose to prepare a Supplemental EIR, rather than a Subsequent EIR, if any of the conditions described in Local Guidelines Section 8.04 have occurred but only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation. To assist the City in making this determination, the decision-making body should request an Initial Study and/or a recommendation by Staff. The Supplemental EIR need contain only the information necessary to make the previous EIR adequate for the project as revised.

A Supplemental EIR shall be given the same kind of notice and public review as is given to a Draft EIR but may be circulated by itself without recirculating the previous EIR.

When the decision-making body decides whether to approve the project, it shall consider the previous EIR as revised by the Supplemental EIR. Findings shall be made for each significant effect identified in the Supplemental EIR.

8.06 ADDENDUM TO AN EIR.

The City shall prepare an Addendum to a previously certified EIR, rather than a Subsequent or Supplemental EIR, only if changes or additions to the EIR are necessary, but none of the conditions described in Local Guidelines Section 8.04 or 8.05 calling for preparation of a Subsequent or Supplemental EIR have occurred. Since significant effects on the environment were addressed by findings in the original EIR, no new findings are required in the Addendum.

An Addendum to an EIR need not be circulated for public review but should be included in or attached to the Final EIR. The decision-making body shall consider the Addendum with the Final EIR prior to making a decision on a project. A brief explanation of the decision not to prepare a Subsequent EIR or a Supplemental EIR should be included in the Addendum, the Lead Agency's findings on the project, or elsewhere in the record. This explanation must be supported by substantial evidence.

8.07 STAGED EIR.

When a large capital project will require a number of discretionary approvals from governmental agencies and one of the approvals will occur more than two years before construction will begin, a Staged EIR may be prepared. The Staged EIR covers the entire project in a general form or manner. A Staged EIR should evaluate a proposal in light of current and contemplated plans and produce an informed estimate of the environmental consequences of an entire project. The particular aspect of the project before the City for approval shall be discussed with a greater degree of specificity.

When a Staged EIR has been prepared, a Supplemental EIR shall be prepared when a later approval is required for the project and the information available at the time of the later approval would permit consideration of additional environmental impacts, mitigation measures, or reasonable alternatives to the project.

8.08 PROGRAM EIR.

A Program EIR is an EIR that may be prepared on an integrated series of actions that are related either:

(a) Geographically;
(b) As logical parts in a chain of contemplated actions;
(c) In connection with the issuance of rules, regulations, plans or other general criteria to govern the conduct of a continuing program; or

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(d) As individual projects carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects that can be mitigated in similar ways.

(State CEQA Guidelines Section, 15168.)

An advantage of using a Program EIR is that it can "[a]llow the Lead Agency to consider broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts." (State CEQA Guidelines section 15168(b)(4).) A Program EIR is distinct from a Project EIR, as a Project EIR is prepared for a specific project and must examine in detail site-specific considerations. Program EIRs are commonly used in conjunction with the process of tiering.

Tiering is the coverage of general matters in broader EIRs (such as on general plans or policy statements) with subsequent narrower EIRs. (State CEQA Guidelines section 15385; see also Local Guidelines Sections 8.02 and 11.73.) Tiering is proper "when it helps a public agency to focus upon the issues ripe for decision at each level of environmental review and in order to exclude duplicative analysis of environmental effects examined in previous environmental impact reports." (Pub. Res. Code, § 21093(a).) For example, the California Supreme Court has ruled that "CEQA does not mandate that a first-tier program EIR identify with certainty particular sources of water for second-tier projects that will be further analyzed before implementation during later stages of the program. Rather, identification of specific sources is required only at the second-tier stage when specific projects are considered." (*In re Bay-Delta etc*. (2008) 43 Cal. 4th 1143.)

Subsequent activities in the program must be examined in light of the Program EIR to determine whether additional environmental documents must be prepared. Additional environmental review documents must be prepared if the proposed later project may arguably cause significant adverse effects on the environment.

8.09 USE OF A PROGRAM EIR WITH SUBSEQUENT EIRS AND NEGATIVE DECLARATIONS.

A Program EIR can be used to simplify the task of preparing environmental documents on later activities in the program. The Program EIR can:

(a) Provide the basis for an Initial Study to determine whether the later activity may have any significant effects;
(b) Be incorporated by reference to deal with regional influences, secondary effects, cumulative impacts, broad alternatives and other factors that apply to the program as a whole; or
(c) Focus an EIR on a later activity to permit discussion solely of new effects which had not been considered before.

If a Program EIR is prepared for a redevelopment plan, subsequent activities in the redevelopment program will be subject to review if they would have effects that were not examined in the Program EIR. Where the later activities involve site-specific operations, the City should use a written checklist or similar device to document the evaluation of the site and the proposed activity to determine whether the environmental effects of the operation were

within the scope of the Program EIR. If a later activity would have effects that were not examined in the Program EIR, a new Initial Study would need to be prepared leading to an EIR, Negative Declaration, or Mitigated Negative Declaration. That later analysis may tier from the Program EIR as provided in State CEQA Guidelines section 15152.

If the City finds that no Subsequent EIR would be required, the City can approve the activity as being within the scope of the project covered by the Program EIR, and no new environmental document is required. (See Local Guidelines Section 8.04.) Whether a later activity is within the scope of a Program EIR is a factual question that the Lead Agency determines based on substantial evidence in the record. Factors that the Lead Agency may consider in making that determination include, but are not limited to, consistency of the later activity with the type of allowable land use, overall planned density and building intensity, geographic area analyzed for environmental impacts, and covered infrastructure, as described in the Program EIR.

8.10 USE OF AN EIR FROM AN EARLIER PROJECT.

A single EIR may be used to describe more than one project when the projects involve substantially identical environmental impacts. Any environmental impacts peculiar to one of the projects must be separately set forth and explained.

8.11 MASTER EIR.

A Master EIR is an EIR which may be prepared for:

(a) A general plan (including elements and amendments);
(b) A specific plan;
(c) A project consisting of smaller individual projects to be phased;
(d) A regulation to be implemented by subsequent projects;
(e) A project to be carried out pursuant to a development agreement;
(f) A project pursuant to or furthering a redevelopment plan;
(g) A state highway or mass transit project subject to multiple reviews or approvals; or
(h) A regional transportation plan or congestion management plan.

A Master EIR must do both of the following:

(a) Describe and present sufficient information about anticipated subsequent projects within its scope, including their size, location, intensity, and scheduling; and
(b) Preliminarily describe potential impacts of anticipated subsequent projects for which insufficient information is available to support a full impact assessment.

The City and Responsible Agencies identified in the Master EIR may use the Master EIR to limit environmental review of subsequent projects. However, the Lead Agency for the subsequent project must prepare an Initial Study to determine whether the subsequent project and its significant environmental effects were included in the Master EIR. If the Lead Agency for the subsequent project finds that the subsequent project will have no additional significant

environmental effect and that no new mitigation measures or alternatives may be required, it may prepare written findings to that effect without preparing a new environmental document. When the Lead Agency makes this finding, it must provide public notice of the availability of its proposed finding for public review and comment in the same manner as if it were providing public notice of the availability of a draft EIR. (See Sections 15177(d) and 15087 of the State CEQA Guidelines and Section 7.25 of these Local Guidelines.)

A previously certified Master EIR cannot be relied upon to limit review of a subsequent project if:

(a) A project not identified in the certified Master EIR has been approved and that project may affect the adequacy of the Master EIR for the subsequent project now under consideration; or

(b) The Master EIR was certified more than five (5) years before the filing of an application for the subsequent project, unless the City reviews the adequacy of the Master EIR and:

(1) Finds that, since the Master EIR was certified, no substantial changes have occurred that would cause the subsequent project to have significant environmental impacts, and there is no new information that the subsequent project would have significant environmental impacts; or

(2) Prepares an Initial Study and either certifies a Subsequent or Supplemental EIR or adopts a Mitigated Negative Declaration that addresses any substantial changes or new information that would cause the subsequent project to have potentially significant environmental impacts. The certified subsequent or supplemental EIR must either be incorporated into the previously certified Master EIR or the City must identify any deletions, additions or other modifications to the previously certified Master EIR in the new document. The City may include a section in the subsequent or supplemental EIR that identifies these changes to the previously certified Master EIR.

When the Lead Agency cannot find that the subsequent project will have no additional significant environmental effect and no new mitigation measures or alternatives will be required, it must prepare either a Mitigated Negative Declaration or an EIR for the subsequent project.

8.12 FOCUSED EIR.

A Focused EIR is an EIR for a subsequent project identified in a Master EIR. It may be used only if the City finds that the Master EIR's analysis of cumulative, growth-inducing, and irreversible significant environmental effects is adequate for the subsequent project. The Focused EIR must incorporate by reference the Master EIR.

The Focused EIR must analyze additional significant environmental effects not addressed in the Master EIR and any new mitigation measures or alternatives not included in the Master EIR. "Additional significant effects on the environment" means those project-specific effects on the environment that were not addressed as significant effects on the environment in the Master EIR.

The Focused EIR must also examine the following:

(a) Significant effects discussed in the Master EIR for which substantial new information exists that shows those effects may be more significant than described in the Master EIR;
(b) Those mitigation measures found to be infeasible in the Master EIR for which substantial new information exists that shows the effects may be more significant than described in the Master EIR; and
(c) Those mitigation measures found to be infeasible in the Master EIR for which substantial new information exists that shows those measures may now be feasible.

The Focused EIR need not examine the following effects:

(a) Those that were mitigated through Master EIR mitigation measures; or
(b) Those that were examined in the Master EIR in sufficient detail to allow project-specific mitigation or for which mitigation was found to be the responsibility of another agency.

A Focused EIR may be prepared for a multifamily residential project not exceeding 100 units or a mixed use residential project not exceeding 100,000 square feet even though the project was not identified in a Master EIR, if the following conditions are met:

(a) The project is consistent with a general plan, specific plan, community plan, or zoning ordinance for which an EIR was prepared within five (5) years of the Focused EIR's certification;
(b) The project does not require the preparation of a Subsequent or Supplemental EIR; and
(c) The parcel is surrounded by immediately contiguous urban development, was previously developed with urban uses, or is within one-half mile of a rail transit station.

A Focused EIR for these projects should be limited to potentially significant effects that are project-specific and/or which substantial new information shows will be more significant than described in the Master EIR. No discussion shall be required of alternatives to the project, cumulative impacts of the project, or the growth-inducing impacts of the project. (See State CEQA Guidelines section 15179.5.)

8.13 SPECIAL REQUIREMENTS FOR REDEVELOPMENT PROJECTS.

An EIR for a redevelopment plan may be a Master EIR, Program EIR or Project EIR. An EIR for a redevelopment plan must specify whether it is a Master EIR, a Program EIR or a Project EIR. Normally, the City will not be a Lead Agency for a redevelopment plan. However, if the City is a Responsible Agency on such a project, the City should endeavor to ensure that the county and/or applicable city as the case may be, as Lead Agency, analyzes these impacts in accordance with CEQA.

If a Program EIR is prepared for a redevelopment plan, subsequent activities in the redevelopment program will be subject to review if they would have effects that were not examined in the Program EIR. The Lead Agency should use a written checklist or similar device to document the evaluation of the site and the proposed activity to determine whether the environmental effects of the operation were indeed covered in the Program EIR. If the Lead Agency finds that no new effects could occur, no new mitigation measures would be required or

that State CEQA Guidelines sections 15162 and 15163 do not otherwise apply, the Lead Agency can approve the activity as being within the scope of the project covered by the Program EIR, and no new environmental document is required.

If the EIR for a redevelopment plan is a Project EIR, all public and private activities or undertakings pursuant to or in furtherance of the Redevelopment Plan shall constitute a single project, which shall be deemed approved at the time of the adoption of the Redevelopment Plan. Once certified, no subsequent EIRs will be needed unless required by State CEQA Guidelines sections 15162 or 15163. (State CEQA Guidelines section 15180.) If a Master EIR is prepared for a redevelopment plan, subsequent projects will be subject to review if they would have effects that were not examined in the Master EIR. If no new effects could occur or no new mitigation measures would be required, the Lead Agency can approve the activity as being within the scope of the project covered by the Master EIR, and no new environmental document is required.

9. AFFORDABLE HOUSING

9.01 STREAMLINED, MINISTERIAL APPROVAL PROCESS FOR AFFORDABLE HOUSING PROJECTS

The legislature has provided reforms and incentives to facilitate and expedite the approval and construction of affordable housing.

(a) An applicant may submit an application for a development that is subject to the streamlined, ministerial approval process and is not subject to a conditional use permit if the development satisfies all of the following objective planning standards:

(i) The development is a multifamily housing development that contains two or more residential units.

(ii) The development is located on a site that satisfies the following:

(A) A site that is a legal parcel or parcels located in a city if, and only if, the city boundaries include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel or parcels wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

(B) A site in which at least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses. For the purposes of this section, parcels that are only separated by a street or highway shall be considered to be adjoined.

(C) A site that is zoned for residential use or residential mixed-use development, or has a general plan designation that allows residential use or a mix of residential and nonresidential uses, with at least two-thirds of the square footage of the development designated for residential use.

(iii) If the development contains units that are subsidized, the development proponent already has recorded, or is required by law to record, a land use restriction for the following applicable minimum durations:

(A) Fifty-five years for units that are rented.

(B) Forty-five years for units that are owned.

(iv) The development satisfies both of the following:

(A) The development is located in a locality that the department has determined is subject to this subparagraph on the basis that the number of units that have been issued building permits is less than the locality's share of the regional housing needs, by income category, for that reporting period. A locality

shall remain eligible under this subparagraph until the department's determination for the next reporting period. A locality shall be subject to this subparagraph if it has not submitted an annual housing element report to the department pursuant to paragraph (2) of subdivision (a) of Section 65400 for at least two consecutive years before the development submitted an application for approval under this section.

(B) The development is subject to a requirement mandating a minimum percentage of below market rate housing based on one of the following:

(1) The locality did not submit its latest production report to the department by the time period required by Government Code section 65400, or that production report reflects that there were fewer units of above moderate-income housing approved than were required for the regional housing needs assessment cycle for that reporting period. In addition, if the project contains more than 10 units of housing, the project seeking approval dedicates a minimum of 10 percent of the total number of units to housing affordable to households making below 80 percent of the area median income. If the locality has adopted a local ordinance that requires that greater than 10 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, that zoning ordinance applies.

(2) The locality did not submit its latest production report to the department by the time period required by Government Code section 65400, or that production report reflects that there were fewer units of housing affordable to households making below 80 percent of the area median income that were issued building permits than were required for the regional housing needs assessment cycle for that reporting period, and the project seeking approval dedicates 50 percent of the total number of units to housing affordable to households making below 80 percent of the area median income, unless the locality has adopted a local ordinance that requires that greater than 50 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, in which case that ordinance applies.

(3) The locality did not submit its latest production report to the department by the time period required by Government Code section 65400, or if the production report reflects that there were fewer units of housing affordable to any income level described in clause (i) or (ii) that were issued building permits than were required for the regional housing needs assessment cycle for that reporting period, the project seeking approval may choose between utilizing clause (i) or (ii).

(v) The development, excluding any additional density or any other concessions, incentives, or waivers of development standards granted pursuant to the

Density Bonus Law in Government Code section 65915, is consistent with objective zoning standards and objective design review standards in effect at the time that the development is submitted to the local government pursuant to this section. For purposes of this paragraph, "objective zoning standards" and "objective design review standards" mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances, subject to the following:

(A) A development shall be deemed consistent with the objective zoning standards related to housing density, as applicable, if the density proposed is compliant with the maximum density allowed within that land use designation, notwithstanding any specified maximum unit allocation that may result in fewer units of housing being permitted.

(B) In the event that objective zoning, general plan, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective zoning standards pursuant to this section if the development is consistent with the standards set forth in the general plan.

(vi) The development is not located on a site that is any of the following:

(A) A coastal zone, as defined in Division 20 (commencing with Section 30000) of the Public Resources Code.

(B) Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.

(C) Wetlands, as defined in the United States Fish and Wildlife Service Manual.

(D) Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Government Code section 51179, or sites that have adopted fire hazard mitigation

measures pursuant to existing building standards or state fire mitigation measures applicable to the development.

(E) A hazardous waste site that is listed pursuant to Government Code section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.

(F) Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law, Health and Safety Code section 18901, and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2 of the Government Code.

(G) Within a flood plain as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has been issued a flood plain development permit pursuant to Code of Federal Regulations section 59.1.

(H) Within a floodway as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Code of Federal Regulations section 60.3(d)(3).

(I) Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act, Fish and Game Code section 2800, habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.

(J) Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act, Fish and Game Code section 2050, or the Native Plant Protection Act, Fish and Game Code section 1900.

(K) Lands under conservation easement.

(vii) The development is not located on a site where any of the following apply:

(A) The development would require the demolition of the following types of housing:

(1) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(2) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

(3) Housing that has been occupied by tenants within the past 10 years.

(B) The site was previously used for housing that was occupied by tenants that was demolished within 10 years before the development proponent submits an application under this section.

(C) The development would require the demolition of a historic structure that was placed on a national, state, or local historic register.

(D) The property contains housing units that are occupied by tenants, and units at the property are, or were, subsequently offered for sale to the general public by the subdivider or subsequent owner of the property.

(viii) The applicant has done both of the following, as applicable:

(A) Certified to the locality that either of the following is true, as applicable:

(1) The entirety of the development is a public work for purposes of Labor Code section 1720.

(2) If the development is not in its entirety a public work, that all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Labor Code sections 1773 and 1773.9, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. If the development is subject to this subparagraph, then for those portions of the development that are not a public work all of the following shall apply:

(I) The development proponent shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work.

(II) All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices

registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.

(III) Except as provided in subsection (V), all contractors and subcontractors shall maintain and verify payroll records pursuant to Labor Code section 1776 and make those records available for inspection and copying as provided in therein.

(IV) Except as provided in subsection (V), the obligation of the contractors and subcontractors to pay prevailing wages may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Labor Code section 1741, which may be reviewed pursuant to Labor Code section 1742, within 18 months after the completion of the development, by an underpaid worker through an administrative complaint or civil action, or by a joint labor-management committee though a civil action under Labor Code section 1771.2. If a civil wage and penalty assessment is issued, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Labor Code section 1742.1.

(V) Subsections (III) and (IV) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that obligation through an arbitration procedure. For purposes of this clause, "project labor agreement" has the same meaning as set forth in Public Contract Code section 2500(b)(1).

(VI) Notwithstanding Labor Code section 1773.1, subdivision (c), the requirement that employer payments not reduce the obligation to pay the hourly straight time or overtime wages found to be prevailing shall not apply if otherwise provided in a bona fide collective bargaining agreement covering the worker. The requirement to pay at least the general prevailing rate of per diem wages does not preclude use of an alternative workweek schedule adopted pursuant to Labor Code section 511 or 514.

(B)(1) For developments for which any of the following conditions apply, certified that a skilled and trained workforce shall be used to complete the development if the application is approved:

(I) On and after January 1, 2018, until December 31, 2021, the development consists of 75 or more units that are not 100 percent

subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.

(II) On and after January 1, 2022, until December 31, 2025, the development consists of 50 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.

(III) On and after January 1, 2018, until December 31, 2019, the development consists of 75 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.

(IV) On and after January 1, 2020, until December 31, 2021, the development consists of more than 50 units and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.

(V) On and after January 1, 2022, until December 31, 2025, the development consists of more than 25 units and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal bay county.

(2) For purposes of this section, "skilled and trained workforce" has the same meaning as provided in the Public Contract Code section 2600.

(3) If the development proponent has certified that a skilled and trained workforce will be used to complete the development and the application is approved, the following shall apply:

(I) The applicant shall require in all contracts for the performance of work that every contractor and subcontractor at every tier will individually use a skilled and trained workforce to complete the development.

(II) Every contractor and subcontractor shall use a skilled and trained workforce to complete the development.

(III) Except as provided in subdivision (IV), the applicant shall provide to the locality, on a monthly basis while the development or contract is being performed, a report demonstrating compliance with Public Contract Code section 2600. A monthly report provided to the locality pursuant to this subclause shall be a public record under the California Public Records Act, Government Code section 6250 and shall be open to public inspection. An applicant that fails to provide a monthly

report demonstrating compliance with Public Contract Code section 2600 shall be subject to a civil penalty of ten thousand dollars ($10,000) per month for each month for which the report has not been provided. Any contractor or subcontractor that fails to use a skilled and trained workforce shall be subject to a civil penalty of two hundred dollars ($200) per day for each worker employed in contravention of the skilled and trained workforce requirement. Penalties may be assessed by the Labor Commissioner within 18 months of completion of the development using the same procedures for issuance of civil wage and penalty assessments pursuant to Labor Code section 1741, and may be reviewed pursuant to the same procedures in Labor Code section 1742. Penalties shall be paid to the State Public Works Enforcement Fund.

(IV) Subdivision (III) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires compliance with the skilled and trained workforce requirement and provides for enforcement of that obligation through an arbitration procedure. For purposes of this subparagraph, "project labor agreement" has the same meaning as set forth in Public Contract Code section 2500(b)(1).

(C) Notwithstanding subparagraphs (A) and (B) above, a development that is subject to approval pursuant to this section is exempt from any requirement to pay prevailing wages or use a skilled and trained workforce if it meets both of the following:

(1) The project includes 10 or fewer units.

(2) The project is not a public work for purposes of Labor Code section 1720.

(ix) The development did not or does not involve a subdivision of a parcel that is, or, notwithstanding this section, would otherwise be, subject to the Subdivision Map Act (Government Code section 66410, et seq.) or any other applicable law authorizing the subdivision of land, unless either of the following apply:

(A) The development has received or will receive financing or funding by means of a low-income housing tax credit and is subject to the requirement that prevailing wages be paid pursuant to subparagraph (A) of paragraph (viii).

(B) The development is subject to the requirement that prevailing wages be paid, and a skilled and trained workforce used, pursuant to paragraph (h).

(x) The development shall not be upon an existing parcel of land or site that is governed under the Mobilehome Residency Law, Civil Code section 798, the Recreational Vehicle Park Occupancy Law, Civil Code section 799.20, the Mobilehome

Parks Act, Health and Safety Code section 18200, or the Special Occupancy Parks Act, Health and Safety Code section 18860.

(b) (i)(A)(1) Before submitting an application for a development subject to the streamlined, ministerial approval process described in this section, the development proponent shall submit to the local government a notice of its intent to submit an application. The notice of intent shall be in the form of a preliminary application that includes all of the information described in Section 65941.1 of the Government Code, as that section read on January 1, 2020.

(2) Upon receipt of a notice of intent to submit an application, the local government shall engage in a scoping consultation regarding the proposed development with any California Native American tribe that is traditionally and culturally affiliated with the geographic area, as described in Section 21080.3.1 of the Public Resources Code, of the proposed development. In order to expedite compliance with this subdivision, the local government shall contact the Native American Heritage Commission for assistance in identifying any California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed development.

(3) The timeline for noticing and commencing a scoping consultation in accordance with this subdivision shall be as follows:

A. The local government shall provide a formal notice of a development proponent's notice of intent to submit an application to each California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed development within 30 days of receiving that notice of intent. The formal notice provided pursuant to this subclause shall include all of the following:

1. A description of the proposed development.
2. The location of the proposed development.
3. An invitation to engage in a scoping consultation in accordance with this subdivision.

B. Each California Native American tribe that receives a formal notice pursuant to this clause shall have 30 days from the receipt of that notice to accept the invitation to engage in a scoping consultation.

C. If the local government receives a response accepting an invitation to engage in a scoping consultation pursuant to this subdivision, the local government shall commence the scoping consultation within 30 days of receiving that response.

(B) The scoping consultation shall recognize that California Native American tribes traditionally and culturally affiliated with a geographic area have knowledge and expertise concerning the resources at issue and shall take into account the cultural significance of the resource to the culturally affiliated California Native American tribe.

(C) The parties to a scoping consultation conducted pursuant to this subdivision shall be the local government and any California Native American tribe traditionally and culturally affiliated with the geographic area of the proposed development. More than one California Native American tribe traditionally and culturally affiliated with the geographic area of the proposed development may participate in the scoping consultation. However, the local government, upon the request of any California Native American tribe traditionally and culturally affiliated with the geographic area of the proposed development, shall engage in a separate scoping consultation with that California Native American tribe. The development proponent and its consultants may participate in a scoping consultation process conducted pursuant to this subdivision if all of the following conditions are met:

(1) The development proponent and its consultants agree to respect the principles set forth in this subdivision.

(2) The development proponent and its consultants engage in the scoping consultation in good faith.

(3) The California Native American tribe participating in the scoping consultation approves the participation of the development proponent and its consultants. The California Native American tribe may rescind its approval at any time during the scoping consultation, either for the duration of the scoping consultation or with respect to any particular meeting or discussion held as part of the scoping consultation.

(D) The participants to a scoping consultation pursuant to this subdivision shall comply with all of the following confidentiality requirements: (1) Government Code section 6254, subdivision (r); Government Code section 6254.10; Public Resources Code section 21083.3, subdivision (c); (4) State CEQA Guidelines section 15120, subdivision (d); and any additional confidentiality standards adopted by the California Native American tribe participating in the scoping consultation.

(E) CEQA does not apply to the scoping consultation conducted pursuant to this subdivision.

(b) (ii)(A) If, after concluding the scoping consultation, the parties find that no potential tribal cultural resource would be affected by the proposed development, the development proponent may submit an application for the proposed development that is subject to the streamlined, ministerial approval process described in this section

(B) If, after concluding the scoping consultation, the parties find that a potential tribal cultural resource could be affected by the proposed development and an enforceable agreement is documented between the California Native American tribe and the local government on methods, measures, and conditions for tribal cultural resource treatment, the development proponent may submit the application for a development subject to the streamlined, ministerial approval process described in this section. The local government shall ensure that the enforceable agreement is included in the requirements and conditions for the proposed development.

(C) If, after concluding the scoping consultation, the parties find that a potential tribal cultural resource could be affected by the proposed development and an enforceable agreement is not documented between the California Native American tribe and the local government regarding methods, measures, and conditions for tribal cultural resource treatment, the development shall not be eligible for the streamlined, ministerial approval process described in this section.

(D) For purposes of this paragraph, a scoping consultation shall be deemed to be concluded if either of the following occur:

(1) The parties to the scoping consultation document an enforceable agreement concerning methods, measures, and conditions to avoid or address potential impacts to tribal cultural resources that are or may be present.

(2) One or more parties to the scoping consultation, acting in good faith and after reasonable effort, conclude that a mutual agreement on methods, measures, and conditions to avoid or address impacts to tribal cultural resources that are or may be present cannot be reached.

(E) If the development or environmental setting substantially changes after the completion of the scoping consultation, the local government shall notify the California Native American tribe of the changes and engage in a subsequent scoping consultation if requested by the California Native American tribe.

(b) (iii) A local government may only accept an application for streamlined, ministerial approval pursuant to this section if one of the following applies:

(A) A California Native American tribe that received a formal notice of the development proponent's notice of intent to submit an application pursuant to this section did not accept the invitation to engage in a scoping consultation.

(B) The California Native American tribe accepted an invitation to engage in a scoping consultation pursuant to this section but substantially failed to engage in the scoping consultation after repeated documented attempts by the local government to engage the California Native American tribe.

(C) The parties to a scoping consultation pursuant to this subdivision find that no potential tribal cultural resource will be affected by the proposed development.

(D) A scoping consultation between a California Native American tribe and the local government has occurred and resulted in an agreement.

(b) (iv) A project shall not be eligible for the streamlined, ministerial process described in this section if any of the following apply:

(A) There is a tribal cultural resource that is on a national, state, tribal, or local historic register list located on the site of the project.

(B) There is a potential tribal cultural resource that could be affected by the proposed development and the parties to a scoping consultation conducted pursuant to this subdivision do not document an enforceable agreement on methods, measures, and conditions for tribal cultural resource treatment, as described in this section.

(C) The parties to a scoping consultation conducted pursuant to this subdivision do not agree as to whether a potential tribal cultural resource will be affected by the proposed development.

(b) (v)(A) If, after a scoping consultation conducted pursuant to this subdivision, a project is not eligible for the streamlined, ministerial process described in this section for any or all of the following reasons, the local government shall provide written documentation of that fact, and an explanation of the reason for which the project is not eligible, to the development proponent and to any California Native American tribe that is a party to that scoping consultation:

(1) There is a tribal cultural resource that is on a national, state, tribal, or local historic register list located on the site of the project.

(2) The parties to the scoping consultation have not documented an enforceable agreement on methods, measures, and conditions for tribal cultural resource treatment.

(3) The parties to the scoping consultation do not agree as to whether a potential tribal cultural resource will be affected by the proposed development.

(b) (v)(B) The written documentation provided to a development proponent pursuant to this paragraph shall include information on how the development proponent may seek a conditional use permit or other discretionary approval of the development from the local government.

(b) (vi) This section is not intended, and shall not be construed, to limit consultation and discussion between a local government and a California Native American tribe pursuant to other applicable law, confidentiality provisions under other applicable law, the protection of religious exercise to the fullest extent permitted under state and federal law, or the ability of a California Native American tribe to submit information to the local government or participate in any process of the local government.

(b) (vii) For purposes of this subdivision:

(A) "Consultation" means the meaningful and timely process of seeking, discussing, and considering carefully the views of others, in a manner that is cognizant of all parties' cultural values and, where feasible, seeking agreement. Consultation between local governments and Native American tribes shall be conducted in a way that is mutually respectful of each party's sovereignty. Consultation shall also recognize the tribes' potential needs for confidentiality with respect to places that have traditional tribal cultural importance. A lead agency shall consult the tribal consultation best practices described in the "State of California Tribal Consultation Guidelines: Supplement to the General Plan Guidelines" prepared by the Office of Planning and Research.

(B) "Scoping" means the act of participating in early discussions or investigations between the local government and California Native American tribe, and the development proponent if authorized by the California Native American tribe, regarding the potential effects a proposed development could have on a potential tribal cultural resource, as defined in Section 21074 of the Public Resources Code, or California Native American tribe, as defined in Section 21073 of the Public Resources Code.

(b) (viii) This subdivision (b) shall not apply to any project that has been approved under the streamlined, ministerial approval process provided under this section before September 25, 2020.

(c)(i) If a local government determines that a development submitted pursuant to this section is in conflict with any of the objective planning standards specified in subdivision (a), it shall provide the development proponent written documentation of which standard or standards the development conflicts with, and an explanation for the reason or reasons the development conflicts with that standard or standards, as follows:

(A) Within 60 days of submittal of the development to the local government pursuant to this section if the development contains 150 or fewer housing units.

(B) Within 90 days of submittal of the development to the local government pursuant to this section if the development contains more than 150 housing units.

(ii) If the local government fails to provide the required documentation pursuant to paragraph (1), the development shall be deemed to satisfy the objective planning standards specified in subdivision (a).

(d) Any design review or public oversight of the development may be conducted by the local government's planning commission or any equivalent board or commission responsible for review and approval of development projects, or the city council or board of supervisors, as appropriate. That design review or public oversight shall be objective and be strictly focused on assessing compliance with criteria required for streamlined projects, as well as any reasonable objective design standards published and adopted by ordinance or resolution by a local jurisdiction before submission of a development application, and shall be broadly applicable to development within the jurisdiction. That design review or public oversight shall be completed as follows and shall not in any way inhibit, chill, or preclude the ministerial approval provided by this section or its effect, as applicable:

(i) Within 90 days of submittal of the development to the local government pursuant to this section if the development contains 150 or fewer housing units.

(ii) Within 180 days of submittal of the development to the local government pursuant to this section if the development contains more than 150 housing units.

(e) (i) Notwithstanding any other law, a local government, whether or not it has adopted an ordinance governing parking requirements in multifamily developments, shall not impose parking standards for a streamlined development that was approved pursuant to this section in any of the following instances:

(A) The development is located within one-half mile of public transit.

(B) The development is located within an architecturally and historically significant historic district.

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(C) When on-street parking permits are required but not offered to the occupants of the development.

(D) When there is a car share vehicle located within one block of the development.

(ii) If the development does not fall within any of the categories described in paragraph (1), the local government shall not impose parking requirements for streamlined developments approved pursuant to this section that exceed one parking space per unit.

(f) (i) If a local government approves a development pursuant to this section, then, notwithstanding any other law, that approval shall not expire if the project includes public investment in housing affordability, beyond tax credits, where 50 percent of the units are affordable to households making below 80 percent of the area median income.

(ii) If a local government approves a development pursuant to this section and the project does not include 50 percent of the units affordable to households making below 80 percent of the area median income, that approval shall automatically expire after three years except that a project may receive a one-time, one-year extension if the project proponent can provide documentation that there has been significant progress toward getting the development construction ready, such as filing a building permit application.

(iii) If a local government approves a development pursuant to this section, that approval shall remain valid for three years from the date of the final action establishing that approval and shall remain valid thereafter for a project so long as vertical construction of the development has begun and is in progress. Additionally, the development proponent may request, and the local government shall have discretion to grant, an additional one-year extension to the original three-year period. The local government's action and discretion in determining whether to grant the foregoing extension shall be limited to considerations and process set forth in this section.

(g) A local government shall not adopt any requirement, including, but not limited to, increased fees or inclusionary housing requirements, that applies to a project solely or partially on the basis that the project is eligible to receive ministerial or streamlined approval pursuant to this section.

(h) This section shall not affect a development proponent's ability to use any alternative streamlined by right permit processing adopted by a local government, including the provisions of Government Code section 65583.2(i).

(i) For purposes of this section the following definitions shall apply:

(1) "Department" means the Department of Housing and Community Development.

(2) "Development proponent" means the developer who submits an application for streamlined approval pursuant to this section.

(3) "Completed entitlements" means a housing development which has received all the required land use approvals or entitlements necessary for the issuance of a building permit.

(4) "Locality" or "local government" means a city, including a charter city, a county, including a charter county, or a city and county, including a charter city and county.

(5) "Production report" means the information reported pursuant to subparagraph (D) of paragraph (2) of subdivision (a) of Government Code section 65400.

(6) "Subsidized" means units that are price or rent restricted such that the units are permanently affordable to households meeting the definitions of very low and lower income, as defined in Sections 50079.5 and 50105 of the Health and Safety Code.

(7) "Reporting period" means either of the following:

(A) The first half of the regional housing needs assessment cycle.

(B) The last half of the regional housing needs assessment cycle.

(8) "Urban uses" means any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses.

9.02 HOUSING SUSTAINABILITY DISTRICTS.

The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries. The general plan must contain seven mandatory elements, including a housing element. Existing law provides for various reforms and incentives intended to facilitate and expedite the construction of affordable housing. Senate Bill 73 authorizes a city, county, or city and county, including a charter agency, to establish by ordinance a housing sustainability district that meets specified requirements, including authorizing residential use within the district through the ministerial issuance of a permit. The agency is authorized to apply to the Department of Housing and Community Development for approval of a zoning incentive payment and requires the agency to provide specified information about the proposed housing sustainability district ordinance. The department is required to approve a zoning incentive payment if the ordinance meets the above-described requirements and the agency's housing element is in compliance with specified law.

A city, county, or city and county with a housing sustainability district would be entitled to a zoning incentive payment, subject to appropriation of funds for that purpose, and require that one-half of the amount be paid when the department approves the zone and one-half of the

amount be paid when the department verifies that permits for the construction of the units have issued within the zone, provided that the city, county, or city and county has received a certificate of compliance for the applicable year. If the agency reduces the density of sites within the district from specified levels set forth in the Senate Bill 73, the agency would be required to return the full amount of zoning incentive payments it has received to the department. The bill also authorizes a developer to develop a project in a housing sustainability district in accordance with the already existing land use approval procedures that would otherwise apply to the parcel in the absence of the establishment of the housing sustainability district pursuant to its provisions, as provided.

As it relates specifically to CEQA, a Lead Agency designating a housing sustainability district is required to prepare an EIR pursuant to Government Code section 66201 to identify and mitigate, to the extent feasible, environmental impacts resulting from the designation. The EIR shall identify mitigation measures that may be undertaken by housing projects in the housing sustainability district to mitigate the environmental impacts identified in the EIR. Housing projects undertaken in the housing sustainability districts that meet specified requirements, including if the project satisfies certain design review standards applicable to development projects within the district provided the project is "complementary to adjacent buildings and structures and is consistent with the [agency's] general plan," are exempt under CEQA.

10. CEQA LITIGATION

10.01 TIMELINES.

When a CEQA lawsuit is filed, there are numerous and complex time requirements that must be met. Pressing deadlines begin to run in the days immediately after a CEQA lawsuit has been filed with the Court. For example, within ten (10) business days of the public agency being served with a petition or complaint alleging a violation of CEQA, the City, if it was the Lead Agency, must provide the petitioner with a list of Responsible Agencies and public agencies with jurisdiction by law over any natural resource affected by the project at issue. There are a variety of other deadlines that apply in CEQA litigation.

If a CEQA lawsuit is filed, CEQA counsel should be contacted immediately in order to ensure that all the applicable deadlines are met.

10.02 MEDIATION AND SETTLEMENT.

After Litigation Has Been Filed. The parties in a CEQA lawsuit are required to meet and discuss settlement. Within twenty (20) days of being served with a CEQA legal challenge, the public agency named in the lawsuit must file a notice with the court setting forth the time and place for a settlement meeting. The meeting must be scheduled and held not later than forty-five (45) days from the date of service of the petition or complaint upon the public agency. Usually the main parties to the litigation (such as the Lead Agency, the developer of the project if there is one, and those challenging the project and their respective attorneys) meet to discuss settlement; there is no requirement to hire a professional mediator. The settlement meeting is usually subject to a confidentiality agreement.

If the parties in a CEQA lawsuit are in settlement or mediation, that attempt is intended to occur concurrently with the litigation. This means that the respondent public agency will be required to comply with all existing litigation timelines and requirements (for example, preparing and lodging the administrative record discussed below) while simultaneously conducting settlement or mediation, unless the parties enter into an alternate agreement to stay the litigation and that agreement is approved by the court.

10.03 ADMINISTRATIVE RECORD.

A. Contents of Administrative Record.

When the Lead Agency's CEQA finding(s) and/or action is challenged in a lawsuit, the Lead Agency must certify the administrative record that formed the basis of the Lead Agency's decision. To the extent the documents listed below exist and are not subject to a privilege that exempts them from disclosure, the following items should be included in the administrative record:

(1) All project application materials;

(2) All staff reports and related documents prepared by the public agency with respect to its compliance with the substantive and procedural requirements of CEQA and with respect to the action on the project;

(3) All staff reports and related documents prepared by the public agency and written testimony or documents submitted by any person relevant to any findings or statement of overriding considerations adopted by the public agency pursuant to CEQA or these Local Guidelines;

(4) Any transcript or minutes of the proceedings at which the decision-making body of the public agency heard testimony on or considered any environmental document on the project, and any transcript or minutes of proceedings before any advisory body to the respondent public agency that were presented to the decision-making body prior to action on the environmental documents or on the project;

(5) All notices issued by the public agency to comply with CEQA or with any other law governing the processing and approval of the project;

(6) All written comments received in response to, or in connection with, environmental documents prepared for the project, including responses to the notice of preparation;

(7) All written evidence or correspondence submitted to, or transferred from, the public agency with respect to compliance with CEQA or with respect to the project;

(8) Any proposed decisions or findings submitted to the decision-making body of the public agency by its staff or the project proponent, project opponents, or other persons, to the extent such documents are subject to public disclosure;

(9) The documentation of the final public agency decision, including the final environmental impact report, mitigated negative declaration, or negative declaration, and all documents, in addition to those referenced in paragraph (3) above, cited or relied on in the findings or in a statement of overriding considerations adopted pursuant to CEQA;

(10) Any other written materials relevant to the respondent public agency's compliance with CEQA or to its decision on the merits of the project, including the initial study; any drafts of any environmental document, or portions thereof, that were released for public review; copies of studies or other documents relied upon in any environmental document prepared for the project and either made available to the public during the public review period or included in the public agency's files on the project; and internal agency communications related to the project or to compliance with CEQA, to the extent such documents are subject to public disclosure; and

(11) The full written record before any inferior administrative decision-making body whose decision was appealed prior to the filing of the lawsuit.

B. Organization of Administrative Record.

The administrative record should be organized as follows:

(1) Index. A detailed index must be included at the beginning of the administrative record listing each document in the order presented. Each entry must include the document's title, date, brief description, and the volume and page where the document begins;

(2) The Notice of Determination;

(3) The resolutions or ordinances adopted by the Lead Agency approving the project;

(4) The findings required by Public Resources Code section 21081, including any statement of overriding considerations;

(5) The Final EIR, including the Draft EIR or a revision of the draft, all other matters included in the Final EIR (such as traffic studies and air quality studies), and other types of environmental documents prepared under CEQA, such as a negative declaration, mitigated negative declaration, or addenda;

(6) The initial study;

(7) Staff reports prepared for the administrative bodies providing subordinate approvals or recommendations to the Lead Agency, in chronological order;

(8) Transcripts and minutes of hearings, in chronological order; and

(9) All other documents appropriate for inclusion in the administrative record, in chronological order.

Each section listed above must be separated by tabs or marked with electronic bookmarks. Oversized documents (such as building plans and maps) must be presented in a manner that allows them to be easily unfolded and viewed.

The court may issue an order allowing the documents to be organized in a different manner.

C. Preparation of Administrative Record.

The administrative record can be prepared: (1) by the petitioner, if the petitioner elects to do so, or (2) by the Lead Agency. The petitioner and the Lead Agency can also agree on any alternative method of preparing the record. However, when a third party such as the project applicant prepares or assists with the preparation of the administrative record, the Lead Agency

may not be able to recover fees incurred by the third party unless petitioner has agreed to this method of preparation.

Notwithstanding the above, upon the written request of a project applicant received no later than 30 days after the date that the Lead Agency makes a determination pursuant to Public Resources Code section 21080.1, 21094.5, or Chapter 4.2 (commencing with Public Resources Code section 21155) and with the written consent of the Lead Agency sent within 10 business days from receipt of the written request, the Lead Agency may prepare the administrative record concurrently with the administrative process. Should the Lead Agency and the project applicant so desire to pursue concurrent record preparation, the parties must comply with the provisions of Public Resources Code section 21167.6.2.

D. Special Circumstances For Environmental Leadership Projects.

Special timing considerations and requirements apply if the Project is certified by the Governor as an Environmental Leadership Project pursuant to the "Jobs and Economic Improvement Through Environmental Leadership Act of 2011." For example, the administrative record must be finished and certified within five (5) days of project approval. See Public Resources Code section 21186 for a complete discussion of the special requirements related to the preparation of an administrative record for an Environmental Leadership Project.

11. DEFINITIONS

Whenever the following terms are used in these Local Guidelines, they shall have the following meaning unless otherwise expressly defined:

11.01 "Agricultural Employee" means a person engaged in agriculture, which includes farming in all its branches, and, among other things, includes: (1) the cultivation and tillage of the soil, (2) dairying, (3) the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities, (4) the raising of livestock, bees, furbearing animals, or poultry, and (5) any practices (including any forestry or lumbering operations) performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, including preparation for market and delivery to storage or to market or to carriers for transportation to market.

This definition does not include any person covered by the National Labor Relations Act as agricultural employees pursuant to Section 2(3) of the Labor Management Relations Act (Section 152(3), Title 29, United States Code) and Section 3(f) of the Fair Labor Standards Act (Section 203(f), Title 29, United States Code). This definition does not apply to employees who perform work to be done at the site of the construction, alteration, painting, or repair of a building, structure, or other work (as these terms have been construed under Section 8(e) of the Labor Management Relations Act, 29 United States Code Section 158(e)) or logging or timber-clearing operations in initial preparation of land for farming, or who does land leveling or only land surveying for any of the above. As used in this definition, "land leveling" shall include only major land moving operations changing the contour of the land, but shall not include annual or seasonal tillage or preparation of land for cultivation. (State CEQA Guidelines section 15191(a).)

11.02 "Applicant"means a person who proposes to carry out a project that requires a lease, permit, license, certificate, or other entitlement for use, or requires financial aid from one or more public agencies when applying for governmental approval or assistance.

11.03 "Approval"means a decision by the decision-making body or other authorized body or officer of the City which commits the City to a definite course of action with regard to a particular project. With regard to any project to be undertaken directly by the City, approval shall be deemed to occur on the date when the decision-making body adopts a motion or resolution determining to proceed with the project, which in no event shall be later than the date of adoption of plans and specifications. As to private projects, approval shall be deemed to have occurred upon the earliest commitment to provide service or the issuance by the City of a discretionary contract, subsidy, or other form of financial assistance, lease, permit, license, certificate, or other entitlement for use of the project. The mere acquisition of land by the City shall not, in and of itself, be deemed to constitute approval of a project.

For purposes of these Local Guidelines, all environmental documents must be completed as of the time of project approval.

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11.04 "Baseline" refers to the pre-project environmental conditions. By comparing the project's potential impacts to the baseline, the Lead Agency determines whether the project's impacts are substantial enough to be significant under the relevant thresholds of significance. Generally, the baseline is the environmental conditions existing on the date the environmental analysis begins, such as the date the Notice of Preparation is published for an EIR or the date the Notice of Intent to Adopt a Negative Declaration is published. However, in certain circumstances, an earlier or later date may provide a more accurate environmental analysis. The City may establish any baseline that is appropriate, including an earlier or later date, as long as the choice of baseline can be supported by substantial evidence.

11.05 "California Native American Tribe" means a Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004.

11.06 "Categorical Exemption" means an exemption from CEQA for a class of projects based on a finding by the Secretary of the Resources Agency that the class of projects does not have a significant effect on the environment.

11.07 "Census-Defined Place" means a specific unincorporated land area within boundaries determined by the United States Census Bureau in the most recent decennial census.

11.08 "CEQA" means the California Environmental Quality Act, codified at California Public Resources Code sections 21000, et seq.

11.09 "City" means the City of Ontario.

11.10 "Clerk" means either the "Clerk of the Board" or the "County Clerk" depending upon the county. Please refer to the "Index to Environmental Filing by County" in the Staff Summary to determine which applies.

11.11 "Community-Level Environmental Review" means either (1) or (2) below:

(1) An EIR certified for any of the following:

(a) A general plan;
(b) A revision or update to the general plan that includes at least the land use and circulation elements;
(c) An applicable community plan;
(d) An applicable specific plan; or
(e) A housing element of the general plan, if the Environmental Impact Report analyzed the environmental effects of the density of the proposed project;

(2) A Negative Declaration or Mitigated Negative Declaration adopted as a subsequent environmental review document, following and based upon an EIR on a general plan, an applicable community plan or specific plan, provided that the subsequent environmental review document is allowed by

CEQA following a Master EIR or a Program EIR or is required pursuant to Public Resource Section 21166.

11.12 "Consultation" means the meaningful and timely process of seeking, discussing, and considering carefully the views of others, in a manner that is cognizant of all parties' cultural values and, where feasible, seeking agreement. Consultation between government agencies and Native American tribes shall be conducted in a way that is mutually respectful of each party's sovereignty. Consultation shall also recognize the tribes' potential needs for confidentiality with respect to places that have traditional tribal cultural significance.

11.13 "Cumulative Impacts" means two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects, whether past, present or future.

The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present and reasonably foreseeable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

11.14 "Cumulatively Considerable" means that 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.

11.15 "Decision-Making Body" means the body within the City, e.g. the City Council, which has final approval authority over the particular project.

11.16 "Developed Open Space" means land that meets each of the following three criteria:

(1) Is publicly owned, or financed in whole or in part by public funds;

(2) Is generally open to, and available for use by, the public; and

(3) Is predominantly lacking in structural development other than structures associated with open spaces, including, but not limited to, playgrounds, swimming pools, ball fields, enclosed child play areas, and picnic facilities.

Developed Open Space may include land that has been designated for acquisition by a public agency for developed open space purposes, but does not include lands acquired by public funds dedicated to the acquisition of land for housing purposes.

11.17 "Development Project" means any project undertaken for the purpose of development, including any project involving the issuance of a permit for construction or reconstruction but not a permit to operate. It does not include any ministerial projects proposed to be carried out or approved by public agencies. (Government Code section 65928.)

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11.18 "Discretionary Project" means a project for which approval requires the exercise of independent judgment, deliberation, or decision-making on the part of the City. To determine whether a project is discretionary, the key question is whether the public agency can use its subjective judgment to decide whether and how to carry out or approve a project.

11.19 "EIR" means Environmental Impact Report, a detailed written statement setting forth the environmental effects and considerations pertaining to a project. EIR may mean a Draft or a Final version of an EIR, a Project EIR, a Subsequent EIR, a Supplemental EIR, a Tiered EIR, a Staged EIR, a Program EIR, a Redevelopment EIR, a Master EIR, or a Focused EIR.

11.20 "Emergency" means a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. Emergency includes such occurrences as fire, flood, earthquake, landslide or other natural disaster, as well as such occurrences as riot, war, terrorist incident, accident or sabotage.

11.21 "Endangered, Rare or Threatened Species" means certain species or subspecies of animals or plants. A species or subspecies of animal or plant is "Endangered" when its survival and reproduction in the wild are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, disease, or other factors. A species or subspecies of animal or plant is "Threatened" when it is listed as a threatened species pursuant to the California Endangered Species Act or the Federal Endangered Species Act. A species or subspecies of animal or plant is "Rare" when either:

(1) Although not presently threatened with extinction, the species is existing in such small numbers throughout all or a significant portion of its range that it may become endangered if its environment worsens; or

(2) The species is likely to become endangered within the foreseeable future throughout all or a significant portion of its range and many be considered "threatened" as that term is used in the Federal Endangered Species Act.

For purposes of analyzing impacts to biological resources, a species of animal or plant shall be presumed to be endangered, rare or threatened if it is listed under the California Endangered Species Act or the Federal Endangered Species Act.

This definition shall not include any species of the Class Insecta which is a pest whose protection under the provisions of CEQA would present an overwhelming and overriding risk to man as determined by the Director of Food and Agriculture (with regard to economic pests) or the Director of Health Services (with regard to health risks).

11.22 "Environment" means the physical conditions which exist in the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. The area involved

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shall be the area in which significant effects would occur either directly or indirectly as a result of the project. The "environment" includes both natural and man-made conditions.

11.23 "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.

11.24 "Final EIR" means an EIR containing the information contained in the Draft EIR, comments either verbatim or in summary received in the review process, a list of persons commenting, and the response of the City to the comments received.

11.25 "Greenhouse Gases"include, but are not limited to, carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

11.26 "Guidelines" or "Local Guidelines" means the City's Local Guidelines for implementing the California Environmental Quality Act.

11.27 "Highway" shall have the same meaning as defined in Section 360 of the Vehicle Code.

11.28 "Historical Resources" include:

Resources listed in, or eligible for listing in, the California Register of Historical Resources shall be considered historical resources.

A resource may be listed in the California Register if it meets any of the following National Register of Historic Places criteria:

(a) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
(b) Is associated with the lives of persons important in our past;
(c) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
(d) Has yielded, or may be likely to yield, information important in prehistory or history.

A resource may also be listed in the California Register if it is identified as significant in an historical resource survey that meets all of the following criteria:

(a) The survey has been or will be included in the State Historic Resources Inventory;
(b) The survey and the survey documentation were prepared in accordance with office procedures and requirements; and
(c) The resource is evaluated and determined by the office to have a significance rating of Category 1 to 5 on DPR Form 523.

Resources included on a list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution, or identified as significant in a historical resource survey (as described above) are presumed to be historically or culturally significant, unless a preponderance of evidence demonstrates that they are not historically or culturally significant.

Any of the following may be considered historically significant: any object, building, structure, site, area, place, record or manuscript which a Lead Agency determines, based upon substantial evidence in light of the whole record, to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military or cultural annals of California.

The Lead Agency is not precluded from determining that a resource is a historical resource, as defined in Public Resources Code sections 5020.1(j) or 5024.1, even if it is: (a) not listed in, or is not determined to be eligible for listing in, the California Register of Historical Resources; (b) not included in a local register of historical resources; or (c) not identified in a historical resources survey.

11.29 "Infill Site" means a site in an urbanized area that meets either of the following criteria:

(1) The site has been previously developed for qualified urban uses; or

(2) The site has not been previously developed for qualified urban uses and both (a) and (b) are met:

(a) the site is immediately adjacent to parcels that are developed with qualified urban uses, or
1. at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with existing qualified urban uses at the time the Lead Agency receives an application for an approval; and
2. the remaining 25 percent of the perimeter of the site adjoins parcels that had been previously developed for qualified urban uses;

(b) No parcel within the site has been created within the past 10 years unless the parcel was created as a result of the plan of a redevelopment agency.

(Public Resources Code section 21061.3.)

11.30 "Initial Study" means a preliminary analysis conducted by the City to determine whether an EIR, a Negative Declaration, or a Mitigated Negative Declaration must be prepared or to identify the significant environmental effects to be analyzed in an EIR.

11.31 "Jurisdiction by Law" means the authority of any public agency to grant a permit or other entitlement for use, to provide funding for the project in question or to exercise authority over resources which may be affected by the project.

The City will have jurisdiction by law over a project when the City has primary and exclusive jurisdiction over the site of the project, the area in which the major environmental effects will occur, or the area in which reside those citizens most directly concerned by any such environmental effects.

11.32 "Land Disposal Facility" means a hazardous waste facility where hazardous waste is disposed in, on, or under land. (Health and Safety Code section 25199.1(d).)

11.33 "Large Treatment Facility" means a treatment facility which treats or recycles one thousand (1,000) or more tons of hazardous waste during any one month of the current reporting period commencing on or after July 1, 1991. (Health and Safety Code section 25205.1(d).)

11.34 "Lead Agency" means the public agency which has the principal responsibility for preparing environmental documents and for carrying out or approving a project when more than one public agency is involved with the same underlying activity.

11.35 "Low- and Moderate-Income Households" means persons and families of low or moderate income as defined in Section 50093 of the Health and Safety Code—i.e., persons and families whose income does not exceed 120% of area median income, adjusted for family size by the Department of Housing and Community Development, in accordance with adjustment factors adopted and amended from time to time by the United States Department of Housing and Urban Development pursuant to Section 8 of the United States Housing Act of 1937. (Public Resources Code section 21159.20(d); State CEQA Guidelines section 15191(f).)

11.36 "Low-Income Households" means households of persons and families of very low and low income. Low-income persons or families are those eligible for financial assistance from governmental agencies for occupants of state-funded housing. Very low income persons are those whose incomes do not exceed the qualifying limits for very low income families as established and amended pursuant to Section 8 of the United States Housing Act of 1937. Such limits are published and updated in the California Code of Regulations. (Public Resources Code section 21159.20(c); Health and Safety Code sections 50105 and 50106; State CEQA Guidelines section 15191(g).)

11.37 "Low-Level Flight Path" means any flight path for any aircraft owned, maintained, or under the jurisdiction of the United States Department of Defense that flies lower than 1,500 feet above ground level, as indicated in the United States Department of Defense Flight Information Publication, "Area Planning Military Training Routes: North and South America (AP/1B)" published by the United States National Imagery and Mapping Agency or its successor.

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11.38 "Lower Income Households" is defined in Health and Safety Code section 50079.5 to mean any of the following:

(1) "Lower income households" means persons and families whose income does not exceed the qualifying limits for lower income families as established and amended from time to time pursuant to Section 8 of the United States Housing Act of 1937;

(2) "Very low income households" means persons and families whose incomes do not exceed the qualifying limits for very low income families as defined in Health and Safety Code 50105; or

(3) "Extremely low income households" means persons and families whose incomes do not exceed the qualifying limits for extremely low income families as defined in Health and Safety Code section 50106.

11.39 "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 fifteen (15) minutes or less during the morning and afternoon peak commute periods. (State CEQA Guidelines section 15191(i).)

11.40 "Metropolitan Planning Organization" or "MPO" means a federally-designated agency that provides transportation planning and programming in metropolitan areas. A MPO is designated for each urban area that has been defined in the most recent federal census as having a population of more than 50,000 people. There are 18 federally-designated MPOs in California. Non-urbanized (rural) areas do not have a designated MPO.

11.41 "Military Impact Zone" means any area, including airspace, that meets both of the following criteria:

(1) Is located within two miles of a military installation, including, but not limited to, any base, military airport, camp, post, station, yard, center, homeport facility for a ship, or any other military activity center that is under the jurisdiction of the United States Department of Defense; and

(2) Covers greater than 500 acres of unincorporated land, or greater than 100 acres of city incorporated land.

11.42 "Military Service" means the United States Department of Defense or any branch of the United States Armed Forces.

11.43 "Ministerial" describes a governmental decision involving little or no personal judgment by the public official as to the wisdom or manner of carrying out the project. The public official merely applies the law to the facts as presented but uses no special discretion or standards or objective measurements, and the public official cannot use personal, subjective judgment in deciding whether or how the project

should be carried out. Common examples of ministerial permits include automobile registrations, dog licenses, and marriage licenses. A building permit is ministerial if the ordinance requiring the permit limits the public official to determining whether the zoning allows the structure to be built in the requested location, the structure would meet the strength requirements in the Uniform Building Code, and the applicant has paid his fee. (Public Resources Code section 21080(b)(1).)

11.44 "Mitigated Negative Declaration" or "MND" means a Negative Declaration prepared for a Project when the Initial Study has identified potentially significant effects on the environment, but: (1) revisions in the project plans or proposals made, or agreed to, by the applicant before the proposed Negative Declaration and Initial Study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and (2) there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.

11.45 "Mitigation" includes avoiding the environmental impact altogether by not taking a certain action or parts of an action, minimizing impacts by limiting the degree or magnitude of the action and its implementation, rectifying the impact by repairing, rehabilitating or restoring the impacted environment, reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action, or 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.

11.46 "Negative Declaration" or "ND" means a written statement by the City briefly describing the reasons that a proposed project, not exempt from CEQA, will not have a significant effect on the environment and, therefore, does not require the preparation of an EIR.

11.47 "Notice of Completion" means a brief report filed with the Office of Planning and Research by the City when it is the Lead Agency as soon as it has completed a Draft EIR and is prepared to send out copies for review.

11.48 "Notice of Determination" means a brief notice to be filed by the City when it approves or determines to carry out a project which is subject to the requirements of CEQA.

11.49 "Notice of Exemption" means a brief notice which may be filed by the City when it has approved or determined to carry out a project, and it has determined that the project is exempt from the requirements of CEQA. Such a notice may also be filed by an applicant where such a determination has been made by a public agency which must approve the project.

11.50 "Notice of Preparation" means a brief notice sent by a Lead Agency to notify the Responsible Agencies, Trustee Agencies, the Office of Planning and Research, and involved federal agencies that the Lead Agency plans to prepare an EIR for a project.

The purpose of this notice is to solicit guidance from those agencies as to the scope and content of the environmental information to be included in the EIR. Public agencies are free to develop their own formats for this notice.

11.51 "Oak" means a native tree species in the genus Quercus, not designated as Group A or Group B commercial species pursuant to regulations adopted by the State Board of Forestry and Fire Protection pursuant to Public Resources Code section 4526, and that is five (5) inches or more in diameter at breast height. (Public Resources Code section 21083.4(a).)

11.52 "Oak Woodlands" means an oak stand with a greater than 10 percent canopy cover or that may have historically supported greater than 10 percent canopy cover. (Fish & Game Code section 1361(h).)

11.53 "Offsite Facility" means a facility that serves more than one generator of hazardous waste. (Public Resources Code section 21151.1(h).)

11.54 "Person" includes any person, firm, association, organization, partnership, business, trust, corporation, company, city, county, city and county, town, the state, and any of the agencies which may be political subdivisions of such entities, and, to the extent permitted by federal law, the United States, or any of its agencies or political subdivisions**.**

11.55 "Pipeline" as defined in these Local Guidelines depends on the context. Please see Local Guidelines Sections 3.11 and 3.12 for specific definitions.

11.56 "Private Project" means a project which will be carried out by a person other than a governmental agency, but which will need a discretionary approval from the City. Private projects will normally be those listed in subsections (2) and (3) of Local Guidelines Section 11.57.

11.57 "Project" means the whole of an action or activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect change in the environment, and is any of the following:

(1) A discretionary activity directly undertaken by the City including but not limited to public works construction and related activities, clearing or grading of land, or improvements to existing public structures;

(2) A discretionary activity which involves a public agency's issuance to a person of a lease, permit, license, certificate, or other entitlement for use, or which is supported, in whole or in part, through contracts, grants, subsidies, loans or other forms of assistance by the City; or

(3) A discretionary project proposed to be carried out or approved by public agencies, including but not limited to the enactment and amendment of local General Plans or elements thereof, the enactment of zoning ordinances, the

issuance of zoning variances, the issuance of conditional use permits and the approval of tentative subdivision maps.

The presence of any real degree of control over the manner in which a project is completed makes it a discretionary project.

The term "project" refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies. The term "project" does not mean each separate governmental approval.

11.58 "Project-Specific Effects" means all the direct or indirect environmental effects of a project other than cumulative effects and growth-inducing effects. (Public Resources Code section 21065.3; State CEQA Guidelines section 15191(j).)

11.59 "Public Water System" means a system for the provision of piped water to the public for human consumption that has 3,000 or more service connections. A public water system includes all of the following: (A) Any collection, treatment, storage, and distribution facility under control of the operator of the system which is used primarily in connection with the system; (B) Any collection or pretreatment storage facility not under the control of the operator that is used primarily in connection with the system; (C) Any person who treats water on behalf of one or more public water systems for the purpose of rendering it safe for human consumption. (State CEQA Guidelines section 15155.)

11.60 "Qualified Urban Use" means any residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses. (Public Resources Code section 21072; State CEQA Guidelines section 15191(k).)

11.61 "Residential" means a use consisting of either residential units only or residential units and primarily neighborhood-serving goods, services, or retail uses that do not exceed 15% of the total floor area of the project. (State CEQA Guidelines section 15191(l).) Residential, pursuant to Public Resources Code section 21159.24, shall mean a use consisting of either of the following:

(1) Residential units only.

(2) Residential units and primarily neighborhood-serving goods, services, or retail uses that do not exceed 25 percent of the total building square footage of the project.

11.62 "Responsible Agency" means a public agency which proposes to carry out or approve a project for which a Lead Agency has prepared the environmental documents. For the purposes of CEQA, the term "Responsible Agency" includes all federal, state, regional and local public agencies other than the Lead Agency which have discretionary approval power over the project.

11.63 "Riparian areas" mean those areas transitional between terrestrial and aquatic ecosystems and that are distinguished by gradients in biophysical conditions,

ecological processes, and biota. A riparian area is an area through which surface and subsurface hydrology connect waterbodies with their adjacent uplands. A riparian area includes those portions of terrestrial ecosystems that significantly influence exchanges of energy and matter with aquatic ecosystems. A riparian area is adjacent to perennial, intermittent, and ephemeral streams, lakes, and estuarine-marine shorelines.

11.64 "Roadway" means a roadway as defined pursuant to Section 530 of the Vehicle Code and the previously graded and maintained shoulder that is within a roadway right-of-way of no more than five feet from the edge of the roadway.

11.65 "Significant Effect" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the activity including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.

11.66 "Significant Value as a Wildlife Habitat" includes wildlife habitat of national, statewide, regional, or local importance; habitat for species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531, et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code); habitat identified as candidate, fully protected, sensitive, or species of special status by local, state, or federal agencies; or habitat essential to the movement of resident or migratory wildlife.

11.67 "Special Use Airspace" means the land area underlying the airspace that is designated for training, research, development, or evaluation for a military service, as that land area is established by the United States Department of Defense Flight Information Publication, "Area Planning: Special Use Airspace: North and South America (AP/1A)" published by the United States National Imagery and Mapping Agency or its successor.

11.68 "Staff" means the General Manager or his or her designee**.**

11.69 "Standard" means a standard of general application that is all of the following:

(1) A quantitative, qualitative or performance requirement found in a statute, ordinance, resolution, rule, regulation, order, or other standard of general application;

(2) Adopted for the purpose of environmental protection;

(3) Adopted by a public agency through a public review process;

(4) Governs the same environmental effect which the change in the environment is impacting; and

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(5) Governs the jurisdiction where the project is located.

The definition of "standard" includes any thresholds of significance adopted by the City which meet the requirements of this Section.

If there is a conflict between standards, the City shall determine which standard is appropriate based upon substantial evidence in light of the whole record.

11.70 "State CEQA Guidelines" means the Guidelines for Implementation of the California Environmental Quality Act as adopted by the Secretary of the California Natural Resources Agency as they now exist or hereafter may be amended. (California Administrative Code, Title 14, Sections 15000, et seq.)

11.71 "Substantial Evidence" means reliable information on which a fair argument can be based to support an inference or conclusion, even though another conclusion could be drawn from that information. "Substantial evidence" includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. "Substantial evidence" does not include argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly inaccurate or erroneous, or evidence of social or economic impacts which do not contribute to, or are not caused by, physical impacts on the environment.

11.72 "Sustainable Communities Strategy" is an element of a Regional Transportation Plan, which must be adopted by the Metropolitan Planning Organization for the region. (See Local Guidelines Section 11.40.) The Sustainable Communities Strategy is an integrated land use and transportation plan intended to reduce greenhouse gases. The Sustainable Communities Strategy includes various components such as: consideration of existing densities and uses within the region, identification of areas within the region that can accommodate an eight-year projection of the region's housing needs, development of projections for growth in the region, identification of existing transportation networks, and preparation of a forecast for development pattern for the region that can be integrated with transportation networks.

11.73 "Tiering" means the coverage of general matters in broader EIRs (such as on general plans or policy statements) with subsequent narrower EIRs or ultimately site-specific EIRs incorporating by reference the general discussions and concentrating solely on the issues specific to the EIR subsequently prepared. Tiering is appropriate when the sequence of EIRs is:

(a) From a general plan, policy, or Program EIR to a program, plan, or policy EIR of lesser scope or to a site-specific EIR; or

(b) From an EIR on a specific action at an early stage to a subsequent EIR or a supplement to an EIR at a later stage. Tiering in such cases is appropriate when it helps the Lead Agency to focus on the issues which are ripe for decision and exclude from consideration issues already decided or not yet ripe.

(Public Resources Code sections 21003, 21061 and 21100.)

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11.74 "Transit Priority Area" means an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations.

11.75 "Transit Priority Project" means a mixed use project that is consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy for which the California Air Resources Board has accepted a Metropolitan Planning Organization's determination that the sustainable communities strategy or the alternative planning strategy would, if implemented, achieve the greenhouse gas emission reduction targets. Such a project may be exempt from CEQA if a detailed laundry list of requirements is met. To qualify for the exemption, the Transit Priority Project must:

(1) contain at least 50 percent residential use based on total building square footage;

(2) if the project contains between 26 percent and 50 percent non-residential uses, the floor-to-area ratio (FAR) must be at least 0.75;

(3) have a minimum net density of 20 dwelling units per acre;

(4) be located within a half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan; and

(5) meet all the requirements of Public Resources Code section 21155.1.

11.76 "Transportation Facilities" includes major local arterials and public transit within five (5) miles of the project site, and freeways, highways, and rail transit service within ten (10) miles of the project site.

11.77 "Tribal Cultural Resources" are either of the following:

(1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

(a) Included or determined to be eligible for inclusion in the California Register of Historical Resources.
(b) Included in a local register of historic resources as defined in subdivision (k) of Public Resources Code section 5020.1.

(2) 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 Section 5024.1 for the purposes of this

definition, the Lead Agency shall consider the significance of the resource to a California Native American tribe.

A cultural landscape that meets the criteria set forth above is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.

A historic resource described in Public Resources Code section 21084.1, a unique archaeological resource as defined in subdivision (g) of Public Resources Code section 21083.2, or a "nonunique archaeological resource" as defined in subdivision (h) of Public Resources Code section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of Tribal cultural resources.

11.78 "Trustee Agency" means a State agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California. Trustee Agencies may include, but are not limited to, the following:

(a) The California Department of Fish and Wildlife ("DFW") with regard to the fish and wildlife of the state, designated rare or endangered native plants, and game refuges, ecological reserves, and other areas administered by DFW;
(b) The State Lands Commission with regard to state owned "sovereign" lands such as the beds of navigable waters and state school lands;
(c) The State Department of Parks and Recreation with regard to units of the State Park System;
(d) The University of California with regard to sites within the Natural Land and Water Reserve System; and/or
(e) The State Water Resources Control Board with respect to surface waters.

11.79 "Urban Growth Boundary" means a provision of a locally adopted general plan that allows urban uses on one side of the boundary and prohibits urban uses on the other side of the boundary.

11.80 "Urbanized Area" means either of the following:

(1) An incorporated city that either by itself or in combination with two contiguous incorporated cities has a population of at least one hundred thousand (100,000) persons;

(2) An unincorporated area that meets both of the following requirements:

(a) The unincorporated area is either:
(i) completely surrounded by one or more incorporated cities, has a population of at least 100,000 persons either by itself or in combination with the surrounding incorporated city or cities, and has a population density that at least equals the population density of the surrounding city or cities; or

(ii) located within an urban growth boundary and has an existing residential population of at least five thousand (5,000) persons per square mile. An "urban growth boundary" means a provision of a locally adopted general plan that allows urban uses on one side of the boundary and prohibits urban uses on the other side.

(b) The board of supervisors with jurisdiction over the unincorporated area has taken all three of the following steps:

1. Prepared a draft document by which the board would find that the general plan, zoning ordinance, and related policies and programs applicable to the unincorporated area are consistent with principles that encourage compact development in a manner that promotes efficient transportation systems, economic growth, affordable housing, energy efficiency, and an appropriate balance of jobs and housing, and protects the environment, open space and agricultural areas;
2. Submitted the draft document to the Office of Planning and Research and allowed OPR thirty (30) days to submit comments on the draft finding to the board; and
3. At least thirty (30) days after submitting the draft document to OPR, the board has adopted a final finding in substantial conformity with the draft finding described in the draft document.

(Public Resources Code sections 21083, 21159.20-21159.24; State CEQA Guidelines section 15191(m).)

11.81 "Water Acquisition Plans" means any plans for acquiring additional water supplies prepared by the public water system or a city or county Lead Agency pursuant to subdivision (a) of section 10911 of the Water Code.

11.82 "Water Assessment" or "Water Supply Assessment" means the water supply assessment that must be prepared by the governing body of a public water system, or a city or county, pursuant to and in compliance with sections 10910 to 10915 of the Water Code, and that includes, without limitation, the elements of the assessment required to comply with subdivisions (d), (e), (f), and (g) of section 10910 of the Water Code.

11.83 "Water Demand Project" means any one of the following:

(A) A residential development of more than 500 dwelling units;

(B) A shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space;

(C) A commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space;

(D) A hotel or motel, or both, having more than 500 rooms;

(E) An industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area;

Except, a proposed photovoltaic or wind energy generation facility approved on or after October 8, 2011, is not a Water Demand Project if the facility would demand no more than 75 acre-feet of water annually.

(F) A mixed-use project that includes one or more of the projects specified in subdivisions (A); (B), (C), (D), (E), or (G) of this section;

(G) A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project; or

(H) For public water systems with fewer than 5,000 service connections, a project that meets the following criteria:

(1) A proposed residential, business, commercial, hotel or motel, or industrial development that would account for an increase of 10 percent or more in the number of a public water system's existing service connections; or

(2) A mixed-use project that would demand an amount of water equivalent to, or greater than, the amount of water required by residential development that would represent an increase of 10 percent or more in the number of the public water system's existing service connections.

(State CEQA Guidelines section 15155.)

11.84 "Waterway" means a bay, estuary, lake, pond, river, slough, or a perennial, intermittent, or ephemeral stream, lake, or estuarine-marine shoreline.

11.85 "Wetlands" has the same meaning as that term is construed in the regulations issued by the United States Army Corps of Engineers pursuant to the Clean Water Act. Thus, "wetlands" means areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. (Public Resources Code section 21159.21(d), incorporating Title 33, Code of Federal Regulations, Section 328.3.)

11.86 "Wildlife Habitat" means the ecological communities upon which wild animals, birds, plants, fish, amphibians, and invertebrates depend for their conservation and protection. (Public Resources Code section 21159.21.)

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11.87 "Zoning Approval" means any enactment, amendment, or appeal of a zoning ordinance; granting of a conditional use permit or variance; or any other form of land use, subdivision, tract, or development approval required from the city or county having jurisdiction to permit the particular use of the property.

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12. FORMS

See forms A – S which accompany these Guidelines.

13. COMMON ACRONYMS

A. **********

ADEIR – Administrative Draft Environmental Impact Report
AQMD – Air Quality Management District
AQMP – Air Quality Management Plan
AR – Administrative Record
ARB – Air Resources Board

B. **********

BMP – Best Management Practices
BO – Biological Opinion

C. **********

Cal EPA – California Environmental Protection Agency
CAP – Climate Action Plan
CCAA – California Clean Air Act
CCR – California Code of Regulations (Title 14 Sections 15000 et seq. are also known as the State CEQA Guidelines.)
CE – Categorical Exclusion (NEPA)
CESA – California Endangered Species Act
CEQA – California Environmental Quality Act
CFR – Code of Federal Regulations
CMP – Congestion Management Plan
CRWQCB – California Regional Water Quality Control Board

D. **********

DEIR – Draft Environmental Impact Report
DFW – Department of Fish and Wildlife

E. **********

EA – Environmental Assessment (NEPA term)
EIR – Environmental Impact Report
EIS – Environmental Impact Statement (NEPA term)
EPA – Environmental Protection Agency
ESA – Endangered Species Act; Environmental Site Assessment

F. **********

FCAA – Federal Clean Air Act
FEIR – Final Environmental Impact Report
FOIA – Freedom of Information Act (Federal)
FONSI – Finding of No Significant Impact (NEPA term)
FWS – Fish and Wildlife Service

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G. **********

GHG – Greenhouse Gas
GW – Ground Water

H. **********

HH&E – Human Health and Environment
HRA – Health Risk Assessment
HS – Hazardous Substance

I. **********

IS – Initial Study

J. **********

K. **********

L. **********

LADD – Lifetime Average Daily Dose; Lowest Acceptable Daily Dose
LEA – Local Enforcement Agency
LESA – Land Evaluation and Site Assessment
LUFT – Leaking Underground Fuel Tank
LUST – Leaking Underground Storage Tanks. Reference Part 213 of Public Act 451 of 1994.

M. **********

MEIR – Master Environmental Impact Report
MMRP – Mitigation Monitoring and Reporting Plan
MPO – Metropolitan Planning Organization
MND – Mitigated Negative Declaration

N. **********

ND – Negative Declaration
NEPA – National Environmental Policy Act
NOA – Notice of Availability
NOC – Notice of Completion
NOD – Notice of Determination
NOE – Notice of Exemption
NOI – Notice of Intent
NOP – Notice of Preparation
NOV – Notice of Violation

O. **********

OPR – Office of Planning and Research

P. **********

PEIR – Program Environmental Impact Report. Sometimes also used to describe a Project Environmental Impact Report
PM – Particulate Matter
PRA – Public Records Act
PSA – Permit Streamlining Act

Q. **********

R. **********

RCRA – Resource Conservation and Recovery Act (1976) Governs definition, handling, and disposal of hazardous waste.

S. **********

SCH – State Clearinghouse
SEIR – Supplemental or Subsequent Environmental Impact Report
SMARA – Surface Mining and Reclamation Act
SWMP – Stormwater Monitoring Program
SWPPP – Stormwater Pollution Prevention Program

T. **********

TCM – Transportation Control Measure
TCP – Transportation Control Plan
TDS – Total Dissolved Solids
TMP – Transportation Management Plan
Title V – refers to Title V of the Clean Air Act related to ambient air quality provisions
TLV – Threshold Limit Value

U. **********

UBC – Uniform Building Code
UFC – Uniform Fire Code
UGST – Underground Storage Tank
USDW – Underground Source of Drinking Water
UWMP – Urban Water Management Plan

V. **********

VOC – Volatile Organic Compounds (Health & Safety Code, Section 25123.6.)
VOS – Vehicle Operating Survey

W. **********

WQS – Water Quality Standard
WSA – Water Supply Assessment
WTP – Water Treatment Plant. A facility designed to provide treatment to water.
WWTP – Wastewater Treatment Plan

X. **********

Y. **********

Z. **********

CITY OF ONTARIO PLANNING DEPARTMENT

Preliminary Exemption Assessment

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

(Certificate of Determination When Attached to Notice of Exemption)

1. **Project Title/File No.:** Click to enter title/file no.
2. **Project Location:** Click to enter location.
3. **Project Applicant:** Click to enter applicant name & address
4. **Staff Determination:** The Lead Agency's Staff, having undertaken and completed a preliminary review of this project in accordance with the Lead Agency's "Local Guidelines for Implementing the California Environmental Quality Act (CEQA)," has concluded that this project does not require further environmental assessment for the reasons listed below.:

   a. ☐ The proposed action does not constitute a project under CEQA.

   b. ☐ The project constitutes a feasibility or planning study.

   c. ☐ The project is categorically exempt.

      Applicable Exemption Class:

      ☐ Class 1 – Existing Facilities
      ☐ Class 3 – New Construction or Conversion of Small Structures
      ☐ Class 4 – Minor Alterations to Land
      ☐ Class 5 – Minor Alterations to Land Use Limitations
      ☐ Class 11 – Accessory Structures
      ☐ Class 15 – Minor Land Divisions
      ☐ Class 31 – Historical Resource Restoration/Rehabilitation
      ☐ Class 32 – In-Fill Development Projects
      ☐ Class Click to enter class # – Click to enter class description

      Justification/Explanation: Click to enter text

   d. ☐ The application of a categorial exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2, summarized below:

      (i) Location – Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. These classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and official adopted pursuant to law by federal, state, or local agencies.

      (ii) Cumulative Impact – The cumulative impact of successive projects of the same type in the same place, over time is significant.

      (iii) Significant Effect – There is a reasonable possibility that an activity will have a significant effect on the environment due to unusual circumstances.

      (iv) Scenic Highways – A project which may result in damage to scenic resources, including but not limited to, trees, historical buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.

(v) Hazardous Waste Sites – A project on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

(vi) Historical Resources –A project which may cause a substantial adverse change in the significance of a historical resource.

e. ☐ The project is statutorily exempt.

Applicable Exemption:

☐ Feasibility and Planning Studies

☐ Ministerial Project

☐ Emergency Project

☐ Other: Click to enter exemption.

f. ☐ The project is otherwise exempt on the following basis: Click to enter reason.

g. ☐ The project involves another public agency which constitutes the Lead Agency.

Name of Lead Agency: Click to enter lead agency name.

Signature:	**Date:** Click to enter a date.
Name: Click to enter name	**Title:** Click to enter title

CITY OF ONTARIO PLANNING DEPARTMENT

Notice of Exemption

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

To: ☐ Clerk of the Board of Supervisors
County of San Bernardino
385 North Arrowhead Avenue, 2nd Floor
San Bernardino, California 92415

☐ Office of Planning and Research
1400 Tenth Street, Room 113
Sacramento, California 95814

SUBJECT: Filing of Notice of Exemption in compliance with Section 21108, 21152, and 21152.1 of the Public Resources Code.

Project Title/File No.: Click to enter file no.

Project Applicant (name, address, phone): Click to enter applicant info.

Specific Project Location *(identify street address and cross street or attach a map showing project site)*: Click to enter text.

Project Location: The project site is generally located in southwestern San Bernardino County, approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. within the City of Ontario. More specifically, the project site is located Click to enter project location.

Project Description: Click to enter description

Exempt Status (check one):

(1) ☒ Ministerial project (Public Resources Code Section 21080(b)(1); State CEQA Guidelines Section 15268).

(2) ☐ Not a project.

(3) ☐ Emergency Project (Public Resources Code Section 21080(b)(4); State CEQA Guidelines Section 15269(b) & (c)).

(4) ☐ Categorical Exemption. State type and section number: Click to enter type and section no.

(5) ☐ Declared Emergency (Public Resources Code Section 21080(b)(3); State CEQA Guidelines Section 15269(a)).

(6) ☐ Statutory Exemption. State Code section number: Click to enter section no.

(7) ☐ Other. Explanation: Click to enter explanation.

Reasons Why Project Was Exempt: Click to enter reasons.

Lead Agency Contact: Click to enter contact name, title, phone, email.

Has a Notice of Exemption been filed by the public agency approving the project?
☐ Yes ☐ No

Was a public hearing held by the Lead Agency to consider the exemption?
☐ Yes ☐ No

If yes, the date of the public hearing was: Click or tap to enter a date.

NOTE! Attach Preliminary Exemption Assessment (Form "A") before filing.

Signature:	**Date:** Click to enter date.
Name: Click to enter name	**Title:** Click to enter title
Date Received for Filing: Click or tap to enter a date.	

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

CITY OF ONTARIO PLANNING DEPARTMENT

Environmental Impact Assessment

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

Project Title/File No.: Click to enter project title/file #

Project Description: Click to enter description

Project Location – Identify street address and cross streets or attach a map showing project site *(preferably a USGS 15' or 7 1/2' topographical map identified by quadrangle name)*: Click to enter location

Project Applicant *(name and address)*: Click to enter applicant info.

Staff Determination:

The Lead Agency's staff has reached the conclusion marked below, having undertaken and completed an Initial Study of this project in accordance with the Lead Agency's "Local Guidelines for Implementing the California Environmental Quality Act (CEQA)" for the purpose of ascertaining whether the proposed project may have a significant effect on the environment:

☐ The project could not have a significant effect on the environment; therefore, a Negative Declaration should be adopted.

☐ The Initial Study identified potentially significant effects on the environment but revisions in the project plans or proposals made by or agreed to by the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; therefore, a Mitigated Negative Declaration should be adopted.

☐ The project may have a significant effect on the environment; therefore, an Environmental Impact Report will be required.

Notice of Intent to Adopt a Negative Declaration/Mitigated Negative Declaration

CITY OF ONTARIO PLANNING DEPARTMENT
303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

NOTICE IS HEREBY GIVEN that the Lead Agency named below has completed an Initial Study of the following described project at the following location:

Lead Agency: City of Ontario, 303 East B Street, Ontario, California 91764

Project Applicant: Click to enter applicant name

Project Title/File No.: Click to enter title/File No.

Project Description: Click to enter description

Project Location: Click to enter Location

This Initial Study was completed in accordance with the Lead Agency's Guidelines for Implementing the California Environmental Quality Act. This Initial Study was undertaken for the purpose of deciding whether the project may have a significant effect on the environment. On the basis of such Initial Study, the Lead Agency's Staff has concluded that the project will not have a significant effect on the environment and has, therefore, prepared a Draft Negative Declaration/Mitigated Negative Declaration. The Initial Study reflects the independent judgment of the Lead Agency.

(1) The Project site [☐ is, ☐ is not] on a list compiled pursuant to Government Code Section 65962.5.

(2) The proposed project [☐ is, ☐ is not] considered a project of statewide, regional or areawide significance.

(3) The proposed project [☐ will, ☐ will not] affect highways or other facilities under the jurisdiction of the State Department of Transportation.

(4) A scoping meeting [☐ will, ☐ will not] be held by the Lead Agency.

Copies of the Initial Study and Draft Negative Declaration/Mitigated Negative Declaration are on file and are available for public review at the Lead Agency's office, located at:

City of Ontario
City Hall
303 East B Street
Ontario, California 91764

The proposed Negative Declaration/Mitigated Negative Declaration and supporting materials are available online as follows:

CEQA.net website at Click to enter link.
City of Ontario website at Click to enter link.

Public Comment Period: A 30-day public review period will begin on Click to fill in first day of comment period. Any person wishing to comment on this matter must submit such comments, in writing, to the Lead Agency prior to Click to fill in last day of comment period. Comments of all Responsible Agencies are also requested.

The Lead Agency will consider the project and the Draft Negative Declaration/Mitigated Negative Declaration at its meeting on Click to enter date, at Click to enter time, at the following location:

City of Ontario
City Council Chambers
303 East B Street
Ontario, California 91764

If the Lead Agency finds that the project will not have a significant effect on the environment, it may adopt the Negative Declaration/Mitigated Negative Declaration. This means that the Lead Agency may proceed to consider the project without the preparation of an Environmental Impact Report.

Negative Declaration/ Mitigated Negative Declaration

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

Project Title/File No.: Click to enter text

Project Location (identify street address and cross streets or attach a map showing project site (preferably a USGS 15' or 7 1/2' topographical map identified by quadrangle name)**:** Click to enter text, City of Ontario, County of San Bernardino

Project Description: Click to enter text

Entity or Person undertaking project: Click to enter name, address, city, state & zip

The Lead Agency, having reviewed the Initial Study of this proposed project, having reviewed the written comments received prior to the public meeting of the Lead Agency, and having reviewed the recommendation of the Lead Agency's Staff, does hereby find and declare that the proposed project will not have a significant effect on the environment. A statement of the reasons supporting the Lead Agency's findings are as follows:

Click to enter statement of reasons

The Lead Agency hereby finds that the Negative Declaration/Mitigated Negative Declaration reflects its independent judgment. A copy of the Initial Study is attached.

The location and custodian of the documents and any other material which constitute the record of proceedings upon which the Lead Agency based its decision to adopt this Negative Declaration/Mitigated Negative Declaration is as follows:

City of Ontario
Planning Department
303 East "B" Street
Ontario, California 91764
(909) 395-2036

Signature:	**Date:** Click to enter date.
Name: Click to enter name	**Title:** Click to enter title
Date Received for Filing: Click or tap to enter a date.	

CITY OF ONTARIO PLANNING DEPARTMENT

Notice of Determination

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

To: ☐ Clerk of the Board of Supervisors
County of San Bernardino
385 North Arrowhead Avenue, 2nd Floor
San Bernardino, California 92415

☐ Office of Planning and Research
1400 Tenth Street, Room 113
Sacramento, California 95814

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse No.: Click to enter no.

Project Title/File No.: Click to enter file no.

Project Applicant (name, address, phone): Click to enter applicant info.

Specific Project Location – Identify street address and cross street or attach a map showing project site: Click to enter text.

General Project Location: The project site is generally located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County.

Project Description: Click to enter description

This is to advise that the [☐ Lead Agency, ☐ Responsible Agency] approved the above described project on Click to enter date. and has made the following determinations regarding the above described project:

1. The project [☐ will, ☐ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared and certified for this project pursuant to the provisions of CEQA and reflects the independent judgment of the Lead Agency.

   ☐ An Addendum to The Ontario Plan Environmental Impact Report ("EIR," State Clearinghouse No. 2008101140) was prepared and approved for use by the City Council on Click to enter date. This proposed project does not contemplate any actions that would require the preparation of a subsequent or supplemental environmental document under State CEQA Guidelines section 15162, 15163, and 15164. The proposed project is consistent with the development scenarios identified and analyzed within the EIR and no further review pursuant to CEQA is required.

   ☐ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA and reflects the independent judgment of the Lead Agency.

   ☐ A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA and reflects the independent judgment of the Lead Agency.

3. ☐ Mitigation measures [☐were, ☐ were not] made a condition of the approval of the project.
4. ☐ A Mitigation Monitoring or Reporting Plan [☐ was, ☐ was not] adopted for this project.
5. ☐ A Statement of Overriding Considerations [☐ was, ☐ was not] adopted for this project.
6. ☐ Findings [☐ were, ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the Final EIR with comments and responses and record of project approval, or the Negative Declaration, is available to General Public at:

City of Ontario
City Hall
303 East B Street
Ontario, California 91764

Signature:	**Date:** Click or tap to enter a date.
Name: Click to enter name	**Title:** Click to enter title
Date Received for Filing: Click or tap to enter a date.	

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

Notice of Preparation

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

TO: Property Owners, Responsible Agencies & Interested Parties

FROM: City of Ontario, Planning Department, 303 East "B" Street, Ontario, CA 91764

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report

NOTICE IS HEREBY GIVEN that the City of Ontario will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The Project description, location and the probable environmental effects are contained in the attached materials. A copy of the Initial Study ☐ is, ☐ is not, attached and/or available at City Hall, Planning Department. Electronic format of the document(s) can also be obtained by contacting (Insert name) at (Insert phone).

The proposed project ☐ is, ☐ is not, considered a project of statewide, regional or area-wide significance. The proposed project ☐ will, ☐ will not, affect highways or other facilities under the jurisdiction of the State Department of Transportation. A scoping meeting ☐ will, ☐ will not, be held by the lead agency.

If the project meets the criteria requiring the scoping meeting, or if the agency voluntarily elects to hold such a meeting, the date, time and location of the scoping meeting are as follows:

Meeting Date and Time: Click to enter date, at Click to enter time PM
Meeting Location: Click to enter location

Your response must be sent at the earliest possible date, but not later than 30 days after receipt of this notice. Please send your response to the contact person identified below. We will need the name for a contact person in your agency.

Click to enter name
City of Ontario Planning Department
303 East B Street
Ontario, CA 91764
Phone: Click to enter contact phone #
Email: Click to enter contact email

Project Title/File No.: Click to enter title

Project Location [identify street address and cross street or attach a map showing project site (preferably a U.S.G.S. 15' or 7 ½' topographical map identified by quadrangle name)]**:** Click to enter location, in the City of Ontario, County of San Bernardino.

Project Description: Click to enter description

Project Applicant: Click to enter applicant name, address, city, state & zip

Consulting firm retained to prepare draft EIR: Click to enter consultant firm name, address, city, state, zip & contact name

Signature:	**Date:** Click to enter date.
Name: Click to enter name	**Title:** Click to enter title

Reference: California Code of Regulations, Title 14 (CEQA Guidelines) Sections 15082(a), 15103, and 15375.

CITY OF ONTARIO PLANNING DEPARTMENT

Notice of Completion and Environmental Document Transmittal

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

State Clearinghouse No.: Click to enter no.

For U.S. Mail: State Clearinghouse, PO Box 3044, Sacramento, CA 95812-3044; (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

PROJECT TITLE Click to enter title		
LEAD AGENCY Click to enter Agency		CONTACT PERSON Click to enter contact
MAILING ADDRESS Click to enter address		TELEPHONE Click to enter phone no.
CITY Click to enter City	ZIP CODE Click to enter zip	COUNTY Click to enter County

PROJECT LOCATION Click to enter location				
COUNTY Click to enter County	CITY/NEAREST COMMUNITY Click to enter City, etc.			
LAT. / LONG.: Click to enter LAT/LONG here ° ′ ″ N/ ° ′ ″ W				
CROSS STREETS Click to enter	ZIP CODE Click to enter zip		TOTAL ACRES Click enter acres	
ASSESSOR'S PARCEL NO. Click to enter parcel no.	SECTION Click to enter section	TOWNSHIP Click to enter township	RANGE Click to enter range	BASE Click to enter base
WITHIN 2 MILES: STATE HIGHWAY NO. Click to enter		WITHIN 2 MILES: WATERWAYS Click to enter		
WITHIN 2 MILES: AIRPORTS Click to enter	WITHIN 2 MILES: RAILWAYS Click to enter		WITHIN 2 MILES: SCHOOLS Click to enter	

DOCUMENT TYPE

CEQA				NEPA		OTHER	
☐	NOP	☐	Supplemental EIR	☐	NOI	☐	Joint Document
☐	Early Cons	☐	Subsequent EIR	☐	EA	☐	Final Document
☐	ND	☐	(Prior SCH No.): Click to enter no.	☐	Draft EIS	☐	Other: Click to enter text
☐	MND	☐	Other: Click to enter text	☐	FONSI		
☒	Draft EIR						

LOCAL ACTION TYPE

☐	General Plan Update	☐	Specific Plan	☐	Rezone	☐	Annexation
☐	General Plan Amendment	☐	Master Plan	☐	Prezone	☐	Redevelopment
☐	General Plan Element	☐	Planned Unit Development	☐	Use Permit	☐	Coastal Permit
☐	Community Plan	☐	Site Plan	☐	Land Division (Subdivision, etc.)	☐	Other:

DEVELOPMENT TYPE

☐	Residential:	Units:	Acres:		☐	Water Facilities:	Type:	MGD:
☐	Office:	Sq. ft.	Acres:	Employees:	☐	Transportation:	Type:	

DEVELOPMENT TYPE

☐	Commercial:	Sq. ft.	Acres:	Employees:	☐	Mining:	Mineral:
☐	Industrial:	Sq. ft.	Acres:	Employees:	☐	Power:	Type: MW:
☐	Educational:				☐	Waste Treatment:	
☐	Recreational:				☐	Hazardous Waste	
					☐	Other:	

PROJECT ISSUES DISCUSSED IN DOCUMENT:					
☐	Aesthetic/Visual	☐	Geologic/Seismic	☐	Toxic/Hazardous
☐	Agricultural Land	☐	Minerals	☐	Traffic/Circulation
☐	Air Quality	☐	Noise	☐	Vegetation
☐	Archaeological/Historical	☐	Population/Housing Balance	☐	Water Quality
☐	Biological Resources	☐	Public Services/Facilities	☐	Water Supply/Groundwater
☐	Coastal Zone	☐	Recreation/Parks	☐	Wetland/Riparian
☐	Drainage/Absorption	☐	Schools/Universities	☐	Wildlife
☐	Economic/Jobs	☐	Septic Systems	☐	Growth Inducement
☐	Fiscal	☐	Sewer Capacity	☐	Land Use
☐	Flood Plain/Flooding	☐	Soil Erosion/Compaction/Grading	☐	Cumulative Effects
☐	Forest Land/Fire Hazard	☐	Solid Waste	☐	Greenhouse Gases
☐	Click to enter text				

PRESENT LAND USE/ZONING/GENERAL PLAN USE DESIGNATION:

Click to enter text

PROJECT DESCRIPTION (*please use a separate page if necessary*)

Click to enter text

NOTE: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice or Preparation or previous draft document) please fill in.

Revised 2010

	Reviewing Agencies Checklist *Appendix C* Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an **"X."** If you have already sent your document to the agency, please denote that with an **"S."**		
	Air Resources Board		Native American Heritage Commission
	Boating & Waterways, Department of		Office of Historic Preservation
	California Emergency Management Agency		Office of Public-School Construction
	California Highway Patrol		Parks & Recreation, Department of
	Caltrans District #		Pesticide Regulation, Department of
	Caltrans Division of Aeronautics		Public Utilities Commission
	Caltrans Planning		Regional WQCB #
	Central Valley Flood Protection Board		Resources Agency
	Coachella Valley Mountains Conservancy		Resources Recycling and Recovery, Department of
	Coastal Commission		S.F. Bay Conservation & Development Commission
	Colorado River Board		San Gabriel & Lower Los Angeles Rivers & Mountains Conservancy
	Conservation, Department of		San Joaquin River Conservancy
	Corrections, Department of		Santa Monica Mountains Conservancy
	Delta Protection Commission		State Lands Commission

	Reviewing Agencies Checklist *Appendix C* Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an **"X."** If you have already sent your document to the agency, please denote that with an **"S."**		
	Education, Department of		SWRCB: Clean Water Grants
	Energy Commission		SWRCB: Water Quality
	Fish & Wildlife Region #		SWRCB: Water Rights
	Food & Agriculture, Department of		Tahoe Regional Planning Agency
	Forestry & Fire Protection, Department of		Toxic Substances Control, Department of
	General Services, Department of		Water Resources, Department of
	Health Services, Department of		Other:
	Housing & Community Development		Other:

Local Public Review Period (to be filled in by lead agency):	
Starting Date: Click to enter date	Ending Date: Click to enter date
Address where copies of the Draft EIR are available and a description of how the Draft EIR can be provided in an electronic format:	Click to enter text

Lead Agency (Complete if applicable):	
Consulting Firm:	Click to enter Firm
Address:	Click to enter address
City/State/Zip:	Click to enter City/State/Zip
Contact:	Click to enter contact
Phone:	Click to enter phone no.

Applicant:	
Name:	Click to enter Applicant
Address:	Click to enter address
City/State/Zip:	Click to enter City/State/Zip
Phone:	Click to enter phone no.

Signature of Lead Agency Representative:	Date: Click to enter date
Name: Click to enter phone no.	Title: Click to enter phone no.

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

For SCH Use Only:
Date Received at SCH
Date Review Starts
Date to Agencies
Date to SCH
Clearance Date
Notes:

CITY OF ONTARIO PLANNING DEPARTMENT

Environmental Assessment Form

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

GENERAL REQUIREMENTS *(print or type)*:

Property Owner: _____

Address: _____

Telephone No.: _____ Fax No.: _____

Email: _____

Applicant: _____

Address: _____

Telephone No.: _____ Fax No.: _____

Email: _____

Applicant's Representative: _____

Address: _____

Telephone No.: _____ Fax No.: _____

Email: _____

(For staff use only)

File No.: _____

Related Files: _____

Date Filed: _____

Rec'd by: _____

Fees Paid: _____

Receipt No.: _____

PROJECT DESCRIPTION *(attach additional sheets if necessary)*:

PROJECT LOCATION:

General Location/Address of Project: _____

Assessor's Parcel No(s). *(Attach additional sheets if necessary)*: _____

PROJECT INFORMATION:

Current General Plan Designation: _____

Present Zoning: _____

Present use of site: _____

Does this proposal involve a zone change: ☐ Yes ☐ No

If yes, what is the proposed zoning: _____

Does this proposal involve a variance, conditional use permit or zone change: ☐ Yes ☐ No

If yes, indicate type and nature of request: _____

_____

Will the project require certification, authorization or issuance of a permit by any public agency other than the City of Ontario?

☐ Yes ☐ No

If yes, please indicate what agencies: _____

_____

_____

Site size: _____sq. ft. _____acres

Number of stories of construction: _____

Type of construction: _____

Amount of off-street parking provided: _____

Proposed scheduling: _____

Associated projects: _____

Anticipated incremental development: _____

For residential developments:

Number of units: _____

Unit size(s): (in sq. ft.): _____

_____

Anticipated sales prices or rents for each unit type: _____

_____

Anticipated household size for each unit type: _____

_____

For commercial developments:

Market/service area: ☐ Neighborhood ☐ City ☐ Regional

Building size(s) (in sq. ft.): _____

_____

For industrial developments:

Use: ☐ Warehouse/Distribution ☐ Manufacturing ☐ Multi-tenant ☐ Other: _____

Building size(s) (in sq. ft.):_____

_____

Estimated employees per shift: _____

No. dock-high loading doors by building: _____

No. trailer parking spaces by building: _____

For institutional developments:

Building size(s) (in sq. ft.): _____

Use/function: _____

Estimated employees per shift: _____

Estimated number of occupants by building: _____

Anticipated community benefits of project: _____

_____

_____

_____

_____

SCHOOL INFORMATION:

School District(s) serving site: _____

High School serving Site: _____

Junior High/Middle School serving site: _____

Elementary School serving site: _____

PROJECT IMPACTS *(attach additional sheets to respond to any "yes" answers)*:

Questions	***Yes***	***No***
(1) Will the project result in a substantial alteration of any hill or to ground contours?	☐	☐
(2) Will the project result in a change in scenic views or vistas from existing residential areas or public lands?	☐	☐
(3) Will the project result in a change in pattern, scale or character of the general area of the project?	☐	☐
(4) Will the project result in significant amounts of solid waste or litter?	☐	☐
(5) Will the project result in a change in dust, ash, smoke, fumes, or odors in the vicinity?	☐	☐
(6) Will the project result in a change in stream or ground water quality or quantity, or alteration of existing drainage patterns?	☐	☐
(7) Will the project result in a significant change in existing noise or vibration levels in the vicinity?	☐	☐
(8) Will the project result in a site on filled land or on a slope of 10 percent or more?	☐	☐
(9) Will the project result in the use of potentially hazardous materials, such as toxic substances, flammables or explosives?	☐	☐
(10) 1Will the project result in a substantial change in demand for municipal services (police, fire, water, sewage, etc.)?	☐	☐
(11) Will the project substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.)?	☐	☐
(12) Does the project have any relationship to a larger project or series of projects?	☐	☐

ENVIRONMENTAL SETTING:

Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. *(Attach additional sheets if necessary)*

Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (single-family residential, apartments, shopping center, office building, etc.), and the scale of development (height, frontage, setback, rear yard, etc.). *(Attach additional sheets if necessary)*

ENVIRONMENTAL INFORMATION CERTIFICATION:

I, the undersigned, hereby certify that the statements and information provided in this Environmental Information Form, and in any attached exhibits, present the data and information required for this evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date: _____ Signature: _____

Name (print or type): _____

Address: _____

_____

Daytime Phone: _____

Environmental Checklist

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

1. Project Title/File No.: Click to enter text.

2. Lead Agency: City of Ontario, 303 East B Street, Ontario, California 91764, (909) 395-2036

3. Contact Person: Click enter contact name , Phone: Click to enter contact phone #, Email: Click to enter contact email

4. Project Sponsor: Click enter Sponsor name ; Click to enter address , Click to enter city, state & zip

5. Project Location: The project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1 and 2, below, the project site is located at Click to enter project location.

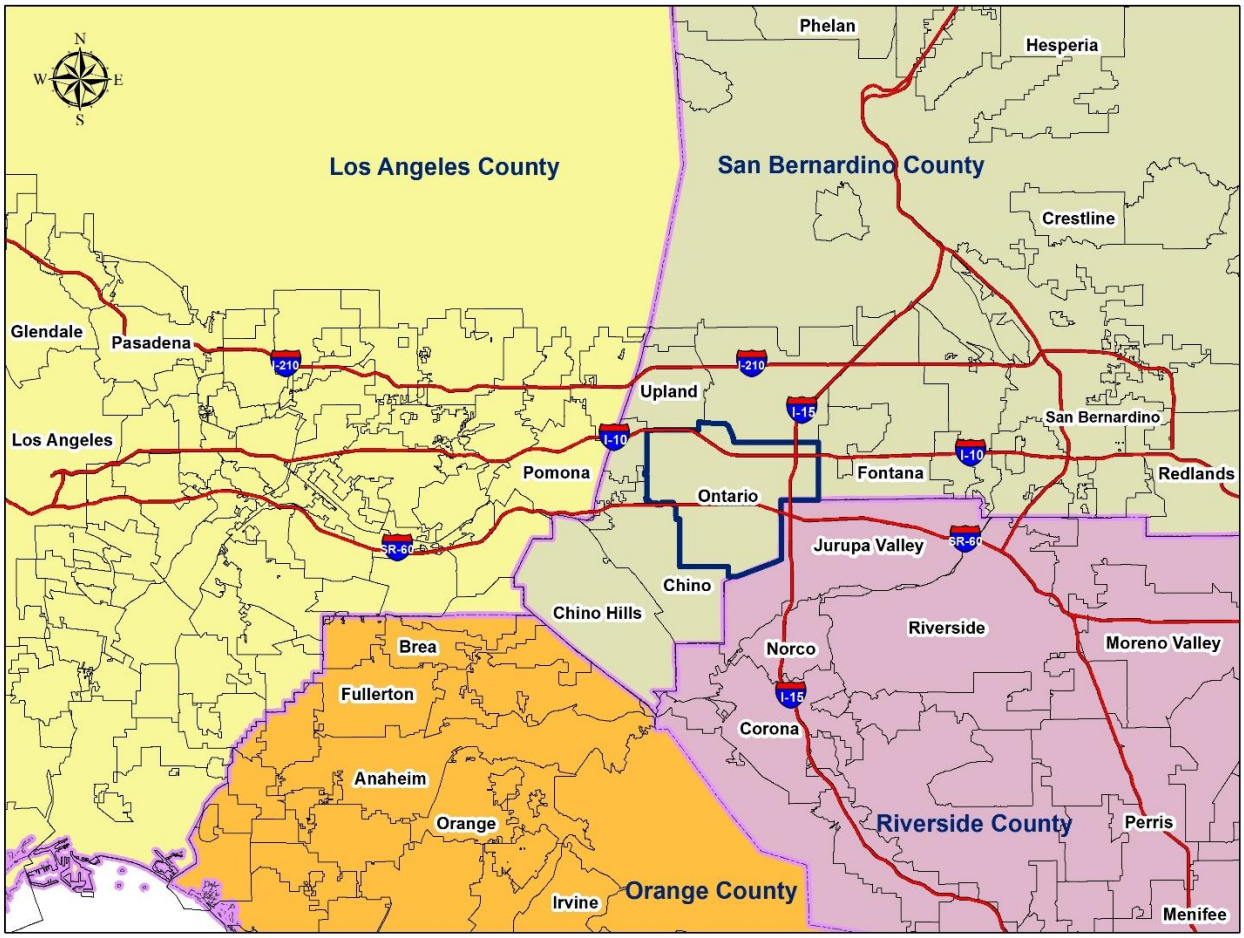

Figure 1: REGIONAL LOCATION MAP

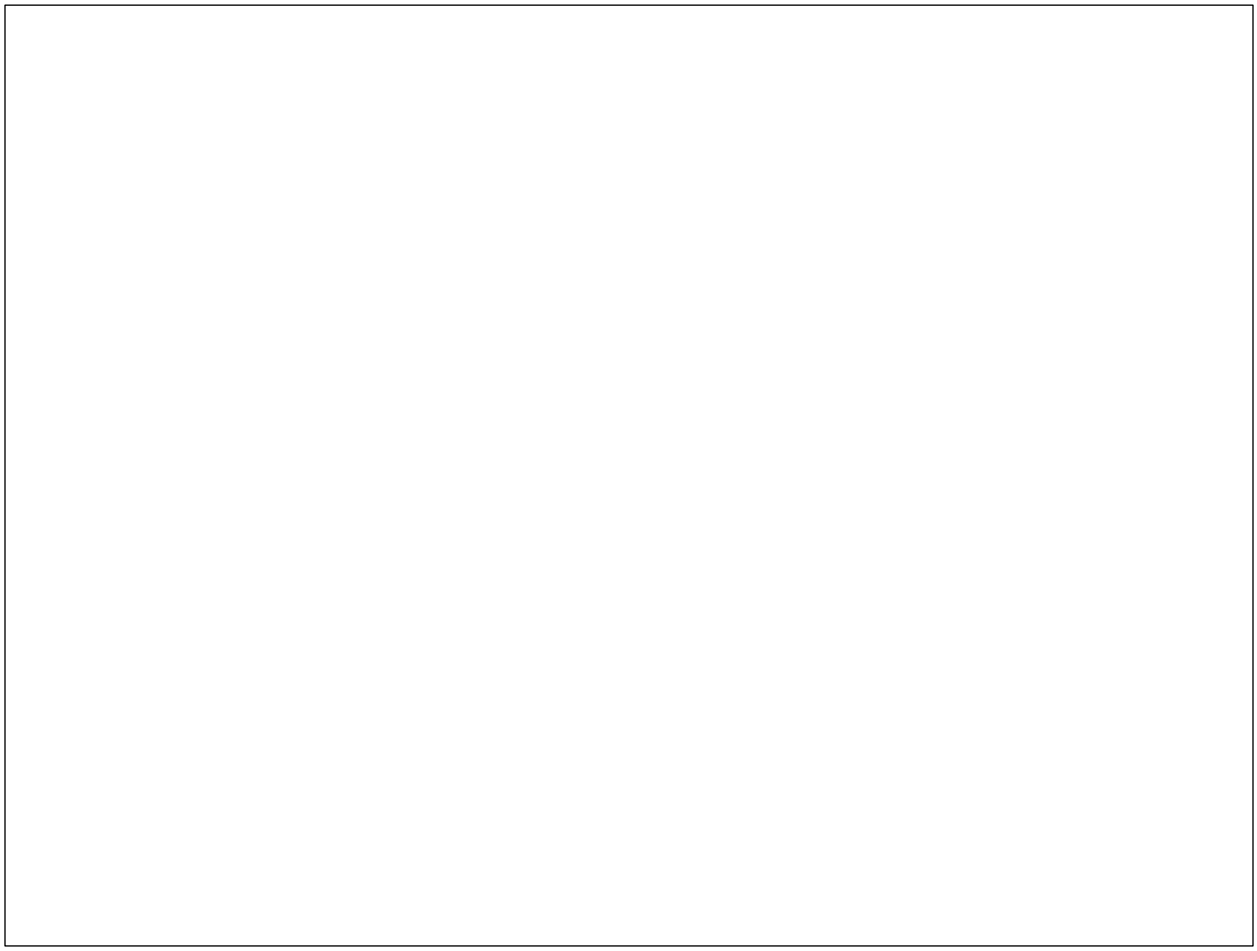

Figure 2: Aerial Site Photograph

6. Policy Plan (General Plan) Designation: Click to enter designation

7. Zoning Designation: Click to enter designation

8. Description of Project: Click to enter project description -- Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation

9. Project Setting: Click to enter project setting

10. Surrounding Land Uses:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site:	Click to enter text.	Click to enter text.	Click to enter text.	Click to enter text.
North:	Click to enter text.	Click to enter text.	Click to enter text.	Click to enter text.
South:	Click to enter text.	Click to enter text.	Click to enter text.	Click to enter text.
East:	Click to enter text.	Click to enter text.	Click to enter text.	Click to enter text.

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
West:	Click to enter text.	Click to enter text.	Click to enter text.	Click to enter text.

11. Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement): Click to enter text.

12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1?
☐Yes ☐ No

If "yes", has consultation begun? ☐ Yes ☐ No ☐ Completed

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature:	Date: Click to enter date
Printed Name: Click to enter name	For: City of Ontario

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from the "Earlier Analyses" Section may be cross-referenced).

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a. Earlier Analyses Used. Identify and state where they are available for review.

   b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to

applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

a. The significance criteria or threshold, if any, used to evaluate each question; and

b. The mitigation measure identified, if any, to reduce the impact to less than significance.

(Note: Example explanations have been provided. Add, remove, or replace as needed.)

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*No Impact*
1. AESTHETICS. Except as provided in Public Resources Code section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☐
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?)	☐	☐	☐	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☐
2. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining				

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*No Impact*
whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	v	☐	☐	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☐
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☐
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☐
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?	☐	☐	☐	☐
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☐
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?	☐	☐	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☐
4. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community	☐	☐	☐	☐

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				
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?	☐	☐	☐	☐
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?	☐	☐	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☐
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?	☐	☐	☐	☐
5. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	☐	☐	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☐	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☐	☐
6. ENERGY. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☐
7. GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☐
ii) Strong seismic ground shaking?	☐	☐	☐	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☐

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*No Impact*
iv) Landslides?	☐	☐	☐	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☐
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?	☐	☐	☐	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial direct or indirect risks to life or property?	☐	☐	☐	☐
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?	☐	☐	☐	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☐
8. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	☐	☐	☐	☐
9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☐
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?	☐	☐	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☐
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?	☐	☐	☐	☐
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?	☐	☐	☐	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death	☐	☐	☐	☐

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*No Impact*
involving wildland fires?				
10. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☐
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:				
i) Result in substantial erosion or siltation on- or off-site;	☐	☐	☐	☐
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☐	☐
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☐	☐
d) Impede or redirect flood flows?	☐	☐	☐	☐
e) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☐
f) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☐
11. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	☐	☐	☐	☐
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?	☐	☐	☐	☐
12. MINERAL RESOURCES. Would the project:				
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?	☐	☐	☐	☐
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?	☐	☐	☐	☐
13. NOISE. Would the project result in:				
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 groundborne vibration or	☐	☐	☐	☐

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*No Impact*
groundborne 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?	☐	☐	☐	☐
14. POPULATION AND HOUSING. Would the project:				
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 road or other infrastructure)?	☐	☐	☐	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☐
15. PUBLIC SERVICES. Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	☐	☐	☐	☐
ii) Police protection?	☐	☐	☐	☐
iii) Schools?	☐	☐	☐	☐
iv) Parks?	☐	☐	☐	☐
v) Other public facilities?	☐	☐	☐	☐
16. RECREATION.				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	☐	☐	☐	☐
17. TRANSPORTATION. Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☐
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☐	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm	☐	☐	☐	☐

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*No Impact*
equipment)?				
d) Result in inadequate emergency access?	☐	☐	☐	☐
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:				
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	☐	☐	☐	☐
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 Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☐
19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☐
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?	☐	☐	☐	☐
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?	☐	☐	☐	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☐
20. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	☐	☐	☐	☐
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a	☐	☐	☐	☐

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
wildfire or the uncontrolled spread of a wildfire?				
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?	☐	☐	☐	☐
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?	☐	☐	☐	☐
21. MANDATORY FINDINGS OF SIGNIFICANCE. (State CEQA Guidelines section 15065(a).)				
a) Does the project 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?	☐	☐	☐	☐
b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	☐	☐	☐	☐
c) Does the project 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 past projects, the effects of other current project, and the effects of probable future projects.)	☐	☐	☐	☐
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☐
Note: Authority cited: Public Resources Code sections 21083, 21083.05, 21083.09. Reference: Gov. Code section 65088.4; Public Resources Code sections 21073, 21074, 21080(c), 21080.1, 21080.3, 21080.3.1, 21080.3.2, 21082.3, 21083, 21083.3, 21083.5, 21084.2, 21084.3, 21093, 21094, 21095 and 21151; *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey County Board of Supervisors* (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.				

EXPLANATION OF ISSUES

1. AESTHETICS. Would the project:

   a. Have a substantial adverse effect on a scenic vista?

Discussion of Effects: The Policy Plan (General Plan) does not identify scenic vistas within the City. However, the Policy Plan (Policy CD1-5) requires all major require north-south streets be designed and redeveloped to feature views of the San Gabriel Mountain. The project site is located at [insert], [a major north-south arterial street], as identified in the Functional Roadway Classification Plan (Figure M-2) of the Mobility Element within the Policy Plan. Therefore, no adverse

impacts are anticipated in relation to the project.

Mitigation: None required.

b. Substantially damage scenic resources, including, but not limited to, tress, rock outcroppings and historic buildings within a state scenic highway?

Discussion of Effects: The City of Ontario is served by three freeways: I-10, I-15, and SR-60. I-10 and SR-60 traverse the northern and central portion of the City, respectively, in an east–west direction. I-15 traverses the northeastern portion of the City in a north–south direction. These segments of I-10, I-15, and SR-60 have not been officially designated as scenic highways by the California Department of Transportation. In addition, there are no historic buildings or any scenic resources identified on or in the vicinity of the project site. Therefore, it will not result in adverse environmental impacts.

Mitigation: None required.

c. Substantially degrade the existing visual character or quality of the site and its surroundings?

Discussion of Effects: The project would not degrade the existing visual character or quality of the site or its surroundings. The project site is located in an area that is characterized by [insert] development and is surrounded by urban land uses.

The proposed project will substantially improve the visual quality of the area through development of the site with [insert], which will be consistent with the policies of the Community Design Element of the Policy Plan (General Plan) and zoning designations on the property, as well as with the [insert]development in the surrounding area. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Discussion of Effects: New lighting will be introduced to the site with the development of the project. Pursuant to the requirements of the City's Development Code, project on-site lighting will be shielded, diffused or indirect, to avoid glare to pedestrians or motorists. In addition, lighting fixtures will be selected and located to confine the area of illumination to within the project site and minimize light spillage.

Site lighting plans will be subject to review by the Planning Department and Police Department prior to issuance of building permits (pursuant to the City's Building Security Ordinance). Therefore, no adverse impacts are anticipated.

Mitigation: None required.

2. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including

the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Discussion of Effects: The site is presently vacant and does not contain any agricultural uses. Further, the site is identified as [insert] on the map prepared by the California Resources Agency, pursuant to the Farmland Mapping and Monitoring Program. As a result, no adverse environmental impacts are anticipated.

Mitigation: None required.

b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Discussion of Effects: The project site is not zoned for agricultural use. The project site zoned is [insert]. The proposed project is consistent with the development standards and allowed land uses of the proposed zone. Furthermore, there is no Williamson Act contract in effect on the subject site. Therefore, no impacts to agricultural uses are anticipated, nor will there be any conflict with existing or Williamson Act contracts.

Mitigation: None required.

c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)?

Discussion of Effects: The project is zoned [insert]. The proposed project is consistent with the Land Use Element (Figure LU-6) of the Policy Plan (General Plan) and the development standards and allowed land uses of the [insert] zone. Therefore, no adverse impacts are anticipated.

[ALTERNATE DISCUSSION#1: The project site is zoned [insert]. To accommodate the proposed project, the applicant has requested a rezoning of the project site from [insert] to [insert]. The proposed rezoning of the project site would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production because such land use designations do not exist within the City of Ontario. The proposed rezoning would be consistent with The Ontario Plan and the development standards and allowed land uses of the [insert] zone. Therefore, no adverse impacts are anticipated.]

Mitigation: None required.

d. Result in the loss of forest land or conversion of forest land to non-forest use?

Discussion of Effects: There is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code section 12220(g). Neither The Ontario Plan nor the City's Zoning Code provide designations for forest land. Consequently, the proposed project would not result in the loss or conversion of forest land.

Mitigation: None required.

e. Involve other changes in the existing environment, which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use or conversion of forest land to non-forest use?

Discussion of Effects: The project site is currently zoned [insert] and is not designated as Farmland. The project site is currently vacant and there are no agricultural uses occurring onsite. As a result, to the extent that the project would result in changes to the existing environment those changes would not result in loss of Farmland to non-agricultural use.

Additionally, there is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither The Ontario Plan nor the City's Zoning Code provide designations for forest land. Consequently, to the extent that the proposed project would result in changes to the existing environment, those changes would not impact forest land.

Mitigation Required: None required.

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

a. Conflict with or obstruct implementation of the applicable air quality plan?

Discussion of Effects: The project will not conflict with or obstruct implementation of any air quality plan. As noted in The Ontario Plan FEIR (Section 5.3), pollutant levels in the Ontario area already exceed Federal and State standards. To reduce pollutant levels, the City of Ontario is actively participating in efforts to enhance air quality by implementing Control Measures in the Air Quality Management Plan for local jurisdictions within the South Coast Air Basin.

The proposed project is consistent with The Ontario Plan, for which the EIR was prepared and impacts evaluated. Furthermore, the project is consistent with the City's participation in the Air Quality Management Plan and, because of the project's limited size and scope, will not conflict with or obstruct implementation of the plan. However, out of an abundance of caution, the project will use low emission fuel, use low VOC architectural coatings and implement an alternative transportation program (which may include incentives to participate in carpool or vanpool) as recommended by the South Coast Air Quality Management District's Air Quality modeling program.

Mitigation: None required.

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?

Discussion of Effects: The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment under an applicable federal or state ambient air quality because of the limited size and scope of the project. Although no impacts are anticipated, the project will still comply with the air quality standards of the TOP FEIR and the SCAQMD resulting in impacts that are less than significant [please refer to Sections 3(a) and 3(b)].

Short term air quality impacts will result from construction related activities associated with construction activity, such as excavation and grading, machinery and equipment emissions, vehicle emissions from construction employees, etc. The daily emissions of nitrogen oxides and particulates from resulting grading and vehicular emissions may exceed threshold levels of the

South Coast Air Quality Management District (SCAQMD).

Mitigation: The following fugitive dust mitigation measures shall be required:

i. Use of dust control during clearing, grading and construction. Fugitive dust generated during cleaning, grading, earth moving or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures. If freshwater resources are too precious to waste on dust control, availability of brackish or reclaimed water sources shall be investigated. Soil disturbance shall be terminated when high winds (25 mph or greater) make dust control extremely difficult.

ii. Minimization of construction interference with regional non-project traffic movement. Impacts shall be reduced to below a level of significance by the following mitigation measures:

(1) Scheduling receipt of construction materials to non-peak travel periods.

(2) Routing construction traffic through areas of least impact sensitivity.

(3) Limiting lane closures and detours to off-peak travel periods.

(4) Providing rideshare incentives for contractor and subcontractor personnel.

iii. After clearing, grading or earth moving:

(1) Seed and water until plant cover is established;

(2) Spread soil binders;

(3) Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind; and

(4) Reduce "spill-over" effects by washing vehicles entering public roadways from dirt off road project areas and washing/sweeping project access to public roadways on an adequate schedule.

iv. Emissions control from on-site equipment through a routine, mandatory program of low-emission tune-ups.

c. Expose sensitive receptors to substantial pollutant concentrations?

Discussion of Effects: Sensitive receptors are defined as populations that are more susceptible to the effects of pollution than the population at large. The SCAQMD identifies the following as sensitive receptors: long-term health care facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, childcare centers, and athletic facilities. According to the SCAQMD, projects have the potential to create significant impacts if they are located within one-quarter mile of sensitive receptors and would emit toxic air contaminants identified in SCAQMD Rule 1401.

The project will not expose sensitive receptors to any increase in pollutant concentrations because there are no sensitive receptors located within close proximity of the project site. Further, there is limited potential for sensitive receptors to be located within close proximity of the site because the project site will be zoned [Insert] at the time of project approval. The types of uses that would potentially impact sensitive receptors would not be supported on the property pursuant to the Land Use Element (Figure LU-6) of the Policy Plan (General Plan) and zoning

designations on the property. Therefore, no adverse impacts are anticipated.

[ALTERNATE DISCUSSION: The application itself proposes the construction of residential units, a sensitive receptor. There are not, however, any known hot spots or heavy concentrations of pollutants in the area that would expose residents to potential adverse impacts.]

Mitigation: None required.

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

Discussion of Effects: The uses proposed on the subject site, as well as those permitted within the [Insert] zoning district, do not create objectionable odors. Further, the project shall comply with the policies of the Ontario Municipal Code and the Policy Plan (General Plan). Therefore, no adverse impacts are anticipated.

Mitigation: None required.

4. BIOLOGICAL RESOURCES. Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion of Effects: The project site is located within an area that has not been identified as containing 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 the U.S. Fish and Wildlife Service. Therefore, no adverse impacts are anticipated.

[ALTERNATE DISCUSSION #1: The site is located within Delhi Soil, potential habitat for the Delhi Sand Flower-loving Fly (DSF), a federally listed, endangered species. In response, protocol level surveys, in accordance with U.S. Fish & Wildlife requirements, have been conducted over the subject site during four of the last two years. In each case, no DSF were observed. As a result, the site is not considered habitat and no adverse impact to DSF is anticipated.]

[ALTERNATE DISCUSSION #2: The existing vacant site provides potential habitat for the western burrowing owl (Athene cunicularia hypugea). A focused survey was conducted of the site on [enter date] by [enter consultant name] (report on file with the Planning Department) and no burrowing owls were observed. Therefore, no adverse impact on the burrowing owl is anticipated. However, because the burrowing owl is a transient species, a focused survey prior to ground disturbing construction activities will be required.]

Mitigation: None required.

[BURROWING OWL MITIGATION: Thirty to ninety days prior to ground disturbing construction-related activities, a focused survey for the burrowing owl shall be conducted by aqualified biologist. Should the burrowing owl be located on the project site, the following mitigation measures shall be complied with:

Occupied burrows should not be disturbed during nesting season (February 1 through August 31) unless a qualified biologist verifies through non-invasive methods that either the birds have not begun egg-laying and incubation, or that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

If owls must be moved away from the disturbance area, passive relocation techniques should be used. At least one or more weeks will be necessary to accomplish this and allow the owls to acclimate to alternate burrows.]

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion of Effects: The site does not contain any riparian habitat or other sensitive natural community identified by the Department of Fish & Game or Fish & Wildlife Service. Therefore, no adverse environmental impacts are anticipated.

Mitigation: None required.

c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Discussion of Effects: No wetland habitat is present on site. Therefore, project implementation would have no impact on these resources.

Mitigation: None required.

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?

Discussion of Effects: The site is part of a larger vacant property that is bounded on all four sides by development. As a result, there are no wildlife corridors connecting this site to other areas. Therefore, no adverse environmental impacts are anticipated.

Mitigation: None required.

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Discussion of Effects: The City of Ontario does not have any ordinances protecting biological resources. Further, the site does not contain any mature trees necessitating the need for preservation. As a result, no adverse environmental impacts are anticipated.

Mitigation: None required.

f. Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan?

Discussion of Effects: The site is not part of an adopted HCP, NCCP or other approved habitat conservation plan. As a result, no adverse environmental impacts are anticipated.

Mitigation: None required.

5. CULTURAL RESOURCES. Would the project:

a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

Discussion of Effects:

[ALTERNATE DISCUSSION#1: The project site is vacant and does not contain any buildings, structures, or objects. Therefore, no adverse impacts are anticipated.

ALTERNATE DISCUSSION#2: The project proposes demolition and/or alterations of existing buildings that were not constructed more than 50 years of age and cannot be considered for eligibility for listing in the California Register of Historic Resources. Therefore, no adverse impacts are anticipated.

ALTERNATE DISCUSSION#3: The project proposal of a (Conditional Use Permit) does not require the exterior alteration and/or demolition of existing buildings, structures, or objects. Therefore, no adverse impacts are anticipated.

ALTERNATE DISCUSSION#4: The project proposes exterior alteration and/or demolition of buildings that were constructed more than 50 years ago. As such, a qualified professional, per the Secretary of Interior Standards and Guidelines, has prepared a DPR523 A (reconnaissance level) and DPR523B (intensive level) surveys recorded, if determined necessary by Planning Department staff. The results of the Survey concluded that [insert].

Mitigation: None required.

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Discussion of Effects: The Ontario Plan FEIR (Section 5.5) indicates no archeological sites or resources have been recorded in the City with the Archeological Information Center at San Bernardino County Museum. However, only about 10 percent of the City of Ontario has been adequately surveyed for prehistoric or historic archaeology. While no adverse impacts to archeological resources are anticipated at this site due to its urbanized nature, standard conditions have been imposed on the project that in the event of unanticipated archeological discoveries, construction activities will not continue or will moved to other parts of the project site and a qualified archaeologist shall be contacted to determine significance of these resources. If the find is discovered to be historical or unique archaeological resources, as defined in Section 15064.5 of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

Mitigation: None required.

c. Disturb any human remains, including those interred outside of dedicated cementaries?

Discussion of Effects: The proposed project is in an area that has been previously disturbed by development. No known religious or sacred sites exist within the project area. Thus, human remains are not expected to be encountered during any construction activities. However, in the unlikely event that human remains are discovered, existing regulations, including the California Public Resources Code Section 5097.98, would afford protection for human remains discovered during development activities. Furthermore, standard conditions have been imposed on the project that in the event of unanticipated discoveries of human remains are identified during excavation, construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and/or Native American consultation has been completed, if deemed applicable.

Mitigation: None required.

6. ENERGY. Would the project:

a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Discussion of Effects: The main forms of available energy supply are electricity, natural gas, and oil. A description of the 2016 California Green Building Standards Code and the Building Energy Efficiency Standards, with which the proposed project would be required to comply, as well as discussions regarding the proposed project's potential effects related to energy demand during construction and operations are provided below.

California Green Building Standards Code. The 2016 California Green Building Standards Code, otherwise known as the CALGreen Code (CCR Title 24, Part 11), is a portion of the California Building Standards Code (CBSC), which became effective with the rest of the CBSC on January 1, 2017. The purpose of the CALGreen Code is to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices. The provisions of the code apply to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure throughout California. Requirements of the CALGreen Code include, but are not limited to, the following measures:

- Compliance with relevant regulations related to future installation of electric vehicles charging infrastructure in residential and non-residential structures;
- Indoor water use consumption is reduced through the establishment of maximum fixture water use rates;
- Outdoor landscaping must comply with the California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), or a local ordinance, whichever is more stringent to reduce outdoor water use;
- Diversion of 65 percent of construction and demolition waste from landfills;
- Mandatory use of low-pollutant emitting interior finish materials such as paints, carpet, vinyl flooring, and particle board; and
- For some single-family and low-rise residential development developed after January 1, 2020, mandatory on-site solar energy systems capable of producing 100 percent of the electricity demand created by the residence(s). Certain residential developments, including those developments that are subject to substantial shading, rendering the use of on-site solar photovoltaic systems infeasible, are exempted from the foregoing requirement.

Building Energy Efficiency Standards. The 2016 Building Energy Efficiency Standards is a portion of the CBSC, which expands upon energy efficiency measures from the 2013 Building Energy Efficiency Standards resulting in a 28 percent reduction in energy consumption from the 2013 standards for structures. Energy reductions relative to previous Building Energy Efficiency Standards are achieved through various regulations including requirements for the use of high-efficacy lighting, improved water heating system efficiency, and high-performance attics and walls.

Construction Energy Use. Construction of the proposed project would proceed in compliance with applicable State standards and adhere to energy reductions measures identified in the County's Greenhouse Gas Emissions Reduction Plan, the Project's construction energy use would not conflict with nor obstruct a state or local plan for renewable energy or energy efficiency.

Mitigation: None required.

7. GEOLOGY & SOILS. Would the project:

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Ontario Plan FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. Given that the closest fault zone is located more than ten miles from the project site, fault rupture within the project area is not likely. All development will comply with the Uniform Building Code seismic design standards to reduce geologic hazard susceptibility. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

ii. Strong seismic ground shaking?

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Land Use Plan (Figure LU-6) of the Policy Plan (General Plan) FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. The closest fault zone is located more than ten miles from the project site. The proximity of the site to the active faults will result in ground shaking during moderate to severe seismic events. All construction will be in compliance with the California Building Code, the Ontario Municipal Code, The Ontario Plan and all other ordinances adopted by the City related to construction and safety. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

iii. Seismic-related ground failure, including liquefaction?

Discussion of Effects: As identified in the TOP FEIR (Section 5.7), groundwater saturation of sediments is required for earthquake induced liquefaction. In general, groundwater depths shallower than 10 feet to the surface can cause the highest liquefaction susceptibility. Depth to ground water at the project site during the winter months is estimated to be between 250 to 450 feet below ground surface. Therefore, the liquefaction potential within the project area is minimal. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: None required.

iv. Landslides?

Discussion of Effects: The project would not expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving landslides because the relatively flat topography of the project site (less than 2 percent slope across the city) makes the chance of landslides remote. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal Code would reduce impacts to a less than significant level.

Mitigation: None required.

b. Result in substantial soil erosion or the loss of topsoil?

Discussion of Effects: The project will not result in significant soil erosion or loss of topsoil because of the previously disturbed and developed nature of the project site and the limited size and scope of the project. Grading increases the potential for erosion by removing protective vegetation, changing natural drainage patterns, and constructing slopes. However, compliance with the California Building Code and review of grading plans by the City Engineer will ensure no significant impacts will occur. In addition, the City requires an erosion/dust control plan for projects located within this area. Implementation of a NPDES program, the Environmental Resource Element of the Policy Plan (General Plan) strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: The following mitigation measures shall be implemented:

i. Prior to issuance of grading permits, the applicant shall submit an erosion control plan to reduce wind erosion impacts.

ii. Fugitive dust generated during cleaning, grading, earth moving or excavation should be controlled by regular watering, paving of construction roads, or other dust-preventative measures.

iii. After clearing, grading, or earth moving:

(1) Seed and water until plant cover is established;

(2) Spread soil binders;

(3) Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind; and

(4) Sweep streets if silt is carried to adjacent public thoroughfares.

iv. Obtain authorization to discharge storm water under an NPDES construction storm water permit and pay appropriate fees.

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?

Discussion of Effects: The project would not result in the location of development on a geologic unit or soil that is unstable, or that would become unstable because as previously discussed, the potential for liquefaction and landslides associated with the project is less than significant. The Ontario Plan FEIR (Section 5.7) indicates that subsidence is generally associated with large decreases or withdrawals of water from the aquifer. The project would not withdraw water from the existing aquifer. Further, implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: None required.

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Discussion of Effects: The majority of Ontario, including the project site, is located on alluvial soil deposits. These types of soils are not considered to be expansive. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

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?

Discussion of Effects: The area is served by the local sewer system and the use of alternative systems is not necessary. There will be no impact to the sewage system.

Mitigation: None required.

8. GREENHOUSE GAS EMISSIONS. Would the project:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Discussion of Effects: The impact of buildout of The Ontario Plan on the environment due to the emission of greenhouse gases ("GHGs") was analyzed in the Environmental Impact Report ("EIR") for the Policy Plan (General Plan). According to the EIR, this impact would be significant and unavoidable. (Re-circulated Portions of the Ontario Plan Draft Environmental Impact Report, p. 2-118.) This EIR was certified by the City on January 27, 2010, at which time a statement of overriding considerations was also adopted for The Ontario Plan's significant and unavoidable impacts, including that concerning the emission of greenhouse gases.

Pursuant to Public Resources Code section 21083.3, this impact need not be analyzed further, because (1) the proposed project would result in an impact that was previously analyzed in The Ontario Plan EIR, which was certified by the City; (2) the proposed project would not result in any greenhouse gas impacts that were not addressed in The Ontario Plan EIR; (3) the proposed project is consistent with The Ontario Plan.

As part of the City's certification of The Ontario Plan EIR and its adoption of The Ontario Plan, the City adopted mitigation measures 6-1 through 6-6 with regard to the significant and unavoidable impact relating to GHG emissions. These mitigation measures, in summary, required:

MM 6-1. The city is required to prepare a Climate Action Plan (CAP).

MM 6-2. The city is required to consider for inclusion in the CAP a list of emission reduction measures.

MM 6-3. The city is required to amend its Municipal Code to incorporate a list of emission reduction concepts.

MM 6-4. The city is required to consider the emission reduction measures and concepts contained in MMs 6-2 and 6-3 when reviewing new development prior to adoption of the CAP.

MM 6-5. The city is required to evaluate new development for consistency with the Sustainable Communities Strategy, upon adoption by the Southern California Association of Governments.

MM 6-6. The city is required to participate in San Bernardino County's Green Valley Initiative.

While Public Resources Code section 21083.3 requires that relevant mitigation measures from a General Plan EIR be imposed on a project that is invoking that section's limited exemption from CEQA, these mitigation measures impose obligations on the City, not applicants, and hence are not directly relevant. However, the mitigation proposed below carries out, on a project-level, the intent of The Ontario Plan's mitigation on this subject.

Mitigation Required: The following mitigation measures shall be required:

i. The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR's MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project:

ii. Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and install or replace vegetation with drought-tolerant , low-maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects;

iii. Require all new landscaping irrigation systems installed 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;

iv. Reduce heat gain from pavement and other similar hardscaping;

v. [*list the applicable emission reduction measures from mitigations measures 6-2 and 6-3*] [*This mitigation measure to be used prior to the City's adoption of the CAP*]

b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Discussion of Effects: The proposed project is consistent with The Ontario Plan Goal ER 4 of improving air quality by, among other things, implementation of Policy ER4-3, regarding the reduction of greenhouse gas emissions in accordance with regional, state and federal regulations. In addition, the proposed project is consistent with the policies outlined in Section 5.6.4 of the Environmental Impact Report for The Ontario Plan, which aims to reduce the City's contribution of greenhouse gas emissions at build-out by fifteen (15%), because the project is upholding the applicable City's adopted mitigation measures as represented in 6-1 through 6-6. Therefore, the proposed project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

Mitigation Required: None required.

9. HAZARDS & HAZARDOUS MATERIALS. Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?

Discussion of Effects: The project is not anticipated to involve the transport, use or disposal of hazardous materials during either construction or project implementation. Therefore, no adverse impacts are anticipated. However, in the unlikely event of an accident, implementation of the strategies included in The Ontario Plan will decrease the potential for health and safety risks from hazardous materials to a less than significant impact.

Mitigation: None required.

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?

Discussion of Effects: The proposed project does not include the use of hazardous materials or volatile fuels. In addition, there are no known stationary commercial or industrial land uses within close proximity to the subject site, which use/store hazardous materials to the extent that they would pose a significant hazard to visitors/occupants to the subject site, in the event of an upset condition resulting in the release of a hazardous material.

Mitigation: None required.

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?

Discussion of Effects: The proposed project does not include the use, emissions or handling of hazardous or acutely hazardous materials, substances or waste. Therefore, no impacts are anticipated.

Mitigation: None required.

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?

Discussion of Effects: The proposed project site is not listed on the hazardous materials site compiled pursuant to Government Code Section 65962.5. Therefore, the project would not create a hazard to the public or the environment and no impact is anticipated.

Mitigation: None required.

e. For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?

Discussion of Effects: According to Land Use Element (Exhibit LU-06 Airport Environs) of the Policy Plan (General Plan), the proposed site is located within the airport land use plan. However, the project will not result in a safety hazard for people working or residing in the project area because it will not obstruct aircraft maneuvering because of the project's low elevation and the architectural style of the project. Additionally, the Land Use Compatibility Guidelines for Noise Impacts (Table LU-08) shows the proposed use as normally accepted in the 65 CNEL. The proposed use will comply with standards for mitigating noise. Therefore, any impacts would be reduced to a less than significant level.

Mitigation: None required.

f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

Discussion of Effects: The project site is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.

Mitigation: None required.

g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Discussion of Effects: The City's Safety Element, as contained within The Ontario Plan, includes policies and procedures to be administered in the event of a disaster. The Ontario Plan seeks interdepartmental and inter-jurisdictional coordination and collaboration to be prepared for, respond to and recover from everyday and disaster emergencies. In addition, the project will comply with the requirements of the Ontario Fire Department and all City requirements for fire and other emergency access. Because the project is required to comply with all applicable City codes, any impacts would be reduced to a less than significant level.

Mitigation: None required.

h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Discussion of Effects: The project site is not located in or near wildlands. Therefore, no impacts are anticipated.

Mitigation: None required.

10. HYDROLOGY & WATER QUALITY. Would the project:

a. Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?

Discussion of Effects: The project site is served by City water and sewer service and will not affect water quality standards or waste discharge requirements. Discharge of storm water pollutants from areas of materials storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing, waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work) areas could result in a temporary increase in the amount of suspended solids, trash and debris, oil and grease, organic compounds, pesticides, nutrients, heavy metals and bacteria pathogens in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is required to comply with the statewide National Pollutant Discharge Elimination System (NPDES) General Industrial Activities Stormwater Permit, the San Bernardino County Area-Wide Urban Runoff Permit (MS4 permit) and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)). This would reduce any impacts to below a level of significance.

Mitigation: None required.

b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local

groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Discussion of Effects: No increases in the current amount of water flow to the project site are anticipated, and the proposed project will not deplete groundwater supplies, nor will it interfere with recharge. The water use associated with the proposed use of the property will be negligible. The development of the site will require the grading of the site and excavation is expected to be less than three feet and would not affect the existing aquifer, estimated to be about 230 to 250 feet below the ground surface. No adverse impacts are anticipated.

Mitigation: None required.

c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site or volume of storm water runoff to cause environmental harm or potential for significant increases in erosion of the project site or surrounding areas?

Discussion of Effects: It is not anticipated that the project would alter the drainage pattern of the site or area, in a manner that would result in erosion, siltation or flooding on-or-off site nor will the proposed project increase the erosion of the subject site or surrounding areas. The existing drainage pattern of the project site will not be altered and it will have no significant impact on downstream hydrology. Stormwater generated by the project will be discharged in compliance with the statewide NPDES General Construction Activities Stormwater Permit and San Bernardino County MS4 permit requirements. With the full implementation of a Storm Water Pollution Prevention Plan developed in compliance with the General Construction Activities Permit requirements, the Best Management Practices included in the SWPPP, and a stormwater monitoring program would reduce any impacts to below a level of significance. No streams or streambeds are present on the site. No changes in erosion off-site are anticipated.

Mitigation: None required.

d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site or potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?

Discussion of Effects: The proposed project is not anticipated to increase the flow velocity or volume of storm water runoff to cause environmental harm from the site and will not create a burden on existing infrastructure. Furthermore, with the implementation of an approved Water Quality Management Plan developed for the site, in compliance with the San Bernardino County MS4 Permit requirements, stormwater runoff volume shall be reduced to below a level of significance.

Mitigation: None required.

e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff (a&b) during construction and/or post-construction activity?

Discussion of Effects: It is not anticipated that the project would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or create or contribute stormwater runoff pollutants during construction and/or post-construction activity. Pursuant to the requirements of The Ontario Plan, the City's Development Code, and the

San Bernardino County MS4 Permit's "Water Quality Management Plan" (WQMP), individual developments must provide site drainage and WQMP plans according to guidelines established by the City's Engineering Department. If master drainage facilities are not in place at the time of project development, then standard engineering practices for controlling post-development runoff may be required, which could include the construction of on-site storm water detention and/or retention/infiltration facilities. Therefore, no impacts are anticipated.

Mitigation: None required.

f. Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?

Discussion of Effects: Activities associated with the construction period, could result in a temporary increase in the amount of suspended solids in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is required to comply with the statewide NPDES General Construction Permit and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)) to minimize water pollution. Thus it is anticipated that there is no potential for discharges of stormwater during construction that will affect the beneficial uses of the receiving waters. However, with the General Construction Permit requirement and implementation of the policies in The Ontario Plan, any impacts associated with the project would be less than significant.

Mitigation: None required.

g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

Discussion of Effects: The project site is not located within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. Therefore, no impacts are anticipated.

Mitigation: None required.

h. Place within a 100-year flood hazard area, structures that would impede or redirect flood flows?

Discussion of Effects: As identified in the Safety Element (Exhibit S-2) of the Policy Plan (General Plan), the site lies outside of the 100-year flood hazard area. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Discussion of Effects: As identified in the Safety Element (Exhibit S-2) of The Ontario Plan, the site lies outside of the 100-year flood hazard area. No levees or dams are located near the project site. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

j. Expose people or structures to inundation by seiche, tsunami or mudflow?

Discussion of Effects: There are no lakes or substantial reservoirs near the project site;

therefore, impacts from seiche are not anticipated. The City of Ontario has relatively flat topography, less than two percent across the City, and the chance of mudflow is remote. Therefore, no impacts are anticipated.

Mitigation: None required.

11. LAND USE & PLANNING. Would the project:

a. Physically divide an established community?

Discussion of Effects: The project site is located in an area that is currently developed with urban land uses. This project will be of similar design and size to surrounding development. The project will become a part of the larger [Click here and type] community. No adverse impacts are anticipated.

Mitigation: None required.

b. Conflict with applicable land use plan, policy or regulation of agencies with jurisdiction over the project (including, but not limited to general plan, airport land use compatibility plan, specific plan, or development code) adopted for the purpose of avoiding or mitigation an environmental effect?

Discussion of Effects: The proposed project is consistent with The Ontario Plan and does not interfere with any policies for environmental protection. As such, no impacts are anticipated.

Mitigation: None required.

c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

Discussion of Effects: There are no adopted habitat conservation plans in the project area. As such no conflicts or impacts are anticipated.

Mitigation: None required.

12. MINERAL RESOURCES. Would the project:

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?

Discussion of Effects: The project site is located within a mostly developed area surrounded by urban land uses. There are no known mineral resources in the area. Therefore, no impacts are anticipated.

Mitigation: None required.

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?

Discussion of Effects: There are no known mineral resources in the area. No impacts are anticipated.

Mitigation: None required.

13. NOISE. Would the project result in:

a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Discussion of Effects: The project will not expose people to or generate noise levels in excess of standards as established in The Ontario Plan FEIR (Section 5.12). No additional analysis will be required at the time of site development review.

Mitigation: None required.

b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Discussion of Effects: The uses associated with this project normally do not induce groundborne vibrations. As such, no impacts are anticipated.

Mitigation: None required.

c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Discussion of Effects: The project will not be a significant noise generator and will not cause a substantial permanent increase in ambient noise levels because of the limited size and scope of the project. Moreover, the proposed use will be required to operate within the noise levels permitted for commercial development, pursuant to City of Ontario Development Code. Therefore, no increases in noise levels within the vicinity of the project are anticipated.

Mitigation: None required.

d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Discussion of Effects: Temporary construction activities will minimally impact ambient noise levels. All construction machinery will be maintained according to industry standards to help minimize the impacts. Normal activities associated with the project are unlikely to increase ambient noise levels.

Mitigation: None required.

e. For a project located within the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?

Discussion of Effects: According to the Safety Element in The Ontario Plan, the proposed site is located within the airport land use plan. However, the project is located outside of the 65CNEL noise contour. Therefore, no impacts are anticipated.

Mitigation: None required.

f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

Discussion of Effects: The project site is not located within the vicinity of a private airstrip.

Therefore, no impacts are anticipated.

Mitigation: None required.

14. POPULATION & HOUSING. Would the project:

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?

Discussion of Effects: The project is located in a developed area and will not induce population growth. Therefore, no impacts are anticipated.

Mitigation: None required.

b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Discussion of Effects: The project site is currently undeveloped. Therefore, no impacts are anticipated.

Mitigation: None required.

c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Discussion of Effects: The project site is currently undeveloped. Therefore, no impacts are anticipated.

Mitigation: None required.

15. PUBLIC SERVICES. Would the project:

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

i. Fire protection?

Discussion of Effects: The site is in a developed area currently served by the Ontario Fire Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required.

ii. Police protection?

Discussion of Effects: The site is in a developed area, currently served by the Ontario Police Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required.

iii. Schools?

Discussion of Effects: The project will be required to pay school fees as prescribed by state law prior to the issuance of building permits. No impacts are anticipated.

Mitigation: None required.

iv. Parks?

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required.

v. Other public facilities?

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required.

16. RECREATION. Would the project:

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?

Discussion of Effects: This project is not proposing any significant new housing or large employment generator that would cause an increase in the use of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: None required.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that have an adverse physical effect on the environment?

Discussion of Effects: This project is not proposing any new significant housing or large employment generator that would require the construction of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: None required.

17. TRANSPORTATION/TRAFFIC. Would the project:

a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited?

Discussion of Effects: The project is in an area that is mostly developed with all street improvements existing. The number of vehicle trips per day is not expected to be increased significantly. Therefore, the project will not create a substantial increase in the number of vehicle trips, traffic volume or congestion at intersections. Less than significant impacts are anticipated.

Mitigation: None required.

b. Conflict with an applicable congestion management program, including, but not limited to, level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Discussion of Effects: The project is in an area that is mostly developed with all street improvements existing. The project will not conflict with an applicable congestion management program or negatively impact the level of service standards on adjacent arterials, as the amount of trips to be generated are minimal in comparison to existing capacity in the congestion management program. Less than significant impacts are anticipated.

Mitigation: None required.

c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Discussion of Effects: The project will not create a substantial safety risk or interfere with air traffic patterns at Ontario International Airport as it [either is outside of areas with FAA-imposed height restrictions or is under such height restrictions]. No impacts are anticipated.

Mitigation: None required.

d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Discussion of Effects: The project is in an area that is mostly developed. All street improvements are complete and no alterations are proposed for adjacent intersections or arterials. The project will, therefore, not create a substantial increase in hazards due to a design feature. No impacts are anticipated.

Mitigation: None required.

e. Result in inadequate emergency access?

Discussion of Effects: The project will be designed to provide access for all emergency vehicles and will therefore not create an inadequate emergency access. No impacts are anticipated.

Mitigation: None required.

f. Result in inadequate parking capacity?

Discussion of Effects: The project is required to meet parking standards established by the Ontario Development Code and will therefore not create an inadequate parking capacity. No impacts are anticipated.

Mitigation: None required.

g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Discussion of Effects: The project does not conflict with any transportation policies, plans or programs. Therefore, no impacts are anticipated.

Mitigation: None required.

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:

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)?

Discussion of Effects:

Mitigation:

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 Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Discussion of Effects:

Mitigation:

19. UTILITIES AND SERVICE SYSTEMS. Would the project:

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Discussion of Effects: The proposed project is served by the City of Ontario sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-1 (or RP-5) treatment plant. The project is required to meet the requirements of the Ontario Engineering Department regarding wastewater. No impacts are anticipated.

Mitigation: None required.

b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Discussion of Effects: The proposed project is served by the City of Ontario sewer system and which has waste treated by the Inland Empire Utilities Agency at the RP-1 (or RP-5) treatment plant. RP-1 (or RP-5) is not at capacity and this project will not cause RP-1 (or RP-5) to exceed capacity. The project will therefore not require the construction of new wastewater treatment facilities, or the expansion of existing facilities. No impacts are anticipated.

Mitigation: None required.

c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Discussion of Effects: The proposed project is served by the City of Ontario. The project is required to meet the requirements of the Ontario Engineering Department regarding storm drain facilities. No impacts are anticipated.

Mitigation: None required.

d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).

Discussion of Effects: The project is served by the City of Ontario water system. There is currently a sufficient water supply available to the City of Ontario to serve this project. No impacts are anticipated.

Mitigation: None required.

e. Result in a determination by the wastewater treatment provider that 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?

Discussion of Effects: The proposed project is served by the City of Ontario sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-1 (or RP-5) treatment plant. RP-1 (or RP-5) is not at capacity and this project will not cause RP-1 (or RP-5) to exceed capacity. No impacts are anticipated.

Mitigation: None required.

f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Discussion of Effects: City of Ontario serves the proposed project. Currently, the City of Ontario contracts with a waste disposal company that transports trash to a landfill with sufficient capacity to handle the City's solid waste disposal needs. No impacts are anticipated.

Mitigation: None required.

g. Comply with federal, state, and local statutes and regulations related to solid waste?

Discussion of Effects: This project complies with federal, state, and local statues and regulations regarding solid waste. Therefore, no impacts are anticipated.

Mitigation: None required.

20. MANDATORY FINDINGS OF SIGNIFICANCE.

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat or a fish or wildlife species, cause a fish or wildlife population to

drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Discussion of Effects: The proposed project does not have the potential to reduce wildlife habitat and threaten a wildlife species. Therefore, no impacts are anticipated.

ALTERNATE The project site is located in an area that contains the Delhi Sands soil type. This soil type has been identified as habitat for the Delhi Sands Flower Loving Fly, a Federally Endangered Species. A habitat assessment was performed on the site and found [insert]. The project site has been previously disturbed due to development of adjacent parcels and the pre-grading of the site associated with the development of the California Commerce Center Specific Plan for the fly. The site has not been designated as a planned recovery zone for the fly, and in its current condition, does not provide suitable habitat.

Mitigation: None required.

b. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

Discussion of Effects: The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

Mitigation: None required.

c. Does the project 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 past projects, the effects of other current project, and the effects of probable future projects.)

Discussion of Effects: The project does not have impacts that are cumulatively considerable.

Mitigation: None required.

d. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion of Effects: The project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

Mitigation: None required.

EARLIER ANALYZES

(Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D)):

1) Earlier Analyzes Used. Identify earlier analyzes used and state where they are available for review.

a) The Ontario Plan Final Environmental Impact Report

b) The Ontario Plan

c) City of Ontario Zoning

All documents listed above are on file with the City of Ontario Planning Department, 303 East "B" Street, Ontario, California 91764, (909) 395-2036.

2) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards.

MITIGATION MEASURES

(For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.)

1. Air Quality—The following fugitive dust mitigation measures shall be required:

a. Use of dust control during clearing, grading and construction. Fugitive dust generated during cleaning, grading, earth moving or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures. If freshwater resources are too precious to waste on dust control, availability of brackish or reclaimed water sources shall be investigated. Soil disturbance shall be terminated when high winds (25 mph or greater) make dust control extremely difficult.

b. Minimization of construction interference with regional non-project traffic movement. Impacts shall be reduced to below a level of significance by the following mitigation measures:

i. Scheduling receipt of construction materials to non-peak travel periods.

ii. Routing construction traffic through areas of least impact sensitivity.

iii. Limiting lane closures and detours to off-peak travel periods.

iv. Providing rideshare incentives for contractor and subcontractor personnel.

c. After clearing, grading or earth moving:

i. Seed and water until plant cover is established;

ii. Spread soil binders;

iii. Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind; and

iv. Reduce "spill-over" effects by washing vehicles entering public roadways from dirt off road project areas and washing/sweeping project access to public roadways on an adequate schedule.

d. Emissions control from on-site equipment through a routine, mandatory program of low-emission tune-ups.

2. Geology and Soils—The following mitigation measures shall be implemented:

a. Prior to issuance of grading permits, the applicant shall submit an erosion control plan to reduce wind erosion impacts.

b. Fugitive dust generated during cleaning, grading, earth moving or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures.

c. After clearing, grading, or earth moving:

i. Seed and water until plant cover is established;

ii. Spread soil binders;

iii. Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind; and

d. Sweep streets if silt is carried to adjacent public thoroughfares.

e. Obtain authorization to discharge storm water under an NPDES construction storm water permit and pay appropriate fees.

3. Greenhouse Gas Emissions—The following mitigation measures shall be implemented:

a. The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR's MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project:

i. Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and install or replace vegetation with drought-tolerant , low-maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects;

ii. Require all new landscaping irrigation systems installed 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;

iii. Reduce heat gain from pavement and other similar hardscaping;

iv. [*list the applicable emission reduction measures from MM 6-2 and 6-3*].

Project File No.: [Insert file #]

Project Sponsor: [Insert name, address, city, state & zip code]

Lead Agency/Contact Person: [Insert name & title], City of Ontario, Planning Department, 303 East B Street, Ontario, California 91764, (909) 395-2036

Mitigation Measures/Implementing Action	*Responsible for Monitoring*	*Monitoring Frequency*	*Timing of Verification*	*Method of Verification*	*Verified (Initial/Date)*	*Sanctions for Non-Compliance*
1. AIR QUALITY						
a. Use of dust control during clearing, grading and construction. Fugitive dust generated during cleaning, grading, earth moving, or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures. If freshwater resources are too precious to waste on dust control, availability of brackish or reclaimed water sources shall be investigated. Soil disturbance shall be terminated when high winds (25 mph or greater) make dust control extremely difficult.	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
b. Minimization of construction interference with regional non-project traffic movement. Impacts shall be reduced to below a level of significance by the following mitigation measures: i. Scheduling receipt of construction materials to non-peak travel periods. ii. Routing construction traffic through areas of least impact sensitivity. iii. Limiting lane closures and detours to off-peak travel periods. iv. Providing rideshare incentives for contractor and subcontractor personnel.	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
c. After clearing, grading or earth moving: i. Seed and water until plant cover is established.	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold

Mitigation Measures/Implementing Action	*Responsible for Monitoring*	*Monitoring Frequency*	*Timing of Verification*	*Method of Verification*	*Verified (Initial/Date)*	*Sanctions for Non-Compliance*
ii. Spread soil binders. iii. Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind. iv. Reduce "spill-over" effects by washing vehicles entering public roadways from dirt off road project areas, and washing/sweeping project access to public roadways on an adequate schedule.						building permit
d. Emissions control from on-site equipment through a routine, mandatory program of low-emission tune-ups.	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
2. GEOLOGY & SOILS						
a. The applicant shall submit an erosion control plan to reduce wind erosion impacts.	Building Dept, Planning Dept & Engineering Dept	Grading Plan issuance	Prior to issuance of grading permits	Plan check		Withhold grading permit
b. Fugitive dust generated during cleaning, grading, earth moving or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures.	Building Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
c. After clearing, grading, or earth moving: i. Seed and water until plant cover is established. ii. Spread soil binders. iii. Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind. iv. Sweep streets if silt is carried to adjacent public thoroughfares	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
d. Obtain authorization to discharge storm water under an NPDES construction storm water permit and pay appropriate fees.	Engineering Dept	Grading Plan issuance	Prior to issuance of grading permits	Plan check		Withhold grading permit
3. GREENHOUSE GAS EMISSIONS						
a. The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR's MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the	Building Dept & Planning Dept	Throughout construction	As necessary	Plan check/On-site inspection		Stop work order; or withhold building permit

Mitigation Measures/Implementing Action	*Responsible for Monitoring*	*Monitoring Frequency*	*Timing of Verification*	*Method of Verification*	*Verified (Initial/Date)*	*Sanctions for Non-Compliance*
project: i. Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and install or replace vegetation with drought-tolerant, low-maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects. ii. Require all new landscaping irrigation systems installed 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. iii. Reduce heat gain from pavement and other similar hardscaping. iv. List the applicable emission reduction measures from 6-2 and 6-3] [This mitigation measure to be used prior to the City's adoption of the CAP]						
4.						
a.						
b.						
c.						
5.						
a.						
b.						
c.						

Supplemental Environmental Checklist

CITY OF ONTARIO PLANNING DEPARTMENT

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

1. Project Title/File No.: Click to enter text.

2. Lead Agency: City of Ontario, 303 East B Street, Ontario, California 91764, (909) 395-2036

3. Contact Person: Click enter contact name , Phone: Click to enter contact phone #, Email: Click to enter contact email

4. Project Sponsor: Click enter Sponsor name ; Click to enter address , Click to enter city, state & zip

5. Project Location: The project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1 and 2, below, the project site is located at Click to enter project location.

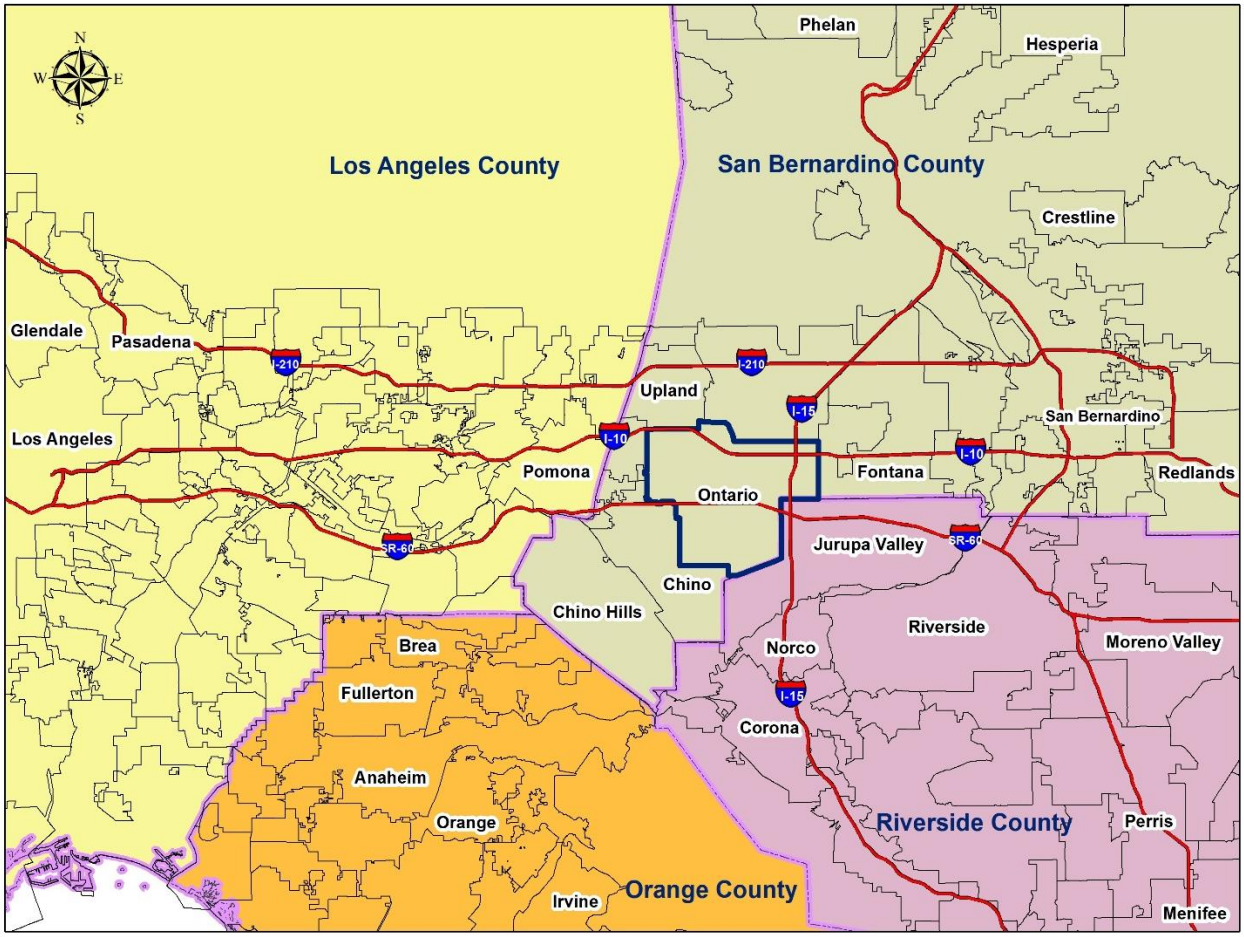

Figure 1: REGIONAL LOCATION MAP

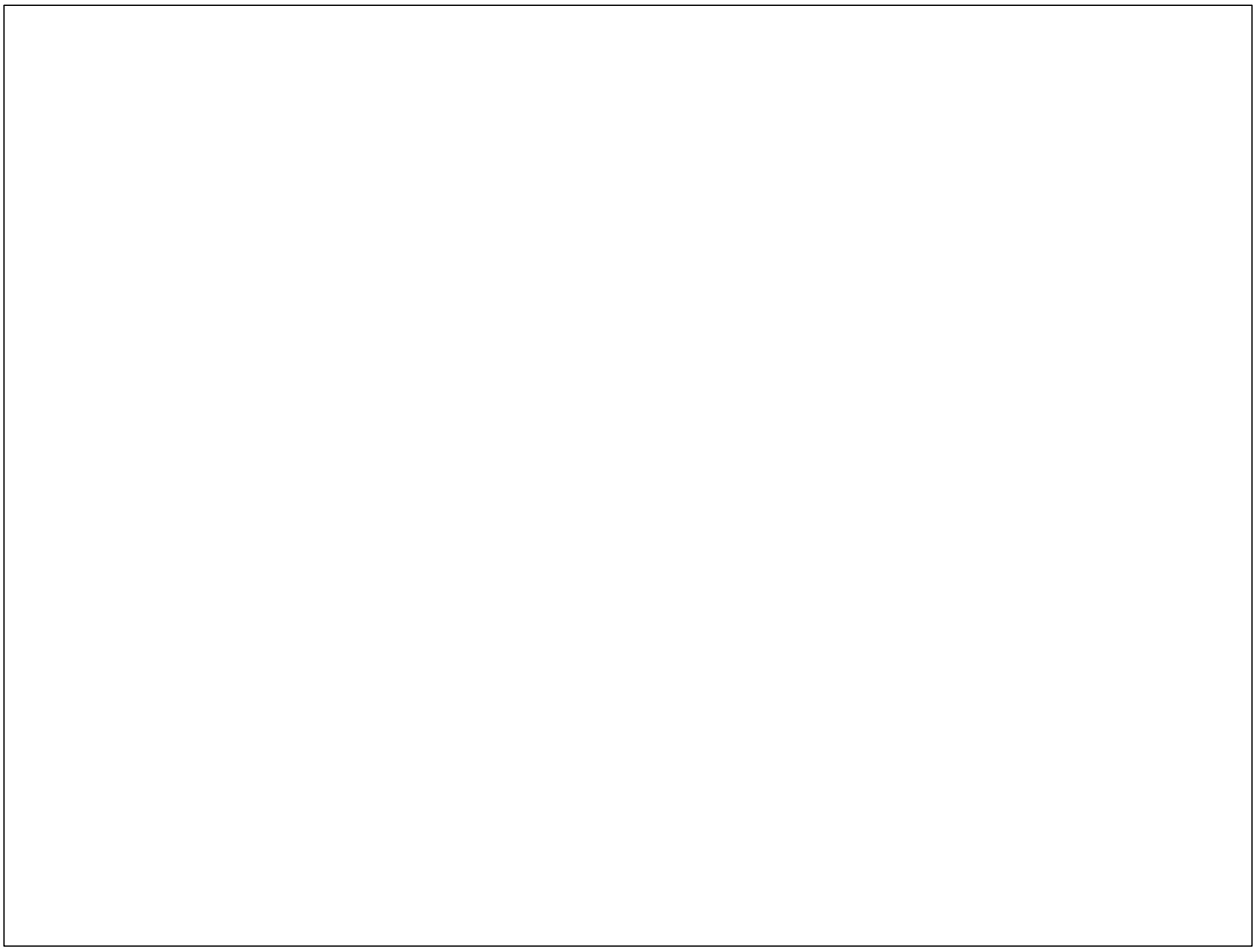

Figure 2: Aerial Site Photograph

6. Policy Plan (General Plan) Designation: Click to enter designation

7. Zoning Designation: Click to enter designation

8. Description of Project: Click to enter project description -- Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation

9. Project Setting: Click to enter project setting

10. Surrounding Land Uses:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site:	Click to enter text.	Click to enter text.	Click to enter text.	Click to enter text.
North:	Click to enter text.	Click to enter text.	Click to enter text.	Click to enter text.
South:	Click to enter text.	Click to enter text.	Click to enter text.	Click to enter text.

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
East:	Click to enter text.	Click to enter text.	Click to enter text.	Click to enter text.
West:	Click to enter text.	Click to enter text.	Click to enter text.	Click to enter text.

11. Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement): Click to enter text.

12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1?
☐Yes ☐ No

If "yes", has consultation begun? ☐ Yes ☐ No ☐ Completed

NEW SIGNIFICANT ENVIRONMENTAL EFFECTS OR SUBSTANTIALLY MORE SEVERE SIGNIFICANT ENVIRONMENTAL EFFECTS COMPARED TO THOSE IDENTIFIED IN THE PREVIOUS CEQA DOCUMENT.

The environmental factors checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

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

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous approved ND or MND or certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously adopted ND or MND or previously certified EIR adequately discusses the potential impacts of the project without modification.

☐ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous approved ND or MND or certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously adopted ND, MND or previously certified EIR adequately discusses the potential impacts of the project; however, minor changes require the preparation of an ADDENDUM.

☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND, MND or EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects, or there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However, all new potentially significant environmental effects or substantial increases in the severity of previously identified significant effects are clearly reduced to below a level of significance through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT MND is required.

☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous environmental document due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects, or there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However, only minor changes or additions or changes would be necessary to make the previous EIR adequate for the project in the changed situation. Therefore, a SUPPLEMENTAL EIR is required.

☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous environmental document due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects, or there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a SUBSEQUENT EIR is required.

Signature:	Date: Click to enter date
Printed Name: Click to enter name	For: City of Ontario

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A finding of "No New Impact/No Impact" means that the potential impact was fully analyzed and/or mitigated in the prior CEQA document and no new or different impacts will result from the proposed activity. A brief explanation is required for all answers except "No New Impact/No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No New Impact/No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No New Impact/No Impact" answer should be explained where it is based

on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. A finding of "New Mitigation is Required" means that the project may have a new potentially significant impact on the environment or a substantially more severe impact than analyzed in the previously approved or certified CEQA document and that new mitigation is required to address the impact.

3. A finding of "New Potentially Significant Impact" means that the project may have a new potentially significant impact on the environment or a substantially more severe impact than analyzed in the previously approved or certified CEQA document that cannot be mitigated to below a level of significance or be avoided.

4. A finding of "Reduced Impact" means that a previously infeasible mitigation measure is now available, or a previously infeasible alternative is now available that will reduce a significant impact identified in the previously prepared environmental document.

5. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

6. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a. Earlier Analyses Used. Identify and state where they are available for review.

   b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis. Describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the proposed action.

   c. Infeasible Mitigation Measures. Since the previous EIR was certified or previous ND or MND was adopted, discuss any mitigation measures or alternatives previously found not to be feasible that would in fact be feasible or that are considerably different from those previously analyzed and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives.

   d. Changes in Circumstances. Since the previous EIR was certified or previous ND or MND was adopted, discuss any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause a change in conclusion regarding one or more effects discussed in the original document.

7. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

8. Supporting Information Sources. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

9. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

10. The explanation of each issue should identify:

    a. the significance criteria or threshold, if any, used to evaluate each question;

    b. differences between the proposed activity and the previously approved project described in the approved ND or MND or certified EIR; and

    c. the previously approved mitigation measure identified, if any, to reduce the impact to less than significance.

Issues	*New Potentially Significant Impact*	*New Mitigation is Required*	*No New Impact / No Impact*	*Reduced Impact*
1. AESTHETICS. Except as provided in Public Resources Code section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☐
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?)	☐	☐	☐	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☐
2. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the	v	☐	☐	☐

Issues	*New Potentially Significant Impact*	*New Mitigation is Required*	*No New Impact / No Impact*	*Reduced Impact*
Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☐
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☐
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☐
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?	☐	☐	☐	☐
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☐
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?	☐	☐	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☐
4. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☐
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?	☐	☐	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or	☐	☐	☐	☐

Issues	New Potentially Significant Impact	New Mitigation is Required	No New Impact / No Impact	Reduced Impact
with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☐
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?	☐	☐	☐	☐
5. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	☐	☐	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☐	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☐	☐
6. ENERGY. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☐
7. GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☐
ii) Strong seismic ground shaking?	☐	☐	☐	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☐
iv) Landslides?	☐	☐	☐	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☐
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?	☐	☐	☐	☐
d) Be located on expansive soil, as defined in Table 18-	☐	☐	☐	☐

Issues	New Potentially Significant Impact	New Mitigation is Required	No New Impact / No Impact	Reduced Impact
1-B of the Uniform Building Code, creating substantial direct or indirect risks to life or property?				
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?	☐	☐	☐	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☐
8. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	☐	☐	☐	☐
9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☐
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?	☐	☐	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☐
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?	☐	☐	☐	☐
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?	☐	☐	☐	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☐
10. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge	☐	☐	☐	☐

Issues	New Potentially Significant Impact	New Mitigation is Required	No New Impact / No Impact	Reduced Impact
such that the project may impede sustainable groundwater management of the basin?				
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:				
i) Result in substantial erosion or siltation on- or off-site;	☐	☐	☐	☐
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☐	☐
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☐	☐
iv) Impede or redirect flood flows?	☐	☐	☐	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☐
11. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	☐	☐	☐	☐
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?	☐	☐	☐	☐
12. MINERAL RESOURCES. Would the project:				
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?	☐	☐	☐	☐
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?	☐	☐	☐	☐
13. NOISE. Would the project result in:				
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 groundborne vibration or groundborne 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?	☐	☐	☐	☐

Issues	*New Potentially Significant Impact*	*New Mitigation is Required*	*No New Impact / No Impact*	*Reduced Impact*
14. POPULATION AND HOUSING. Would the project:				
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 road or other infrastructure)?	☐	☐	☐	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☐
15. PUBLIC SERVICES. Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	☐	☐	☐	☐
ii) Police protection?	☐	☐	☐	☐
iii) Schools?	☐	☐	☐	☐
iv) Parks?	☐	☐	☐	☐
v) Other public facilities?	☐	☐	☐	☐
16. RECREATION.				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	☐	☐	☐	☐
17. TRANSPORTATION. Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☐
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☐	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☐
d) Result in inadequate emergency access?	☐	☐	☐	☐
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				

Issues	New Potentially Significant Impact	New Mitigation is Required	No New Impact / No Impact	Reduced Impact
landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☐
19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☐
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?	☐	☐	☐	☐
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?	☐	☐	☐	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☐
20. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	☐	☐	☐	☐
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☐
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?	☐	☐	☐	☐
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?	☐	☐	☐	☐

Issues	*New Potentially Significant Impact*	*New Mitigation is Required*	*No New Impact / No Impact*	*Reduced Impact*
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?	☐	☐	☐	☐
21. MANDATORY FINDINGS OF SIGNIFICANCE. (State CEQA Guidelines section 15065(a).)				
a) Does the project 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?	☐	☐	☐	☐
b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	☐	☐	☐	☐
c) Does the project 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 past projects, the effects of other current project, and the effects of probable future projects.)	☐	☐	☐	☐
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☐

EXPLANATION OF ISSUES

1. AESTHETICS. Would the project:

a. Have a substantial adverse effect on a scenic vista?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Substantially damage scenic resources, including, but not limited to, tress, rock outcroppings and historic buildings within a state scenic highway?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Substantially degrade the existing visual character or quality of the site and its surroundings?

Discussion of Effects:

Mitigation:

d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

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

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

d. Result in the loss of forest land or conversion of forest land to non-forest use?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

e. Involve other changes in the existing environment, which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use or conversion of forest land to non-forest use?

Discussion of Effects: Click to enter text.

Mitigation Required: Click to enter text.

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

a. Conflict with or obstruct implementation of the applicable air quality plan?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

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?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Expose sensitive receptors to substantial pollutant concentrations?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

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

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

4. BIOLOGICAL RESOURCES. Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

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?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

f. Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

5. CULTURAL RESOURCES. Would the project:

a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Disturb any human remains, including those interred outside of dedicated cementaries?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

6. ENERGY. Would the project:

a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

7. GEOLOGY & SOILS. Would the project:

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

ii. Strong seismic ground shaking?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

iii. Seismic-related ground failure, including liquefaction?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

iv. Landslides?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Result in substantial soil erosion or the loss of topsoil?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

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?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

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?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

8. GREENHOUSE GAS EMISSIONS. Would the project:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Discussion of Effects: Click to enter text.

Mitigation Required: Click to enter text.

9. HAZARDS & HAZARDOUS MATERIALS. Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

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?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

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?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

e. For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

10. HYDROLOGY & WATER QUALITY. Would the project:

a. Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site or volume of storm water runoff to cause environmental harm or potential for significant increases in erosion of the project site or surrounding areas?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site or potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff (a&b) during construction and/or post-construction activity?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

f. Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

h. Place within a 100-year flood hazard area, structures that would impede or redirect flood flows?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

j. Expose people or structures to inundation by seiche, tsunami or mudflow?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

11. LAND USE & PLANNING. Would the project:

a. Physically divide an established community?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Conflict with applicable land use plan, policy or regulation of agencies with jurisdiction over the project (including, but not limited to general plan, airport land use compatibility plan, specific plan, or development code) adopted for the purpose of avoiding or mitigation an environmental effect?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

12. MINERAL RESOURCES. Would the project:

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?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

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?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

13. NOISE. Would the project result in:

a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

e. For a project located within the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

14. POPULATION & HOUSING. Would the project:

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

15. PUBLIC SERVICES. Would the project:

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

i. Fire protection?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

ii. Police protection?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

iii. Schools?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

iv. Parks?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

v. Other public facilities?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

16. RECREATION. Would the project:

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?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that have an adverse physical effect on the environment?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

17. TRANSPORTATION/TRAFFIC. Would the project:

a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Conflict with an applicable congestion management program, including, but not limited to, level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

e. Result in inadequate emergency access?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

f. Result in inadequate parking capacity?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

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:

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)?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

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 Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

19. UTILITIES AND SERVICE SYSTEMS. Would the project:

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

e. Result in a determination by the wastewater treatment provider that 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?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

g. Comply with federal, state, and local statutes and regulations related to solid waste?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

20. MANDATORY FINDINGS OF SIGNIFICANCE.

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat or a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Does the project 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 past projects, the effects of other current project, and the effects of probable future projects.)

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

d. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

EARLIER ANALYZES

(Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D)):

1) Earlier Analyzes Used. Identify earlier analyzes used and state where they are available for review.

a) The Ontario Plan Environmental Impact Report

b) The Ontario Plan

c) City of Ontario Zoning

All documents listed above are on file with the City of Ontario Planning Department, 303 East "B" Street, Ontario, California 91764, (909) 395-2036.

2) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards.

Click to enter text.

Notice of Availability of a Draft Environmental Impact Report

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

TO: Property Owners, Responsible Agencies & Interested Parties

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

SUBJECT: NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT
Click to enter project name Project
State Clearinghouse No. Click to enter SCH#

NOTICE IS HEREBY GIVEN that a Draft Environmental Impact Report ("DEIR") has been prepared for the project identified below. Copies of the DEIR and all documents referenced in the DEIR are available for public review at the locations identified below, as-well-as on the City's website: https://www.ontarioca.gov/Planning/Reports/EnvironmentalImpact.

City of Ontario Planning Department 303 East B Street Ontario, CA 91764	City of Ontario City Clerk 303 East B Street Ontario, CA 91764	Ovitt Family Community Library 215 East C Street Ontario, CA 91764

The 45-day public review period begins on Click or tap to enter a date. Comments will be received until 5:30 p.m. Click or tap to enter a date. Comments will be accepted until 5:30 PM on Click or tap to enter a date. Any property owner, responsible agency, or interested party wishing to comment on the DEIR must submit such comments, in writing, to the following contact person:

Click to enter contact name and title
City of Ontario Planning Department
303 East B Street
Ontario, CA 91764
P: (909) 395-Click to enter direct phone #
E: Click to enter email@ontarioca.gov

Project Title/File No.: Click to enter project name & file no.

Project Location: The project site is generally located in southwestern San Bernardino County, approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. within the City of Ontario. More specifically, the project site is located Click to enter project location.

Project Description: (Insert brief description)

The project site [☐ is/☐ is not] on a list of hazardous materials sites as defined by California Government Code Section 65962.5.

Discretionary actions associated with the Project:

- Click to enter text.
- Click to enter text.
- Click to enter text.
- Click to enter text.
- Click to enter text.

Potential environmental impacts examined by the DEIR:

- Click to enter text.
- Click to enter text.
- Click to enter text.
- Click to enter text.

Potentially significant impacts identified by the DEIR:

- Click to enter text.
- Click to enter text.
- Click to enter text.
- Click to enter text.

Lead Agency: City of Ontario, 303 East B Street, Ontario, CA 91764

Notice Mailing Date: Click or tap to enter a date.

California Department of Fish & Wildlife, Inland Desert Region 6 No Effect Determination Request Form

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

TO: DEPARTMENT OF FISH AND WILDLIFE
Inland Desert Regional Office
3602 Inland Empire Boulevard, Suite C-220
Ontario, CA 91764
Information:(909) 484-0167
FAX: (909) 941-7364
Email: AskRegion6@wildlife.ca.gov

http://www.wildlife.ca.gov
Environmental Review and Permitting
1416 Ninth Street
Sacramento, CA 95814
Information: (916) 653-4875

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

SUBJECT: CALIFORNIA DEPARTMENT OF FISH & WILDLIFE, INLAND DESERT REGION 6; NO EFFECT DETERMINATION REQUEST FORM

Date Submitted: Click or tap to enter a date.

CEQA Lead Agency: City of Ontario

Lead Agency Contact: Click to enter name, title, and phone #

Lead Agency Address: Click to enter address

Project Tile/File No.: Click to enter text

State Clearinghouse No. or County Filing No.: Click to enter no.

CEQA Document Type *(the type of document prepared for your project by the CEQA Lead Agency)*: Click to enter document type

Applicant Name and Contact Phone No. *(if applicable)*: Click to enter name, Click to enter phone no.

Applicant Address *(if applicable)*: Click to enter address

Project *Location (include the street address, lat/long, range/township/section, or other description that clearly indicates the location of the project site. Include an aerial or topographic map of the project site)*: Click to enter text

Project Description *(include details such as new construction [with square footage], demolition of existing buildings, adaptive reuse of existing buildings, zoning amendments, general plan amendments, conditional use for sale of alcoholic beverages, etc.)*. Use additional sheets if necessary: Click to enter text

Justification for No Effect Determination *(explain how the proposed project is consistent with Title 14 Section 753.5(d) CCR)*: Click to enter text

Facts Supporting Fee Exemption:

1. An Initial Study has been prepared by the Lead Agency to evaluate the project's effects on fish and wildlife resources, if any.

2. The Lead Agency hereby finds that there is substantial evidence that the project will have no effect on fish or wildlife.

3. The project will have NO EFFECT on the following resources:

    a. Riparian land, rivers, streams, watercourses and wetlands;

    b. Native and non-native plant life and the soil required to sustain habitat for fish and wildlife;

    c. Rare and unique plant life and ecological communities dependent on plant life;

    d. Listed threatened and endangered plants and animals and the habitat in which they are believed to reside;

    e. All species listed as protected or identified for special management in the Fish and Game Code, the Public Resources Code, the Water Code or regulations adopted thereunder;

    f. All marine and terrestrial species subject to the jurisdiction of the Department of Fish and Game and the ecological communities in which they reside; and

    g. All air and water resources, the degradation of which will individually or cumulatively result in a loss of biological diversity among the plants and animals residing in that air and water.

DECLARATION

Based on the Lead Agency's evaluation of potential adverse effects on fish and wildlife resources, the Lead Agency believes the project will have no effect on fish or wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

Signature: _____ Date: Click or tap to enter a date.
Name: Click to enter name
Title: Click to enter title
Lead Agency: City of Ontario

Notice of Recirculated Draft Environmental Impact Report

CITY OF ONTARIO PLANNING DEPARTMENT
303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

TO: Property Owners, Responsible Agencies & Interested Parties

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

SUBJECT: NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT
Click to enter project name Project
State Clearinghouse No. Click to enter SCH#

NOTICE IS HEREBY GIVEN that all or a portion of a Draft Environmental Impact Report ("DEIR") for the project identified below is being recirculated. You are receiving this notice because you commented on the Draft EIR for the Project. Copies of the recirculated DEIR and all documents referenced in the recirculated DEIR are available for public review at the locations identified below, as-well-as on the City's website, at the link below: https://www.ontarioca.gov/Planning/Reports/EnvironmentalImpact.

City of Ontario Planning Department 303 East B Street Ontario, CA 91764	City of Ontario City Clerk 303 East B Street Ontario, CA 91764	Ovitt Family Community Library 215 East C Street Ontario, CA 91764

The DEIR prepared for this Project has been revised as follows:

- ☐ The entire DEIR is being recirculated. Your prior comments remain part of the administrative record, but they are no longer applicable to the DEIR that is under consideration. The Final EIR will not provide a response to your prior comments. Should you wish to comment on the revised DEIR, you will need to submit new comments.
- ☐ Only the following chapters or portions of the Draft EIR have been revised, and only those parts of the revised DEIR are being recirculated: Click to enter text
- ☐ Your comments should be limited to those parts of the revised DEIR that are being recirculated.
- ☐ Your comments need not be limited to those parts of the revised Draft EIR that are being recirculated.

The 45-day public review period begins on Click or tap to enter a date. Comments will be received until 5:30 p.m. on Click or tap to enter a date. Comments will be accepted until 5:30 PM on Click or tap to enter a date. Any property owner, responsible agency, or interested party wishing to comment on the DEIR must submit such comments, in writing, to the following contact person:

Click to enter contact name and title
City of Ontario Planning Department
303 East B Street
Ontario, CA 91764
P: (909) 395-Click to enter direct phone #
E: Click to enter email@ontarioca.gov

Project Title/File No.: Click to enter project name & file no.

Project Location: The project site is generally located in southwestern San Bernardino County, approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. within the City of Ontario. More specifically, the project site is located Click to enter project location.

Project Description: (Insert brief description)

The project site [☐ is/☐ is not] on a list of hazardous materials sites as defined by California Government Code Section 65962.5.

Discretionary actions associated with the Project:

- Click to enter text.
- Click to enter text.
- Click to enter text.
- Click to enter text.
- Click to enter text.

Potential environmental impacts examined by the DEIR:

- Click to enter text.
- Click to enter text.
- Click to enter text.
- Click to enter text.

Potentially significant impacts identified by the DEIR:

- Click to enter text.
- Click to enter text.
- Click to enter text.
- Click to enter text.

Lead Agency: City of Ontario, 303 East B Street, Ontario, CA 91764

Notice Mailing Date: Click or tap to enter a date.

THIS IS A SAMPLE FORM AND SHOULD BE MODIFIED TO MEET THE NEEDS OF THE PARTICULAR PROJECT/CIRCUMSTANCE

Click or tap to enter a date.

General Manager
Click to enter District/Agency/Company
Click to enter street address
Click to enter City/State/Zip

RE: Water Supply Assessment for Click to enter text Project within the Click or tap here to enter City/County of _____

Dear Click to enter Mr./Mrs. Name,

We have received an application from [project proponent] for the following project ("Project"):

Click to list applications and briefly describe project

We have consulted with each other and have mutually agreed that your Click to enter District/Agency/Company is a public water system that may provide water service to the Project. We have also mutually agreed that the Project is subject to the water supply assessment requirements of Water Code sections 10910 - 10912. Pursuant to Water Code section 10910, Click to enter City/County requests Click to enter District/Agency/Company to submit a water supply assessment for the Project on or before Click or tap to enter a date, which is within 90 days of the date of this request. We concurrently request the Click to enter District/Agency/Company to state whether the projected water demand associated with the Project was included as part of the Click to enter City/County's most recently adopted Urban Water Management Plan. Please contact me to confirm receipt of this request.

Thank you for your cooperation in this matter. If you have any questions about this request, please contact me at your earliest convenience.

Regards,

Click to enter name
Click to enter title

THIS IS A SAMPLE FORM AND SHOULD BE MODIFIED AS NECESSARY TO MEET THE NEEDS OF THE PARTICULAR PROJECT/CIRCUMSTANCE

Click to enter a date.

General Manager
Click to enter District/Agency/Company
Click to enter address
Click to enter City, State, Zip

RE: Water Supply Verification for Click to enter text. Project within the Click to enter City/County of Click to enter City/County name.

Dear Click or tap here to enter Mr. or Mrs. name,

Click to enter Subdivision proponent has submitted to the Click to enter City/County an application for tentative map (No. enter # - #) for the following subdivision ("Subdivision"):

Click to insert project description

Click to enter City/County staff has determined that the application is complete. Pursuant to Government Code section 66455.3, we are enclosing a copy of the application.]

[We have consulted with each other and have mutually agreed that your Click to enter District/Agency/Company is a public water system that may provide water service to the Subdivision. We have also mutually agreed that the Subdivision is subject to the water supply verification requirements of the Subdivision Map Act.] Pursuant to Government Code section 66473.7(b)(1), Click to enter City/County requests your Click to enter District/Agency/Company to submit a water supply verification for the Subdivision on or before Click to enter a date., which is within 90 days of the date of this request. Please contact me to confirm receipt of this request.

Thank you for your cooperation in this matter. If you have any questions about this request, please contact me at your earliest convenience.

Regards,

Click to enter name
Click to enter title

Shortened Review Request Form

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

*(To be filled out and signed by the **Lead Agency** and submitted with the DEIR, ND, or MND to SCH)*

TO: State Clearinghouse
P.O. Box 3044
Sacramento, CA 95812-3044
State Clearinghouse No.: Click to enter no.

Project Title/File No.: Click to enter title/file #

Lead Agency: City of Ontario, 303 East B Street, Ontario, CA 91764

Lead Agency Contact: Click to enter name & phone #

Specific Project Location – identify street address and cross street or attach a map showing project site *(preferably a USGS 15' or 7 ½' topographical map identified by quadrangle name)*: Click to enter text

General Project Location *(city and county)*: The project site is generally located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County.

Type of Environmental Document:

- ☐ Environmental Impact Report ("EIR"). The Lead Agency issued a Notice of Preparation on Click or tap to enter a date and received comments from applicable State agencies.
- ☐ Negative Declaration ("ND") or Mitigated Negative Declaration ("MND"). The Lead Agency consulted with applicable State agencies on Click or tap to enter a date.

Project Description: Click to enter description

Explain "exceptional circumstances" (State CEQA Guidelines Section 15205(d)) for requesting a shortened review. Identify which of the following five criteria in CEQA Guidelines Appendix K are met for this project.

1. ☐ The Lead Agency is operating under an extension of the one-year period for completion of an EIR and would not otherwise be able to complete the EIR within the extended period.
2. ☐ The public project applicant is under severe time constraints with regard to obtaining financing or exercising options which cannot be met without shortening the review period.
3. ☐ The document is a supplement to a draft EIR or proposed negative declaration or mitigated negative declaration previously submitted to the State Clearinghouse.

4. ☐ The health and safety of the community would be at risk unless the project is approved expeditiously.

5. ☐ The document is a revised draft EIR, or proposed negative declaration or mitigated negative declaration, where changes in the document are primarily the result of comments from agencies and the public.

Explain how the above-marked ("x") criteria applies to the project: Click to enter text

In compliance with the State and Local CEQA Guidelines, the Lead Agency has contacted and obtained prior approval for a shortened review from the applicable State responsible and trustee agencies. List responsible and trustee state agencies with contact person, phone number and date of consent for the shortened review, as well as any agencies that have commented on the project *(attach additional pages, if necessary)*: Click to enter text

Length of review being requested: Click to enter number of day days

As designated representative for the Lead Agency, I verify, in the Lead Agency's behalf, that there is no "statewide, regional, or areawide significance" to this project.

Signature:	**Date:** Click to enter date.
Name: Click to enter name	**Title:** Click to enter title
Date Received for Filing: Click or tap to enter a date.	

CITY OF ONTARIO PLANNING DEPARTMENT

Summary Form for Electronic Document Submittal

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

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse ("SCH"). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH No: Click to enter text.

Project Title: Click to enter text.

Lead Agency: Click to enter text.

Contact Name: Click to enter text.

Email: Click to enter text. **Phone Number:** Click to enter text.

Project Location: Click to enter text., in the City of Ontario, Count of San Bernardino.

Project Description *(proposed actions, location, and/or consequences)*: Click to enter text.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect: Click to enter text.

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public: Click to enter text.

Provide a list of the responsible or trustee agencies for the project: Click to enter text.

Performance Standards for Infill Projects Eligible for Streamlined Review

CITY OF ONTARIO PLANNING DEPARTMENT

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

I. INTRODUCTION.

Section 15183.3 provides a streamlined review process for infill projects that satisfy specified performance standards. This appendix contains those performance standards. The lead agency's determination that the project satisfies the performance standards shall be supported with substantial evidence, which should be documented on the Infill Checklist in Form S. Section II defines terms used in this Appendix. Performance standards that apply to all project types are set forth in Section III. Section IV contains performance standards that apply to particular project types (i.e., residential, commercial/retail, office building, transit stations, and schools).

II. DEFINITIONS.

The following definitions apply to the terms used in this Appendix.

A. **High-Quality Transit Corridor:** An existing corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours. For the purposes of this Appendix, an "existing stop along a high-quality transit corridor" may include a planned and funded stop that is included in an adopted regional transportation improvement program.

B. **High-Volume Roadway:** Unless more specifically defined by an air district, city or county, "high-volume roadway" means freeways, highways, urban roads with 100,000 vehicles per day, or rural roads with 50,000 vehicles per day.

C. **Low Vehicle Travel Area:** A traffic analysis zone that exhibits a below average existing level of travel as determined using a regional travel demand model. For residential projects, travel refers to either home-based or household vehicle miles traveled per capita. For commercial and retail projects, travel refers to non-work attraction trip length; however, where such data are not available, commercial projects reference either home-based or household vehicle miles traveled per capita. For office projects, travel refers to commute attraction vehicle miles traveled per employee; however, where such data are not available, office projects reference either home-based or household vehicle miles traveled per capita.

D. **Major Transit Stop:** 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 frequencies of service intervals of 15 minutes or less during the morning and afternoon peak commute periods. For the purposes of this Appendix, an "existing major transit stop" may include a planned and funded stop that is included in an adopted regional transportation improvement program.

E. **Office Building:** Generally refers to centers for governmental or professional services; however, the lead agency shall have discretion in determining whether a

project is "commercial" or "office building" for the purposes of this Appendix based on local zoning codes.

F. **Significant Sources of Air Pollution:** Include airports, marine ports, rail yards and distribution centers that receive more than 100 heavy-duty truck visits per day, as well as stationary sources that are designated major by the Clean Air Act.

G. **Traffic Analysis Zone:** An analytical unit used by a travel demand model to estimate vehicle travel within a region.

III. PERFORMANCE STANDARDS RELATED TO PROJECT DESIGN.

To be eligible for streamlining pursuant to Section 15183.3, a project must implement all of the following:

A. **Renewable Energy.** All non-residential projects shall include on-site renewable power generation, such as solar photovoltaic, solar thermal and wind power generation, or clean back-up power supplies, where feasible. Residential projects are also encouraged to include such on-site renewable power generation.

B. **Soil and Water Remediation.** If the project site is included on any list compiled pursuant to Section 65962.5 of the Government Code, the project shall document how it has remediated the site if remediation is completed. Alternatively, the project shall implement the recommendations provided in a preliminary endangerment assessment or comparable document that identifies remediation appropriate for the site.

C. **Residential Units Near High-Volume Roadways and Stationary Sources.** If a project includes residential units located within 500 feet, or other distance determined to be appropriate by the local agency or air district based on local conditions, of a high-volume roadway or other significant sources of air pollution, the project shall comply with any policies and standards identified in the local general plan, specific plan, zoning code or community risk reduction plan for the protection of public health from such sources of air pollution. If the local government has not adopted such plans or policies, the project shall include measures, such as enhanced air filtration and project design, that the lead agency finds, based on substantial evidence, will promote the protection of public health from sources of air pollution. Those measures may include, among others, the recommendations of the California Air Resources Board, air districts, and the California Air Pollution Control Officers Association.

IV. ADDITIONAL PERFORMANCE STANDARDS BY PROJECT TYPE.

In addition to the project features described above in Section III, specific eligibility requirements are provided below by project type.

Several of the performance standards below refer to "low vehicle travel areas." Such areas can be illustrated on maps based on data developed by the regional Metropolitan Planning Organization (MPO) using its regional travel demand model.

Several of the performance standards below refer to distance to transit. Distance should be calculated so that at least 75 percent of the surface area of the project site is within the specified distance.

A. **Residential.** To be eligible for streamlining pursuant to Section 15183.3, a project must satisfy one of the following:

1. Projects achieving below average regional per capita vehicle miles traveled (VMT). A residential project is eligible if it is located in a "low vehicle travel area" within the region.

2. Projects located within 1/2% mile of an Existing Major Transit Stop or High Quality Transit Corridor. A residential project is eligible if it is located within 1/2 mile of an existing major transit stop or an existing stop along a high-quality transit corridor.

3. Low-Income Housing. A residential or mixed-use project consisting of 300 or fewer residential units all of which are affordable to low income households is eligible if the developer of the development project provides sufficient legal commitments to the lead agency to ensure the continued availability and use of the housing units for lower income households, as defined in Section 50079.5 of the Health and Safety Code, for a period of at least 30 years, at monthly housing costs, as determined pursuant to Section 50053 of the Health and Safety Code.

B. **Commercial/Retail.** To be eligible for streamlining pursuant to Section 15183.3, a project must satisfy one of the following:

1. Regional Location. A commercial project with no single-building floor-plate greater than 50,000 square feet is eligible if it locates in a "low vehicle travel area."

2. Proximity to Households. A project with no single-building floor-plate greater than 50,000 square feet located within one-half mile of 1800 households is eligible.

C. **Office Building.** To be eligible for streamlining pursuant to Section 15183.3, a project must satisfy one of the following:

1. Regional Location. Office buildings, both commercial and public, are eligible if they locate in a low vehicle travel area.

2. Proximity to a Major Transit Stop. Office buildings, both commercial and public, within 1/2 mile of an existing major transit stop, or 1/4 mile of an existing stop along a high quality transit corridor, are eligible.

D. **Transit.** Transit stations, as defined in Section 15183.3(e)(1), are eligible.

E. **Schools.** Elementary schools within one mile of fifty percent of the projected student population are eligible. Middle schools and high schools within two miles of fifty percent of the projected student population are eligible. Alternatively, any

school within 1/2% mile of an existing major transit stop or an existing stop along a high-quality transit corridor is eligible.

Additionally, in order to be eligible, all schools shall provide parking and storage for bicycles and scooters and shall comply with the requirements in Sections 17213, 17213.1 and 17213.2 of the California Education Code.

F. Small Walkable Community Projects.

Small walkable community projects, as defined in Section 15183.3, subdivision (e)(6), that implement the project features described in Section III above are eligible.

G. Mixed-Use Projects.

Where a project includes some combination of residential, commercial and retail, office building, transit station, and/or schools, the performance standards in this Section that apply to the predominant use shall govern the entire project.

Authority: Public Resources Code Sections 21083, 21094.5.5
Reference: Public Resources Code Sections 21094.5 and 21094.5.5

Infill Environmental Checklist

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

1. Project Title/File No.: Click to enter text.

2. Lead Agency: City of Ontario, 303 East B Street, Ontario, California 91764, (909) 395-2036

3. Contact Person: Click enter contact name , Phone: Click to enter contact phone #, Email: Click to enter contact email

4. Project Sponsor: Click enter Sponsor name ; Click to enter address , Click to enter city, state & zip

5. Project Location: The project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1 and 2, below, the project site is located at Click to enter project location.

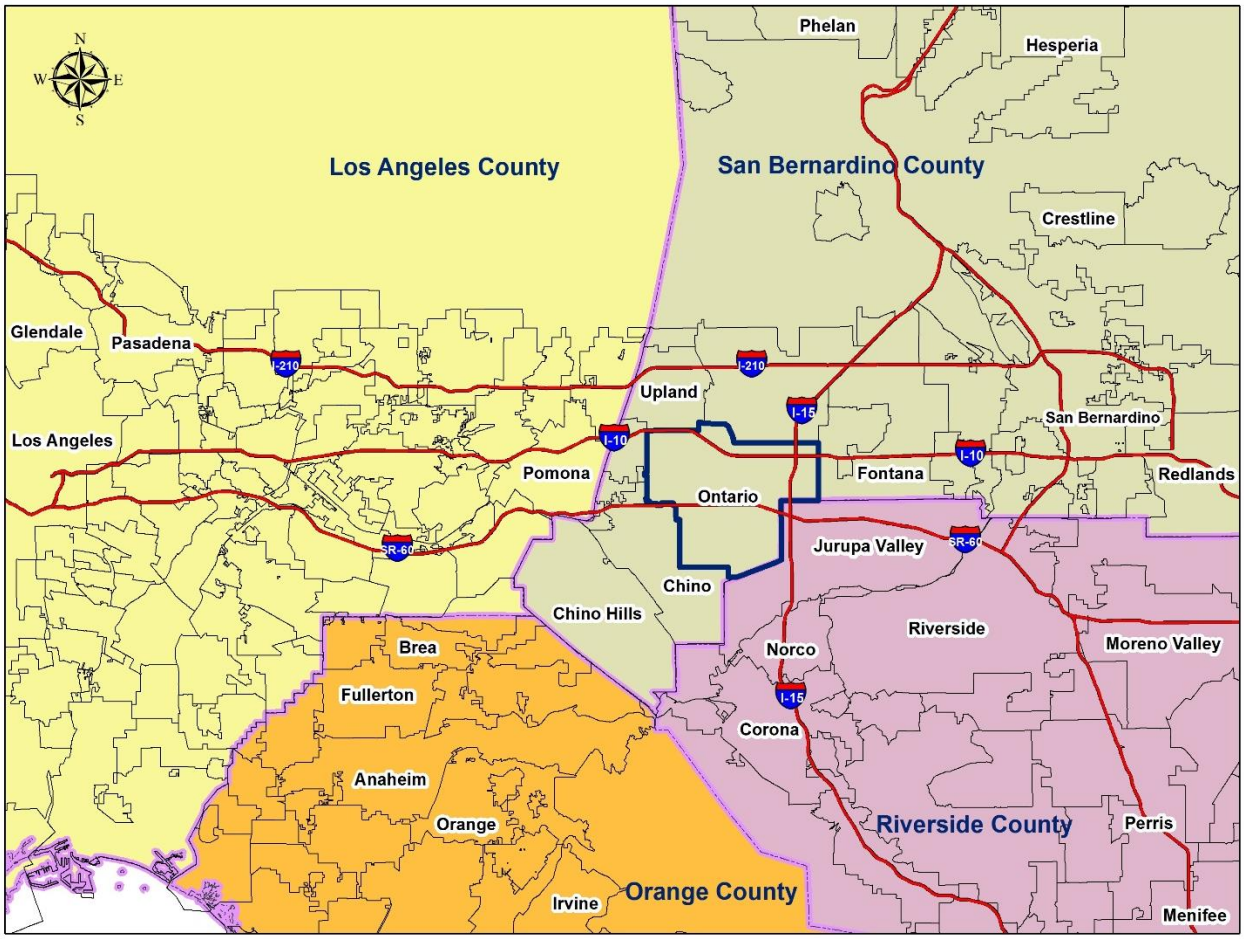

Figure 1: REGIONAL LOCATION MAP

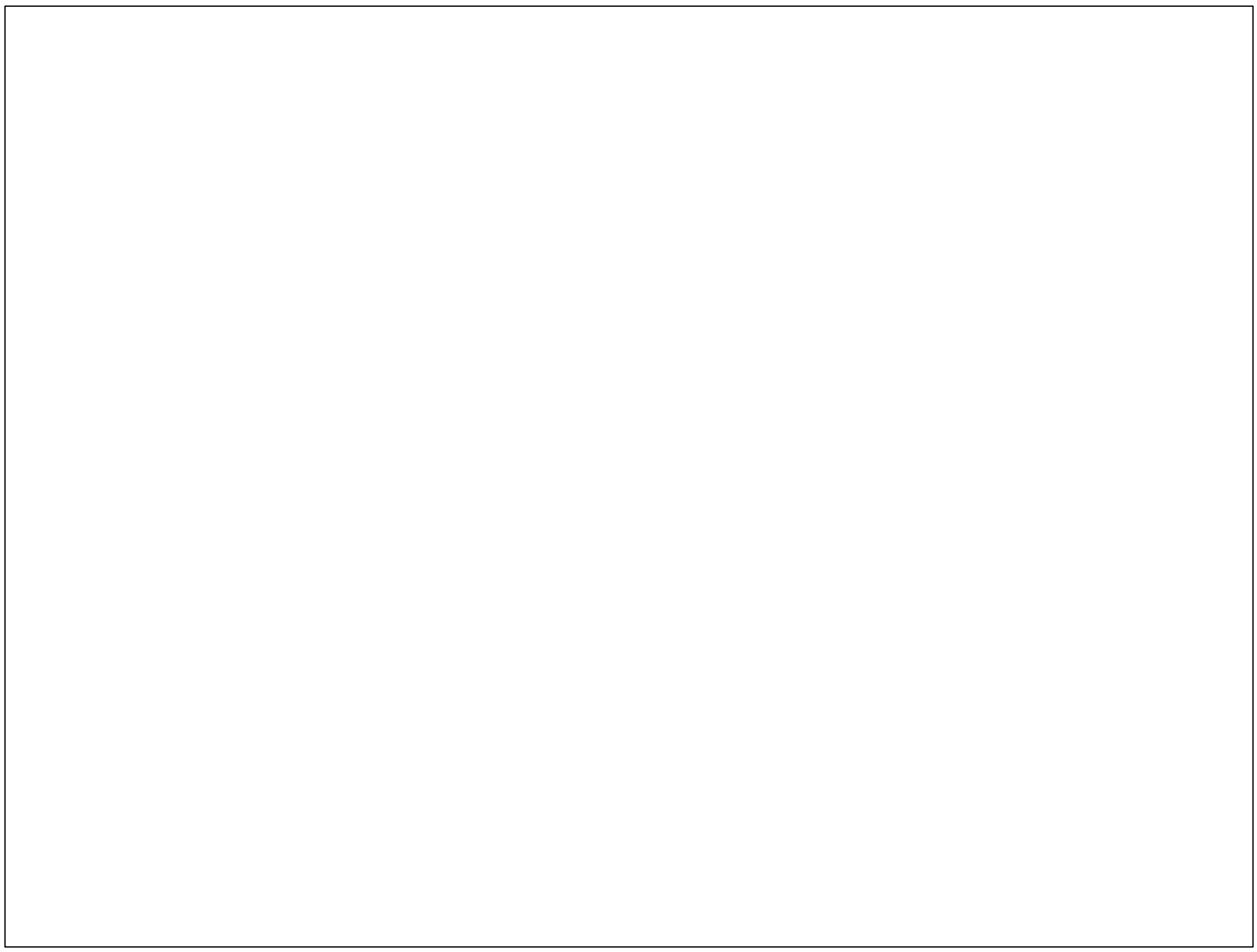

Figure 2: Aerial Site Photograph

6. Policy Plan (General Plan) Designation: Click to enter designation

7. Zoning Designation: Click to enter designation

8. Description of Project: Click to enter project description -- Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation

9. Project Setting: Click to enter project setting

10. Surrounding Land Uses:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site:	Click to enter text.	Click to enter text.	Click to enter text.	Click to enter text.
North:	Click to enter text.	Click to enter text.	Click to enter text.	Click to enter text.
South:	Click to enter text.	Click to enter text.	Click to enter text.	Click to enter text.
East:	Click to enter text.	Click to enter text.	Click to enter text.	Click to enter text.

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
West:	Click to enter text.	Click to enter text.	Click to enter text.	Click to enter text.

11. Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement): Click to enter text.

12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1?
☐Yes ☐ No

If "yes", has consultation begun? ☐ Yes ☐ No ☐ Completed

SATISFACTION OF FORM R PERFORMANCE STANDARDS

Provide the information demonstrating that the infill project satisfies the performance standards in Form R below. For **mixed-use projects**, the predominant use will determine which performance standards apply to the entire project.

1. Does the non-residential infill project include a renewable energy feature? If so, describe below. If not, explain below why it is not feasible to do so.

   Click to enter text.

2. If the project site is included on any list compiled pursuant to Government Code Section 65962.5, either provide documentation of remediation or describe the recommendations provided in a preliminary endangerment assessment or comparable document that will be implemented as part of the project.

   Click to enter text.

3. If the infill project includes residential units located within 500 feet, or such distance that the local agency or local air district has determined is appropriate based on local conditions, a high-volume roadway or other significant source of air pollution, as defined in Form R, describe the measures that the project will implement to protect public health. Such measures may include policies and standards identified in the local general plan, specific plans, zoning code or community risk reduction plan, or measures recommended in a health risk assessment, to promote the protection of public health. Identify the policies or standards, or refer to the site-specific analysis, below. (Attach additional sheets if necessary.)

   Click to enter text.

4. For **residential** projects, the project satisfies which of the following?

   ☐ Located within a low vehicle travel area, as defined in Form S. (Attach VMT map.)

   ☐ Located within 1/2 mile of an existing major transit stop or an existing stop along a high-quality transit corridor. (Attach map illustrating proximity to transit.)

   ☐ Consists of 300 or fewer units that are each affordable to low-income households. (Attach evidence of legal commitment to ensure the continued availability and use of the housing units for lower income households, as defined in Health and Safety Code Section 50079.5,

for a period of at least 30 years, at monthly housing costs, as determined pursuant to Health and Safety Code Section 50053.)

5. For **commercial** projects with a single building floor-plate below 50,000 square feet, the project satisfies which of the following?

   ☐ Located within a low vehicle travel area, as defined in Form R. (Attach VMT map.)

   ☐ The project is within one-half mile of 1800 dwelling units. (Attach map illustrating proximity to households.)

6. For **office building** projects, the project satisfies which of the following?

   ☐ Located within a low vehicle travel area, as defined in Form R. (Attach VMT map.)

   ☐ Located within one-half mile of an existing major transit stop or within one-quarter mile of a stop along a high-quality transit corridor. (Attach map illustrating proximity to transit.)

7. For **school** projects, the project does all of the following:

   ☐ The project complies with the requirements of California Education Code Sections 17213, 17213.1 and 17213.2.

   ☐ The project is an elementary school and is within one mile of 50 percent of the student population, or is a middle school or high school and is within two miles of 50 percent of the student population. Alternatively, the school is within one-half mile of an existing major transit stop or an existing stop along a high-quality transit corridor. (Attach map and methodology.)

   ☐ The project provides parking and storage for bicycles and scooters.

8. For **small walkable community projects**, the project must be a residential project that has a density of at least eight units per acre or a commercial project with a floor area ratio of at least 0.5, or both.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

☐ Aesthetics	☐ Agriculture/Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology / Soils
☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials	☐ Hydrology/Water Quality
☐ Land Use / Planning	☐ Mineral Resources	☐ Noise
☐ Population / Housing	☐ Public Services	☐ Recreation

☐ Transportation	☐ Utilities / Service Systems	☐ Mandatory Findings of Significance
☐ Tribal Cultural Resources	☐ Wildfire	☐ Energy

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed infill project WOULD NOT have any significant effect on the environment that either have not already been analyzed in a prior EIR or that are more significant than previously analyzed, or that uniformly applicable development policies would not substantially mitigate. Pursuant to Public Resources Code Section 21094.5, CEQA does not apply to such effects. A Notice of Determination will be filed. (CEQA Guidelines Section 15094.)

☐ I find that the proposed infill project will have effects that either have not been analyzed in a prior EIR or are more significant than described in the prior EIR, and that no uniformly applicable development policies would substantially mitigate such effects. With respect to those effects that are subject to CEQA, I find that such effects WOULD NOT be significant and a NEGATIVE DECLARATION, or if the project is a Transit Priority Project a SUSTAINABLE COMMUNITIES ENVIRONMENTAL ASSESSMENT, will be prepared.

☐ I find that the proposed infill project will have effects that either have not been analyzed in a prior EIR or are more significant than described in the prior EIR, and that no uniformly applicable development policies would substantially mitigate such effects. I find that although those effects could be significant, there will not be a significant effect in this case because revisions in the infill project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION, or if the project is a Transit Priority Project a SUSTAINABLE COMMUNITIES ENVIRONMENTAL ASSESSMENT, will be prepared.

☐ I find that the proposed infill project would have effects that either have not been analyzed in a prior EIR or are more significant than described in the prior EIR, and that no uniformly applicable development policies would substantially mitigate such effects. I find that those effects WOULD be significant, and an infill ENVIRONMENTAL IMPACT REPORT is required to analyze those effects that are subject to CEQA.

Signature:	Date: Click to enter date
Printed Name: Click to enter name	For: City of Ontario

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. For the purposes of this checklist, "prior EIR" means the environmental impact report certified for a planning level decision, as supplemented by any subsequent or supplemental environmental impact reports, negative declarations, or addenda to those documents. "Planning level decision" means the enactment or amendment of a general plan, community plan, specific plan, or zoning code. (CEQA Guidelines Section 15183.3(f)(2).)

4. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

5. If the infill project would cause a significant adverse effect that either is specific to the project or project site and was not analyzed in a prior EIR or is more significant than what was analyzed in a prior EIR, the Lead Agency must determine whether uniformly applicable development policies or standards that have been adopted by the Lead Agency, or city or county, would substantially mitigate that effect. If so, the checklist shall explain how the infill project's implementation of the uniformly applicable development policies will substantially mitigate that effect. That effect of the infill project is not subject to CEQA if the lead agency makes a finding, based upon substantial evidence, that the development policies or standards will substantially mitigate that effect.

6. If all effects of an infill project were either analyzed in a prior EIR or are substantially mitigated by uniformly applicable development policies or standards, CEQA does not apply to the project, and the Lead Agency shall file a Notice of Determination.

7. Effects of an infill project that either have not been analyzed in a prior EIR, or that uniformly applicable development policies or standards do not substantially mitigate, are subject to CEQA. With respect to those effects of the infill project that are subject to CEQA, the checklist shall indicate whether those effects are significant, less than significant with mitigation, or less than significant. If there are one or more "Significant Impact" entries when the determination is made, an infill EIR is required. The infill EIR should be limited to analysis of those effects determined to be significant. (CEQA Guidelines Section 15183.3(d).)

8. "Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures will reduce an effect of an infill project that is subject to CEQA from "Significant Impact" to a "Less Than Significant Impact." The Lead Agency must describe the mitigation measures, and briefly explain how those measures reduce the effect to a less than significant level. If the effects of an infill project that are subject to CEQA are less than significant with mitigation incorporated, the Lead Agency may prepare a Mitigated Negative Declaration. If all the effects of the infill project that are subject to CEQA are less than significant, the lead agency may prepare a Negative Declaration.

9. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to an infill project's environmental effects in whatever format is selected.

10. The explanation of each issue should identify:

    a. The significance criteria or threshold, if any, used to evaluate each question; and

b. The mitigation measure identified, if any, to reduce the impact to less than significance.

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*No Impact*	*Analyzed in a prior EIR*	Mitigated by Uniformly Applicable Development Policies
1. AESTHETICS. Except as provided in Public Resources Code section 21099, would the project:						
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☐	☐	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☐	☐	☐
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?)	☐	☐	☐	☐	☐	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☐	☐	☐
2. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:						

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*No Impact*	*Analyzed in a prior EIR*	Mitigated by Uniformly Applicable Development Policies
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	v	☐	☐	☐	☐	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☐	☐	☐
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☐	☐	☐
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☐	☐	☐
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?	☐	☐	☐	☐	☐	☐
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:						
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☐	☐	☐
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?	☐	☐	☐	☐	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☐	☐	☐
d) Result in other emissions (such as those leading to odors)	☐	☐	☐	☐	☐	☐

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*No Impact*	*Analyzed in a prior EIR*	Mitigated by Uniformly Applicable Development Policies
adversely affecting a substantial number of people?						
4. BIOLOGICAL RESOURCES. Would the project:						
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☐	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☐	☐	☐
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?	☐	☐	☐	☐	☐	☐
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?	☐	☐	☐	☐	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☐	☐	☐
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?	☐	☐	☐	☐	☐	☐
5. CULTURAL RESOURCES. Would the project:						
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	☐	☐	☐	☐	☐	☐

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*No Impact*	*Analyzed in a prior EIR*	Mitigated by Uniformly Applicable Development Policies
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☐	☐	☐	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☐	☐	☐	☐
6. ENERGY. Would the project:						
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☐	☐	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☐	☐	☐
7. GEOLOGY AND SOILS. Would the project:						
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:						
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☐	☐	☐
ii) Strong seismic ground shaking?	☐	☐	☐	☐	☐	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☐	☐	☐
iv) Landslides?	☐	☐	☐	☐	☐	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☐	☐	☐
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?	☐	☐	☐	☐	☐	☐

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*No Impact*	*Analyzed in a prior EIR*	Mitigated by Uniformly Applicable Development Policies
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial direct or indirect risks to life or property?	☐	☐	☐	☐	☐	☐
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?	☐	☐	☐	☐	☐	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☐	☐	☐
8. GREENHOUSE GAS EMISSIONS. Would the project:						
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☐	☐	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	☐	☐	☐	☐	☐	☐
9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:						
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☐	☐	☐
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?	☐	☐	☐	☐	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☐	☐	☐
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?	☐	☐	☐	☐	☐	☐

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*No Impact*	*Analyzed in a prior EIR*	Mitigated by Uniformly Applicable Development Policies
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?	☐	☐	☐	☐	☐	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☐	☐	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☐	☐	☐
10. HYDROLOGY AND WATER QUALITY. Would the project:						
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	☐	☐	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☐	☐	☐
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:						
i) result in substantial erosion or siltation on- or off-site;	☐	☐	☐	☐	☐	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☐	☐	☐	☐
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☐	☐	☐	☐

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*No Impact*	*Analyzed in a prior EIR*	Mitigated by Uniformly Applicable Development Policies
iv) impede or redirect flood flows?	☐	☐	☐	☐	☐	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☐	☐	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☐	☐	☐
11. LAND USE AND PLANNING. Would the project:						
a) Physically divide an established community?	☐	☐	☐	☐	☐	☐
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?	☐	☐	☐	☐	☐	☐
12. MINERAL RESOURCES. Would the project:						
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?	☐	☐	☐	☐	☐	☐
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?	☐	☐	☐	☐	☐	☐
13. NOISE. Would the project result in:						
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 groundborne vibration or groundborne 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	☐	☐	☐	☐	☐	☐

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*No Impact*	*Analyzed in a prior EIR*	Mitigated by Uniformly Applicable Development Policies
working in the project area to excessive noise levels?						
14. POPULATION AND HOUSING. Would the project:						
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 road or other infrastructure)?	☐	☐	☐	☐	☐	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☐	☐	☐
15. PUBLIC SERVICES. Would the project:						
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:						
1) Fire protection?	☐	☐	☐	☐	☐	☐
2) Police protection?	☐	☐	☐	☐	☐	☐
3) Schools?	☐	☐	☐	☐	☐	☐
4) Parks?	☐	☐	☐	☐	☐	☐
5) Other public facilities?	☐	☐	☐	☐	☐	☐
16. RECREATION.						
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☐	☐	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	☐	☐	☐	☐	☐	☐
17. TRANSPORTATION. Would the project:						

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*No Impact*	*Analyzed in a prior EIR*	Mitigated by Uniformly Applicable Development Policies
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☐	☐	☐
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☐	☐	☐	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☐	☐	☐
d) Result in inadequate emergency access?	☐	☐	☐	☐	☐	☐
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:						
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	☐	☐	☐	☐	☐	☐
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 Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☒	☐	☐	☐	☐	☐
19. UTILITIES AND SERVICE SYSTEMS. Would the project:						
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities,	☐	☐	☐	☐	☐	☐

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Analyzed in a prior EIR	Mitigated by Uniformly Applicable Development Policies
the construction or relocation of which could cause significant environmental effects?						
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☐	☐	☐
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?	☐	☐	☐	☐	☐	☐
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?	☐	☐	☐	☐	☐	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☐	☐	☐
20. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	☐	☐	☐	☐	☐	☐
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☐	☐	☐
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?	☐	☐	☐	☐	☐	☐
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?	☐	☐	☐	☐	☐	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope	☐	☐	☐	☐	☐	☐

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*No Impact*	*Analyzed in a prior EIR*	Mitigated by Uniformly Applicable Development Policies
instability, or drainage changes?						
21. MANDATORY FINDINGS OF SIGNIFICANCE. (State CEQA Guidelines section 15065(a).)						
a) Does the project 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?	☐	☐	☐	☐	☐	☐
b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	☐	☐	☐	☐	☐	☐
c) Does the project 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 past projects, the effects of other current project, and the effects of probable future projects.)	☐	☐	☐	☐	☐	☐
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☐	☐	☐
Authority cited: Public Resources Code sections 21083, 21094.5,5. Reference: Public Resources Code Sections 21094.5 and 21094.5.5.						

EXPLANATION OF ISSUES

1. AESTHETICS. Would the project:

   a. Have a substantial adverse effect on a scenic vista?

      Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Substantially damage scenic resources, including, but not limited to, tress, rock outcroppings and historic buildings within a state scenic highway?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Substantially degrade the existing visual character or quality of the site and its surroundings?

Discussion of Effects:

Mitigation:

d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

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

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

d. Result in the loss of forest land or conversion of forest land to non-forest use?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

e. Involve other changes in the existing environment, which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use or conversion of forest land to non-forest use?

Discussion of Effects: Click to enter text.

Mitigation Required: Click to enter text.

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

a. Conflict with or obstruct implementation of the applicable air quality plan?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

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?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Expose sensitive receptors to substantial pollutant concentrations?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

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

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

4. BIOLOGICAL RESOURCES. Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

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?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

f. Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

5. CULTURAL RESOURCES. Would the project:

a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Disturb any human remains, including those interred outside of dedicated cementaries?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

6. ENERGY. Would the project:

a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

7. GEOLOGY & SOILS. Would the project:

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

ii. Strong seismic ground shaking?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

iii. Seismic-related ground failure, including liquefaction?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

iv. Landslides?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Result in substantial soil erosion or the loss of topsoil?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

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?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

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?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

8. GREENHOUSE GAS EMISSIONS. Would the project:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Discussion of Effects: Click to enter text.

Mitigation Required: Click to enter text.

9. HAZARDS & HAZARDOUS MATERIALS. Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

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?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

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?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

e. For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

10. HYDROLOGY & WATER QUALITY. Would the project:

a. Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site or volume of storm water runoff to cause environmental harm or potential for significant increases in erosion of the project site or surrounding areas?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site or potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff (a&b) during construction and/or post-construction activity?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

f. Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

h. Place within a 100-year flood hazard area, structures that would impede or redirect flood flows?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

j. Expose people or structures to inundation by seiche, tsunami or mudflow?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

11. LAND USE & PLANNING. Would the project:

a. Physically divide an established community?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Conflict with applicable land use plan, policy or regulation of agencies with jurisdiction over the project (including, but not limited to general plan, airport land use compatibility plan, specific plan, or development code) adopted for the purpose of avoiding or mitigation an environmental effect?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

12. MINERAL RESOURCES. Would the project:

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?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

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?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

13. NOISE. Would the project result in:

a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

e. For a project located within the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

14. POPULATION & HOUSING. Would the project:

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

15. PUBLIC SERVICES. Would the project:

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

i. Fire protection?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

ii. Police protection?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

iii. Schools?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

iv. Parks?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

v. Other public facilities?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

16. RECREATION. Would the project:

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?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that have an adverse physical effect on the environment?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

17. TRANSPORTATION/TRAFFIC. Would the project:

a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Conflict with an applicable congestion management program, including, but not limited to, level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

e. Result in inadequate emergency access?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

f. Result in inadequate parking capacity?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

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:

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)?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

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 Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

19. UTILITIES AND SERVICE SYSTEMS. Would the project:

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

e. Result in a determination by the wastewater treatment provider that 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?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

g. Comply with federal, state, and local statutes and regulations related to solid waste?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

20. MANDATORY FINDINGS OF SIGNIFICANCE.

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat or a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

b. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

c. Does the project 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 past projects, the effects of other current project, and the effects of probable future projects.)

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

d. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion of Effects: Click to enter text.

Mitigation: Click to enter text.

EARLIER ANALYZES

(Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D)):

1) Earlier Analyzes Used. Identify earlier analyzes used and state where they are available for review.

a) The Ontario Plan Environmental Impact Report

b) The Ontario Plan

c) City of Ontario Zoning

All documents listed above are on file with the City of Ontario Planning Department, 303 East B Street, Ontario, California 91764, (909) 395-2036.

2) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards.

Click to enter text.

CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Planning Prepared By: Charles Mercier Staff Member Presenting: Scott Murphy, Executive Director Community Development Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 11

SUBJECT: CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CERTIFYING THE GROVE AVENUE CORRIDOR PROJECT FINAL ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2014101071) AND ADOPTING A MITIGATION MONITORING PROGRAM FOR THE PROPOSED WIDENING OF GROVE AVENUE FROM FOUR TO SIX LANES, BETWEEN FOURTH STREET AND STATE STREET/AIRPORT DRIVE.

RECOMMENDATION: That the City Council consider and adopt the resolution certifying the Grove Avenue Corridor Project Final Environmental Impact Report (State Clearinghouse No. 2014101071) and adopting a Mitigation Monitoring Program for the proposed widening of the portion of Grove Avenue located between Fourth Street and State Street/Airport Drive.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Operate in a Businesslike Manner
Pursue City's Goals and Objectives by Working with Other Governmental Agencies
Focus Resources in Ontario's Commercial and Residential Neighborhoods
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: Certification of the Grove Avenue Corridor Final Environmental Impact Report (State Clearinghouse No. 2014101071) and adoption of a Mitigation Monitoring Program for the widening of Grove Avenue will not result in any fiscal impacts to the City, as the action considers only the potential environmental impacts of the street widening project and measures to mitigate those impacts, and does not approve any related discretionary or nondiscretionary actions needed for Project construction.

BACKGROUND & ANALYSIS: The City of Ontario, in conjunction with the California Department of Transportation ("Caltrans"), proposes to widen a portion of Grove Avenue from a four-lane roadway to a six-lane roadway, between Interstate 10 and the State Street/Airport Drive intersection (the "Grove Avenue Corridor Project"). The Grove Avenue Corridor Project will alleviate existing and anticipated future congestion, improve traffic operations and mobility, and provide continuity along Grove Avenue in conformance with the Policy Plan (General Plan) Circulation Element of The Ontario Plan.

An Initial Study was prepared for the Grove Avenue Corridor Project and determined that an Environmental Impact Report should be prepared for the Project. Following the Initial Study

preparation and Scoping Meeting discussion, an Environmental Impact Report was prepared for the Grove Avenue Corridor Project addressing the below-listed issues and finding that potential environmental impacts resulting from the Project are less than significant and do not require the imposition of mitigation measures:

- **Aesthetics**: The Project does not contain any scenic vistas, nor does it provide new sources of glare. While the widened pavement section would detract from existing views, the addition of planted medians, preserving as much of the existing trees in the corridor as feasible, and the addition of new street tree plantings would have the overall effect of maintaining the existing character and quality.

- **Agriculture and Forest Resources**: There are no agricultural or forest resources located within the project footprint.

- **Air Quality**: The Project is intended to alleviate existing and anticipated congestion along Grove Avenue, which in turn is expected to improve traffic flow and decrease vehicle emissions. Operation of the proposed project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation.

- **Cultural Resources**: The Project would not result in impacts to any cultural resources as there are no known archaeological resources within the project area. Additionally, no historic properties would be affected as a result of the Project's construction or operation.

- **Energy**: The Project would result in level of service improvements and a slight decrease in vehicle miles travelled, which would translate into more efficient energy consumption and higher energy savings for vehicles traveling on Grove Avenue. The energy use during construction, operation, and maintenance of the Project would not be wasteful, inefficient, or unnecessary, and would not conflict with a renewable energy or energy efficiency plans.

- **Geology**: The Project site is not located in an Alquist-Priolo Fault Special Studies Zone, nor is it within 1,000 feet of any unzoned fault. It is also located outside designated earthquake zones of required investigations. Thus, fault rupture potential is remote, and the potential for liquefaction and earthquake-induced landslide is low. The Project site is relatively flat, and no hazards related to landslides are expected. In addition, the Project would be designed and constructed to meet the City's engineering design standards to minimize geologic and seismic hazards. Monitoring during all excavations greater than 10 feet deep sediments mapped as Holocene at the surface and for all excavations greater than 5 feet deep in sediments mapped as Pleistocene at the surface would minimize the potential for impacts to paleontological resources.

- **Greenhouse Gas Emissions**: The Project is a roadway widening, and the roadway itself would not directly generate greenhouse gas ("GHG") emissions. Rather, GHG emissions associated with vehicles traveling along the Grove Avenue corridor would be considered an indirect effect of the Project. It is anticipated that any increase in GHG emissions due to Project construction would be offset by the improvement in operational GHG emissions.

- **Hazardous Materials**: The Project would not create a significant hazard to the public or environment through transport, use, or disposal of hazardous materials because the Project involves improvements to an existing roadway only, and the transport, use, or storage of toxic materials or chemicals is not a proposed component of the project. While construction of the Project may involve the transport, use, handling, storage, and disposal of hazardous substances

during construction, appropriate best management practices ("BMPs") and industry standards would be utilized to protect workers and residents from potential impacts. A transportation management plan ("TMP") would be prepared to ensure appropriate emergency route planning and coordination during the construction period. Construction of the proposed project has the potential to encounter hazardous materials, including treated wood waste, electrical components with polychlorinated biphenyls, lead-based paint, asbestos-containing material, and aerially deposited lead although implementation of BMPs and industry standards would ensure that no significant hazards would be released to the public.

- **Hydrology and Water Quality**: The Project would increase the impervious surface area, but it would not alter existing drainage patterns and would implement best management practices to reduce pollutants in stormwater runoff into the West Cucamonga Channel. The Project would encroach on the West Cucamonga Channel floodplain at the culvert crossings, but this encroachment would not alter the floodplain or the ability to contain the 100-year flood event. Additionally, the Project would not impact groundwater resources.

- **Land Use and Planning**: The Project would upgrade an existing roadway and would not divide physically an established community. In addition, there would be improved sidewalks, crosswalks, lighting, and landscaping. The Project is generally consistent with area local plans, including policies and goals for improving traffic operations and mobility.

- **Mineral Resources**: The Project would not result in impacts to mineral resources because none have been identified in the project area.

- **Noise**: The Project is expected to increase traffic noise levels at most of the identified receiver locations along the corridor. Fifteen sound walls to provide noise abatement for affected receptors were evaluated on private property lines, with 8 of the walls found to be feasible from a noise reduction standpoint and reasonable from a cost perspective. At the 24 single-family and multi-family residences where sound walls were found to be unreasonable and/or infeasible, residents would experience an increase in noise levels, but the increases would be less than 12 dB, the impact on the 24 residences would not be substantial or significant.

- **Population and Housing**: The widening of the Grove Avenue corridor would alleviate current congestion issues and would not contribute to growth, although the acquisition and displacement of 8 single-family housing units and 4 parcels with 10 multiple-family housing units would be required. There would not be a need to construct replacement housing as adequate resources for comparable decent, safe, and sanitary relocation sites can be found for all affected residents within the replacement area of the cities of Ontario, Upland, Rancho Cucamonga, and Montclair.

- **Public Services**: The Project would not result in impacts to public services. The improvements associated with the Project would have beneficial effects for law enforcement protection and emergency service access and response times.

- **Recreation**: The Project would result in small acquisitions of the existing Grove Memorial and John Galvin parks but none of the recreational activities, features, or attributes of either park would be adversely affected. The widening of Grove Avenue would not result in any impacts to the level of use at the existing parks.

- **Transportation**: The Project roadway improvements would improve traffic operations along Grove Avenue and would be compatible with local and regional congestion management plans

and transportation-related plans, policies, or programs. While the Grove Avenue intersections are forecast to continue to operate at a level of service E or F in horizon year 2045 build conditions, the average delays are forecast to significantly improve with implementation of the Project compared to the No Build Alternative. The roadway improvements would be designed to meet all applicable roadway design and safety standards and the Project would result in a slight decrease in vehicle miles travelled. A transportation management plan would be implemented during construction to ensure appropriate coordination with emergency response providers regarding construction activities.

- **Tribal and Cultural Resources**: Coordination with the California Native American Heritage Commission determined that there are no Native American cultural resources in the immediate project area. Implementation of specific minimization measures would reduce any potential impacts to tribal cultural resources that may be encountered during construction.

- **Utilities and Service Systems**: The Project would not result in an increased demand for existing water and sewer utilities or require the construction of new water or sewer facilities to serve the project. Existing storm drainage facilities would be relocated, and drainage improvements would include installation of operational BMPs to reduce pollutant runoff and runoff volumes. The required relocation of some major electrical and water utilities would not adversely affect the long-term operations of these utilities.

- **Wildfire**: The Project is located in an urbanized area of the city and not would not be exposed to wildfire hazards or effect emergency response or evacuation in wildfire hazard areas located outside the City.

Additionally, mitigation measures have been identified in the Environmental Impact Report that will avoid or substantially lessen potentially significant environmental impacts to biological resources to a less than significant level as follows:

The removal and/or trimming of trees and shrubs along the corridor could result in impacts to nesting birds in violation of the Migratory Bird Treaty Act ("MBTA") and California Fish and Game Code. Impacts to biological resources will be mitigated to a level of less than significant through required mitigation measures that include guidelines on vegetation clearing, survey dates, and buffers. No further mitigation beyond that identified in the Environmental Impact Report is necessary to reduce impacts to below a level of significance.

In compliance with the California Environmental Quality Act ("CEQA"), the City prepared and circulated the Grove Avenue Corridor Project Draft Environmental Impact Report for a 45-day public comment period beginning on August 19, 2019, and ending on October 2, 2019. During the public review period, a total of twelve written comments from various agencies and interested parties were received by the City and Caltrans. Pursuant to the requirements of CEQA Guidelines Section 15088, the City prepared individual responses to all of these comments. The full Responses to Comments document is included as Appendix J of the Final Environmental Impact Report, which is appended to the Resolution provided with this report. Additionally, the Final Environmental Impact Report incorporates changes that have been made to the Draft Environmental Impact Report based on the comments received and the responses to those comments.

The City and Caltrans have identified the "Build Alternative" as the preferred project alternative. Caltrans is planning to issue the Finding of No Significant Impact ("FONSI") in accordance with the National Environmental Policy Act ("NEPA") once the FEIR has been certified.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2014101071) PREPARED FOR THE GROVE AVENUE CORRIDOR WIDENING PROJECT AND ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND A MITIGATION MONITORING PROGRAM.

WHEREAS, the City of Ontario ("City"), in conjunction with the California Department of Transportation ("Caltrans"), proposes the Grove Avenue Corridor Project ("Project"), as described by the resolution title, above; and

WHEREAS, the Project under review considered the certification of the Grove Avenue Corridor Project Final Environmental Impact Report ("FEIR") and related discretionary actions by the City; and

WHEREAS, the purpose of the Project is the widening of Grove Avenue in the City of Ontario, from four lanes to six lanes, between Fourth Street and State Street/Airport Drive; and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA") (Public Res. Code, §§ 21000 et seq.), CEQA Guidelines (14 CCR §§ 15000 et seq.) and the City of Ontario Local Guidelines for Implementing the California Environmental Quality Act (Public Resources Code §§ 21000 et seq.) and the California Environmental Quality Act Guidelines (California Code of Regulations §§ 15000 et seq.), 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") (State Clearinghouse No. 2008101140) in association with the 2009 General Plan Update ("GPA"), File No. PGPA06-001, and certified the TOP EIR on January 26, 2010; and

WHEREAS, the TOP EIR is a Program EIR from which later EIRs, such as the EIR for this Project, are tiered; and

WHEREAS, the City originally issued a Notice of Preparation ("NOP") for the Grove Avenue Corridor Project, for which the public review period ended on December 4, 2014. The City received comments from multiple agencies, surrounding property owners, and interested persons on the NOP; and

WHEREAS, a public scoping meeting was held on November 20, 2014, where comments were received; and

WHEREAS, after completing the Draft EIR (State Clearinghouse No. 2014101071), the City released the document for a 45-day public comment period, beginning on August 19, 2019, and ending on October 2, 2019, by filing a Notice of Availability with the State of California Governor's Office of Planning and Research CEQAnet web portal; 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 August 19, 2019, in the Inland Valley Daily Bulletin, a newspaper of general circulation in the Project area; and

WHEREAS, pursuant to City of Ontario Local Guidelines for Implementing the California Environmental Quality Act (Public Resources Code §§ 21000 et seq.) and the California Environmental Quality Act Guidelines (California Code of Regulations §§ 15000 et seq.), 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 public 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 CEQA Guidelines Section 15086; and

WHEREAS, during the 45-day public comment period, one public meeting was held on September 19, 2019, at the Ontario Senior Center to encourage public participation in the environmental process; and

WHEREAS, during the official public review period for the Draft EIR, the City received twelve written comment letters, all of which the City responded to in the FEIR; and

WHEREAS, the City prepared the FEIR and, pursuant to Public Resources Code Section 21092.5, the City provided copies of the FEIR to all commenting agencies and individuals; and

WHEREAS, all adverse environmental impacts were sufficiently analyzed in the FEIR; and

WHEREAS, on July 20, 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 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 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 FEIR which the City finds are less-than-significant and do not require mitigation are described in Section II hereof; and

WHEREAS, environmental impacts identified in the FEIR 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 FEIR and set forth herein and in the Mitigation Monitoring Program, attached hereto as Exhibit A, are described in Section III hereof; and

WHEREAS, environmental impacts identified in the FEIR 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 FEIR and set forth herein, are described in Section IV hereof; and

WHEREAS, alternatives to the Project that might eliminate or reduce significant environmental impacts are described in Section VI hereof; and

WHEREAS, because some environmental impacts identified in the FEIR 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 FEIR 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 FEIR, and all oral and written evidence presented to it during all meetings and hearings on the Project; and

WHEREAS, the FEIR 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 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 certain written findings be made by the lead agency in connection with certification of a FEIR 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 Grove Avenue Corridor Project have been analyzed in a Draft Environmental Impact Report ("DEIR"). A FEIR has also been prepared that incorporates the DEIR 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 ("MMP") for the Project. This document provides the findings required by CEQA for approval of the Project.

A. Statutory Requirements for Findings.

1. CEQA (Pub. Res. Code §§ 21000, et seq.) and the 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 FEIR has been certified that 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 FEIR.

(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 FEIR.

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 that will result in the occurrence of significant effects which are identified in the FEIR but are not substantially lessened, the agency shall state in writing the specific reasons to support its action based on the FEIR 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, subdivision (a); CEQA Guidelines § 15091, subdivision (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 FEIR." (CEQA Guidelines § 15091, subdivision (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." (CEQA Guidelines § 15091, subdivision (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 FEIR." (CEQA Guidelines § 15091, subdivision (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." 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. (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. (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 Grove Avenue Corridor Project, State Clearinghouse No. 2014101071, 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 in its capacity as the legislative body for the City of Ontario, which is the CEQA Lead Agency. The Findings set forth the environmental and other basis 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 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:

1. 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, written and oral testimony given at meetings and hearings, and submission of testimony from public organizations and regulatory agencies; 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 that the environmental impacts associated with the Project are: 1) less than significant and do not require mitigation, or 2) potentially significant and each of these impacts will be avoided or reduced to a level of insignificance through the identified mitigation measures, or 3) significant and cannot be fully mitigated to a level of less than significant but will be substantially lessened to the extent feasible by the identified mitigation measures.

2. Approve the proposed Project and related discretionary actions needed for Project construction and operation.

SECTION II: RESOLUTION REGARDING ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The City Council hereby finds that the following potential environmental impacts of the Project are less than significant and, therefore, do not require the imposition of mitigation measures:

A. Aesthetics. The Project does not contain any scenic vistas, nor does it provide new sources of glare. While the widened pavement section would detract from existing views, the addition of planted medians, preserving as much of the existing trees in the corridor as feasible, and the addition of new street tree plantings would have the overall effect of maintaining the existing character and quality.

B. Agriculture and Forest Resources. There are no agricultural or forest resources located within the project footprint.

C. Air Quality. The Project is intended to alleviate existing and anticipated congestion along Grove Avenue, which in turn is expected to improve traffic flow and decrease vehicle emissions. Operation of the proposed project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation.

D. Cultural Resources. The Project would not result in impacts to any cultural resources as there are no known archaeological resources within the project area. Additionally, no historic properties would be affected as a result of the Project's construction or operation.

E. Energy. The Project would result in level of service improvements and a slight decrease in vehicle miles travelled, which would translate into more efficient energy consumption and higher energy savings for vehicles traveling on Grove Avenue. The energy use during construction, operation, and maintenance of the Project would not be wasteful, inefficient, or unnecessary, and would not conflict with a renewable energy or energy efficiency plans.

F. Geology. The Project site is not located in an Alquist-Priolo Fault Special Studies Zone, nor is it within 1,000 feet of any unzoned fault. It is also located outside designated earthquake zones of required investigations. Thus, fault rupture potential is remote, and the potential for liquefaction and earthquake-induced landslide is low. The Project site is relatively flat, and no hazards related to landslides are expected. In addition, the Project would be designed and constructed to meet the City's engineering design standards to minimize geologic and seismic hazards. Monitoring during all excavations greater than 10 feet deep sediments mapped as Holocene at the surface and for all excavations greater than 5 feet deep in sediments mapped as Pleistocene at the surface would minimize the potential for impacts to paleontological resources.

G. Greenhouse Gas Emissions. The Project is a roadway widening, and the roadway itself would not directly generate greenhouse gas ("GHG") emissions. Rather, GHG emissions associated with vehicles traveling along the Grove Avenue corridor would be considered an indirect effect of the Project. It is anticipated that any increase in GHG emissions due to Project construction would be offset by the improvement in operational GHG emissions.

H. Hazardous Materials. The Project would not create a significant hazard to the public or environment through transport, use, or disposal of hazardous materials because the Project involves improvements to an existing roadway only, and the transport, use, or storage of toxic materials or chemicals is not a proposed component of the project. While construction of the Project may involve the transport, use, handling, storage, and disposal of hazardous substances during construction, appropriate best management practices (BMPs) and industry standards would be utilized to protect workers and residents from potential impacts. A transportation management plan ("TMP") would be prepared to ensure appropriate emergency route planning and coordination during the construction period. Construction of the proposed project has the potential to encounter hazardous materials, including treated wood waste, electrical components with polychlorinated biphenyls, lead-based paint, asbestos-containing material, and aerially deposited lead although implementation of BMPs and industry standards would ensure that no significant hazards would be released to the public.

I. Hydrology and Water Quality. The Project would increase the impervious surface area, but it would not alter existing drainage patterns and would implement best management practices to reduce pollutants in stormwater runoff into the West

Cucamonga Channel. The Project would encroach on the West Cucamonga Channel floodplain at the culvert crossings, but this encroachment would not alter the floodplain or the ability to contain the 100-year flood event. Additionally, the Project would not impact groundwater resources.

J. Land Use and Planning. The Project would upgrade an existing roadway and would not divide physically an established community. In addition, there would be improved sidewalks, crosswalks, lighting, and landscaping. The Project is generally consistent with area local plans, including policies and goals for improving traffic operations and mobility.

K. Mineral Resources. The Project would not result in impacts to mineral resources because none have been identified in the project area.

L. Noise. The Project is expected to increase traffic noise levels at most of the identified receiver locations along the corridor. Fifteen (15) sound walls to provide noise abatement for affected receptors were evaluated on private property lines, with 8 of the walls found to be feasible from a noise reduction standpoint and reasonable from a cost perspective. At the 24 single-family and multi-family residences where sound walls were found to be unreasonable and/or infeasible, residents would experience an increase in noise levels, but the increases would be less than 12 dB, the impact on the 24 residences would not be substantial or significant.

M. Population and Housing. The widening of the Grove Avenue corridor would alleviate current congestion issues and would not contribute to growth, although the acquisition and displacement of 8 single-family housing units and 4 parcels with 10 multiple-family housing units would be required. There would not be a need to construct replacement housing as adequate resources for comparable decent, safe, and sanitary relocation sites can be found for all affected residents within the replacement area of the cities of Ontario, Upland, Rancho Cucamonga, and Montclair.

N. Public Services. The Project would not result in impacts to public services. The improvements associated with the Project would have beneficial effects for law enforcement protection and emergency service access and response times.

O. Recreation. The Project would result in small acquisitions of the existing Grove Memorial and John Galvin parks but none of the recreational activities, features, or attributes of either park would be adversely affected. The widening of Grove Avenue would not result in any impacts to the level of use at the existing parks.

P. Transportation. The Project roadway improvements would improve traffic operations along Grove Avenue and would be compatible with local and regional congestion management plans and transportation-related plans, policies, or programs. While the Grove Avenue intersections are forecast to continue to operate at a level of service (LOS) E or F in horizon year 2045 build conditions, the average delays are forecast to significantly improve with implementation of the Project compared to the No Build Alternative. The roadway improvements would be designed to meet all applicable roadway design and safety standards and the Project would result in a slight decrease in

vehicle miles travelled. A transportation management plan would be implemented during construction to ensure appropriate coordination with emergency response providers regarding construction activities.

Q. Tribal and Cultural Resources. Coordination with the California Native American Heritage Commission determined that the there are no Native American cultural resources in the immediate project area. Implementation of specific minimization measures would reduce any potential impacts to tribal cultural resources that may be encountered during construction.

R. Utilities and Service Systems. The Project would not result in an increased demand for existing water and sewer utilities or require the construction of new water or sewer facilities to serve the project. Existing storm drainage facilities would be relocated, and drainage improvements would include installation of operational BMPs to reduce pollutant runoff and runoff volumes. The required relocation of some major electrical and water utilities would not adversely affect the long-term operations of these utilities.

S. Wildfire. The Project is located in an urbanized area of the city and not would not be exposed to wildfire hazards or effect emergency response or evacuation in wildfire hazard areas located outside the City.

SECTION III: RESOLUTION REGARDING ENVIRONMENTAL IMPACTS MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

The City Council hereby finds that mitigation measures have been identified in the FEIR that will avoid or substantially lessen the following potentially significant environmental impacts to a less than significant level. The potentially significant impacts and the mitigation measures which will reduce them to a less than significant level are set out in the FEIR and are summarized as follows.

Biology - The removal and/or trimming of trees and shrubs along the corridor could result in impacts to nesting birds in violation of the Migratory Bird Treaty Act (MBTA) and California Fish and Game (CFG) Code. Impacts to biological resources will be mitigated to a level of less than significant through required mitigation measures that include guidelines on vegetation clearing, survey dates, and buffers. No further mitigation beyond that identified in the FEIR is necessary to reduce impacts to below a level of significance.

SECTION III: RESOLUTION REGARDING ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT

The City Council hereby finds that there are no environmental impacts which cannot be mitigated to a level of less than significant.

SECTION IV: RESOLUTION REGARDING SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

The CEQA Guidelines require that an FEIR must address any significant irreversible environmental changes that would be caused if the proposed Project were implemented. An impact would come under this category if: 1) The Project would involve a large commitment of nonrenewable resources; 2) The primary and secondary impacts of the Project would generally commit future generations to similar uses; 3) The Project involves uses in which irreversible damage could result from any potential environmental incidents associated with the Project; and 4) The proposed consumption of resources are not justified (e.g., results in wasteful use of energy).

As discussed in prior sections of this resolution, significant irreversible environmental changes are not anticipated for this Project. The Project would result in the consumption of nonrenewable resources during construction and operation. Nonrenewable resources, such as sand, gravel, and steel, and renewable resources, such as lumber, would be consumed during project construction. Energy, fossil fuels, oils, and natural gas would be irreversibly committed during construction. These same resources are used for vehicles and heating/cooling equipment during operations. The continued use of these resources associated with project operations represents a long-term obligation. The commitment of these resources to the Project is based on the concept that residents, workers, travelers, and others in the immediate area, region, and state would benefit from the improved quality of the roadway facility. These benefits include improved accessibility, travel time, and safety which are expected to outweigh the commitment of resources to the project.

SECTION V: RESOLUTION REGARDING GROWTH-INDUCING IMPACTS

Section 15126.2(d) of the CEQA Guidelines requires the FEIR to address the growth-inducing impact of the Project. The Project proposes to widen Grove Avenue to alleviate existing congestion and accommodate future traffic; improve mobility to and from Ontario International Airport; and provide route continuity along Grove Avenue to conform with the City of Ontario General Plan Circulation Element. Because Grove Avenue is already utilized as an established north-south travel route in the cities of Ontario and Rancho Cucamonga, the Project is not anticipated to significantly alter travel patterns, locally or regionally nor would it change points of accessibility to undeveloped land or provide new access to the area.

The transportation improvements associated with the Project accommodate existing and planned future development associated with the development identified in the regional and local plans, but it would not have potential for stimulating the location, rate, timing, or amount of growth locally or regionally. The Project would not provide an entirely new public facility, rather it provides capacity improvements along an existing corridor to respond to expected traffic demand and to improve operations. The Project would facilitate improved mobility for future conditions and would not directly or indirectly result in project-related growth or influence growth locally or regionally.

SECTION VI: RESOLUTION REGARDING ALTERNATIVES

The City Council hereby declares that it has considered and rejected as infeasible the alternatives identified in the FEIR and described below. CEQA requires that an FEIR evaluate a reasonable range of alternatives to a Project or to the location of the Project which: 1) offer substantial environmental advantages over the Project proposal and 2) may be feasibly accomplished in a successful manner within a reasonable period of time considering the economic environmental social and technological factors involved. An FEIR only need evaluate reasonable alternatives to a Project that could feasibly attain most of the Project objectives and evaluate the comparative merits of the alternatives. In all cases consideration of alternatives is to be judged against a rule of reason. The lead agency is not required to choose the environmentally superior alternative identified in the FEIR if the alternative does not provide substantial advantages over the proposed Project and, 1) through the imposition of mitigation measures the environmental effects of a Project can be reduced to an acceptable level or 2) there are social economic, technological, or other considerations which make the alternative infeasible.

No-Build Alternative - The No Build Alternative proposed no improvements within the project area. Grove Avenue would maintain the existing four through lanes, and the existing configuration at the Grove Avenue/Holt Boulevard intersection would be maintained. While the existing configuration of Grove Avenue is adequate for existing traffic flows, there will be inadequate service at the Grove Avenue/Holt Boulevard intersection by the 2025 build year. Intersection performances will continue to deteriorate up to the 2045 horizon year. Since the need for the project is centered on improving Grove Avenue to accommodate recent and projected growth in passenger and goods/trucks movement associated with Ontario International Airport and changes in land uses since Grove Avenue was originally constructed; the lack of improvements to Grove Avenue associated with the No Build Alternative would not meet the purpose of the project.

Other alternatives were eliminated from further consideration and were not subject to detailed analysis in the Draft EIR because they failed to meet most of the project objectives, are infeasible, or do not avoid any significant environmental effects of the Project.

SECTION VII: RESOLUTION REGARDING CERTIFICATION OF EIR

The City Council finds that it has reviewed and considered the EIR in evaluating the proposed Grove Avenue corridor improvements, that the EIR is an accurate and objective statement that fully complies with CEQA, CEQA Guidelines and the City local CEQA Guidelines and that the EIR reflects the independent judgment of the City Council.

The City Council declares that no new significant impacts as defined by CEQA Guidelines Section 15088.5 have been received by the City after circulation of the EIR that would require recirculation.

The City Council certifies the Environmental Impact Report based on the following findings and conclusions:

A. Findings. There are no significant environmental impacts identified in the EIR which cannot be mitigated to a level of less than significant.

B. Conclusions.

1. All significant environmental impacts from 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. No other alternatives to the proposed Project, which could feasibly achieve the objectives of the Project, have been considered and rejected in favor of the proposed improvements to Grove Avenue.

3. Environmental, economic, social, and other considerations and benefits derived from the proposed improvements to Grove Avenue override and make infeasible any alternatives to the proposed improvements or further mitigation measures beyond those incorporated into the proposed Project.

SECTION VIII: RESOLUTION REGARDING CERTIFICATION OF EIR

Pursuant to Public Resources Code section 21081.6 the City Council hereby adopts the Mitigation Monitoring and Reporting Plan attached to this Resolution as Exhibit A In the event of any inconsistencies between the mitigation measures as set forth herein and the Mitigation Monitoring Program shall control.

SECTION IX: RESOLUTION REGARDING 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 261081.6.

SECTION X: RESOLUTION REGARDING STAFF DIRECTION

A Notice of Determination shall be filed with the County of San Bernardino within five working days following final Project approval.

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

ATTACHMENT A:

Grove Avenue Corridor Project
Final Environmental Impact Report
(State Clearinghouse No. 2014101071)

(FEIR follows this page)

Grove Avenue Corridor Project

SAN BERNARDINO COUNTY, CALIFORNIA
DISTRICT 8 – SBD – Ontario
FPN HPLUL-5092(039)/ Project ID: 0815000220

Final Environmental Impact Report/ Environmental Assessment with Finding of No Significant Impact

Prepared by the

State of California Department of Transportation
and
City of Ontario

The environmental review, consultation, and any other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by Caltrans pursuant to 23 U.S.C. 327 and the Memorandum of Understanding dated December 23, 2016, and executed by FHWA and Caltrans.

March 2021

General Information about This Document

What's in this document:

The California Department of Transportation (Caltrans), as assigned by the Federal Highway Administration (FHWA), and the City of Ontario have prepared this Final Environmental Impact Report/Environmental Assessment (EIR/EA), which examines the potential environmental impacts of the alternatives being considered for the Grove Avenue Corridor Project (proposed project or project) located in San Bernardino County, California. Caltrans is the lead agency under the National Environmental Policy Act (NEPA). The City of Ontario is the lead agency under the California Environmental Quality Act (CEQA). The document tells you why the project is being proposed, what alternatives we have considered for the project, how the existing environment could be affected by the project, the potential impacts of the alternatives, and the proposed avoidance, minimization, and/or mitigation measures.

The Draft Environmental Impact Report/Environmental Assessment was circulated to the public for 45 of days between August 19 and October 2, 2019. Comments received during this period are summarized in Chapter 4 and included in Appendix J. Elsewhere throughout this document, a vertical line in the margin indicates a change made since circulation of the draft environmental document. Minor editorial changes and clarifications have not been so indicated.

- Additional copies of this document and the related technical studies are available for review at: Caltrans District 8 office at 464 W. 4th Street, San Bernardino, CA 92401
- City of Ontario City Clerk at 303 East "B" Street, Ontario, CA 91764-4105
- South Ontario Library, 3850 East Riverside Drive, Ontario, CA 91761
- Ovitt Family Community Library, 215 East "C" Street, Ontario, CA 91764

This document may be downloaded at the following website:
www.ontarioca.gov/planning.

Alternative formats:

For individuals with sensory disabilities, this document can be made available in Braille, in large print, on audiocassette, or on computer disk. To obtain a copy in one of these alternate formats, please call or write to Mr. Charles Mercier, Principal Planner, City of Ontario, Planning Department, "Attn: Grove Avenue Corridor Project", 303 East "B" Street, Ontario, CA 91764-4105; (909) 395-2036 (Voice), or use the California Relay Service 1 (800) 735-2929 (TTY to Voice), 1 (800) 735-29222 (Voice to TTY), 1 (800) 855-3000 (Spanish TTY to Voice and Voice to TTY), 1-800-854-7784 (Spanish and English Speech-to-Speech) or 711.

FHWA Highway ID No. HPLUL-5092(039)

SCH# 2014101071
08 - SBD - Ontario
0815000220

Widen Grove Avenue, from 4th Street to Airport Drive

FINAL ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL ASSESSMENT with Finding of No Significant Impact

Submitted Pursuant to: (State) Division 13, Public Resources Code
(Federal) 42 U.S.C. 4332(2)(C)

THE STATE OF CALIFORNIA
Department of Transportation
and
City of Ontario

4/30/2021
Date of Approval

David Bricker
Deputy District Director, District 8
Division of Environmental Planning
California Department of Transportation
NEPA Lead Agency

4.30.2021
Date of Approval

Charles Mercier
City of Ontario
CEQA Lead Agency

The following person may be contacted for additional information concerning this document:

Charles Mercier
City of Ontario
909-395-2036
303 East "B" Street
Ontario, CA 91764

CALIFORNIA DEPARTMENT OF TRANSPORTATION
FINDING OF NO SIGNIFICANT IMPACT (FONSI)

for

Grove Avenue Corridor Project

The California Department of Transportation (Caltrans) and the City of Ontario have determined that the Build Alternative of the proposed project will have no significant impact on the human environment. This FONSI is based on the attached Environmental Impact Report/Environmental Assessment (EIR/EA), which has been independently evaluated by Caltrans and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. Caltrans takes full responsibility for the accuracy, scope, and content of the attached EIR/EA.

The environmental review, consultation, and any other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by Caltrans pursuant to 23 U.S.C. 327 and the Memorandum of Understanding dated December 23, 2016, and executed by FHWA and Caltrans.

4/30/2021
Date

David Bricker
Deputy District Director, District 8
Division of Environmental Planning
California Department of
Transportation NEPA Lead Agency

Summary

National Environmental Policy Act Assignment

California participated in the "Surface Transportation Project Delivery Pilot Program" (Pilot Program) pursuant to 23 United States Code (U.S.C.) 327, for more than 5 years, beginning July 1, 2007, and ending September 30, 2012. MAP-21 (Moving Ahead for Progress in the 21st Century) (Public Law [P.L.] 112-141), signed by President Obama on July 6, 2012, amended 23 U.S.C. 327 to establish a permanent Surface Transportation Project Delivery Program. As a result, the California Department of Transportation (Caltrans) entered into a Memorandum of Understanding (MOU) pursuant to 23 U.S.C. 327 (National Environmental Policy Act [NEPA] Assignment MOU) with the Federal Highway Administration (FHWA). The NEPA Assignment MOU became effective October 1, 2012, and was renewed on December 23, 2016, for a term of 5 years. In summary, Caltrans continues to assume FHWA responsibilities under NEPA and other federal environmental laws in the same manner as was assigned under the Pilot Program, with minor changes. With NEPA Assignment, FHWA assigned and Caltrans assumed all of the United States Department of Transportation (USDOT) Secretary's responsibilities under NEPA. This assignment includes projects on the State Highway System and Local Assistance Projects off of the State Highway System within the State of California, except for certain categorical exclusions (CE) that FHWA assigned to Caltrans under the 23 U.S.C. 326 CE Assignment MOU, projects excluded by definition, and specific project exclusions.

Caltrans is the lead agency under NEPA. The City of Ontario (City) is the lead agency under the California Environmental Quality Act (CEQA). The proposed project is known as the Grove Avenue Corridor Project (Project) and is located in the city of Ontario, San Bernardino County, California.

S-1 Overview of Project Area

The City, in cooperation with Caltrans District 8, proposes to widen Grove Avenue in the city of Ontario and the county of San Bernardino from four to six lanes between 4th Street and State Street/Airport Drive. Grove Avenue is located approximately 1.4 miles east of Euclid Avenue and approximately 1.2 miles west of Vineyard Avenue along Interstate 10 (I-10). The project area is bound on the north by 4th Street and on the south by State Street/Airport Drive. The widened segment of Grove Avenue would be located south of I-10 and would serve the city of Ontario.

Land uses in the project vicinity include residential, commercial, industrial, parks and recreation, and public facilities. In the project study area, several approved or planned projects in the project study area may affect or require design coordination with the project. These projects are:

- I-10 Corridor Project (FHWA)
- I-10/Grove Avenue Interchange Project
- Omnitrans West Valley Connector (Federal Transit Administration [FTA])
- I-15 Corridor Improvement Project
- San Bernardino County Flood Control District's Master Stormwater System Maintenance Program (MSWMP)
- Metro Gold Line Foothill Extension Construction Authority
- College Park Specific Plan
- Ontario Center Specific Plan
- Ontario Festival Specific Plan
- Meredith International Centre Specific Plan
- Guasti Plaza Specific Plan
- Omnitrans Route 290
- San Bernardino County Transportation Authority (SBCTA) Ontario Airport Rail Access
- Mountain Village – City of Ontario Specific Plan
- Pomona Corridors Specific Plan

S-2 Purpose and Need

The purpose of the proposed Grove Avenue Corridor Project is to accomplish the following objective:

- Alleviate existing and anticipated future congestion along Grove Avenue between 4th Street and Airport Drive and improve traffic operations along the corridor in the city of Ontario.

Improvements to Grove Avenue are needed to accommodate recent and projected growth in passenger and goods/trucks movement associated with Ontario International Airport and changes in land use since Grove Avenue was originally constructed.

Based on traffic projections and the existing and planned land uses in the vicinity, the existing Grove Avenue facility is forecast to operate at unsatisfactory level of service (LOS) at three intersections within the project limits by 2045 without improvements.

S-3 Proposed Action

Caltrans, in cooperation with the City and the County, proposes to widen Grove Avenue from a four-lane roadway to a six-lane roadway from 4th Street to State Street/Airport Drive. Grove Avenue is located approximately 1.4 miles east of Euclid Avenue and approximately 1.2 miles west of Vineyard Avenue along I-10. The project area is bound on the north by 4th Street and on the south by State Street/Airport Drive.

One No Build Alternative and one Build Alternative are under consideration. The No Build Alternative would include no improvements.

The Build Alternative proposes local street improvements along Grove Avenue and improvements at the Grove Avenue/Holt Boulevard intersection. This alternative is bound on the north by 4th Street and on the south by State Street/Airport Drive. Table S-1 provides a summary of these alternatives. Because the No Build Alternative represents the scenario under which existing conditions remain unchanged, the Build Alternative has been identified by the Project Development Team (PDT) as the preferred alternative and is generally referred to as the Grove Avenue Corridor Project or the proposed project (or project) in this document.

S-4 Joint CEQA/NEPA Document

The Grove Avenue Corridor Project is subject to federal, as well as City and State, environmental review requirements because the City proposes the use of federal funds from FHWA and/or the project requires an approval from FHWA. Project documentation, therefore, has been prepared in compliance with both CEQA and NEPA. The City is the project proponent and the lead agency under CEQA. FHWA's responsibility for environmental review, consultation, and any other actions required by applicable federal environmental laws for this project are being, or have been, carried out by Caltrans pursuant to 23 U.S.C. Section 327 and the MOU dated December 23, 2016, and executed by FHWA and Caltrans. With NEPA Assignment, FHWA assigned and Caltrans assumed all of the USDOT Secretary's responsibilities under NEPA. This assignment includes projects on the State Highway System and Local Assistance Projects off of the State Highway System within California, except for certain categorical exclusions that FHWA assigned to Caltrans under the 23 U.S.C.

326 CE Assignment MOU, projects excluded by definition, and specific project exclusions.

Some impacts determined to be significant under CEQA may not lead to a determination of significance under NEPA. Because NEPA is concerned with the significance of the project as a whole, quite often a "lower level" document is prepared for NEPA. One of the most commonly seen joint document types is an Environmental Impact Report (EIR)/Environmental Assessment (EA).

After receiving comments from the public and reviewing agencies, this Final EIR/EA was prepared. The City and Caltrans may prepare additional environmental and/or engineering studies to address comments. The Final EIR/EA includes responses to comments received on the Draft EIR/EA and identifies the preferred alternative. If the decision is made to approve the project, a Notice of Determination will be published for compliance with CEQA, and Caltrans will decide whether to issue a Finding of No Significant Impact (FONSI) or require an Environmental Impact Statement (EIS) for compliance with NEPA. A Notice of Availability (NOA) of the FONSI will be sent to the affected units of federal, state, and local government, and to the State Clearinghouse in compliance with Executive Order (EO) 12372.

S-5 Project Impacts

Table S-1 provides a brief comparison of the impacts of the No Build Alternative and the Build Alternative (proposed project). Other alternatives to the project (e.g., alternative sites, reversible lanes, widening both sides, widening to the west) would not meet the purpose and need or would have greater impacts and have been considered but dismissed from further consideration.

Table S-1. Summary of Major Potential Impacts from Alternatives

Environmental Resource	No Build Alternative	Build Alternative (Proposed Project)	Avoidance, Minimization or Mitigation Measures
Consistency with State, Regional, and Local Plans and Programs	The No Build Alternative is inconsistent with several plans.	Properties used as temporary construction easements (TCE) would maintain their existing land use during and after project construction. The Build Alternative is inconsistent with the Southern California Association of Governments (SCAG) Regional Comprehensive Plan (RCP).	**LU-3:** The remnant parking lot on the west side of John Galvin Park will be reconfigured to maintain as many parking spots at this location as possible. **VA-2:** Where it is not feasible to save the existing trees, new tree and vegetation plantings shall be included in the final design of the roadway. Replacement trees shall be two 24-inch boxed trees for each tree removed by the project. All areas disturbed by the project shall be fitted with new landscaping, including trees, groundcovers, accent plants, and turf grass (in park areas adjacent to existing remaining turf). **NC-1:** The project shall preserve as many mature trees as practicable. Although there is no City or County ordinance for tree removal, the project's landscape plan will incorporate a tree replacement plan with a replacement ratio of 2:1 – for every mature tree removed, two trees will be planted to be consistent with Measure VA-2. Mature trees (larger than 20 feet high) that are to be removed shall be replaced with two 24-inch box trees. Design plans shall indicate locations of existing mature trees (larger than 20 feet high) to be preserved in place. Tree replacement shall meet all Caltrans and City standards and policies, and near John Galvin Park, the replacement tree species will incorporate species that have been identified as those of the original planting of John Galvin Park in the 1930s.
Parks and Recreation	No impact.	Permanent impacts to approximately 0.06 acre of park space would occur. Also, 1.2 acres of park space would be temporarily impacted due to temporary construction easements (TCE). Impacts are considered de minimis.	**LU-1:** Turf grass and rock curbs will be replaced in TCE areas within Grove Memorial Park to match pre-project conditions in consultation with the property owner (City) during and at completion of construction. **LU-2:** Turf grass and rock curbs will be replaced in TCE areas within John Galvin Park to match pre-project conditions in consultation with the property owner (City) during and at completion of construction. **LU-3:** The remnant parking lot on the west side of John Galvin Park will be reconfigured to maintain as many parking spots at this location as possible.

Table S-1. Summary of Major Potential Impacts from Alternatives

Environmental Resource	No Build Alternative	Build Alternative (Proposed Project)	Avoidance, Minimization or Mitigation Measures
Growth	The No Build Alternative is inconsistent with the regional mobility goals in the study area; however, it is not anticipated to influence growth within the study area.	No impact.	No avoidance, minimization, and/or mitigation measures required.
Cultural Resources	No impact.	No impact.	**CR-1:** If cultural resources are discovered at the job site, all work activities shall stop within a 60-foot radius of the discovery, the discovery area shall be protected, and the Resident Engineer shall be notified. Cultural resources shall not be moved or taken from the job site until Caltrans investigates and determines the significance of the find. Work activities shall not resume within the discovery area until Caltrans provides written notification authorizing work activities to resume. **CR-2**: **Human Remains.** If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities will cease in any area or nearby area suspected to overlie remains, and the County Coroner will be contacted. Pursuant to Public Resources Code (PRC) Section 5097.98, if the remains are thought to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC), who will designate the Most Likely Descendent (MLD). At this time, the Caltrans District 8 Environmental Branch Chief, Andrew Walters (909) 383-2647, will be contacted so that they may work with the MLD on the respectful treatment and disposition of the remains. Further provisions of PRC 5097.98 are to be followed as applicable.
Community Character and Cohesion and Environmental Justice	No impact.	No impact.	**COM-1:** Where acquisition and relocation are unavoidable, provisions of the Uniform Act and the 1987 Amendments, as implemented by the Uniform Relocation Assistance and Real Property Acquisition Regulations for Federal and Federally Assisted Programs adopted by USDOT (March 2, 1989) and, where applicable, the California Public Park Preservation Act of 1971, will be followed. An appraisal of the affected property will be obtained, and an offer for the full appraisal will be made. **COM-2:** Outreach activities targeted to low-income residents will be conducted during the planning, design, and construction phases of the Build Alternative.

Table S-1. Summary of Major Potential Impacts from Alternatives

Environmental Resource		No Build Alternative	Build Alternative (Proposed Project)	Avoidance, Minimization or Mitigation Measures
Utilities/Emergency Services		Without the proposed project improvements, emergency response times would continue to worsen.	Approximately 136 utilities have the potential to be affected by the proposed Build Alternative. Short-term construction activities could result in temporary traffic delays, road closures, lane closures, or detours that may impair the ability of law enforcement, fire, and other emergency service providers to meet response time goals.	**UT-1:** During final design, the Project Engineer will prepare utility relocation plans in consultation with the affected utility providers/owners for those utility facilities that will need to be relocated, removed, or protected in-place. **UT-2:** During final design, the Project Engineer will prepare utility relocation plans in consultation with the affected utility providers/ owners for those utility facilities that will need to be relocated, removed, or protected in place. If relocation is necessary, the final design will focus on relocating utilities within the State right-of-way (ROW) or other existing public ROWs and/or easements. If relocation outside of existing or the additional public ROWs and/or easements required for the project is necessary, the final design will focus on relocating those facilities in adjacent public ROWs and in a manner so as to not result in significant community, land use, or natural resource impacts. **UT-3:** Close coordination with utility service providers and implementation of a public outreach program will be conducted, as needed, to minimize impacts to surrounding communities. **UES-1:** Prior to and during any construction activities, the City will coordinate with emergency service providers to ensure that all providers are aware of temporary road closures and detours. **UES-2:** Emergency service phone numbers (i.e., fire, emergency medical, police) will be posted in visible locations in all active construction areas. **UES-3:** To avoid conflicts during construction, the project's Resident Engineer will notify all emergency and other essential service providers no less than 2 weeks prior to the start of construction. Agencies to be notified include: • City of Ontario Police Department • City of Ontario Fire Department • San Bernardino County Sherriff's Department • San Bernardino County Fire Department
Relocation	Business displacements	No impact.	0 full business relocations	**COM-1:** Where acquisition and relocation are unavoidable, provisions of the Uniform Relocation Act and the 1987 Amendments, as implemented by the Uniform Relocation Assistance and Real Property Acquisition Regulations for

Table S-1. Summary of Major Potential Impacts from Alternatives

Environmental Resource		No Build Alternative	Build Alternative (Proposed Project)	Avoidance, Minimization or Mitigation Measures
	Residential displacements	No impact.	12 full residential property displacements	Federal and Federally Assisted Programs adopted by USDOT (March 2, 1989) and, where applicable, the California Public Park Preservation Act of 1971 will be followed. An appraisal of the affected property will be obtained, and an offer for the full appraisal will be made.
Traffic and Transportation/ Pedestrian and Bicycle Facilities		Two intersections are forecast to operate at unsatisfactory LOS in opening year (2025) no–build conditions: By 2045, four intersections in the immediate vicinity are forecast to operate at unsatisfactory LOS in design-year (2045) no-build conditions.	In the short term, construction activities would result in street closures and detours that would temporarily delay traffic flow, affect business parking, and impede access to businesses. In the long term, average delays for intersections in the immediate project vicinity are forecast to significantly improve with implementation of the Build Alternative. Because no arterial roadways would be permanently closed, there are no permanent impacts to access or circulation, and no indirect impacts are anticipated with implementation of the Build Alternative.	**T-1:** Final Transportation Management Plan (TMP) – A TMP (July 2015) was prepared during development of the preliminary engineering for the project. During final design, a Final TMP will be prepared. At a minimum, the Final TMP will include the detailing of any projected temporary street closures or expected traffic delays due to project construction activities. The Final TMP will include a public awareness program that will use an appropriate combination of the Highway Advisory Radio (HAR), local media, newsletters, and/or flyers. The following elements will be major components of the Final TMP: Public Awareness Campaign, particularly related to the scheduling of work; Construction Zone Enhanced Enforcement Program (COZEEP); utilization of portable changeable message signs (CMSs); and notification to be sent to local cities and emergency responders, if applicable. **T-2:** During project construction, the Project Engineer will ensure that the measures in the Final TMP are properly implemented by the contractor. **T-3:** During final design and construction, the Project Engineer will work with affected property owners to identify means to avoid and minimize parking impacts, including space management, such as restriping of parking areas and identifying parking replacement options. **T-4:** All pedestrian facilities will be designed to meet or exceed requirements of the Americans with Disabilities Act (ADA) and current safety standards. Access to pedestrians and bicyclists shall be maintained to the extent practicable during the construction period. **T-5:** Prior to and during construction, the Project Engineer will coordinate with Omnitrans, the Ontario-Montclair School District, and other affected transit providers to request and comply with applicable procedures for any required temporary bus stop relocations or other disruptions to transit service during construction, if necessary.

Table S-1. Summary of Major Potential Impacts from Alternatives

Environmental Resource	No Build Alternative	Build Alternative (Proposed Project)	Avoidance, Minimization or Mitigation Measures
			T-6: During final design and prior to and during construction, the Project Engineer will coordinate with the design and construction team for the I-10/Grove Avenue Interchange Project to ensure the Grove Avenue Corridor Project and the I-10/Grove Avenue Interchange Project are designed compatibly.
Paleontological Resources	No impact	Low to moderate potential for impacting paleontological resources.	**P-1:** Develop and implement a Paleontological Monitoring Plan (PMP), with monitoring in excavations more than 10 feet deep for sediments mapped as Holocene at the surface and more than 5 feet deep for excavations mapped as Pleistocene at the surface. The PMP will guide and facilitate the identification and treatment of paleontological resources, if any are found, during project construction to reduce adverse effects on significant resources. The PMP will summarize identified paleontologically sensitive areas within the area of potential effects (APE), the organization and responsibilities of the paleontological team, the responsibilities of other parties, and the treatment and communications procedures to be implemented if paleontological resources are encountered during the project.
Hazardous Waste/Materials	No impact.	The project may require the removal of utility poles along Grove Avenue and Holt Boulevard that consist of creosote treated wood and are considered areas of concern (AOCs). If removed, the poles should be managed as treated wood waste (TWW) in accordance with Caltrans' Standard Specification 14-11.14 for the proper handling and disposal of TWW. PCBs and hazardous substances in pole mounted transformers, street lighting, traffic signals, utility boxes, meters, and associated electrical components shall be properly collected, stored, transported, and disposed of in accordance with Caltrans'	**HW-1:** If any discolored, odorous or compromised soils are encountered during excavation, they shall be tested and removed and disposed of per regulatory requirements.

Table S-1. Summary of Major Potential Impacts from Alternatives

Environmental Resource	No Build Alternative	Build Alternative (Proposed Project)	Avoidance, Minimization or Mitigation Measures
		SSP 14 -11.15C, Waste Management. The Build Alternative would require the removal of multiple residential structures and, depending on the structures' age, they may contain asbestos-containing material (ACM) and lead-based paint (LBP). The presence of these materials would need to be investigated prior to removal of the structures to comply with environmental and worker safety regulatory requirements for ACM and LBP. Roadway paint and yellow striping on Grove Avenue and Holt Boulevard should be tested for LBP prior to removal to determine proper handling and disposal requirements in accordance with Caltrans' Standard Specification 14-11.12, Removal of Yellow Traffic Stripe and Pavement Marking with Hazardous Waste Residue. Any ADL-contaminated soils should be reused, stockpiled, transported, and/or disposed of in compliance with the ADL Agreement between Caltrans and DTSC and addressed in an LCP.	
Cumulative Impacts	No impact.	No impact.	No avoidance, minimization, and/or mitigation measures required.
Visual/Aesthetics	No impact.	During and after construction, visual impacts would be less than substantial, with the long-	**VA-1:** The existing trees, particularly within the park area, provide scale, shade, and visual relief to the extent of roadway

Table S-1. Summary of Major Potential Impacts from Alternatives

Environmental Resource	No Build Alternative	Build Alternative (Proposed Project)	Avoidance, Minimization or Mitigation Measures
		term effect anticipated to be a moderately low change to the visual environment.	paving. Preserving existing trees to the extent feasible will help maintain the existing visual character of the roadway. **VA-2:** Where it is not feasible to save the existing trees, new tree and vegetation plantings shall be included in the final design of the roadway. Replacement trees shall be two 24-inch boxed trees for each tree removed by the project. All areas disturbed by the project shall be fitted with new landscaping, including trees, groundcovers, accent plants, and turf grass (in park areas adjacent to existing remaining turf). **VA-3:** To support the replacement of plantings, the project shall include a permanent irrigation system to all new plantings. Materials used for irrigation shall be as per City of Ontario standards. **VA-4:** Decorative paving shall be employed for medians, islands, and parkway strips that are too narrow to plant. Paving color and texture/pattern shall match City of Ontario standards.
Floodplain/Hydrology	No impact.	Temporary construction activities may introduce pollutants into the stormwater. Culvert crossings would be extended to accommodate the roadway widening by 37 feet. The 100-year flood event would still be contained in the channel.	**HYD-1:** Provide positive drainage during construction and refrain from filling designated floodplains. Construction site surface runoff will be channeled into existing drainage facilities so as to not cause water flow on neighboring properties. Offsite flows will be managed in a manner that will mimic the existing drainage network and will not inundate the roadway surface of any of the existing drainage systems. **HYD-2**: Implement standard Best Management Practices (BMPs) as identified in the City of Ontario's Water Quality Management Plan, including temporary construction site BMPs to address site soil stabilization and reduce deposition of sediments to receiving waters. **HYD-3:** Include erosion control and water quality protection during construction at the West Cucamonga Channel. BMPs will be designed and implemented to reduce the discharge of pollutants to the Maximum Extent Practicable (MEP). Typical measures that may be implemented include preservation of existing vegetation, use of soil binders or hydroseeding, and installation of silt fences or fiber rolls. **HYD-4:** Contractor shall develop a contingency plan for unforeseen discovery of underground contaminants in the Stormwater Pollution Prevention Plan (SWPPP). **HYD-5:** Limit construction activities between October and May to those actions that can adequately withstand high flows and

Table S-1. Summary of Major Potential Impacts from Alternatives

Environmental Resource	No Build Alternative	Build Alternative (Proposed Project)	Avoidance, Minimization or Mitigation Measures
			entrainment of construction materials. The Contractor shall prepare a Rain Event Action Plan (REAP) and discuss high flows mitigation.
Water Quality	No impact.	Construction activities would increase the sources of pollution in the storm drain system serving the area in the short-term. The Build Alternative would add 2.57 acres of additional Impervious Surface Area in the long-term.	**WQ-1: Implement Temporary Construction BMPs.** The project will be required to conform to the requirements of the National Pollutant Discharge Elimination System (NPDES) Permit for Construction Activities, Order No. 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-0006-DWQ, NPDES No. CAS000002. **WQ-2: Prepare and Implement an SWPPP.** The Contractor will be required to develop an acceptable SWPPP. The SWPPP shall contain BMPs that have demonstrated effectiveness at reducing stormwater pollution. The SWPPP shall address all construction-related activities, equipment, and materials that have the potential to affect water quality. All Construction Site BMPs will be installed, maintained, and inspected to control and minimize the impacts of construction-related pollutants. The SWPPP shall include BMPs to control pollutants, sediment from erosion, stormwater runoff, and other construction-related impacts. In addition, the SWPPP shall include implementation of specific stormwater effluent monitoring requirements based on the project's risk level to ensure that the implemented BMPs are effective in preventing discharges from exceeding any of the water quality standards. **WQ-3: Incorporate Design Principles into Final Roadway Design.** Design Principles are permanent measures to minimize pollution discharges by retaining source materials and stabilizing soils. The three objectives associated with Design Principle BMPs include maximizing vegetated surfaces; preventing downstream erosion; and stabilizing soil areas. These design objectives will be applied to the entire project.
Air Quality	No impact.	Minimal short-term construction impacts are anticipated to be generated from excavation, grading, hauling, and various other activities needed to construct the project; however, reactive organic gas (ROG) and other emissions are expected to be low due to the limited	**AQ-1:** The City shall encourage construction contractors to apply for SCAQMD "SOON" funds. The "SOON" program provides funds to applicable fleets for the purchase of commercially available low-emission heavy-duty engines to achieve near-term reduction of NO_X emissions from in-use off-road diesel vehicles. More information on this program can be found at SCAQMD's website: http://www.aqmd.gov/home/programs/business/business-detail?title=off-road-diesel-engines&parent=vehicle-engine-upgrades.

Table S-1. Summary of Major Potential Impacts from Alternatives

Environmental Resource	No Build Alternative	Build Alternative (Proposed Project)	Avoidance, Minimization or Mitigation Measures
		construction activities scheduled for the project. Therefore, the thresholds of significance established for ROG emissions by the South Coast Air Quality Management District (SCAQMD) would not be exceeded during construction of the project. In the long term, the project is not expected to noticeably change overall traffic volumes, and vehicular flow near intersections would be improved, which would reduce localized concentrations of pollutant emissions.	
Noise	Without the proposed project, approximately 166 dwelling units would experience noise impacts. Noise levels for design-year no-build conditions are expected to increase up to 3 decibels (dB) over existing noise levels due to projected traffic volume increases over existing conditions. Estimated no-build traffic noise levels were found to approach or exceed the applicable Noise Abatement Criteria (NAC) at representative residential locations.	Noise impacts during construction would affect nearby sensitive land uses but this impact would be temporary as each roadway section is under construction. Also, 127 dwelling units are expected to experience long-term noise impacts. Increases in noise levels are due to the addition of the two lanes (one in each direction) within the Grove Avenue corridor. The additional lanes would shift traffic closer to representative receivers within the proposed project area. Under future design-year 2045 build conditions, most of the receiver locations have traffic noise levels that were found to	**N-1:** Based on the studies completed to date and input from the public, Caltrans and the City will incorporate noise abatement in the form of soundwalls that meet the criteria for reasonableness and feasibility. The recommended soundwalls would reduce the traffic noise by at least 5 dB at the impacted receivers, would meet the design goal by providing a 7-dB reduction for at least one receiver, and would cost less than the reasonable cost allowance. If conditions have substantially changed during final design, noise abatement may change or may not be necessary, depending on the results of the updated noise analysis during final design information. The final decision of the noise abatement will be made upon completion of the project design and the public involvement process. After circulation of the draft environmental document, soundwall surveys were conducted with all property owners and residents of benefited receptors located within the footprint of the Build Alternative. Where 100 percent of the responding benefited receptors did not support the soundwall, the soundwall will not be constructed. However, if conditions substantially change at the time of final design, a noise analysis and/or soundwall surveys may be

Table S-1. Summary of Major Potential Impacts from Alternatives

Environmental Resource	No Build Alternative	Build Alternative (Proposed Project)	Avoidance, Minimization or Mitigation Measures
		approach or exceed the applicable NAC.	conducted again, and the final decision on noise abatement will be reconsidered as part of the project design.
Natural Communities	No impact.	The site is highly urbanized and no impact to communities of concern or regional species of concern would occur. The project would result in permanent unavoidable impacts to approximately 174 trees (by trimming and removals).	**NC-1:** The project shall preserve as many mature trees as practicable. Although there is no City or County ordinance for tree removal, the project's landscape plan will incorporate a tree replacement plan with a replacement ratio of 2:1 – for every mature tree removed, two trees will be planted to be consistent with Measure VA-2. Mature trees (larger than 20 feet high) that are to be removed shall be replaced with two 24-inch box trees. Design plans shall indicate locations of existing mature trees (larger than 20 feet high) to be preserved in place. Tree replacement shall meet all Caltrans and City standards and policies, and near John Galvin Park, the replacement tree species will incorporate species that have been identified as those of the original planting of John Galvin Park in the 1930s.
Threatened and Endangered Species	No impact.	No impact.	No avoidance, minimization, and/or mitigation measures required.
Invasive Species	No impact.	There is potential to spread invasive species by the entering and exiting of construction equipment contaminated by invasives, the inclusion of invasive species in seed mixtures and mulch, and the improper removal and disposal of invasive species so that seed is spread along the highway.	**IS-1:** In compliance with the EO on Invasive Species (EO 13112) and guidance from FHWA, the landscaping and erosion control included in the project will not use species listed as invasive. In areas of particular sensitivity (i.e., near or adjacent to drainages), extra precautions will be taken if invasive species are found in or next to the construction areas. This includes the inspection and cleaning of construction equipment and eradication strategies, as required by the City of Ontario Biological Monitor, to be implemented should an invasion occur. Any cleaning of equipment or site watering will be conducted in adherence to any applicable drought conditions and related regulations. A City of Ontario biologist or landscape Architect will approve any seed lists (for planting).
Animal Species	No impact.	Construction activities may disturb animal species on and near the construction site but this impact would be less than significant impact after mitigation.	**Mitigation Measure AS-1:** To avoid effects to nesting birds, the Project Engineer will require the contractor to conduct vegetation removal or tree-trimming activities outside of the nesting bird season (i.e., February 15 through August 31). If vegetation clearing is necessary during the nesting season, the Project Engineer will require the contractor to have a qualified biologist conduct a preconstruction survey within 150 feet of construction areas no more than 10 days prior to construction at

Table S-1. Summary of Major Potential Impacts from Alternatives

Environmental Resource	No Build Alternative	Build Alternative (Proposed Project)	Avoidance, Minimization or Mitigation Measures
			the location to identify the location of nests, if any. A qualified biologist is one that has previously surveyed for nesting bird species within southern California. Should nesting birds be found, an exclusionary buffer will be established by the qualified biologist around each nest site. The buffer will be clearly marked in the field by construction personnel under guidance of the contractor's qualified biologist, and construction or clearing will not be conducted within this zone until the qualified biologist determines that the young have fledged or the nest is no longer active. The qualified biologist will monitor the nests on a weekly basis to ensure that construction activities do not disturb or disrupt nesting activities. If the qualified biologist determines that construction activities are disturbing or disrupting nesting activities, then the biologist will notify the Project Engineer, who has the authority to stop or modify construction to reduce the noise and/or disturbance to the nests. Responses may include, but are not limited to, increasing the size of the exclusionary buffer, curtailing nearby work activities, turning off vehicle engines and other equipment wherever possible to reduce noise, installing a protective noise barrier between the nest and the construction activities, and/or working in other areas until the young have fledged.
Wetlands and Other Waters	No impact.	The project would result in no permanent impacts to wetlands and approximately 0.46 acre (795 linear feet) of temporary impacts to nonwetland Waters of the U.S. as a result of improvements to existing, enclosed box culverts for Grove Avenue.	**WET-1:** Construction activities within the West Cucamonga Channel and Princeton Basin will be designed and conducted to maintain downstream flow conditions. All construction activities will be effectively isolated from water flows to the greatest extent feasible. This may be accomplished by working in the dry season or dewatering the work area in the wet season. When work in standing or flowing water is required, structures for isolating the in-water work area and/or diverting the water flow must not be removed until all disturbed areas are cleaned and stabilized. The diverted water flow must not be contaminated by construction activities. Structures used to isolate the in-water work area and/or diverting the water flow (e.g., coffer dam, geotextile silt curtain) must not be removed until all disturbed areas are stabilized.

S-6 Coordination with Public and Other Agencies

Table S-2 lists the permits/approval status of each permit required for construction of the project (Build Alternative).

Table S-2. Project Permits and Approvals

Agency	Permit/Approval	Status
U.S. Army Corps of Engineers	Non-notifying Clean Water Act (CWA) Section 404 Nationwide Permit (NWP) 14 (Linear Transportation Projects), provided all terms and conditions of the NWP permit program (33 *Code of Federal Regulations* [CFR] 330) are met.	Section 404 Permit will be obtained prior to start of construction
San Bernardino County Flood/U.S. Army Corps of Engineers	A 408 permit will be required for potential impacts to the Cucamonga Creek.	Section 408 Permit will be obtained prior to start of construction
San Bernardino County Flood Control District (SBCFCD)	An encroachment permit prior to construction on SBCFCD easements, properties and facilities.	Encroachment Permit will be obtained prior to start of construction
Regional Water Quality Control Board	CWA Section 401 Water Quality Certification. It should be noted that although it is anticipated that the project may likely qualify for a non-notifying NWP 14, CWA Section 401 Water Quality Certification must be issued prior to CWA Section 404 authorization for (any) impacts to Waters of the U.S. A fee commensurate with the extent of the activity will be required as part of this permit.	Section 401 Water Quality certification will be obtained prior to start of construction
California Department of Fish and Wildlife	Lake or Streambed Alteration Agreement (SAA). A fee commensurate with the extent of the activity will be required as part of this permit.	Section 1602 Streambed Alteration Agreement will be obtained prior to start of construction
City of Ontario	Pursuant to Section 10-2.06, the City requires approval and removal permits for parkway trees to be removed. To remove a parkway tree, it must meet criteria set forth by the City. No person shall remove or relocate any parkway tree without prior authorization from the City.	Tree removal permit will be obtained prior to any tree removal
State Water Resources Control Board	Construction General Permit, Order No. 2009-0009-DWQ, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS000002.	Construction General Permit will be obtained prior to start of construction
State Historic Preservation Officer	Determination of Eligibility.	Letter of Concurrence dated April 25, 2017
FHWA	Air Quality Conformity Determination.	Letter of Conformity dated August 26, 2020

In addition to the permits listed above, a cooperative agreement with Omnitrans will be required to temporarily defer or relocate the five bus stop stations within the limits of the project. Three bus stations on 4th Street between N. Virginia Avenue and N. Calaveras Avenue are part of Bus Route 86, and two bus stations located on Holt Boulevard at the intersection of Holt Boulevard and Grove Avenue are part of Bus Routes 61 and 80.

The project anticipates entering into a Service Agreement with the Union Pacific Railroad (UPRR) (formerly the Southern Pacific Railroad [SPRR]) for flaggers and inspection during periods of work along Grove Avenue between Holt Boulevard and Airport Drive. It is also anticipated that a Construction and Management (C+M) Agreement and Operations Engineer (OE) clearance, Section 13 Clauses, will be inserted into the Construction Specifications.

Individual utility agreements are expected with the associated owners of gas, electrical, water, and communication facilities for the Build Alternative (proposed project). Additional agreements may be required depending on selection of the preferred alternative. For the Build Alternative (proposed project), agreements will be needed for the oil companies.

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Chapter 1 Proposed Project

1.1 Introduction

The California Department of Transportation (Caltrans) and the City of Ontario (City) propose to widen Grove Avenue from 4th Street to State Street/Airport Drive for the design year of 2045 under the proposed Grove Avenue Corridor Project. The No Build Alternative would retain the existing configuration of Grove Avenue, while the Build Alternative (as the preferred alternative and proposed project) proposes to widen Grove Avenue from a four-lane roadway to a six-lane roadway from Interstate 10 (I-10) to State Street/Airport Drive. Implementation of the Build Alternative would alleviate existing and anticipated future congestion, improve traffic operations and mobility, and provide route continuity along Grove Avenue in conformance with the City of Ontario's General Plan Circulation Element. Specifically, it would accommodate recent and projected growth in passenger and goods/trucks movement associated with Ontario International Airport. This project would coincide with the I-10/Grove Avenue Interchange Project, which would construct a new interchange along I-10 at Grove Avenue, replacing the existing interchange at 4th Street. The Grove Avenue Corridor Project is currently expected to be open to traffic in year 2025.

Caltrans is the lead agency under the National Environmental Policy Act (NEPA). The City is the lead agency under the California Environmental Quality Act (CEQA).

1.1.1 Project Location and Setting

Within the project area, Grove Avenue is an arterial road that runs in the north-south direction through Ontario in San Bernardino County. The proposed Grove Avenue Corridor Project would occur on an approximately 1.24-mile-long stretch of Grove Avenue between 4th Street to the north and State Street/Airport Drive to the south (see Figures 1-1 and 1-2). There are also proposed improvements to the Grove Avenue and Holt Boulevard intersection. The closest major freeways to the project area are I-10 to the north and State Route (SR) 60 to the south.

The project limits extend approximately 550 feet north of 4th Street to approximately 650 feet south of State Street/Airport Drive. Grove Avenue has two lanes each running northbound and southbound, including a center turning lane in two sections, starting from south of 4th Street to the northern project limit and from Holt Street to D Street. The Grove Avenue corridor right-of-way (ROW) is owned by the City, and all required easements for the project would be acquired by the City. Refer to Figures 1-1 and 1-2 for the project location and vicinity maps.

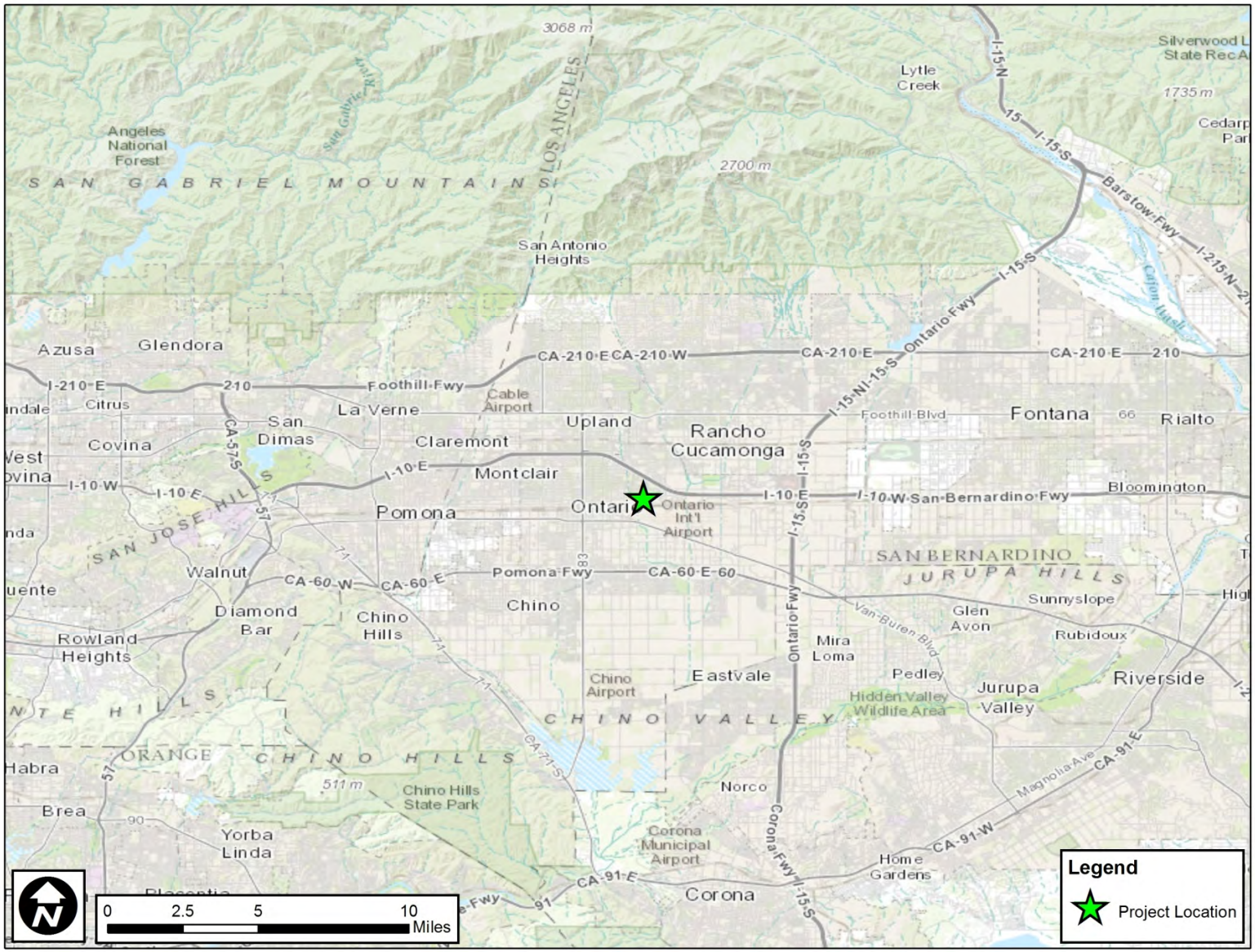

Figure 1-1. Project Location Map

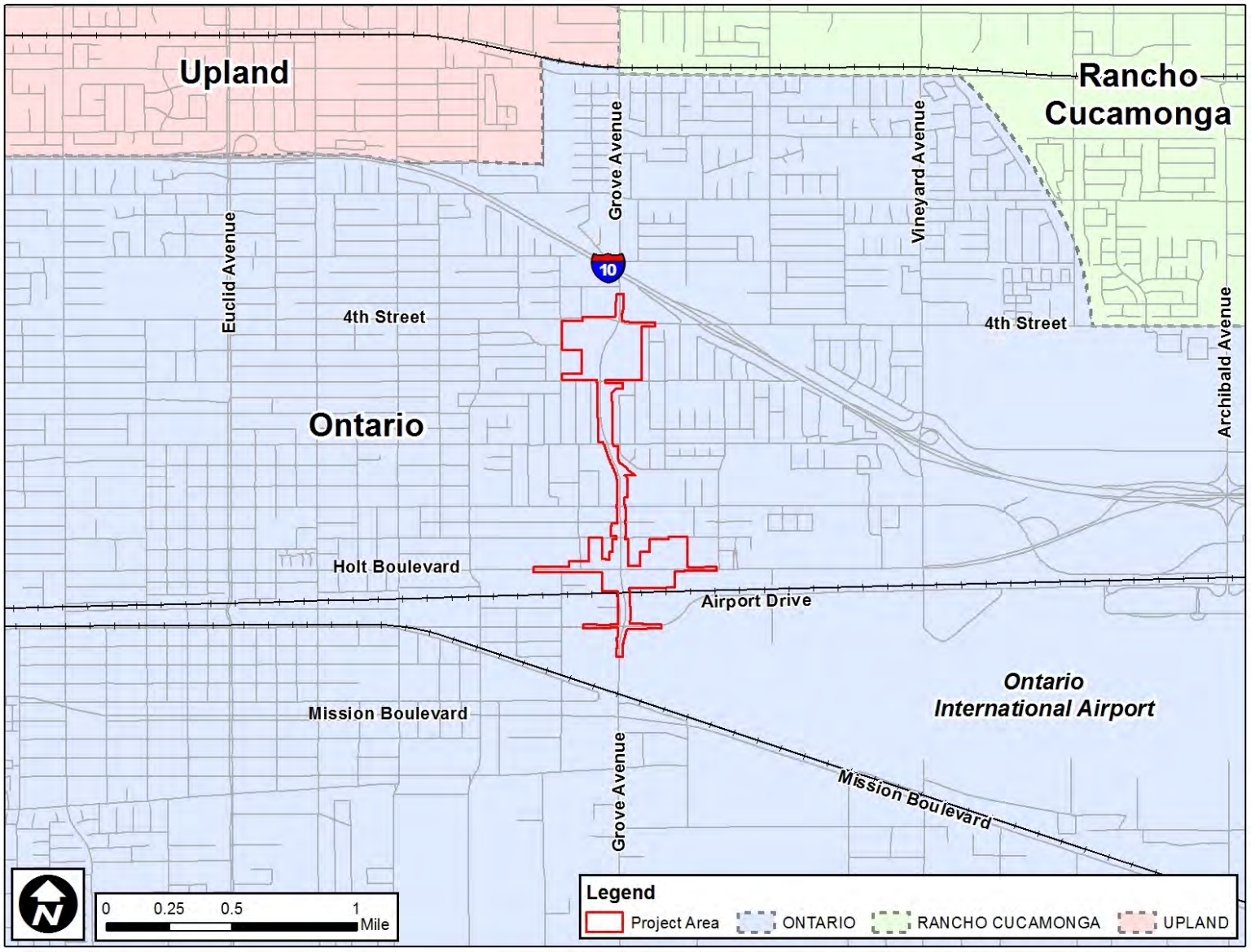

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Figure 1-2. Project Vicinity Map

The primary intersections in the project area are 4th Street, Holt Boulevard, and State Street/Airport Drive. In addition, 4th Street is classified by the City as a principal arterial east of Grove Avenue and a collector street to the west. Holt Boulevard is a primary arterial, and State Street/Airport Drive is a collector street.

At the State Street/Airport Drive intersection, the project construction limits extend approximately 700 feet in either direction on State Street/Airport Drive. At the Holt Boulevard intersection, the construction limits extend on Holt Avenue for approximately 1,600 feet to the west and 1,750 feet to the east. At the 4th Street intersection, the construction limits extend for approximately 650 and 630 feet to the west and east of the intersection, respectively.

Grove Avenue crosses under an Amtrak railroad grade separation between Holt Boulevard and State Street/Airport Drive.

Land uses in the project study area include residential, commercial, industrial, and open space, with most land uses being low- to medium-density residential uses. Grove Avenue goes through the center of John Galvin Park in the northern portion of the project area. Ontario International Airport is adjacent to the southeast corner of the project area.

1.1.2 Programming Status

The proposed Grove Avenue Corridor Project is included in the 2015 Federal Statewide Transportation Improvement Program (FSTIP), Amendment #15-04. The FSTIP approved $2.293 million in federal funds in the 2014/2015 fiscal year for preliminary engineering. Of that $2.293 million, $1.693 million is dedicated to design and $0.720 million is dedicated to the environmental process. There is a total capital cost estimation of $31.8 million for the entire Grove Avenue Corridor Project.

1.1.3 Planning Background

The proposed Grove Avenue Corridor Project would conform to the City of Ontario's General Plan. The General Plan is considered the general framework for the City's growth over the next 20 years or more into the future. To accommodate the anticipated growth, the General Plan provides numerous lasting policies, governance manuals, city council priorities, and implementation plans. Specifically, the General Plan's Functional Roadway Classification Plan shows existing and proposed traffic and circulation facilities within the City. Included in the Functional Roadway Classification Plan is the Grove Avenue Corridor Project, which proposes to widen the existing roadway from four lanes to six lanes between I-10 and Holt Boulevard. A Project Study

Report for the Grove Avenue corridor improvements was conducted in 2010 by the City.

1.2 Purpose and Need

The purpose and need statement for any given project serves three primary functions. First, it establishes the problem, or problems, leading up to why the project is being proposed (i.e., need); second, it identifies the project objectives that would solve those problems (i.e., purpose). A third, and equally important, function of the purpose and need statement is that it provides a basis for comparing the alternatives against one another and comparing the alternatives against the project. The following sections describe in more detail the project's purpose and need.

1.2.1 Purpose of the Project

The purpose of the proposed Grove Avenue Corridor Project is to accomplish the following objective:

- Alleviate existing and anticipated increases in congestion along Grove Avenue between 4th Street and Airport Drive and improve traffic operations along the corridor in the city of Ontario.

1.2.2 Need for the Project

Improvements to Grove Avenue are needed to accommodate recent and projected growth in passenger and goods/trucks movement associated with Ontario International Airport and changes in land use since Grove Avenue was originally constructed.

Based on traffic projections and the existing and planned land uses in the vicinity, the existing Grove Avenue facility is forecast to operate at unsatisfactory level of service (LOS) at three intersections within the project limits by 2045 without improvements.

1.2.2.1 Capacity, Transportation Demand, and Safety

Currently, there is sufficient capacity on the Grove Avenue corridor to accommodate existing travel demands within the project limits.

Existing traffic conditions play a critical role in the overall analysis of infrastructure investments. Existing conditions and volumes provide a baseline by which to evaluate current performance of the circulation system and are used as the basis of future forecast volumes. Capacity on a corridor such as Grove Avenue is measured by analyzing performance at intersections. A basic signalized intersection can be

characterized by performance measures as a function of the average vehicle control delay. Control delay is the portion of the total delay attributed to traffic signal operation for signalized intersections. Control delays include initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. Once delays have been estimated for each lane group and aggregated for each approach and the intersection as a whole, the appropriate LOS is determined. All LOS analyses use methodologies approved in the *Highway Capacity Manual 2000 Edition* (HCM).

As shown in Table 1-1, there are six grades of LOS, ranging from LOS A (representing excellent operation) to LOS F (representing forced flow and jammed conditions).

Table 1-1. LOS Thresholds for an Intersection with Traffic Signals

Level of Service	Description	Signalized Intersection Delay (seconds per vehicle)
A	Excellent operation. All approaches to the intersection appear quite open, turning movements are easily made, and nearly all drivers find freedom of operation.	≤ 10
B	Very good operation. Many drivers begin to feel somewhat restricted within platoons of vehicles. This represents stable flow. An approach to an intersection may occasionally be fully utilized and traffic queues start to form.	>10 and ≤ 20
C	Good operation. Occasionally drivers may have to wait more than 60 seconds, and backups may develop behind turning vehicles. Most drivers feel somewhat restricted.	> 20 and ≤ 35
D	Fair operation. Some long-standing vehicular queues develop on critical approaches to intersections. Delays may be up to several minutes.	>35 and ≤ 55
E	Poor operation. Some long-standing vehicular queues develop on critical approaches to intersections. Delays may be up to several minutes.	>55 and ≤ 80
F	Forced flow. Represents jammed conditions. Backups form at locations downstream or on the cross street and may restrict or prevent movement of vehicles out of the intersection approach lanes; therefore, volumes carried are not predictable. Potential for stop-and-go type traffic flow.	> 80

Source: Highway Capacity Manual, Special Report 209, Transportation Research Board, Washington, D.C., 2000.

The existing Grove Avenue corridor traffic analysis follows the HCM intersection capacity analysis method using Synchro 7 Software computer program. The study was conducted in February 2013. The results provide average control delay and volume to capacity (v/c) delay, which are used to generate LOS. Each intersection is based on vehicle delay analysis for the morning peak period (7:00 a.m. to 9:00 a.m.) and evening

peak period (4:00 p.m. to 6:00 p.m.), resulting in four segments for analysis: eastbound, westbound, northbound, and southbound. Table 1-2 provides existing HCM average control delays, HCM v/c ratio, and HCM LOS, reported in the *Traffic Operations Analysis* (January 2015) Technical Appendix.

Table 1-2. Existing (2013) Peak Hour Intersection LOS Summary

Intersection	AM Peak Hour		PM Peak Hour	
	Delay (sec)	LOS	Delay (sec)	LOS
Grove Avenue/4th Street	35.0	D	34.5	C
Grove Avenue/I Street	5.7	A	3.8	A
Grove Avenue/G Street	7.1	A	5.5	A
Grove Avenue/D Street	5.4	A	4.4	A
Grove Avenue/Holt Boulevard	33.7	C	31.8	C
Grove Avenue/State Street-Airport Drive	20.4	C	29.9	C

Source: Traffic Operations Analysis Report, 2015.

All intersections are functioning at LOS C or better, except for 4th Street during the AM peak hour; however, the 4th Street intersection is borderline LOS D while still providing flow above unstable levels.

Population and Traffic Forecasts

Based on Federal Highway Administration (FHWA) and Caltrans requirements for the I-10/Grove Avenue Interchange Project, traffic forecasts need to address a horizon of 20 years beyond project opening, which requires development of 2045 conditions because the opening year for the proposed Grove Avenue Corridor Project and proposed I-10/Grove Avenue Interchange Project is anticipated to be 2025.

A key objective of the traveling modeling effort for this project was to maintain consistency with the traffic forecasts developed for the recently completed *I-10 Corridor Study – Project Approval/Environmental Document* (PA/ED) *High Occupancy Vehicle* (HOV*) and Express Lanes Project* by the San Bernardino County Transportation Authority (SBCTA). The San Bernardino County Transportation Analysis Model (SBTAM) used for the *I-10 Corridor Study – PA/ED HOV and Express Lanes Project* was utilized for the Grove Avenue Corridor Project, including all roadway network and demographic data assumptions. The SBTAM, which utilizes the TransCAD platform (version 5.0 r4), includes additional detail within San Bernardino County and has been recalibrated based on countywide traffic activity. The Grove

Avenue Corridor Project model analysis includes a No Build Alternative and a Build Alternative.

The SBTAM incorporates the baseline demographic dataset developed by SBCTA for San Bernardino County consistent with population growth forecasts published by the Southern California Association of Governments (SCAG). The SCAG region consists of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. Key demographic projections for San Bernardino County and the SCAG region are provided in Table 1-3.

Table 1-3. Key Demographic Data

Area	Population	Resident Population	Households	Residents Employed
Existing – 2012				
San Bernardino County	2,015,994	1,962,290	605,913	700,600
SCAG Region	16,964,830	16,640,598	548,465	7,386,196
2035				
San Bernardino County	2,749,810	2,685,254	847,405	1,059,329
SCAG Region	21,852,486	21,497,514	7,230,262	9,310,132
Percent Growth from 2012 to 2035				
San Bernardino County	36	37	40	51
SCAG Region	29	29	29	26

Source: I-10 Corridor Project Traffic Study, August 2014 (Appendix A-3).

Although the regional growth rate stabilized in the last 20 years, from 1990 to 2010 the urbanization and suburbanization of the region has continued (SCAG Regional Transportation Plan [RTP]). In 2010, San Bernardino County exceeded 2 million people and increased its share of the population from 17.7 percent in 1990 to 23.4 percent in 2010. According to SCAG, the fast growth of population relative to employment in Riverside and San Bernardino counties has led to an imbalance of jobs and housing in the region, posing a serious transportation problem.

Projected Capacity Needs, Delay, and Level of Service

The I-10 Corridor Traffic Operations Analysis (January 2015) provided data for existing traffic conditions (2012), opening year conditions (2025), and the horizon year (2045). Because the horizon year forecasts for 2045 are required in this analysis, the 2035 forecast volumes were post-processed by applying the forecast annual growth rate in 2035 forecast volumes to generate 2045 forecasts. Overall, the average growth of traffic volumes at the study area intersections between existing and opening year 2025

was approximately 2 percent per year. Between opening year 2025 and horizon year 2045, the average growth of traffic volumes at the study area intersections was approximately 1 percent per year.

Opening year 2025 no-build conditions assume the current interchange conditions at 4th Street and existing lane configurations are the same in the study area. Table 1-4 summarizes the opening year 2025 no-build peak-hour LOS results at the study intersections.

Table 1-4. Opening Year 2025 No-Build Peak-Hour Intersection LOS Summary

Intersection	AM Peak Hour		PM Peak Hour	
	Delay (sec)	LOS	Delay (sec)	LOS
Grove Avenue/4th Street	44.7	D	63.8	E
Grove Avenue/I Street	6.7	A	6.3	A
Grove Avenue/G Street	9.0	A	9.0	A
Grove Avenue/D Street	6.4	A	9.2	A
Grove Avenue/Holt Boulevard	**82.8**	**F**	**134.7**	**F**
Grove Avenue/State Street	25.1	C	29.3	C

Note: **BOLD** indicates unsatisfactory.

Horizon year 2045 no-build conditions also assume the current interchange conditions at 4th Street and existing lane configurations in the study area. Table 1-5 summarizes the horizon year 2045 no-build peak-hour LOS results at the study intersections.

Table 1-5. Horizon Year 2045 No-Build Peak-Hour Intersection LOS Summary

Intersection	AM Peak Hour		PM Peak Hour	
	Delay (sec)	LOS	Delay (sec)	LOS
Grove Avenue/4th Street	51.2	D	**117.4**	**F**
Grove Avenue/I Street	8.0	A	7.5	A
Grove Avenue/G Street	11.1	B	20.6	C
Grove Avenue/D Street	18.3	B	14.8	B
Grove Avenue/Holt Boulevard	**213.8**	**F**	**352.9**	**F**
Grove Avenue/State Street	**88.3**	**F**	**83.2**	**F**

Note: **BOLD** indicates unsatisfactory.

By opening year, these forecasts predict that the Grove Avenue and Holt Boulevard intersection will operate at LOS F conditions under no-build conditions. The Holt Boulevard, 4th Street, and State Street intersections will continue to deteriorate to LOS F conditions as forecasted in the horizon year 2045 No Build LOS summary.

Safety

Corridors that are highly congested generally have higher congestion-related crash rates. Demand for higher capacity is a result of the tremendous growth in passenger and goods/truck movement associated with Ontario International Airport and the overall change in land use since the existing interchange was built in the late 1950s.

There are three critical transportation deficiencies in the project area:

1. Several local street corridors, street intersections, and freeway ramps will suffer from congestion as a result of inadequate capacity to handle future traffic operations leading to the I-10/4th Street interchange. This congestion is a result of the growth in goods movement and truck traffic in the city of Ontario, especially near Ontario International Airport.
2. The existing Grove Avenue roadway cross section and its connections to the State and National Highway System are currently inconsistent and nonuniform for its role as an alternate north-south arterial corridor to Interstate 15 (I-15).
3. Provide route continuity along Grove Avenue in conformance with the City of Ontario General Plan Circulation Element, which identifies Grove Avenue as a six-lane principal arterial.

These deficiencies will be further exacerbated by the future traffic forecasts and anticipated traffic demands in the project area.

1.2.2.2 Roadway Deficiencies

Several local street corridors, street intersections, and freeway ramps will suffer from congestion as a result of inadequate capacity to handle future traffic operations leading to the I-10/4th Street interchange resulting from growth in goods movement and truck traffic in Ontario, especially near Ontario International Airport.

Existing Grove Avenue's roadway cross section and access to the State and National highway systems are currently inconsistent and nonuniform for its role as an alternate north-south arterial corridor to I-15.

These deficiencies will be further exacerbated by the future year traffic forecasts and anticipated traffic demands for the project area.

1.2.2.3 Social Demands or Economic Development

The existing Grove Avenue corridor is a primary regional access for the city of Ontario and Ontario International Airport. Ontario International Airport is the center of a developing freight movement system that includes the airport, two railroads, four major freeways, and an expanding network of freight forwarders.

The existing 4th Street/I-10 interchange in the project area also provides direct access to the cities of Ontario, Rancho Cucamonga, and Upland via I-10, as well as key residential, retail, industrial, commercial, and mixed-use developments highlighted in their General Plans.

Construction of the Build Alternative would result in the conversion of existing land uses to transportation-related uses. The Build Alternative would permanently affect existing residential, commercial, industrial, parks and recreation, and public facilities, but it has been designed to avoid existing built land uses to the extent practicable while adhering to design and operational criteria to maintain a safe roadway. During final design, efforts would be undertaken to further minimize construction and operation impacts to existing and planned land uses.

Given the shortage of major developable vacant lands adjacent to the proposed project, the Build Alternative would provide a significant advantage to affect development decisions in the area. The Grove Avenue Corridor Project is not expected to substantially influence the overall amount or type of growth. The pattern and rate of population and housing growth would be expected to remain consistent with the population anticipated by existing General Plans for the area. The potential for growth in the study area is consistent with local land use plans and current trends. The project would not influence growth, and no growth-related impacts are expected. Current growth trends and potential future growth are considered in local land use plans, and the project would not influence growth that is not currently planned.

1.2.2.4 Legislation

SBCTA is responsible for administering the County's half-cent sales tax dedicated to transportation, Measure I, and as the County Transportation Commission, SBCTA is responsible for overseeing certain federal and State funding programs. Measure I was first approved in November 1989 and was extended through 2040. Major street improvement projects, such as the widening of Grove Avenue, are identified as part of the Measure I 2010-2040 Strategic Plan and SBCTA Ordinance No. 04-01.

1.2.2.5 Modal Interrelationships and System Linkages

Freight Movement

The continuous movement of goods is a crucial aspect of continued economic development for Ontario, the Inland Empire, and the nation. Freight movement via truck transport is a major component to maintain the complex trade system, including southern California's seaports, airports, rail yards, and distribution centers. If no improvements are made to the existing Grove Avenue corridor, trucks traveling from Ontario International Airport to I-10 will experience severe traffic congestion by design year 2045.

Omnitrans

The project site and its vicinity are served by Omnitrans. Omnitrans is a public transit agency that provides an extensive fixed-route bus system, including Routes 61, 63, and 80 in the project area. In particular, Omnitrans Routes 63 and 80, which travel along Holt Boulevard within the project study area, would benefit from more reliable travel if the proposed improvements were constructed at the Grove Avenue/Holt Boulevard intersection.[1] In addition to their existing fixed route system, Omnitrans is conducting a route and mode-of-transit analysis for the Holt Boulevard/4th Street corridor. If implemented, this new route would cross Grove Avenue at Holt Boulevard and would run from Fontana near the Kaiser Permanente Medical Center; through Rancho Cucamonga, Ontario, and Montclair; and end at the Transcenter in Pomona.

Metrolink

Metrolink is a commuter rail line that provides service to Ontario and other cities in San Bernardino and Riverside counties. The Metrolink San Bernardino Line is perpendicular to Grove Avenue north of I-10. The Riverside Line connects Union Station in Los Angeles to the downtown Riverside Station with a stop at the East Ontario Station in Ontario, southeast of the proposed Grove Avenue Corridor Project area. The Metrolink San Bernardino Line connects Union Station in Los Angeles to the downtown Riverside Station with a stop near the proposed project at the Upland Station, approximately 1.5 miles northwest of the proposed project.

Ontario International Airport

Ontario International Airport is a 1,700-acre passenger and commercial service airport adjacent to the southeast portion of the project site. Ontario International Airport is the third major airport in the area after Los Angeles International Airport and John Wayne Airport. In 2014, approximately 4.2 million passengers used the airport. In addition to

[1] http://omnitrans.org/schedules/

passenger services, Ontario International Airport is a hub for commercial traffic, accounting for 474,346 tons of air cargo in 2014. Ontario International Airport is the west coast air and truck hub for UPS and is a major distribution point for FedEx, Ameriflight, Empire, Kalitta, and West Air. The proposed Grove Avenue Corridor Project is an integral component for the success of the airport because it would greatly enhance north-south mobility leading to Ontario International Airport.[2]

Highways

I-10 connects to I-15 approximately 5 miles east of Grove Avenue. I-15 provides a regional connection between Orange, Riverside, and San Bernardino counties through its interchanges with SR-60 and SR-91. The SR-60/Grove Avenue interchange is approximately 2 miles south of the project area.

1.2.2.6 Air Quality Improvements

The following transportation control measures are anticipated to improve air quality and are included as part of the proposed project:

- Implementation of the Build Alternative would produce benefits to regional air quality by reducing project congestion levels within the study area.
- Grove Avenue is designated as a Bicycle Corridor by the City of Ontario Multipurpose Trails and Bikeway Corridor Plan. The Build Alternative proposes an outside lane width of 15 feet, in accordance with the City of Ontario Master Plan of Streets and Highways. Standard sidewalks would be provided on both sides of Grove Avenue within the project limits.

1.2.2.7 Independent Utility and Logical Termini

FHWA regulations (23 *Code of Federal Regulations* [CFR] 771.111 (f)) require that a proposed project:

1. Connect logical termini and be of sufficient length to address environmental matters on a broad scope;
2. Have independent utility or independent significance (be usable and require a reasonable expenditure even if no additional transportation improvements in the area are made); and
3. Not restrict consideration of alternatives for other reasonably foreseeable transportation improvements.

[2] Ontario International Airport… News and Facts…Statistics…Volume of Air Traffic…Retrieved March 9, 2015.

The project corridor is of sufficient length (approximately 1.24 miles) to adequately address transportation issues that have been identified in the stated purpose and need. The Build Alternative would be of sufficient length to provide significant congestion relief in this corridor within the project limits. These improvements would function effectively in addressing the congestion on Grove Avenue and coincide with the I-10/Grove Avenue Interchange Project. As a result, the proposed project connects logical termini on Grove Avenue with the I-10 mainline. This project area is large enough to appropriately address the potential environmental impacts of the proposed project. In addition, the proposed project can meet the identified need for congestion relief as an independent project and is not dependent on any other projects to meet the identified purpose for the interchange improvements. Finally, the proposed improvements would be designed and constructed to minimize potential conflict with other reasonably foreseeable transportation improvements in the area.

1.3 Project Description

This section describes the proposed action and the project alternatives developed to meet the purpose and need of the project, while avoiding or minimizing environmental impacts. There is one Build Alternative and a No Build Alternative. The project is located in San Bernardino County on a 1.24-mile-long stretch of the Grove Avenue corridor south of the I-10/Grove Avenue interchange. Within the limits of the project, Grove Avenue is a conventional four-lane road. The purpose of the project is to widen the corridor to alleviate existing and anticipated future congestion, provide improved traffic operations, and provide route continuity along Grove Avenue in conformance with the City of Ontario's General Plan Circulation Element.

1.3.1 Project Alternatives

The Grove Avenue Corridor Project considers one No Build Alternative and one Build Alternative to address existing and future projected traffic demands. A summary of the proposed project alternatives is provided below.

This project contains a number of standardized project measures, which are employed on most, if not all, Caltrans projects and were not developed in response to any specific environmental impact resulting from the proposal project. These measures are addressed in more detail in the Environmental Consequences sections found in Chapter 2.

1.3.1.1 Build Alternative (Preferred Alternative and Proposed Project)

The Build Alternative, shown in Figure 1-3, includes widening Grove Avenue from four lanes to six lanes between 4th Street and State Street/Airport Drive in accordance with the City of Ontario Master Plan. South of 4th Street, Grove Avenue would be widened to the west to avoid impacts to the historic Jay Littleton Ballpark. Between I Street and Holt Boulevard, Grove Avenue would be widened to the east, and between Holt Boulevard and State Street/Airport Drive, Grove Avenue would be widened on both sides.

In addition, Holt Boulevard would be widened at the Grove Avenue intersection from one through lane, one through-right lane, and one left-turn lane in each direction to two through lanes, one through-right lane, and two left-turn lanes in each direction. The Build Alternative would include covering a portion of two culverts: G Street Culvert and Grove Avenue Culvert.

Earthwork and Retaining Walls

The cut slopes would be a standard 2 (horizontal) to 1 (vertical), and fill slopes would be a standard 4 (horizontal) to 1 (vertical). Four retaining walls are proposed under the Union Pacific Railroad (UPRR) (formerly Southern Pacific Railroad [SPRR]) Bridge between Holt Boulevard and State Street/ Airport Drive to accommodate the widening of Grove Avenue to avoid impacts to the UPRR Bridge. The retaining walls would range from 6 to 10 feet in height and would be constructed at the following locations:

- Northbound Grove Avenue under the UPRR Bridge, between the roadway and the sidewalk
- Northbound Grove Avenue between the UPRR Bridge and Holt Boulevard, at the back of the sidewalk
- Southbound Grove Avenue under the UPRR Bridge, between the roadway and the sidewalk
- Southbound Grove Avenue between the UPRR Bridge and Holt Boulevard, at the back of the sidewalk

Nonmotorized and Pedestrian Features

Grove Avenue is designated as a Bicycle Corridor by the City of Ontario Multipurpose Trails and Bikeway Corridor Plan. The Build Alternative proposes an outside lane width of 15 feet in accordance with the City of Ontario Master Plan of Streets and Highways. Standard sidewalks would be provided on both sides of Grove Avenue within the project limits.

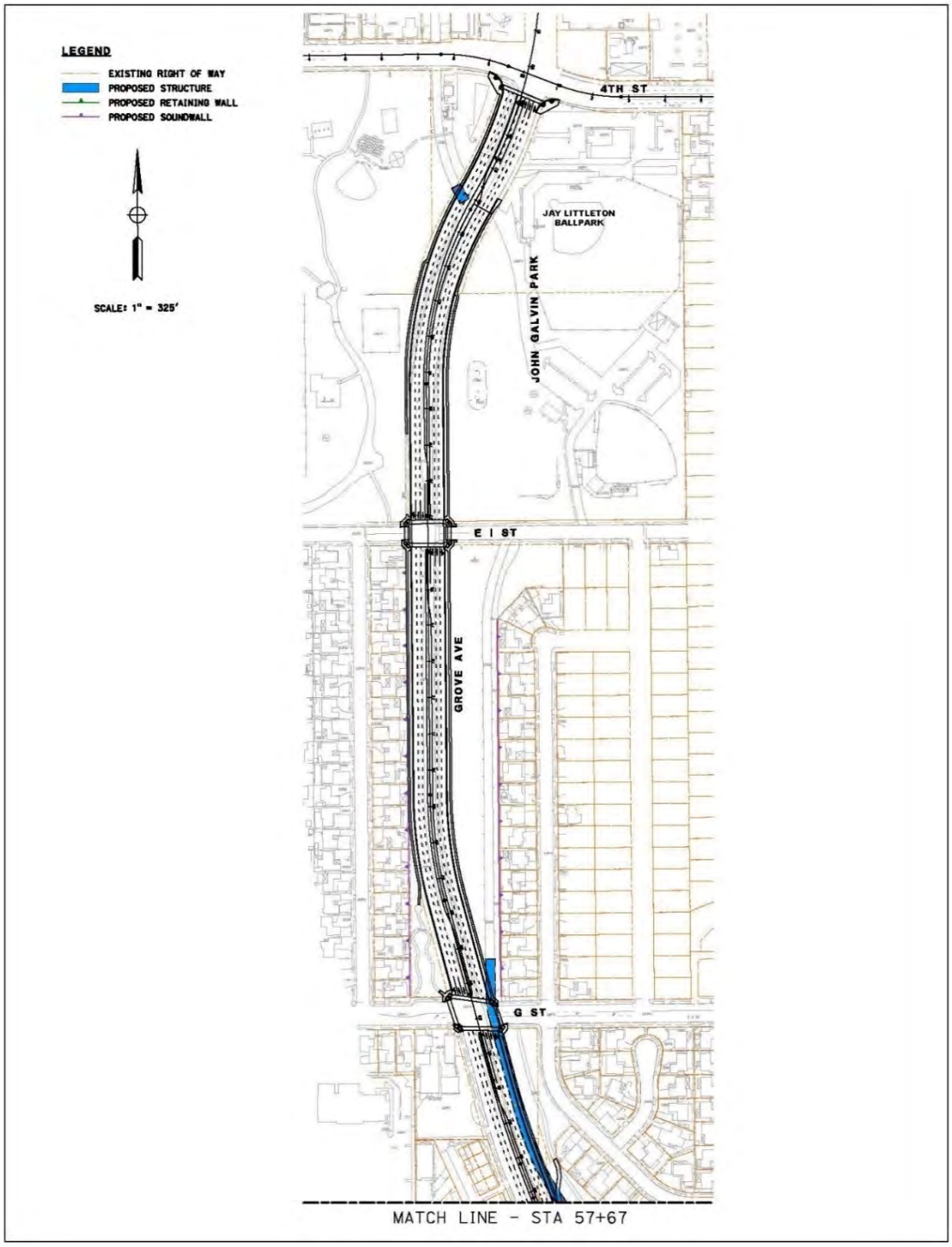

Figure 1-3. Build Alternative (Sheet 1 of 2)

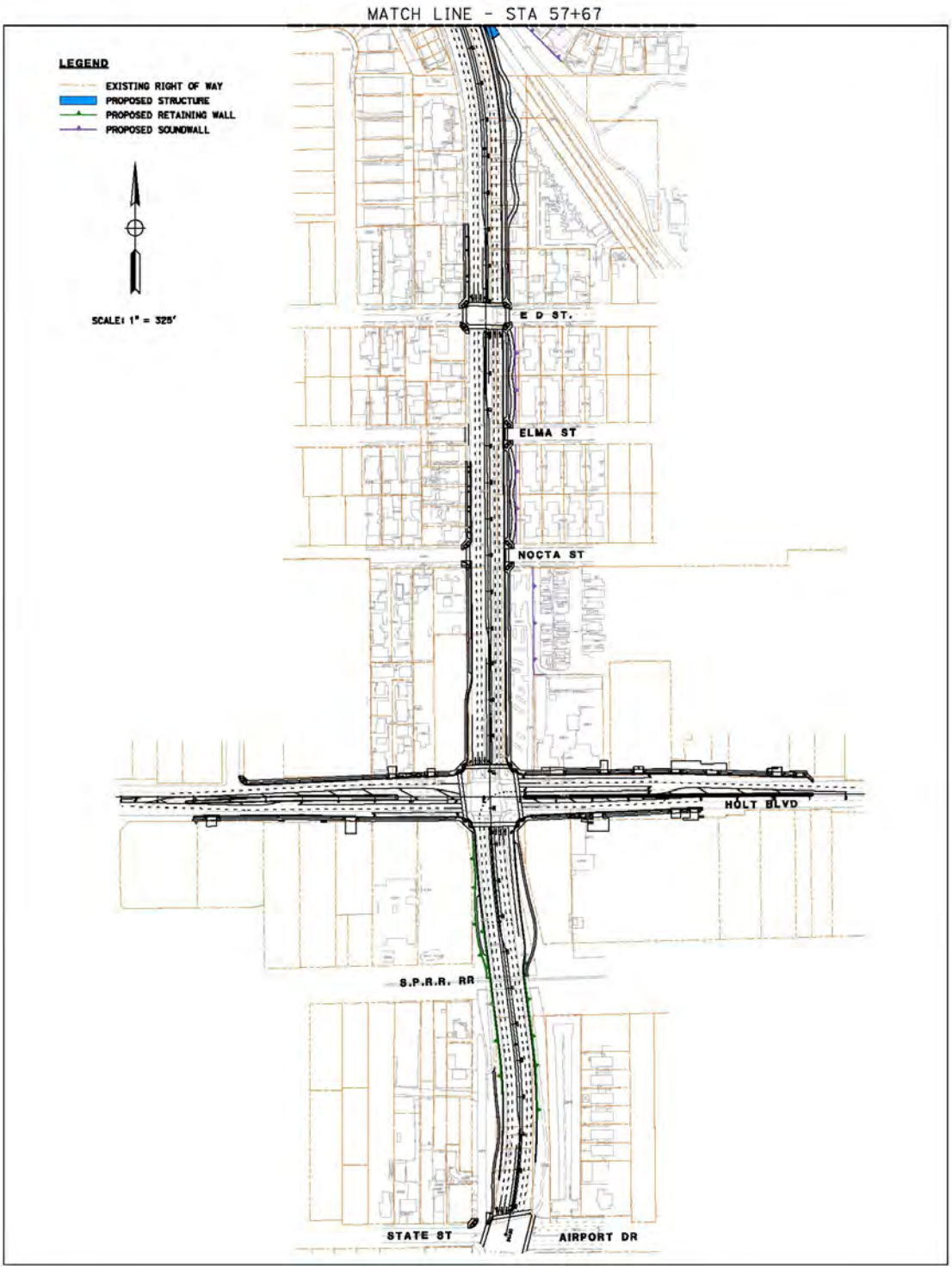

Figure 1-3. Build Alternative (Sheet 2 of 2)

Right-of-Way Acquisition

The proposed project impacts a mostly developed area of Ontario. To provide ROW for the local street widening, the Build Alternative would acquire approximately 14 properties and partially acquire approximately 70 properties. The ROW impacts consist of single-family and multi-family residential properties, vacant parcels, and commercial properties including, but not limited to, an auto repair facility and a towing yard. In addition, temporary construction easements (TCEs) would be needed from several properties where grading and other temporary construction uses would occur.

Unique Features of the Build Alternative

The Build Alternative was designed to reduce impacts associated with property acquisitions. The Build Alternative reduces the number of property acquisitions to 14, which includes 8 single-family residences, and would not result in demolition of Sovereign Grace Baptist Church.

1.3.1.2 Transportation System Management and Transportation Demand Management Alternatives

Although transportation system management measures alone could not satisfy the purpose and need of the project, the following transportation system management measures have been incorporated into the Build Alternative for this project:

- Coordination of traffic signals

1.3.1.3 No Build Alternative

The No Build Alternative proposes no improvements within the project area. Grove Avenue would maintain the existing four through lanes, and the existing configuration at the Grove Avenue/Holt Boulevard intersection would be maintained.

As discussed in Section 1.2.2.1, Capacity, Transportation Demand, and Safety, while the existing configuration is adequate for existing traffic flows, there will be inadequate service at the Grove Avenue/Holt Boulevard intersection by the 2025 build year. Intersection performances will continue to deteriorate up to the 2045 horizon year.

1.3.2 Comparison of Alternatives

After comparing and weighing the benefits and impacts of all feasible alternatives, some of which are summarized in Table 1-6, the Project Development Team (PDT) identified the Build Alternative as the Preferred Alternative, subject to public review. Because the other alternative is the No Build Alternative (under which no

improvements would be constructed on Grove Avenue), the Build Alternative also serves as the proposed project as analyzed in this environmental document.

The Build Alternative proposed for this project requires a commitment of resources and would result in some environmental impacts. This commitment is balanced with the ability to meet the purpose and need and the effects of not implementing the project (the No Build Alternative). Table 1-6 provides a summary of key issues where impacts have been identified.

Table 1-6. Key Issues

Criteria		No Build Alternative	Build Alternative (Proposed Project)
Meets the purpose and need: The purpose of the proposed Grove Avenue Corridor Project is to accomplish the following objectives: • Alleviate existing and anticipated future congestion along Grove Avenue between 4th Street and Airport Drive; • Improve traffic operations and mobility to and from Ontario International Airport, a future cargo hub facility near Grove Avenue and Holt Boulevard, and other planned uses; and • Provide route continuity along Grove Avenue in conformance with the City of Ontario General Plan Circulation Element, which identifies Grove Avenue as a six-lane principal arterial. Improvements to Grove Avenue are needed to accommodate recent and projected growth in passenger and goods/trucks movement associated with Ontario International Airport and changes in land use since Grove Avenue was originally constructed.		No – Does not alleviate existing or future congestion along Grove Avenue; does not improve traffic operations and mobility; and does not conform with the City of Ontario's General Plan Circulation Element.	Yes – Would alleviate existing and future congestion along Grove Avenue between 4th Street and Airport Drive; would improve traffic operations and mobility to and from Ontario International Airport; and would provide route continuity along Grove Avenue in conformance with the City of Ontario's General Plan Circulation Element.
Traffic and Transportation		None	None
Number of Acquisitions	Acquisitions	0	14
	Partial Acquisitions	0	70
Relocations		0	18 residential, 0 business
Parks and Recreation		None	Permanent impacts to approximately 0.06 acre of park space. 1.2 acres of park space would be temporarily impacted due to TCEs.
Cultural Resources		None	None

Table 1-6. Key Issues

Criteria	No Build Alternative	Build Alternative (Proposed Project)
Noise	Without the proposed project, approximately 99 dwelling units will experience noise impacts. Noise levels for design-year no-build conditions are expected to increase up to 2 decibels (dB) over existing noise levels due to projected traffic volume increases over existing conditions. Estimated no-build traffic noise levels were found to approach or exceed the applicable Noise Abatement Criteria (NAC) at representative residential locations.	132 dwelling units are expected to experience noise impacts. Increases in noise levels are due to the addition of the two lanes (one in each direction) within the Grove Avenue corridor. The additional lanes would shift traffic closer to representative receivers within the proposed project area. Under future design-year 2045 build conditions, most of the receiver locations have traffic noise levels that were found to approach or exceed the applicable NAC.
Air Quality	None	Minimal short-term construction impacts are anticipated to be generated from excavation, grading, hauling, and various other activities needed to construct the project; however, reactive organic gas (ROG) and other emissions are expected to be low due to the limited construction activities scheduled for the project. Therefore, the thresholds of significance established for ROG emissions by the South Coast Air Quality Management District (SCAQMD) would not be exceeded during construction of the project.
Natural Communities	None	No impact to communities of concern or regional species on concern. The project would result in permanent unavoidable impacts to approximately 174 trees (by trimmings and removals).
Floodplain/Hydrology	None	Culvert crossings would be extended to accommodate the roadway widening by 37 feet. The 100-year flood event would still be contained in the channel.

Table 1-6. Key Issues

Criteria	No Build Alternative	Build Alternative (Proposed Project)
Water Quality	None	Would add 2.57 acres of additional impervious surface area.
Wetlands and Other Waters	None	The project would result in no permanent impacts and approximately 0.46 acre (795 linear feet) of temporary impacts to nonwetland Waters of the U.S. as a result of improvements to existing, enclosed box culverts for Grove Avenue.
Capital Cost of Alternative	$0	$31.8 million

1.3.3 Identification of Preferred Alternative

After comparing and weighing the benefits and impacts of all feasible alternatives (see Table 1-6 above for a summary of impacts identified for the No Build Alternative and the Build Alternative), the PDT initially identified the Build Alternative as the Preferred Alternative during preparation of the draft environmental document. This selection was primarily because the No Build Alternative would not meet the project's purpose and need.

The purpose of the project is to:

- Alleviate existing and anticipated future congestion along Grove Avenue between 4th Street and Airport Drive and improve traffic operations along the corridor in the city of Ontario.

The Build Alternative would meet this purpose, while the No Build Alternative would not.

The need for the project is centered on improving Grove Avenue to accommodate recent and projected growth in passenger and goods/trucks movement associated with Ontario International Airport and changes in land uses since Grove Avenue was originally constructed. Based on traffic projections and the existing and planned land uses in the vicinity, the existing roadway facility is forecast to operate at unsatisfactory level of service (LOS) at three intersections within the project limits by 2045 without

improvements. The Build Alternative would meet this need, while the No Build Alternative would not.

The Build Alternative and the No Build Alternative are evaluated at the same level of detail in this Final EIR/EA, allowing for a determination of the impacts and/or effects on the environment to be made. As discussed throughout Chapter 2 below and Table 1-6 above showing a summary of impacts identified for the No Build Alternative and Build Alternative. An Environmental Commitments Record (see Appendix D) lists measures that would reduce the impacts of the Build Alternative. These measures are also listed under each topic in Chapter 2 and in Section 3.3.After the public circulation period of the Draft EIR/EA, all comments were considered, and the City and Caltrans selected the preferred alternative and made the final determination of the project's effect on the environment. Final identification of the Build Alternative as the Preferred Alternative by the City and Caltrans was based on the Build Alternative meeting the project purpose and need and having no significant unavoidable environmental impacts, with the implementation of avoidance, minimization, and mitigation measures. Potential impacts of the Build Alternative, which would not occur under the No Build Alternative, include:

- The Build Alternative is not consistent with some open space policies in SCAG's Regional Comprehensive Plan (RCP) but measures would be implemented to reduce impacts to parks and the loss of trees. Permanent and temporary impacts to Grove Memorial Park and John Galvin Park would be minor and minimized by returning areas under temporary construction easements to pre-project conditions and reconfiguring the remnant parking lot. Measures have also been provided for the inadvertent discovery of cultural resources and human remains.
- Land acquisition and associated residential displacement would occur with the Build Alternative but relocation services would be provided in accordance with the Uniform Relocation Assistance and Real Property Acquisition Regulations. Utility relocations and disruptions to emergency services would be temporary and coordination with affected agencies would reduce impacts. Construction activities would result in street closures and detours that would temporarily delay traffic flow, affect business parking, and impede access to businesses. Various measures to minimize these impacts would be implemented by the project. In the long term, average delays at intersections in the immediate project vicinity are forecast to significantly improve under the Build Alternative.

- While there is low to moderate potential for impacting paleontological resources, a Paleontological Monitoring Plan (PMP) would be prepared to avoid impacts to paleontological resources.
- Construction of the project would lead to the disturbance of soils and structures that may contain hazardous materials and wastes. Compliance with existing regulations for the removal, handling, storage, transport and disposal of hazardous materials and wastes would prevent the creation of public safety and health hazards to the construction crew and adjacent land uses.
- Changes in visual quality during and after construction are anticipated to be moderately low and minimization measures have been developed to retain and improve the visual quality of the project corridor through the preservation of existing trees, replacement of trees that cannot be preserved, and the use of decorative paving.
- The proposed culvert crossing extension and additional impervious areas would alter the local hydrology and water quality in the West Cucamonga Channel but design measures and best management practices (BMPs) would be implemented to retain existing drainage patterns and protect water quality. Under the Build Alternative, the 100-year flood event would still be contained in the channel.
- Minimal short-term air quality impacts are anticipated to be generated from excavation, grading, hauling, and various other activities needed to construct the Build Alternative. These pollutant emissions would not exceed SCAQMD's regional thresholds of significance but would exceed the localized significance threshold for PM_{10}. An extensive list of air quality control measures would be implemented to reduce PM_{10} emissions during construction. A measure to encourage contractors to reduce equipment emissions has also been provided. Long-term improvements in traffic flow would reduce associated vehicle emissions and improve local air quality.
- Construction noise would affect adjacent land uses along Grove Avenue. Noise control measures would be implemented in compliance with existing regulations to minimize noise disturbances at sensitive areas during construction. Several dwelling units along the project corridor would experience long term increases in noise levels. Soundwalls have been designed for these receptors and a number have been found to be reasonable and feasible. However, public input has only identified one soundwall as acceptable to the property owner. Where soundwalls would not be constructed, the increases in noise levels would be less than 12 decibels (dB) and thus, would not be considered substantial or significant.

- The Build Alternative would have no impacts on natural communities or Threatened and Endangered species but a number of trees are proposed for trimming or removal. Measures to minimize tree removal, require tree replacement, and avoid the introduction of invasive species into the project site have been included. Potential disturbance of nesting birds would be avoided by scheduling the start of construction outside the nesting season or conducting nesting surveys and the protection of any active nests.
- Temporary impacts to nonwetland Waters of the US at the box culverts on the West Cucamonga Channel would be minimized by measures to limit disturbance and maintain downstream flow conditions.

These impacts are not considered substantial or would be reduced to less than significant levels with compliance with existing regulations/standard conditions and the implementation of avoidance, minimization and mitigation measures.

While the No Build Alternative would not result in environmental impacts, the selection of the Build Alternative as the Preferred Alternative is justified based on the following:

- The Build Alternative has been designed to minimize impacts on the surrounding land uses and facilities and there are no other reasonable alternatives that will further avoid such impacts or uses.
- Several alternatives were considered for the project, as discussed in Section 1.3.4 below, but none of these alternatives would best meet the project purpose and need and result in less environmental impacts. Thus, there are no reasonable alternatives or mitigation measures that will avoid or substantially lessen the impacts of the Build Alternative.
- The Build Alternative will result in irreversible environmental impacts, none of the impacts will be significant and unavoidable with the implementation of avoidance, minimization and mitigation measures. There are no specific factors or conditions (e.g., economic, social, or other factors) that make the Build Alternative unreasonable or that make the other alternatives environmentally superior to the Build Alternative.

Under CEQA, the City will certify that the project complies with CEQA, prepare findings that all significant impacts identified will be mitigated below a level of significance, and certify that the Final EIR/EA has been considered prior to project approval. The City will then file a Notice of Determination (NOD) with the San

Bernardino County Clerk and the State Clearinghouse. The NOD will identify that the project will have significant impacts, that mitigation measures were included as conditions of project approval, and that findings were made. Similarly, Caltrans, as assigned by FHWA, has determined the NEPA action does not significantly impact the environment and will issue a Finding of No Significant Impact (FONSI).

1.3.4 Alternatives Considered but Eliminated from Further Discussion Prior to Draft Environmental Impact Report/Environmental Assessment (EIR/EA)

Assembly Bill (AB) 2542 requires any state or local automobile capacity-increasing project or a major street or highway lane realignment project sent to the California Transportation Commission for approval consider reversible lanes in the design of the project. The Grove Avenue Corridor Project is a capacity-increasing project; therefore, AB 2542 applies. Evaluation of the feasibility of reversible lanes on Grove Avenue from 4th Street to Airport Drive indicates that reversible lanes would not be feasible due to the short segment (1.24 miles) proposed for widening; the presence of seven intersections at even shorter segments within the corridor; and the lack of highly-defined directional traffic during the AM or PM peak hours. In addition, the City's General Plan shows Grove Avenue as a six-lane Principal Arterial without reversible lanes.

During the initial design of this project, two alternatives were considered: widening Grove Avenue to the east and widening Grove Avenue to the west. Both alternatives included three through lanes in each direction along Grove Avenue. The alternative that widened Grove Avenue to the east was chosen as the Build Alternative. The rejected alternative, which widened Grove Avenue to the west, is described below.

1.3.4.1 Widen to the West Alternative

From State Street north to the UPRR crossing, the Widen to the West Alternative matched the Build Alternative configuration. North of the UPRR, Grove Avenue would be widened to the west until north of G Street. North of G Street to 4th Street, the alignment matched that of the Build Alternative.

This alternative would have the following ROW impacts:

- 19 property acquisitions
  - 13 single-family residences
  - 3 apartment buildings – 8 units each

  - 2 vacant parcels
- Demolition of one building associated with Sovereign Grace Baptist Church at the southwest corner of Grove Avenue and G Street
- Partial acquisition of 0.06 acre of Grove Memorial Park, located northwest of the Grove Avenue/G Street intersection
- *De Minimis* Section 4(f) impacts to John Galvin Park

Due to the extensive ROW requirements and associated property and park impacts, the Widen to the West Alternative was eliminated from further consideration; therefore, this alternative cannot be considered an environmentally superior alternative to the proposed Build Alternative that is carried through for further analysis in this document.

1.4 Permits and Approvals Needed

Table 1-7 lists the permits, reviews, and approvals that would be required for project construction of the Build Alternative (proposed project).

Table 1-7. Required Permits, Reviews, and Approvals

Agency	Permit/Approval	Status
U.S. Army Corps of Engineers	Non-notifying Clean Water Act (CWA) Section 404 Nationwide Permit (NWP) 14 (Linear Transportation Projects), provided all terms and conditions of the NWP permit program (33 CFR 330) are met.	Section 404 Permit will be obtained prior to start of construction
San Bernardino County Flood/U.S. Army Corps of Engineers	A 408 permit will be required for potential impacts to the Cucamonga Creek.	Section 408 Permit will be obtained prior to start of construction
Regional Water Quality Control Board	CWA Section 401 Water Quality Certification. It should be noted that although it is anticipated that the project may likely qualify for a non-notifying NWP 14, CWA Section 401 Water Quality Certification must be issued prior to CWA Section 404 authorization for (any) impacts to Waters of the U.S. A fee commensurate with the extent of the activity will be required as part of this permit.	Section 401 Water Quality certification will be obtained prior to start of construction
California Department of Fish and Wildlife	Lake or Streambed Alteration Agreement (SAA). A fee commensurate with the extent of the activity will be required as part of this permit.	Section 1602 Streambed Alteration Agreement will be obtained prior to start of construction

Table 1-7. Required Permits, Reviews, and Approvals

Agency	Permit/Approval	Status
City of Ontario	Pursuant to Section 10-2.06, the City requires approval and removal permits for parkway trees to be removed. To remove a parkway tree, it must meet criteria set forth by the City. No person shall remove or relocate any parkway tree without prior authorization from the City.	Tree removal permit will be obtained prior to any tree removal
State Water Resources Control Board	Construction General Permit, Order No. 2009-0009-DWQ, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS000002.	Construction General Permit will be obtained prior to start of construction
State Historic Preservation Officer	Determination of Eligibility.	Letter of Concurrence dated April 25, 2017
FHWA	Air Quality Conformity Determination.	Letter of Conformity dated August 26, 2020

In addition to the permits listed above, a cooperative agreement with Omnitrans will be required to temporarily defer or relocate the five bus stop stations within the limits of the project. Three bus stations on 4th Street between N. Virginia Avenue and N. Calaveras Avenue are part of Route 86, and two bus stations located on Holt Boulevard at the intersection of Holt Boulevard and Grove Avenue are part of Routes 61 and 80.

The project anticipates entering into a Service Agreement with UPRR for flaggers and inspection during periods of work along Grove Avenue between Holt Boulevard and Airport Drive. It is also anticipated that additional agreements, clearances, and clauses will be inserted into the Construction Specifications.

Individual utility agreements are expected with the associated owners of gas, electrical, water, and communication facilities with the Build Alternative. Additional agreements may be required depending on selection of the preferred alternative. For the Build Alternative, an agreement will be needed for the oil companies.

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Chapter 2 Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures

2.1 Topics Considered but Determined not to be Relevant

As part of the scoping and environmental analysis carried out for the project, the following environmental issues were considered, but no adverse impacts were identified:

- Coastal Zone. There will be no effect to Coastal Zones because the project is not located near any coasts.
- Wild and Scenic Rivers. There will be no effect to Wild and Scenic Rivers because there are no rivers near the project footprint.
- Timberland. There are no timberlands located in or near the project footprint.
- This project is located outside of National Marine Fisheries Service (NMFS) jurisdiction; therefore, an NMFS species list is not required, and no effects to NMFS species are anticipated.
- The project is located outside of National Oceanic and Atmospheric Administration's National Marine Fisheries (NOAA Fisheries) jurisdiction; therefore, an NOAA species list is not required, and no effects to NOAA species are anticipated.

As a result, there is no further discussion about these issues in this document.

2.2 Human Environment

2.2.1 Existing and Future Land Use

This section discusses impacts to land use as a result of implementation of the proposed project. The analysis is based on the results of the *Community Impact Assessment* (October 2016) prepared for this project. This section addresses potential impacts to existing and planned land uses in the project area that could result from implementation of the project alternatives.

2.2.1.1 Affected Environment

Existing land uses located immediately adjacent to the proposed project area were identified from west to east. The summary of existing land uses is based on City and

County of San Bernardino (County) planning documents, Google Earth Surveys, and windshield surveys conducted in 2015.

The Grove Avenue Corridor Project is located in the northwest portion of the city of Ontario. Residential neighborhoods dominate the land uses to the west of the project area, with commercial uses clustered at major intersections. Similarly, the eastern side of Grove Avenue is also dominated by residential land uses. To the north of the project area is an area of commercial development and a large drainage basin located adjacent to the southern side of I-10. Immediately south of 4th Street, Grove Avenue goes through the center of John Galvin Park. Grove Memorial Park is located along the eastern side of Grove Avenue between I Street and G Street. Business parks and light industrial uses are found on the southern end of the project area, and Ontario International Airport is located adjacent to the southeast corner of the project area. The Grove Avenue corridor is primarily built out, although there are some vacant parcels at the southern end of the corridor. Existing land uses within 0.5 mile of the project area are depicted in Figure 2.2.1-1. As shown in Table 2.2.1-1, medium-high density residential makes up most of the land uses found within 0.5 mile of the Grove Avenue corridor at approximately 45 percent. Ontario International Airport and vacant land are at approximately 12 and 11 percent, respectively.

Table 2.2.1-1. Land Use within 0.5 Mile of the Project Corridor

Land Use	Acreage	Percentage
Agriculture	4.48	0.3
Airports	171.79	11.6
Commercial	130.51	8.8
Educational Facilities	57.83	3.9
Industrial	89.10	6.0
Low Density Residential	19.34	1.3
Medium-High Density Residential	667.79	44.9
Office	18.81	1.3
Open Space & Recreation	60.23	4.1
Public Facilities	37.07	2.5
Transportation & Utilities	50.29	3.4
Under Construction	7.92	0.5
Vacant	156.56	10.5
Water & Floodways	14.01	0.9

Source: Parsons, SBCTA Existing Land Use, 2012.

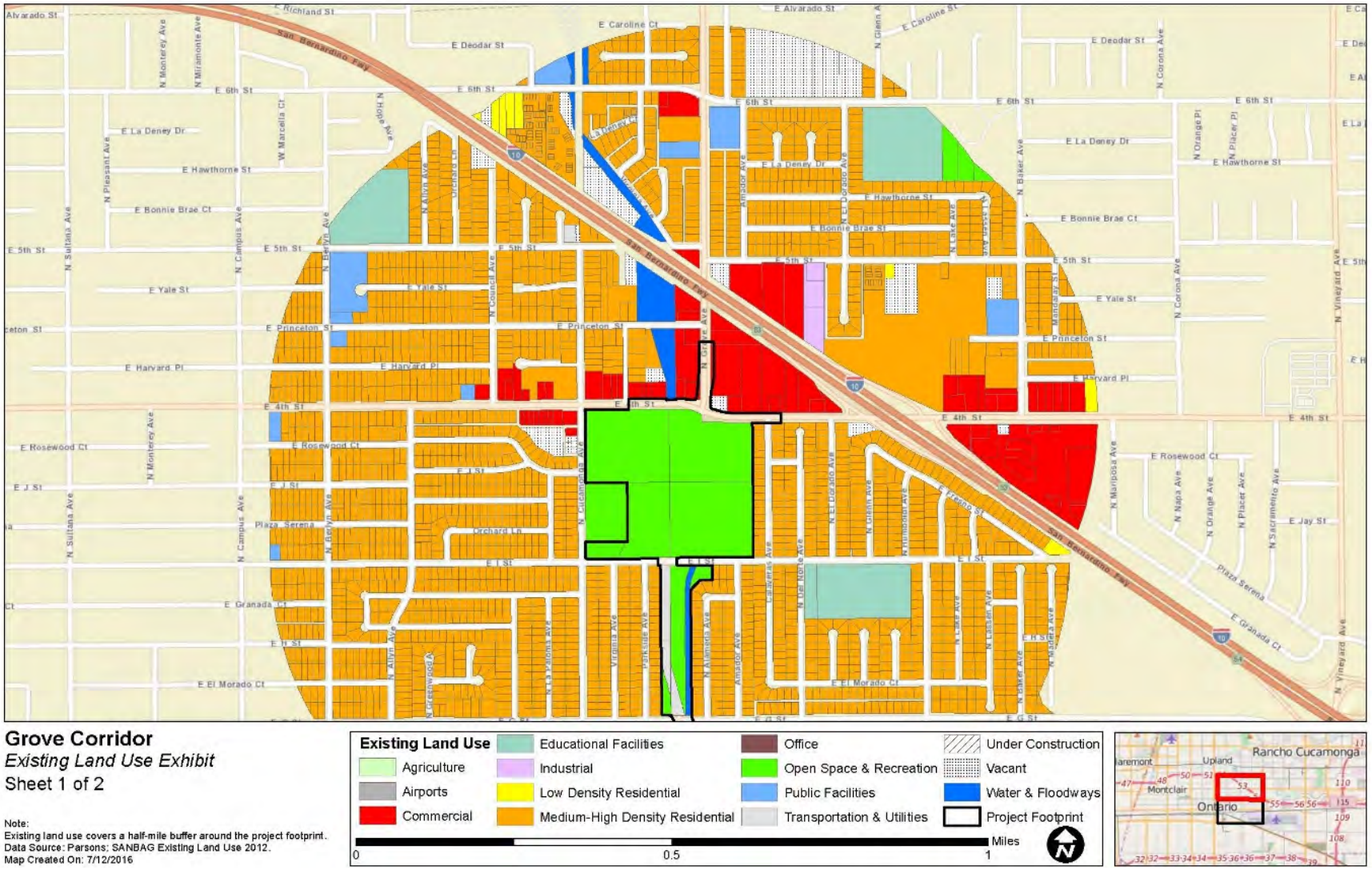


Figure 2.2.1-1. Existing Project Area Land Use (Sheet 1 of 2)

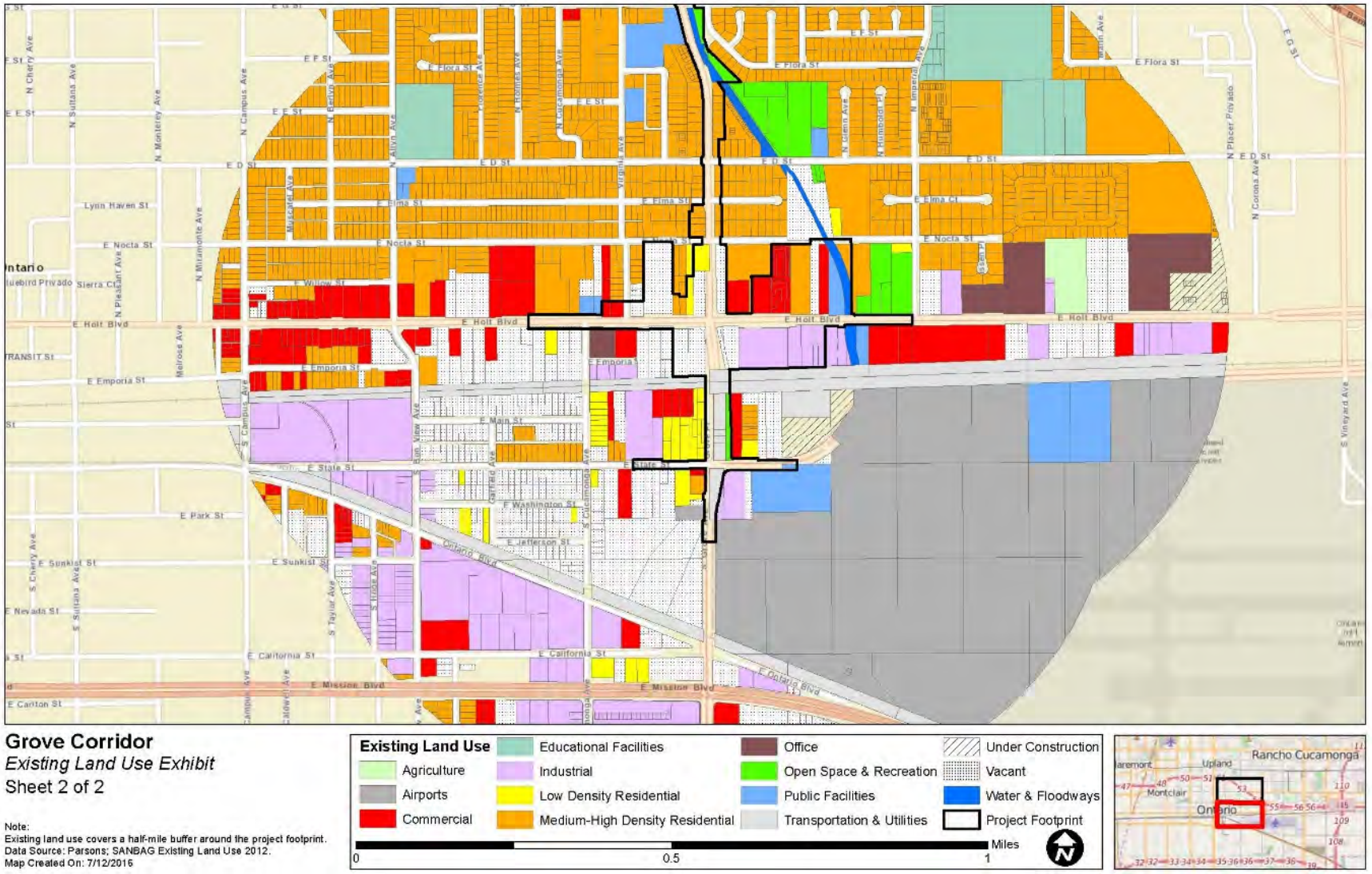


Figure 2.2.1-1. Existing Project Area Land Use (Sheet 2 of 2)

Development Trends

Recent development trends in the Grove Avenue Corridor Project area have been primarily focused on land development projects. Table 2.2.1-2 and Figure 2.1.1-2 identify transportation and residential projects located within 5 miles of the proposed alignment and all other development located within 2 miles that may occur within 3 years of the proposed project implementation (2025). The search radius includes the cities of La Verne, Pomona, Claremont, Montclair, Chino, Ontario, Upland, Rancho Cucamonga, Fontana, Eastvale, and Jurupa Valley. The identified projects were used to analyze cumulative impacts of the proposed project. See Section 2.5 for the discussion of cumulative impacts.

Table 2.2.1-2. Related Projects

Project Name, Type, Status, and ID Number (Refer to Figure 2.2.1-1)	Project Description
I-10 Corridor Project – ID Number 1 • Transportation project • SBCTA and Caltrans project • Located in the cities of Pomona, Claremont, Montclair, Upland, Ontario, Fontana, Bloomington, Rialto, Colton, San Bernardino, Loma Linda, Redlands, and Yucaipa • Final environmental document approved in May 2017	The I-10 Corridor Project is proposed to improve safety and relieve traffic congestion on I-10, 0.4 mile west of White Avenue in Pomona at Post Mile 44.9 to just east/west of Live Oak Canyon Road in Yucaipa at Post Mile 37.0.
I-10/Grove Avenue Interchange Project – ID Number 2 • Transportation project • City of Ontario project • Located in the city of Ontario • Currently in the preliminary engineering and environmental document phase	The I-10/Grove Avenue Interchange Project proposes to improve upon the operational deficiencies of the existing interchange and relieve traffic congestion to accommodate anticipated increases in automobile and truck traffic in the study area. Two build alternatives and one No Build Alternative are being considered. Build Alternative 1 proposes a new spread diamond interchange at Grove Avenue. Build Alternative 2 proposes a new partial cloverleaf interchange at Grove Avenue. The proposed build alternatives would require closure of the existing I-10/4th Street interchange. Improvements along Grove Avenue include widening the local street from four lanes to six lanes between the westbound ramps and 4th Street. Grove Avenue would taper back to four lanes north of the westbound ramps and tie in with the existing four-lane cross section before 6th Street. Improvements along 4th Street include widening the local street from two through lanes to four through lanes under I-10. Caltrans has jurisdiction of the development.

Table 2.2.1-2. Related Projects

Project Name, Type, Status, and ID Number (Refer to Figure 2.2.1-1)	Project Description
Omnitrans West Valley Connector – ID Number 19 – ID Number 3 • Transportation project • Located in the cities of Fontana, Rancho Cucamonga, Ontario, Montclair, and Pomona • Omnitrans project • Currently in the preliminary engineering and environmental document phase	Omnitrans' West Valley Connector Corridor would provide mobility with a state-of-the-art bus transit system to accommodate the growing population and bus ridership demand and aim at connecting all major activity centers in the area. The transit system would focus on two transit services on the Holt Boulevard/Route 61 and Foothill Boulevard/Route 66 corridors. The build alternatives, Rapid Bus and Bus Rapid Transit, would decrease the wait time and increase effectiveness. Alternative 2, Rapid Bus, would limit stop service on mixed-flow lanes, and Bus Rapid Transit would limit stop service on 3.5 or 6.5 miles of dedicated lanes.
I-15 Corridor Improvement Project – ID Number 4 • Transportation project • Located in the cities of Jurupa Valley, Eastvale, Norco, Corona, and Riverside • Riverside County Transportation Commission (RCTC) and Caltrans project • Environmental approval was obtained in May 2016	RCTC, in partnership with Caltrans District 8, is exploring improvements on a 14.6-mile-long segment of the I-15 corridor. The proposed project would include the addition of one to two Tolled Express Lanes in each direction from Cajalco Road, where it crosses I-15 in Corona, to just south of the I-15 and SR-60 interchange at Riverside Drive. This project has an estimated construction cost of $415 million.
San Bernardino County Flood Control District's Master Stormwater System Maintenance Program (MSWMP) • Located within the San Bernardino County Flood Control District (SBCFCD) Jurisdiction • SBCFCD project • A Notice of Preparation of a Draft Environmental Impact Report (EIR) was circulated on June 30, 2014 (The project is located throughout San Bernardino County and will apply to all Flood Control District Facilities. It is not shown in the Related Projects map.)	SBCFCD is proposing to implement a comprehensive program to prepare and implement a Maintenance Plan for maintenance of flood facilities throughout San Bernardino County. Types of routine operations and maintenance activities include, but are not limited to, removing excess sediment, debris, and vegetation; stockpiling excess material and debris following removal; maintaining sufficient flow paths; grooming/repairing earthen and improved channel slopes and bottoms; and maintaining culverts and bridges to ensure proper drainage and structural integrity.
Metro Gold Line Foothill Extension Construction Activity: Ontario Airport Extension – ID Number 5 • Transportation project • Located in the cities of Montclair, Upland, and Ontario • Metro project • Funding for the Ontario Airport Extension has not been identified; project timeline is uncertain • Groundbreaking occurred in December 2017.	The Ontario Airport Extension would extend the Gold Line approximately 8 miles – from the TransCenter in Montclair, located just east of Monte Vista Avenue and north of Arrow Highway, to Ontario – and terminate the line at Ontario International Airport. Although not formally part of the Foothill Extension Project, the Construction Authority completed a study to understand the feasibility of extending the line from Montclair to the airport in 2008. The initial study concluded that extending the line was feasible and provided many potential route options.

Table 2.2.1-2. Related Projects

Project Name, Type, Status, and ID Number (Refer to Figure 2.2.1-1)	Project Description
College Park Specific Plan – ID Number 6 • Land development project • Located in the city of Upland • City of Upland Housing Element – Specific Plan • To be implemented between 2013 and 2021	In 2004, the City of Upland adopted the College Park Specific Plan to encourage mixed-use development in southwest Upland and provide housing opportunities for the Claremont Colleges. The planning area includes 25 acres of residential land that can accommodate approximately 500 housing units. A total of 450 apartment units have been built. An additional 92 small-lot, detached single-family units are planned at a density of 10 units per acre. This Specific Plan area is composed of a residential development with a small commercial-retail component. The Specific Plan proposes 355 multi-family attached and 14 detached residential units. The area is bounded by Foothill Boulevard, Monte Vista Avenue, and west Arrow Route, just below Central Avenue.
Ontario Center Specific Plan – ID Number 7 • Land development project • Located in the city of Ontario • City of Ontario Specific Plan • An amendment to the Ontario Specific Plan was approved in 2006	The Ontario Center site consists of approximately 88 acres of vacant land located at the northerly boundary of the eastern portion of Ontario, south of 4th Street, between Haven Avenue and Milliken Avenue, and less than 0.25 mile north of I-10. The Ontario Center will include urban commercial, urban residential, garden commercial, and open space elements.
Ontario Festival Specific Plan – ID Number 8 • Land development project • Located in the city of Ontario • City of Ontario Specific Plan • Approved in 2012	The Ontario Festival Specific Plan is a comprehensive plan for the development of a planned residential site that could accommodate up to 472 dwelling units on approximately 37.6 acres. This project will be located along Inland Empire Boulevard between Archibald Avenue and Turner Avenue, just below Guasti Regional Park.
Meredith International Centre Specific Plan – ID Number 9 • Land development project • Located in the city of Ontario • City of Ontario Specific Plan • An Initial Study was prepared for the project in 2014	The Meredith International Centre Specific Plan Amendment Project proposes a mix of industrial, commercial, and residential land uses on approximately 257 acres located in the southeast portion of Ontario within San Bernardino County. The site is generally located north of I-10, south of 4th Street, between Vineyard Avenue and Archibald Avenue. The project area is located in between the Southern Pacific Trail and west Arrow Route.

Table 2.2.1-2. Related Projects

Project Name, Type, Status, and ID Number (Refer to Figure 2.2.1-1)	Project Description
Guasti Plaza Specific Plan – ID Number 10 • Land development project • Located in city of Ontario • City of Ontario Specific Plan • Updated in 2011	The Guasti Specific Plan (approved in 1997) was updated in 2011 with the addition of the Guasti Major Amendment No. 1 (GMA-1). The amendment would allow construction of residential units as an alternative to office use, called the Residential Overlay Zone. The Residential Overlay Zone is within the Guasti Specific Plan boundaries and, more specifically, bounded by Guasti Road in the north with Turner Avenue to the east and the proposed road, Via Biane, on the west. Pepper Tree Lane is south of the Residential Overlay Zone where the smaller historic buildings will be retained and/or relocated. The Residential Overlay Zone will consist of 7.6 acres. The residential units may be constructed at a density of 25 to 60 units per acre.
Omnitrans Route 290 – ID Number 11 • Transportation project • Located in the cities of San Bernardino, Montclair, Colton, Ontario • Omnitrans project began in September 2015	Omnitrans is proposing to offer a second freeway express route that will connect Downtown San Bernardino with Arrowhead Regional Medical Center, Ontario Mills, and the Montclair Transit Center. The service is proposed to run as a peak morning and evening service. The proposed schedule for Route 290 is designed to maximize transfer potential to Foothill Transit's Silver Streak in Montclair, Metrolink trains, and other Omnitrans routes.
SBCTA Ontario Airport Rail Access – ID Number 12 • Transportation project • Located in the cities of Ontario, Rancho Cucamonga, and Upland	The Ontario Airport Rail Access project is designed to improve passenger access to public transportation, such as the three Metrolink stations within 5 miles from the airport. This project also aims to assist with anticipated future population growth in the area. An Ontario Airport Rail Access Study Report was completed in November 2014.
Mountain Village – ID Number 13 • Land development project • Located in the city of Ontario • City of Ontario Specific Plan • Approved in 1997	The purpose of the Mountain Village Specific Plan is to use blighted parcels to build residential and commercial development consisting of four Development Districts: Entertainment District, Main Street District, Sixth Street District, and Residential District. The Residential District will contain single-family homes. The area is bound by I-10 and the city of Upland to the north, Colony Park to the south, single-family residences to the east, and single- and multi-family residences to the west.
Pomona Corridors SP – ID Number 14 • Land development project • Located in the city of Pomona • City of Pomona Specific Plan • Public review draft issued in June 2013	The Pomona Corridors SP is designed to develop private and public investment activities along Garvey Avenue, Holt Avenue, Mission Boulevard, and Foothill Boulevard to promote the type of investment that will enhance the beauty and vitality of the city's primary commercial corridors. The specific plan is composed of portions of Garey Avenue, Holt Avenue, Mission Boulevard, and Foothill Boulevard corridors.

Note: Information was collected from each project's Web site in 2015.

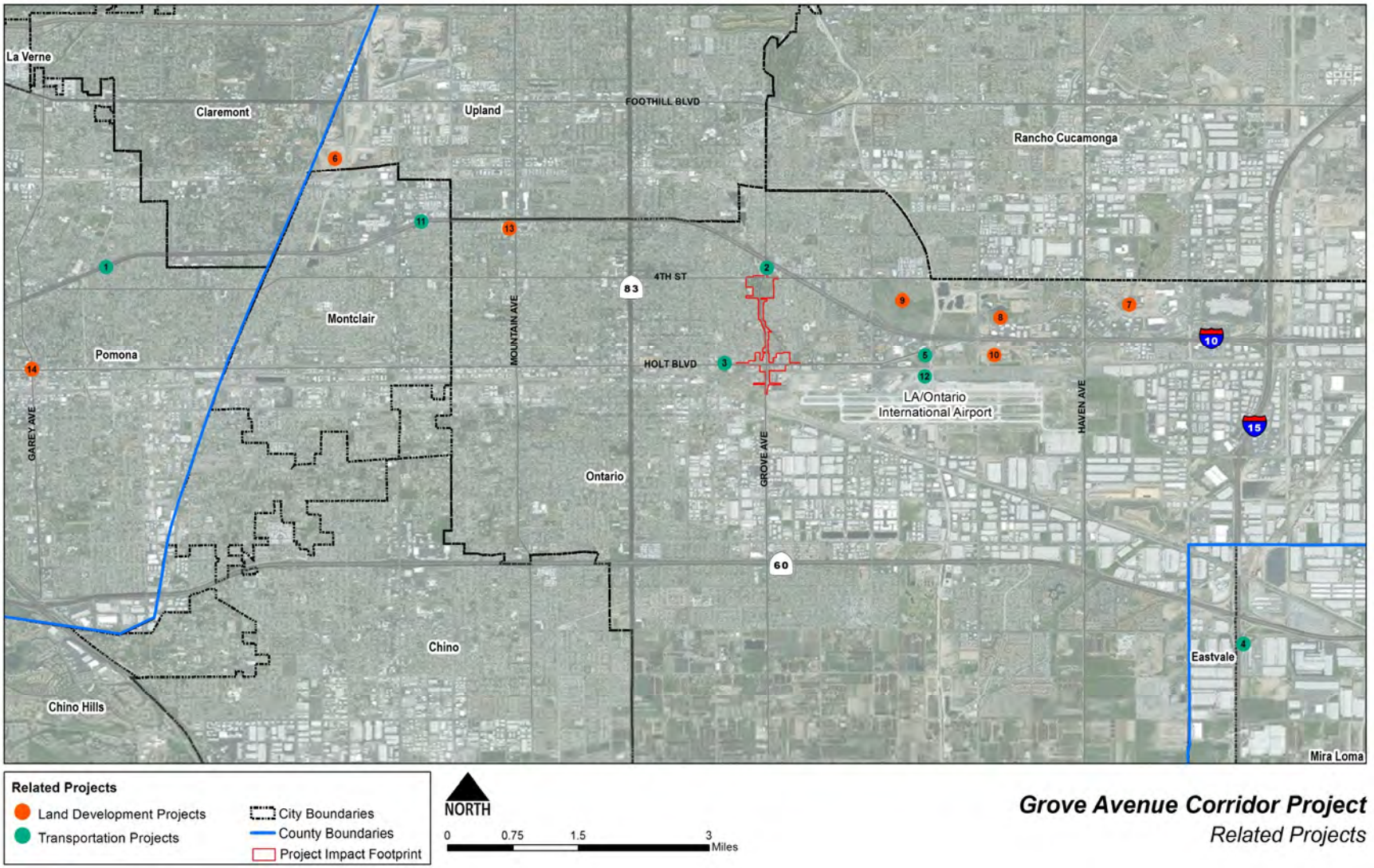


Figure 2.2.1-2. Related Projects

2.2.1.2 Environmental Consequences

No Build Alternative

The No Build Alternative would maintain the current configuration of Grove Avenue. Under the No Build Alternative, the project would not be constructed, and no temporary or permanent impacts to existing land use would occur.

Build Alternative (Proposed Project)

Permanent Impacts

The Build Alternative would result in permanent impacts to 87 parcels, including 84 parcels subject to acquisition and 3 permanent easements. Property acquisitions associated with the Build Alternative would result in the conversion of 4.04 acres of existing land uses, such as residential, industrial, and public land, to transportation-related uses. See Section 2.2.7 for further discussion of parcel acquisitions and relocations. Table 2.2.1-3 shows the Build Alternative impacts to existing land use types.

Table 2.2.1-3. Build Alternative Existing Land Use Impacts

Land Use	Permanent Impacts (acres)	Temporary Construction Easement Impacts (acres)
Residential	2.03	0.34
Commercial/Office	0.01	0.11
Industrial	0.03	0.05
Vacant	1.25	0.25
Public Land	0.66	0.36
Railroad	0.00	0.08
Park or Recreational Facility	0.06	1.20
Total	**4.04**	**2.39**

Implementation of the Build Alternative would require permanent easements on three parcels: one parcel owned by Southern Pacific Transportation and two owned by the San Bernardino County Flood Control District (SBCFCD).

The conversion of 4.04 acres of various land uses, including just over 2 acres of residential uses, for transportation-related uses would not change the overall land use patterns in the area or influence or inhibit future land use development in the area. Grove Avenue would continue to function as a major transportation corridor surrounded by the same land uses as currently exist.

Permanent indirect impacts to land use patterns, such as changes to regional development and growth-related changes, are not anticipated with implementation of the Build Alternative. The area subject to ROW acquisition is urbanized, containing few vacant parcels that are available and/or entitled for development. The Build Alternative would not remove large tracts of land available for future development nor result in major land use changes; therefore, it would have a negligible effect on regional development patterns. Potential growth-related changes associated with the project are discussed in Section 2.2.5, Growth.

Temporary Impacts

Forty-seven (47) TCEs, totaling 2.39 acres, would be required to construct the proposed Build Alternative. Properties used as TCEs would maintain their existing land use during and after project construction.

In addition, access to businesses along Grove Avenue, 4th Street, and Holt Boulevard in the project area may be temporarily restricted or modified during construction due to TCEs. Access to businesses would be maintained at all times during construction, consistent with Section 7-1.03, Public Convenience of Caltrans' Standard Specifications (2018). Temporary impacts to access and circulation are discussed in further detail in Section 2.2.10, Traffic and Transportation/Pedestrian and Bicycle Facilities.

2.2.1.3 Avoidance, Minimization, and/or Mitigation Measures

The project is generally consistent with current and future planned land uses as discussed in this section. The Build Alternative has been designed to avoid existing built land uses to the extent practicable while adhering to design and operational criteria to maintain a safe roadway. During final design, additional efforts will be explored to reduce the required project footprint and further minimize any construction and operational impacts to existing and planned land uses.

2.2.2 Consistency with State, Regional, and Local Plans and Programs

The following discussion describes the adopted plans within the project area and the goals, policies, or objectives of those plans that are applicable to this project. To ensure project consistency with local transportation and residential projects, the *Community Impact Assessment* (Chapter 2.1.1.1) reviewed transportation and residential projects located within 5 miles of the proposed alignment and all other development located within 2 miles. The search radius includes the cities of La Verne, Pomona, Claremont, Montclair, Chino, Ontario, Upland, Rancho Cucamonga, Fontana, Eastvale, and Jurupa Valley. The list of related projects includes projects that may occur within 3 years of the proposed project implementation (2025). The identified projects were used to analyze cumulative impacts of the proposed project.

State law is the foundation for local planning in California. The California Government Code (Sections 65000 *et seq.)* contains many of the laws pertaining to the regulation of land uses by local governments, including the general plan requirement, specific plans, subdivisions, and zoning. However, the State is seldom involved in local land use and development decisions; these have been delegated to the city councils and boards of supervisors of the individual cities and counties. Local decision makers adopt their own set of land use policies and regulations based on State laws.

SCAG is the largest Metropolitan Planning Organization (MPO) in the nation. The SCAG region includes six counties (Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura) and 191 cities. As the designated MPO, SCAG is mandated by federal and State law to research and develop an RTP, which now incorporates a Sustainable Communities Strategy (SCS) as well. SCAG is currently undertaking a variety of planning and policy initiatives to foster a more sustainable southern California.

SCAG develops long-term solutions for regional challenges such as transportation, air quality, housing, growth, hazardous waste, and water quality. Because these issues cross city and county boundaries, SCAG works with cities, counties, and public agencies in the six-county region to develop plans and strategies. SCAG has developed strategies that specifically address the growth and transportation issues facing southern California. These plans include the Regional Comprehensive Plan (RCP) and the RTP/SCS, as mentioned above. The RCP presents the full body of planning and policy work produced by SCAG and ties it together.

The RTP/SCS is a comprehensive long-term transportation plan that provides a vision for the future of the SCAG region's multimodal transportation system and specifies how that vision can be achieved for the region. The RTP/SCS identifies major

challenges, as well as potential opportunities associated with growth, transportation finances, the future of airports in the region, and impending transportation system deficiencies that could result from growth projections for the region.

In addition to the regional plans, State law requires that each city and county adopt a general plan containing the following seven components or elements: land use, circulation, housing, conservation, open space, noise, and safety (Government Code Sections 65300 *et seq.).* At the same time, each jurisdiction is free to adopt a wide variety of additional elements covering subjects of particular interest to that jurisdiction, such as recreation, urban design, or public facilities. The local general plan can be described as the city or county's "blueprint" for future development.

Community plans and specific plans are often used by cities and counties to plan the future of a particular area at a finer level of detail than that provided by the general plan. A community plan is a portion of the local general plan focusing on the issues pertinent to a particular area or community within the city or county. It supplements the policies of the general plan. Specific plans describe allowable land uses, identify open space, and detail the availability of facilities and financing for a portion of the community. Specific plans must be consistent with the local general plan. A specific plan implements, but is not technically part of, the general plan.

The County and the City's General Plans were reviewed to understand the development trends, land use related goals, and specific policies of the local jurisdictions that could be affected by the proposed project. The land use, community design, open space, and/or mobility elements for each plan provided most of the goals or policies relevant to the proposed project.

The following sections discuss the regional, local, and General Plan policies relevant to the Grove Avenue Corridor Project.

2.2.2.1 Affected Environment

Regional Plans

SCAG 2008 Regional Comprehensive Plan

The SCAG RCP, adopted in 2008, provides a vision for the southern California region that addresses future needs while recognizing the interrelationship between economic prosperity, natural resource sustainability, and quality of life. Through measured performance, the RCP serves as a voluntary action plan with short-term guidance and strategic, long-term initiatives. The RCP complements SCAG's RTP/SCS, which is discussed in detail below.

SCAG Regional Transportation Plan/Sustainable Communities Strategy

The 2012, 2016 and 2020 RTP contains goals and policies that are pertinent to the proposed project, and the SCS is incorporated into the RTP, per Senate Bill (SB) 375. The SCS demonstrates how the region will meet its greenhouse gas (GHG) reduction targets. The RTP/SCS's vision encompasses three principles that motivate southern California planning: mobility, economy, and sustainability.

General Plans

San Bernardino County General Plan (Adopted 2007, Amended 2014)

San Bernardino County is bordered by Los Angeles County, Orange County, and Kern County on the west; the Colorado River and the states of Arizona and Nevada on the east; Riverside County on the south; and Inyo County and the southwest corner of Clark County, Nevada, on the north. San Bernardino County includes the following cities located within the proposed project area: Montclair, Upland, Ontario, and Rancho Cucamonga.

San Bernardino County, with a land area of 20,106 square miles, is the largest county in the continental United States. Although San Bernardino County is the largest county in the contiguous United States, the span of control of the Board of Supervisors over the entire county is limited. Federal and State agencies own and control most of the County lands, and only 15 percent of the total land area in San Bernardino County is regulated by the County Board of Supervisors.

The County identifies itself as a crossroads of global, multimodal transportation, and commerce, with an abundance of affordable land and a skilled workforce. It also recognizes its rural and urban amenities.

City of Ontario General Plan (2010)

Ontario is comprised of approximately 50 square miles. It is bordered by unincorporated San Bernardino County, Montclair, Upland, Rancho Cucamonga, and Fontana to the north, and Chino and Riverside County to the south. Several highways run through the city limits, including I-10, I-15, and SR-60.

The vision of the Ontario General Plan, or the Ontario Policy Plan, includes goals and policies to create and maintain distinct neighborhoods and activity centers; encourage diverse residential uses; a mix of employment, retail, entertainment, community, and recreational services; and a world-class airport, which are connected through a unified mobility system.

Specific Plans

No Specific Plans were found to be located within or immediately adjacent to the proposed project alignment.

2.2.2.2 Environmental Consequences

An evaluation of the proposed project's consistency with related plans and policies is presented in Table 2.2.2-1.

Table 2.2.2-1. Consistency with Plans and Policies

Goal/Policy	Project Consistent with Plan, Goal, Objective or Policy		Consistency Analysis
	No Build Alternative	Build Alternative	
SCAG 2008 Regional Comprehensive Plan			
Land Use and Housing Chapter: Focusing growth in existing and emerging centers and along major transportation corridors.	Consistent	Consistent	The Build Alternative would not induce growth because the proposed project would be built along an existing corridor and is consistent with existing and future plans. The No Build Alternative would not induce growth because there would be no change to the existing land use development.
Land Use and Housing Chapter: Protecting important open space, environmentally sensitive areas (ESAs), and agricultural lands from development.	Consistent	**Inconsistent**	The Build Alternative would require acquisition of 0.06 acre of park space from Grove Memorial Park and John Galvin Park. The acquisitions make up less than 2.5 percent of each park. While acquisition of this space is not consistent with SCAG's goal of protecting open space, it is not anticipated to impair the use of recreational facilities and activities within this park. In addition, the Build Alternative would require temporary use of 1.22 acres through TCEs. Although TCEs would temporarily reduce the overall park areas during construction, it would not affect existing recreational activities, features, or attributes in the parks. No open space, ESAs, or agricultural lands would be affected as a result of the No Build Alternative.

Table 2.2.2-1. Consistency with Plans and Policies

Goal/Policy	Project Consistent with Plan, Goal, Objective or Policy		Consistency Analysis
	No Build Alternative	Build Alternative	
Open Space and Habitat Chapter: Conserving natural lands that are necessary to preserve the ecological function and value of the region's ecosystems.	Consistent	**Inconsistent**	No natural communities of concern were identified within the project area; however, trees and shrubs within the Biological Study Area (BSA) provide suitable habitat for nesting birds, including raptors, protected under the federal Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFG Code). The Build Alternative would result in permanent unavoidable impacts to 174 trees. (Permanent impacts were determined if at least 50 percent of the tree occurred within the permanent impact area.) The Build Alternative is not consistent with this goal. No natural lands would be affected as a result of the No Build Alternative.
Open Space and Habitat Chapter: Conserving wildlife linkages as critical components of the region's open space infrastructure.	Consistent	Consistent	No wildlife linkages would be affected by either of the alternatives.
Open Space and Habitat Chapter: Coordinating transportation and open space to reduce transportation impacts to natural lands.	Consistent	**Inconsistent**	No natural communities of concern were identified within the project area; however, trees and shrubs within the BSA provide suitable habitat for nesting birds, including raptors, protected under the federal MBTA and CFG Code. The Build Alternative would result in permanent unavoidable impacts to 174 trees. (Permanent impacts were determined if at least 50 percent of the tree occurred within the permanent impact area.) The Build Alternative is not consistent with this goal. No natural lands would be affected as a result of the No Build Alternative.
Transportation Chapter: A more efficient transportation system that reduces and better manages vehicle activity.	**Inconsistent**	Consistent	Proposed project improvements associated with the Build Alternative would result in a more efficient transportation system. Under the No Build Alternative, traffic conditions would continue to worsen along Grove Avenue without implementation of the proposed improvements.

Table 2.2.2-1. Consistency with Plans and Policies

Goal/Policy	Project Consistent with Plan, Goal, Objective or Policy		Consistency Analysis
	No Build Alternative	**Build Alternative**	
Transportation Chapter: A cleaner transportation system that minimizes air quality impacts and is energy efficient.	**Inconsistent**	Consistent	The Build Alternative would improve traffic flow along Grove Avenue, especially for trucks travelling from I-10 to Ontario International Airport. Increased throughput resulting from the proposed project would minimize air quality impacts and increase energy efficiency. Under the No Build Alternative, traffic conditions would continue to worsen along Grove Avenue, thereby increasing air quality impacts and decreasing energy efficiency.
SCAG Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS)			
Goal: Maximize mobility and accessibility for all people and goods in the region.	**Inconsistent**	Consistent	The Build Alternative would improve traffic flow and decrease congestion along Grove Avenue, thereby improving mobility and enhancing goods movement capabilities; therefore, it is consistent with this goal. Under the No Build Alternative, traffic conditions would continue to worsen along Grove Avenue without implementation of the proposed improvements.
Goal: Ensure travel safety and reliability for all people and goods in the region.	**Inconsistent**	Consistent	The Build Alternative is anticipated to create a safer transportation corridor for automobile, truck, transit, or nonmotorized travel modes. In addition, the Build Alternative proposes improvements to pedestrian and bicycle facilities in the project area. Therefore, the Build Alternative is considered consistent with this goal Under the No Build Alternative, no improvements for automobile, truck, transit, or nonmotorized travel modes would be constructed, thereby worsening safety and traffic conditions along Grove Avenue and the intersections within the project area. Therefore, the No Build Alternative is inconsistent with this policy.

Table 2.2.2-1. Consistency with Plans and Policies

Goal/Policy	Project Consistent with Plan, Goal, Objective or Policy		Consistency Analysis
	No Build Alternative	Build Alternative	
Goal: Preserve and ensure a sustainable regional transportation system.	**Inconsistent**	Consistent	The proposed Build Alternative would improve operations on Grove Avenue and surrounding local streets. The proposed project is also anticipated to improve the regional transportation system by facilitating improved access between I-10 and Ontario International Airport. Traffic conditions on the existing Grove Avenue would continue to worsen without implementation of the Build Alternative; therefore, the Build Alternative is consistent with this goal. Under the No Build Alternative, traffic conditions would continue to worsen without implementation of the proposed improvements.
Goal: Maximize the productivity of our transportation system.	**Inconsistent**	Consistent	The proposed Build Alternative would improve traffic flow along Grove Avenue between I-10 and Ontario International Airport, thereby maximizing the productivity of the existing transportation system. Traffic conditions would continue to worsen under the No Build Alternative.
Goal: Actively encourage and create incentives for energy efficiency, where possible.	**Inconsistent**	Consistent	The proposed Build Alternative would improve traffic flow along Grove Avenue between I-10 and Ontario International Airport, thereby maximizing the productivity of the existing transportation system. Traffic conditions would continue to worsen under the No Build Alternative.
Policy 2: Ensuring safety, adequate maintenance, and efficiency of operations on the existing multimodal transportation system should be the highest RTP/SCS priorities for any incremental funding in the region.	**Inconsistent**	Consistent	The existing multimodal transportation system would continue to degrade without proposed project improvements, thereby diminishing safety, adequate maintenance, and efficiency.

Table 2.2.2-1. Consistency with Plans and Policies

Goal/Policy	Project Consistent with Plan, Goal, Objective or Policy		Consistency Analysis
	No Build Alternative	**Build Alternative**	
San Bernardino County General Plan			
Goal CI 1. The County will provide a transportation system, including public transit, which is safe, functional, and convenient; meets the public's needs; and enhances the lifestyles of county residents.	Consistent	Consistent	The Build Alternative would not result in any permanent impacts to the County's public transportation system, but it would result in improved conditions within the project area. The No Build Alternative would not result in changes to the County's transportation system.
Goal CI 2. The County's comprehensive transportation system will operate at regional, countywide, community, and neighborhood scales to provide connectors between communities and mobility between jobs, residences, and recreational opportunities.	**Inconsistent**	Consistent	Coordination is ongoing between regional and local government agencies involved in the proposed project to improve traffic conditions on Grove Avenue and throughout the jurisdictions located near the project area. The No Build Alternative would not result in any traffic improvements to the corridor.
Policy CI 2.1. Work with adjacent jurisdictions to minimize inconsistencies in existing and ultimate ROW and roadway capacity across jurisdictional boundaries.			
Policy CI 2.2. Coordinate financial plans for transportation system improvements with other agencies and jurisdictions in the county.			
Policy CI 2.3. Where appropriate, jointly fund studies and improvements to the transportation system, with cities and other public agencies and developers.	**Inconsistent**	Consistent	Study of the proposed Build Alternative is being conducted as part of a jointly funded project development approach using State and local funds. The No Build Alternative would not result in jointly funded improvements; therefore, the No Build Alternative is not consistent with this policy.

Table 2.2.2-1. Consistency with Plans and Policies

Goal/Policy	Project Consistent with Plan, Goal, Objective or Policy		Consistency Analysis
	No Build Alternative	Build Alternative	
Policy CI 2.7. Coordinate with Caltrans, SBCTA, SCAG, and other agencies regarding transportation system improvements in the County's Measure I and other adopted Capital Improvement Programs.	Consistent	Consistent	Coordination is ongoing between the City of Ontario, SBCTA, SCAG, and Caltrans to improve traffic conditions on Grove Avenue throughout the jurisdictions located in the project area. If selected, the No Build Alternative would not result in any traffic improvements to Grove Avenue.
Policy CI 2.8. Continue to participate in SBCTA, which is the County's Transportation Commission and transportation planning coordinator for all local agencies in the County, and regularly attend meetings of SBCTA Plans and Programs Committee and Comprehensive Transportation Plan Technical Advisory Committee meetings to discuss planning items of mutual concern.			
Policy CI 2.10. Identify important long-range transportation corridors, in conjunction with plans of regional transportation agencies (e.g., SCAG and SBCTA) to protect sufficient ROW for the development of long-range corridors.	Consistent	Consistent	The intent of this policy is to provide ROW for, and minimize ROW impacts of, transportation corridor projects planned by agencies. The Build Alternative is shown in circulation plans for the City of Ontario. As such, the proposed project is consistent with this policy.
Goal CI 3. The County will have a balance between different types of transportation modes, reducing dependency on the automobile and promoting public transit and alternate modes of transportation, in order to minimize the adverse impacts of automobile use on the environment.	**Inconsistent**	Consistent	The Build Alternative would improve bicycle and pedestrian connections through the project area along Grove Avenue. As such, the Build Alternative would incentivize nonmotorized trips. The No Build Alternative would not construct nonmotorized improvements; therefore, it is inconsistent with this policy.
Policy CI 3.1. Encourage the reduction of automobile usage through various incentive programs.			

Table 2.2.2-1. Consistency with Plans and Policies

Goal/Policy	Project Consistent with Plan, Goal, Objective or Policy		Consistency Analysis
	No Build Alternative	Build Alternative	
Policy CI 4.5. Coordinate with local and regional transportation agencies and cities to plan and construct new multi-modal transportation facilities on the basis of this General Plan that are consistent throughout the neighboring jurisdictions.	**Inconsistent**	Consistent	Coordination is ongoing between the City of Ontario, SBCTA, SCAG, and Caltrans to improve traffic conditions on Grove Avenue throughout the jurisdictions located in the project area. If selected, the No Build Alternative would not result in any traffic improvements to Grove Avenue.
Goal CI 5. The County's road standards for major thoroughfares will complement the surrounding environment appropriate to each geographic region.	**Inconsistent**	Consistent	The Build Alternative would result in increased roadway capacity, as well as offer alternative travel options. The No Build Alternative would not result in increased roadway capacity.
Policy CI 5.2. Protect and increase the designed roadway capacity of all vehicular thoroughfares and highways.			
Goal CI 6. The County will encourage and promote greater use of nonmotorized means of personal transportation. The County will maintain and expand a system of trails for bicycles, pedestrians, and equestrians that will preserve and enhance the quality of life for residents and visitors.	**Inconsistent**	Consistent	New Americans with Disabilities Act (ADA)-compliant sidewalks would be constructed in Ontario as a result of the Build Alternative, thereby increasing opportunities for walking. The No Build Alternative would not construct new sidewalks.
Policy CI 6.1. Require safe and efficient pedestrian and bicycle facilities in residential, commercial, industrial, and institutional developments to facilitate access to public and private facilities and to reduce vehicular trips. Install bicycle lanes and sidewalks on existing and future roadways, where appropriate and as funding is available.			

Table 2.2.2-1. Consistency with Plans and Policies

Goal/Policy	Project Consistent with Plan, Goal, Objective or Policy		Consistency Analysis
	No Build Alternative	Build Alternative	
Goal CI 13. The County will minimize impacts to stormwater quality in a manner that contributes to improvement of water quality and enhances environmental quality. **Policy CI 13.1.** Utilize site-design, source-control, and treatment control Best Management Practices (BMPs) on applicable projects, to achieve compliance with the County Municipal Stormwater National Pollutant Discharge Elimination System (NPDES) Permit.	Consistent	Consistent	Best Management Practices (BMPs) would be incorporated into the Build Alternative design to comply with the County Municipal Stormwater National Pollutant Discharge Elimination System (NPDES) Permit. No changes to stormwater would result from the No Build Alternative.
City of Ontario General Plan			
Goal M 2. A system of trails and corridors that facilitates and encourages bicycling and walking. **Policy M 2-1. Bikeway Plan.** We maintain our Multipurpose Trails & Bikeway Corridor Plan to create a comprehensive system of on- and off-street bikeways that connects residential areas, businesses, schools, parks, and other key destination points. **Policy M 2-2. Bicycle System.** We provide off-street multipurpose trails and Class II bikeways as our primary paths of travel and use the Class III for connectivity in constrained circumstances. **Policy M 2-3. Pedestrian Walkways.** We require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, and other key destination points.	**Inconsistent**	Consistent	The Build Alternative would retain and improve upon existing pedestrian circulation routes. Currently, there is no pedestrian sidewalk on the west side of Grove Avenue between I Street and G Street. The Build Alternative would improve nonmotorized transportation by constructing a new sidewalk that connects an existing walkway with Grove Memorial Park. Additionally, pedestrian sidewalks along the project corridor would include a landscaped median between traffic and pedestrians to enhance safety. There would also be a design element that provides a pedestrian connection across the West Cucamonga Channel to an existing trail leading to James Galanis Park. All sidewalks constructed under the Build Alternative would be ADA-compliant. The project would also design Grove Avenue to include a new Class III bikeway in conformance with SBCTA's Non-Motorized Transportation Plan 2014. The Build Alternative is consistent with these goals and policies. The No Build Alternative would not result in improved sidewalks or bikeways; therefore, it is inconsistent with this goal.

Table 2.2.2-1. Consistency with Plans and Policies

Goal/Policy	Project Consistent with Plan, Goal, Objective or Policy		Consistency Analysis
	No Build Alternative	Build Alternative	
Goal M 4-2. Regional Participation. We work with regional and subregional transportation agencies to plan and implement goods movement strategies, including those that improve mobility, deliver goods efficiently and minimize negative environmental impacts.	**Inconsistent**	Consistent	The Build Alternative would improve traffic flow and decrease congestion along the corridor, thereby improving mobility and enhancing goods movement capabilities. Coordination is ongoing between the multiple regional and local government agencies involved in the proposed project. The No Build Alternative would not improve mobility or goods movement capabilities.
Goal CD 1-4. Transportation Corridors. We will enhance our major transportation corridors within the city through landscape, hardscape, signage, and lighting.	Consistent	Consistent	The Build Alternative would include landscaping that would be included in the project design to minimize visual impacts (e.g., replacement tree plantings; pavers). Adequate street lighting and signage would be maintained or enhanced. No changes to the aesthetic quality of the city would result from the No Build Alternative.

Sources: SCAG; County of San Bernardino; City of Ontario, and Parsons, 2015.

No Build Alternative

The No Build Alternative would maintain the current configuration of Grove Avenue. Under the No Build Alternative, no improvements would be constructed. As identified in Table 2.2.2-1, the No Build Alternative is inconsistent with various goals and policies of the local and regional plans. Some of the goals and policies the No Build Alternative is inconsistent with include improving travel safety and reliability for all people and goods; accommodating pedestrians and motorists; and improving intersection capacity. The No Build Alternative would not create a more efficient transportation system. Under the No Build Alternative, traffic conditions would continue to worsen along the existing Grove Avenue. This continual degradation of the transportation network would result in increased air quality impacts, energy usage, and other negative externalities that are not consistent with the goals to improve to mobility, economy, and sustainability.

Build Alternative (Proposed Project)

This section summarizes the consistency of the Build Alternative with existing plans and policies.

SCAG. The Build Alternative is consistent with SCAG's 2008 RCP because it does not induce additional growth; rather, the Build Alternative would include roadway improvements along an existing transportation corridor and is consistent with existing and future plans. The Build Alternative would also improve the efficiency of the current transportation system, subsequently leading to improved traffic flow and increased energy efficiency. However, the Build Alternative would require permanent removal of 0.0606 acre of open space parkland and removal of approximately 174 trees, actions that are not consistent with the SCAG RCP policies promoting the protection of open space and natural resources. These minor inconsistencies are less than significant.

The Build Alternative is consistent with the SCAG RTP/SCS. The Build Alternative would help decrease congestion, improve safety, and maximize the productivity of the transportation system. The project would support land use and growth patterns that facilitate transit and nonmotorized transportation, further contributing to a more sustainable community and region.

Consistent with the SCAG Sustainability Planning Program growth management framework, the Build Alternative would improve mobility and sustainability in the project area through transportation investments.

City and County General Plans. The purpose of the proposed project is to alleviate existing and anticipated future congestion along Grove Avenue between 4th Street and Airport Drive; improve traffic operations and mobility to and from Ontario International Airport and the existing and future cargo hub facilities near Grove Avenue and Holt Boulevard; and provide route continuity along Grove Avenue to conform with the City's General Plan Circulation Element, which identifies Grove Avenue as a six-lane principal arterial. The Build Alternative is generally consistent with the County General Plan and City General Plan described above. These plans anticipate growth within the project area and have adopted goals and policies to reduce congestion.

The Build Alternative would support continued economic vitality of the surrounding communities by improving conditions for the movement of goods and people. In addition, the Build Alternative would enhance public safety through improved driving conditions and enhanced environmental conditions through an improvement in traffic mobility and accessibility.

2.2.2.3 Avoidance, Minimization, and/or Mitigation Measures

Avoidance and minimization measures for the proposed project to reduce impacts associated with inconsistencies to SCAG's 2008 RCP have been identified for other resource areas. Minimization Measure LU-3 reduces the impacts to parks, and Minimization Measures VA-2 and NC-1 reduce the impacts associated with the loss of trees.

2.2.3 Parks and Recreational Facilities

The information in this section is from the *Community Impact Assessment* (October 2016) and the *De Minimis* Impact Determination (September 2016) prepared for this project. The project area for parks and recreational facilities includes those resources within a 0.5-mile radius of the project.

2.2.3.1 Regulatory Setting

The Park Preservation Act (California Public Resources Code [PRC] Sections 5400-5409) prohibits local and State agencies from acquiring any property that is in use as a public park at the time of acquisition unless the acquiring agency pays sufficient compensation or land, or both, to enable the operator of the park to replace the parkland and any park facilities on that land.

2.2.3.2 Affected Environment

Five public parks and recreational areas are located within 0.5 mile of the existing Grove Avenue corridor and are considered Section 4(f) resources. Section 4(f) resources include any publicly owned public park, recreational area, or wildlife or waterfowl refuge or any publicly or privately owned historic site. See Appendix A for further evaluation of Section 4(f) resources.

Table 2.2.3-1 lists the parks and recreational areas within the project area, and Figure 2.2.3-1 displays their locations in relation to the proposed project. These public parks are subject to the Park Preservation Act.

Table 2.2.3-1. Parks and Recreational Resources within the Study Area

Property Name	Location	Current Ownership	Facilities
James Galanis Park	1259 E. D Street Ontario, CA 91764	City of Ontario	5.10 acres; turf area – multiuse
Veterans Memorial Park	1259 E. D Street Ontario, CA 91764	City of Ontario	8.90 acres; community center; restrooms; tot lot; basketball courts; picnic tables; barbecues; soccer, football, softball fields; pedestrian/bike paths; drinking fountains
Grove Memorial Park	800 Block of Grove Avenue Ontario, CA 91764	City of Ontario	Western Portion: 0.48 acre; two benches; horseshoe-shaped walking path Eastern Portion: 3.84 acres; standard curb for pedestrians
John Galvin Park	900 Block of Grove Avenue Ontario, CA 91764	City of Ontario	Western Portion: 19.71 acres; baseball field; tennis courts; playgrounds; horseshoe pits; picnic shelters and BBQs Eastern Portion: 15.23 acres; Jay Littleton Ballpark; two additional baseball fields; picnic shelters and BBQs; basketball courts
Vineyard Neighborhood Park	1530 E. 6th Street Ontario, CA 91764	City of Ontario	9.60 acres; pool; restrooms; tot lot; basketball courts; picnic tables; barbecues; turf area/ multiuse; benches; drinking fountains

Source: Section 4(f) Evaluation Grove Avenue Corridor Project, Parsons, 2016.

2.2.3.3 Environmental Consequences

An evaluation of potential impacts to recreational resources associated with each alternative is presented below.

No Build Alternative

The No Build Alternative would maintain the current configuration of Grove Avenue in the project area. Under the No Build Alternative, the project would not be constructed, and no impacts to parks and recreational facilities would occur.

Build Alternative (Proposed Project)

Permanent Impacts

Grove Memorial Park. The Build Alternative would require acquisition of 0.005acre (218 square feet) of Grove Memorial Park on both sides of Grove Avenue, which represents approximately 1.3 percent of the park's pre-project acreage.

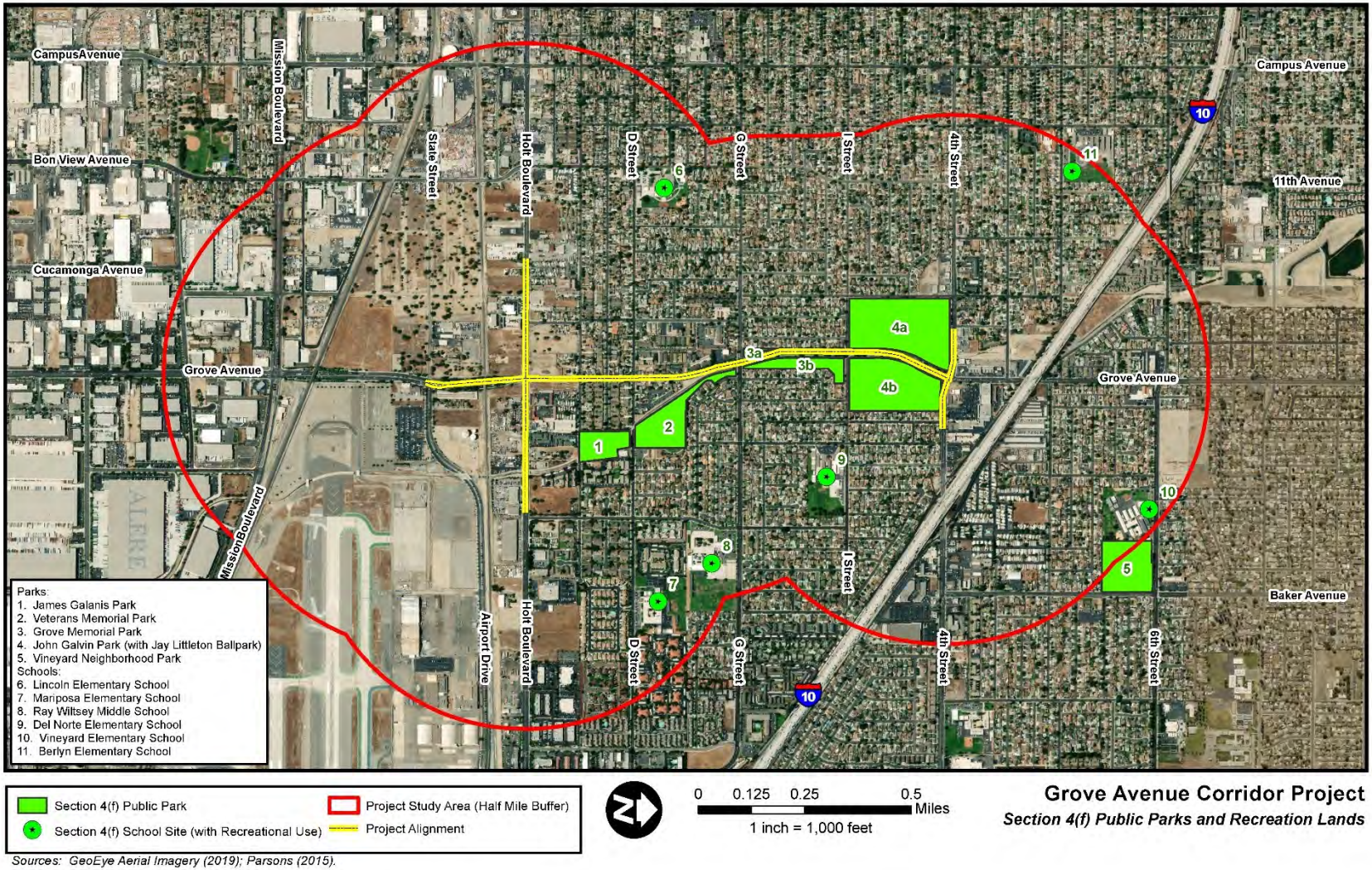


Figure 2.2.3-1. Section 4(f) Public Parks and Recreation Lands

Along the western portion of Grove Memorial Park, acquisition would be necessary to accommodate a modified curb return and a connection with the proposed new sidewalk, which would connect this side of the park with John Galvin Park 0.2 mile to the north. With construction of a new sidewalk connection between I Street and G Street, the Build Alternative would help increase access to this section of the park and would provide improved pedestrian connectivity between Grove Memorial Park and John Galvin Park.

Along the eastern portion of Grove Memorial Park, partial acquisition would be necessary to extend the covered portion of the existing West Cucamonga Creek concrete channel. Given that this park has no active use areas, this minor acquisition of parkland is not anticipated to impair recreational values of the park.

The permanent acquisitions described above would not adversely affect any of the recreational activities, features, or attributes within either portion of Grove Memorial Park and thus, are considered less than significant. Although the acquisition area would minimally reduce the overall size of the park, it would not inhibit existing recreational activities within the park. In fact, given that this park is primarily used by walkers and joggers, improving pedestrian connectivity along the western side of Grove Avenue with a new sidewalk would help to increase its utility for neighborhood residents.

John Galvin Park. The Build Alternative would require acquisition of 0.055 acre (2,304 square feet) of John Galvin Park. This area of acquisition makes up 0.14 percent of the park's pre-project acreage.

On the western portion of John Galvin Park, partial acquisition would be necessary to accommodate two curb returns and widening of the 4th Street Culvert. In addition, the Build Alternative proposes permanent removal of approximately 40 parking spaces that are currently available for users of the western portion of John Galvin Park in the Grove Avenue and 4th Street parking lot. Although these parking spaces are within the Grove Avenue ROW and not technically within the John Galvin Park boundaries, the impacted parking spaces are currently accessible to park users and are perceived as belonging to the park. As part of the project, the remnant parking lot would be reconfigured to maintain as many parking spots at this location as possible. A secondary parking lot in the eastern portion of the park and ample on-street parking are available in the immediate vicinity of the western portion of John Galvin Park. In addition, many users of this portion of the park are local residents who generally walk to the park, as observed during field studies at the site. Finally, given that the western

section of John Galvin Park does not have facilities for organized sports or other large events, it is highly unlikely that the proposed permanent removal of parking spaces would impair usage of this section of the park.

At the eastern portion of John Galvin Park, partial acquisition would be necessary to accommodate two curb returns at 4th Street and I Street.

No permanent impacts to the parking lot in the eastern portion of John Galvin Park are proposed. Access to the parking lot and the total number of parking spaces available would remain the same after project construction. Implementation of the Build Alternative would not result in a significant increase in use of the existing parks in the corridor, nor would it necessitate the need for construction of new parks.

Temporary Impacts

Grove Memorial Park. Under the Build Alternative, a 0.52-acre TCE would be required at Grove Memorial Park to allow construction of curb returns and new sidewalks on both sides of Grove Avenue, and to extend the covered portion of the existing West Cucamonga Creek concrete channel. Although this TCE would temporarily reduce the overall park area during construction, it would not affect existing recreational activities, features, or attributes in the park. Pedestrian connectivity along Grove Avenue through Grove Memorial Park would be maintained at all times during project construction.

Vehicular and pedestrian access to Grove Memorial Park would be maintained at all times during construction and operation of the Build Alternative.

John Galvin Park. Under the Build Alternative, a 0.68-acre TCE would be required at John Galvin Park to allow construction of curb returns and sidewalks. Although the temporary TCEs would temporarily reduce the overall park area available to users during construction, the proposed TCEs would not affect existing recreational activities, features, or attributes in the park. The areas proposed as TCEs are landscaped areas at the edge of the western and eastern sections of John Galvin Park and, as such, are not used for recreational purposes. Furthermore, pedestrian access along Grove Avenue through John Galvin Park would be maintained at all times during project construction.

Visual impacts at both parks during construction would be typical of roadway construction projects, including construction fencing, construction equipment, material stockpiles, and vegetation removal, which would collectively temporarily disturb the

park's existing landscape aesthetic. Temporarily disturbed areas would be returned to pre-project conditions once construction is completed.

These parks and recreational facilities are protected by the Park Preservation Act and Section 4(f) of the Department of Transportation Act of 1966. The project would result in "direct and temporary use" of these facilities as defined by Section 4(f). Please see Appendix A, Section 4(f) Evaluation, for additional details.

Concurrence on the *de minimis* finding and that the temporary occupancy and permanent transportation use of portions of Grove Memorial Park and John Galvin Park would not adversely affect the activities, features, or attributes of the parks has been obtained from the City of Ontario Planning Director, as the official with jurisdiction over the parks.

Indirect Impacts

Street closures and slower travel times due to construction on Grove Avenue near John Galvin Park and Grove Memorial Park are not anticipated to inhibit existing recreational activities within the parks; therefore, the project would not result in any indirect impacts.

2.2.3.4 Avoidance, Minimization, and/or Mitigation Measures

The following minimization measures were identified for the proposed project. Further details are identified in the Section 4(f) *De Minimis* Impact Determination report (see Appendix A).

LU-1: Turf grass and rock curbs will be replaced in TCE areas within Grove Memorial Park to match pre-project conditions in consultation with the property owner (City) during and at completion of construction.

LU-2: Turf grass and rock curbs will be replaced in TCE areas within John Galvin Park to match pre-project conditions in consultation with the property owner (City) during and at completion of construction.

LU-3: The remnant parking lot on the west side of John Galvin Park will be reconfigured to maintain as many parking spots at this location as possible.

2.2.4 Farmlands

Within the project corridor, agriculture land faces continuing conversion pressures from urbanization, foreign competition, and rising production costs for agricultural producers; therefore, the conversion of agricultural land to nonagricultural uses represents an important environmental concern requiring appropriate consideration as part of this environmental analysis. This section identifies applicable federal, State, and local policies regarding agricultural resources, summarizes existing agricultural conditions in the study area, and identifies potential impacts for the Build Alternative.

2.2.4.1 Regulatory Setting

NEPA and the Farmland Protection Policy Act (FPPA) (7 U.S.C. 4201-4209; and its regulations, 7 CFR Part 658) require federal agencies, such as FHWA, to coordinate with the Natural Resources Conservation Service (NRCS) if their activities may irreversibly convert farmland (directly or indirectly) to nonagricultural use. For purposes of the FPPA, farmland includes prime farmland, unique farmland, and land of statewide or local importance.

CEQA requires the review of projects that would convert Williamson Act contract land to nonagricultural uses. The main purposes of the Williamson Act are to preserve agricultural land and to encourage open space preservation and efficient urban growth. The Williamson Act provides incentives to landowners through reduced property taxes to discourage the early conversion of agricultural and open space lands to other uses.

2.2.4.2 Affected Environment

This section provides a summary of existing agricultural conditions in the study area and identifies applicable federal, State, and local policies regarding agricultural resources. The study area for farmlands for the Grove Avenue Corridor Project is a 1-mile buffer from the project limits. This study area is consistent with the study area requirements for the NRCS analysis of farmland impacts.

Farmland Designations and Existing Agricultural Uses

Farmland Mapping and Monitoring Program Agricultural Land Designations

Pursuant to California Government Code, Section 65570, the California Department of Conservation (DOC) Farmland Mapping and Monitoring Program (FMMP) reports biannually on the conversion of farmland and grazing land, and it compiles important farmland maps and datasets for each county in the state. The farmland maps incorporate data from the United States Department of Agriculture (USDA) NRCS soil survey and current county land use information. Maps and statistics are produced every 2 years

using a process that integrates aerial photo interpretation, field mapping, computerized mapping, and public review. The FMMP maps and datasets categorize land use into nine different mapping categories to describe farmland and nonagricultural uses, as described below:

1. **Prime Farmland:** Prime Farmland is land that has the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season, and moisture supply needed to produce sustained high yields of crops when treated and managed, including water management, according to current farming methods. Prime Farmland must have been used for irrigated agricultural production at some time during the 4 years prior to the mapping date. It does not include publicly owned lands for which there is an adopted policy preventing agricultural use.
2. **Farmland of Statewide Importance:** Farmland of Statewide Importance is land other than Prime Farmland that has a good combination of physical and chemical characteristics for the production of crops. It must have been used for irrigated agricultural production at some time during the 4 years prior to the mapping date. It does not include publicly owned lands for which there is an adopted policy preventing agricultural use.
3. **Unique Farmland:** Unique Farmland is land that does not meet the criteria for Prime Farmland or Farmland of Statewide Importance that has been used for the production of specific high-economic-value crops at some time during the 4 years prior to the mapping date. It has the special combination of soil quality, location, growing season, and moisture supply needed to produce sustained high quality and/or high yields of a specific crop when treated and managed according to current farming methods. Examples of such crops may include oranges, olives, avocados, rice, grapes, and cut flowers. It does not include publicly owned lands for which there is an adopted policy preventing agriculture use.
4. **Farmland of Local Importance:** Farmland of Local Importance is either currently producing crops, has the capability of production, or is used for the production of confined livestock. Farmland of Local Importance is land other than Prime Farmland, Farmland of Statewide Importance, or Unique Farmland. This land may be important to the local economy due to its productivity or value. It does not include publicly owned lands for which there is an adopted policy preventing agricultural use.
5. **Grazing Land:** Grazing Land is land on which the existing vegetation, whether grown naturally or through management, is suitable for grazing or browsing of livestock. The minimum mapping unit for Grazing Land is 40 acres. Grazing Land

does not include land previously designated as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance. It also does not include heavily brushed, timbered, excessively steep, or rocky lands that restrict the access and movement of livestock, rural residential land, or publicly owned land for which there is an adopted policy preventing agricultural use.

6. **Urban and Built-Up Land:** Urban and Built-Up Land is used for residential, industrial, commercial, construction, institutional, public administrative process, railroad yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment plants, water control structures, and other development purposes. Highways, railroads, and other transportation facilities are mapped as part of Urban and Built-Up Land if they are part of the surrounding urban area.
7. **Other Land:** Land that does not meet the criteria of any other category is designated as Other Land. Typical uses include low-density rural development, heavily forested land, mined land, or government land with restrictions on use.
8. **Water:** Water areas with an extent of at least 40 acres are designated Water.
9. **Area Not Mapped:** Areas that fall outside of the NRCS soil survey are designated Area Not Mapped.

Existing Agricultural Uses

Agricultural production in the study area is extremely limited due to existing and proposed dense urban and suburban development.

As shown in Table 2.2.4-1, 4.3 acres (0.1 percent of the total study area) of Farmland of Statewide Importance are located within 1 mile of the Grove Avenue Corridor Project. The remaining 99.9 percent of land in the study area is comprised of urban and built-up land, and other nonagricultural land use categories. No other farmland categories were found within the study area. Per correspondence with the City of Ontario Planning Department, there are no parcels with Williamson Act contracts located within the study area.[3]

Table 2.2.4-1. FMMP Lands in the Project Study Area

Land Mapping Category	Total Acres within the Study Area	% of Total Study Area Acres
Prime Farmland	0	0
Farmland of Statewide Importance	4.30	0.11
Unique Farmland	0	0

[3] Based on correspondence with Richard Ayala, Senior Planner for the City of Ontario in May 2015.

Table 2.2.4-1. FMMP Lands in the Project Study Area

Land Mapping Category	Total Acres within the Study Area	% of Total Study Area Acres
Farmland of Local Importance	0	0
Grazing Land	0	0
Urban and Built-Up Land	3,920.78	99.04
Other Land	33.54	0.85
Outside of Survey Boundary/Data not Available	0	0
Total Acres within the Study Area	3,958.62	100

Source: Farmland Mapping and Monitoring Program, State of California DOC, 2010.

2.2.4.3 Environmental Consequences

An evaluation of potential impacts to farmlands for each alternative is presented below.

No Build Alternative

The No Build Alternative would maintain the current configuration of Grove Avenue in the study area. Under the No Build Alternative, the project would not be constructed, and no impacts to farmlands or timberlands would occur.

Build Alternative (Proposed Project)

Permanent Impacts

While 4.3 acres of Farmland of Statewide Importance exist within the 1-mile study area, this land is located approximately 1 mile south of the southern project limits. Additionally, this land is not currently used for agricultural purposes. No farmlands occur within or immediately adjacent to the proposed improvements along the Grove Avenue corridor; therefore, no permanent impacts to farmlands would occur as a result of the Build Alternative.

Temporary Impacts

While 4.3 acres of Farmland of Statewide Importance exist within 1 mile of the study area, no farmlands occur within or immediately adjacent to the proposed improvements along the Grove Avenue corridor; therefore, no temporary impacts to farmlands would occur as a result of the Build Alternative.

2.2.4.4 Avoidance, Minimization, and/or Mitigation Measures

No avoidance, minimization, or mitigation measures are warranted because there are no impacts to farmlands or timberlands.

2.2.5 Growth

Analysis of the potential growth-inducing impacts of the proposed project is based on demographic information from the 2010 United States Census data and the SCAG 2012–2035 RTP growth forecasts for the city of Ontario and San Bernardino County.

2.2.5.1 Regulatory Setting

The Council on Environmental Quality (CEQ) regulations, which established the steps necessary to comply with NEPA, require evaluation of the potential environmental effects of all proposed federal activities and programs. This provision includes a requirement to examine indirect effects that may occur in areas beyond the immediate influence of a proposed action and at some time in the future. The CEQ regulations (40 CFR 1508.8) refer to these consequences as indirect impacts. Indirect impacts may include changes in land use, economic vitality, and population density, which are all elements of growth.

CEQA also requires the analysis of a project's potential to induce growth. The CEQA guidelines (Section 15126.2[d]) require that environmental documents "…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…"

2.2.5.2 Affected Environment

Under NEPA and CEQA, growth inducement is not necessarily considered detrimental, beneficial, or environmentally significant. Typically, the growth-inducing potential of a project is considered significant if it fosters growth or a concentration of population in excess of what is assumed in relevant master plans, land use plans, or projections made by regional planning agencies. Significant growth impacts could be manifested through the provision of infrastructure or service capacity to accommodate growth beyond the levels currently permitted by local or regional plans and policies. In general, growth induced by a project is considered a significant impact if it directly or indirectly affects the ability of agencies to provide needed public services, or if it can be demonstrated that the potential growth significantly affects the environment in some other way.

Different transportation projects influence growth to different degrees and in different ways, and the guidance for evaluation of growth-related impacts uses a two-phase approach. The first phase, called "first-cut screening," is designed to figure out the likely growth potential effect and whether further analysis of the issue is necessary.

The first-cut screening involves examining a variety of interrelated factors to answer the following questions:

- To what extent would travel times, travel cost, or accessibility to employment, shopping, or other destinations be changed? Would this change affect travel behavior, trip patterns, or the attractiveness of some areas to development over others?
- To what extent would change in accessibility affect growth or land use change—its location, rate, type, or amount?
- To what extent would resources of concern be affected by this growth or land use change?

This section discusses whether the proposed Grove Avenue Corridor Project improvements would result in unforeseen direct, indirect, or secondary growth, or would otherwise influence population growth. This discussion is based on guidance from the Caltrans Standard Environmental Reference (SER) and the Guidance for Growth-Related Indirect Impact Analyses (May 2006). There are many factors that may affect the amount, location, and rate of growth in the region of a project. Such factors include:

- Market demand for housing, employment, and commercial services;
- Desirability of the climate and living or working environment;
- Strength of the local employment and commercial economy;
- Availability of other roadway improvements;
- Availability of other services and infrastructure (e.g., schools, water); and
- Land use and growth management policies of the local jurisdictions.

Factors affecting growth and its effects tend to be regional and specific in nature; therefore, this analysis presents information about the larger region (San Bernardino County) and the jurisdiction containing the study area (City of Ontario).

The project area, as well as all of southern California, has experienced dramatic growth in the last 30 years, and this trend is expected to continue. During the past several decades, the SCAG region, including Orange, Imperial, Riverside, San Bernardino, Los Angeles, and Ventura counties, has been one of the fastest-growing regions in the nation. Between 1950 and 1970, the population doubled in size, growing at a rate of 5 percent per year. Between 1980 and 1990, the region's population grew by more than 25 percent, to 14.6 million. Between 1990 and 2000, the region's population grew by

nearly 15 percent, to 16.5 million. Additional population and employment growth within the study area is expected to take place through the natural increase and redevelopment of existing land uses or infill development of vacant parcels. Land uses within the project area are already established, with limited opportunity for new unplanned large-scale development.

A comparison of the SCAG population, household, and employment estimates and the annual average growth rates between 2008 and 2035 for the City of Ontario; San Bernardino and Los Angeles counties; and the SCAG region is provided in Table 2.2.5-1.

Table 2.2.5-1. Annual Average Growth Rate

Jurisdiction	Population 2008-2035	Households 2008-2035	Employment 2008-2035
SCAG	0.9	1.0	0.8
San Bernardino County	1.3	1.5	1.9
City of Ontario	3.3	3.5	3.2

Source: SCAG, Regional Growth Forecasts, 2012-2035
http://www.scag.ca.gov/DataAndTools/Pages/GrowthForecasting.aspx.

According to the SCAG forecasts, the city of Ontario is projected to increase at a faster rate than San Bernardino County and the overall SCAG region. The projected growth shown includes future approved development as discussed in Section 2.2.1, Land Use. Due to the lack of undeveloped private vacant land in the project area, there are limited opportunities for large-scale new development to occur.

2.2.5.3 Environmental Consequences

An evaluation of potential growth-related impacts associated with each alternative is presented below.

No Build Alternative

Under the No Build Alternative, no modifications to the existing Grove Avenue corridor would occur. By not providing any improvements along the existing corridor, the No Build Alternative is not consistent with the regional mobility goals of the City, nor would it meet the goals and objectives of the SCAG RTP. These regional planning documents anticipate the growth planned within the local jurisdictions within San Bernardino County and respond to this projected growth. Implementation of the No Build Alternative would have no influence on the level of growth within the city of Ontario. Ontario is predominantly built out, with limited area available for development

or redevelopment; and because the No Build Alternative is making no changes to existing land use patterns or transportation infrastructure, it would not influence the amount, location, and/or distribution of growth or housing and jobs in the local cities and unincorporated areas within the project area. Existing congestion and traffic conditions would remain along Grove Avenue and would continue in the future under the No Build Alternative.

Build Alternative (Proposed Project)

The "first-cut screening" was conducted to determine what influence construction of the Build Alternative might have on growth and development in the project area. This screening evaluated the following:

- The project's potential to change accessibility;
- How, if at all, the project type and location, as well as growth pressure, could influence growth in the area; and
- Whether resources of concern would be affected by project growth or land use change.

Potential Change to Accessibility

The Build Alternative proposes to widen Grove Avenue to alleviate existing congestion and accommodate future traffic; improve mobility to and from Ontario International Airport; and provide route continuity along Grove Avenue to conform with the City of Ontario General Plan Circulation Element. Because Grove Avenue is already utilized as an established north-south travel route in the cities of Ontario and Rancho Cucamonga, the Build Alternative is not anticipated to significantly alter travel patterns, locally or regionally. The proposed Build Alternative would not change points of accessibility to undeveloped land or provide new access to the area.

The Build Alternative is intended to facilitate improved connectivity to the I-10 corridor from the local transportation network and Ontario International Airport. The Build Alternative is not anticipated to accommodate additional traffic beyond what is currently projected with or without the project.

Project Factors' Influence on Growth

The Build Alternative is not a trip generator and would not influence growth. The proposed improvements along Grove Avenue would accommodate existing and future growth associated with the development identified in the regional and local plans, including the SCAG RCP, SCAG RTP, and City of Ontario General Plan. The location, timing, and level of future growth in the area would depend on the availability of certain

types of infrastructure/services (e.g., water, sanitary sewers, and schools). Accommodating critical future infrastructure is addressed by individual jurisdictions and agencies providing these services to existing and future development, and their availability would affect the location, level, and timing of future development regardless of the proposed project. Because the proposed transportation improvements accommodate existing and planned future development, the proposed project would not have potential for stimulating the location, rate, timing, or amount of growth locally or regionally. Furthermore, because the project area and immediate vicinity is generally built-out, there are very few open areas available to create new housing.

In addition, the Build Alternative would not remove an impediment to growth because the proposed project would not provide an entirely new public facility; rather, the Build Alternative includes capacity improvements along an existing corridor to respond to expected traffic demand and to improve operations. The proposed project is a response to address the existing and future development trends near Grove Avenue and Holt Boulevard. A primary purpose of the proposed project would be to accommodate the anticipated growth in automobile and truck traffic along Grove Avenue between I-10 and Ontario International Airport. As discussed in Section 2.2.1010, Traffic and Transportation/Pedestrian and Bicycle Facilities, the average growth of traffic volumes at the study area intersections between existing and opening year 2025 is approximately 2 percent per year. Between opening year 2025 and horizon year 2045, the average traffic volume at the study area intersections is anticipated to grow approximately 1 percent per year.

Reasonable Foreseeable Growth Potential

As noted above, the Build Alternative would facilitate the improved mobility for future conditions and would not directly or indirectly result in project-related growth or influence growth locally or regionally. In terms of foreseeable impacts to resources of concern, the proposed Build Alternative would not affect resources of concern (e.g., utilities, population, and housing) because land use development within the project area is controlled by local jurisdictions. Service providers also regularly evaluate growth trends and provide required infrastructure upgrades as needed.

Conclusion

This “first-cut screening” analysis demonstrates that the Build Alternative would not change access or influence growth but would instead facilitate improved mobility to the regional transportation system from the local transportation network. The Build Alternative would provide improved mobility and safety along the existing Grove

Avenue corridor. Resources of concern would not be affected because the Build Alternative is not growth inducing and would not result in reasonably foreseeable growth. Based on the analysis above, the proposed project would not require further analysis of growth-related impacts.

2.2.5.4 Avoidance, Minimization, and/or Mitigation Measures

The proposed project is not growth-inducing, and no further analysis of growth-related impacts is required. The potential for unplanned development is limited given the built-out nature of the project area and entitlement status of existing vacant land. Therefore, no avoidance, minimization, and/or mitigation measures are required.

2.2.6 Community Character and Cohesion

Community cohesion is the degree to which residents feel a sense of belonging to their neighborhood, their level of commitment to the community, or a strong attachment to neighbors, groups, and institutions, usually as a result of continued association over time.

This section discusses impacts to the community as a result of implementation of the proposed project. The analysis is based on the results of the *Community Impact Assessment* (October 2016) prepared for the project.

2.2.6.1 Regulatory Setting

NEPA, as amended, established that the federal government use all practicable means to ensure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings (42 U.S.C. 4331[b][2]). FHWA, in its implementation of NEPA (23 U.S.C. 109[h]), directs that final decisions on projects are to be made in the best overall public interest. This requires taking into account adverse environmental impacts, such as destruction or disruption of human-made resources, community cohesion, and the availability of public facilities and services.

Under CEQA, an economic or social change by itself is not to be considered a significant effect on the environment; however, if a social or economic change is related to a physical change, then social or economic change may be considered in determining whether the physical change is significant. Since this project would result in physical change to the environment, it is appropriate to consider changes to community character and cohesion in assessing the significance of the project's effects.

2.2.6.2 Affected Environment

Figure 2.2.6-1 identifies the census tracts within 0.25 mile of the Grove Avenue corridor. The 0.25-mile study area consists of six U.S. Census Bureau census tracts. The study area includes a larger area than that directly affected by project construction and ROW acquisitions to provide a broader picture of the area affected by the project. City of Ontario and County of San Bernardino (County) demographic data were analyzed to present the general population and housing characteristics for the study area.

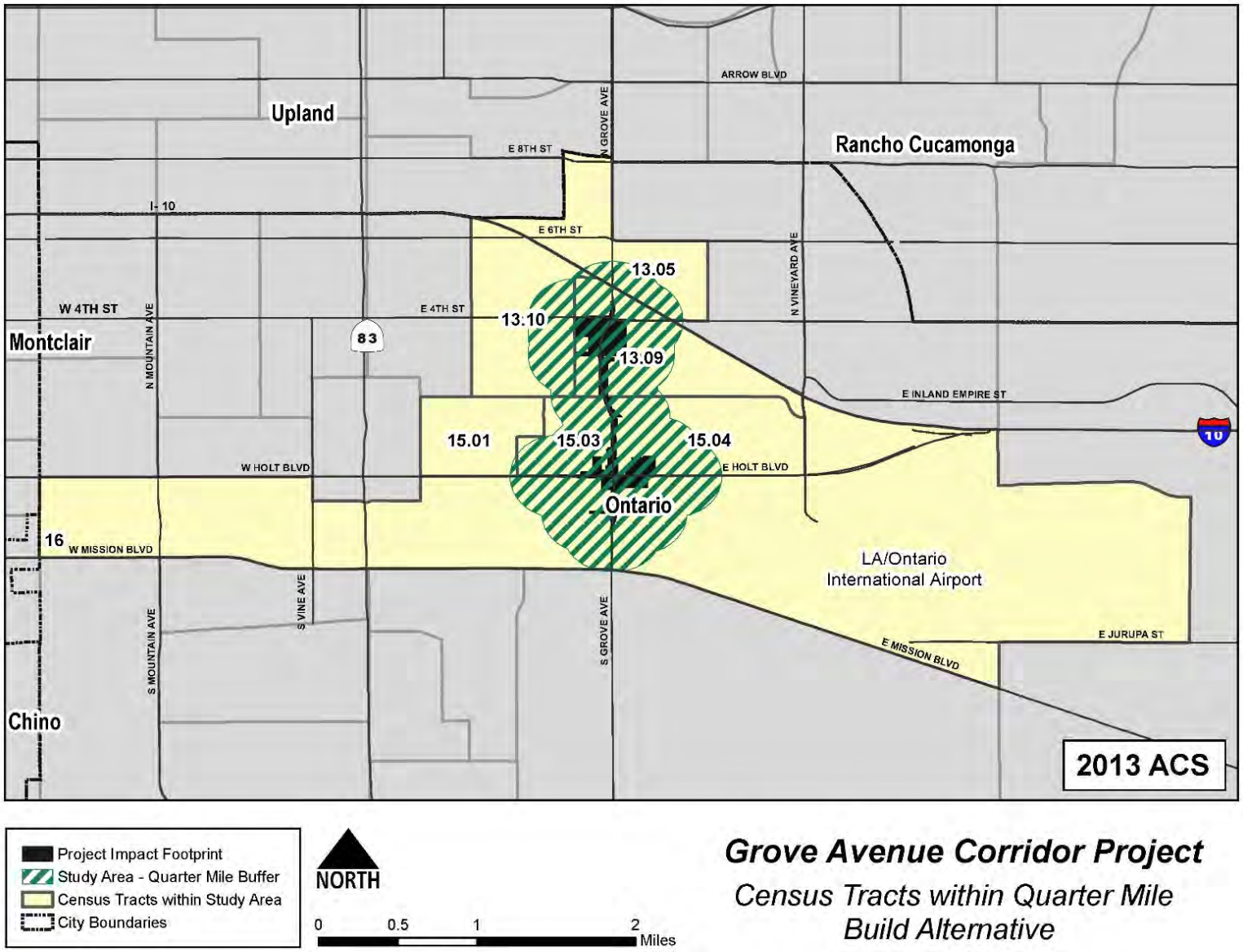


Figure 2.2.6-1. Census Tracts within 0.25 Mile (Build Alternative)

Census tracts were used for the environmental justice analysis because they are the most complete dataset for the level of detail required for this analysis. In addition, census tracts incorporate populations that may not be directly affected by the project but may be indirectly affected by project construction and operation.

Neighborhoods

Five neighborhoods were delineated within the study area based on census tract boundaries, common land use types, and distinct physical boundaries generally based on major roads. These five neighborhoods are described below.

Southwest of I-10 and West of Grove Avenue: This neighborhood is generally located south of I-10, north of 4th Street, west of Grove Avenue, and east of Campus Avenue. Land use in the neighborhood generally consists of single-family residences built in the 1950s on lots ranging from approximately 6,500 to 9,000 square feet.

West of Grove Avenue: This neighborhood is generally located south of 4th Street, north of D Street, east of Allyn Avenue, and west of Grove Avenue. Several community facilities are located within this neighborhood. The western portion of John Galvin Park is located in the northeast corner of the neighborhood. Lincoln Elementary School is located in the southwest corner of this neighborhood. Two churches, Sovereign Grace Baptist Church and Bible Baptist Church International, are also located in this neighborhood. Land use in the neighborhood primarily consists of single-family residences, with several multi-family residences near Grove Avenue between D Street and G Street. Most of the homes contained in this neighborhood were constructed between 1945 and 1960, with a handful that were built in the early 1920s and early 1980s. Lot sizes in this neighborhood generally range from approximately 6,000 to 8,000 square feet.

South of I-10 and East of Grove Avenue: This neighborhood is generally located south of 4th Street and I-10, north of D Street, east of Grove Avenue, and west of Corona Avenue. Three parks run along the western border of this neighborhood: John Galvin Park, Grove Memorial Park, and D Street Park. Del Norte Elementary School, Ray Wiltsey Middle School, and Mariposa Middle School are all located within 0.5 mile between D Street and I Street. Land use in the neighborhood primarily consists of single-family residences, with several multi-family residences in the eastern part of this neighborhood. One senior living community, Palm Terrace I Co-op Apartments, is bordered by Ray Wiltsey Middle School and Mariposa Elementary. Single-family residences contained in the northern part of this neighborhood were constructed

between 1950 and 1963, with lot sizes ranging from approximately 6,000 to 8,000 square feet. Homes south of G Street and north of D Street were generally constructed between 1978 and 2005. Lot sizes in this southern portion of the neighborhood vary widely, ranging from 1,500 to 8,000 square feet.

Southwest of East D Street and Grove Avenue: This neighborhood is generally located south of D Street, north of Holt Boulevard, east of Allyn Avenue, and west of Grove Avenue. Residential land use in this neighborhood is a mixture of single-family and multi-family residences. The Korean Church of Pomona Valley is located on the northwest corner of this neighborhood. Homes contained in this neighborhood were constructed between 1930 and 1982, with lot sizes ranging from approximately 6,000 to 8,000 square feet. Land uses along the southern border of this neighborhood (Holt Boulevard) are commercial or industrial, with several vacant lots near Grove Avenue and Holt Boulevard.

James Galanis Park: This neighborhood is generally located south of D Street, north of Holt Boulevard, east of Grove Avenue, and west of Imperial Avenue. This neighborhood is made up of several multi-family residential developments, with a handful of single-family homes, and one mobile home community. James Galanis Park is located at the center of this neighborhood. The southwest corner of this neighborhood has one vacant parcel that is adjacent to commercial land uses along Holt Boulevard. Homes contained in this neighborhood were constructed in various phases between 1979 and 2005, with lot sizes generally ranging from approximately 1,500 to 5,500 square feet, except for several homes located in the center of this neighborhood that have lot sizes ranging from 11,000 to 20,000 square feet.

Demographic Data

Elements of community cohesion can be found in U.S. Census demographic data used to profile communities. Some specific indicators of community cohesion are as follows (and discussed later in this chapter):

- **Age:** Elderly and stay-at-home parents tend to be more active in their community. They have time to become involved. The transit-dependent population is comprised of the population under age 18 and age 65 and older.
- **Ethnicity:** Ethnic homogeneity is associated with a higher degree of community cohesion.
- **Household Size:** Households of two or more people tend to correlate with a higher degree of community cohesion.

- **Home Ownership:** Prevalence of owner-occupied units is also associated with a high degree of community cohesion.

Age

Table 2.2.6-1 shows the distribution of the population by age in the state, county, and in the study area city based on 2000 and 2010 Census data, as well as 2013 American Community Survey (ACS) data for census tracts within a 0.25-mile buffer of the Build Alternative. Three age groups are identified as most descriptive of the overall population. Those residents younger than 18 and older than 64 represent the transit-dependent population. The age range of 18 to 64 represents the working-class population. San Bernardino County and the City of Ontario exhibit similar age distribution patterns as the state average.

Table 2.2.6-1. Age Distribution

Geography	Year	Total (Percentage)		
		Population < 18	Population 18-64	Population > 64
State				
California	2000	9,249,829 (27.3%)	21,026,161 (62.1%)	3,595,658 (10.6%)
	2010	9,295,040 (25.0%)	23,712,402 (63.6%)	4,246,514 (11.4%)
County				
San Bernardino	2000	552,047 (32.3%)	1,010,928 (59.1%)	146,459 (8.6%)
	2010	594,588 (29.2%)	1,259,274 (61.9%)	181,348 (8.9%)
City/Community				
Ontario	2000	54,304 (34.4%)	94,381 (59.7%)	9,322 (5.9%)
	2010	49,443 (30.2%)	103,427 (63.1%)	11,054 (6.7%)
Census Tracts				
13.05 (Ontario)	2013	1,821 (36.3%)	2,879 (57.4%)	312 (6.2%)
13.09 (Ontario)	2013	1,397 (28.4%)	2,969 (60.3%)	561 (11.4%)
13.10 (Ontario)	2013	1,511 (26.7%)	3,637 (64.2%)	520 (9.2%)
15.01 (Ontario)	2013	1,353 (34.9%)	2,383 (61.4%)	144 (3.7%)
15.03 (Ontario)	2013	1,257 (37.4%)	1,942 (57.8%)	160 (4.8%)
15.04 (Ontario)	2013	1,833 (33.0%)	3,380 (60.9%)	340 (6.1%)
16 (Ontario)	2013	2,131 (36.8%)	3,387 (58.6%)	265 (4.6%)

Source: U.S. Census, 2000, 2010, and 2009-2013 American Community Survey.

All seven census tracts within the study area featured 57.4 to 64.2 percent of residents between the ages of 18 and 64. On average, the age composition of each census tract consists of 33.4 percent below 18 years old, 60.1 percent between 18 and 64 years old, and 6.6 percent older than 64 years old.

Ethnicity

Table 2.2.6-2 shows the 2000 and 2010 ethnic composition of the study area county and city populations. ACS data from 2013 were also collected for the study area census tracts. Based on the 2010 Census, the largest ethnic group in San Bernardino County and the study area census tracts was Hispanic or Latino.

In Ontario, the white population decreased between 2000 and 2010, which coincided with an increase in the Hispanic or Latino population. The census tracts within the study area had an average Hispanic or Latino population of 82.4 percent, representing the majority. There is a wide distribution of white populations within the census tracts, ranging from 5.8 to 21.2 percent. The black populations ranged from 0.0 to 13.6 percent of residents.

The census tracts with the highest percentage of white populations were Tracts 13.10 and 13.09, with 21.2 and 13.3 percent, respectively. All other census tracts had white population percentages less than 9.3 percent. Most of the project area census tracts are comprised of less than 2.1 percent African Americans, except for Census Tracts 13.09 and 15.04, where African Americans represent 13.6 and 9 percent of the population, respectively. Six out of the seven census tracts in the study area had Asian populations 2.1 percent or below, while 6.8 percent of residents in Census Tract 15.04 identified as Asian. The other racial categories did not represent a large proportion of the population, ranging from zero to 3 percent.

Housing

Table 2.2.6-3 shows the census tracts in the Grove Avenue Corridor Project area, except for Tract 13.10, have lower home ownership rates and higher rental rates than the San Bernardino County averages; and only two tracts (Tract 13.05 and Tract 13.10) have equal or higher home ownership rates than the city of Ontario as a whole.

Table 2.2.6-2. Ethnic Composition

Geography	Year	Total (Percentage)							
		White	Black	American Indian/ Native Alaskan	Asian	Hawaiian/ Pacific Islanders	Other	Two or More Races	Hispanic or Latino
State									
California	2000	20,170,059	2,263,882	333,346	3,697,513	116,961	5,682,241	1,607,646	10,966,556
California	2010	21,453,934	2,299,072	362,801	4,861,007	144,386	6,317,372	1,815,384	1,4013,719
County									
San Bernardino	2000	752,222 (44.0%)	150,201 (8.8%)	9,804 (0.6%)	78,154 (4.6%)	4,387 (0.3%)	3,039 (0.2%)	42,240 (2.5%)	669,387 (39.2%)
	2010	677,598 (33.3%)	170,700 (8.4%)	8,523 (0.4%)	123,978 (6.1%)	5,845 (0.3%)	4,055 (0.2%)	43,366 (2.1%)	1,001,145 (49.2%)
City/Community									
Ontario	2000	42,048 (26.6%)	11,317 (7.2%)	475 (0.3%)	5,914 (3.7%)	519 (0.3%)	284 (0.2%)	2,840 (1.8%)	94,610 (59.9%)
	2010	29,898 (18.2%)	9,598 (5.9%)	361 (0.2%)	8,078 (4.9%)	448 (0.3%)	386 (0.2%)	2,070 (1.3%)	113,085 (69.0%)
Census Tracts									
13.05 (Ontario)	2013	466 (9.3%)	105 (2.1%)	0 (0.0%)	103 (2.1%)	0 (0.0%)	0 (0.0%)	61 (1.2%)	4,277 (85.3%)
13.09 (Ontario)	2013	654 (13.3%)	669 (13.6%)	0 (0.0%)	87 (1.8%)	0 (0.0%)	20 (0.4%)	0 (0.0%)	3,497 (71.0%)
13.10 (Ontario)	2013	1,203 (21.2%)	84 (1.5%)	0 (0.0%)	21 (0.4%)	0 (0.0%)	0 (0.0%)	170 (3.0%)	4,190 (73.9%)
15.01 (Ontario)	2013	229 (5.9%)	59 (1.5%)	0 (0.0%)	4 (0.1%)	0 (0.0%)	0 (0.0%)	13 (0.3%)	3,575 (92.1%)
15.03 (Ontario)	2013	225 (6.7%)	0 (0.0%)	25 (0.7%)	57 (1.7%)	0 (0.0%)	0 (0.0%)	92 (2.7%)	2,960 (88.1%)
15.04 (Ontario)	2013	474 (8.5%)	501 (9.0%)	0 (0.0%)	378 (6.8%)	0 (0.0%)	14 (0.3%)	79 (1.4%)	4,107 (74.0%)
16 (Ontario)	2013	337 (5.8%)	38 (0.7%)	16 (0.3%)	25 (0.4%)	14 (0.2%)	0 (0.0%)	0 (0.0%)	5,353 (92.6%)

Source: U.S. Census, 2000, 2010, 2013.

Table 2.2.6-3. Housing Profile

Geography	Year	Total (Percentage)					
		Total Housing Units	Housing Units, Occupied	Housing Units, Vacant	Owner-Occupied Units	Renter-Occupied Units	Average Household Size
County							
San Bernardino	2013	701,332	603,879 (86.1%)	97,453 (13.9%)	373,813 (61.9%)	230,066 (38.1%)	3.33
City							
Ontario	2013	48,849	45,270 (92.7%)	3,579 (7.3%)	25,584 (56.5%)	19,686 (43.5%)	3.64
Census Tracts							
13.05 (Ontario)	2013	1,415	1,195 (84.5%)	220 (15.5%)	675 (56.5%)	520 (43.5%)	4.15
13.09 (Ontario)	2013	1,218	1,150 (94.4%)	68 (5.6%)	590 (51.3%)	560 (48.7%)	4.27
13.10 (Ontario)	2013	1,573	1,521 (96.7%)	52 (3.3%)	1,161 (76.3%)	360 (23.7%)	3.61
15.01 (Ontario)	2013	1,037	902 (87.0%)	135 (13.0%)	415 (46.0%)	487 (54.0%)	4.39
15.03 (Ontario)	2013	881	744 (84.4%)	137 (15.6%)	185 (24.9%)	559 (75.1%)	4.47
15.04 (Ontario)	2013	1,718	1,525 (88.8%)	193 (11.2%)	315 (20.7%)	1,210 (79.3%)	3.62
16 (Ontario)	2013	1,480	1,396 (94.3%)	84 (5.7%)	574 (41.1%)	822 (58.9%)	4.08

In the project area census tracts, there is generally an above county-average level of occupied units, with census tracts reporting an average home occupation rate of 90 percent. The percentile range of owner-occupied units and renter-occupied units varies greatly. Tract 13.10 has the highest percentage of owner-occupied units at 76.3 percent and the corresponding lowest percentage of renter-occupied units at 23.7 percent. Likewise, Tract 15.04 reported the highest percentage of renter-occupied units at 79.3 percent and the lowest percentage of owner-occupied at 20.7 percent. The average household size in the study area is 4.1, above both county and city averages. Census Tract 15.03 in Ontario has the largest average household size of 4.47 people, and Census Tract 13.10 has the lowest at 3.61 people.

According to the key indicators of community cohesion described above, it can be determined that there is only a moderate degree of community cohesion in the study area. While there is high ethnic homogeneity, low homeownership rates and lack of a large elderly population presence suggest a more transient population and lack of strong community cohesion.

2.2.6.3 Environmental Consequences

An evaluation of potential impacts to community character and cohesion associated with each alternative is presented below.

No Build Alternative

The No Build Alternative would maintain the current configuration of Grove Avenue in the study area. Under the No Build Alternative, the project would not be constructed, and congestion would continue to worsen for adjacent neighborhood residents without the proposed project improvements. There would be no changes to the community cohesion as it currently exists.

Build Alternative (Proposed Project)

Permanent Impacts

The Build Alternative would result in physical changes along the Grove Avenue corridor. The project would result in a wider roadway than currently exists and would provide improved accessibility for motorists, pedestrians, and bicyclists. In addition, there would be improved sidewalks, crosswalks, lighting, and landscaping. While several residential properties (eight single-family units and four parcels with multi-family units) located along the east side of Grove Avenue would be acquired for construction of the Build Alternative, it is not expected that the loss of these units would affect the overall community character or cohesion of the largely residential use project area. See Section 2.2.7, Relocations and Real Property Acquisitions, for the discussion

of residential displacements. There are adequate resources currently existing within the area vicinity to relocate residents (i.e., a sufficient number of comparable replacement dwellings meeting the decent, safe, and sanitary standards exist within the study area or in neighboring communities).

Aside from relocation impacts, the project is not anticipated to have any impact on existing age distribution, ethnic composition, or household characteristics within the project study area. On streets affected by the project, sidewalks, crosswalks, lighting, and landscaping familiar to the residents would be replaced with improved facilities.

Construction of the project improvements would not divide an existing community or create a barrier between communities because Grove Avenue is an existing transportation corridor; therefore, no adverse permanent impacts to community character and cohesion would occur.

As stated in Section 2.2.3, Parks and Recreational Facilities, the Build Alternative would remove approximately 40 parking spaces on the western portion of John Galvin Park in the Grove Avenue and 4th Street parking lot. These parking spaces are currently accessible to park users and are perceived as belonging to the park. As part of the project, the remnant parking lot would be reconfigured to maintain as many parking spots at this location as possible. A secondary parking lot in the eastern portion of the park and ample on-street parking are available in the immediate vicinity near John Galvin Park. In addition, many users of this portion of the park are local residents who generally walk to the park, as observed during field studies at the site. Also, given that the western section of John Galvin Park does not have facilities for organized sports or other large events, it is highly unlikely that the proposed permanent removal of parking spaces would affect parking availability. In addition, the loss of parking associated with the displacement of residences would not affect parking demand in the area.

No business displacements would occur with the project. Thus, no loss of employment or loss of tax base from local businesses would occur. In addition, no loss or change in access to established businesses, either temporary or permanent, are proposed. As such, a social or economic change that may result in a related physical impact would not accompany the Build Alternative.

There are no homeless persons along the project alignment on the Grove Avenue Corridor that would require relocation from the ROW prior to construction.

Temporary Impacts

Construction of the Build Alternative has the potential to result in short-term effects to neighborhoods (e.g., temporary road closures and detours). Construction activities include grading, excavation, road detours, and temporary road closures. As discussed in Section 2.2.10, implementation of the project's Final Transportation Management Plan (TMP) would reduce project-related temporary impacts to community character and cohesion. In addition, during the construction period local residents and businesses would experience temporary visual changes associated with the construction activities and equipment in the area. There would also likely be temporary increases in noise and dust associated with the construction activities, although these impacts would be for a limited duration and, with the implementation of appropriate BMPs, would be minimized.

2.2.6.4 Avoidance, Minimization, and/or Mitigation Measures

Community disruption during project construction would be temporary and minimized by developing and implementing a Final TMP and incorporating the following minimization measures:

T-1: Final TMP – A TMP (July 2015) was prepared during development of the preliminary engineering for the project. During final design, a Final TMP will be prepared. At a minimum, the Final TMP will include the detailing of any projected temporary street closures or expected traffic delays due to project construction activities. The Final TMP will include a public awareness program that will use an appropriate combination of the Highway Advisory Radio (HAR), local media, newsletters, and/or flyers. The following elements will be major components of the Final TMP: Public Awareness Campaign, particularly related to the scheduling of work; Construction Zone Enhanced Enforcement Program (COZEEP); utilization of portable changeable message signs (CMSs); and notification to be sent to local cities and emergency responders, if applicable.

COM-1: Where acquisition and relocation are unavoidable, provisions of the Uniform Act and the 1987 Amendments, as implemented by the Uniform Relocation Assistance and Real Property Acquisition Regulations for Federal and Federally Assisted Programs adopted by the United States Department of Transportation (USDOT) (March 2, 1989) and, where applicable, the California Public Park Preservation Act of 1971, will be

followed. An appraisal of the affected property will be obtained, and an offer for the full appraisal will be made.

COM-2: Outreach activities targeted to low-income residents will be conducted during the planning, design, and construction phases of the Build Alternative.

2.2.7 Relocations and Real Property Acquisition

2.2.7.1 Regulatory Setting

Caltrans' Relocation Assistance Program (RAP) is based on the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act), and Title 49 CFR Part 24. The purpose of the RAP is to ensure that persons displaced as a result of a transportation project are treated fairly, consistently, and equitably so that such persons will not suffer disproportionate injuries as a result of projects designed for the benefit of the public as a whole. Please see Appendix C for a summary of the RAP.

All relocation services and benefits are administered without regard to race, color, national origin, persons with disabilities, religion, age, or sex. Please see Appendix B for a copy of the Caltrans Title VI Policy Statement.

2.2.7.2 Affected Environment

This section summarizes information from the *Relocation Impact Statement* (RIS) (October 2016). The RIS provides more-precise estimates of the residential and nonresidential displacements by the Grove Avenue Corridor Project.

The affected environment is identical to the area described in Section 2.2.6, Community Character and Cohesion.

2.2.7.3 Environmental Consequences

An evaluation of potential relocation impacts associated with each alternative is presented below.

No Build Alternative

The No Build Alternative would maintain the current configuration of Grove Avenue in the study area. Under the No Build Alternative, the project would not be constructed, and no impacts or relocations would occur.

Build Alternative (Proposed Project)

Permanent Impacts

As shown in Table 2.2.7-1, the Build Alternative would displace 12 residential parcels with 18 dwelling units. Of the 18 residential units to be acquired for construction of the Build Alternative, 8 are single-family residences and 10 are multi-family units. Total residential household displacements are estimated at 47 persons, based on an average of 2.73 residents per unit calculated by the 2010 U.S. Census.

Table 2.2.7-1. Estimated Residential Displacement Units

Unit Type	Build Alternative
Single-Family Units	8
Mobile Homes	0
Multi-Family Units	10
Total Residential Units	18
Total Persons (average number/household)	2.73 / 47

Source: RIS prepared for the Grove Avenue Corridor Project (October 2016).

To the extent feasible, during the final design phase of the project, ROW impacts to these parcels would be minimized and some may be avoided. The property owners would be entitled to compensation to the extent provided by law in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act, as amended.

As identified in the RIS, there were nearly 700 single-family, condominium, and multi-family units that were for sale and for rent within 5 miles of the project site at the time of research, and 6 development projects with capacity for more than 1,000 housing units are planned in the surrounding area (see Table 2.2.1-2, Related Projects). Thus, there are ample single-family residential and multi-family replacement properties on the market similar to the displacement properties; therefore, the construction of new replacement housing would not be necessary. With the large number of potential replacement housing units in the surrounding area, there is a high probability that comparable decent, safe, and sanitary relocation sites can be found for all affected residents within the replacement area of the cities of Ontario, Upland, Rancho Cucamonga, and Montclair. Additional detail on the adequacy of relocation resources is provided in the project's RIS.

As stated in Section 2.2.6, Community Character and Cohesion, the Build Alternative would not result in business displacements, and there are no homeless persons along the project alignment that would require relocation from the ROW prior to construction.

Temporary Impacts

As discussed in Section 2.2.1, 47 TCEs would be required to construct the Build Alternative. The properties affected by TCEs would maintain their existing use during and after project construction. All areas disturbed as part of the TCEs would be restored.

Avoidance, Minimization, and/or Mitigation Measures

To minimize potential relocation impacts, the following minimization measure will be implemented prior to construction.

COM-1: Where acquisition and relocation are unavoidable, provisions of the Uniform Act and the 1987 Amendments, as implemented by the Uniform Relocation Assistance and Real Property Acquisition Regulations for Federal and Federally Assisted Programs adopted by USDOT (March 2, 1989) and, where applicable, the California Public Park Preservation Act of 1971, will be followed. An appraisal of the affected property will be obtained, and an offer for the full appraisal will be made.

2.2.8 Environmental Justice

Executive Order (EO) 12898 requires each federal agency (or its designee) to take the appropriate and necessary steps to identify and address "disproportionately high and adverse" effects of federal proposed projects on the health or environment of minority and low-income populations, known as environmental justice populations.

2.2.8.1 Regulatory Setting

All projects involving a federal action (funding, permit, or land) must comply with EO 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, signed by President William J. Clinton on February 11, 1994. This EO directs federal agencies to take the appropriate and necessary steps to identify and address disproportionately high and adverse effects of federal projects on the health or environment of minority and low-income populations to the greatest extent practicable and permitted by law. Low income is defined based on the Department of Health and Human Services poverty guidelines. For 2020, this was $26,200 for a family of four.

All considerations under Title VI and related statutes have also been included in this project. Caltrans' commitment to upholding the mandates of Title VI is demonstrated by its Title VI Policy Statement, signed by the Director, which can be found in Appendix B of this document.

2.2.8.2 Affected Environment

The environmental justice analysis was conducted using census information from the U.S. Census Bureau 2013 ACS dataset for the referenced population of San Bernardino County and the census tracts located within 0.25 mile of the proposed Build Alternative, as shown in Table 2.2.8-1. The following analysis provides a comparison of four measures with which to evaluate impacts to environmental justice populations:

- Percentage of Non-White residents in the study area census tracts, as shown in Figure 2.2.8-1 (Build Alternative)
- Percentage of Hispanic or Latino residents in the study area census tracts, as shown in Figure 2.2.8-2 (Build Alternative)
- Percentage of population below poverty level in the study area census tracts, as shown in Figure 2.2.8-3 (Build Alternative)
- Median household income in the study area census tracts, as shown in Figure 2.2.8-4 (Build Alternative)

Table 2.2.8-1. Minority and Low-income Populations

Census Tract	Year	Non-White (%)	Hispanic or Latino (%)	Persons below Poverty Level (%)	Median Household Income
County					
San Bernardino	2013	67.5	49.9	18.7	$54,090
City					
Ontario	2013	81.9	69.6	18.1	$54,249
Census Tracts (City of Ontario)					
13.05	2013	90.7	85.3	26.0	$44,244
13.09	2013	86.7	71.0	32.0	$49,097
13.10	2013	78.8	73.9	14.7	$51,719
15.01	2013	94.1	92.1	42.9	$30,263
15.03	2013	93.3	88.1	39.4	$31,611
15.04	2013	91.5	74.0	38.2	$39,736
16	2013	94.1	92.6	44.6	$30,464

Source: U.S. Census, American Community Survey, 5-year estimates, 2013.

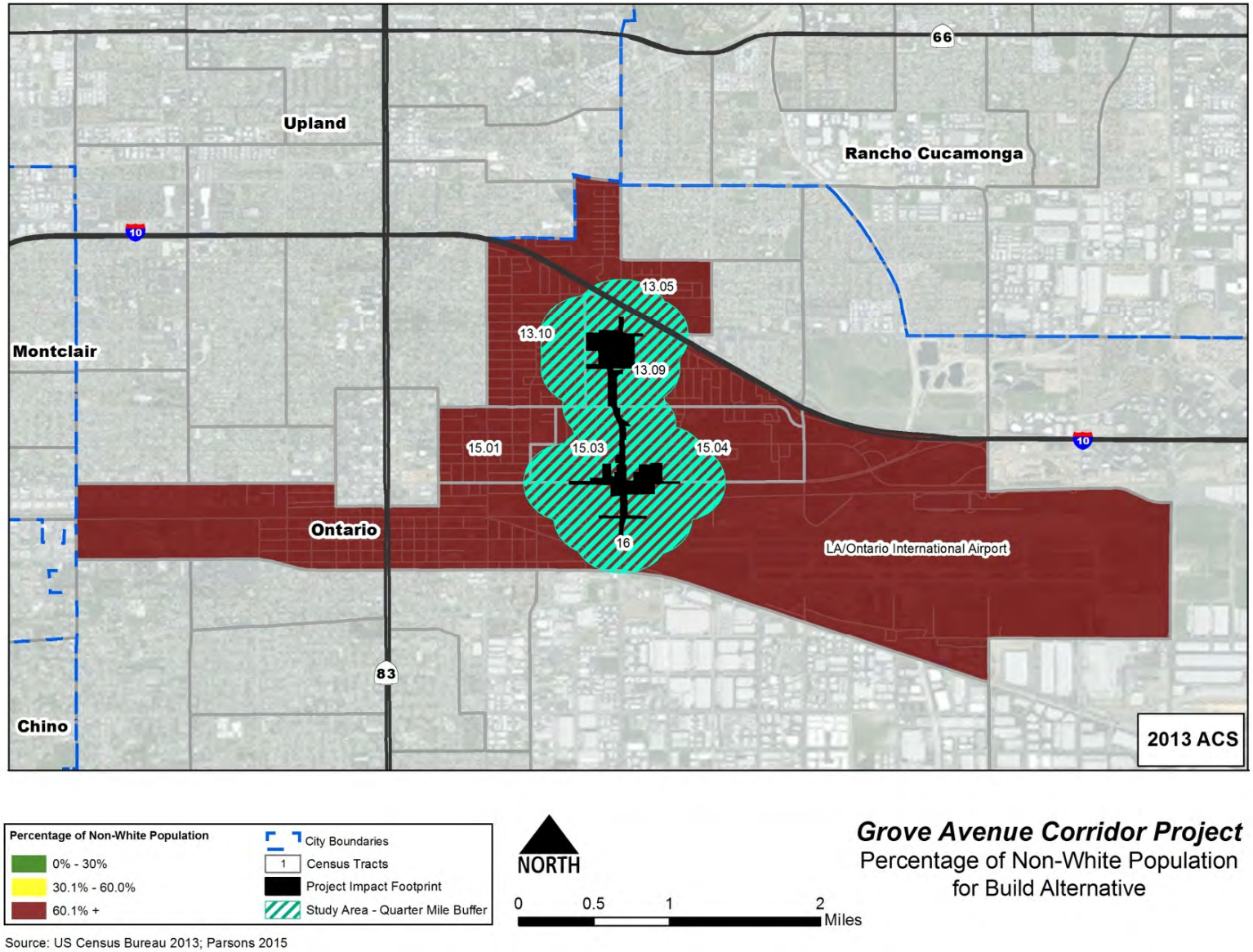


Figure 2.2.8-1. Percentage of Non-White Population (Build Alternative)

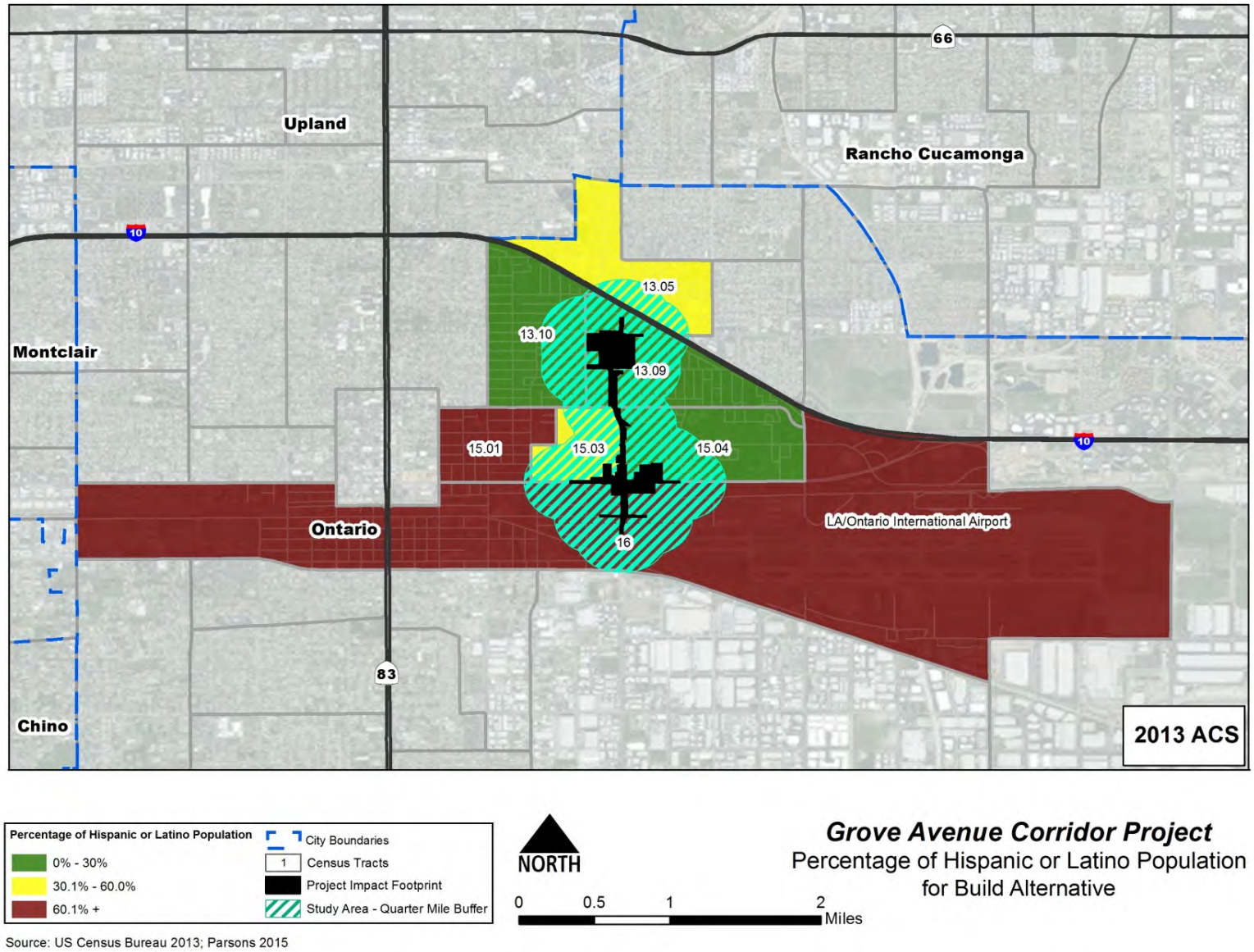


Figure 2.2.8-2. Percentage of Hispanic or Latino Population (Build Alternative)

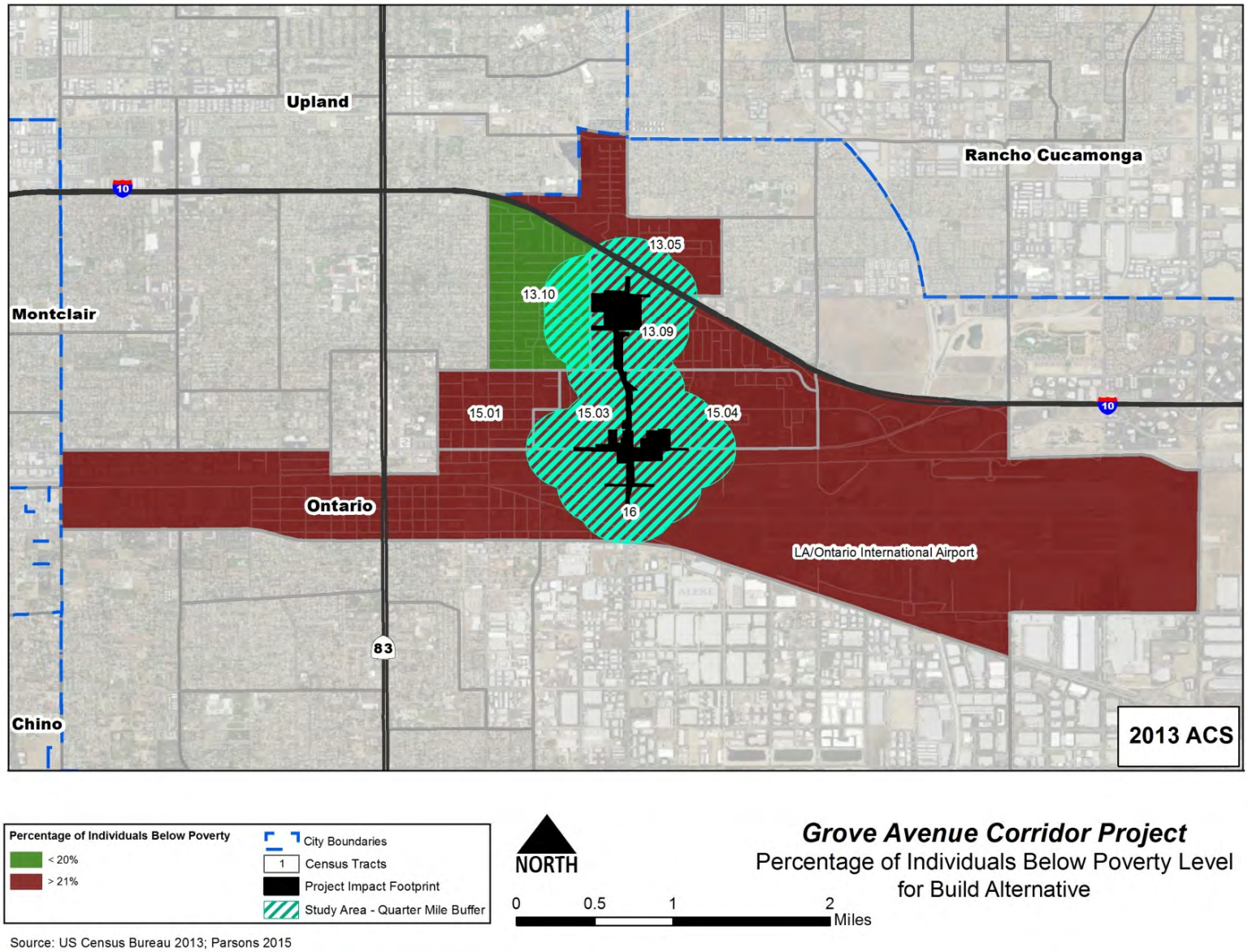
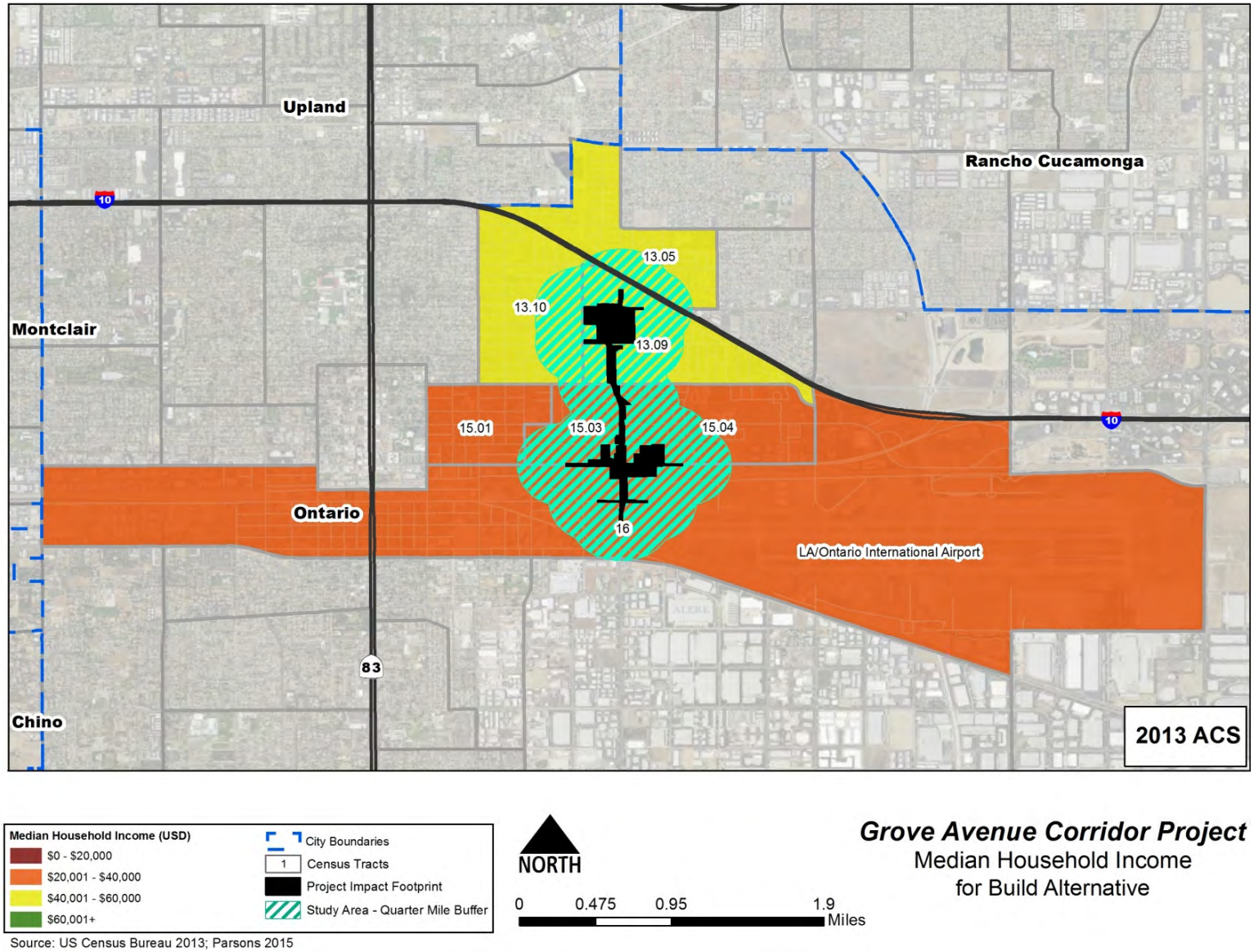


Figure 2.2.8-3. Percentage of Individuals below Poverty Level (Build Alternative)



Source: US Census Bureau 2013; Parsons 2015

Figure 2.2.8-4. Median Household Income (Build Alternative)

2.2.8.3 Environmental Consequences

No Build Alternative

The No Build Alternative would maintain the current configuration of Grove Avenue in the study area. No project improvements would be constructed; therefore; no impacts to environmental justice populations would occur under the No Build Alternative.

Build Alternative (Proposed Project)

Permanent Impacts

With implementation of the Build Alternative, minority and low-income populations could potentially be affected in several ways. The most evident potential effect is that the proposed project could result in the direct displacement and relocation of environmental justice populations. Other potential effects include temporary construction impacts to an ethnic or low-income neighborhood. However, the project also could provide benefits to minority and low-income populations if transportation efficiency improves and/or transit services are made more reliable, accessible, or convenient. The Build Alternative would improve transportation efficiency along Grove Avenue and would increase pedestrian connectivity to John Galvin Park.

In the Caltrans Desk Guide, *Environmental Justice in Transportation Planning and Investments* (January 2003), no definitive guidelines are given for determining what impacts should be considered disproportionately high or adverse; however, two general issues are weighed for environmental justice analysis for transportation projects:

- Whether the adverse impact(s) of the proposed project will be predominantly borne by a minority or low-income population group; or
- Whether the adverse impact(s) of the proposed project will be appreciably more severe or greater in magnitude than the adverse impacts to nonminority and/or non-low-income population groups even after mitigation measures and offsetting project benefits are considered.

"Low-income" and "minority populations" are defined as any readily identifiable group of low-income or minority persons who live in geographically adjacent areas, or groups of geographically dispersed or transient persons who would be similarly affected by a proposed FHWA program, policy, or activity. Transportation agencies such as Caltrans and SBCTA must collect and evaluate data on minority and income characteristics, increase public participation in decision-making, and provide mitigation measures to avoid or minimize the adverse effects of the federal action.

The following four measures are used as the basis to evaluate disproportionate impacts to environmental justice populations:

- Percentage of Non-White residents
- Percentage of Hispanic or Latino residents
- Percentage of population below poverty level
- Median household income

As shown in Table 2.2.8-1 and Figure 2.2.8-1, all tracts within the project area have Non-White populations above 78 percent. In addition, poverty levels are higher and median income is lower than county and city averages for multiple census tracts in the study area. The Non-White population in these seven census tracts ranges from 78.8 to 94.1 percent. Census Tract 16 has the highest percentage of Hispanic or Latino residents (92.6 percent). The tract with the least amount of Hispanic or Latino residents, Census Tract 13.09 (71.0 percent), is located on the east side of the project corridor. The lowest percentage of residents living below poverty is in Census Tract 13.10 at 14.7 percent, and the highest percentage is Census Tract 16 at 44.6 percent. Census Tract 15.01 has the lowest median household income ($30,263), and Census Tract 13.10 has the highest ($51,719).

For the purposes of this analysis, the approach for identifying environmental justice communities published in *Promising Practices for EJ Methodologies in NEPA* Reviews (NEPA Committee, 2016) was adopted to identify minority and low-income populations within the study area. To identify minority populations, the first step was to analyze and identify census tracts with minority populations that meet or exceed 50 percent of the total tract population for heightened focus. Step two determined whether the percentage of minority residents in those tracts identified in step one were "meaningfully greater" than the minority population percentage of the city of Ontario, the reference community. Though what constitutes "meaningfully greater" varies by agency, it has become acceptable in planning studies that "meaningfully greater" is represented by 10 percent or greater. To identify low-income populations, the Department of Health and Human Services (HHS) discloses the poverty threshold for identifying low-income populations in the affected environment. For 2015, this is $24,250 for a family of four.

After conducting the "meaningfully greater" analysis described above, three census tracts within the Build Alternative footprint, Census Tracts 15.01, 15.03, and 16.00, were identified as having a meaningfully greater minority non-white population

compared to its reference municipality. The median household income for the reference community and individual census tracts studied are above the HHS poverty threshold for an average family size of four of $24,250, which indicates the study area as a whole and each individual census tract studied is not considered to be a low-income population; therefore, no census tracts were identified as environmental justice communities based on income. None of the relocations identified in the RIS (October 2016) for the Build Alternative would take place in any of the environmental justice communities identified above.

Overall, environmental justice populations exist within the study area, particularly dominating the southern portion of the proposed project area, while the northern portion consists of fewer minorities.

While the Build Alternative would provide a benefit to most study area residents, including minority and low-income populations, by improving mobility and circulation throughout the study area, it would have a direct effect on communities that have a higher number of Non-White persons, larger Hispanic or Latino populations, higher numbers of persons living below the poverty line ($24,250 for a family of four), and lower median incomes than the counties and cities within the study area.

The transportation benefits would be equally available to all residents of the area. For example, all users, including transit users, pedestrians, and bicyclists, would benefit from less-congested streets and improved connectivity. Private vehicles, public transportation, and freight vehicles would benefit from the increased capacity and decreased traffic delays on Grove Avenue. The Build Alternative would affect minority and low-income populations, as well as non-minority and higher-income populations, resulting primarily from residential acquisitions and temporary impacts. There would not be disproportionately high or adverse impacts, per EO 12898, to Non-White, Hispanic or Latino, or low-income populations within the referenced populations because the adverse impacts would not be predominantly borne by a minority or low-income population, nor would adverse impacts be appreciably more severe to these environmental justice populations.

Community outreach and participation have been integrated into the project development process from the outset, including public mailers, newspaper advertisements, and a public hearing. Given the large percentage of Non-White residents within the study area, particularly Hispanic or Latino residents, a concerted effort was placed into providing Spanish translators and materials at public meetings

to encourage participation of Spanish-speaking populations. To the greatest extent possible, an atmosphere of equal participation was fostered, thus encouraging Non-White minority populations to freely voice any questions or concerns they may have with the project. More detail of the project outreach efforts is provided in Chapter 4.

Temporary Impacts

Relocated residents who are considered part of the identified environmental justice populations may experience temporary impacts; however, relocation assistance would be provided per the Uniform Relocation Assistance and Real Property Acquisition Policies Act.

The proposed project would have a prolonged period for construction of the Build Alternative. Area residents would endure greater impacts resulting from construction activities compared to the surrounding population. Once construction is complete, traffic circulation would soon return to normal.

2.2.8.4 Avoidance, Minimization, and/or Mitigation Measures

Based on the environmental justice analysis, the Build Alternative would not cause disproportionately high and adverse effects on minority or low-income populations as per EO 12898. No further environmental justice analysis is required. However, implementation of Minimization Measure COM-2 would minimize the impacts associated with required property relocations.

COM-2: Outreach activities targeted to low-income residents will be conducted during the planning, design, and construction phases of the Build Alternative.

2.2.9 Utilities/Emergency Services

Many public utilities are located within the project area (i.e., the area disturbed during construction or within the proposed ROW of the Build Alternative). These include telecommunication, electrical, natural gas, water, and solid waste/sewer lines. Most of the existing utility lines are located within public ROW. Local jurisdictions along the project corridor provide public services. Additionally, there are also private service providers. Descriptions of utilities, emergency service providers, and the project's potential operational effects are also described in this section.

2.2.9.1 Affected Environment

This section is based on a review of the existing utility and emergency service providers and facilities in the study area, the *Project Report* (March 2017), and the *Community Impact Assessment* (October 2016).

This subsection summarizes major utilities found within the project area. There are approximately 253 underground and aerial utilities within the project area, including storm drain, sewer, water, traffic signal, street light, petroleum, natural gas, electrical, cable television, fiber optic, and telecommunication. Grove Avenue and local roads have parallel encroachments that include utilities such as cable television, telecommunications, electrical, fiber optic, natural gas, water, storm drain, and sewer. Significant intersecting encroachments include petroleum and fiber optics. Utilities in the project area are shown in Table 2.2.9-1. There are no landfills or wastewater treatment facilities within the project area.

Table 2.2.9-1. Utilities

Agency/Utility	Service Provided
City of Ontario	Water, Traffic, Storm Drain, Sewer, Electric
City of Upland	Sewer
Inland Empire Utility Agency (IEUA)	Sewer
San Antonio Water Company (SAWCO)	Water
SBCFCD	Storm Drain
Southern California Edison	Electric
Southern California Gas	Gas
Time Warner Cable (Spectrum)	Television Cable
Verizon	Telecommunications
Kinder Morgan	Petroleum
Level 3	Fiber Optic

Note: Information was collected from each affected jurisdiction's website in 2014.

Emergency Services

Fire protection and emergency services are jointly provided by the respective jurisdictions and County, depending on the location of the emergency. In addition, each municipality contracts its emergency service transportation services to private ambulance companies. The nearest hospital providing 24-hour emergency services is the San Antonio Regional Hospital in the city of Upland, located approximately 3 miles west of Grove Avenue.

Law Enforcement Services

Law enforcement services in the project study area are provided by the City of Ontario Police Department. The closest police station to the project study area is at 2500 South Archibald Avenue, approximately 3 miles southeast of the Grove Avenue corridor.

2.2.9.2 Environmental Consequences

An evaluation of potential impacts to utilities and emergency services associated with each alternative is presented below.

Permanent Impacts

Utilities

Utility facilities (e.g., water lines, sewer laterals, electrical connections/lines/poles, natural gas service lines, streetlights, fire hydrants, and cable television lines and utility boxes) in the Grove Avenue ROW would be subject to abandonment, removal, and relocation or replacement as a result of project construction. Utility companies would be given enough notice to relocate their facilities before construction or at a later stage of construction, as appropriate.

Such coordination is standard during the design phase of the project. Utility relocations would be done using standard engineering practices, so substantial service disruption is not expected and impacts are minimized.

No Build Alternative

The No Build Alternative would maintain the current configuration of the Grove Avenue corridor in the study area. Under the No Build Alternative, the project would not be constructed, and no impacts to utilities would occur.

Build Alternative (Proposed Project)

The proposed improvements under the Build Alternative would result in the relocation of some major electrical and water utilities, but they would not adversely affect the long-term operations of these utilities. As a road widening project, the Build

Alternative would not require construction of new water, wastewater, electrical, or solid waste facilities to accommodate the project.

Up to 136 of the 253 utilities within the project area, including 5 cable television, 2 fiber-optic utilities, 2 petroleum lines, 11 power/electrical utilities, 4 power transformers, 21 sewer utilities, 16 storm drain utilities, 9 telephone utilities, 14 water utilities, 8 fire hydrants, 17 traffic signals, and 27 street lights, have the potential to be affected by the proposed improvements. Up to 28 of these potentially affected utilities would require minor to moderate work, such as extending the utility, constructing a structure or encasement around the utility, pouring a slurry mixture over the utility, or requiring a hand digging method when performing excavation around the utility. Up to 108 utilities would need to be removed and completely relocated to accommodate the proposed project improvements.

Utility facility relocations, removals, and/or protection in-place would be necessary in areas where project construction would occur. As a result, utility services could be temporarily interrupted or facilities damaged. The decision on relocation, removal, and/or protection in-place would be made during final design in consultation with the owner of each affected utility.

Law Enforcement, Fire, and Emergency Medical Services

No Build Alternative

The No Build Alternative does not propose any project improvements and would not provide benefits of improved transportation operations along Grove Avenue to police, fire, and emergency services. Continued deterioration of traffic conditions within the project area under the No Build Alternative would potentially result in increased delays and increased response times for emergency service providers in the future.

Build Alternative (Proposed Project)

Implementation of the Build Alternative would improve traffic throughput and travel times along the Grove Avenue corridor, and it would correct deficiencies in the existing roadway system. The improved traffic conditions along the corridor would have beneficial effects for law enforcement protection and emergency service access and response times. As such, no permanent police protection or emergency service impacts are expected.

Temporary Impacts

Utility relocations, removals, and/or protection in-place would be necessary in areas where project construction would occur. As a result, utility services could be temporarily interrupted or facilities damaged. The decision on relocation, removal, and/or protection in-place would be made during final design in consultation with the owner of each affected utility.

The proposed project would have a prolonged period of construction for the Build Alternative. Once construction is complete, traffic circulation would return to normal. A TMP would be implemented to ensure any potential temporary effects to utilities are minimized.

Construction of the Build Alternative could result in temporary traffic delays, road closures, lane closures, or detours that may impair the ability of law enforcement, fire, and other emergency service providers to meet response time goals.

Non-fire-related medical emergencies could temporarily increase during project construction with the presence of construction workers and heavy machinery in the construction area.

During construction of the Build Alternative, motorists and emergency service providers can expect to experience typical construction-related temporary changes in access, with intermittent delays on adjacent local roadways; however, as stated in Measure COM-1 in Section 2.2.6, Community Character and Cohesion, implementation of a TMP would be required. During final design, a TMP would be developed for implementation during project construction. Known temporary and long-term closures for the Build Alternative are discussed in detail in Section 2.2.6.

As described in the TMP, alternate emergency service routes and traffic handling plans must be coordinated with local jurisdictions and emergency service providers (e.g., California Highway Patrol [CHP], local police, fire, paramedics) during final design. The TMP would include emergency service routes that serve hospitals, fire/police stations, emergency shelters, emergency command centers, and other facilities that provide essential services in times of emergencies within the study area. These emergency service routes would be maintained during construction or alternate routes would be provided. Construction contract documents would require that emergency service providers be notified in advance prior to any lane closures, interruptions on emergency service routes, or changes in traffic control.

Although construction-related delays and detours may temporarily affect the response times of emergency service providers, measures identified in the TMP would minimize project effects on emergency service providers. The Build Alternative would not result in any substantial effects on emergency service providers and/or response times.

2.2.9.3 Avoidance, Minimization, and/or Mitigation Measures

Adverse impacts to utilities or emergency services would not occur as a result of operation of the proposed project. The following minimization measures were identified for impacts to emergency services and utilities during construction of the proposed project. Additional avoidance, minimization, and/or mitigation measures for impacts to utilities and emergency services will be considered upon completion of coordination with utility companies and emergency service providers.

UT-1: During final design, the Project Engineer will prepare utility relocation plans in consultation with the affected utility providers/owners for those utility facilities that will need to be relocated, removed, or protected in-place.

UT-2: During final design, the Project Engineer will prepare utility relocation plans in consultation with the affected utility providers/owners for those utility facilities that will need to be relocated, removed, or protected in place. If relocation is necessary, the final design will focus on relocating utilities within the State ROW or other existing public ROWs and/or easements. If relocation outside of existing or the additional public ROWs and/or easements required for the project is necessary, the final design will focus on relocating those facilities in adjacent public ROWs and in a manner so as to not result in significant community, land use, or natural resource impacts.

UT-3: Close coordination with utility service providers and implementation of a public outreach program will be conducted, as needed, to minimize impacts to surrounding communities.

UES-1: Prior to and during any construction activities, the City will coordinate with emergency service providers to ensure that all providers are aware of temporary road closures and detours.

UES-2: Emergency service phone numbers (i.e., fire, emergency medical, police) will be posted in visible locations in all active construction areas.

UES-3: To avoid conflicts during construction, the project's Resident Engineer will notify all emergency and other essential service providers no less than 2 weeks prior to the start of construction. Agencies to be notified include:

- City of Ontario Police Department
- City of Ontario Fire Department
- San Bernardino County Sheriff's Department
- San Bernardino County Fire Department

2.2.10 Traffic and Transportation/Pedestrian and Bicycle Facilities

This section addresses the potential effects to traffic and circulation associated with construction of the proposed project and compares the relative benefits of each alternative. The traffic circulation analysis is based on the results of the *Traffic Operations Analysis* (January 2015). The *Traffic Operations Analysis* evaluates the existing and future traffic flow conditions within the traffic study area of San Bernardino County (defined below in Section 2.2.10.2, Affected Environment).

The *Traffic Operations Analysis* evaluation includes demand, capacity, and LOS for study area intersections. LOS analysis was conducted for the a.m. and p.m. peak hours (7:00 to 9:00 a.m. and 4:00 to 6:00 p.m.) based on the HCM 2000, which states:

> LOS is a quality of measure describing operational conditions within a traffic stream, generally in terms of such service measures as speed and travel time, freedom to maneuver, traffic interruptions, and comfort and convenience. Six LOS are defined for each type of facility that has analysis procedures available (see Table 2.2.10-1). Letters designate each level, from A to F, with LOS A representing the best operating conditions and LOS F the worst. Each LOS represents a range of operating conditions and the driver's perception of those conditions. (HCM, page 2-2)

Table 2.2.10-1. Intersection Level of Service Definitions

Level of Service	Description	Signalized Intersection Delay (seconds per vehicle)	Unsignalized Intersection Delay (seconds per vehicle)
A	Excellent operation. All approaches to the intersection appear quite open, turning movements are easily made, and nearly all drivers find freedom of operation.	≤ 10	≤ 10
B	Very good operation. Many drivers begin to feel somewhat restricted within platoons of vehicles. This represents stable flow. An approach to an intersection may occasionally be fully utilized and traffic queues start to form.	>10 and ≤ 20	>10 and ≤ 15
C	Good operation. Occasionally drivers may have to wait more than 60 seconds, and backups may develop behind turning vehicles. Most drivers feel somewhat restricted.	>20 and ≤ 35	>15 and ≤ 25

Table 2.2.10-1. Intersection Level of Service Definitions

Level of Service	Description	Signalized Intersection Delay (seconds per vehicle)	Unsignalized Intersection Delay (seconds per vehicle)
D	Fair operation. Cars are sometimes required to wait more than 60 seconds during short peaks. There are no long-standing traffic queues.	>35 and ≤ 55	>25 and ≤ 35
E	Poor operation. Some long-standing vehicular queues develop on critical approaches to intersections. Delays may be up to several minutes.	>55 and ≤ 80	>35 and ≤ 50
F	Forced flow. Represents jammed conditions. Backups form locations downstream or on the cross street may restrict or prevent movement of vehicles out of the intersection approach lanes; therefore, volumes carried are not predictable. Potential for stop and go type traffic flow.	> 80	> 50

Source: Highway Capacity Manual, Special Report 209, Transportation Research Board, Washington, DC, 2000.

The City maintains a standard of LOS E or better as acceptable operating LOS at its intersections. At freeway ramp intersections, which fall under Caltrans' jurisdiction, a standard of LOS D or better is considered acceptable in this analysis.

The analysis was conducted for the following scenarios:

- Existing (2013);
- Opening Year 2025 No Build Alternative;
- Opening Year 2025 Build Alternative;
- Horizon Year 2045 No Build Alternative; and
- Horizon Year 2045 Build Alternative.

2.2.10.1 Regulatory Setting

Caltrans, as assigned by FHWA, directs that full consideration should be given to the safe accommodation of pedestrians and bicyclists during the development of federal-aid highway projects (see 23 CFR 652). It further directs that the special needs of the elderly and the disabled must be considered in all federal-aid projects that include pedestrian facilities. When current or anticipated pedestrian and/or bicycle traffic presents a potential conflict with motor vehicle traffic, every effort must be made to minimize the detrimental effects on all highway users who share the facility.

In July 1999, USDOT issued an Accessibility Policy Statement pledging a fully accessible multimodal transportation system. Accessibility in federally assisted programs is governed by the USDOT regulations (49 CFR Part 27) implementing Section 504 of the Rehabilitation Act (29 U.S.C. 794). FHWA has enacted regulations for implementation of the 1990 Americans with Disabilities Act (ADA), including a commitment to build transportation facilities that provide equal access for all persons. These regulations require application of the ADA requirements to federal-aid projects, including Transportation Enhancement Activities.

2.2.10.2 Affected Environment

The existing lane configuration, traffic volumes, LOS, and other operational characteristics within the traffic study area are presented in this subsection.

Traffic Study Area

Within the project area, Grove Avenue is a collector street that runs in the north-south direction through Ontario. The existing Grove Avenue corridor is a critical arterial in the region's transportation network connecting automobile and truck traffic between I-10 and Ontario International Airport. Much of the project area is characterized by typical highway-adjacent urban residential neighborhoods, commercial, and light industrial properties with on-street and off-street parking in residential areas and usually plentiful off-street surface parking at commercial lots. The traffic study area, as shown in Figure 2.2.10-1, includes Grove Avenue interchanges between Mission Boulevard and 4th Street. The area for analysis includes the following seven intersections:

1. Grove Avenue/4th Street
2. Grove Avenue/I Street
3. Grove Avenue/G Street
4. Grove Avenue/D Street
5. Grove Avenue/Holt Boulevard
6. Grove Avenue/State Street-Airport Drive
7. Grove Avenue/Mission Boulevard

Figure 2.2.10-1. Grove Avenue Corridor Project Study Intersections

Existing Traffic Conditions

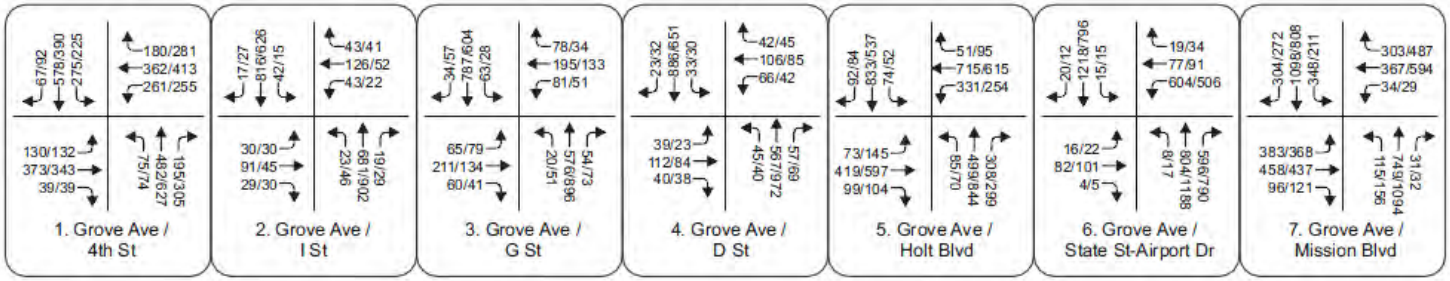
Existing traffic data for the traffic study area are for the year 2013. Existing conditions traffic data and the results of operational analysis are presented below for the Grove Avenue corridor intersections.

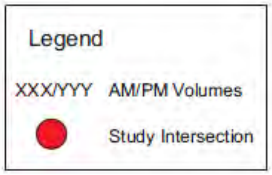
The existing a.m. and p.m. peak period (7:00 to 9:00 a.m., 4:00 to 6:00 p.m.) intersection turning movement counts were collected at the study intersections near the existing I-10/4th Street interchange in February 2013. All intersection traffic counts were collected while local schools were in session. As part of the volume development, trucks were converted into their respective passenger car equivalents (PCE). PCE factors of 1.5, 2, and 3 were used for light-duty trucks, medium-duty trucks with three axles, and heavy-duty trucks with four axles, respectively. The peak hour was determined by taking the peak 1-hour interval within the peak period. Existing a.m. and p.m. peak-hour intersection volumes are shown in Figure 2.2.10-2. All study intersections are currently operating at LOS D or better and are at sufficient capacity to accommodate existing travel demands within the project limits, as shown in Table 2.2.10-2.

Table 2.2.10-2. Existing (2013) Peak–Hour Intersection LOS Summary

Intersection	AM Peak Hour 2013		PM Peak Hour 2013	
	Delay (sec)	LOS	Delay (sec)	LOS
1) Grove Avenue/4th Street	35.0	D	34.5	C
2) Grove Avenue/I Street	5.7	A	3.8	A
3) Grove Avenue/G Street	7.1	A	5.5	A
4) Grove Avenue/D Street	5.4	A	4.4	A
5) Grove Avenue/Holt Boulevard	33.7	C	31.8	C
6) Grove Avenue/State Street	20.4	C	29.9	C
7) Grove Avenue/Mission Boulevard	44.4	D	36.5	D
Note: sec = seconds;				

Source: Traffic Operations Analysis, 2015.





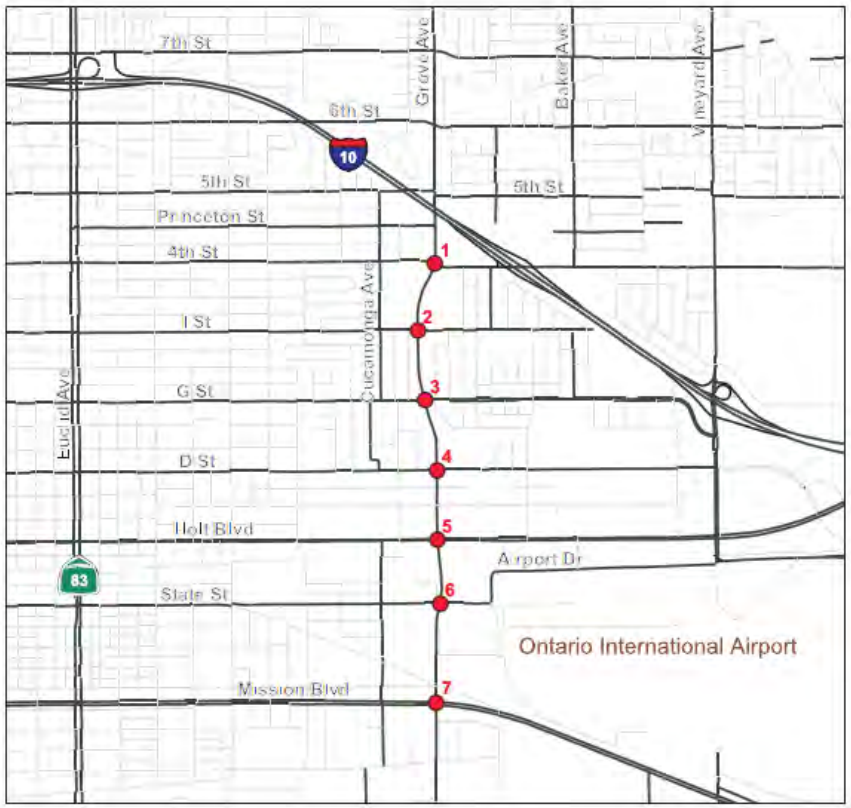


Figure 2.2.10-2. Existing Peak-Hour Intersection Volumes

Pedestrian and Bicycle Facilities

SBCTA's Non-Motorized Transportation Plan (2014) identifies existing and planned bikeways that run below or adjacent to the proposed project area, as shown in Figure 2.2.1010-3. There are three classes of bikeways: Class I, Class II, and Class III. A Class I bikeway, or shared-used path or bike path, is a bikeway physically separated from any street or highway and used by a variety of users. Class II bikeways, or bike lane, is a portion of a roadway that is designated by striping, signaling, and pavement markings for the preferential or exclusive use of bicyclists. Class III bikeways, or bike routes, are any road, street, path, or way that in some manner is specifically designed for bicycle travel regardless of whether such facilities are designated for the exclusive use of bicycles or shared with other transportation modes.

2.2.10.3 Environmental Consequences

An evaluation of the traffic and transportation impacts associated with each alternative is presented below.

Permanent Impacts

Year 2025 is the year in which the proposed project is scheduled to open to traffic if the Build Alternative is implemented. Year 2045 is the design horizon year for the proposed Build Alternative; therefore, traffic analyses were conducted for the following five future conditions:

- Existing (2013)
- Opening Year 2025 No Build Alternative
- Opening Year 2025 Build Alternative
- Design Year 2045 No Build Alternative
- Design Year 2045 Build Alternative

The traffic modeling effort sought to maintain consistency with the traffic forecasts developed for the recently completed *I-10 Corridor Study – PA/ED HOV and Express Lanes Project by SBCTA*. The SBTAM in that study was utilized for the I-10/Grove Avenue Interchange PA/ED, including all roadway network and demographic data assumptions.

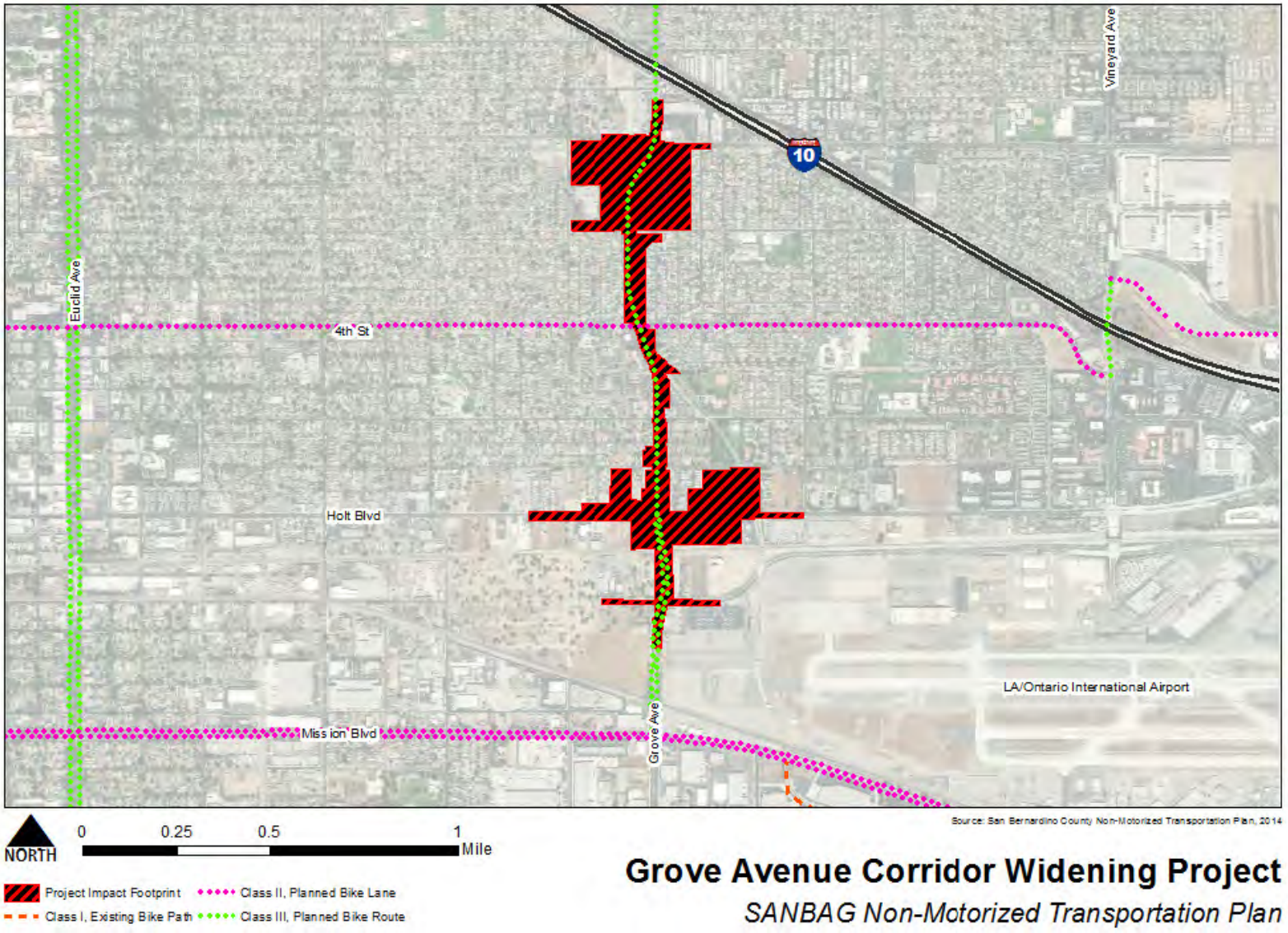


Figure 2.2.10-3. San Bernardino County Bikeways in Project Area

The two alternatives are generally described as follows:

No Build Alternative

The No Build Alternative would maintain four through lanes along Grove Avenue within the project limits and the existing configuration at the Grove Avenue/Holt Boulevard intersection. Figures 2.2.10-4 and 2.2.10-5 show forecasted intersection traffic volumes under the No Build Alternative in opening year (2025) and design year (2045), respectively.

In Table 2.2.10-3, the length of delay and LOS at each study area intersection under no-build conditions for opening year (2025) and design year (2045) are shown.

Table 2.2.10-3. 2025 and 2045 No-Build Peak-Hour Intersection LOS Summary

Intersection	AM Peak Hour				PM Peak Hour			
	2025		2045		2025		2045	
	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS
1) Grove Avenue/4th Street	44.7	D	51.2	D	63.8	E	**117.4**	**F**
2) Grove Avenue/I Street	6.7	A	8.0	A	6.3	A	7.5	A
3) Grove Avenue/G Street	9.0	A	11.1	B	9.0	A	20.6	C
4) Grove Avenue/D Street	6.4	A	18.3	B	9.2	A	14.8	B
5) Grove Avenue/Holt Boulevard	**82.8**	**F**	**213.8**	**F**	134.7	F	**352.9**	**F**
6) Grove Avenue/State Street	25.1	C	**88.3**	**F**	29.3	C	**83.2**	**F**
7) Grove Avenue/Mission Boulevard	**60.9**	**E**	**117.1**	**F**	**102.8**	**F**	**265.6**	**F**
Note: sec = seconds; **BOLD** indicates unsatisfactory								

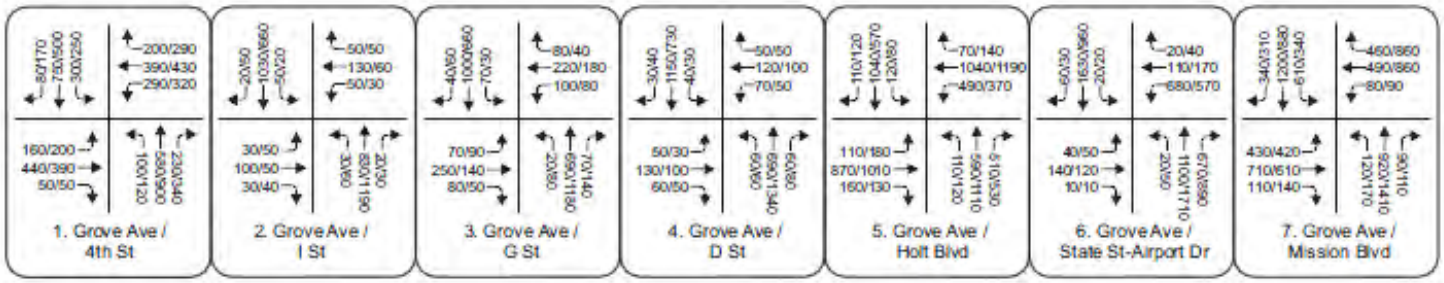
Source: Traffic Operations Analysis, 2015.

The following intersections are forecast to operate at unsatisfactory LOS in opening year (2025) No Build conditions:

- Grove Avenue/Holt Boulevard (a.m. and p.m. peak hour); and
- Grove Avenue/Mission Boulevard (p.m. peak hour).

By 2045, the following intersections are forecast to operate at unsatisfactory LOS in opening year (2045) no-build conditions:

- Grove Avenue/4th Street (p.m. peak hour);
- Grove Avenue/Holt Boulevard (a.m. and p.m. peak hour);
- Grove Avenue/State Street-Airport Drive (a.m. and p.m. peak hour); and
- Grove Avenue/Mission Boulevard (a.m. and p.m. peak hour).



Note: Volumes have been rounded to the nearest 10 trips

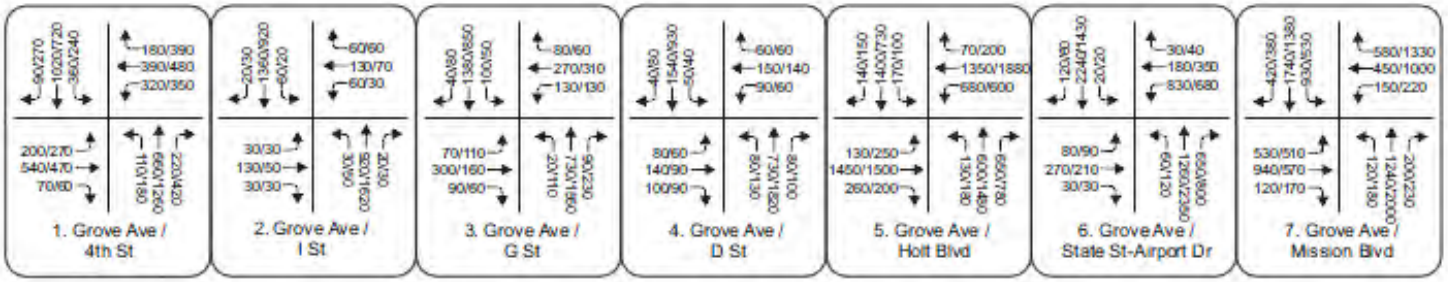
Legend

XXX/YYY AM/PM Volumes

Study Intersection

Figure 2.2.10-4. Opening Year 2025 No-Build AM/PM Peak-Hour Intersection Volumes

569



Note: Volumes have been rounded to the nearest 10 trips

Legend

XXX/YYY AM/PM Volumes

Study Intersection

Figure 2.2.10-5. Design Year 2045 No-Build AM/PM Peak-Hour Intersection Volumes

Direct effects of the No Build Alternative would include continued increases of vehicle miles traveled (VMT), deterioration of LOS, and congestion of freeway and local interchange operations. Indirect and cumulative effects of the No Build Alternative are projected to increase effects on the communities related to increased commute times and traffic diversion through adjacent neighborhoods as drivers seek alternate routes. Additionally, the No Build Alternative would increase the amount of time the users/ travelers have to endure construction-related effects associated with addressing the corridor needs through many smaller projects completed over an extended period of time.

Build Alternative (Proposed Project)

The Build Alternative includes widening Grove Avenue from four lanes to six lanes between 4th Street and State Street/Airport Drive in accordance with the City of Ontario Master Plan. The proposed widening would not conflict with congestion management plans or applicable transportation-related plans, policies, or programs. The roadway improvements would be designed to meet all applicable roadway design standards.

South of 4th Street, Grove Avenue would be widened to the west to avoid impacts to the historic Jay Littleton Ballpark. Between I Street and Holt Boulevard, Grove Avenue would be widened to the east, and between Holt Boulevard and State Street/ Airport Drive, Grove Avenue would be widened on both sides.

In addition, Holt Boulevard would be widened at the Grove Avenue intersection from two through lanes, two through-right lanes, and one left–turn lane to four through lanes, two through-right lanes, and two left–turn lanes. Figure 2.2.10-6 shows the future lane configurations at the study intersections with implementation of the proposed widening along Grove Avenue and the additional project improvements described.

Figures 2.2.10-7 and 2.2.10-8 show forecasted intersection traffic volumes under the Build Alternative in opening year (2025) and design year (2045), respectively.

As shown in Table 2.2.10-4, under the Build Alternative the Grove Avenue/Mission Boulevard intersection, which is located outside of the project limits, is forecasted to operate at unsatisfactory LOS in opening year 2025 build conditions in the p.m. peak hour. By 2045, the intersection would operate at unsatisfactory LOS levels for both the a.m. and p.m. peak periods.

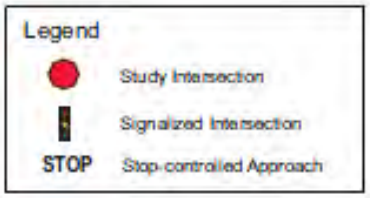
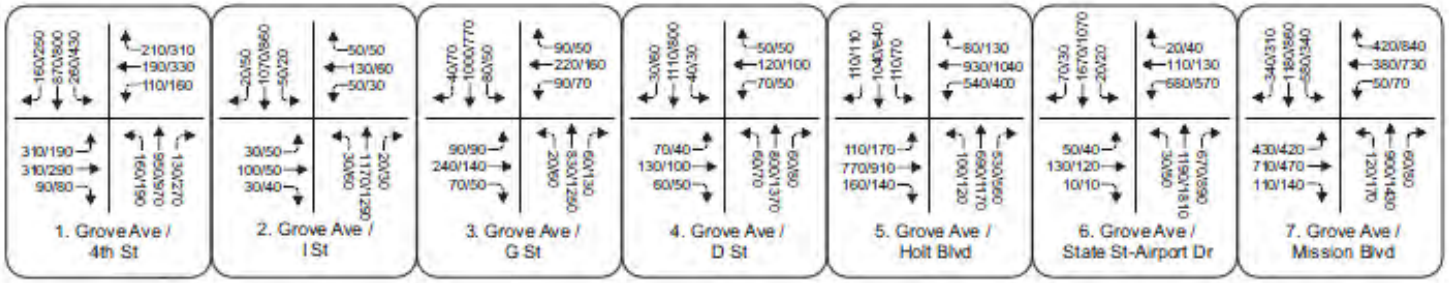


Figure 2.2.10-6. Build Alternative Intersection Lane Configurations



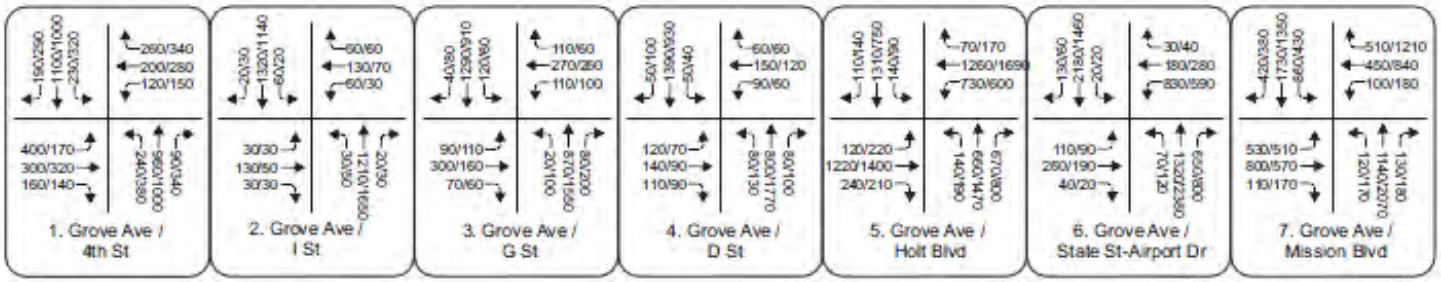
Note: Volumes have been rounded to the nearest 10 trips

Legend

XXX/YYY AM/PM Volumes

Study Intersection

Figure 2.2.10-7. Opening Year 2025 Build Alternative AM/PM Peak-Hour Intersection Volumes



Note: Volumes have been rounded to the nearest 10 trips

Legend

XXX/YYY AM/PM Volumes

Study Intersection

Figure 2.2.10-8. Design Year 2025 Build Alternative AM/PM Peak-Hour Intersection Volumes

Table 2.2.10-4. 2025 and 2045 Build Alternative Peak-Hour Intersection LOS Summary

Intersection	AM Peak Hour				PM Peak Hour			
	2025		2045		2013		2025	
	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS
1) Grove Avenue/4th Street	39.0	D	49.4	D	46.4	D	47.8	D
2) Grove Avenue/I Street	6.4	A	5.9	A	5.4	A	5.0	A
3) Grove Avenue/G Street	8.8	A	11.5	B	8.4	A	10.9	B
4) Grove Avenue/D Street	8.3	A	7.6	A	5.9	A	6.9	A
5) Grove Avenue/ Holt Boulevard	38.7	D	61.3	E	37.9	D	59.5	E
6) Grove Avenue/State Street	27.0	C	39.2	D	30.4	C	71.8	E
7) Grove Avenue/Mission Boulevard	52.3	D	**95.5**	**F**	**101.5**	**F**	**233.7**	**F**
Note: sec = seconds; **BOLD** indicates unsatisfactory								

Source: Traffic Operations Analysis, 2015

While the Grove Avenue/Holt Boulevard, Grove Avenue/State Street-Airport Drive, and Grove Avenue/Mission Boulevard intersections are forecast to continue to operate at LOS E or F in horizon year 2045 build conditions, the average delays are forecast to significantly improve with implementation of the Build Alternative compared to the No Build Alternative.

Because no arterial roadways would be permanently closed, there are no permanent impacts to access or circulation, and no indirect impacts are anticipated with implementation of the Build Alternative.

Nonmotorized and Pedestrian Features

Grove Avenue is designated as a Bicycle Corridor by the City of Ontario Multipurpose Trails and Bikeway Corridor Plan. The project would include a new Class III bikeway along Grove Avenue in conformance with SBCTA's Non-Motorized Transportation Plan 2014. The Build Alternative would be designed to retain and improve the existing pedestrian sidewalk on the west side of Grove Avenue between I Street and G Street. The Build Alternative would improve pedestrian connectivity by constructing a new sidewalk that seamlessly connects with an existing walkway in Grove Memorial Park. Additionally, pedestrian sidewalks along the project area would include a landscaped median between traffic and pedestrians to enhance safety. There would also be a design element that provides a pedestrian connection across the West Cucamonga Channel to an existing trail leading to James Galanis Park. All pedestrian sidewalk changes would be ADA-compliant. As such, no adverse effects with respect to nonmotorized and pedestrian features would occur as a result of implementation of the Build Alternative.

Temporary Impacts

No Build Alternative

There are no improvements proposed under the No Build Alternative; therefore, there would be no temporary impacts.

Build Alternative (Proposed Project)

Temporary impacts to circulation and access would result from construction activities. Street closures and detours would temporarily delay goods movements, affect business parking, and impede access to businesses. To the extent feasible, this work would occur during non-peak commute hours, at night, or on weekends.

As discussed in previous sections, a TMP would be implemented to minimize temporary construction impacts to circulation. Closure of streets that are in proximity to one another would not coincide so there would be convenient nearby alternate routes available for automobiles and pedestrians.

TMP strategies would accommodate major traffic movements during construction and minimize construction impacts by maintaining pedestrian, bicycle, business, and residential access to the extent practicable; minimizing parking impacts; and avoiding disruptions to existing transit service operating in the project vicinity, including OmniTrans Bus Route 63, which runs along 4th Street and 6th Street and Ontario-Montclair School District bus routes. Coordination with local jurisdictions and emergency service providers would be made during the final design to identify emergency service routes that serve hospitals, fire/police stations, emergency shelters, emergency command centers, and other facilities that provide essential emergency services within the study area. Emergency service routes would be maintained during construction or alternate routes would be provided.

The Grove Avenue Corridor Project was originally intended to be analyzed at the same time as the I-10/Grove Avenue Interchange Project. These two projects are now on separate design and environmental clearance schedules. Coordination with the design and construction team for the I-10/Grove Avenue Interchange Project would need to occur to ensure the Grove Avenue Corridor Project and the I-10/Grove Avenue Interchange Project are designed compatibly.

2.2.10.4 Avoidance, Minimization, and/or Mitigation Measures

The following minimization measures were identified for impacts to traffic and transportation as a result of the proposed project:

T-1: Final TMP – A TMP (July 2015) was prepared during development of the preliminary engineering for the project. During final design, a Final TMP will be prepared. At a minimum, the Final TMP will include the detailing of any projected temporary street closures or expected traffic delays due to project construction activities. The Final TMP will include a public awareness program that will use an appropriate combination of the HAR, local media, newsletters, and/or flyers. The following elements will be major components of the Final TMP: Public Awareness Campaign, particularly related to the scheduling of work; COZEEP; Utilization of portable CMSs; and notification to be sent to local cities and emergency responders, if applicable.

T-2: During project construction, the Project Engineer will ensure that the measures in the Final TMP are properly implemented by the contractor.

T-3: During final design and construction, the Project Engineer will work with affected property owners to identify means to avoid and minimize parking impacts, including space management, such as restriping of parking areas and identifying parking replacement options.

T-4: All pedestrian facilities will be designed to meet or exceed requirements of the ADA and current safety standards. Access to pedestrians and bicyclists shall be maintained to the extent practicable during the construction period.

T-5: Prior to and during construction, the Project Engineer will coordinate with Omnitrans, the Ontario-Montclair School District, and other affected transit providers to request and comply with applicable procedures for any required temporary bus stop relocations or other disruptions to transit service during construction, if necessary.

T-6: During final design and prior to and during construction, the Project Engineer will coordinate with the design and construction team for the I-10/Grove Avenue Interchange Project to ensure the Grove Avenue Corridor Project and the I-10/Grove Avenue Interchange Project are designed compatibly.

2.2.11 Visual/Aesthetics

2.2.11.1 Regulatory Setting

NEPA, as amended, establishes that the federal government use all practicable means to ensure all Americans safe, healthful, productive, and *aesthetically* and culturally pleasing surroundings (42 U.S.C. 4331[b][2]). To further emphasize this point, FHWA, in its implementation of NEPA (23 U.S.C. 109[h]), directs that final decisions on projects are to be made in the best overall public interest taking into account adverse environmental impacts, including among others, the destruction or disruption of aesthetic values.

CEQA establishes that it is the policy of the state to take all action necessary to provide the people of the state "with…enjoyment of *aesthetic,* natural, scenic, and historic environmental qualities" (CA PRC Section 21001[b]).

California Streets and Highways Code Section 92.3 directs Caltrans to use drought-resistant landscaping and recycled water, when feasible, and incorporate native wildflowers and native and climate-appropriate vegetation into the planting design, when appropriate.

In addition to federal and State environmental regulations, local agencies may also have requirements or recommendations regarding developments within their boundaries. The project corridor falls within jurisdiction of the City of Ontario, which has established guidelines and requirements for development within the community through its Municipal Code and the City of Ontario Development Code. The following codes reinforce the need for landscaping and other aesthetic treatments to roadways within the city and do not discuss the interface between City roads and Interstate 10 (I-10):

- Design Quality:
  - Rich blend of architectural styles, including the historic downtown, residential neighborhoods, equestrian properties, commercial centers, and industrial and office complexes.
  - Encourage durable landscaping materials and design that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.
  - Encourage the inclusion of amenities, signage, and landscaping at the entry to neighborhoods, commercial centers, mixed-use areas, industrial developments, and public spaces that reinforce them as uniquely identifiable places.

- Pedestrian and Transit Environments
  - Require that pedestrian, vehicular, bicycle, and equestrian circulation on both public and private property is coordinated and designed to maximize safety, comfort, and aesthetics.
  - Utilize landscaping to enhance the aesthetics, functionality, and sustainability of streetscapes, outdoor spaces, and buildings.

- City Identity
  - For many, the primary image of Ontario is shaped by what is seen from these transportation systems. Enhancing these transportation corridors to provide aesthetically pleasing visual experiences will make people want to experience more of what Ontario has to offer.

2.2.11.2 Affected Environment

This section describes the aesthetic and visual resource conditions within the project limits and discusses potential aesthetic impacts that could result from implementation of the proposed project Build Alternative. A program of minimization measures is also identified. Information in this section is based on the *Visual Impact Assessment* completed for this project (November 2016).

The visual impacts of the proposed project were determined by assessing the existing visual resources, the visual resource change due to the project, and predicting viewer response to that change. The degree of visual quality in a view was evaluated using the following FHWA descriptive terms:

- *Vividness:* Vividness is the visual power or memorability of landscape components as they combine in striking and distinctive visual patterns (e.g., Niagara Falls is a highly vivid landscape component).
- *Intactness:* Intactness is the visual integrity of the natural and human-built landscape and its freedom from encroaching elements. This factor can be present in well-kept urban and rural landscapes and natural settings (e.g., a two-lane road that meanders through the countryside).
- *Unity:* Unity is the visual coherence and compositional harmony of the landscape considered as a whole; it frequently attests to the careful design of individual components in the landscape (e.g., an English or Japanese garden).

The degree of visual character in a view was evaluated using the following FHWA descriptive terms:

- *Scale:* Visual scale is the apparent size relationship between landscape components or features and their surroundings.
- *Diversity:* Diversity is the number of pattern elements, as well as the variety among them and edge relationships between them.
- *Continuity:* Continuity is the uninterrupted flow pattern elements and the maintenance of visual relationships between immediately connected or related landscape components or features.
- *Dominance:* Dominance is components or specific features in a scene that may be dominant because of prominent positioning, contrast, extent, or importance of pattern elements.

For projects that do not create a significant impact on existing visual character or quality, a more nuanced approach categorizes impact levels as low, moderately low, moderate, moderately high, and high based on the following descriptions:

- *Low (L):* Low negative change to existing visual resources and low viewer response to change. May or may not require mitigation.
- *Moderately Low (ML):* Low negative change to the visual resource with a moderate viewer response or moderate negative change to the resource with a low viewer response. Impact can be mitigated using conventional methods.
- *Moderate (M):* Moderate negative change to the visual resource with moderate viewer response. Impact can be mitigated within 5 years using conventional practices.
- *Moderately High (MH):* Moderate negative change in the visual resource with high viewer response or high negative change with a moderate viewer response. Extraordinary mitigation practices may be required. Landscape treatment required will generally take longer than 5 years to mitigate.
- *High (H):* High level of negative change in character or a high level of viewer response to the change such that extraordinary architectural design and landscape treatments may not mitigate impacts below a high level. An alternative project design may be required to avoid high negative impacts.

Visual Environment

The project is located within Ontario. Grove Avenue is currently a four-lane road that traverses through commercial, park, and residential land. Buildings adjacent to the existing roadway are one- to two-story buildings. The regional landscape of the project corridor is characterized by two identifying elements: the flat appearance of the foreground landscape and the steep San Bernardino and San Gabriel mountains, which

form a dramatic backdrop. One additional element to be considered in the regional landscape is the haze that frequently develops in the area, obscuring the views of the mountains and influencing the overall appearance of the regional landscape.

Project Viewshed

A viewshed is the area normally visible from an observer's viewpoint of location and is limited by the screening/obstruction effects of any vegetation or structures. A viewshed can include views from within the project outward or from outside of the area into the project corridor. While viewpoints represent specific locations within the project area, a viewshed describes what is seen from that viewpoint, including the limits of what can be seen. When these individual points are strung together, the viewsheds create an overall project viewshed that can be used to describe the project area. The viewshed includes the locations of viewers within the project area that are likely to be affected by visual changes brought about by the project features.

For the Grove Avenue Corridor Project, the presence of the existing roadway in the corridor establishes much of the existing visual quality present in the corridor. The other element that contributes a large component to the visual character in the north end of the project is John Galvin Park and the plantings associated with it. The middle reach of the project has a moderate visual character, with the residences and their associated landscaping adding to the character, while the existing concrete drainage ditch and overhead wires detract. The southern reach of the project is typified by undeveloped land. The visual character is moderately low given the open and weedy appearance of the adjacent fields.

Landscape Unit

Landscape units are defined as that portion of the regional landscape that can be thought of as containing a distinct visual character. A landscape unit will often correspond to a place or district that is commonly known among the community.

In accordance with the criteria described above, the Grove Avenue Corridor Project only contains one landscape unit: the area in and around John Galvin Park. The visual character of the rest of the corridor is largely established by the existing roadway. Typical views for the John Galvin Park landscape unit are shown in Figure 2.2.11-1.

Existing Visual Character: Within the John Galvin Park landscape unit, the roadway traverses through the park, giving viewers a direct line of sight to the plantings associated with the park.

Figure 2.2.11-1. Typical Viewpoints within the Project Corridor

Existing Visual Quality: The park nature of the view gives the existing parkway a moderately high visual quality, with moderately high vividness, intactness, and unity.

Key Viewpoints

The FHWA analysis methodology recommends selecting key viewpoints that represent the potential visual effects of the project and the viewers' experience. A key viewpoint is representative, typical, characteristic, and has a clear perception of project elements to the primary viewer group. Neighbors (people with views to the road) and roadway users (people with views from the road) are the two broadly defined user groups that could be most affected by the project. Key viewpoints also need to represent the landscape units and include all of the project elements. Viewpoints #2 and #4 were not chosen to be evaluated further because the visual quality of the existing corridor is not anticipated to be substantially altered from the existing by the proposed project. The largest effect on the existing corridor would be the removal of existing mature trees within the parkway strip, assessed in Viewpoints #1 and #3 for the John Galvin Park Landscape Unit. Descriptions of the key viewpoints are provided below.

- **Viewpoint #1, John Galvin Park Landscape Unit:** This view was taken looking north from the center northbound lanes of Grove Avenue within the area of John Galvin Park. The view was selected as key because it demonstrates the proposed roadway changes and views to the widened corridor within the park area.
- **Viewpoint #3, John Galvin Park Landscape Unit:** This view was taken from the north end of the pocket park at Grove Avenue and East G Street. This view was selected as a key viewpoint because it shows the widening associated with the project as it crosses the area of the park.

2.2.11.3 Environmental Consequences

An evaluation of potential visual impacts associated with each alternative is presented below.

Permanent Impacts

No Build Alternative

The No Build Alternative would maintain the existing roadway; therefore, it would not alter existing views. Existing visual/aesthetic resources would not be permanently affected by the No Build Alternative.

Build Alternative (Proposed Project)

The anticipated visual impact of the Build Alternative is expected to be low. The presence of the existing roadway in the corridor establishes much of the existing visual quality present in the corridor. The new, widened corridor is not anticipated to create

any new sources of glare. The existing roadway is already lit, and lighting would be incorporated into the new configuration at a similar lighting level as the existing roadway.

The other element that contributes a large component to the visual character of the project area is the John Galvin Park Landscape Unit and its associated plantings. It is anticipated that removal of trees within the existing parkway strips is likely to be the area of most concern for residents living near the proposed project. Replanting would follow the guidance in Section 92.3 of the Streets and Highways Code as it relates to the use of native and climate-appropriate vegetation and recycled water for irrigation when practicable. The removals could, in the short term, increase light trespass from streetlights along the widened road into adjacent neighborhoods. It is anticipated that this effect would be reduced over time as the newly planted trees in the new parkway strips grow; however, it would be many years before the new trees reach the stature to achieve the previously existing character along Grove Avenue. While there are no designated scenic vistas or scenic resources along the corridor, the proposed roadway modifications should allow a more direct line of sight to the mountains, given its wider cross section.

Key Viewpoints – Build Alternative

Viewpoints identified as key for identifying the changes to the visual environment anticipated with the Build Alternative are Viewpoints #1 and #3. These are evaluated below.

The post-construction simulations shown for the key viewpoints on the following pages include application of BMPs and avoidance and minimization measures described in Section 2.2.11.4 for each particular view. Aesthetic treatments shown in the simulations, such as specific plant types, are representative only. Actual types of treatments and landscaping would be based on community and City input during the design phase of the work. The location of each key viewpoint is denoted with a star in Figure 2.2.11-1.

Viewpoint #1 Analysis

Orientation: Figure 2.2.11-2 shows the location of Viewpoint #1. Figure 2.2.11-3 shows a photosimulation for Viewpoint #1 and depicts the pre- and post-construction views. The photograph is taken looking north from the center northbound lanes of Grove Avenue within the area of John Galvin Park.

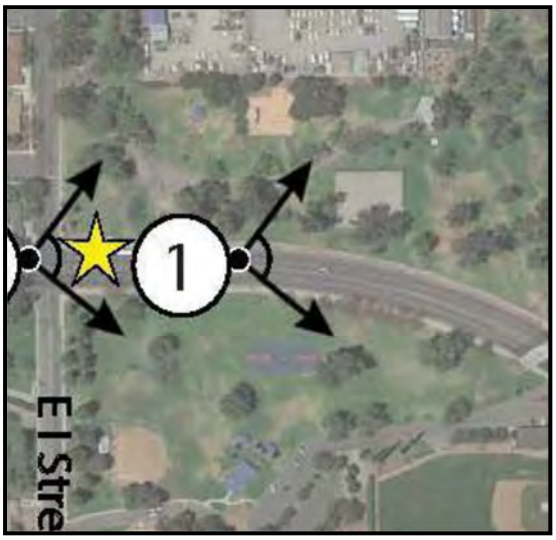


Figure 2.2.11-2. Location of Key Viewpoint #1

Existing Visual Character/Quality: The view shows Grove Avenue as it currently appears in the area of John Galvin Park. The park nature of the view gives it a moderately high visual quality, with moderately high vividness, intactness, and unity.

Proposed Project Features: The proposed project features in this view include an additional lane constructed in each direction, plus a landscaped median. Some of the existing trees in the background of this view (those closest to the road, past the bend) would be removed by construction of the new roadway; however, a new parkway strip would be constructed, and new street trees would be included in this strip. It is also anticipated that the new center median would be planted.

Changes to Visual Character: From the vantage of the roadway traveler, the anticipated changes are anticipated to be minor and mostly associated with the extra lanes and new median in the road, which are elements that are not currently part of the view. The replacement plantings in the parkway strip along the roadway would eventually create a similar visual character to the existing (as the trees grow and mature), and the planted median would help relieve the additional roadway paving associated with the new lanes.

Anticipated Viewer Response: Given the City's requirements for aesthetics and comfort that are described by the local regulatory environment, as described in the *Visual Impact Assessment*, it is anticipated that the viewers would be sensitive to changes to their visual environment. Due to this regulatory requirement, the potential impact has been categorized as moderately high.

Resulting Visual Impact: The overall anticipated impact of the project on the view is expected to be less than substantial. Overall, the effect is anticipated to be a moderately low change to the visual environment given the inclusion of minimization measures discussed in Section 2.2.11.4.

Figure 2.2.11-3. Viewpoint #1, Looking North along Grove Avenue near East I Street

Minimization measures depicted in the simulation include replacement plantings. Aesthetic and landscape treatments are representative only. Actual aesthetics and landscaping would be designed in collaboration with City staff during the design phase.

Viewpoint #3 Analysis

Orientation: Figure 2.2.11-4 shows the location of Viewpoint #3. Figure 2.2.11-5 shows a photosimulation for Viewpoint #3 and depicts the pre- and post-construction views. The photograph is taken from the north end of the pocket park at Grove Avenue and East G Street.

Figure 2.2.11-4. Location of Key Viewpoint #3

Existing Visual Character/Quality: The view shows Grove Avenue as it exits the area of John Galvin Park. The cars coming towards the photographer are the southbound vehicles on Grove Avenue. The park nature of the view gives it a moderately high visual quality, with moderately high vividness, intactness, and unity.

Proposed Project Features: The proposed project features in this view are an additional lane constructed in each direction, plus a landscaped median. The existing row of trees along the back wall/fence of the neighbors (left side of the image, mid-ground) would be removed by construction of the sidewalk; however, a new parkway strip would be constructed, and new street trees would be included in this strip. It is also anticipated that the new center median would be planted.

Changes to Visual Character: From the vantage of the existing pocket park, the anticipated changes are anticipated to be minor and mostly associated with the new sidewalk. The replacement plantings in the parkway strip behind the existing fence line would, over time, create a similar visual character to the existing, and the planted median would help relieve the additional roadway paving associated with the new lanes.

Anticipated Viewer Response: Given the City's requirements for aesthetics and comfort that are described by the local regulatory environment, as described in the *Visual Impact Assessment*, it is anticipated that the viewers would be sensitive to changes to their visual environment. Due to this regulatory environment, the anticipated viewer response is categorized as moderately high sensitivity.

Figure 2.2.11-5. Viewpoint #3, Looking North along Grove Avenue at the Existing Pocket Park

Minimization measures depicted in the simulation include replacement plantings. Aesthetic and landscape treatments are representative only. Actual aesthetics and landscaping would be designed in collaboration with City staff during the design phase.

Resulting Visual Impact: The overall anticipated impact of the project on the view is expected to be less than substantial. The visual character (scale, diversity, continuity, and dominance) of the corridor is expected to have a low degree of change, with a 4.88 percent change in rating post-project. The change is primarily related to the increased presence of the roadway, due to its wider cross section, in the view. The visual quality (vividness, intactness, and unity) of the corridor is also expected to have a low degree of change, with a rating change of 2.51 percent post-project. Overall, the effect is anticipated to be a moderately low change to the visual environment.

Table 2.2.11-1 provides a summary of findings from the analysis for each key viewpoint for the anticipated change to the visual resource, the anticipated viewer response to that change, and the overall anticipated visual impact for the Build Alternative.

Table 2.2.11-1. Summary of Anticipated Visual Impacts of Build Alternative by Key Viewpoint

Key Viewpoint	Anticipated Change to Visual Resource	Anticipated Viewer Response	Anticipated Visual Impact
Key Viewpoint #1	Low	Moderately High	Moderately Low
Key Viewpoint #3	Low	Moderately High	Moderately Low

Overall, the new widened roadway is not anticipated to change the overall visual character or quality of the corridor. While the widened pavement section would detract from existing views, the addition of planted medians, preserving as much of the existing trees in the corridor as feasible, and the addition of new street tree plantings would have the overall effect of maintaining the existing character and quality. The undergrounding of power lines in the southern stretch of the corridor would also help improve the quality of the views in that portion of the project area.

2.2.11.4 Avoidance, Minimization, and/or Mitigation Measures

To address the potential adverse visual impacts to the project area and to generate public acceptance of the project, the following actions are required. With implementation of these minimization measures, the visual impacts of this project

would be reduced and would not result in a substantial change in overall visual quality for the area.

VA-1: The existing trees, particularly within the park area, provide scale, shade, and visual relief to the extent of roadway paving. Preserving existing trees to the extent feasible will help maintain the existing visual character of the roadway.

VA-2: Where it is not feasible to save the existing trees, new tree and vegetation plantings shall be included in the final design of the roadway. Replacement trees shall be two 24-inch boxed trees for each tree removed by the project. All areas disturbed by the project shall be fitted with new landscaping, including trees, groundcovers, accent plants, and turf grass (in park areas adjacent to existing remaining turf).

VA-3: To support the replacement of plantings, the project shall include a permanent irrigation system to all new plantings. Materials used for irrigation shall be as per City of Ontario standards.

VA-4: Decorative paving shall be employed for medians, islands, and parkway strips that are too narrow to plant. Paving color and texture/pattern shall match City of Ontario standards.

2.2.12 Cultural Resources

This section addresses potential impacts to archaeological and architectural resources that are historic properties and are within the defined Area of Potential Effects (APE). The APE includes areas that may be directly or indirectly affected by construction of the project's Build Alternative. An indirect impact occurs when the project would cause a change in character or use of the historic property but would not directly encroach or physically alter the property.

2.2.12.1 Regulatory Setting

The term "cultural resources," as used in this document, refers to the "built environment" (e.g., structures, bridges, railroads, water conveyance systems), places of traditional or cultural importance, and archaeological sites (both prehistoric and historic), regardless of significance. Under federal and state laws, cultural resources that meet certain criteria of significance are referred to by various terms including "historic properties," "historic sites," "historical resources," and "tribal cultural resources." Laws and regulations dealing with cultural resources include:

The National Historic Preservation Act (NHPA) of 1966, as amended, sets forth national policy and procedures for historic properties, defined as districts, sites, buildings, structures, and objects included in or eligible for listing in the National Register of Historic Places (NRHP). Section 106 of the NHPA requires federal agencies to take into account the effects of their undertakings on historic properties and to allow the Advisory Council on Historic Preservation (ACHP) the opportunity to comment on those undertakings, following regulations issued by the ACHP (36 CFR 800). On January 1, 2014, the First Amended Section 106 Programmatic Agreement (PA) among FHWA, the ACHP, the California State Historic Preservation Officer (SHPO), and Caltrans went into effect for Caltrans projects, both state and local, with FHWA involvement. The PA implements the ACHP's regulations, 36 CFR 800, streamlining the Section 106 process and delegating certain responsibilities to Caltrans. The FHWA's responsibilities under the PA have been assigned to Caltrans as part of the Surface Transportation Project Delivery Program (23 U.S.C. 327).

CEQA requires the consideration of cultural resources that are historical resources and tribal cultural resources, as well as "unique" archaeological resources. California PRC Section 5024.1 established the California Register of Historical Resources (CRHR) and outlined the necessary criteria for a cultural resource to be considered eligible for listing in the CRHR and, therefore, a historical resource. Historical resources are defined in PRC Section 5020.1(j). In 2014, AB 52 added the term "tribal cultural resources" to CEQA, and AB 52 is commonly referenced instead of CEQA when discussing the

process to identify tribal cultural resources (as well as identifying measures to avoid, preserve, or mitigate effects to them). Defined in PRC Section 21074(a), a tribal cultural resource is a CRHR or local register eligible site, feature, place, cultural landscape, or object which has a cultural value to a California Native American tribe. Tribal cultural resources must also meet the definition of a historical resource. Unique archaeological resources are referenced in PRC Section 21083.2.

PRC Section 5024 requires state agencies to identify and protect state-owned historical resources that meet the NRHP listing criteria. It further requires Caltrans to inventory State-owned structures in its ROWs. Sections 5024(f) and 5024.5 require State agencies to provide notice to and consult with the SHPO before altering, transferring, relocating, or demolishing State-owned historical resources that are listed on or are eligible for inclusion in the NRHP or are registered or eligible for registration as California Historical Landmarks. Procedures for compliance with PRC Section 5024 are outlined in a Memorandum of Understanding (MOU) between Caltrans and SHPO, effective January 1, 2015. For most federal-aid projects on the State Highway System, compliance with the Section 106 PA will satisfy the requirements of PRC Section 5024.

2.2.12.2 Affected Environment

Cultural resource studies completed for this project are the *Historic Property Survey Report* (HPSR) (March 2017), and an *Archaeological Survey Report* (ASR) (March 2017), and *Historical Resources Evaluation Report* (HRER) (March 2017). Although the cultural resource reports completed for this project specifically address evaluation significance with regard to the federal NHPA and evaluation significance under NEPA, the information and analyses are consistent with the accepted approaches to support this analysis of evaluation significance under CEQA because of the similarity in the established criteria.

The purpose of the HRER and ASR is to identify and evaluate buildings, structures, and sites along the project alignments that may qualify for listing in the NRHP and the CRHR. Both reports were prepared using the established framework for resource identification and treatment outlined in the First Amended Section 106 PA (2014), as appropriate. Potential historic properties were identified and evaluated for inclusion in the NRHP as required by 36 CFR Part 800 and the regulations implementing Section 106 of the NHPA. This assessment also conforms to CEQA requirements and evaluates potential historical resources for inclusion in the CRHR in accordance with Section 15064.5(a) (2)–(3) of the CEQA Guidelines using the criteria outlined in Section 5024.1 of the PRC.

Methodology and Results

The project APE includes all areas where potential direct and indirect impacts to cultural resources could occur as a result of project construction, operation, and maintenance. The same APE is used for archaeological and architectural history study areas. Consistent with general cultural resource practices, the APE for potential impacts was established as the project footprint, which includes all areas of permanent and temporary impacts. Properties that may be affected have been included within the APE, as well as existing and proposed ROW, TCEs, staging areas, and areas where there are potential visual/setting impacts. Potential indirect impacts are generally established as the legal parcel adjacent to where potential impacts would occur. If any part of a parcel would be temporarily or permanently impacted, then the whole parcel was included in the APE footprint. In terms of the vertical APE, construction of the additional street lanes would generally be confined to previously disturbed sediments that resulted from the original construction and maintenance of Grove Avenue and the existing commercial, residential, and other infrastructure developments. The exceptions may include areas associated with the proposed widening and reconstruction or construction of some of the bridge overcrossings, which have potential for undisturbed native sediments.

The minimum age threshold for the NRHP and CRHR eligibility consideration is established as 50 years. A resource less than 50 years old may be considered for listing in the registers if it can be demonstrated that sufficient time has passed to understand its historical importance. The baseline age for studying cultural resources within the project's APE was established as 1967, or the year that properties will achieve 50 years of age in 2017, which is the anticipated year of environmental clearance for the project. This is to account for lead time between preparation of Section 106 compliance documentation and the conclusion of environmental analysis and is consistent with general cultural resources practices.

The ASR and HRER evaluated the eligibility of properties and sites within the APE using the NRHP criteria:

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and

A. That are associated with events that have made a significant contribution to the broad patterns of our history; or

B. That are associated with the lives of significant persons in our past; or

C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

D. That have yielded or may be likely to yield, information important in history or prehistory.

Within this Environmental Impact Report (EIR)/Environmental Assessment (EA), CRHR eligibility criteria and City-designated historic properties are considered in addition to the NRHP criteria listed above. The CRHR criteria are similar to the NRHP. The four criteria for the CRHR are:

1. It is associated with events or patterns of 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; or
2. It is associated with the lives of persons important to local, California, or national history; or
3. It 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; or
4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

Any property located in California that is listed in or eligible for the NRHP is automatically eligible for the CRHR. The CRHR criteria are tied to CEQA and any resource that meets the criteria listed above is considered a historical resource under CEQA.

The following standard sources of information were consulted in the process of compiling this report:

- NRHP Web site (http://www.cr.nps.gov/nr), through August 2015
- California Historical Landmarks
- California Points of Historical Interest

- City of Ontario List of Designated Historic Landmarks and Historic Districts
- City of Ontario Public Library
- San Bernardino County Historical Archives

In addition, archival research helped determine the location of previously documented cultural resources proximate to the project and helped establish a context for significance. In March 2015, a literature and records search was conducted at the San Bernardino Archaeological Information Center (SBAIC). The records search covered a 1-mile radius around the APE boundary. National, State, and local inventories of cultural resources were examined to identify local historical events and personages, development patterns, and interpretations of architectural styles.

Results of the literature and records search and subsequent research indicate that there are two previously recorded sites located within the project's APE. A total of 17 cultural resources have been previously documented to be outside the APE but within the 1-mile search radius. These include four sites within a 0.25-mile radius of the APE, five sites within a 0.5-mile radius of the APE, and eight sites documented between a 0.5- to 1-mile radius of the APE. All of the previously recorded sites are of the historic built environment type; no archaeological resources were identified.

Of the two sites located within the APE, one is the UPRR, which crosses Grove Avenue 0.1 mile south of Holt Boulevard in Ontario; however, it is located above the vertical extent of improvements associated with this project and is thus above and outside of the APE established for this project. No impacts would occur to the railroad or its operations.

John Galvin Park is located between 4th Street and I Street, with Grove Avenue bisecting the park into east and west halves. John Galvin Park is listed on the Historical Resources Inventory with a status code of 7N, indicating that it needed to be re-evaluated, which was done in conjunction with this project. John Galvin Park appears to be ineligible for listing in the NRHP.

However, Jay Littleton Ballpark, which is located within John Galvin Park, appears eligible for listing in the NRHP and CRHR, even though John Galvin Park does not appear eligible for listing in the NRHP or CRHR. The ballpark was evaluated as a result of the cultural reports prepared for this project and was found eligible under Criteria A and C at the local level of significance, with the period 1937–1960 as the span of significance.

To identify archaeological resources, an intensive-level pedestrian survey of the APE was completed on May 26, 2015. The survey consisted of walking parallel transects, spaced at 10-meter intervals, in nonhardscaped areas within the APE while closely inspecting the ground surface. Existing disturbances (e.g., rodent burrows, ditches) were examined for artifacts or buried cultural deposits. Most of the APE consisted of hardscaped, paved roads, curbs, sidewalks, and portions of the channelized Cucamonga Creek. Hardscaped areas were not surveyed because there was no ground visibility.

As a result of this survey and the project plans, no known archaeological resources are anticipated to be negatively impacted by this project.

Eight of the 85 parcels located within the APE contained buildings, groups of buildings, or structures that were constructed in or before 1967 and possess sufficient integrity to warrant evaluation in this study, as defined by the PA. These include seven historic architectural properties. Seven of these eight properties that were evaluated in the HRER were found to be ineligible for the NRHP:

- 1111 E. Holt Boulevard, Ontario, CA
- 1101 E. Holt Boulevard, Ontario, CA
- 1175 E. Holt Boulevard, Ontario, CA
- 1179 E. Holt Boulevard, Ontario, CA
- 1300 E. Holt Boulevard, Ontario, CA
- 1329 E. Holt Boulevard, Ontario, CA
- John Galvin Park, Ontario, CA

The oldest building in the APE was constructed in 1920; however, most of the buildings are houses constructed in the 1950s and 60s as part of larger post-World War II housing tracts. Some of these residences have been converted to other uses or have been in-filled with commercial buildings, and they were excluded from a formal evaluation due to substantial compromises in integrity as is allowed under the Caltrans Section 106 PA Attachment 4 as Property Type 7. Numerous post-war residential tracts are located throughout the APE; however, research does not indicate these tracts are associated with either historically significant events at the local or regional level or associated with persons known to have made contributions to local history. In addition, many of the residences no longer retain sufficient integrity due to numerous alterations to character-defining features. In sum, many of the neighborhoods fronting Grove Avenue contain a diverse mixture of old and new residential and commercial buildings, and they no longer represent intact neighborhoods or integral districts within the APE.

SHPO concurred with the exemptions and the evaluations on April 25, 2017. See Appendix G for the SHPO concurrence letter.

Public Participation and Native American Coordination

In accordance with Section 106 of the NHPA, on April 15, 2015, letters were sent to local historical societies/historic preservation groups requesting from them any information they may have regarding any cultural resources that may be of significance within the project APE. Letters were also sent to the Museum of History and Art, Ontario; the Chaffey Communities Cultural Center; and the Cooper Regional Museum on June 5, 2015. Follow-up phone calls to these entities were made on August 17, 2015. No response has been received to date.

A response was received via e-mail from Mr. Richard Delman on behalf of the Ontario Heritage Society on June 9, 2015, indicating the presence of a historic building at 1206 N. Grove Avenue (also 1204 N. Grove Avenue), which is now a local business known as Halgren's Chocolates, as well as indicating that John Galvin Park could potentially be a national or State historic resource. It should be noted that the Jay Littleton Ballpark would not be impacted by the project, and the building located at 1206 N. Grove Avenue was not found to be a historic property using the NRHP criteria because it does not appear to retain integrity of setting, feeling, or association (it is also not located within this project's APE).

A sacred lands records search was requested for this project from the Native American Heritage Commission (NAHC) on March 27, 2015. The NAHC responded on April 22, 2015, that a search of the sacred lands file failed to indicate the presence of Native American cultural resources in the immediate project area. The NAHC requested that four Native American tribes or individuals be contacted for further information regarding the general project vicinity. Caltrans requested an additional two be contacted; however, one of them overlapped with another contact. The results are as follows:

- Gabrieleno/Tongva Band of Mission Indians: The Chairperson of the Gabrieleno/Tongva Band of Mission Indians, San Gabriel, Mr. Anthony Morales, responded by phone. Mr. Morales felt that archaeological monitoring should be conducted in case of subsurface archaeological material.
- Sandonne Goad, Chairperson, Gabrielino/Tongva Nation. Letter sent May 13, 2015; e-mail sent June 5, 2015; and a follow-up phone call made June 12, 2015. On June 12, 2015, Ms. Goad deferred to Mr. Sam Dunlap, who provides all cultural

resource consultation comments for the Gabrielino/Tongva Tribe. See below for Mr. Dunlap's response.

- Gabrielino Band of Mission Indians: Mr. Andrew Salas, Chairperson of the Gabrielino Band of Mission Indians, Covina, did not respond to any of the three attempts to contact him.
- Gabrielino/Tongva Nation Los Angeles: Mr. Sam Dunlap, Cultural Resources Director of the Gabrielino/Tongva Nation Los Angeles, responded by e-mail and recommended implementing Native American monitoring oversight during construction and to be informed of any unanticipated discovery of prehistoric cultural material. Ms. Sandonne Goad of the Gabrielino/Tongva Nation Los Angeles was reached by phone. Ms. Goad deferred to Mr. Dunlap for cultural resources consultation comments concerning the Gabrielino/Tongva Tribe.
- San Manuel Band of Mission Indians: The San Manuel Band of Mission Indians representative Leslie Mouriquand responded by e-mail asking for further information about the project and requested a copy of the cultural records search and the draft ASR. These documents were provided to her. Ms. Mouriquand commented by e-mail on the report the same day to Monica Corpuz, noting that the ethnography section contained no discussion of the Serrano. Cogstone was informed of the request and added the information to the report. Lee Claus, Cultural Resources Department Manager, responded by e-mail to the revised report asking that the tribal territory match the description developed by the tribe, that nearby villages be mentioned, and that mention of the Vanyume be removed.
- Serrano Nation: Ms. Goldie Walker of the Serrano Nation, in a phone conversation, requested to be notified if any cultural resources are observed during construction activities and emphasized she would like to be contacted no matter how small the artifact. She also requested to be contacted immediately if any human remains are encountered.

Due to the limited archaeological sensitivity of the project APE (i.e., no previously identified prehistoric archaeological sites were identified) and because the area is generally disturbed by previous development, archaeological monitoring during construction was determined not to be warranted. In the event of an unanticipated discovery during construction, the Gabrielino/Tongva Tribe will be consulted (Minimization Measures CR-1 and CR-2).

The requested changes provided by the San Manuel Band of Mission Indians were made to the ASR prepared for the project.

2.2.12.3 Environmental Consequences

No Build Alternative

The No Build Alternative would maintain the existing roadway; therefore, it would not alter existing conditions. Existing built environment resources would not be permanently affected by the No Build Alternative.

Build Alternative (Proposed Project)

Archaeological Resources

No NRHP-eligible archaeological resources were identified during the survey for the current project. The literature and records search did not reveal any known archaeological sites within a 1-mile radius, and the NAHC sacred lands file search did not reveal any results. There are not any anticipated project-related effects to any archaeological resources.

If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find.

If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall stop in any area or nearby area suspected to overlie remains, and the County Coroner contacted. Pursuant to CA PRC Section 5097.98, if the remains are thought to be Native American, the coroner will notify the NAHC, which will then notify the Most Likely Descendent (MLD). At this time, the person who discovered the remains will contact Caltrans District 8 Environmental Branch Chief, Andrew Walters (909) 383-2647, so that they may work with the MLD on the respectful treatment and disposition of the remains. Further provisions of PRC 5097.98 are to be followed as applicable.

Built Environment Resources

As a result of the cultural studies completed for this project, the APE contains one historic property that was determined to be eligible for listing in the NRHP (and is thus a CEQA resource as well) and two additional historical resources for the purposes of CEQA only, as defined by CEQA Section 21084.1.

Jay Littleton Ballpark

Jay Littleton Ballpark, located within John Galvin Park, consists of a baseball field, grandstands, press box, clubhouse, and lockers. The ballpark, built in 1937, is still in popular use today and is well maintained and in good condition. The Los Angeles Angels of the old Pacific Coast League (PCL) became the first professional ball club

to use Ontario as their spring training anchor in 1937. Other PCL teams followed their footsteps over the years, including the Hollywood Stars, San Diego Padres, Sacramento Solons, and Hawaiian Islanders. In addition to the PCL, major league baseball teams, including the Chicago Cubs, the Chicago White Sox, and the Pittsburgh Pirates, all played at the Ontario ballpark, coming in from their own spring training camps held elsewhere in southern California. However, by approximately 1960, the Ontario ballpark stopped hosting games for the PCL. Local organizations that used the park mainly in the post-WWII era included the Colt League, American Legion, American Baseball Congress, and Little League. The ballpark appears eligible under Criterion A and C at the local level of significance, with the period 1937–1960 as the span of significance.

On April 25, 2017, the SHPO concurred with Caltrans' determination that the Jay Littleton Ballpark was eligible for the NRHP at the local level under Criteria A and C, with a period of significance from 1937 to 1960.

Although the ballpark is within the APE, the project improvements do not infringe on the physical aspects of any portion of the ballpark. The project as proposed would widen Grove Avenue to the west, which is merely adjacent to the ballpark; therefore, there would be no impact to the sidewalk or area surrounding the ballpark. At a maximum, the following would be performed: pavement maintenance to the roadway (Grove Avenue), grind and overlay of hot mix asphalt, and repavement of the pavement delineation striping. The ballpark has been avoided in the engineering design. Access to the ballpark and its facilities would be maintained at all times throughout construction. Visual, noise, air quality, and vibration impacts during construction would be typical of roadway construction projects. Any minor visual changes associated with the Build Alternative would not be out of character with the existing corridor. The ballpark is currently subject to indirect air quality, vibration, and noise impacts due to its proximity to the existing I-10 mainline and Grove Avenue and due to the ballpark's location in a built-out suburban environment. The incremental increase in noise, vibration, and air quality impacts during construction and once the proposed project is built would not inhibit existing recreational functions in the park that are already subject to noise and air quality proximity impacts. Therefore, the Jay Littleton Ballpark, the only Historic Property in the APE, would not be directly affected by the undertaking, and potential indirect effects would be minimal. Pursuant to Caltrans Section 106 Programmatic Agreement Stipulation IX.A, Caltrans has made a finding of No Historic Properties Affected for the undertaking.

Fountain Winery

The one-story, 4,400-square-foot warehouse building located at 1300 E. Holt Boulevard in Ontario is located in the eastern portion of the parcel. The warehouse is estimated to have been built prior to 1927. The warehouse was known as the Fontaine Winery (alternately known as the Fountain Winery) from 1938 to 1972. No significant historical events could be identified to have occurred at this location. Although the Fountain Winery is one of the businesses associated with the wine industry in Ontario and the region, it was a small operation in comparison to many others in Ontario. Although the warehouse was not found to be eligible for the NRHP in consultation with SHPO (see April 25, 2017, letter), it has been determined eligible for the City's List of Eligible Historical Resources because of its historical associations with the local wine industry and is thus considered a CEQA-only resource (Note: The CEQA determination for this building was made by the City).

Cucamonga Valley Wine Company and Distillery

Estimated to have been built in the late 1920s, this approximately 6,500-square-foot building in the Mission Revival style is located at 1101 E. Holt Boulevard. The building originally served as a warehouse for a poultry rancher named Paul Walter, and then, beginning in 1933, as the Cucamonga Valley Wine Company and Distillery, which it remained until it began serving as a church. Although the building itself has lost some integrity over the years, the building is still easily recognizable in comparison with photos from the 1930s. While the former Cucamonga Winery warehouse located at 1101 E. Holt Boulevard does not appear to be eligible for the NRHP based on SHPO consultation (see April 25, 2017, letter), the building has been added to the City's List of Eligible Historical Resources as recommended by the City's Historic Preservation Commission in 2009, because of its associations with the local wine industry; thus, it is a resource for the purposes of CEQA (Note: The CEQA determination for this building was made by the City).

Based on SHPO consultation conducted in April 2017 (see Appendix G), Caltrans has made a finding of No Historic Properties Affected for the undertaking pursuant to Caltrans Section 106 Programmatic Agreement Stipulation IX.A.

Jay Littleton Ballpark was determined eligible for the NRHP under National Register Criteria A and C, with a period of significance from 1937 to 1955; therefore, it is considered a Section 4(f) resource. No historic archaeological sites were found eligible for listing in the NRHP. The three historic archaeological resources within the project APE were determined to meet Property Type 1 as defined in PA Attachment 4 (Properties Exempt from Evaluation).

Based on design plans for the project, Grove Avenue would be widened to the west to avoid the historic ballpark. Thus, no adverse effects to any cultural resources are anticipated. All historic properties identified along the project corridor are outside of the direct impact footprint and would not be directly affected by the Build Alternative.

However, Jay Littleton Ballpark, which was found eligible for listing in the NRHP, is located in the indirect APE. The Section 4(f) Evaluation for the project indicates that no indirect effects are anticipated at the ballpark and, with no historic properties being affected, there would be no constructive use of historic properties. Therefore, no further analysis of historic and archaeological Section 4(f) resources is required.

Thus, while there are historic properties protected by Section 4(f) of the Department of Transportation Act of 1966 within the project vicinity, the project will not "use" those properties as defined by Section 4(f). Please see Appendix A for resources evaluated relative to the requirements of Section 4(f) for additional details.

2.2.12.4 Avoidance, Minimization, and/or Mitigation Measures

The proposed project is not expected to impact any cultural resources. However, the following minimization measures will be followed in the event of any unanticipated discoveries:

CR-1: If cultural resources are discovered at the job site, all work activities shall stop within a 60-foot radius of the discovery, the discovery area shall be protected, and the Resident Engineer shall be notified. Cultural resources shall not be moved or taken from the job site until Caltrans investigates and determines the significance of the find. Work activities shall not resume within the discovery area until Caltrans provides written notification authorizing work activities to resume.

CR-2 **Human Remains.** If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities will cease in any area or nearby area suspected to overlie remains, and the County Coroner will be contacted. Pursuant to PRC Section 5097.98, if the remains are thought to be Native American, the Coroner will notify the NAHC, who will designate the MLD. At this time, the Caltrans District 8 Environmental Branch Chief, Andrew Walters (909) 383-2647, will be contacted so that they may work with the MLD on the respectful treatment and disposition of the remains. Further provisions of PRC 5097.98 are to be followed as applicable.

2.3 Physical Environment

2.3.1 Hydrology and Floodplains

This section describes the regulatory setting associated with hydrology and floodplains, the affected environment, the environmental consequences on hydrology and floodplains that would result from the project, and the minimization and/or mitigation measures that would reduce any potential impact.

2.3.1.1 Regulatory Setting

EO 11988 (Floodplain Management) directs all federal agencies to refrain from conducting, supporting, or allowing actions in floodplains unless it is the only practicable alternative. FHWA requirements for compliance are outlined in 23 CFR 650 Subpart A.

To comply, the following must be analyzed:

- The practicability of alternatives to any longitudinal encroachments.
- Risks of the action.
- Impacts on natural and beneficial floodplain values.
- Support of incompatible floodplain development.
- Measures to minimize floodplain impacts and to preserve/restore any beneficial floodplain values affected by the project.

The base floodplain is defined as "the area subject to flooding by the flood or tide having a 1 percent chance of being exceeded in any given year." An encroachment is defined as "an action within the limits of the base floodplain."

Floodplains are a natural feature of rivers that may also occur in portions of a watershed on land depressions or wetlands. They are the mostly flat land adjacent to the river and are formed due to the actions of a river. The base floodplain is defined as "the area subject to flooding by the flood or tide having a 1 percent chance of being exceeded in any given year." An encroachment is defined as "an action within the limits of the base floodplain."

In general, a floodplain cannot be altered in any way until it has been shown that alteration will pass the base flood without significant damage to either the floodplain or surrounding areas. No bridge abutment or embankment shall encroach on a regulatory floodway.

The Federal Emergency Management Agency (FEMA) designates Special Flood Hazard Areas according to zones. The base flood elevation (BFE) is the water surface elevation of the 1 percent annual chance of flood. The zones are described as:

Zone A – Corresponds to the 100-year floodplains that are determined in the Flood Insurance Study (FIS) by approximate methods. No BFEs or depths have been determined.

Zone AE – Corresponds to the areas of 100-year floodplains that are determined in the FIS by detailed methods. In most instances, BFEs have been derived from detailed hydraulic analyses and are shown within this zone.

Zone AH – Corresponds to the areas of 100-year shallow flooding with a constant water surface elevation. Flood depths are 1 to 3 feet (usually areas of ponding); BFEs are derived from detailed hydraulic analyses and are shown at selected intervals within this zone.

Zone AO – Corresponds to the areas of 100-year shallow flooding. Flood depths are 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities are also determined.

Zone AR – Depicts areas protected from flood hazards by flood control structures such as levees that are being restored.

Zone X (dotted) – Other flood areas. Areas of 0.2 percent annual chance flood; areas of 1 percent annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1 percent annual chance flood.

Zone X – Areas determined to be outside the 0.2 percent annual chance floodplain.

2.3.1.2 Affected Environment

This section is based on the *Floodplain Evaluation Rep*ort (September 2015) and *Water Quality Technical Report* (June 2016).

The primary drainage that conveys stormwater in the project corridor is the West Cucamonga Channel. The West Cucamonga Channel traverses south through the project corridor before terminating at the Ely Percolation Basins, just north of SR-60. Flow from Ely Basin is conveyed to Cucamonga Creek. Cucamonga Creek is a concrete-lined channel that serves as the major drainage course within Ontario. It flows

south through the approximate center of the city, converges with Lower Deer Creek Channel at Chris Basin (a small retention basin), exits the city, and eventually discharges to the Prado Flood Control Basin in Riverside County. Once the water reaches Prado Basin, it is discharged through the outlet of Prado Dam into the Santa Ana River, which ultimately discharges into the Pacific Ocean near the Huntington Beach/Newport Beach city boundary (The Planning Center, 2009).

In accordance with FEMA Flood Insurance Rate Map (FIRM), the project is fully encompassed by the 500-year flood plain (Zone X-shaded; 0.2 percent annual chance flood), and the West Cucamonga Channel resides in Zone A (1 percent annual chance flood). Appendix I contains the FIRM for the site and surrounding area.

2.3.1.3 Environmental Consequences

An evaluation of potential hydrological and floodplain impacts associated with each alternative is presented below.

Permanent Impacts

No Build Alternative

Implementation of the No Build Alternative would not result in any floodplain encroachment.

Build Alternative (Proposed Project)

The proposed Build Alternative improvements include roadway widening, grading, retaining walls, and culverts. There are two locations of floodplain encroachments where two existing culverts (12 feet by 6.5 feet and 12 feet by 8 feet) cross under Grove Avenue and G Street, respectively. At these two locations, the roadway widening would require covering portions of the West Cucamonga Channel, thereby extending the existing culverts.

Although the roadway widening associated with the Build Alternative would geometrically encroach on the West Cucamonga Channel's floodplain at the culvert crossings, it is not anticipated that the proposed work would alter the floodplain. The culvert crossings would only be extended to accommodate the roadway widening by a maximum of approximately 37 feet. Other than the culvert extensions, there would be no modifications to the existing channel, and the 100-year flood event would still be contained in the channel under the proposed conditions.

No natural or beneficial uses for this floodplain have been identified in the Santa Ana Regional Water Quality Control Board's (RWQCB) Basin Plan for the Santa Ana River Basin. As such, West Cucamonga Channel's only use is for drainage conveyance.

Because the proposed work is located on an existing roadway, a new roadway alignment is not a feasible alternative to avoid floodplain encroachment. The only variable to the impacts of the culvert extensions is the degree of encroachment; therefore, during the final design and construction phases, disturbance to the floodplain shall be minimized where possible. The project would not result in a significant encroachment to the 100-year floodplain.

Temporary Impacts

No Build Alternative

The No Build Alternative would not change the existing physical environment; therefore, the No Build Alternative would result in no temporary impacts to hydrology and floodplains.

Build Alternative (Proposed Project)

During construction of the Build Alternative, temporary impacts to hydrology and floodplains are not anticipated with inclusion of the measures described below.

2.3.1.4 Avoidance, Minimization, and/or Mitigation Measures

The proposed project would be designed to minimize impacts, where possible, by limiting the grading and structural encroachments at designated floodplain and floodway areas. The following minimization measures would be incorporated into the design and construction phases to minimize potential floodplain impact:

HYD-1: Provide positive drainage during construction and refrain from filling designated floodplains. Construction site surface runoff will be channeled into existing drainage facilities so as to not cause water flow on neighboring properties. Offsite flows will be managed in a manner that will mimic the existing drainage network and will not inundate the roadway surface of any of the existing drainage systems.

HYD-2: Implement standard BMPs as identified in the City of Ontario's Water Quality Management Plan, including temporary construction site BMPs to address site soil stabilization and reduce deposition of sediments to receiving waters.

HYD-3: Include erosion control and water quality protection during construction at the West Cucamonga Channel. BMPs will be designed and implemented to reduce the discharge of pollutants to the Maximum Extent Practicable (MEP). Typical measures that may be implemented

include preservation of existing vegetation, use of soil binders or hydroseeding, and installation of silt fences or fiber rolls.

HYD-4: Contractor shall develop a contingency plan for unforeseen discovery of underground contaminants in the Stormwater Pollution Prevention Plan (SWPPP).

HYD-5: Limit construction activities between October and May to those actions that can adequately withstand high flows and entrainment of construction materials. The Contractor shall prepare a Rain Event Action Plan (REAP) and discuss high flows mitigation.

2.3.2 Water Quality and Stormwater Runoff

This section describes the regulatory setting associated with water quality, the affected environment, the environmental consequences on water quality and stormwater runoff that would result from the proposed project, and the minimization and/or mitigation measures that would reduce any potential impact.

2.3.2.1 Regulatory Setting

Federal Requirements: Clean Water Act

In 1972, Congress amended the Federal Water Pollution Control Act, making the addition of pollutants to the waters of the U.S. from any point source[4] unlawful unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. This act and its amendments are known today as the Clean Water Act (CWA). Congress has amended the act several times. In the 1987 amendments, Congress directed dischargers of stormwater from municipal and industrial/ construction point sources to comply with the NPDES permit scheme. The following are important CWA sections:

- Sections 303 and 304 require states to issue water quality standards, criteria, and guidelines.
- Section 401 requires an applicant for a federal license or permit to conduct any activity that may result in a discharge to waters of the U.S. to obtain certification from the state that the discharge will comply with other provisions of the act. This is most frequently required in tandem with a Section 404 permit request (see below).
- Section 402 establishes the NPDES, a permitting system for the discharges (except for dredge or fill material) of any pollutant into waters of the U.S. RWQCBs administer this permitting program in California. Section 402(p) requires permits for discharges of stormwater from industrial/construction and municipal separate storm sewer systems (MS4s).
- Section 404 establishes a permit program for the discharge of dredge or fill material into waters of the U.S. This permit program is administered by the United States Army Corps of Engineers (USACE).

The goal of the CWA is "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters."

[4] A point source is any discrete conveyance such as a pipe or a man-made ditch.

USACE issues two types of 404 permits: General and Individual. There are two types of General permits: Regional and Nationwide. Regional permits are issued for a general category of activities when they are similar in nature and cause minimal environmental effect. Nationwide permits are issued to allow a variety of minor project activities with no more than minimal effects.

Ordinarily, projects that do not meet the criteria for a Regional or Nationwide Permit may be permitted under one of USACE's Individual permits. There are two types of Individual permits: Standard permits and Letters of Permission. For Individual permits, the USACE decision to approve is based on compliance with United States Environmental Protection Agency's (EPA) Section 404 (b)(1) Guidelines (40 CFR Part 230), and whether the permit approval is in the public interest. The Section 404(b)(1) Guidelines (Guidelines) were developed by EPA in conjunction with USACE and allow the discharge of dredged or fill material into the aquatic system (waters of the U.S.) only if there is no practicable alternative which would have less adverse effects. The Guidelines state that USACE may not issue a permit if there is a least environmentally damaging practicable alternative (LEDPA) to the proposed discharge that would have lesser effects on waters of the U.S. and not have any other significant adverse environmental consequences. According to the Guidelines, documentation is needed that a sequence of avoidance, minimization, and compensation measures has been followed, in that order. The Guidelines also restrict permitting activities that violate water quality or toxic effluent[5] standards, jeopardize the continued existence of listed species, violate marine sanctuary protections, or cause "significant degradation" to waters of the U.S. In addition, every permit from USACE, even if not subject to the Section 404(b)(1) Guidelines, must meet general requirements (see 33 CFR 320.4). A discussion of the LEDPA determination, if any, for the document is included in Section 2.4.2, Wetlands and Other Waters.

State Requirements: Porter-Cologne Water Quality Control Act

California's Porter-Cologne Act, enacted in 1969, provides the legal basis for water quality regulation within California. This act requires a "Report of Waste Discharge" for any discharge of waste (liquid, solid, or gaseous) to land or surface waters that may impair beneficial uses for surface and/or groundwater of the state. It predates the CWA and regulates discharges to waters of the state. Waters of the state include more than just waters of the U.S., like groundwater and surface waters not considered waters of the U.S. Additionally, it prohibits discharges of "waste" as defined, and this definition

[5] EPA defines "effluent" as "wastewater, treated or untreated, that flows out of a treatment plant, sewer, or industrial outfall."

is broader than the CWA definition of "pollutant." Discharges under the Porter-Cologne Act are permitted by Waste Discharge Requirements (WDRs) and may be required even when the discharge is already permitted or exempt under the CWA.

The State Water Resources Control Board (SWRCB) and RWQCBs are responsible for establishing the water quality standards (objectives and beneficial uses) required by the CWA and regulating discharges to ensure compliance with the water quality standards. Details about water quality standards in a project area are included in the applicable RWQCB Basin Plan. In California, Regional Boards designate beneficial uses for all water body segments in their jurisdictions and then set criteria necessary to protect these uses. As a result, the water quality standards developed for particular water segments are based on the designated use and vary depending on that use. In addition, the SWRCB identifies waters failing to meet standards for specific pollutants. These waters are then state-listed in accordance with CWA Section 303(d). If a state determines that waters are impaired for one or more constituents and the standards cannot be met through point source or non-point source controls (NPDES permits or WDRs), the CWA requires the establishment of Total Maximum Daily Loads (TMDLs). TMDLs specify allowable pollutant loads from all sources (point, non-point, and natural) for a given watershed.

State Water Resources Control Board and Regional Water Quality Control Boards

The SWRCB administers water rights, sets water pollution control policy, and issues water board orders on matters of statewide application, and oversees water quality functions throughout the state by approving Basin Plans, TMDLs, and NPDES permits. RWQCBs are responsible for protecting beneficial uses of water resources within their regional jurisdiction using planning, permitting, and enforcement authorities to meet this responsibility.

National Pollution Discharge Elimination System Program

Municipal Separate Storm Sewer Systems

Section 402(p) of the CWA requires issuance of NPDES permits for five categories of stormwater discharges, including MS4s. An MS4 is defined as "any conveyance or system of conveyances (roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, human-made channels, and storm drains) owned or operated by a state, city, town, county, or other public body having jurisdiction over stormwater, that is designed or used for collecting or conveying stormwater." The SWRCB has identified Caltrans as an owner/operator of an MS4 under federal regulations. Caltrans' MS4 permit covers all Caltrans ROWs, properties, facilities, and activities in the state.

The SWRCB or the RWQCB issue NPDES permits for 5 years, and permit requirements remain active until a new permit has been adopted.

Caltrans' MS4 Permit, Order No. 2012-0011-DWQ (adopted on September 19, 2012, and effective on July 1, 2013), as amended by Order No. 2014-0006-EXEC (effective January 17, 2014), Order No. 2014-0077-DWQ (effective May 20, 2014) and Order No. 2015-0036-EXEC (conformed and effective April 7, 2015), has three basic requirements:

1. Caltrans must comply with the requirements of the Construction General Permit (see below);
2. Caltrans must implement a year-round program in all parts of the State to effectively control stormwater and non-stormwater discharges; and
3. Caltrans stormwater discharges must meet water quality standards through implementation of permanent and temporary (construction) Best Management Practices (BMPs), to the maximum extent practicable, and other measures as the SWRCB determines to be necessary to meet the water quality standards.

To comply with the permit, Caltrans developed the Statewide Storm Water Management Plan (SWMP) to address stormwater pollution controls related to highway planning, design, construction, and maintenance activities throughout California. The SWMP assigns responsibilities within Caltrans for implementing stormwater management procedures and practices, as well as training, public education and participation, monitoring and research, program evaluation, and reporting activities. The SWMP describes the minimum procedures and practices Caltrans uses to reduce pollutants in stormwater and non-stormwater discharges. It outlines procedures and responsibilities for protecting water quality, including the selection and implementation of BMPs. The proposed project will be programmed to follow the guidelines and procedures outlined in the latest SWMP to address stormwater runoff.

Construction General Permit

Construction General Permit, Order No. 2009-0009-DWQ (adopted on September 2, 2009, and effective on July 1, 2010), as amended by Order No. 2010-0014-DWQ (effective February 14, 2011) and Order No. 2012-0006-DWQ (effective on July 17, 2012), regulates stormwater discharges from construction sites that result in a Disturbed Soil Area (DSA) of 1 acre or greater, and/or are smaller sites that are part of a larger common plan of development. By law, all stormwater discharges associated with construction activity where clearing, grading, and excavation result in soil

disturbance of at least 1 acre must comply with the provisions of the Construction General Permit. Construction activity that results in soil disturbances of less than 1 acre is subject to this Construction General Permit if there is potential for significant water quality impairment resulting from the activity as determined by the RWQCB. Operators of regulated construction sites are required to develop SWPPPs; to implement sediment, erosion, and pollution prevention control measures; and to obtain coverage under the Construction General Permit.

The Construction General Permit separates projects into Risk Levels 1, 2, or 3. Risk levels are determined during the planning and design phases, and they are based on potential erosion and transport to receiving waters. Requirements apply according to the Risk Level determined. For example, a Risk Level 3 (highest risk) project would require compulsory stormwater runoff pH and turbidity monitoring, and before construction and after construction aquatic biological assessments during specified seasonal windows. For all projects subject to the permit, applicants are required to develop and implement an effective SWPPP. In accordance with Caltrans' SWMP and Standard Specifications, a Water Pollution Control Program (WPCP) is necessary for projects with DSA less than 1 acre.

Local Agency Construction Activity Permitting. The City is regulated under an Area Wide Municipal Urban Storm Water Runoff Permit (NPDES Order No. R8 2010-0036, NPDES No. CAS 618036) issued by the Santa Ana RWQCB. This permit sets out guidelines and regulates WDRs for the discharge of stormwater from areas of San Bernardino County. The principal permittee of this permit is the SBCFCD, and there are 17 other co-permittees, including the City. It is noted that the above permit expired on January 29, 2015; this permit has been administratively extended. The SBCFCD is in the process of obtaining renewal of the County Municipal NPDES Stormwater Permit. On August 1, 2014, the SBCFCD submitted a Report of Waste Discharge on behalf of San Bernardino County and the 16 incorporated cities within San Bernardino County, including the City. The Report of Waste Discharge serves as the permit renewal application. The permit application is still in the permit renewal process. The new drafted Order is planned for release for public review in September/October 2020. The administrative extension will then expire on the date the new MS4 Order gets adopted, which is anticipated in late 2020/early 2021.

The Santa Ana RWQCB's General De Minimis Permit was previously identified as R8-2015-0004 (NPDES NO. CAG998001). This permit covered the General WDRs for Discharges to Surface Water which Pose an Insignificant *(De Minimis)* Threat to Water Quality from dewatering activities. A new permit (Order No. R8-2020-0006,

NPDES No. CAG998001) was adopted on June 19, 2020 and now serves as the General De Minimis Permit and will expire in June 2025. **Section 401 Permitting.** Under Section 401 of the CWA, any project requiring a federal license or permit that may result in a discharge to a water of the U.S. must obtain a 401 Certification, which certifies that the project will be in compliance with state water quality standards. The most common federal permits triggering 401 Certification are CWA Section 404 permits issued by USACE. The 401 permit certifications are obtained from the appropriate RWQCB, dependent on the project location, and are required before USACE issues a 404 permit.

In some cases, the RWQCB may have specific concerns with discharges associated with a project. As a result, the RWQCB may issue a set of requirements known as WDRs under the State Water Code (Porter-Cologne Act) that define activities, such as the inclusion of specific features, effluent limitations, monitoring, and plan submittals that are to be implemented for protecting or benefiting water quality. WDRs can be issued to address both permanent and temporary discharges of a project.

Section 1602 Streambed Alteration Agreement. Section 1602 of the California Fish and Game Code (CFG Code) requires a Streambed Alteration Agreement for any alteration to the bank or bed of a stream or lake or for any activity that substantially diverts or obstructs the natural flow of any river, stream, or lake. Further coordination with the California Department of Fish and Wildlife (CDFW) regarding potential project impacts is required,

2.3.2.2 Affected Environment

Analysis in this section is based on the *Water Quality Technical Report* and *Water Quality Management Plan* (June 2016), *Floodplain Evaluation Report* (September 2015), and J*urisdictional Delineation Letter Report* (September 2016) that were prepared for the project.

The project is located within the Santa Ana River hydrologic unit, and in the Chino Split hydrologic subarea (HSA) as identified in Table 2.33.2-1 by the Caltrans Water Quality Planning Tool (Caltrans, 2014). The Chino Split covers approximately 191,515 acres or approximately 300 square miles.

Table 2.3.2-1. Grove Avenue Corridor Project Receiving Hydrologic Units Hydrologic Subareas

Hydrologic Unit	Hydrologic Area	Hydrologic Subarea #	Hydrologic Subarea Name
Santa Ana River	Middle Santa Ana River	801.21	Chino (Split)

The project corridor is located in the Chino Creek watershed and the Lower Chino Creek subwatershed. The primary drainage that conveys stormwater in the project corridor is the West Cucamonga Channel. The West Cucamonga Channel is an engineered, concrete channel that traverses south through the project corridor before terminating at the Ely Percolation Basins, just north of SR-60. Flow from Ely Basin is conveyed to Cucamonga Creek. Cucamonga Creek is a concrete-lined channel that serves as the major drainage course within Ontario. It flows south through the approximate center of the city, converges with Lower Deer Creek Channel at Chris Basin (a small retention basin), exits the city, and eventually discharges to the Prado Flood Control Basin in Riverside County. Once the water reaches Prado Basin, it is discharged through the outlet of Prado Dam into the Santa Ana River, which ultimately discharges into the Pacific Ocean near the Huntington Beach/Newport Beach city boundary (The Planning Center, 2009).

The Santa Ana RWQCB conducted a 6-year study (2006–2011) of the waterways within the Santa Ana River watershed under the Surface Water Ambient Monitoring Program. The purpose of the study was to determine the integrity of surface waters by sampling the biological (i.e., benthic macroinvertebrates), physical (i.e., in-stream habitat, surrounding riparian habitats), and chemical attributes. During the 2011 bioassessment sampling events, benthic macroinvertebrates were identified from 45 locations. Of the 45 locations, 2 are close to the Grove Avenue Corridor Project, as indicated in Table 2.3.2-2.

Table 2.3.2-2. Santa Ana River Watershed Sampling Sites

SWAMP Code	Stream Name	Latitude NAD 83	Longitude NAD 83	Distance from Proposed Project	Elevation (meters)	Collection Date
801RB8566	Cucamonga Creek	33.99743	-117.59924	6 miles southeast	216	June 15, 2011
801RB8197	Chino Creek	33.9827	-117.69921	8 miles southwest	179	July 11, 1011

Biological assessments provide a more familiar representation of the ecological health of a particular location. Locations can then be ranked by values and classified into qualitative categories of "very good," "good," "fair," "poor," and "very poor." This system of ranking and categorizing biological conditions is referred to as an Index of Biotic Integrity (IBI). Water chemistry, IBI metrics, and the overall rating for the two locations within the Santa Ana River Watershed are provided in Appendix B of the Water Quality Technical Report. The overall rating for Cucamonga Creek Channel and Chino Creek was "poor." In subsequent years, the Santa Ana RWQCB revisited the bioassessment sites to determine if biological conditions changed (2012-2015 and 2016-2017). The IBI was also replaced by the California Stream Condition Index (CSCI). Water quality at sampling sites near the project site indicate that biological conditions in Chino Creek and Cucamonga Creek remain characterized as "Very Likely Altered Conditions", reflective of degraded biological conditions, and have not change significantly over prior years.

The drainage course of water from the proposed project corridor to offsite areas was used to determine what water bodies could potentially be impacted by the project. Table 2.3.2-3 summarizes these water bodies and lists the impairments and established TMDLs per the 2014/2016 Integrated Report (CWA Section 303(d) List/305(b) Report - SWRCB, 2019) and the Caltrans Water Quality Planning Tool[6].

Table 2.3.2-3. Impaired Waters

Water Body	Impairment	Size (miles)	TMDL Status
Cucamonga Creek Reach 1 - Confluence with Mill Creek to 23rd Street in Upland	Cadmium	10	Required
	Copper	10	Required
	Lead	10	Required
	Zinc	10	Required
Mill Creek (Prado Area)	Nutrients	1.6	Required
	Indicator Bacteria	1.6	Being addressed by an EPA-approved TMDL
	Total Suspended Solids	1.6	Required
Chino Creek 1A (Santa Ana River confluence with Mill Creek [Prado Area])	Nutrients	0.8	Required
	Indicator Bacteria	0.8	Being addressed by an EPA-approved TMDL
Santa Ana River, Reach 3 Prado Dam to Mission Boulevard in Riverside	Indicator Bacteria	26	Being addressed with EPA-approved TMDL
	Copper	26	Required

[6] http://svctenvims.dot.ca.gov/wqpt/wqpt.aspx.

Water Body	Impairment	Size (miles)	TMDL Status
	Lead	26	Required
Santa Ana River, Reach 2 17th Street in Santa Ana to Prado Dam	--	20	--

Ontario sits on the Chino Groundwater Basin and in the Santa Ana River hydrologic unit. 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. Ontario currently draws all of its groundwater supply from the Chino Basin. The primary water quality concerns for Ontario's groundwater wells are nitrate and perchlorate levels. Other contaminants of concern are volatile organic compounds (VOC) and total dissolved solids (TDS) (The Planning Center, 2009). There are known groundwater contamination plumes affecting Ontario's groundwater supply although none of them are located within the project corridor.

The City of Ontario water supply is derived from a combination of local and imported water, obtained primarily from four sources: Ontario wells and treatment in the Chino Groundwater Basin; the Chino Desalter Authority wells and treatment in the Chino Groundwater Basin; treated State Water Project water from the Water Facilities Authority; and recycled water from the Inland Empire Utilities Agency, a member of the Metropolitan Water District.

Ontario has a rapidly expanding recycled water program and currently serves approximately 4,000 acre-feet per year of recycled water to more than 70 customers, including interim agricultural users in the area. The source for recycled water is locally reclaimed nonpotable wastewater provided by the wholesaler, Inland Empire Utilities Agency, which operates the regional wastewater treatment plants for the cities in the area and provides transmission back to Ontario.

Of the water quality impairments for receiving waters within the Grove Avenue Corridor, cadmium, copper, lead (Pb), zinc, and nutrients (e.g., nitrogen and phosphorus) are associated with roadway runoff and must therefore be considered when evaluating and implementing BMP techniques for utilization on the Grove Avenue Corridor Project.

2.3.2.3 Environmental Consequences

An evaluation of potential water quality impacts associated with each alternative is presented below.

Permanent Impacts

No Build Alternative

Under the No Build Alternative, no changes to the existing condition would occur. As such, there would be no increase in runoff flow velocities, volumes, or peak flow rates; therefore, no adverse impacts to water quality would result from the No Build Alternative.

Build Alternative (Proposed Project)

Based on the current level of design of the Build Alternative, there are no permanent impacts to jurisdictional features. As the design advances, the City would coordinate with resource agencies, including USACE, RWQCB, and CDFW, and keep Caltrans updated with the project status. Should final design of the Build Alternative result in impacts to jurisdictional features, the appropriate permits (i.e., Section 404 Permit from USACE, Section 401 Water Quality Certification from RWQCB, or Streambed Alteration Agreement from CDFW) would be obtained with all minimization and/or mitigation measures identified as part of the permitting process implemented.

Construction of the Build Alternative would add 2.57 acres of additional impervious surface area, as shown in Table 2.3.2-4. The additional impervious surface area would not alter the existing drainage patterns or result in runoff that would exceed the existing stormwater drainage system capacity. Construction of the project and the increase in runoff would potentially cause or contribute to an alteration in water quality and have the potential to affect the beneficial use of receiving water bodies downstream of the project corridor.

Table 2.3.2-4. Comparison of Existing and Proposed Impervious Surface Area for the Build Alternative

Existing Impervious Surface Area (acres)	Proposed Additional Impervious Surface Area (acres)	Total Impervious Surface Area (acres)
20.12	2.57	22.69

Source: Developed from the Water Quality Technical Report, 2016.

It is not anticipated that the Build Alternative would cause a change to sedimentation in downstream receiving water bodies because the proposed project would result in a

very minor increase in runoff compared to the entire hydrologic area. Design Principles, such as conservation of natural areas, minimization of disturbances to natural drainage, and use of landscaping to promote surface infiltration, would be implemented to the MEP once the project is complete.

The addition of impervious surfaces as a result of implementation of the Build Alternative would not interfere with groundwater recharge because the proposed project area is not located in an area used by local water districts for aquifer recharge. Recharge to the subbasins is predominantly accomplished at spreading grounds located outside of the proposed project corridor.

Table 2.3.2-5 summarizes the operation and maintenance (long-term) activities that were evaluated for their potential impact on downstream water bodies for the Build Alternative. No unique impacts were identified for the Build Alternative.

Table 2.3.2-5. Summary of Operation/Maintenance (Long-Term) Impacts to the Aquatic Environment

Summary of Impacts
Physical/Chemical Characteristics
Proposed slopes may be a source of sedimentation in downstream substrates.
Pollutants associated with the new roadway may create turbidity in downstream receiving water bodies.
Pollutants, such as oil and grease and other pollutants associated with operation of the proposed project, may impair downstream receiving water bodies.
Nutrients associated with chemicals used in roadway landscaping may cause oxygen depletion and increased temperatures in the aquatic environment.
Biological Characteristics
Sedimentation from natural erosion to any special aquatic sites located downstream from the project corridor.
Increase in stormwater discharge to the aquatic organisms' habitat downstream from the project and higher concentrations of pollutants of concern because of the increase in impervious surface area.
Human Use Characteristics
No long-term impacts to the human use characteristics of the aquatic environment are anticipated.

The proposed project is not sited in a location used by a local water district for existing or potential water supplies or water conservation; therefore, no changes to existing water supplies, potential water supplies, or water conservation are anticipated.

Temporary Impacts

No Build Alternative

The No Build Alternative would not change the existing physical environment; therefore, the No Build Alternative would result in no temporary water quality impacts.

Build Alternative (Proposed Project)

Construction of the proposed corridor has the potential to contribute pollutants to offsite receiving water bodies. These pollutants include sediment and silt associated with soil disturbance because of construction of the proposed corridor and chemical pollutants associated with the construction materials that are brought onto the project site. Table 2.3.2-6 summarizes the construction (short-term) activities that were evaluated for their potential impact on downstream water bodies for the Build Alternative. No unique impacts were identified for the Build Alternative.

Table 2.3.2-6. Summary of Construction (Short-Term) Impacts to the Aquatic Environment

Summary of Impacts
Physical/Chemical Characteristics
Excavation and trenching, soil compaction and moving, cut and fill activities, and grading could contribute sediment to downstream receiving water bodies.
Construction materials, waste handling, and the use of construction equipment could also result in stormwater contamination and affect water quality.
Chemical contaminants, such as oils, fuels, paints, solvents, nutrients, trace metals, and hydrocarbons, can attach to sediment and be transported to downstream drainages and ultimately into collecting waterways contributing to the chemical degradation of water quality.
Biological Characteristics
Erosion and sedimentation could affect biological characteristics of the aquatic environment in downstream water resources.
Human Use Characteristics
Service vehicle access.

Construction materials, waste handling, and the use of construction equipment could also result in stormwater contamination and affect water quality. Spills or leaks from heavy equipment and machinery can result in oil and grease contamination. Operation of vehicles during construction could also result in tracking of dust and debris. Staging areas can also be sources of pollutants because of the use of paints, solvents, cleaning agents, and materials containing metals that are used during construction.

A total of 13.60 acres of temporary DSA would result from construction of the Build Alternative. Implementation of the SWPPP is expected to attenuate and minimize the amount of sediments released from the construction site. Short-term impacts caused by the Build Alternative include potential increases in sediment loads because of removal of existing groundcover and disturbance of soil during grading. The temporary residual increase in sediment loads from construction areas is unlikely to alter the hydrologic response (i.e., erosion and deposition) downstream in the HSA and, subsequently, the sediment processes in these areas would be reduced because all DSAs would be stabilized before completion of construction with permanent landscaping and/or permanent erosion control measures.

During the construction phase, Construction Site BMPs would be implemented to treat stormwater and nonstormwater discharges to the MEP; therefore, runoff from the construction area would not likely create any surface water quality impacts.

2.3.2.4 Avoidance, Minimization, and/or Mitigation Measures

Project design features for the selected alternative would include Construction Site, Source Control, Design Principles, and BMP Techniques. These BMPs would be implemented to improve stormwater quality during construction and operation of the transportation facility to minimize potential stormwater and non-stormwater impacts to water quality. The County of San Bernardino's Transportation Project BMP Guidance describes how the City would comply with their MS4 NPDES Permit. The BMPs are organized into four categories, as shown in Table 2.3.2-7.

Table 2.3.2-7. Transportation Project BMP Categories

BMP	Description
Construction Site	Temporary soil stabilization and sediment control, non-stormwater management, and waste management.
Design Principles	Conservation of natural areas, minimization of impervious surface areas, designing pervious areas to receive roadway runoff and use of landscaping to promote infiltration.
Techniques	Permanent treatment devices and minimizing street width.
Source Control	Includes nonstructural (e.g., litter pickup, landscape management, street sweeping) and structural (e.g., storm drain stenciling, efficient irrigation slope and channel protection) BMPs.

The Grove Avenue Corridor Project would require the following minimization measures to minimize potential water quality and hydrological impacts associated with implementation of the project.

WQ-1: **Implement Temporary Construction BMPs.** The project will be required to conform to the requirements of the NPDES Permit for Construction Activities, Order No. 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-0006-DWQ, NPDES No. CAS000002.

WQ-2: **Prepare and Implement an SWPPP.** The Contractor will be required to develop an acceptable SWPPP. The SWPPP shall contain BMPs that have demonstrated effectiveness at reducing stormwater pollution. The SWPPP shall address all construction-related activities, equipment, and materials that have the potential to affect water quality. All Construction Site BMPs will be installed, maintained, and inspected to control and minimize the impacts of construction-related pollutants. The SWPPP shall include BMPs to control pollutants, sediment from erosion, stormwater runoff, and other construction-related impacts. In addition, the SWPPP shall include implementation of specific stormwater effluent monitoring requirements based on the project's risk level to ensure that the implemented BMPs are effective in preventing discharges from exceeding any of the water quality standards.

WQ-3: **Incorporate Design Principles into Final Roadway Design.** Design Principles are permanent measures to minimize pollution discharges by retaining source materials and stabilizing soils. The three objectives associated with Design Principle BMPs include maximizing vegetated surfaces; preventing downstream erosion; and stabilizing soil areas. These design objectives will be applied to the entire project.

2.3.3 Geology/Soils/Seismic/Topography

This section describes the regulatory setting, affected environment, environmental consequences on geological resources that would result from the proposed project, and minimization and/or mitigation measures that would reduce any potential impact. This section of the environmental document references findings from the Caltrans *Geotechnical Memorandum* (September 2015).

2.3.3.1 Regulatory Setting

For geologic and topographic features, the key federal law is the Historic Sites Act of 1935, which establishes a national registry of natural landmarks and protects "outstanding examples of major geological features." Topographic and geologic features are also protected under CEQA.

This section also discusses geology, soils, and seismic concerns as they relate to public safety and project design. Earthquakes are prime considerations in the design and retrofit of structures. Structures are designed using the Caltrans' Seismic Design Criteria (SDC). The SDC provides the minimum seismic requirements for highway bridges designed in California. A bridge's category and classification will determine its seismic performance level and which methods are used for estimating the seismic demands and structural capabilities. For more information, please see the Caltrans Division of Engineering Services, Office of Earthquake Engineering, SDC.

2.3.3.2 Affected Environment

Topography

The natural site topography is relatively flat along the corridor, dropping from an elevation of near 1,070 feet on the north end of the corridor to approximately 960 feet on the south end of the corridor. There are no natural creeks, streams, or rivers within the site. There is a channelized storm drainage U-channel that crosses Grove Avenue south of 4th Street, goes into a buried box culvert until East I Street, where it again becomes a U-shaped open channel, runs along the east side of the Grove Avenue corridor until south of East G Street, where it diverges from Grove Avenue and heads southeast. The area between Holt Boulevard was excavated a maximum of approximately 20 feet below surrounding grades to create a grade separation at the UPRR, which creates a low-lying basin in this area.

Geology/Soils

The Grove Avenue Corridor Project is located at the northern end of the Peninsular Ranges geomorphic province of southern California. It is situated within the northern portion of the Perris Block, between the Elsinore and San Jacinto Fault Zones, and

north of the Santa Ana River. In the project area, the basement rock of the Perris Block has been buried by the deep alluvial fan sediments from the San Gabriel Mountains of the Transverse Ranges.

Based on the Geologic Map of the San Bernardino 30' x 60' Quadrangle (Figure 2.3.3-1), the surficial soils consist of young alluvial fan deposits derived from the San Gabriel Mountains in the Transverse Ranges to the north. Cucamonga Creek and other washes have contributed to the formation of the deep alluvial fan complexes along the steep mountain front. The project area is mapped as being completely underlain by middle Holocene young alluvial fan deposits. Regionally, these deposits are generally poorly consolidated, undissected to slightly dissected, boulder, cobble, gravel, sand and silt deposits, and are generally underlain by older more consolidated early Holocene and Pleistocene alluvial fan soils. Holocene alluvium in the area is up to 150 feet in thickness, underlain by 600 to 700 feet of Pleistocene alluvium. Due to natural hydraulic sorting, the alluvial fan grain size is coarsest near the mountains (containing boulders and cobbles), becoming finer farther down the fan. Within the project area, soils are mixtures of primarily sand, with a lesser percentage of silt and gravel.

Groundwater

The project site overlies the Chino Groundwater Basin. The groundwater within this managed basin is relatively deep. Current groundwater levels at the Grove Avenue Corridor Project site are at an elevation of approximately 615 to 625 feet, or more than 300 feet below current site grades. No groundwater was encountered in any of the previous borings drilled to depths of up to 30 feet below the ground surface (bgs). No springs, artesian conditions, or groundwater barriers are known to be present at the site. No known perched groundwater is present, but as with any site, localized perched water may be present due to man-made sources.

Faulting and Seismicity

The site is not located in an Alquist-Priolo Fault Special Studies Zone, it is not within 1,000 feet of any unzoned fault, and no faults considered capable of surface rupture are mapped at the site of projecting towards the site.

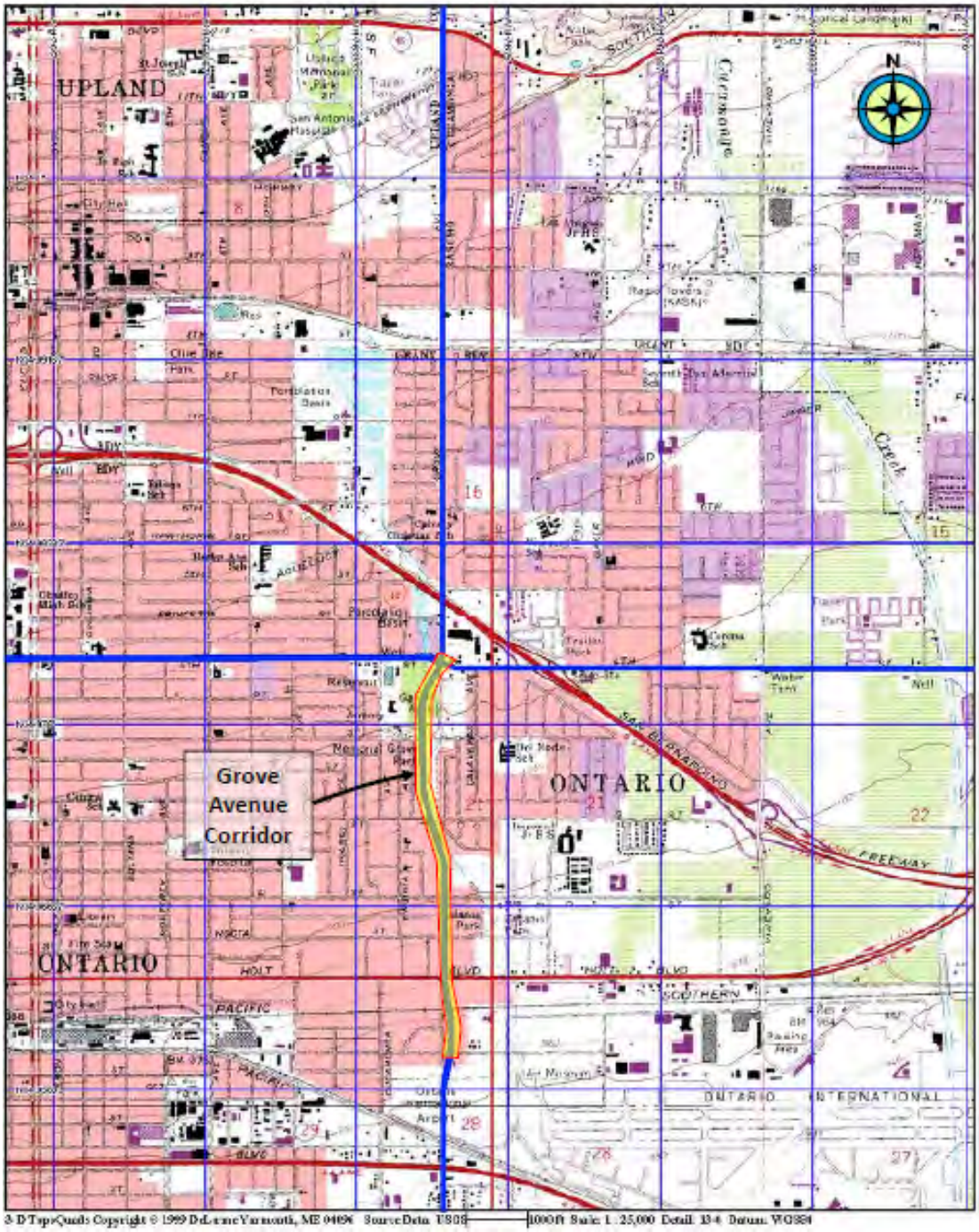


Figure 2.3.3-1. Topographic Map Quadrangle

However, the site is located within a seismically active region within the zone of influence of the highly active strike-slip faults of the Elsinore, San Jacinto, and San Andreas Fault Zones. Many other less significant strike-slip and reverse faults also contribute to the seismic risk at the site. Based on an estimated shear wave velocity of 300 m/s, the preliminary Peak Ground Acceleration at the site is estimated at 0.68g, with a probabilistic moment magnitude of 6.8.

2.3.3.3 Environmental Consequences

An evaluation of potential geology and seismic-related impacts associated with each alternative is presented below.

No Build Alternative

Under the No Build Alternative, there would be no change to the existing corridor, posing no changes to the existing environment and requiring no disturbance of soils; therefore, there would be no impact to geologic resources.

Build Alternative (Proposed Project)

The project area generally has a low to negligible potential for geologic hazards such as landslides, expansive soil, collapsible soil, tsunamis, seismic slope instability, and subsidence due to its relatively flat topography, distance from the ocean, and presence of numerous structures. Fault rupture potential is remote due to distance from earthquake faults, and the risk of secondary seismic hazards, such as liquefaction and earthquake-induced landslide, is generally low as Grove Avenue is located outside designated earthquake zones of required investigations and groundwater is estimated at 375 to 475 feet below the ground surface. The primary seismic hazard at the site is strong shaking.

Seismicity

Although the proposed project site is located in seismically active southern California, it is within an existing transportation corridor. The project would be designed to meet the City's design standards to minimize geologic and seismic hazards. No structures would be constructed that would increase the current risk of loss, injury, or death as a result of ground shaking or seismically induced effects. The proposed project would not increase the risk of exposing people or structures to potential adverse effects because of seismic activities or seismic-related ground failure beyond the existing level already present with the Grove Avenue configuration.

2.3.3.4 Avoidance, Minimization, and/or Mitigation Measures

All project components will be designed in accordance with standard engineering practices and Caltrans' Standard Specifications. Because no substantial adverse effects under NEPA or significant impacts under CEQA would occur related to geology, soils, topography and seismicity, no avoidance, minimization, and/or mitigation measures are required.

2.3.4 Paleontology

This section describes the regulatory setting, affected environment, environmental consequences on paleontological resources that would result from the proposed project, and minimization and/or mitigation measures that would reduce any potential impact.

2.3.4.1 Regulatory Setting

Paleontology is a natural science focused on the study of ancient animal and plant life as it is preserved in the geologic record as fossils. Many federal statutes specifically address paleontological resources, their treatment, and funding for mitigation as a part of federally authorized or funded projects. The following laws and regulations are applicable to this project:

- 16 U.S.C. 431-433 (the "Antiquities Act") prohibits appropriating, excavating, injuring, or destroying any object of antiquity situated on federal land without the permission of the Secretary of the Department of Government having jurisdiction over the land. Fossils are considered "objects of antiquity" by the Bureau of Land Management, the National Park Service, the Forest Service, and other federal agencies..
- 23 U.S.C. 1.9(a) requires that the use of federal-aid funds must be in conformity with federal and state laws..
- 23 U.S.C. 305 authorizes the appropriation and use of federal highway funds for paleontological salvage as necessary by the highway department of any state, in compliance with 16 U.S.C. 431-433 above and state law.

Under California law, paleontological resources are protected by CEQA.

2.3.4.2 Affected Environment

The information from this section was synthesized from the combined *Paleontological Identification Report and Paleontological Evaluation Report* prepared for the project (March 2017).

The Grove Avenue Corridor Project is located in one of the most tectonically active regions of North America. To the northeast of the project corridor, the San Andreas Fault Zone travels up Cajon Pass where it forms the boundary between the Pacific Plate and the North American Plate. The Transverse Ranges are a result of these two plates grinding past each other and “catching” along the bend in the San Andreas Fault. The Pacific Plate is composed of numerous blocks that can move independently.

The Transverse Range Province is an east-west trending series of steep mountain ranges and valleys aligned obliquely to the normal northwest trend of coastal California, hence the name "Transverse." The province extends offshore to include San Miguel, Santa Rosa, and Santa Cruz islands. Its eastern extension, the San Bernardino Mountains, has been displaced to the south along the San Andreas Fault. Intense north-south compression is squeezing the Transverse Ranges, and as a result, this is one of the most rapidly rising regions of the earth.

The project area is mapped as various types of Quaternary alluvial fan deposits. These deposits are between early Pleistocene and latest Holocene in age (less than 2.6 million years old).

Figure 2.3.4-1 shows the geological composition of the project area. Units Qyf 1, 3, and 5 are late Pleistocene to late Holocene alluvial fan deposits that are less than 126,000 years old and consist of unconsolidated to moderately consolidated silts, sands, and conglomerates eroded from the highlands. Clasts are coarsest adjacent to the highlands and fine away from them. Surfaces are slightly to moderately dissected by more recent erosional activities. All young alluvial fan deposits in the area are very similar in their compositions.

A review of records at the San Bernardino County Museum (SBCM) and in published materials yielded no fossil records known from the deposits within the project area. However, in at least eight localities between 2.5 and 8 miles from the APE, extinct animals have been recovered in the Quaternary older alluvial deposits, including ground sloth, mammoth, horse, bison, and camel. Other localities in similar sediments in San Bernardino and Riverside counties have also produced ground sloths, short-faced bears, dire wolves, and horses.

Only the oldest Young alluvial fan deposit (Qyf1) has the potential for fossils near the surface. Based on other finds in the area, the Pleistocene portion of this unit is assigned moderate sensitivity, while all other units are too young to contain fossils; however, they do overlie older deposits that are fossiliferous, and fossils may be impacted if the depths of the cuts extend more than 5 feet below the original ground surface. Figure 2.33.4-2 displays the paleontological sensitive areas in the proposed project area.

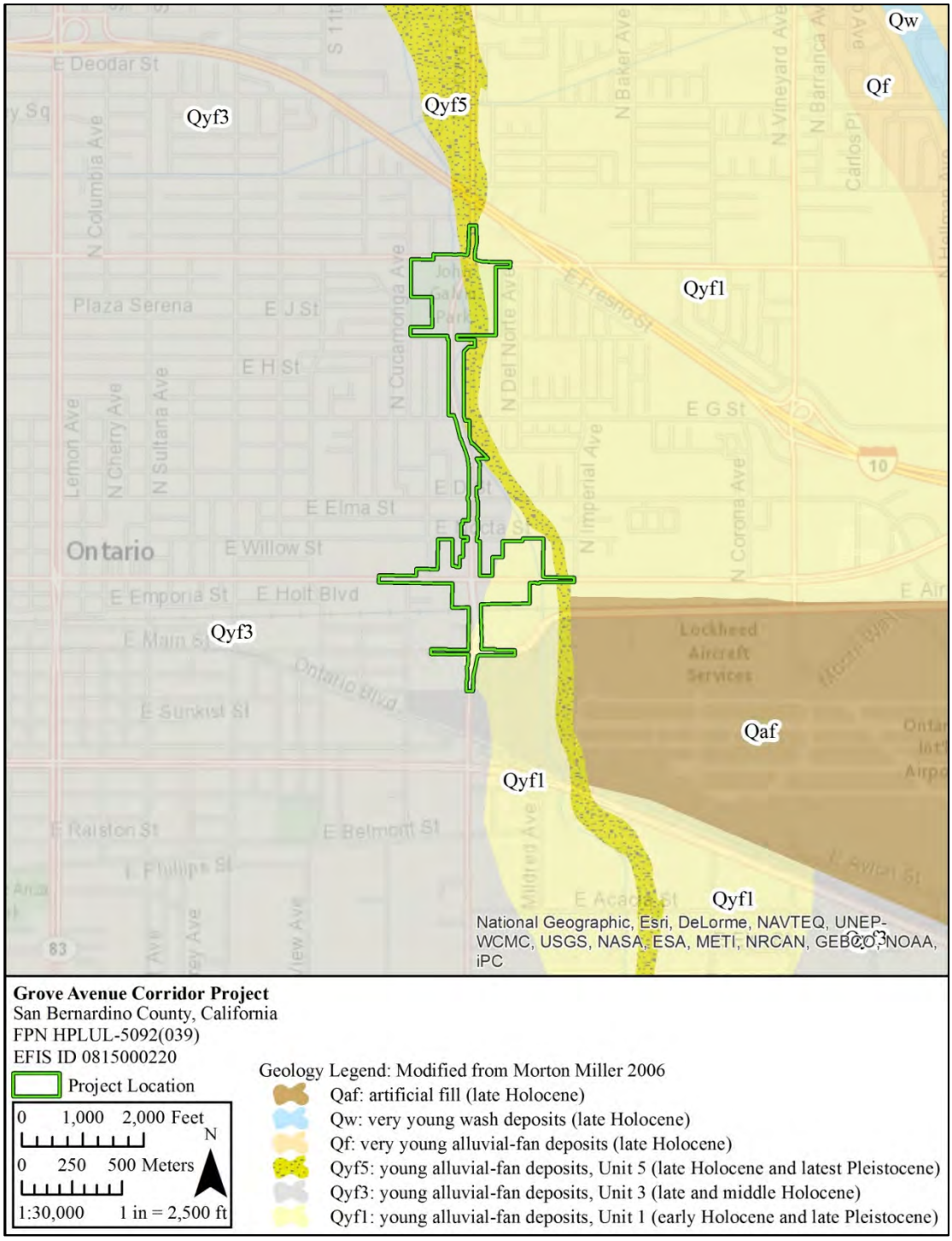


Figure 2.3.4-1. Geology Map

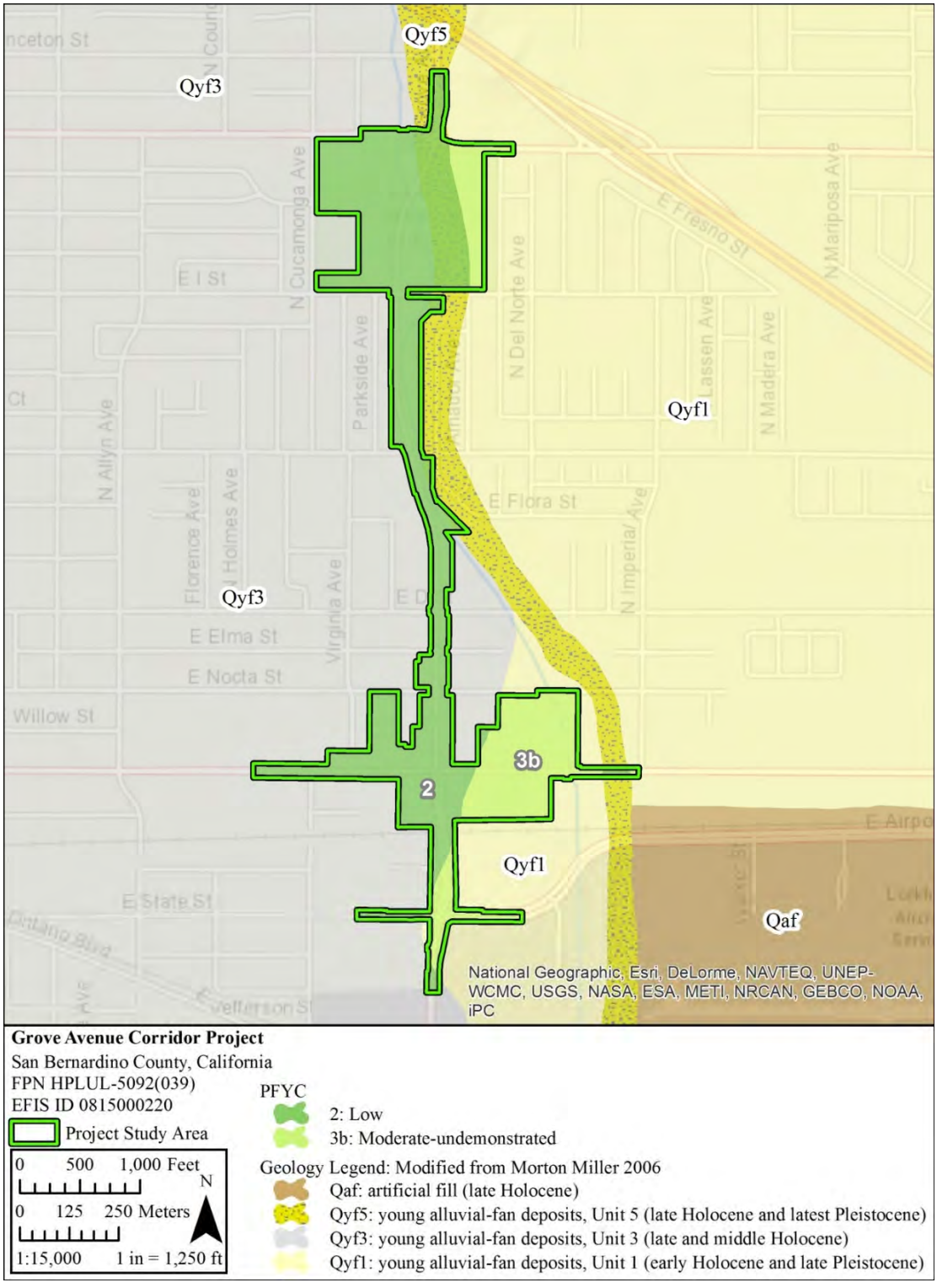


Figure 2.3.4-2. Paleontological Sensitivity Map

2.3.4.3 Environmental Consequences

Paleontological resources are considered significant if they provide new data on fossil animals, distribution, evolution, or other scientifically important information as previously stated. Caltrans uses a tripartite scale to characterize paleontological sensitivity:

- **High Potential:** Rock units that, based on previous studies, contain or are likely to contain significant vertebrate, significant invertebrate, or significant plant fossils. These units include sedimentary formations that contain significant nonrenewable resources anywhere within the geographic extent.
- **Low Potential:** Rock units that are not known to have produced significant fossils in the past but possess a potential to contain fossils or those that yield common fossil invertebrates.
- **No Potential:** Rock units with no potential to contain fossils. This includes most rocks of igneous origin or metamorphosed transformation.

A multilevel ranking system was developed by professional resource managers as a more practical tool, the Potential Fossil Yield Classification (PFYC) system (BLM, 2007). Using the PFYC system, geologic units are classified based on the relative abundance of vertebrate fossils or scientifically significant invertebrate or plant fossils and their sensitivity to adverse impacts. This ranking is not intended to be applied to specific paleontological localities or small areas within units. Although significant fossil localities may occasionally occur in a geologic unit, a few widely scattered important fossils or localities do not necessarily indicate a higher PFYC value; instead, the relative abundance of fossil localities provides the major determinant for the value assignment.

Only the oldest Young alluvial fan deposit (Unit 1) has the potential for fossils near the surface. Based on other finds in the area, the Pleistocene portion of this unit is assigned a PFYC level of 3b, moderate – unknown. All other units are too young to contain fossils and are assigned a PFYC level of 2. However, they do overlie older deposits that are fossiliferous, and fossils may be impacted if the depths of the cuts extend to more than 5 feet below the original ground surface (see Table 2.3.4-1).

Table 2.3.4-1. Paleontological Sensitivity Rankings

PFYC Rankings	5: Very High	4: High	3a: Moderate-Patchy	3b: Moderate Undemonstrated	2: Low	1: Very Low
Rock Units						
Young alluvial fan deposit (Qyf_5)					X[1]	
Young alluvial fan deposit (Qyf_3)					X[1]	
Young alluvial fan deposit (Qyf_1)				X		

No Build Alternative

The No Build Alternative would have no surface or subsurface impacts; therefore, it would not create adverse impacts to potential paleontological resources.

Build Alternative (Proposed Project)

The Build Alternative has the potential to impact significant paleontological resources during construction. Depth of construction would typically be 3 to 5 feet for the widening of Grove Avenue. The segment of ROW where Grove Avenue passes below the UPRR line has the highest potential for encountering fossil resources during ground disturbances. In this area, the roadway is depressed to approximately 20 feet deep through the deepest portion immediately under the UPRR line. Excavations deeper than 5 feet below the original ground surface have the potential to impact fossils in the Quaternary old alluvial deposits because extinct Ice Age animal fossils have previously been recovered at shallow depths in the project vicinity. Paleontological monitoring is needed for all excavations greater than 10 feet deep in sediments mapped as Holocene at the surface and for all excavations greater than 5 feet deep in sediments mapped as Pleistocene at the surface. Drilling with augers smaller than 3 feet in diameter are exempt from monitoring because recovered fossil fragments would not meet significance criteria.

2.3.4.4 Avoidance, Minimization, and/or Mitigation Measures

The following construction specifications would be implemented as a minimization measure to ensure there are no impacts to paleontological resources:

P-1: Develop and implement a Paleontological Monitoring Plan (PMP), with monitoring in excavations more than 10 feet deep for sediments mapped as Holocene at the surface and more than 5 feet deep for excavations mapped as Pleistocene at the surface. The PMP will guide and facilitate

the identification and treatment of paleontological resources, if any are found, during project construction to reduce adverse effects on significant resources. The PMP will summarize identified paleontologically sensitive areas within the APE, the organization and responsibilities of the paleontological team, the responsibilities of other parties, and the treatment and communications procedures to be implemented if paleontological resources are encountered during the project.

2.3.5 Hazardous Waste/Materials

This section describes the regulatory setting associated with hazardous waste and materials, the affected environment, the environmental consequences related to hazardous waste and materials that would result from the proposed project, and the minimization and/or mitigation measures that would reduce any potential impact. Information in this section is from the *Initial Site Assessment* (September 2015) prepared for the project.

2.3.5.1 Regulatory Setting

Hazardous materials, including hazardous substances and wastes, are regulated by many state and federal laws. Statutes govern the generation, treatment, storage, and disposal of hazardous materials, substances, and waste, and also the investigation and mitigation of waste releases, air and water quality, human health, and land use.

The primary federal laws regulating hazardous wastes/materials are the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) and the Resource Conservation and Recovery Act of 1976 (RCRA). The purpose of CERCLA, often referred to as "Superfund," is to identify and clean up abandoned contaminated sites so that public health and welfare are not compromised. The RCRA provides for "cradle to grave" regulation of hazardous waste generated by operating entities. Other federal laws include:

- Community Environmental Response Facilitation Act (CERFA) of 1992
- CWA
- Clean Air Act (CAA)
- Safe Drinking Water Act
- Occupational Safety and Health Act (OSHA)
- Atomic Energy Act
- Toxic Substances Control Act (TSCA)
- Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

In addition to the acts listed above, EO 12088, *Federal Compliance with Pollution Control Standards*, mandates that necessary actions be taken to prevent and control environmental pollution when federal activities or federal facilities are involved.

California regulates hazardous materials, waste, and substances under the authority of the California Health and Safety Code and is also authorized by the federal government to implement RCRA in the state. California law also addresses specific handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency

planning of hazardous waste. The Porter-Cologne Water Quality Control Act also restricts disposal of wastes and requires cleanup of wastes that are below hazardous waste concentrations but could impact ground and surface water quality. California regulations that address waste management and prevention and cleanup of contamination include Title 22 Division 4.5 Environmental Health Standards for the Management of Hazardous Waste, Title 23 Waters, and Title 27 Environmental Protection.

Worker and public health and safety are key issues when addressing hazardous materials that may affect human health and the environment. Proper management and disposal of hazardous material are vital if it is found, disturbed, or generated during project construction.

2.3.5.2 Affected Environment

Information in this section is from the *Initial Site Assessments* (ISA) (September 2015 and November 2020) that were prepared for the project.

The scope of the Initial Site Assessments included a review of reasonably ascertainable environmental regulatory agency databases to identify known or suspected environmental concerns or Recognized Environmental Conditions (RECs) that may be associated with the project. A search of readily available environmental records was obtained from Environmental Data Resources, Inc. (EDR). The purpose of the regulatory database report review was to evaluate to the extent possible whether activities, processes, operations, or actions in the project corridor, adjoining properties, and nearby locations have the potential to adversely impact the environmental condition of the project area, are suspected sources of environmental concern, or are present RECs for the site. Available historical information was reviewed to ascertain the historical uses of the project corridor and the adjoining properties. Review references primarily were Sanborn insurance maps, historic aerial photographs, topographic maps, building department records, and oil exploration maps. Online records maintained by California state agencies for all addresses and parcels associated with the project area were reviewed. In addition, an interview was conducted with Mr. Jay Bautista, Principal Engineer with the City of Ontario in May 2015. The 2015 ISA findings were summarized into the draft environmental document. The record searches, field survey, San Bernardino County Fire Department file review, and interview questionnaire for the City were repeated in August 2020 to obtain updated information on hazardous material users and wastes in the project area. The 2020 ISA findings are summarized in the final environmental document.

The scope of the assessments is interpreted as limited because owner interviews were not conducted for acquisition parcels, onsite reconnaissance was not conducted for acquisition parcels, and no environmental sampling of media of concern (e.g., soil, paint) is conducted as part of the Initial Site Assessments. It was also not within the scope of the assessments to address issues not included in ASTM 1527-13 (e.g., radon, lead in drinking water, naturally occurring hazardous materials). Furthermore, it is not the purpose of the site assessments to determine the degree or extent of contamination, if any, at the project location.

The proposed project is located in Ontario in San Bernardino County, California. The project corridor consists of City ROW along portions of Grove Avenue and Holt Boulevard. Adjacent properties include residential, commercial, industrial, and parkland uses.

Visual reconnaissance of the project area found that all properties adjacent to the project corridor were well maintained and did not appear to be of environmental concern. There was no evidence of storage tanks, drums, hazardous substances or petroleum products, unidentified substance containers, odors, pools of liquid, or any other RECs. Utility poles and overhead transformers are located within the corridor, and these features are considered environmental areas of concern (AOC) that may require further investigation during construction if necessary.

The ISAs identified the following AOCs in City ROW:

Grove Avenue and Holt Boulevard: Utility poles exist along Grove Avenue and Holt Boulevard that may require removal in support of the project. The poles consist of creosote-treated wood and are considered AOCs. If removed during the project, the poles should be managed as treated wood waste (TWW) in accordance with Caltrans' Standard Specification 14-11.14 for the proper handling and disposal of TWW.

Street lighting, traffic signals, utility boxes, meters, and associated electrical components that would be relocated as part of the project may have PCB ballasts; fluorescent or mercury lamps; mercury timers, switches, and sensors; and/or other wastes regulated by the DTSC.

Paint used in traffic lane striping and pavement marking that would be removed as part of the proposed project may contain LBP. Roadway paint and yellow striping on Grove Avenue and Holt Boulevard should be tested for LBP prior to removal to determine proper handling and disposal requirements in accordance with Caltrans' Standard Specification 14-11.12.

Aerially deposited lead (ADL) is generally found within 30 feet of the edge of the roadway pavement and in the top 2 feet of soil. Exposed soils in landscaped medians, parkways, slopes, and unpaved sidewalk/parkway areas that would be disturbed by construction activities may contain ADL.

Grove Avenue: Overhead transformers appear to be mounted on multiple utility poles along Grove Avenue. Historically, pole-mounted transformers have contained polychlorinated biphenyls (PCBs), which would need to be profiled and managed appropriately, if present.

The ISAs identified the following AOC, historic recognized environmental condition (HREC), and REC in association with the acquisition properties:

Residential Structures: Multiple residential structures would be removed in support of the project. Depending on the age of the structures, they may contain asbestos-containing materials (ACM) and lead-based paint (LBP). The presence of these materials would need to be investigated prior to removal of the structures to comply with environmental and worker safety regulatory requirements for ACM and LBP. Residential structures are considered an AOC.

1194 East Holt Boulevard: The vacant lot at 1194 E. Holt Boulevard is listed as a leaking underground storage tank (LUST) Cleanup Site. The cleanup status is shown as "Completed – Case Closed" as of October 2000. The San Bernardino Case Closure Summary reports that eight 10,000-gallon tanks once operated on the property. Petroleum hydrocarbons as gasoline and diesel, as well as benzene, toluene, ethyl benzene, and xylenes (BTEX), were detected in soil at the property. Since the contaminated soil has been removed from the property and no contaminants were detected in the soils after corrective action was completed. The case is closed and there were no reports of migration of contamination into the project footprint. Thus, 1194 E. Holt Boulevard is no longer considered an HREC for the project.

1111 East Holt Boulevard: Illegal disposal of hazardous liquid waste to soil is documented by the San Bernardino County Fire Department for this property. The San Bernardino County Fire Department recommended that contaminated soils be removed from the site. The April 2015 closure report indicates all hazardous materials were removed and the business is no longer in operation. There is no evidence of contamination migrating into the project footprint. Thus, 1111 E. Holt Boulevard is no longer considered an REC.

1228 E. Holt Boulevard: East End Auto Wreckers at 1228 East Holt Boulevard had a Hazardous Waste Generator Inspection report, dated May 13, 1988, that noted contaminated soil was present on the site. The report instructs proper disposal of the contaminated soils, although there are no reports of any corrective actions. There are no records of spills or contaminants migrating into the project footprint. Thus, 1228 E. Holt Boulevard is not considered an REC.

1335 E. Holt Boulevard: The City well site at 1335 East Holt Boulevard had underground storage tanks (USTs) removed in 2006, during which contaminants were detected in the soil. Subsequent inspections noted that there were low concentrations of toluene and no detectable concentrations of other contaminants at this site. There are no records of spills or contaminants migrating into the project footprint. Thus, 1335 E. Holt Boulevard is not considered an REC for the project.

Based on review of the San Bernardino County Fire Department records, there are no records of spills or contaminants migrating offsite from other adjacent parcels, such as 1101, 1253, 1300, 1336, and 1176 East Holt Boulevard. Also, no RECs were identified based on the review of city directories.

On May 14, 2015, an interview was conducted with Mr. Jay Bautista, Principal Engineer with the City of Ontario as part of the 2015 ISA. The interview was conducted to satisfy the Initial Site Assessment requirement for an interview with a local government official. The interview was conducted to obtain information regarding the environmental history and current conditions of the site and to evaluate the potential presence of hazardous substances and petroleum products on the site. The Initial Site Assessment Interview Checklist was used in accordance with the Caltrans Guidance to conduct the interview. Mr. Bautista was not aware of any environmental conditions at the site, including any hazardous substances and petroleum products. As part of the 2020 ISA, the interview questionnaire was sent to the City in August 2020 and the responses from Jaime Maciel-Carrera of the City's Engineering Department and Roberto Perez of the City's Parks Department did not identify any environmental conditions at the site.

2.3.5.3 Environmental Consequences

An evaluation of potential hazardous waste impacts associated with each alternative is presented below.

As previously discussed, AOCs were identified within the project area and may warrant additional investigation or BMPs during construction.

No Build Alternative

The No Build Alternative would have no surface or subsurface impacts; therefore, it would not create adverse impacts associated with hazardous waste or materials.

Build Alternative (Proposed Project)

The Build Alternative may require the removal of utility poles along Grove Avenue and Holt Boulevard. The poles consist of creosote-treated wood and are considered AOCs. If removed, the poles should be managed as TWW in accordance with Caltrans' Standard Specification 14-11.14 for TWW. In addition, several utility poles along Grove Avenue have overhead transformers mounted on them. Historically, pole-mounted transformers have contained PCBs, which need to be profiled and managed appropriately, if present. Street lighting, traffic signals, utility boxes, meters, and associated electrical components may also have PCB ballasts, fluorescent or mercury lamps, mercury timers, switches, and sensors, and/or other wastes that would have to be disposed as hazardous wastes.

Lane markings (i.e., thermoplastics and paints) on the project corridor may contain lead-based paint (LBP) at concentrations that may pose a hazard to workers; therefore, removal and disposal of yellow thermoplastic/paint striping should be addressed in the Standard Special Provisions, and a Lead Compliance Plan (LCP) should be prepared to minimize worker exposure to lead.

Aerially deposited lead (ADL) is generally found within 30 feet of the edge of the roadway pavement and in the top 2 feet of soil. Exposed soils in landscaped medians, parkways, slopes, and unpaved sidewalk/parkway areas that would be disturbed by construction activities may contain ADL. These soils need to be handled and disposed in accordance with the soil management agreement between the California Department of Transportation (Caltrans) and the California Department of Toxic Substances Control (DTSC). Soil testing will be required to determine the presence of ADL-contaminated soils and proper handling, removal, and disposal measures.

The Build Alternative would require the removal of multiple residential structures and, depending on the structures' age, they may contain ACM and LBP. The presence of these materials would need to be investigated prior to removal of the structures to comply with environmental and worker safety regulatory requirements for ACM and LBP.

Based on the 2020 ISA, properties identified for use as temporary construction easements and/or partial acquisitions do not present potential hazardous waste issues.

The proposed project would not create a significant hazard to the public or environment through transport, use, or disposal of hazardous materials because the project is not expected to produce a large amount of hazardous waste, and BMPs and industry standards would be utilized while handling and transporting any project-related hazardous materials. In addition, project activities, especially those that are identified as being near potential hazardous waste concerns, are not located near schools or airstrips. Lastly, there is no potential for the project to interfere with an adopted emergency response or evacuation plan, and there are no wildlands in the project vicinity.

2.3.5.4 Avoidance, Minimization, and/or Mitigation Measures

Since hazardous wastes are not expected to exist on adjacent properties, the following minimization measure is used to address the potential adverse hazardous waste impacts that may be uncovered during construction of the project.

HW-1: If any discolored, odorous or compromised soils are encountered during excavation, they shall be tested and removed and disposed of per regulatory requirements.

2.3.6 Air Quality

This section evaluates potential air quality impacts related to construction and operational activities associated with the project by determining whether the project would:

- Exceed established construction emission thresholds of significance;
- Cause a carbon monoxide (CO) or particulate matter (PM) hot spot;
- Violate any ambient air quality standard, contribute substantially to an existing or projected violation, or expose sensitive receptors to substantial pollution concentrations; or
- Have a significant effect on the environment from a cumulative standpoint.

This section provides information to make a conformity determination on a regional and project-level basis.

2.3.6.1 Regulatory Setting

The FCAA, as amended, is the primary federal law that governs air quality, while the California Clean Air Act (CCAA) is its companion state law. These laws, and related regulations by EPA and the California Air Resources Board (ARB), set standards for the concentration of pollutants in the air. At the federal level, these standards are called National Ambient Air Quality Standards (NAAQS). NAAQS and State ambient air quality standards have been established for six criteria pollutants that have been linked to potential health concerns: CO, nitrogen dioxide (NO_2), ozone (O_3), PM—which is broken down for regulatory purposes into particles of 10 micrometers or smaller (PM_{10}) and particles of 2.5 micrometers and smaller ($PM_{2.5}$), lead (Pb), and sulfur dioxide (SO_2). In addition, State standards exist for visibility reducing particles, sulfates, hydrogen sulfide (H_2S), and vinyl chloride. The NAAQS and State standards are set at levels that protect public health with a margin of safety and are subject to periodic review and revision. Both State and federal regulatory schemes also cover toxic air contaminants (air toxics); some criteria pollutants are also air toxics or may include certain air toxics in their general definition.

Federal air quality standards and regulations provide the basic scheme for project-level air quality analysis under NEPA. In addition to this environmental analysis, a parallel "Conformity" requirement under the FCAA also applies.

Conformity

The conformity requirement is based on FCAA Section 176(c), which prohibits USDOT and other federal agencies from funding, authorizing, or approving plans,

programs, or projects that do not conform to State Implementation Plan (SIP) for attaining the NAAQS. "Transportation Conformity" applies to highway and transit projects and takes place on two levels: the regional (or planning and programming) level and the project level. The proposed project must conform at both levels to be approved.

Conformity requirements apply only in nonattainment and "maintenance" (former nonattainment) areas for the NAAQS, and only for the specific NAAQS that are or were violated. EPA regulations at 40 CFR 93 govern the conformity process. Conformity requirements do not apply in unclassifiable/attainment areas for NAAQS and do not apply at all for State standards regardless of the status of the area.

Regional conformity is concerned with how well the regional transportation system supports plans for attaining the NAAQS for CO, NO_2, O_3, PM_{10}, $PM_{2.5}$, and in some areas (although not in California), SO_2. California has nonattainment or maintenance areas for all of these transportation-related "criteria pollutants" except SO_2, and also has a nonattainment area for Pb; however, Pb is not currently required by the FCAA to be covered in transportation conformity analysis. Regional conformity is based on emission analysis of RTPs and Federal Transportation Improvement Programs (FTIPs) that include all transportation projects planned for a region over a period of at least 20 years (for the RTP) and 4 years (for the FTIP). RTP and FTIP conformity uses travel demand and emission models to determine whether or not the implementation of those projects would conform to emission budgets or other tests at various analysis years showing that requirements of the FCAA and the SIP are met. If the conformity analysis is successful, the MPO, FHWA, and Federal Transit Administration (FTA) make the determinations that the RTP and FTIP are in conformity with the SIP for achieving the goals of the FCAA. Otherwise, the projects in the RTP and/or FTIP must be modified until conformity is attained. If the design concept and scope and the "open-to-traffic" schedule of a proposed transportation project are the same as described in the RTP and FTIP, then the proposed project meets regional conformity requirements for purposes of project-level analysis.

Project-level conformity is achieved by demonstrating that the project comes from a conforming RTP and FTIP; the project has a design concept and scope[7] that has not changed significantly from those in the RTP and FTIP; project analyses have used the latest planning assumptions and EPA-approved emissions models; and in PM areas, the

[7] "Design concept" means the type of facility that is proposed, such as a freeway or arterial highway. "Design scope" refers to those aspects of the project that would clearly affect capacity and thus any regional emissions analysis, such as the number of lanes and the length of the project.

project complies with any control measures in the SIP. Furthermore, additional analyses (known as hot-spot analyses) may be required for projects located in CO and PM nonattainment or maintenance areas to examine localized air quality impacts.

2.3.6.2 Affected Environment

Information described in this section comes from the *Air Quality Report* (February 2017) for the project. Detailed analysis methodology, modeling files, and calculation worksheets can be found in the *Air Quality Report* (February 2017).

The project site is located within the South Coast Air Basin (Basin). The topography and climate within the Basin make it an area of high air pollution potential. The Basin is a coastal plain with connecting broad valleys and low hills, bounded by the Pacific Ocean to the west and high mountains around the rest of the perimeter. The general region lies in the semipermanent high-pressure zone of the eastern Pacific, resulting in a mild climate tempered by cool sea breezes with light average wind speeds. During the summer months, a warm air mass frequently descends over the cool, moist marine layer produced by the interaction between the ocean's surface and the lowest layer of the atmosphere. The warm upper layer forms a cap over the cool marine layer and inhibits the pollutants in the marine layer from dispersing upward. In addition, light winds during the summer further limit ventilation, and sunlight triggers the photochemical reactions that produce O_3.

Attainment Status

Federal, State, and local agencies have established ambient air quality standards for six criteria pollutants: CO, O_3, PM_{10}, $PM_{2.5}$, NO_2, SO_2, and Pb, as presented in Table 2.3.6-1. O_3 and PM are generally considered regional pollutants because they or their precursors affect air quality on a regional scale. Pollutants such as CO, PM, NO_2, SO_2, and Pb are considered local pollutants because they tend to accumulate in the air locally. The Basin air quality status is summarized in Table 2.3.6-2.

Table 2.3.6-1. State and Federal Criteria Air Pollutant Standards, Effects, and Sources

Pollutant	Averaging Time	State[1] Standard	Federal[2] Standard	Principal Health and Atmospheric Effects	Typical Sources	State Project Area Attainment Status	Federal Project Area Attainment Status
Ozone (O_3)	1 hour	0.09 ppm[3]	--- [4]	High concentrations irritate lungs. Long-term exposure may cause lung tissue damage and cancer. Long-term exposure damages plant materials and reduces crop productivity. Precursor organic compounds include many known toxic air contaminants. Biogenic VOC may also contribute.	Low-altitude O_3 is almost entirely formed from reactive organic gases (ROG)/VOC and nitrogen oxides (NOx) in the presence of sunlight and heat. Common precursor emitters include motor vehicles and other internal combustion engines, solvent evaporation, boilers, furnaces, and industrial processes.	Nonattainment (1-hour) Nonattainment (8-hour)	Nonattainment/ Extreme (8-hour)
	8 hours	0.070 ppm	0.070 ppm (4^{th} highest in 3 years)				
Carbon Monoxide (CO)	1 hour	20 ppm	35 ppm	CO interferes with the transfer of oxygen to the blood and deprives sensitive tissues of oxygen. CO also is a minor precursor for photochemical O_3. Colorless, odorless.	Combustion sources, especially gasoline-powered engines and motor vehicles. CO is the traditional signature pollutant for on-road mobile sources at the local and neighborhood scale.	Attainment	Attainment (Maintenance)
	8 hours	9.0 ppm [1]	9 ppm				
	8 hours (Lake Tahoe)	6 ppm	---				
Respirable Particulate Matter (PM_{10})[5]	24 hours	50 µg/m^3 [6]	150 µg/m^3 (expected number of days above standard < or equal to 1)	Irritates eyes and respiratory tract. Decreases lung capacity. Associated with increased cancer and mortality. Contributes to haze and reduced visibility. Includes some toxic air contaminants. Many toxic & other aerosol and solid compounds are part of PM_{10}.	Dust- and fume-producing industrial and agricultural operations; combustion smoke & vehicle exhaust; atmospheric chemical reactions; construction and other dust-producing activities; unpaved road dust and re-entrained paved road dust; natural sources.	Nonattainment	Attainment/ Maintenance
	Annual	20 µg/m^3	--- [5]				
Fine Particulate	24 hours	---	35 µg/m^3	Increases respiratory disease, lung damage,	Combustion including motor vehicles, other mobile	Nonattainment	Nonattainment
	Annual	12 µg/m^3	12.0 µg/m^3				

Table 2.3.6-1. State and Federal Criteria Air Pollutant Standards, Effects, and Sources

Pollutant	Averaging Time	State[1] Standard	Federal[2] Standard	Principal Health and Atmospheric Effects	Typical Sources	State Project Area Attainment Status	Federal Project Area Attainment Status
Matter ($PM_{2.5}$)[5]	24 hours (conformity process[7])	---	65 µg/m^3	cancer, and premature death. Reduces visibility and produces surface soiling. Most diesel exhaust particulate matter – a toxic air contaminant – is in the $PM_{2.5}$ size range. Many toxic & other aerosol and solid compounds are part of $PM_{2.5}$.	sources, and industrial activities; residential and agricultural burning; also formed through atmospheric chemical and photochemical reactions involving other pollutants including NOx, sulfur oxides (SOx), ammonia, and ROG.		
	Secondary Standard (annual; also for conformity process[5])	---	15 µg/m^3 (98^{th} percentile over 3 years)				

Table 2.3.6-1. State and Federal Criteria Air Pollutant Standards, Effects, and Sources

Pollutant	Averaging Time	State[1] Standard	Federal[2] Standard	Principal Health and Atmospheric Effects	Typical Sources	State Project Area Attainment Status	Federal Project Area Attainment Status
Nitrogen Dioxide (NO_2)	1 hour	0.18 ppm	0.100 ppm[8]	Irritating to eyes and respiratory tract. Colors atmosphere reddish-brown. Contributes to acid rain & nitrate contamination of stormwater. Part of the "NOx" group of O_3 precursors.	Motor vehicles and other mobile or portable engines, especially diesel; refineries; industrial operations.	Attainment	Maintenance
	Annual	0.030 ppm	0.053 ppm				
Sulfur Dioxide (SO_2)	1 hour	0.25 ppm	0.075 ppm[9] (99^{th} percentile over 3 years)	Irritates respiratory tract; injures lung tissue. Can yellow plant leaves. Destructive to marble, iron, steel. Contributes to acid rain. Limits visibility.	Fuel combustion (especially coal and high-sulfur oil), chemical plants, sulfur recovery plants, metal processing; some natural sources like active volcanoes. Limited contribution possible from heavy-duty diesel vehicles if ultra-low sulfur fuel not used.	Attainment	Attainment
	3 hours	---	0.5 ppm[10]				
	24 hours	0.04 ppm	0.14 ppm (for certain areas)				
	Annual	---	0.030 ppm (for certain areas)				
Lead (Pb)[11]	Monthly	1.5 µg/m^3	---	Disturbs gastrointestinal system. Causes anemia, kidney disease, and neuromuscular and neurological dysfunction. Also a toxic air contaminant and water pollutant.	Lead-based industrial processes like battery production and smelters. Lead paint, leaded gasoline. Aerially deposited lead from older gasoline use may exist in soils along major roads.	Attainment	Attainment
	Calendar Quarter	---	1.5 µg/m^3 (for certain areas)				
	Rolling 3-month average	---	0.15 µg/m^3 [12]				
Sulfate	24 hours	25 µg/m^3	---	Premature mortality and respiratory effects. Contributes to acid rain. Some toxic air contaminants attach to sulfate aerosol particles.	Industrial processes, refineries and oil fields, mines, natural sources like volcanic areas, salt-covered dry lakes, and large sulfide rock areas.	Attainment	N/A

Table 2.3.6-1. State and Federal Criteria Air Pollutant Standards, Effects, and Sources

Pollutant	Averaging Time	State[1] Standard	Federal[2] Standard	Principal Health and Atmospheric Effects	Typical Sources	State Project Area Attainment Status	Federal Project Area Attainment Status
Hydrogen Sulfide (H_2S)	1 hour	0.03 ppm	---	Colorless, flammable, poisonous. Respiratory irritant. Neurological damage and premature death. Headache, nausea. Strong odor.	Industrial processes such as refineries and oil fields, asphalt plants, livestock operations, sewage treatment plants, and mines. Some natural sources such as volcanic areas and hot springs.	Unclassified	N/A
Visibility-Reducing Particles (VRP)	8 hours	Visibility of 10 miles or more (Tahoe: 30 miles) at relative humidity less than 70%	---	Reduces visibility. Produces haze. NOTE: Not directly related to the Regional Haze program under the FCAA, which is oriented primarily toward visibility issues in National Parks and other "Class I" areas. However, some issues and measurement methods are similar.	See particulate matter above. May be related more to aerosols than to solid particles.	Unclassified	N/A

Adapted from Sonoma-Marin Narrows Draft EIR and California ARB Air Quality Standards chart (http://www.arb.ca.gov/research/aaqs/aaqs2.pdf).

Greenhouse Gases and Climate Change: Greenhouse gases do not have concentration standards for that purpose. Conformity requirements do not apply to greenhouse gases.

1 State standards are "not to exceed" or "not to be equaled or exceeded" unless stated otherwise.

2 Federal standards are "not to exceed more than once a year" or as described above.

3 ppm = parts per million

4 Prior to June 2005, the 1-hour O_3 NAAQS was 0.12 ppm. Emission budgets for 1-hour O_3 are still in use in some areas where 8-hour O_3 emission budgets have not been developed, such as the San Francisco Bay Area.

5 Annual PM_{10} NAAQS revoked October 2006; was 50 µg/m^3. 24-hour. $PM_{2.5}$ NAAQS tightened October 2006; was 65 µg/m^3. Annual $PM_{2.5}$ NAAQS tightened from 15 µg/m^3 to 12 µg/m^3 December 2012 and secondary annual standard set at 15 µg/m^3.

6 µg/m^3 = micrograms per cubic meter

7 The 65 µg/m^3 $PM_{2.5}$ (24-hour) NAAQS was not revoked when the 35 µg/m^3 NAAQS was promulgated in 2006. The 15 µg/m^3 annual $PM_{2.5}$ standard was not revoked when the 12 µg/m^3 standard was promulgated in 2012. The 0.08 ppm 1997 O_3 standard is revoked FOR CONFORMITY PURPOSES ONLY when area designations for the 2008 0.75 ppm standard become effective for conformity use (July 20, 2013). Conformity requirements apply for all NAAQS, including revoked NAAQS, until emission budgets for newer NAAQS are found adequate, SIP amendments for the newer NAAQS are approved with an emission budget, EPA specifically revokes conformity requirements for an older standard, or the area becomes attainment/unclassified. SIP-approved emission budgets remain in force indefinitely unless explicitly replaced or eliminated by a subsequent

Table 2.3.6-1. State and Federal Criteria Air Pollutant Standards, Effects, and Sources

Pollutant	Averaging Time	State[1] Standard	Federal[2] Standard	Principal Health and Atmospheric Effects	Typical Sources	State Project Area Attainment Status	Federal Project Area Attainment Status

approved SIP amendment. During the "Interim" period prior to availability of emission budgets, conformity tests may include some combination of build versus no build, build versus baseline, or compliance with prior emission budgets for the same pollutant.

[8] Final 1-hour NO_2 NAAQS published in the *Federal Register* on February 9, 2010, effective March 9, 2010. Initial area designation for California (2012) was attainment/ unclassifiable throughout. Project-level hot spot analysis requirements do not currently exist. Near-road monitoring starting in 2013 may cause redesignation to nonattainment in some areas after 2016.

[9] EPA finalized a 1-hour SO_2 standard of 75 ppb (parts per billion [thousand million]) in June 2010. Nonattainment areas have not yet been designated as of September 2012.

[10] Secondary standard, set to protect public welfare rather than health. Conformity and environmental analysis address both primary and secondary NAAQS.

[11] ARB has identified vinyl chloride and the PM fraction of diesel exhaust as toxic air contaminants. Diesel exhaust PM is part of PM_{10} and, in larger proportion, $PM_{2.5}$. Both ARB and EPA have identified Pb and various organic compounds that are precursors to O_3 and $PM_{2.5}$ as toxic air contaminants. There are no exposure criteria for adverse health effect due to toxic air contaminants, and control requirements may apply at ambient concentrations below any criteria levels specified above for these pollutants or the general categories of pollutants to which they belong.

[12] Lead NAAQS are not considered in Transportation Conformity analysis.

Regional air quality is monitored locally by the South Coast Air Quality Management District (SCAQMD) in conjunction with ARB. These two agencies operate a network of approximately nine air quality monitoring stations throughout the Basin. SCAQMD relies on one or more monitoring stations to document local air pollutant concentration levels. EPA determines regional air quality status based on data collected from permanent monitoring stations. An area is classified as “attainment" if the primary NAAQS have been achieved and "nonattainment" if the NAAQS are not achieved. Within the project area, NO_2 and SO_2, are currently in attainment with federal and State standards. CO and PM_{10} are currently characterized as a maintenance area, while $PM_{2.5}$, O_3, and Pb are designated as nonattainment. The Basin air quality status is summarized in Table 2.3.6-2.

Table 2.3.6-2. South Coast Air Basin Attainment Status

Pollutant	Attainment Status	
	Federal Standards	State Standards
Ozone (1-hour)	No Federal Standard	Nonattainment
Ozone (8-hour)	Nonattainment/Extreme	Nonattainment
PM_{10}	Attainment/Maintenance	Nonattainment
$PM_{2.5}$ (24-hour average)	Nonattainment - Moderate	Nonattainment
$PM_{2.5}$ (annual average)	Nonattainment - Serious	Nonattainment
Carbon Monoxide	Attainment (Maintenance)	Attainment
Nitrogen Dioxide	Maintenance	Attainment
Sulfur Dioxide	Attainment	Attainment
Sulfates	N/A	Attainment
Lead	Attainment	Attainment
Hydrogen Sulfide	N/A	Unclassified
Visibility Reducing Particles	N/A	Unclassified
Vinyl	N/A	Unclassified

Source: ARB, 2013; EPA, 2016.

2.3.6.3 Environmental Consequences

An evaluation of potential air quality impacts associated with each alternative is presented below.

Regional Conformity

The Basin is in nonattainment of NAAQs for O_3 and $PM_{2.5}$; thus, the project is not exempt from conformity, nor is it exempt from regional conformity. However, the project site is located within an area that has an MPO (i.e., SCAG). The proposed project is listed in the 2012-2035 financially constrained RTP/SCS, which was found

to conform by SCAG on April 4, 2012, and FHWA and FTA made a regional conformity determination finding on July 15, 2013. The proposed project is also included in the SCAG financially constrained 2017 FTIP listed on page 6 of the San Bernardino County Project Listings. The SCAG 2015 FTIP was also determined to conform by FHWA and FTA on December 15, 2014. The design concept and scope of the proposed project are consistent with the project description in the 2012-2035 RTP, the 2015 FTIP, and the "open to traffic" assumptions of SCAG's regional emission analysis.

The proposed project would not conflict with or obstruct implementation of the SCAQMD 2016 Air Quality Management Plan (AQMP). Construction and operation of the proposed project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation.

Project-Level Conformity

Widening the Grove Avenue corridor would relieve traffic congestion and delay time at local intersections and would improve circulation to accommodate future traffic increases. These project improvements are considered to provide a minimal impact to air quality in the surrounding area. The pollutants of concern when analyzing transportation project-level impacts are CO, PM_{10}, and $PM_{2.5}$ because these pollutants have a tendency to accumulate around intersections with heavy traffic congestion where vehicles are traveling at slower speeds.

Carbon Monoxide Analysis

The project is located in a CO maintenance area; therefore, federal air quality conformity standards must demonstrate that transportation activities associated with the project would not cause new air quality violations, worsen existing violations, or delay timely attainment of the NAAQS. The proposed project is not included in the exempt projects list from Table 2 of 40 CFR 93.126. Therefore, to determine the CO modeling requirements for a new project, the proposed project must utilize the first flow chart provided in the Caltrans' guidance document, *Transportation Project-Level Carbon Monoxide Protocol (CO Protocol)* (UCD, 1997). The results of the flow chart are provided in the *Air Quality Report* (February 2017); however, the questions relevant to the project and the answers to those questions are as follows:

- Is the project exempt from all emissions analysis? NO. This project is not exempt from all emissions analysis. This proposed project type is not listed in Table 2 of 40 CFR 93.126

- Is the project exempt from regional emissions analysis? NO. This project is not exempt from all regional emissions analysis. This proposed project type is not listed in Table 3 of 40 CFR 93.126.
- Is the project defined as regionally significant? YES. This project is defined as a regionally significant project.
- Is the project located in a federal attainment area? NO. The project alignment is located in the Basin, which is a federal attainment/maintenance area with respect to CO; however, the Basin is classified nonattainment for pollutants O_3 and $PM_{2.5}$. If a project area is not classified attainment for all transportation-related criteria pollutants, the project is subject to a regional conformity determination.
- Is there a currently conforming RTP and RTIP? YES. The 2012-2035 RTP and 2015 FTIP.
- Is the project included in the regional emissions analysis supporting the currently conforming RTP and TIP? YES. The proposed project is listed in both the SCAG 2012–2035 RTP and the SCAG 2015 FTIP Amendment 4 under project ID number 2002160. The 2012–2035 RTP was approved by FHWA on April 4, 2012. The 2015 FTIP was approved by FHWA on April 8, 2015.
- Has the project design concept and/or scope changed significantly from that in the regional analysis? NO. Neither the project design concept nor scope has changed from that in the regional analysis.

The conclusion from this flow chart of questions and answers is that the project needs to be examined for its local air quality impacts. Based on the answers to the first flow chart, a second flow chart is used to determine the level of local CO impact analysis required for the project. The second flow chart is provided in the *Air Quality Report* (February 2017). The questions applicable to the project in the second flow chart and the answers to those questions are as follows.

- Level 1: Is the project in a CO nonattainment area? NO. As shown previously in Table 2-1, the Basin is classified as an attainment/maintenance area for the federal CO standards.
- Level 1: Was the area redesignated as "attainment" after the 1990 Clean Air Act? YES. The Basin was redesignated to attainment/maintenance from serious nonattainment, effective June 11, 2007.
- Level 1: Has "continued attainment" been verified with the local Air District, if appropriate? YES. The Basin has continually met the federal ambient air quality standards for CO. (Proceed to Level 7)

- Level 7: Does the project worsen air quality? NO. There is zero percent increase in VMT from no-build and build conditions for the proposed project; however, there is a 30 and 51 percent increase from existing to future 2025 and 2045 conditions, respectively. In addition, there are signalized intersections within the project corridor that operate at LOS E or F. Therefore, to satisfy air quality conformity requirements, air quality modeling was used to demonstrate whether any new violations are likely to occur or if existing conditions would worsen as a result of the project.

No Build Alternative

No project improvements are proposed under the No Build Alternative. Therefore, the No Build Alternative was not required to address the flow chart provided in the Caltrans' guidance. However, under the Build Alternative CO hot-spot analysis, emissions generated from the Build Alternative will be compared to no-build conditions to determine project impacts.

Build Alternative (Proposed Project)

For the Build Alternative, there is zero percent increase in VMT from no-build and build conditions; however, there is a 30 and 51 percent increase from existing to future 2025 and 2045 conditions, respectively. In addition, there are signalized intersections within the project corridor that operate at LOS E or F. Therefore, to satisfy air quality conformity requirements, air quality modeling was used to demonstrate whether any new violations are likely to occur or if existing conditions would worsen as a result of the project.

Seven intersections were screened using LOS and traffic data estimates to identify their potential to create a CO hot spot. In general, the project would improve traffic flow and increase average vehicle speeds along Grove Avenue relative to the no-build condition. The project would either improve or have little to no effect on the overall performance of the screened intersections based on VMT volumes. Although one intersection (Grove Avenue/State Street-Airport Drive) would experience a slight (3.5 percent) increase in VMT, the project is anticipated to have a minimal impact on existing air quality.

The CO Protocol recommends performing further analysis at signalized intersections where the LOS is downgraded to E or F as a result of the project. Using this criterion and considering overall peak-hour volumes of traffic through the intersections, the following seven intersections were identified as areas where potential CO hot spots could occur:

- Grove Avenue/4th Street
- Grove Avenue/I Street
- Grove Avenue/G Street
- Grove Avenue/D Street
- Grove Avenue/Holt Boulevard
- Grove Avenue/State Street-Airport Drive
- Grove Avenue/Mission Boulevard

Intersection LOS and traffic delay in the AM and PM peak hour under the No Build Alternative and Build Alternative in 2045 are shown in Table 2.3.6-3.

Table 2.3.6-3. 2045 Intersections LOS and Traffic Delay

	AM Peak Hour		PM Peak Hour	
	Delay (seconds)	LOS	Delay (seconds)	LOS
No Build				
Grove Avenue/4th Street	51.2	D	117.4	F
Grove Avenue/I Street	8.0	A	7.5	A
Grove Avenue/G Street	11.1	B	20.6	C
Grove Avenue/D Street	18.3	B	14.8	B
Grove Avenue/Holt Boulevard	213.8	F	352.9	F
Grove Avenue/State Street-Airport Drive	88.3	F	83.2	F
Grove Avenue/Mission Boulevard	117.1	F	265.6	F
Build Alternative (Proposed Project)				
Grove Avenue/4th Street	49.4	D	47.8	D
Grove Avenue/I Street	5.9	A	5.0	A
Grove Avenue/G Street	11.5	B	10.9	B
Grove Avenue/D Street	7.6	A	6.9	A
Grove Avenue/Holt Boulevard	61.3	E	59.5	E
Grove Ave/State Street-Airport Drive	39.2	D	71.8	E
Grove Avenue/Mission Boulevard	95.5	F	233.7	F

Out of the seven intersections that were screened, three intersections were identified as the worst-case scenario and required hot-spot modeling analysis to determine CO concentrations. It is assumed that if these intersections show CO concentrations are below the NAAQS, then all other affected intersections would not cause hot spots.

- Grove Avenue/Holt Boulevard
- Grove Ave/State Street-Airport Drive
- Grove Avenue/Mission Boulevard

The CO hot spot modeling was performed according to the methodology outlined in the CO Protocol. The CO emission factors were calculated with ARB's EMFAC2011. CO concentrations were calculated using Caltrans' CALINE4. CO concentrations were estimated using traffic data obtained from the *Traffic Operations Analysis* prepared by Iteris (January 2015). CALINE4 models were created for existing and future no-build and build conditions (2025 and 2045). CALINE4 modeling output results are presented in Appendix A of the *Air Quality Report* prepared for this project.

Maximum 1-hour and 8-hour CO concentrations were estimated at each of the three intersections for existing year (2015) and for the No Build Alternative and Build Alternative during the year of opening 2025 and the horizon year 2045. Modeled CO concentrations were combined with current ambient CO background concentrations (obtained from SCAQMD Web site) and compared to the 1-hour and 8–hour CO NAAQS, as shown in Table 2.3.6-4.

Table 2.3.6-4. Maximum Predicted CO Concentrations with Background

Intersections	Existing	2025 No Build	2025 Build	2045 No Build	2045 Build
	1-hour CO Concentrations				
	State Standards – 20 ppm				
	Federal Standards – 35 ppm				
Grove Avenue/Holt Boulevard	3.6	3.5	3.4	3.7	3.4
Grove Avenue/State Street-Airport Drive	3.8	3.5	3.5	3.5	3.5
Grove Avenue/Mission Boulevard	3.5	3.4	3.4	3.5	3.5
Intersections	8-hour CO Concentrations				
	Federal Standards – 9 ppm				
Grove Avenue/Holt Boulevard	2.2	2.2	2.1	2.3	2.1
Grove Avenue/State Street-Airport Drive	2.4	2.2	2.2	2.2	2.2
Grove Avenue/Mission Boulevard	2.2	2.1	2.1	2.2	2.2

Results from the CO hot-spot modeling analysis demonstrate that under the No Build Alternative and Build Alternative, CO concentrations are expected to remain generally unchanged and are below the 1-hour and 8-hour NAAQS of 35 parts per million (ppm)

and 9 ppm, respectively. Because improvements from the project are not expected to noticeably change overall traffic volumes, vehicular flow near intersections is improved, which reduces the accumulation of localized concentrations of CO. It is anticipated that the project would not contribute to a violation of CO standards; therefore, local CO project-level transportation conformity requirements would be satisfied. Detailed CO hot-spot modeling files are shown in Appendix B of the *Air Quality Report;* associated emission factor output is also included in Appendix B of the *Air Quality Report.*

Particulate Matter Analysis

The project is located in San Bernardino County, which is designated as nonattainment for $PM_{2.5}$ and a maintenance area for PM_{10}; therefore, the proposed project must undergo transportation conformity requirements for PM_{10} and $PM_{2.5}$. The analysis was performed following the guidance provided by Caltrans and EPA's *Transportation Conformity Guidance for Quantitative Hot-Spot Analyses in $PM_{2.5}$ and PM_{10} Nonattainment and Maintenance Areas* (EPA, 2013) to satisfy conformity requirements. To determine if a project would require a $PM_{2.5}$ and PM_{10} hot-spot analysis, EPA specifies in 40 CFR 93.123(b)(1) that only Projects of Air Quality Concern (POAQCs) are required to undergo a $PM_{2.5}$ and PM_{10} hot-spot analysis.

No Build Alternative

No project improvements are proposed under the No Build Alternative. Therefore, the No Build Alternative was not required to undergo a $PM_{2.5}$ and PM_{10} hot-spot analysis. However, under the Build Alternative $PM_{2.5}$ and PM_{10} hot-spot analysis, emissions generated from the Build Alternative will be compared to no-build conditions to determine project impacts.

Build Alternative (Proposed Project)

A discussion of the proposed project compared to projects of air quality concern, as defined by 40 CFR 93.123(b)(1), is provided in the *Air Quality Report* (February 2017).

Upon reviewing the project's traffic data, it was determined that the average daily traffic (ADT) estimated for the future Build Alternative does not classify the project as a POAQC. However, due to the nonattainment status of $PM_{2.5}$ and maintenance status of PM_{10}, the proposed project was required to undergo interagency consultation with SCAG's Transportation Conformity Working Group (TCWG). On April 28, 2015, the TCWG provided concurrence that the project was not a POAQC based on the $PM_{2.5}$ and PM_{10} review forms that were submitted. The form was resubmitted in June 2020 to obtain concurrence and is shown in Appendix E of the *Air Quality Conformity*

Analysis (July 2020). Also provided in Appendix D of the *Air Quality Conformity Analysis* is the TCWG's June 23, 2020 confirmation that the proposed project in still not a POAQC and does not require a hot-spot analysis to be performed. The FHWA air quality conformity letter for the 2019 FTIP, TCWG's June 2020 PM finding, and FHWA concurrence letter are provided in Appendix K.

Traffic volumes at the intersections of Grove Avenue/Holt Boulevard and Grove Avenue/State Street-Airport Drive would exceed the 125,000 average daily trips criteria for a POAQC, as shown in Table 2.3.6-5; however, the total vehicles and truck average annual daily traffic (AADT) would decrease from the Build Alternative at these intersections. The total truck percentages along Grove Avenue from 4th Street to State Street-Airport Drive would not exceed the 8 percent criteria, and the total truck AADT would not exceed the 10,000-vehicle criteria for POAQC. Truck percentages are 4 percent on Grove Avenue between 4th Street and State Street-Airport Drive, as land uses within this area are primarily residential, outdoor recreational use areas, and a few commercial properties. The future traffic volumes along Grove Avenue are shown in Tables 2.3.6-5 and 2.3.6-6.

Table 2.3.6-5. 2025 Average Daily Traffic Volumes

2025 Conditions	AADT	Truck AADT	Diesel Truck Percentage
No Build			
Grove Avenue/4th Street	86,276	3,710	4
Grove Avenue/I Street	49,892	2,145	4
Grove Avenue/G Street	59,478	2,260	4
Grove Avenue/D Street	57,953	2,202	4
Grove Avenue/Holt Boulevard	120,918	4,595	4
Grove Avenue/State Street-Airport Drive	100,656	3,825	4
Build Alternative			
Grove Avenue/4th Street	93,030	4,000	4
Grove Avenue/I Street	56,428	2,426	4
Grove Avenue/G Street	62,964	2,393	4
Grove Avenue/D Street	61,003	2,318	4
Grove Avenue/Holt Boulevard	118,957	4,520	4
Grove Avenue/State Street-Airport Drive	104,142	3,957	4

Table 2.3.6-6. 2045 Average Daily Traffic Volumes

2045 Conditions	AADT	Truck AADT	Diesel Truck Percentage
No Build			
Grove Avenue/4th Street	111,332	4,787	4
Grove Avenue/I Street	64,060	2,755	4
Grove Avenue/G Street	80,830	3,072	4
Grove Avenue/D Street	78,433	2,980	4
Grove Avenue/Holt Boulevard	175,385	6,665	4
Grove Avenue/State Street-Airport Drive	134,643	5,116	4
Build Alternative			
Grove Avenue/4th Street	103,052	4,431	4
Grove Avenue/I Street	69,507	2,989	4
Grove Avenue/G Street	79,522	3,022	4
Grove Avenue/D Street	77,562	2,947	4
Grove Avenue/Holt Boulevard	168,413	6,400	4
Grove Avenue/State Street-Airport Drive	131,811	5,009	4

Even though the project is not a POAQC, the project area is designated as nonattainment for $PM_{2.5}$ and maintenance for PM_{10}; therefore, further evaluation was performed to assess the project's influence on the change in PM emissions at a localized level from existing to future no build and build. This emissions trend information will be utilized to predict whether the project would cause or contribute to any new localized PM_{10} or $PM_{2.5}$ violations, or increase the frequency or severity of any existing violations, or delay timely attainment of the PM_{10} or $PM_{2.5}$ NAAQS. Caltrans' CT-EMFAC was used to estimate $PM_{2.5}$ and PM_{10} emissions generated from operation of the project.

As shown in Table 2.3.6-7, predicted PM emission levels trend lower from existing to the future no-build years 2025 and 2045. These PM emission decreases are attributable to enhanced fuel emission control programs implemented on a federal, State, and local level. The project provides further reductions in PM emissions by enhancing traffic flow and reducing the wait time at signalized intersections minimizing brake use and tire wear under the Build Alternative. It is anticipated that the project would not worsen existing air quality, cause an exceedance, or cause any new violations of the $PM_{2.5}$ and PM_{10} standards. PM project-level transportation conformity requirements are satisfied. Detailed EMFAC2011 PM hot-spot modeling output results are shown in Appendix B of the *Air Quality Report*.

Table 2.3.6-7. Maximum $PM_{10}/PM_{2.5}$ Emissions (pounds per day)

Pollutant	Existing	2025 No Build	2025 Build	2045 No Build	2045 Build
Grove Avenue/Holt Boulevard	329	163	161	187	149
Grove Avenue/State Street-Airport Drive	297	117	121	119	117
Grove Avenue/Mission Boulevard	396	171	162	169	162

Mobile Source Air Toxics Analysis

FHWA recommends a range of options deemed appropriate for addressing and documenting the mobile source air toxics (MSAT) issue in NEPA documents. These include:

- No analysis required for projects with no potential for meaningful MSAT effects—Applicable for categorically excluded projects under CFR Chapter 23, Section 771.17(c); exempt projects under CFR Chapter 40, Section 93.126; or projects with no meaningful impacts on traffic volumes or vehicle mix.
- Qualitative analysis required for projects with low potential MSAT effects—Projects that serve to improve operations of highway, transit, or freight without adding substantial new capacity or without creating a facility that is likely to meaningfully increase emissions.
- Quantitative analysis for projects that have the potential for meaningful differences in MSAT emissions among project alternatives. To fall into this category, a project should:
  - Create or significantly alter a major intermodal freight facility that has the potential to concentrate high levels of diesel particulate matter (DPM) in a single location, involving a significant number of diesel vehicles for new projects, or accommodating with a significant increase in the number of diesel vehicles for expansion projects; or
  - Create new capacity or add significant capacity to urban highways such as interstates, urban arterials, or urban collector-distributor routes with traffic volumes where the AADT is projected to be in the range of 140,000 to 150,000 or greater by the design year; and also
  - Proposed to be located in proximity to populated areas.

Upon review of the Build Alternative and the FHWA guidance categories described above, the project is classified as a minor widening project and may have potential

MSAT effects, but it has a low potential for MSAT effects; therefore, a qualitative analysis is appropriate for assessing MSAT impacts from operation of the project.

No Build Alternative

No project improvements are proposed under the No Build Alternative. Therefore, an MSAT analysis was not required for the No Build Alternative.

Build Alternative (Proposed Project)

For the Build Alternative, the amount of MSAT emitted would be proportional to the AADT, assuming that other variables, such as fleet mix, are the same for each alternative. Because the AADT estimated for the No Build Alternative is higher than for the Build Alternative, higher levels of MSAT are not expected from the Build Alternative compared to the No Build Alternative, as previously shown in Tables 2.3.6-5 and 2.3.6-6. In addition, emissions from the Build Alternative would likely be lower than present levels in the design year as a result of EPA's national control programs that are projected to reduce annual MSAT emissions by more than 80 percent from 2010 to 2050. Local conditions may differ from these national projections in terms of fleet mix and turnover, VMT growth rates, and local control measures; however, the magnitude of the EPA-projected reductions is so great (even after accounting for VMT growth) that MSAT emissions are likely to be lower in the future in virtually all locations.

In sum, under the Build Alternative in the design year, it is expected there would be reduced MSAT emissions in the immediate area of the project, relative to the No Build Alternative, due to the reduced AADT associated with more direct routing and due to EPA's MSAT reduction programs.

CEQ Provisions (Incomplete/Unavailable Information, Project-Specific MSAT Health Impacts)

In FHWA's view, information is incomplete or unavailable to credibly predict the project-specific health impacts due to changes in MSAT emissions associated with a proposed set of highway alternatives. The outcome of such an assessment, adverse or not, would be influenced more by the uncertainty introduced into the process through assumption and speculation rather than any genuine insight into the actual health impacts directly attributable to MSAT exposure associated with a proposed action.

EPA is responsible for protecting the public health and welfare from any known or anticipated effect of an air pollutant. They are the lead authority for administering the FCAA and its amendments and have specific statutory obligations with respect to

hazardous air pollutants and MSAT. EPA is in the continual process of assessing human health effects, exposures, and risks posed by air pollutants. They maintain IRIS, which is "a compilation of electronic reports on specific substances found in the environment and their potential to cause human health effects" (EPA, http://www.epa.gov/iris/). Each report contains assessments of noncancerous and cancerous effects for individual compounds and quantitative estimates of risk levels from lifetime oral and inhalation exposures with uncertainty spanning perhaps an order of magnitude.

Other organizations are also active in the research and analyses of the human health effects of MSAT, including the Health Effects Institute (HEI). Two HEI studies are summarized in Appendix D of FHWA's *Interim Guidance Update on Mobile Source Air Toxic Analysis in NEPA Documents.* Among the adverse health effects linked to MSAT compounds at high exposures are cancer in humans in occupational settings; cancer in animals; and irritation to the respiratory tract, including the exacerbation of asthma. Less obvious is the adverse human health effects of MSAT compounds at current environmental concentrations (HEI, http://pubs.healtheffects.org/view.php?id=282) or in the future as vehicle emissions substantially decrease (HEI, http://pubs.healtheffects.org/view.php?id=306).

The methodologies for forecasting health impacts include emissions modeling; dispersion modeling; exposure modeling; and then final determination of health impacts – each step in the process building on the model predictions obtained in the previous step. All are encumbered by technical shortcomings or uncertain science that prevents a more complete differentiation of the MSAT health impacts among a set of project alternatives. These difficulties are magnified for lifetime (i.e., 70-year) assessments, particularly because unsupportable assumptions would have to be made regarding changes in travel patterns and vehicle technology, which affects emissions rates, over that time frame because such information is unavailable.

It is particularly difficult to reliably forecast 70-year lifetime MSAT concentrations and exposure near roadways; to determine the portion of time that people are actually exposed at a specific location; and to establish the extent attributable to a proposed action, especially given that some of the information needed is unavailable.

There are considerable uncertainties associated with the existing estimates of toxicity of the various MSATs because of factors such as low-dose extrapolation and translation of occupational exposure data to the general population, a concern expressed by HEI (http://pubs.healtheffects.org/view.php?id=282).

As a result, there is no national consensus on air dose-response values assumed to protect the public health and welfare for MSAT compounds and, in particular, for DPM. EPA (http://www.epa.gov/risk/basicinformation.htm#g) and HEI (http://pubs.healtheffects.org/getfile.php?u=395) have not established a basis for quantitative risk assessment of DPM in ambient settings.

There is also the lack of a national consensus on an acceptable level of risk. The current context is the process used by EPA as provided by the FCAA to determine whether more stringent controls are required to provide an ample margin of safety to protect public health or to prevent an adverse environmental effect for industrial sources subject to the maximum achievable control technology standards, such as benzene emissions from refineries. The decision framework is a two-step process. The first step requires EPA to determine an "acceptable" level of risk due to emissions from a source, which is generally no greater than approximately 100 in a million. Additional factors are considered in the second step, the goal of which is to maximize the number of people with risks less than 1 in a million due to emissions from a source. The results of this statutory two-step process do not guarantee that cancer risks from exposure to air toxics are less than 1 in a million; in some cases, the residual risk determination could result in maximum individual cancer risks that are as high as approximately 100 in a million. In a June 2008 decision, the U.S. Court of Appeals for the District of Columbia Circuit upheld EPA's approach to addressing risk in its two-step decision framework. Information is incomplete or unavailable to establish that even the largest of highway projects would result in levels of risk greater than deemed acceptable.

Because of the limitations in the methodologies for forecasting health impacts described, any predicted difference in health impacts between alternatives is likely to be much smaller than the uncertainties associated with predicting the impacts. Consequently, the results of such assessments would not be useful to decision makers, who would need to weigh this information against project benefits, such as reducing traffic congestion, collision rates, and fatalities plus improved access for emergency response, that are better suited for quantitative analysis.

Ozone Analysis

The project is located in an area designated as nonattainment for O_3. SCAQMD has established thresholds of significance for O_3 precursors for the operation of transportation projects. In addition, regional plans, programs, and documents that have been federally approved will be utilized in identifying the Basin's proposed activities to reduce O_3 precursor emissions. Additionally, transportation conformity requirements

are satisfied through the inclusion of the project in the conforming regional Interim FTIP.

No Build Alternative

No project improvements are proposed under the No Build Alternative. Therefore, an O_3 analysis was not required for the No Build Alternative.

Build Alternative (Proposed Project)

Operation of the project would have a minimal impact on the Basin with implementation of control measures incorporated from the plans and programs discussed above. Furthermore, the project was incorporated in the conforming Interim 2015 FTIP; therefore, it is anticipated that the project would not worsen existing air quality, or cause an exceedance, or cause any new violations of the O_3 standards. Regional transportation conformity requirements are satisfied through inclusion of the project in the conforming regional Interim 2015 FTIP. The project remains listed in the 2019 FTIP, which was adopted by SCAG in September 2018 and for which FHWA issued a conformity determination in December 2018 (see Appendix K).

Asbestos

No Build Alternative

No project improvements are proposed under the No Build Alternative. Therefore, the No Build Alternative was not required to address naturally occurring asbestos.

Build Alternative (Proposed Project)

San Bernardino County is not among the counties listed as containing serpentine and ultramafic rock (Governor's Office of Planning and Research, October 26, 2000); therefore, the impact from naturally occurring asbestos during construction of the project would be minimal to none.

Short-Term Construction Impacts

No Build Alternative

No project improvements are proposed under the No Build Alternative. Therefore, no construction impacts were analyzed for the No Build Alternative.

Build Alternative (Proposed Project)

Construction is anticipated to begin in 2024 and last approximately 1 year. During construction, short-term degradation of air quality may occur due to the release of particulate emissions (airborne dust) generated by excavation, grading, hauling, and other construction-related activities. Emissions from construction equipment also are expected and would include CO, NOx, VOCs, directly-emitted PM_{10} and $PM_{2.5}$, and

toxic air contaminants such as diesel exhaust particulate matter. Ozone is a regional pollutant that is derived from NOx and VOCs in the presence of sunlight and heat.

The impacts of construction activities would vary each day as construction progresses. Site preparation and roadway construction typically involves clearing, cut-and-fill activities, grading, removing or improving existing roadways, and paving roadway surfaces. Relocation/modification of utilities and drainage facilities within the proposed ROW would include power poles, underground utilities, and storm drains. Utility relocations are expected to be accomplished without interrupting service. Drainage improvements would include installation of operational BMPs.

Construction-related effects on air quality from most roadway projects would be greatest during the site preparation phase because most engine emissions are associated with the excavation, handling, and transport of soils to and from the site. These activities could temporarily generate enough PM_{10}, $PM_{2.5}$, and small amounts of CO, SO_2, NOx, and VOCs to be of concern.

Construction activities of the project would involve limited excavation, grading, hauling, and various other activities needed to construct the project. These activities would generate short-term increases in PM. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soils. Unless properly controlled, vehicles leaving the site could deposit mud on local streets, which could be an added source of airborne dust after it dries. PM_{10} emissions would vary from day to day, depending on the nature and magnitude of construction activity and local weather conditions. PM_{10} emissions would depend on soil moisture, silt content of soil, wind speed, and the amount of equipment operating. Larger dust particles would settle near the source, while fine particles would be dispersed over greater distances from the construction site.

Construction activities for large development projects are estimated by the EPA to add 1.2 tons of fugitive dust per acre of soil disturbed per month of activity. If water or other soil stabilizers are used to control dust, the emissions can be reduced by up to 50 percent. Implementation of Standard Conditions SC-CI-21 and SC-CI-22, which includes an extensive list of air quality control measures, would reduce PM_{10} emissions during construction. Implementation of minimization measure AQ-1 would further reduce emissions.

In addition to dust-related PM_{10} emissions, heavy-duty trucks and construction equipment powered by gasoline and diesel engines would generate CO, SO_2, NOx,

VOCs and some soot particulates (PM_{10} and $PM_{2.5}$) in exhaust emissions. If construction activities were to increase traffic congestion in the area, CO and other emissions would increase slightly while vehicles are delayed. These emissions would be temporary and limited to the immediate area surrounding the construction site.

There are sensitive land uses (residences) along the Grove Avenue Corridor. Dust and odors at some residences very close to the ROW could probably cause occasional annoyance and complaints. However, construction would be short-term in any one area, as each segment and portion of the roadway is under construction at any one time. Thus, equipment emissions related to diesel exhaust are not expected to be a significant adverse impact on nearby sensitive land uses.

SO_2 is generated by oxidation during combustion of organic sulfur compounds contained in diesel fuel. Under California law and ARB regulations, off-road diesel fuel used in California must meet the same sulfur and other standards as on-road diesel fuel (not more than 15 ppm sulfur), so SO_2-related issues due to diesel exhaust will be minimal.

Some phases of construction, particularly asphalt paving, may result in short-term odors in the immediate area of each paving site. Such odors would quickly disperse to below detectable levels as distance from the site increases.

Most of the construction impacts to air quality are short-term in duration and, therefore, will not result in long-term adverse conditions. Implementation of Standard Conditions SC-CI-21 and SC-CI-22, which call for implementation of all applicable measures that are feasible during construction, will reduce any air quality impacts resulting from construction activities. The measures under SC-CI-21 and SC-CI-22 include:

- All disturbed areas, including storage piles that are not being actively used for construction purposes, shall be effectively stabilized of dust emissions using water or chemical stabilizer/ suppressant, or they shall be covered with a tarp, another suitable cover, or vegetative groundcover.
- All onsite unpaved roads and offsite unpaved access roads shall be effectively stabilized of dust emissions using water or a chemical stabilizer/suppressant.
- All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions by applying water or by presoaking.
- With the demolition of buildings up to six stories in height, all exterior surfaces of the building shall be wetted during demolition.

- When materials are transported offsite, all material shall be covered or effectively wetted to limit visible dust emissions, and at least 6 inches of freeboard space from the top of the container shall be maintained.
- All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.
- Within urban areas, an owner/operator shall prevent carryout and trackout, or immediately remove carryout and trackout when it extends 50 feet or more from the nearest unpaved surface exit point of the site.
- Any construction site with 150 or more vehicle trips per day shall prevent carryout and trackout.
- Limit traffic speed on unpaved roads to 15 miles per hour (mph) at construction sites with high emissions of fugitive dust. The following measures shall be implemented at large construction sites near sensitive receptors:
  - Install wheel washers for all exiting trucks, or wash off tires of trucks and equipment leaving the site.
  - Install wind breaks at windward side(s) of construction areas.
  - Suspend excavation and grading activities when wind exceeds 20 mph.
  - Limit areas subject to excavation, grading, and other earthwork activity at any one time.
- The construction contractor must comply with SCAQMD Rule 403 (Fugitive Dust), which specifies actions or control measures to prevent, reduce, or mitigate PM emissions generated from construction, demolition, excavation, extraction, and other earth-moving activities.
- Water or dust palliative will be applied to the site and equipment as frequently as necessary to control fugitive dust emissions.
- Soil binder will be spread on any unpaved roads used for construction purposes and all project construction parking areas.
- Trucks will be washed off as they leave the ROW as necessary to control fugitive dust emissions.
- Construction equipment and vehicles shall be properly tuned and maintained. Low-sulfur fuel shall be used in all construction equipment as provided in CCR Title 17, Section 93114.
- Equipment and materials storage sites will be located as far away from residential and park uses as practicable. Keep construction areas clean and orderly.

- Track-out reduction measures, such as gravel pads, will be used at project access points to minimize dust and mud deposits on roads affected by construction traffic.
- All transported loads of soils and wet materials will be covered prior to transport or adequate freeboard will be provided (i.e., space from the top of the material to the top of the truck) to reduce PM_{10} and deposition of particulates during transportation.
- Dust and mud that are deposited on paved, public roads due to construction activity and traffic will be removed to decrease PM.
- The construction contractor must comply with Caltrans Standard Specifications in Section 14-9. Section 14-9.02 includes specifications relating to compliance with air pollution control rules, regulations, ordinances, and statutes of the local ordinances and air quality management district. Section 14-9.03 includes specifications relating to preventing and alleviating dust by applying water, dust palliative, or both and by covering active and inactive stockpiles.

The limited construction activities would limit ROG emissions during the construction period of the project. Therefore, construction of the project is not expected to exceed the ROG thresholds of significance established by SCAQMD.

Other individual projects in the Basin may be under construction simultaneously with the project. Depending on construction schedules and implementation of other projects in the region, fugitive dust and pollutant emissions generated during construction may result in substantial short-term increases in air pollutants. This would contribute to short-term cumulative air quality impacts; however, implementation of construction Best Available Control Measures (BACMs) during site grading activities would reduce fugitive dust emissions to a level that is considered minor.

Construction Conformity

Construction activities will not last for more than 5 years at one general location, so construction-related emissions do not need to be included in regional and project-level conformity analysis (40 CFR 93.123(c)(5)).

2.3.6.4 Avoidance, Minimization, and/or Mitigation Measures

Caltrans' Standard Specifications pertaining to dust control and dust palliative requirement is required to be part of all construction contracts and should effectively reduce and control emission impacts during construction. The provisions of the Caltrans' Standard Specifications, Section 7-1.0F "Air Pollution Control" and Section 10 "Dust Control" require the contractor to comply with SCAQMD rules, ordinances, and regulations. SCAQMD Rule 403 (Fugitive Dust) specifies actions or control

measures to prevent, reduce, or mitigate PM emissions generated from construction, demolition, excavation, extraction, and other earth-moving activities. In addition, the following minimization measure will be implemented:

AQ-1: The City shall encourage construction contractors to apply for SCAQMD "SOON" funds. The "SOON" program provides funds to applicable fleets for the purchase of commercially available low-emission heavy-duty engines to achieve near-term reduction of NO_X emissions from in-use off-road diesel vehicles. More information on this program can be found at SCAQMD's website: http://www.aqmd.gov/home/programs/business/business-detail?title=off-road-diesel-engines&parent=vehicle-engine-upgrades.

With implementation of the standard specifications and minimization measure AQ-1, no additional avoidance and/or mitigation measures are required.

Because the project is included in and consistent with the 2012-2035 RTP that conforms to federal and State air quality requirements, the project would not degrade CO ambient air quality and is not a POAQC; the project would not result in substantial air quality impacts from operation of the project; and no mitigation measures are proposed.

2.3.6.5 Climate Change

Neither EPA nor FHWA have issued explicit guidance or methods to conduct project-level GHG analysis. FHWA emphasizes concepts of resilience and sustainability in highway planning, project development, design, operations, and maintenance. Because there have been requirements set forth in California legislation and EOs on climate change, the issue is addressed in Chapter 3, CEQA Evaluation, of this document. The CEQA analysis may be used to inform the NEPA determination for the project.

2.3.7 Noise and Vibration

This section addresses potential noise impacts on nearby noise-sensitive areas along the project corridor resulting from the proposed project. For detailed analysis, please refer to the *Noise Study Report* (NSR) (December 2017).

2.3.7.1 Regulatory Setting

NEPA and CEQA provide the broad basis for analyzing and abating highway traffic noise effects. The intent of these laws is to promote the general welfare and to foster a healthy environment. The requirements for noise analysis and consideration of noise abatement and/or mitigation, however, differ between NEPA and CEQA.

California Environmental Quality Act

CEQA requires a strictly baseline versus build analysis to assess whether a proposed project will have a noise impact. If a proposed project is determined to have a significant noise impact under CEQA, then CEQA dictates that mitigation measures must be incorporated into the project unless those measures are not feasible. The rest of this section will focus on the NEPA 23 CFR 772 noise analysis; please see Chapter 3 of this document for further information on noise analysis under CEQA.

Pursuant to Caltrans Traffic Noise Analysis Protocol (dated May 2011), Section 7, CEQA and NEPA Considerations, a 12-decibel (dB) increase between existing and design-year with-project conditions is considered a significant impact. If a proposed project is determined to have a significant noise impact under CEQA, then abatement measures must be incorporated into the project unless those measures are not feasible.

National Environmental Policy Act and 23 CFR 772

For highway transportation projects with FHWA involvement (and Caltrans, as assigned), the Federal-Aid Highway Act of 1970 and the implementing regulations (23 CFR 772) govern the analysis and abatement of traffic noise impacts. The regulations require that potential noise impacts in areas of frequent human use be identified during the planning and design of a highway project. The regulations include noise abatement criteria (NAC) that are used to determine when a noise impact would occur. The NAC differ depending on the type of land use under analysis. For example, the NAC for residences (67 A-weighted decibels [dBA]) is lower than the NAC for commercial areas (72 dBA). Table 2.3.7-1 lists the NAC for use in the NEPA 23 CFR 772 analysis.

Table 2.3.7-1. Noise Abatement Criteria

Activity Category	NAC, Hourly A-Weighted Noise Level, $L_{eq}(h)$	Description of Activity Category
A	57 (Exterior)	Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.
B[1]	67 (Exterior)	Residential.
C[2]	67 (Exterior)	Active sport areas, amphitheaters, auditoriums, campgrounds, cemeteries, day care centers, hospitals, libraries, medical facilities, parks, picnic areas, places of worship, playgrounds, public meeting rooms, public or nonprofit institutional structures, radio studios, recording studios, recreation areas, Section 4(f) sites, schools, television studios, trails, and trail crossings.
D	52 (Interior)	Auditoriums, day care centers, hospitals, libraries, medical facilities, places of worship, public meeting rooms, public or nonprofit institutional structures, radio studios, recording studios, schools, and television studios.
E	72 (Exterior)	Hotels, motels, offices, restaurants/bars, and other developed lands, properties, or activities not included in A–D or F.
F	No NAC—reporting only	Agriculture, airports, bus yards, emergency services, industrial, logging, maintenance facilities, manufacturing, mining, rail yards, retail facilities, shipyards, utilities (water resources, water treatment, electrical, etc.), and warehousing.
G	No NAC—reporting only	Undeveloped lands that are not permitted.

[11] Includes undeveloped lands permitted for this activity category.

Figure 2.3.7-1 lists the noise levels of common activities so that a comparison can be made between the actual and predicted traffic noise levels discussed in this section with common activities.

According to Caltrans' *Traffic Noise Analysis Protocol for New Highway Construction, Reconstruction, and Retrofit Barrier Projects* (May 2011), a noise impact occurs when the predicted future noise level with the project substantially exceeds the existing noise level (defined as a 12 dBA or more increase) or when the future noise level with the project approaches or exceeds the NAC. A noise level is considered to approach the NAC if it is within 1 dBA of the NAC.

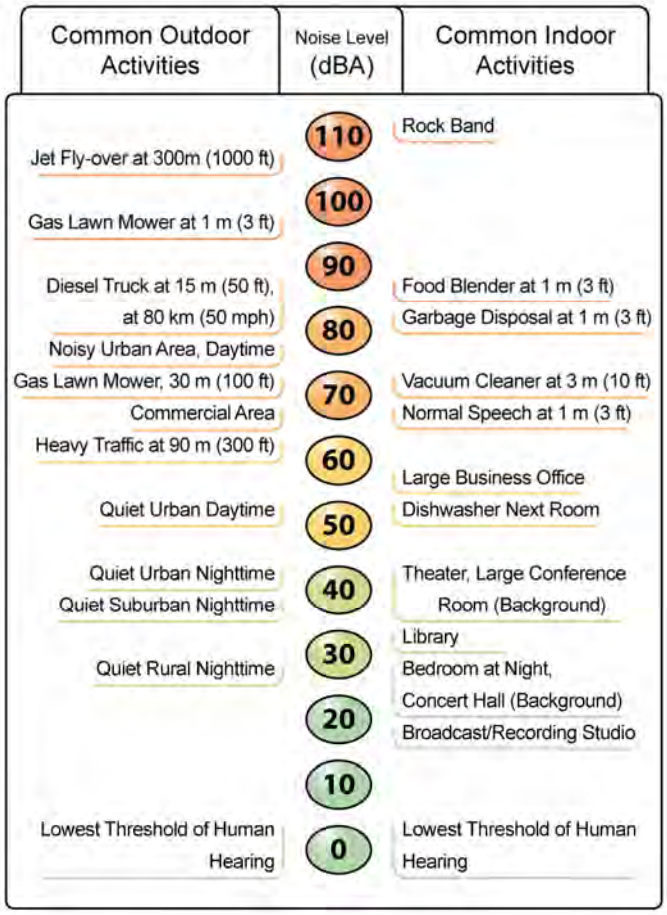


Figure 2.3.7-1. Noise Levels of Common Activities

If it is determined that the project will have noise impacts, then potential abatement measures must be considered. Noise abatement measures that are determined to be reasonable and feasible at the time of final design are incorporated into the project plans and specifications. This document discusses noise abatement measures that would likely be incorporated in the project.

Caltrans' Traffic Noise Analysis Protocol sets forth the criteria for determining when an abatement measure is reasonable and feasible. Feasibility of noise abatement is basically an engineering concern. Noise abatement must be predicted to reduce noise by at least 5 decibels (dB) at an impacted receptor to be considered feasible from an acoustical perspective. It must also be possible to design and construct the noise abatement measure for it to be considered feasible. Factors that affect the design and constructability of noise abatement include, but are not limited to, safety, barrier height, topography, drainage, access requirements for driveways, presence of local cross streets, underground utilities, other noise sources in the area, and maintenance of the abatement measure. The overall reasonableness of noise abatement is determined by

the following three factors: (1) the noise reduction design goal of 7 dB at one or more impacted receptors; (2) the cost of noise abatement; and (3) the viewpoints of benefited receptors, including property owners and residents of the benefited receptors.

2.3.7.2 Affected Environment

Information in this section is from the NSR (December 2017) and the *Noise Abatement Decision Report* (December 2017).

Developed and undeveloped land uses in the project vicinity were identified through inspection of aerial photography and a detailed field investigation.

Existing land uses in the project area are described below and in further detail starting at 4th Street (the northern terminus of the project area) and continuing south along Grove Avenue to E. State Street/E. Airport Drive (the southern terminus of the project area).

Grove Avenue between 4th Street and I Street: This is the northernmost area in the project corridor and consists of recreational parks on the east and west sides of Grove Avenue.

Grove Avenue between I Street and G Street: This area consists of single-family residences west of Grove Avenue and single-family residences approximately 150 feet east of Grove Avenue.

Grove Avenue between G Street and Nocta Street: This area consists of single- and multi-family residences, west and east of Grove Avenue. There is also a place of worship, the Sovereign Grace Baptist Church, at the southwest corner of Grove Avenue and G Street.

Grove Avenue between Nocta Street and E. State Street/E. Airport Drive: This area consists of several single-family residences (permanent and mobile homes) that are located approximately 100 feet or more from Grove Avenue. There are several hotels along Holt Boulevard. In addition, an outdoor waiting area for the Car Wash El Chavo was identified. Furthermore, there are several parcels of undeveloped land in this area.

The generalized land use data and location of particular noise-sensitive receivers were the basis for the selection of representative analysis sites. A total of 97 receiver locations were modeled to represent existing uses in the project vicinity. Figures 2.3.7-2 through 2.3.7-4 show the locations that were analyzed, as well as receiver and soundwall locations. The following land uses occur along the Grove Avenue Corridor:

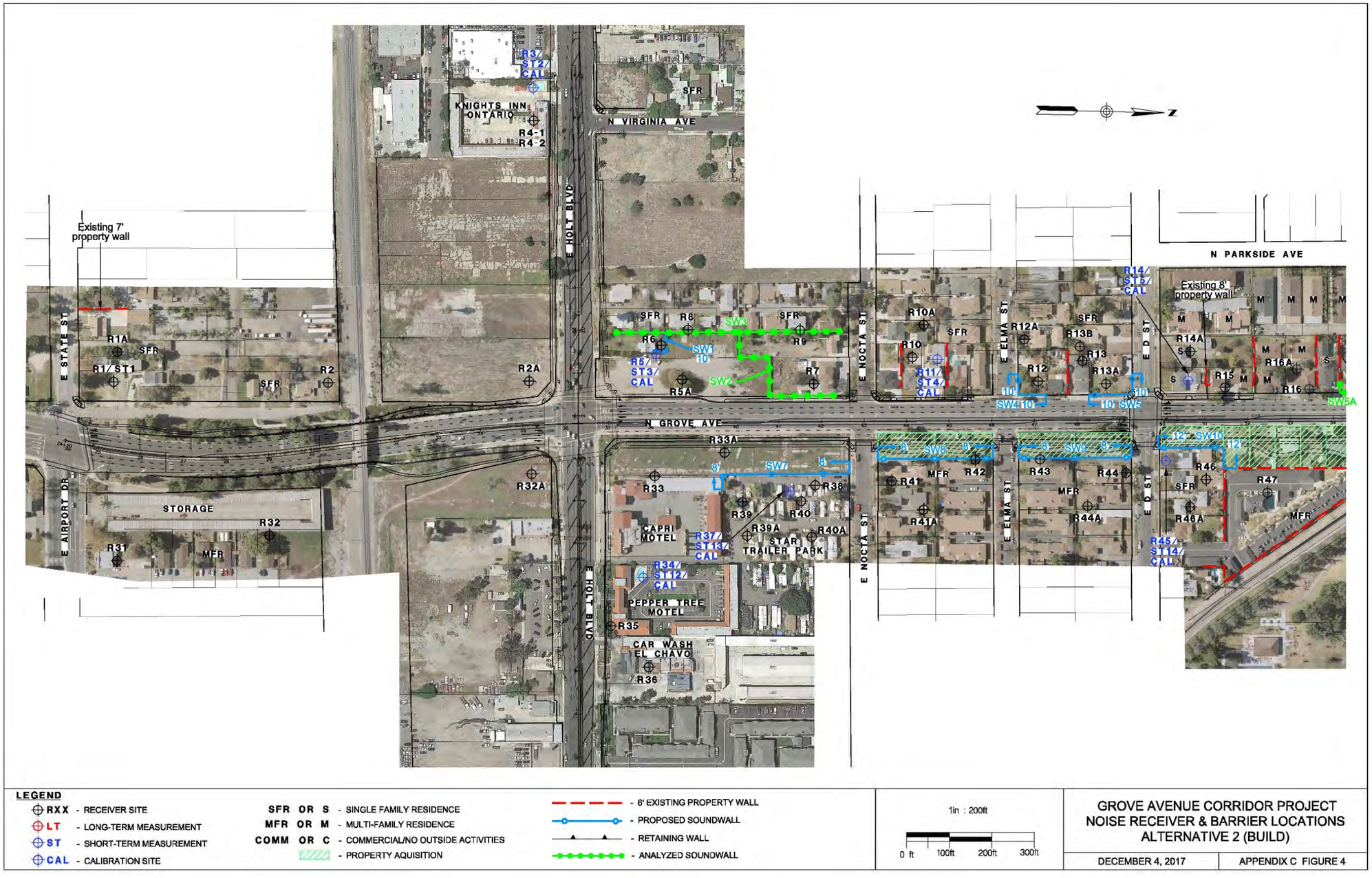


Figure 2.3.7-2. Noise Receiver and Barrier Locations (Build Alternative)

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Figure 2.3.7-3. Noise Receiver and Barrier Locations (Build Alternative)

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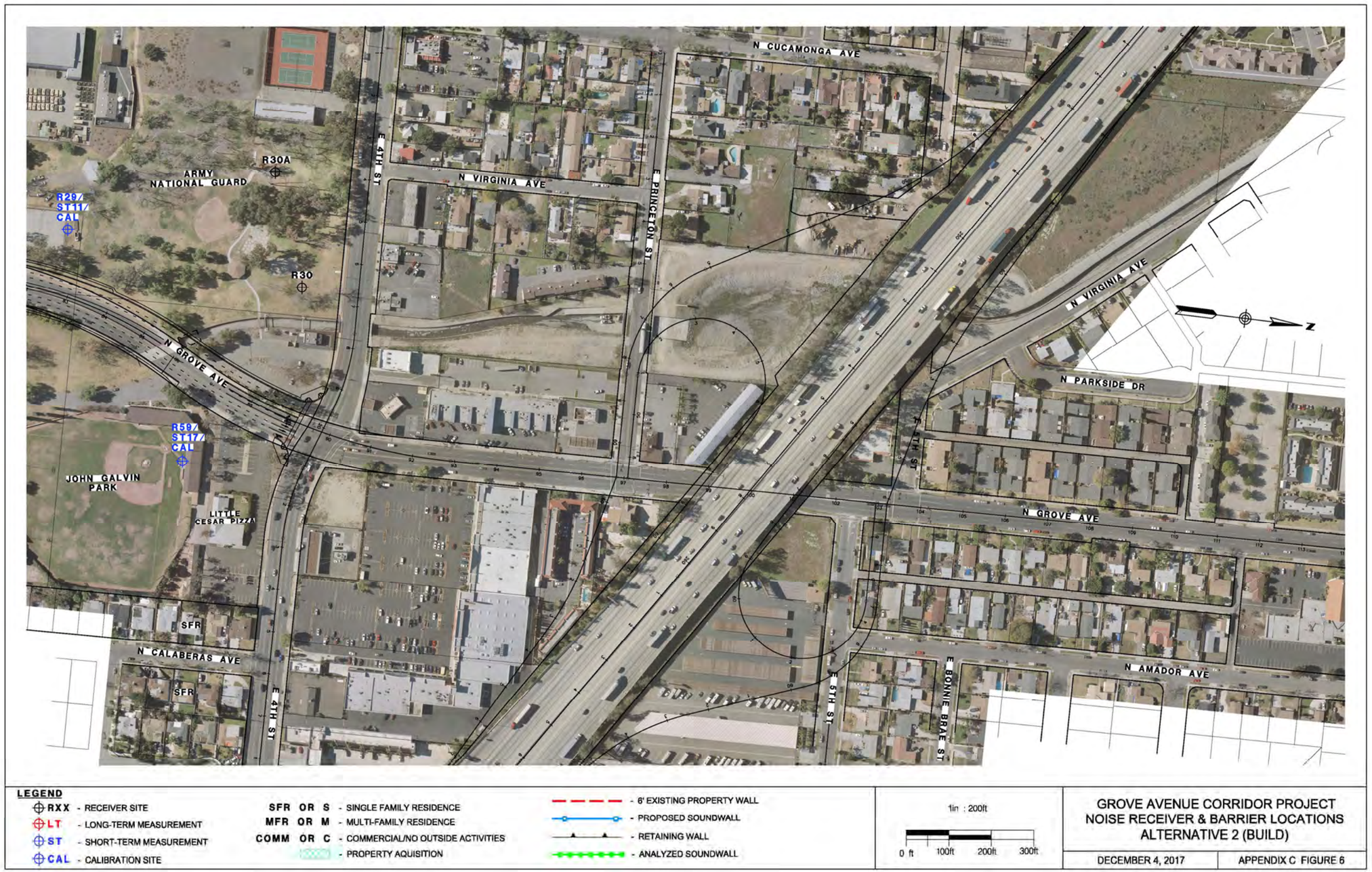

Figure 2.3.7-4. Noise Receiver and Barrier Locations (Build Alternative)

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- Category B – Single-family and multi-family residences
- Category C – Sovereign Grace Baptist Church, walking trail benches, John Galvin Park, and Jay Littleton Ballpark
- Category E – Knights Inn Ontario, Capri Motel, Pepper Tree Motel, and Car Wash El Chavo
- Category G – Undeveloped lands

2.3.7.3 Environmental Consequences

The project is considered a Type I project by 23 CFR 772 because the proposed construction that would widen Grove Avenue would add lanes and shift traffic closer to adjacent receivers.

The following paragraphs explain the steps in predicting traffic noise levels along the project corridor as a result of the proposed project.

Existing Noise Level Measurements

The existing noise environment in the project area is characterized below based on short-term (20-minute) noise level measurements (and traffic counts) completed at 17 locations in May 2015 and at 1 additional location in February 2017, and subsequent modeling of traffic noise levels at 97 representative receiver locations. Table 2.33.7-2 summarizes the results of the short-term noise measurement conducted in the project area.

Table 2.3.7-2. Summary of Short-Term Measurements

Receiver	Address	Land Uses	Start Time	Duration (minutes)	Measured L_{eq}
ST1	1197 E. State Street	Residential	10:20 a.m.	20	61.9
ST2	1120 E. Holt Boulevard	Residential	3:00 p.m.	20	66.6
ST3	1179 E. Holt Boulevard	Residential	10:50 a.m.	20	64.7
ST4	213 N. Grove Avenue	Recreation	11:20 a.m.	20	56.5
ST5	1195 E. D Street	Recreation	1:20 p.m.	20	60.7
ST5A	501 N. Grove Avenue #203	Residential	2:00 p.m.	20	66.9
ST6	533 N. Grove Avenue	Residential	1:00 p.m.	20	59.0
ST7	1168 E. G Street	Residential	12:20 p.m.	20	63.4
ST8	710 N. Parkside Drive	Residential	9:40 a.m.	20	60.2
ST9	804 N. Parkside Drive	Recreation	4:15 p.m.	20	62.0
ST10	1156 E. I Street	Residential	3:20 p.m.	20	67.8

Table 2.3.7-2. Summary of Short-Term Measurements

Receiver	Address	Land Uses	Start Time	Duration (minutes)	Measured L_{eq}
ST11	John Galvin Park	Park	2:20 p.m.	20	58.9
ST12	1241 E. Holt Boulevard	Recreation	11:00 a.m.	20	59.4
ST13	1230 E. Nocta Street	Residential	12:20 p.m.	20	57.9
ST14	1213 E. D Street	Residential	10:40 a.m.	20	61.6
ST15	1210 E. Flora Street	Recreation	4:25 p.m.	20	63.7
ST16	809 N. Alameda Avenue	Residential	11:25 a.m.	20	58.7
ST17	John Galvin Park	Park	2:30 p.m.	20	57.8

Source: Noise Study Report, Grove Avenue Corridor Project (December 2017).

Future Noise-Level Modeling

Traffic noise levels were predicted using the FHWA Traffic Noise Model Version 2.5 (TNM 2.5). Key inputs to the traffic noise model were the locations of roadways, shielding features, existing soundwalls, ground types, and receiver locations. Receivers, defined as single points, were at frequent outdoor use areas such as residences, schools, and recreational areas.

A comparison of existing noise levels to the projected noise levels in 2045 under the No Build Alternative and the Build Alternative is provided. Comparison to existing conditions indicates traffic noise impacts to the receptors; comparison of the build and no-build conditions indicates the direct effect of the project.

Where noise levels met the NAC, soundwalls were evaluated to determine if they were reasonable and feasible. The criteria for determining when an abatement measure is reasonable and feasible are provided above in the Regulatory Setting.

Reasonableness of noise abatement (for each noise barrier found to be acoustically feasible) must then be determined based on the cost allowance calculation procedure identified in the *Caltrans Traffic Noise Analysis Protocol for New Highway Construction, Reconstruction, and Retrofit Barrier Projects*. A soundwall is considered reasonable if it costs less than the reasonable allowance for that barrier (currently set at a base cost allowance of $107,000 per benefitted receptor), meets the design goal, and the viewpoints of benefited receivers have been taken into consideration. The preliminary determination of reasonableness is discussed later in this section.

Thresholds of Significance

An evaluation of potential noise impacts associated with each alternative is presented below.

No Build Alternative

Table 2.3.7-3 shows the results of the traffic noise modeling for the design-year No Build Alternative range from 49 to 74 dBA L_{eq}(h). Noise levels for design-year no-build conditions are expected to increase up to 3 dB over existing noise levels due to projected traffic volume increases over existing conditions. Estimated no-build traffic noise levels were found to approach or exceed the applicable NAC at representative land use locations.

Build Alternative (Proposed Project)

Under the Build Alternative, traffic noise modeling results range from 49 to 75 dBA L_{eq}(h). Noise levels for the design-year 2045 Build Alternative are expected to increase by up to 8 dB over design-year no-build noise levels. Under future design-year 2045 build conditions, most of the receiver locations have traffic noise levels that were found to approach or exceed the applicable NAC. Where possible, noise abatement was considered at these receiver locations. Figures 2.3.7-2 through 2.3.7-4 show the locations that were analyzed, as well as receiver and soundwall locations.

Implementation of Caltrans Standard Special Provisions for vibration would ensure that the project has none to very little potential for ground-borne vibration or ground-borne noise levels during construction or operation of the project. The project is located near the Ontario International Airport but would not change the exposure of residents or other persons in the area to airport noise nor conflict with an airport land use plan; therefore, no airport-associated noise impacts would occur.

Future Noise-Level Modeling

Traffic noise impacts would occur along the various roadways even without project implementation, as shown in Table 2.3.7-4, because traffic noise levels would approach or exceed NAC; however, no noise abatement would be considered without the project.

Short-Term Construction Impacts

No Build Alternative

No project improvements are proposed under the No Build Alternative; therefore, no construction impacts were analyzed for the No Build Alternative.

Table 2.3.7-3. Traffic Noise Impact Analysis

Receiver	Existing Noise Level (dBA)	Predicted Noise Level without Project (dBA)	Predicted Noise Level with Project (dBA)	Noise Impact Requiring Abatement Consideration	Predicted Noise Level with Abatement (dBA)						Reasonable and Feasible
					6-foot Wall	8-foot Wall	10-foot Wall	12-foot Wall	14-foot Wall	16-foot Wall	
R1/ST1	68	70	70	No	--	--	--	--	--	--	--
R1A	62	64	65	No	--	--	--	--	--	--	--
R2	61	62	63	No	--	--	--	--	--	--	--
R2A	72	74	74	No	--	--	--	--	--	--	--
R3/ST2	66	68	68	No	--	--	--	--	--	--	--
R4-1	59	61	61	No	--	--	--	--	--	--	--
R4-2	60	62	62	No	--	--	--	--	--	--	--
R5/ST3	68	70	70	No	--	--	--	--	--	--	--
R5A	70	72	72	No	--	--	--	--	--	--	--
R6	67	68	69	Yes	64	63	62	61	61	61	Yes
R7	67	68	68	Yes	67	65	65	64	64	63	No
R8	65	67	67	Yes	64	64	64	63	63	63	No
R9	60	62	63	No	--	--	--	--	--	--	--
R10	62	63	65	No	--	--	--	--	--	--	--
R10A	55	56	57	No	--	--	--	--	--	--	--
R11/ST4	59	61	62	No	--	--	--	--	--	--	--
R12	69	70	71	Yes	65	64	63	63	63	62	Yes
R12A	62	64	64	No	63	63	62	62	62	62	No
R13	61	62	62	No	60	60	60	60	59	--	No
R13A	71	73	73	Yes	67	65	64	64	63	--	Yes
R13B	59	61	61	No	58	57	56	56	56	--	Yes
R14/ST5	67	68	68	Yes	--	--	--	--	--	--	--
R14A	59	61	61	No	--	--	--	--	--	--	--

Table 2.3.7-3. Traffic Noise Impact Analysis

Receiver	Existing Noise Level (dBA)	Predicted Noise Level without Project (dBA)	Predicted Noise Level with Project (dBA)	Noise Impact Requiring Abatement Consideration	Predicted Noise Level with Abatement (dBA)						Reasonable and Feasible
					6-foot Wall	8-foot Wall	10-foot Wall	12-foot Wall	14-foot Wall	16-foot Wall	
R15	72	73	73	Yes	--	--	--	--	--	--	--
R16	72	74	74	Yes	--	--	--	--	--	--	--
R16A	61	62	62	No	--	--	--	--	--	--	--
R17-1	62	64	64	No	63	60	59	59	59	59	No
R17-2	71	72	72	Yes	72	72	72	70	68	66	No
R17A/ST5A	70	72	72	Yes	72	71	70	68	67	66	No
R18/ST6	61	62	63	No	--	--	--	--	--	--	--
R19	71	73	73	Yes	66	64	62	61	60	60	Yes
R19A	71	73	73	Yes	66	64	63	62	61	61	No
R20/ST7	71	72	72	No	--	--	--	--	--	--	--
R21	47	49	49	No	--	--	--	--	--	--	--
R21A	54	56	56	No	--	--	--	--	--	--	--
R22	72	74	74	Yes	--	--	--	--	--	--	--
R23	61	64	64	No	64	62	61	60	60	--	No
R23A	60	62	62	No	62	62	62	62	61	--	No
R24/ST8	68	70	70	No	--	--	--	--	--	--	--
R24A	68	69	70	Yes	64	61	59	57	56	--	Yes
R25	62	64	64	No	64	61	60	58	57	--	No
R25A	71	72	73	Yes	67	64	62	60	59	--	Yes
R25B	56	57	59	No	57	56	55	55	54	--	No
R25C	57	58	60	No	58	57	56	55	54	--	No
R26/ST9	64	65	66	Yes	66	64	62	60	59	--	No
R27	63	65	69	Yes	67	64	62	61	59	--	Yes

Table 2.3.7-3. Traffic Noise Impact Analysis

Receiver	Existing Noise Level (dBA)	Predicted Noise Level without Project (dBA)	Predicted Noise Level with Project (dBA)	Noise Impact Requiring Abatement Consideration	Predicted Noise Level with Abatement (dBA)						Reasonable and Feasible
					6-foot Wall	8-foot Wall	10-foot Wall	12-foot Wall	14-foot Wall	16-foot Wall	
R27A	58	59	60	No	59	59	58	57	57	--	No
R28/ST10	70	72	74	Yes	71	71	71	71	71	--	No
R28A	62	63	64	No	63	63	63	63	63	--	No
R29/ST11	66	68	69	Yes	--	--	--	--	--	--	--
R30	66	68	68	Yes	--	--	--	--	--	--	--
R30A	61	63	63	No	--	--	--	--	--	--	--
R31	53	54	54	No	--	--	--	--	--	--	--
R32	49	51	51	No	--	--	--	--	--	--	--
R32A	72	73	75	No	--	--	--	--	--	--	--
R33	69	70	72	No	--	--	--	--	--	--	--
R33A	70	71	74	No	--	--	--	--	--	--	--
R34/ST12	67	68	68	No	--	--	--	--	--	--	--
R35	71	72	72	No	--	--	--	--	--	--	--
R36	66	67	68	No	--	--	--	--	--	--	--
R37/ST13	65	67	69	Yes	62	61	60	59	58	58	Yes
R38	66	67	70	Yes	64	62	61	60	59	58	Yes
R39	57	58	61	No	59	58	58	57	57	56	No
R39A	57	58	61	No	57	57	56	56	55	55	No
R40	64	65	67	Yes	62	61	60	60	59	59	Yes
R40A	55	56	58	No	56	56	56	56	56	56	No
R41	58	59	62	No	62	62	62	61	61	--	No
R41A	55	57	61	No	59	59	58	58	58	--	No
R42	64	65	72	Yes	67	62	59	58	57	--	Yes

Table 2.3.7-3. Traffic Noise Impact Analysis

Receiver	Existing Noise Level (dBA)	Predicted Noise Level without Project (dBA)	Predicted Noise Level with Project (dBA)	Noise Impact Requiring Abatement Consideration	Predicted Noise Level with Abatement (dBA)						Reasonable and Feasible
					6-foot Wall	8-foot Wall	10-foot Wall	12-foot Wall	14-foot Wall	16-foot Wall	
R43	64	65	73	Yes	67	62	60	58	57	--	Yes
R44	67	68	72	Yes	69	69	68	68	68	--	No
R44A	53	54	57	No	56	56	56	56	56	--	No
R45/ST14	67	69	72	Yes	70	70	70	70	70	--	No
R46	62	64	69	Yes	64	63	63	62	62	--	No
R46A	56	57	60	No	57	56	56	55	55	--	No
R47	57	58	63	No	--	--	--	--	--	--	--
R48	54	56	58	No	--	--	--	--	--	--	--
R48A	51	52	54	No	--	--	--	--	--	--	--
R49/ST15	67	68	70	No	--	--	--	--	--	--	--
R49A	63	65	66	Yes	61	59	57	57	56	56	Yes
R50	67	68	70	Yes	61	59	58	57	57	56	Yes
R51	62	64	65	No	--	--	--	--	--	--	--
R51A	58	59	61	No	--	--	--	--	--	--	--
R52	66	68	69	No	--	--	--	--	--	--	--
R53/LT1	69	71	73	Yes	69	63	61	60	59	59	No
R53A	66	67	69	Yes	64	61	60	59	58	57	No
R54	64	66	67	Yes	60	59	57	56	55	54	No
R54A	57	59	61	No	56	57	56	56	55	55	No
R55/ST16	64	65	67	Yes	61	59	57	56	54	54	No
R56	58	60	61	No	61	59	57	56	55	54	No
R56A	57	59	60	No	58	59	58	58	58	58	No
R57	61	62	64	No	--	--	--	--	--	--	--

Table 2.3.7-3. Traffic Noise Impact Analysis

Receiver	Existing Noise Level (dBA)	Predicted Noise Level without Project (dBA)	Predicted Noise Level with Project (dBA)	Noise Impact Requiring Abatement Consideration	Predicted Noise Level with Abatement (dBA)						Reasonable and Feasible
					6-foot Wall	8-foot Wall	10-foot Wall	12-foot Wall	14-foot Wall	16-foot Wall	
R57A	60	61	62	No	--	--	--	--	--	--	--
R57B	61	63	64	No	--	--	--	--	--	--	--
R57C	62	63	64	No	--	--	--	--	--	--	--
R58	67	69	70	Yes	--	--	--	--	--	--	--
R59/ST17	62	63	63	No	--	--	--	--	--	--	--

dBA: A-weighted decibels.

--: Not Evaluated

1 - Receivers that are noise measurement sites that are not located at an outdoor use area, or those subject to acquisitions, are not listed in this table because they do not represent a future outdoor use area and do not qualify for noise abatement.

Source: Developed from the Noise Study Report, 2017.

Table 2.3.7-4. Predicted Future Traffic Noise and Soundwall Analysis – Alternative 2 (Build Alternative)

Receiver I.D.	Barrier I.D. and Location	Land Use[2]	Number of Dwelling Units	Existing Noise Level Leq(h), dBA[1]	I-10 Grove Avenue Project Future Worst Hour Noise Levels - L_{eq}(h), dBA[1]																							
					Design Year No-Build Noise Level Leq(h), dBA[1]	Design Year Build Noise Level Leq(h), dBA[1]	Design Year No-Build Noise Level Minus Existing Conditions, dB	Design Year Build Noise Level Minus No-Build Conditions, dB	Activity Category (NAC)	Impact Type[3]	Noise Prediction with Barrier, Barrier Insertion Loss (I.L.), and Number of Benefitted Receivers (NBR)																
											6 feet			8 feet			10 feet			12 feet			14 feet			16 feet		
											Leq(h)	I.L.	NBR	Leq(h)	I.L.	NBR	Leq(h)	I.L.	NBR	Leq(h)	I.L.	NBR	Leq(h)	I.L.	NBR	Leq(h)	I.L.	NBR
R1/ST1 [4]	No Barrier	UND	--	68	70	70	2	0	G (--)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R1A		SFR	1	62	64	65	2	1	B (67)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R2		SFR	2	61	62	63	1	1	B (67)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R2A		UND	--	72	74	74	2	0	G (--)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R3/ST2		HOT	1	66	68	68	2	0	E (72)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R4-1		HOT	--	59	61	61	2	0	E (72)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R4-2		HOT	--	60	62	62	2	0	E (72)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R5/ST3 [4]		--	--	68	70	70	2	0	--	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R5A		UND	--	70	72	72	2	0	G (--)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R6	SW1	SFR	1	67	68	69	1	1	B (67)	A/E	64 [T]	5	*1*	63	6	*1*	**62 [R]**	**7**	*1*	61	8	*1*	61	8	*1*	61	8	*1*
R7	SW2	SFR	2	67	68	68	1	0	B (67)	A/E	67	1	*0*	65	3	*0*	65 [T]	3	*0*	64	4	*0*	64	4	*0*	63	5	*2*
R8	SW3	SFR	6	65	67	67	2	0	B (67)	A/E	64	3	*0*	64 [T]	3	*0*	64	3	*0*	63	4	*0*	63	4	*0*	63	4	*0*
R9	No Barrier	SFR	4	60	62	63	2	1	B (67)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R10		SFR	2	62	63	65	1	2	B (67)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R10A		SFR	2	55	56	57	1	1	B (67)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R11/ST4		SFR	3	59	61	62	2	1	B (67)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R12	SW4	SFR	1	69	70	71	1	1	B (67)	A/E	65	6	*1*	64	7	*1*	**63 [R,T]**	**8**	*1*	63	8	*1*	63	8	*1*	62	9	*1*
R12A		SFR	1	62	64	64	2	0	B (67)	NONE	63	1	*0*	63	1	*0*	62	2	*0*	62	2	*0*	62	2	*0*	62	2	*0*
R13	SW5	SFR	2	61	62	62	1	0	B (67)	NONE	60	2	*0*	60	2	*0*	60	2	*0*	60	2	*0*	59	3	*0*	-- [5]	--	--
R13A		SFR	1	71	73	73	2	0	B (67)	A/E	67	6	*1*	65	8	*1*	**64 [R,T]**	**9**	*1*	64	9	*1*	63	10	*1*	-- [5]	--	--
R13B		SFR	1	59	61	61	2	0	B (67)	NONE	58	3	*0*	57	4	*0*	56	5	*1*	56	5	*1*	56	5	*1*	-- [5]	--	--

Notes:

1 - Leq(h) are A-weighted, peak hour noise levels in decibels. Noise levels are calculated using PM peak hour traffic volumes, based on the results of long-term measurement site LT1 and the project traffic study.

2 - Land Use: SFR - single-family residence; MFR - multi-family residence; UND - undeveloped; SCH - educational center; COM- commercial; REC - recreational; HOT - hotel/motel; POW - place of worship; MH - mobile home.

3 - S = Substantial Increase (12 dBA or more); A/E = Approach or exceed NAC.

4 - This noise measurement site was chosen for monitoring purposes and was not located at an outdoor use area; however, this site is acoustically representative of nearby outdoor use areas.

5 - Per the Highway Design Manual, the maximum height of a noise barrier should not exceed 14 feet in height when located 15 feet or less from the edge of traveled way.

6 - Soundwalls were not analyzed at public parks maintained by the City of Ontario.

W - Includes the benfit of an existing soundwall or property wall.

T - Minimum height required to block the line-of-sight from the receiver to truck exhaust stacks.

R - Minimum height required to meet feasibility requirements and design goal.

STxx - Short-term measurement / model calibration site.

LTxx - Long-term measurement site.

Int - Interior noise level determined using a building structure noise reduction of 25 dB, based on visual inspection of building and FHWA *Highway Traffic Noise: Analysis and Abatement Guidance* Table 6.

-- - A soundwall was not evaluated for this receiver.

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Table 2.3.7-4. Predicted Future Traffic Noise and Soundwall Analysis – Alternative 2 (Build Alternative)

Receiver I.D.	Barrier I.D. and Location	Land Use[2]	Number of Dwelling Units	Existing Noise Level $L_{eq}(h)$, dBA[1]	I-10 Grove Avenue Project Future Worst Hour Noise Levels - $L_{eq}(h)$, dBA[1]																							
											Noise Prediction with Barrier, Barrier Insertion Loss (I.L.), and Number of Benefitted Receivers (NBR)																
											6 feet			8 feet			10 feet			12 feet			14 feet			16 feet		
					Design Year No-Build Noise Level $L_{eq}(h)$, dBA[1]	Design Year Build Noise Level $L_{eq}(h)$, dBA[1]	Design Year No-Build Noise Level Minus Existing Conditions, dB	Design Year Build Noise Level Minus No-Build Conditions, dB	Activity Category (NAC)	Impact Type[3]	$L_{eq}(h)$	I.L.	*NBR*	$L_{eq}(h)$	I.L.	*NBR*	$L_{eq}(h)$	I.L.	*NBR*	$L_{eq}(h)$	I.L.	*NBR*	$L_{eq}(h)$	I.L.	*NBR*	$L_{eq}(h)$	I.L.	*NBR*
R14/ST5	No Barrier	SFR	1	67	68	68	1	0	B (67)	A/E	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R14A		SFR	1	59	61	61	2	0	B (67)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R15		MFR	2	72	73	73	1	0	B (67)	A/E	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R16		MFR	2	72	74	74	2	0	B (67)	A/E	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R16A		MFR	1	61	62	62	1	0	B (67)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R17-1	SW5A	MFR	2	62	64	64	2	0	B (67)	NONE	63	1	*0*	60	4	*0*	59	5	*2*	59	5	*2*	59	5	*2*	59	5	*2*
R17-2		MFR	2	71	72	72	1	0	B (67)	A/E	72	0	*0*	72	0	*0*	72	0	*0*	70	2	*0*	68	4	*0*	66 T	6	*2*
R17A/ST5A		MFR	2	70	72	72	2	0	B (67)	A/E	72	0	*0*	71	1	*0*	70	2	*0*	68	4	*0*	67	5	*2*	66 T	6	*2*
R18/ST6	No Barrier	MFR	8	61	62	63	1	1	B (67)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R19	SW5C	MFR	1	71	73	73	2	0	B (67)	A/E	66 R	7	*1*	**64** R,T	9	*1*	62	11	*1*	61	12	*1*	60	13	*1*	60	13	*1*
R19A	SW5B	MFR	1	71	73	73	2	0	B (67)	A/E	66 R	7	*1*	64	9	*1*	**63** R,T	**10**	*1*	62	11	*1*	61	12	*1*	61	12	*1*
R20 [4]	No Barrier	--	--	71	72	72	1	0	--	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R21 Ext		POW	--	72	74	74	2	0	--	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R21 Int		POW	1	47	49	49	2	0	D (52)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R21A		SFR	1	54	56	56	2	0	B (67)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R22	No Barrier[6]	REC	1	72	74	74	2	0	C (67)	A/E	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Notes:

1 - $L_{eq}(h)$ are A-weighted, peak hour noise levels in decibels. Noise levels are calculated using PM peak hour traffic volumes, based on the results of long-term measurement site LT1 and the project traffic study.

2 - Land Use: SFR - single-family residence; MFR - multi-family residence; UND - undeveloped; SCH - educational center; COM- commercial; REC - recreational; HOT - hotel/motel; POW - place of worship; MH - mobile home.

3 - S = Substantial Increase (12 dBA or more); A/E = Approach or exceed NAC.

4 - This noise measurement site was chosen for monitoring purposes and was not located at an outdoor use area; however, this site is acoustically representative of nearby outdoor use areas.

5 - Per the Highway Design Manual, the maximum height of a noise barrier should not exceed 14 feet in height when located 15 feet or less from the edge of traveled way.

6 - Soundwalls were not analyzed at public parks maintained by the City of Ontario.

W - Includes the benfit of an existing soundwall or property wall.

T - Minimum height required to block the line-of-sight from the receiver to truck exhaust stacks.

R - Minimum height required to meet feasibility requirements and design goal.

STxx - Short-term measurement / model calibration site.

LTxx - Long-term measurement site.

Int - Interior noise level determined using a building structure noise reduction of 25 dB, based on visual inspection of building and FHWA *Highway Traffic Noise: Analysis and Abatement Guidance* Table 6.

-- - A soundwall was not evaluated for this receiver.

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Table 2.3.7-4. Predicted Future Traffic Noise and Soundwall Analysis – Alternative 2 (Build Alternative)

Receiver I.D.	Barrier I.D. and Location	Land Use[2]	Number of Dwelling Units	Existing Noise Level Leq(h), dBA[1]	I-10 Grove Avenue Project Future Worst Hour Noise Levels - L_{eq}(h), dBA[1]																							
					Design Year No-Build Noise Level Leq(h), dBA[1]	Design Year Build Noise Level Leq(h), dBA[1]	Design Year No-Build Noise Level Minus Existing Conditions, dB	Design Year Build Noise Level Minus No-Build Conditions, dB	Activity Category (NAC)	Impact Type[3]	Noise Prediction with Barrier, Barrier Insertion Loss (I.L.), and Number of Benefitted Receivers (NBR)																
											6 feet			8 feet			10 feet			12 feet			14 feet			16 feet		
											Leq(h)	I.L.	NBR	Leq(h)	I.L.	NBR	Leq(h)	I.L.	NBR	Leq(h)	I.L.	NBR	Leq(h)	I.L.	NBR	Leq(h)	I.L.	NBR
R23 W	SW6	SFR	1	61	64	64	3	0	B (67)	NONE	64	0	0	62	2	0	61	3	0	60	4	0	60	4	0	-- [5]	--	--
R23A		SFR	1	60	62	62	2	0	B (67)	NONE	62	0	0	62	0	0	62	0	0	62	0	0	61	1	0	-- [5]	--	--
R24/ST8[4]		--	--	68	70	70	2	0	--	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	-- [5]	--	--
R24A		SFR	2	68	69	70	1	1	B (67)	A/E	64	6	2	**61** R,T	**9**	2	59	11	2	57	13	2	56	14	2	-- [5]	--	--
R25		SFR	4	62	64	64	2	0	B (67)	NONE	64	0	0	61	3	0	60	4	0	58	6	4	57	7	4	-- [5]	--	--
R25A		SFR	4	71	72	73	1	1	B (67)	A/E	67	6	4	**64** R,T	**9**	4	62	11	4	60	13	4	59	14	4	-- [5]	--	--
R25B		SFR	1	56	57	59	1	2	B (67)	NONE	57	2	0	56	3	0	55	4	0	55	4	0	54	5	1	-- [5]	--	--
R25C		SFR	1	57	58	60	1	2	B (67)	NONE	58	2	0	57	3	0	56	4	0	55	5	1	54	6	1	-- [5]	--	--
R26/ST9		SFR	4	64	65	66	1	1	B (67)	A/E	66	0	0	64 T	2	0	62	4	0	60 R	6	4	59	7	4	-- [5]	--	--
R27		SFR	5	63	65	69	2	4	B (67)	A/E	67	2	0	**64** R,T	**5**	5	62	7	5	61	8	5	59	10	5	-- [5]	--	--
R27A		SFR	1	58	59	60	1	1	B (67)	NONE	59	1	0	59	1	0	58	2	0	57	3	0	57	3	0	-- [5]	--	--
R28/ST10		SFR	1	70	72	74	2	2	B (67)	A/E	71	3	0	71	3	0	71	3	0	71	3	0	71	3	0	-- [5]	--	--
R28A		SFR	1	62	63	64	1	1	B (67)	NONE	63	1	0	63	1	0	63	1	0	63	1	0	63	1	0	-- [5]	--	--
R29/ST11	No Barrier[6]	REC	1	66	68	69	2	1	C (67)	A/E	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R30		REC	1	66	68	68	2	0	C (67)	A/E	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R30A		REC	1	61	63	63	2	0	C (67)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R31	No Barrier	SFR	3	53	54	54	1	0	B (67)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R32		SFR	4	49	51	51	2	0	B (67)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R32A		UND	--	72	73	75	1	2	G (--)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R33		--	--	69	70	72	1	2	--	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R33A		UND	--	70	71	74	1	3	G (--)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R34/ST12		HOT	1	67	68	68	1	0	E (72)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R35		--	--	71	72	72	1	0	--	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R36		COM	1	66	67	68	1	1	E (72)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Notes:

1 - Leq(h) are A-weighted, peak hour noise levels in decibels. Noise levels are calculated using PM peak hour traffic volumes, based on the results of long-term measurement site LT1 and the project traffic study.

2 - Land Use: SFR - single-family residence; MFR - multi-family residence; UND - undeveloped; SCH - educational center; COM- commercial; REC - recreational; HOT - hotel/motel; POW - place of worship; MH - mobile home.

3 - S = Substantial Increase (12 dBA or more); A/E = Approach or exceed NAC.

4 - This noise measurement site was chosen for monitoring purposes and was not located at an outdoor use area; however, this site is acoustically representative of nearby outdoor use areas.

5 - Per the Highway Design Manual, the maximum height of a noise barrier should not exceed 14 feet in height when located 15 feet or less from the edge of traveled way.

6 - Soundwalls were not analyzed at public parks maintained by the City of Ontario.

W - Includes the benfit of an existing soundwall or property wall.

T - Minimum height required to block the line-of-sight from the receiver to truck exhaust stacks.

R - Minimum height required to meet feasibility requirements and design goal.

STxx - Short-term measurement / model calibration site.

LTxx - Long-term measurement site.

Int - Interior noise level determined using a building structure noise reduction of 25 dB, based on visual inspection of building and FHWA *Highway Traffic Noise: Analysis and Abatement Guidance* Table 6.

-- - A soundwall was not evaluated for this receiver.

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Table 2.3.7-4. Predicted Future Traffic Noise and Soundwall Analysis – Alternative 2 (Build Alternative)

Receiver I.D.	Barrier I.D. and Location	Land Use[2]	Number of Dwelling Units	Existing Noise Level Leq(h), dBA[1]	I-10 Grove Avenue Project Future Worst Hour Noise Levels - L_{eq}(h), dBA[1]																							
					Design Year No-Build Noise Level Leq(h), dBA[1]	Design Year Build Noise Level Leq(h), dBA[1]	Design Year No-Build Noise Level Minus Existing Conditions, dB	Design Year Build Noise Level Minus No-Build Conditions, dB	Activity Category (NAC)	Impact Type[3]	Noise Prediction with Barrier, Barrier Insertion Loss (I.L.), and Number of Benefitted Receivers (NBR)																
											6 feet			8 feet			10 feet			12 feet			14 feet			16 feet		
											Leq(h)	I.L.	*NBR*	Leq(h)	I.L.	*NBR*	Leq(h)	I.L.	*NBR*	Leq(h)	I.L.	*NBR*	Leq(h)	I.L.	*NBR*	Leq(h)	I.L.	*NBR*
R37/ST13	SW7	MH	4	65	67	69	2	2	B (67)	A/E	62	7	*4*	**61** R,T	**8**	*4*	60	9	*4*	59	10	*4*	58	11	*4*	58	11	*4*
R38		MH	4	66	67	70	1	3	B (67)	A/E	64	6	*4*	**62** R,T	**8**	*4*	61	9	*4*	60	10	*4*	59	11	*4*	58	12	*4*
R39		MH	5	57	58	61	1	3	B (67)	NONE	59	2	*0*	58	3	*0*	58	3	*0*	57	4	*0*	57	4	*0*	56	5	*5*
R39A		MH	4	57	58	61	1	3	B (67)	NONE	57	4	*0*	57	4	*0*	56	5	*4*	56	5	*4*	55	6	*4*	55	6	*4*
R40		MH	4	64	65	67	1	2	B (67)	A/E	62	5	*4*	**61** R,T	**6**	*4*	60	7	*4*	60	7	*4*	59	8	*4*	59	8	*4*
R40A		MH	3	55	56	58	1	2	B (67)	NONE	56	2	*0*	56	2	*0*	56	2	*0*	56	2	*0*	56	2	*0*	56	2	*0*
R41	SW8	MFR	2	58	59	62	1	3	B (67)	NONE	62	0	*0*	62	0	*0*	62	0	*0*	61	1	*0*	61	1	*0*	-- [5]	--	--
R41A		MFR	3	55	57	61	2	4	B (67)	NONE	59	2	*0*	59	2	*0*	58	3	*0*	58	3	*0*	58	3	*0*	-- [5]	--	--
R42		MFR	3	64	65	72	1	7	B (67)	A/E	67	5	*3*	**62** R,T	**10**	*3*	59	13	*3*	58	14	*3*	57	15	*3*	-- [5]	--	--
R43	SW9	MFR	3	64	65	73	1	8	B (67)	A/E	67	6	*3*	**62** R,T	**11**	*3*	60	13	*3*	58	15	*3*	57	16	*3*	-- [5]	--	--
R44		MFR	3	67	68	72	1	4	B (67)	A/E	69	3	*0*	69 T	3	*0*	68	4	*0*	68	4	*0*	68	4	*0*	-- [5]	--	--
R44A		MFR	1	53	54	57	1	3	B (67)	NONE	56	1	*0*	56	1	*0*	56	1	*0*	56	1	*0*	56	1	*0*	-- [5]	--	--
R45/ST14	SW10	SFR	1	67	69	72	2	3	B (67)	A/E	70	2	*0*	70	2	*0*	70 T	2	*0*	70	2	*0*	70	2	*0*	-- [5]	--	--
R46		SFR	1	62	64	69	2	5	B (67)	A/E	64	5	*1*	63	6	*1*	63 T	6	*1*	**62** R	**7**	*1*	62	7	*1*	-- [5]	--	--
R46A		SFR	1	56	57	60	1	3	B (67)	NONE	57	3	*0*	56	4	*0*	56	4	*0*	55	5	*1*	55	5	*1*	-- [5]	--	--

Notes:

1 - Leq(h) are A-weighted, peak hour noise levels in decibels. Noise levels are calculated using PM peak hour traffic volumes, based on the results of long-term measurement site LT1 and the project traffic study.

2 - Land Use: SFR - single-family residence; MFR - multi-family residence; UND - undeveloped; SCH - educational center; COM- commercial; REC - recreational; HOT - hotel/motel; POW - place of worship; MH - mobile home.

3 - S = Substantial Increase (12 dBA or more); A/E = Approach or exceed NAC.

4 - This noise measurement site was chosen for monitoring purposes and was not located at an outdoor use area; however, this site is acoustically representative of nearby outdoor use areas.

5 - Per the Highway Design Manual, the maximum height of a noise barrier should not exceed 14 feet in height when located 15 feet or less from the edge of traveled way.

6 - Soundwalls were not analyzed at public parks maintained by the City of Ontario.

W - Includes the benfit of an existing soundwall or property wall.

T - Minimum height required to block the line-of-sight from the receiver to truck exhaust stacks.

R - Minimum height required to meet feasibility requirements and design goal.

STxx - Short-term measurement / model calibration site.

LTxx - Long-term measurement site.

Int - Interior noise level determined using a building structure noise reduction of 25 dB, based on visual inspection of building and FHWA *Highway Traffic Noise: Analysis and Abatement Guidance* Table 6.

-- - A soundwall was not evaluated for this receiver.

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Table 2.3.7-4. Predicted Future Traffic Noise and Soundwall Analysis – Alternative 2 (Build Alternative)

Receiver I.D.	Barrier I.D. and Location	Land Use[2]	Number of Dwelling Units	Existing Noise Level Leq(h), dBA[1]	I-10 Grove Avenue Project Future Worst Hour Noise Levels - L_{eq}(h), dBA[1]																							
					Design Year No-Build Noise Level Leq(h), dBA[1]	Design Year Build Noise Level Leq(h), dBA[1]	Design Year No-Build Noise Level Minus Existing Conditions, dB	Design Year Build Noise Level Minus No-Build Conditions, dB	Activity Category (NAC)	Impact Type[3]	Noise Prediction with Barrier, Barrier Insertion Loss (I.L.), and Number of Benefitted Receivers (NBR)																
											6 feet			8 feet			10 feet			12 feet			14 feet			16 feet		
											Leq(h)	I.L.	NBR	Leq(h)	I.L.	NBR	Leq(h)	I.L.	NBR	Leq(h)	I.L.	NBR	Leq(h)	I.L.	NBR	Leq(h)	I.L.	NBR
R47	No Barrier	MFR	1	57	58	63	1	5	B (67)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R48		SFR	1	54	56	58	2	2	B (67)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R48A		SFR	1	51	52	54	1	2	B (67)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R49/ST15		--	--	67	68	70	1	2	--	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R49A	SW11	SFR	2	63	65	66	2	1	B (67)	A/E	61	5	2	**59** R,T	**7**	2	57	9	2	57	9	2	56	10	2	56	10	2
R50		SFR	3	67	68	70	1	2	B (67)	A/E	61 T	9	*3*	**59** R	**11**	*3*	58	12	*3*	57	13	*3*	57	13	*3*	56	14	*3*
R51	No Barrier	SFR	6	62	64	65	2	1	B (67)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R51A		SFR	2	58	59	61	1	2	B (67)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R52		SFR	--	66	68	69	2	1	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R53/LT1	SW12	SFR	1	69	71	73	2	2	B (67)	A/E	69	4	*0*	**63** R,T	**10**	*1*	61	12	*1*	60	13	*1*	59	14	*1*	59	14	*1*
R53A		SFR	4	66	67	69	1	2	B (67)	A/E	64	5	*4*	**61** R,T	**8**	*4*	60	9	*4*	59	10	*4*	58	11	*4*	57	12	*4*
R54		SFR	5	64	66	67	2	1	B (67)	A/E	60	7	*5*	**59** R,T	**8**	*5*	57	10	*5*	56	11	*5*	55	12	*5*	54	13	*5*
R54A		SFR	1	57	59	61	2	2	B (67)	NONE	56	5	*1*	57	4	*0*	56	5	*1*	56	5	*1*	55	6	*1*	55	6	*1*
R55/ST16		SFR	5	64	65	67	1	2	B (67)	A/E	61 T	6	*5*	**59** R	**8**	*5*	57	10	*5*	56	11	*5*	54	13	*5*	54	13	*5*
R56		SFR	2	58	60	61	2	1	B (67)	NONE	61	0	*0*	59	2	*0*	57	4	*0*	56	5	2	55	6	*2*	54	7	*2*
R56A		SFR	2	57	59	60	2	1	B (67)	NONE	58	2	*0*	59	1	*0*	58	2	*0*	58	2	*0*	58	2	*0*	58	2	*0*
R57	No Barrier	SFR	1	61	62	64	1	2	B (67)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R57A		SFR	1	60	61	62	1	1	B (67)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R57B	No Barrier[6]	REC	1	61	63	64	2	1	C (67)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R57C		REC	1	62	63	64	1	1	C (67)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R58		REC	1	67	69	70	2	1	C (67)	A/E	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R59/ST17		REC	1	62	63	63	1	0	C (67)	NONE	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Notes:

1 - Leq(h) are A-weighted, peak hour noise levels in decibels. Noise levels are calculated using PM peak hour traffic volumes, based on the results of long-term measurement site LT1 and the project traffic study.

2 - Land Use: SFR - single-family residence; MFR - multi-family residence; UND - undeveloped; SCH - educational center; COM- commercial; REC - recreational; HOT - hotel/motel; POW - place of worship; MH - mobile home.

3 - S = Substantial Increase (12 dBA or more); A/E = Approach or exceed NAC.

4 - This noise measurement site was chosen for monitoring purposes and was not located at an outdoor use area; however, this site is acoustically representative of nearby outdoor use areas.

5 - Per the Highway Design Manual, the maximum height of a noise barrier should not exceed 14 feet in height when located 15 feet or less from the edge of traveled way.

6 - Soundwalls were not analyzed at public parks maintained by the City of Ontario.

W - Includes the benfit of an existing soundwall or property wall.

T - Minimum height required to block the line-of-sight from the receiver to truck exhaust stacks.

R - Minimum height required to meet feasibility requirements and design goal.

STxx - Short-term measurement / model calibration site.

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Int - Interior noise level determined using a building structure noise reduction of 25 dB, based on visual inspection of building and FHWA *Highway Traffic Noise: Analysis and Abatement Guidance* Table 6.

-- - A soundwall was not evaluated for this receiver.

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Build Alternative (Proposed Project)

During construction of the project, noise from construction activities may intermittently dominate the noise environment in the immediate area of construction. Noise associated with construction is controlled by Caltrans Standard Specification Section 14-8.02, "Noise Control."

No adverse noise impacts from construction are anticipated because construction would be conducted in accordance with Standard Specification 14-8.02, SSP 14-8.02, and applicable local noise standards.

However, construction noise can vary greatly depending on the construction process, type and condition of equipment used, and layout of the construction site. Many of these factors are traditionally left to the contractor's discretion, which makes it difficult to accurately estimate levels of construction noise. Construction noise estimates are approximate because of the lack of specific information available at the time of the assessment. Temporary construction noise impacts would be unavoidable at areas located immediately adjacent to the proposed project alignment.

2.3.7.4 Avoidance, Minimization, and/or Mitigation Measures

Based on the studies completed to date and input from the public, Caltrans intends to incorporate noise abatement in the form of barriers at:

- Soundwall SW-1 would be approximately 73 feet in length and 10 feet in height and would be located within the private property of the single-family residence located at 1179 East Holt Boulevard, along the side and back yard. Calculations based on preliminary design data show that Soundwall SW-1 would reduce noise levels by 7 dBA for 1 receptor and is estimated to cost $43,900 (updated to $52,600 in 2020 dollars). However, the residence has since been demolished, and Soundwall SW-1 is no longer necessary.
- Soundwall SW-5C would be approximately 145 feet in length and 8 feet in height and would be located along the property line of the multi-family residence located at 549 Grove Avenue. Calculations based on preliminary design data show that Soundwall SW-5C would reduce noise levels by 9 dBA for 1 receptor and is estimated to cost $65,200 (updated to $80,600 in 2020 dollars). Soundwall SW-5C was later removed from further consideration based on completion of the residential viewpoint survey.
- Soundwall SW-6 on the eastern property line between the residences on Parkside Avenue and Grove Avenue, with length and average height of 1,243 and 12 feet, respectively. Calculations based on preliminary design data show that the barriers

would reduce noise levels by up to 9 dBA for 20 residences at a cost of $722,400 (updated to $911,800 in 2020 dollars). However, this wall is proposed as an 8-foot-high wall with an estimated cost of $737,700 in 2020 dollars). Soundwall SW-6 was later removed from further consideration based on completion of the residential viewpoint survey.

- Soundwall SW-7 on the western and southern property lines between the mobile homes at the Star Trailer Park community at 1212 East Nocta Street and Grove Avenue, with length and average height of 332 and 8 feet, respectively. Calculations based on preliminary design data show that the barriers would reduce noise levels by up to 8 dBA for 12 receptors at a cost of $148,600 (updated to $182,200 in 2020 dollars) and is within the reasonableness allowance of $107,000 per benefitted receptor or a total of $1,284,000.
- Soundwall SW-8 on the western property line between the residences at 250 North Grove Avenue along the east side of Grove Avenue, with length and average height of 270 and 8 feet, respectively. Calculations based on preliminary design data show that the barriers would reduce noise levels by 10 dBA for 3 receptors at a cost of $125,000 (updated to $153,700 in 2020 dollars), which is within the reasonableness allowance of $107,000 per benefitted receptor or a total of $321,000. Soundwall SW-8 was later removed from further consideration based on completion of the residential viewpoint survey.
- Soundwall SW-9 on the western property line between the residences and Grove Avenue, with length and average height of 264 and 8 feet, respectively. Calculations based on preliminary design data show that the barriers would reduce noise levels by up to 11 dBA for 3 receptors at a cost of $110,400 (updated to $138,500 in 2020 dollars), which is within the reasonableness allowance of $107,000 per benefitted receptor or a total of $321,000. Soundwall SW-9 was later removed from further consideration based on completion of the residential viewpoint survey.
- Soundwall SW-11 on the western property line between the residences on Flora Street and east of Grove Avenue, with length and average height of 356 and 8 feet, respectively. Calculations based on preliminary design data show that the barriers would reduce noise levels by up to 11 dBA for 5 receptors at a cost of $159,200 (updated to $197,900 in 2020 dollars), which is within the reasonableness allowance of $107,000 per benefitted receptor or a total of $535,000. Soundwall SW-11 was later removed from further consideration based on completion of the residential viewpoint survey.

- Soundwall SW-12 on the western property lines between the residences on the west side of Alameda Avenue and east of Grove Avenue, with length and average height of 1,042 and 8 feet, respectively. Calculations based on preliminary design data show that the barriers would reduce noise levels by up to 10 dBA for 15 receptors at a cost of $484,400 (updated to $597,500 in 2020 dollars), which is within the reasonableness allowance of $107,000 per benefitted receptor or a total of $1,605,000. Soundwall SW-12 was later removed from further consideration based on completion of the residential viewpoint survey.

Minimization Measure N-1, which is related to soundwall construction, may change based on input received from the public. If conditions have substantially changed during final design, noise abatement may not be constructed. The final decision on noise abatement will be made upon completion of the project design.

For the Build Alternative, Soundwalls SW-1 through SW-12 (including SW-5A, SW-5B, and SW-5C) were evaluated on private property lines in the proposed project corridor, which was the optimum location for breaking the line of site between Grove Avenue and impacted receiver locations. All 15 soundwalls were evaluated in 2-foot increments ranging in height from 6 to 16 feet for feasibility. The results of the soundwall analysis and residential viewpoint survey are provided below.

Soundwall SW-1

The future build noise level at Receiver R6, representing a single-family residence, is predicted to be 69 dBA L_{eq}(h). This receiver would experience an estimated 1-dB increase from existing to no-build conditions and a 1-dB increase in noise levels from no-build to build conditions; however, because the predicted build noise level in the design year exceeds 67 dBA L_{eq}(h) for NAC Activity Category B, noise abatement was evaluated.

Soundwall SW-1 was evaluated for Receiver R6, representing one single-family residence. This residence has driveway access via E. Holt Boulevard; therefore, Soundwall SW-1 was placed on the eastern and northern property lines between the residence and Grove Avenue. Soundwall SW-1 was found to be feasible and break the line of sight of an 11.5-foot-high truck exhaust stack at a minimum height of 10 feet. The total cost allowance for this soundwall, calculated in accordance with the Caltrans Traffic Noise Analysis Protocol, is $107,000. The current estimated cost is $52,600, therefore, the soundwall would be reasonable. However, the building has been demolished, and Soundwall SW-1 is no longer necessary.

Soundwall SW-2

The estimated future build noise level for Receiver R7 is expected to be 68 dBA $L_{eq}(h)$ in the design-year. There is a 1-dB increase from existing to no-build conditions and no estimated increase in noise levels from no-build to build conditions; however, because the predicted noise level in the design-year exceeds 67 dBA $L_{eq}(h)$ for NAC Activity Category B, traffic noise impacts are predicted at this receiver, and noise abatement was evaluated.

Soundwall SW-2 was evaluated for Receiver R7, representing two single-family residences. These residences have driveway access via E. Nocta Street; therefore, Soundwall SW-2 was placed on the eastern and southern property lines between the residences and Grove Avenue. At a maximum height of 16 feet, Soundwall SW-2 provides feasible noise reduction of 5 dB, but it would not achieve the Caltrans acoustical design goal of 7-dB noise reduction for at least one benefited receptor; therefore, the soundwall would not be feasible.

Soundwall SW-3

Build noise levels at Receiver R8 are predicted to be 67 dBA $L_{eq}(h)$. Build noise levels are expected to increase by 2 dB from existing conditions and no increase in noise levels from no-build to build conditions. Predicted noise levels in the design-year meets the 67 dBA $L_{eq}(h)$ for NAC Activity Category B; therefore, noise abatement was evaluated.

Soundwall SW-3 was evaluated for Receiver R8, representing seven single-family residences. Soundwall SW-3 was placed on the eastern property lines between the residential homes and Grove Avenue. Soundwall SW-3 would not provide feasible noise reduction of at least 5 dB at any evaluated height; therefore, the soundwall would not be feasible.

Soundwall SW-4

Noise modeling results indicate that future build noise levels experienced at Receiver R12 are predicted to be 71 dBA $L_{eq}(h)$. No-build noise levels are expected to increase by 1 dB from existing conditions and a 1-dB increase in noise levels from no-build to build conditions. The predicted noise level in the design-year build condition exceeds 67 dBA $L_{eq}(h)$ for NAC Activity Category B; therefore, noise abatement was evaluated.

Soundwall SW-4 was evaluated for Receiver R12, representing a single-family residence. Soundwall SW-4 was placed to the maximum extent of the eastern and southern property lines without restricting driveway access. Soundwall SW-4 was

found to be feasible at a minimum height of 6 feet. To meet the Caltrans acoustical design goal of a 7-dB reduction to break the line of sight of an 11.5-foot-high truck exhaust stack, Soundwall SW-4 is required to be at a minimum height of 10 feet. The total cost allowance for this soundwall, calculated in accordance with the Caltrans Traffic Noise Analysis Protocol, is $107000. The current estimated cost is $89,600; therefore, the soundwall would be reasonable. However, Soundwall SW-4 was found to be infeasible due to nonacoustical factors related to the City of Ontario Development and Subdivision Regulations. These regulations state that the maximum height of a fence on a front property line is 3 feet, and a 6-foot-tall fence may be constructed, provided it is set back 5 feet from the property line and at least 90 percent of the vertical surface above 3 feet is non-view-obstructing.

Soundwall SW-5

The traffic noise modeling results indicate that build noise levels at Receivers R13, R13A, and R13B are predicted to range from 61 dBA to 73 dBA $L_{eq}(h)$. Noise levels from existing to no-build conditions would increase by a maximum of 2 dB, and noise levels from no-build to build conditions would not increase. The predicted noise level at Receiver R13A during the design-year exceeds 67 dBA $L_{eq}(h)$ for NAC Activity Category B; therefore, noise abatement was evaluated.

Soundwall SW-5 was evaluated for Receiver R13A, representing one of the single-family residences. Soundwall SW-5 was placed on the northern and eastern property lines of two residential properties at Receivers R13A and R13B. Soundwall SW-5 was found to be feasible at a minimum height of 6 feet. To meet the Caltrans acoustical design goal of a 7-dB reduction at one or more benefited receptors and to break the line of sight of an 11.5-foot-high truck exhaust stack, Soundwall SW-5 is required to be at a minimum height of 10 feet. The total cost allowance for this soundwall, calculated in accordance with the Caltrans Traffic Noise Analysis Protocol, is $214,000. The current estimated cost is $123,000; therefore, the soundwall would be reasonable. However, Soundwall SW-5 was found to be infeasible due to nonacoustical factors related to the City of Ontario Development and Subdivision Regulations. These state that the maximum height of a fence on a front property line is 3 feet, and a 6-foot-tall fence may be constructed, provided it is set back 5 feet from the property line and at least 90 percent of the vertical surface above 3 feet is non-view-obstructing.

Soundwall SW-5A

Noise modeling results indicate that design-year build noise levels at Receivers R17-1, R17-2, and R17A are predicted to range from 64 to 72 dBA $L_{eq}(h)$. Noise levels from existing to no-build conditions are predicted to increase by a maximum of 2 dB, while

noise levels from no-build to build conditions are not expected to increase. The predicted noise levels for the design-year with-project conditions exceed the 67 dBA L_{eq}(h) NAC for Activity Category B at Receivers R17-2 and R17A; therefore, noise abatement must be evaluated.

Soundwall SW-5A was evaluated along the property line of the six multi-family residences represented by Receivers R17-1, R17-2, and R17A and would be located west of Grove Avenue. This soundwall would provide feasible noise reduction for the frequent outdoor human use areas represented by Receivers R17-2 and R17A at minimum heights of 16 and 14 feet, respectively. However, Soundwall SW-5A would not achieve the Caltrans acoustical design goal of at least 7 dB of noise reduction for at least one benefited receptor; therefore, the soundwall would not be feasible.

Soundwall SW-5B

Noise modeling results indicate the future build noise level at Receiver R19A, which represents one multi-family residence, is predicted to be 73 dBA L_{eq}(h). The noise level from existing to no-build conditions is predicted to increase by 2 dB at Receiver R19A; however, there is no difference in predicted noise level between the no-build and build conditions. Because the predicted worst-hour traffic noise level exceeds the 67-dBA L_{eq}(h) NAC for this Activity Category B land use, consideration of noise abatement is required.

Soundwall SW-5B would provide feasible noise reduction for the multi-family residence represented by Receiver R19A. This soundwall would be placed at the eastern property line of the property. Soundwall SW-5B would provide feasible noise reduction and achieve the Caltrans acoustical design goal of at least 7 dB of noise reduction at a minimum height of 6 feet; however, to break the line-of-sight to an 11.5-foot-high truck exhaust stack, the height of Soundwall SW-5B would need to be increased to 10 feet. The total cost allowance for this soundwall, calculated in accordance with the Caltrans Traffic Noise Analysis Protocol, is $107,000. The current estimated cost is $122,000. Therefore, the soundwall would be reasonable.

Soundwall SW-5C

The design-year build traffic noise level at Receiver R19 is predicted to be 73 dBA L_{eq}(h). The worst-hour exterior noise level from existing to no-build conditions is predicted to increase by 2 dB, and the noise level from no-build to build conditions is predicted not to increase. Predicted traffic noise levels exceed the 67-dBA L_{eq}(h) NAC at Receiver R19, which is an Activity Category B land use; therefore, noise abatement must be considered.

Soundwall SW-5C would provide feasible noise reduction for the formalized outdoor activity area of the multi-family residence represented by Receiver R19. This soundwall would be located on the eastern property line of the property at Receiver R19. Soundwall SW-5C would provide feasible noise reduction and achieve the Caltrans acoustical design goal of at least 7 dB of noise reduction at a minimum height of 6 feet. However, to break the line-of-sight to an 11.5-foot-high truck exhaust stack, the height of Soundwall SW-5C would need to be increased to 8 feet. The total cost allowance for this soundwall, calculated in accordance with the Caltrans Traffic Noise Analysis Protocol, is $107,000. The current estimated cost is $80,600; therefore, the soundwall would be reasonable.

Properties along the soundwall that would receive a 1-dB or more noise reduction were identified for the residential viewpoint survey. Soundwall SW-5C would be located on private property. Per the protocol, 100 percent of the owners of the private property upon which noise abatement is to be placed must support the proposed abatement. If no response is received from a property owner, their vote would be considered a "no" vote. One letter was sent to the property owner, and no response was received back. The property owner did not support the proposed abatement. Therefore, Soundwall SW-5C is no longer considered reasonable from the viewpoint of the benefitted receptors.

Soundwall SW-6

Noise modeling results indicate that design-year build noise levels at Receivers R23 through R28A are predicted to range from 59 dBA to 74 dBA $L_{eq}(h)$. Noise levels from existing to no-build conditions would increase by up to 3 dB, and noise levels from no-build to build conditions would increase by 2 dB. The predicted noise level in the design-year approaches or exceeds 67 dBA $L_{eq}(h)$ for NAC Activity Category B; therefore, noise abatement was evaluated.

Soundwall SW-6 was evaluated for Receivers R23 to R28, representing 25 single-family residences. Soundwall SW-6 was placed on the eastern property lines between the residences and Grove Avenue. Soundwall SW-6 was found to be feasible and break the line of sight of an 11.5-foot-high truck exhaust stack at a minimum height of 8 feet. To meet the Caltrans acoustical design goal of a 7-dB reduction, Soundwall SW-6 is required to be at a minimum height of 12 feet in front of the residences represented by Receivers R26 and R27. It is not possible to provide feasible noise reduction for the single-family residence represented by Receiver R28 at any height analyzed. The total cost allowance for this soundwall, calculated in accordance with the Caltrans Traffic Noise Analysis Protocol, is $1,840,000. The current estimated cost of a 12-foot-tall

wall is $911,800; therefore, the soundwall would be reasonable. However, the City is only proposing an 8-foot-high wall at this location to reduce noise levels at adjacent receptors by up to 3 dB, which more than the noise increase due to the project.

Properties along the soundwall that would receive a 1-dB or more noise reduction were identified for the residential viewpoint survey. Soundwall SW-6 would be located on private property. Per the protocol, 100 percent of the owners of the private property upon which noise abatement is to be placed must support the proposed abatement. If no response is received from a property owner, their vote would be considered a "no" vote. Twenty-one (21) letters were sent to the property owners. Soundwall SW-6 received 11 "yes" votes; 1 "no" vote; 8 no responses; and 1 was unclaimed. Because100 percent of the property owners did not support the proposed abatement, Soundwall SW-6 is no longer considered reasonable from the viewpoint of the benefitted receptors.

Soundwall SW-7

Noise modeling results indicate that design-year build noise levels at Receivers R37 and R40A are predicted to range from 58 dBA to 70 dBA $L_{eq}(h)$. Noise levels from existing to no-build conditions would increase by up to 4 dB, and noise levels from no-build to build conditions would increase by up to 2 dB. Predicted noise levels in the design-year exceed 67 dBA $L_{eq}(h)$ for NAC Activity Category B; therefore, noise abatement was evaluated.

Soundwall SW-7 was evaluated for Receivers R37, R38, and R40, representing 12 mobile homes within the Star Trailer Park community. Soundwall SW-7 was placed on the western and southern property lines between the mobile homes and Grove Avenue. To meet the Caltrans acoustical design goal of a 7-dB reduction and to break the line of sight of an 11.5-foot-high truck exhaust stack, Soundwall SW-7 is required to be at a minimum height of 8 feet. The total cost allowance for this soundwall, calculated in accordance with the Caltrans Traffic Noise Analysis Protocol, is $1,284,000. The current estimated cost is $182,200; therefore, the soundwall would be reasonable.

Soundwall SW-7 would be located on private property. Per the protocol, 100 percent of the owners of the private property upon which noise abatement is to be placed must support the proposed abatement. If no response is received from a property owner, their vote would be considered a "no" vote. One letter was sent to the property owner, and a "yes" vote was received back. The property owner supports the proposed abatement. Therefore, Soundwall SW-7 is considered reasonable from the viewpoint of the benefitted receptors.

Soundwall SW-8

Noise modeling results indicate that design-year build noise levels at Receiver R42 are predicted to be 72 dBA $L_{eq}(h)$. No-build noise levels are expected to increase by 1 dB from existing conditions. There is an estimated 7-dB increase in noise levels from no-build to build conditions. The predicted noise level in the design year exceeds 67 dBA $L_{eq}(h)$ for NAC Activity Category B; therefore, noise abatement was evaluated.

Soundwall SW-8 was evaluated for Receiver R42, representing three multi-family residences. The soundwall would also provide some benefit to Receiver R41. Soundwall SW-8 was placed on the western property line between the residences and Grove Avenue. Soundwall SW-8 was found to be feasible at a minimum height of 6 feet. To meet the Caltrans acoustical design goal of a 7-dB reduction, Soundwall SW-8 is required to be at a minimum height of 8 feet. The total cost allowance for this soundwall, calculated in accordance with the Caltrans Traffic Noise Analysis Protocol, is $321,000. The current estimated cost is $153,700; therefore, the soundwall would be reasonable.

Properties along the soundwall that would receive a 1-dB or more noise reduction were identified for the residential viewpoint survey. Soundwall SW-8 would be located on private property. Per the protocol, 100 percent of the owners of the private property upon which noise abatement is to be placed must support the proposed abatement. If no response is received from a property owner, their vote would be considered a “no” vote. Two letters were sent to the property owners. Soundwall SW-8 received 1 “yes” vote and 1 “no” vote. Because 100 percent of the property owners did not support the proposed abatement, Soundwall SW-8 is no longer considered reasonable from the viewpoint of the benefitted receptors.

Soundwall SW-9

The traffic noise modeling results indicate that design-year build noise levels at Receivers R43 and R44A are predicted to range from 57 dBA to 73 dBA $L_{eq}(h)$. Noise levels from existing to no-build conditions would increase up to 1 dB, and noise levels from no-build to build conditions would increase up to 8 dB. Predicted noise levels in the design year exceed 67 dBA $L_{eq}(h)$ for NAC Activity Category B; therefore, noise abatement was evaluated.

Soundwall SW-9 was evaluated for Receiver R43, representing three multi-family residences. Soundwall SW-9 was placed on the western property line between the residences and Grove Avenue. Soundwall SW-9 was found to be feasible at a minimum height of 6 feet. To meet the Caltrans acoustical design goal of a 7-dB reduction,

Soundwall SW-9 is required to be at a minimum height of 8 feet. Analysis results indicate that Soundwall SW-9 would not provide feasible noise reduction at impacted Receiver R44, even at the maximum height of 14 feet. The total cost allowance for this soundwall, calculated in accordance with the Caltrans Traffic Noise Analysis Protocol, is $321,000. The current estimated cost for an 8-foot wall is $138,500; therefore, the soundwall would be reasonable.

Properties along the soundwall that would receive a 1-dB or more noise reduction were identified for the residential viewpoint survey. Soundwall SW-9 would be located on private property. Per the protocol, 100 percent of the owners of the private property upon which noise abatement is to be placed must support the proposed abatement. If no response is received from a property owner, their vote would be considered a "no" vote. Two letters were sent to the property owners. Soundwall SW-9 received 1 "yes" vote and 1 no response. Because 100 percent of the property owners did not support the proposed abatement, Soundwall SW-9 is no longer considered reasonable from the viewpoint of the benefitted receptors.

Soundwall SW-10

The traffic noise modeling results indicate that design-year build noise levels at Receivers R45 through R46A are predicted to range from 60 dBA to 72 dBA $L_{eq}(h)$. Noise levels from existing to no-build conditions would increase up to 2 dB, and noise levels from no-build to build conditions would increase up to 5 dB. Predicted noise levels in the design year exceed 67 dBA $L_{eq(h)}$ for NAC Activity Category B; therefore, noise abatement was evaluated.

Soundwall SW-10 was evaluated for Receiver R46, representing a single-family residence. Soundwall SW-10 was placed on the western and northern property lines between the residence and Grove Avenue. Although Soundwall SW-10 would provide feasible noise reduction at a minimum height of 6 feet, a height of 12 feet is needed for Soundwall SW-10 to meet the Caltrans acoustical design goal of a 7-dB reduction. The analysis results indicate that Soundwall SW-10 would not provide feasible noise reduction at impacted Receiver R45, even at the maximum height of 14 feet. The total cost allowance for this soundwall, calculated in accordance with the Caltrans Traffic Noise Analysis Protocol, is $107,000. The current estimated cost is $165,900; therefore, the soundwall would not be reasonable.

Soundwall SW-11

Noise modeling results indicate that design-year noise levels at Receivers R49A and R50 are predicted to be 61 and 70 dBA $L_{eq}(h)$, respectively. No-build noise levels are

expected to increase by 3 dB from existing to no-build conditions, and there is an estimated 2-dB increase in noise levels from no-build to build conditions. The predicted noise level in the design year exceeds 67 dBA L_{eq}(h) for NAC Activity Category B; therefore, noise abatement was evaluated.

Soundwall SW-11 was evaluated for Receivers R49A and R50, representing five single-family residences. Soundwall SW-11 was placed on the western property line between the residences and Grove Avenue. Soundwall SW-11 was found to be feasible and meet the Caltrans acoustical design goal of a 7-dB reduction at a minimum height of 6 feet. Soundwall SW-11 breaks the line of sight of an 11.5-foot-high truck exhaust stack at a minimum height of 8 feet. The total cost allowance for this soundwall, calculated in accordance with the Caltrans Traffic Noise Analysis Protocol, is $535,000. The current estimated cost is $197,900; therefore, the soundwall would be reasonable.

Properties along the soundwall that would receive a 1-dB or more noise reduction were identified for the residential viewpoint survey. Soundwall SW-11 would be located on private property. Per the protocol, 100 percent of the owners of the private property upon which noise abatement is to be placed must support the proposed abatement. If no response is received from a property owner, their vote would be considered a "no" vote. Five letters were sent to the property owners. Soundwall SW-11 received 4 "yes" votes and 1 was unclaimed. Because 100 percent of the property owners did not support the proposed abatement, Soundwall SW-11 is no longer considered reasonable from the viewpoint of the benefitted receptors.

Soundwall SW-12

Noise modeling results indicate that design-year build noise levels at Receivers R53 through R56A are predicted to range from 60 dBA to 73 dBA L_{eq}(h). Noise levels from existing to no-build conditions would increase up to 2 dB, and noise levels from no-build to build conditions would increase up to 2 dB. Predicted noise levels in the design year meet or exceed 67 dBA L_{eq}(h) for NAC Activity Category B; therefore, noise abatement was evaluated.

Soundwall SW-12 was evaluated for Receivers R53, R53A, R54, and R55, representing 15 single-family residences. Soundwall SW-12 was placed on the western property lines between the residences and Grove Avenue. Soundwall SW-12 was found to be feasible and meet the Caltrans acoustical design goal of a 7-dB reduction at a minimum height of 8 feet. The total cost allowance for this soundwall, calculated in accordance

with the Caltrans Traffic Noise Analysis Protocol, is $1,605,000. The current estimated cost is $597,500. Therefore, the soundwall would be reasonable.

Properties along the soundwall that would receive a 1-dB or more noise reduction were identified for the residential viewpoint survey. Soundwall SW-12 would be located on private property. Per the protocol, 100 percent of the owners of the private property upon which noise abatement is to be placed must support the proposed abatement. If no response is received from a property owner, their vote would be considered a "no" vote. Eighteen (18) letters were sent to the property owners. Soundwall SW-12 received 11 "yes" votes, 3 no responses; and 4 were unclaimed. Because 100 percent of the property owners did not support the proposed abatement, Soundwall SW-12 is no longer considered reasonable from the viewpoint of the benefitted receptors.

The noise abatement evaluation indicates that feasible soundwalls placed at the modeled locations in the Grove Avenue corridor require heights ranging from 6 to 16 feet. Soundwalls SW-1, SW-4, SW-5, SW-5B, and SW-5C through SW-12 were found to be feasible and meet the Caltrans design criteria at heights ranging from 6 to 16 feet. Soundwalls SW-2, SW-3, and SW-5A do not meet the Caltrans acoustical design goal at any evaluated height. Of the soundwalls that are feasible, Soundwalls SW-1, SW-5C, SW-6, SW-7, SW-8, SW-9, SW-11, and SW-12 were found to be both feasible and reasonable.

The design of the feasible soundwalls presented in the NSR that meet the Caltrans design goal are preliminary and have been conducted at a level appropriate for environmental review and not for the final design of the project. Preliminary information on the physical location, length, and height of soundwalls is provided in the NSR. If pertinent parameters change substantially during the final design, preliminary soundwall designs may be modified or eliminated from the final project. A final decision on the construction of noise abatement will be made upon completion of the project design.

The following noise abatement minimization measure would apply to the project:

N-1: Based on the studies completed to date and input from the public, Caltrans and the City will incorporate noise abatement in the form of soundwalls that meet the criteria for reasonableness and feasibility. The recommended soundwalls would reduce the traffic noise by at least 5 dB at the impacted receivers, would meet the design goal by providing a 7-dB reduction for at least one receiver, and would cost less than the

reasonable cost allowance. If conditions have substantially changed during final design, noise abatement may change or may not be necessary, depending on the results of the updated noise analysis using final design information. The final decision of the noise abatement will be made upon completion of the project design and the public involvement process.

After circulation of the draft environmental document, soundwall surveys were conducted with all property owners and residents of benefited receptors located with the footprint of the Build Alternative. Where 100 percent of the responding benefited receptors did not support the soundwall, the soundwall will not be constructed.

However, if conditions substantially change at the time of final design, a noise analysis and/or soundwall surveys may be conducted again, and the final decision on noise abatement will be reconsidered as part of the project design.

Construction Noise Abatement

There are many measures that can be taken to minimize noise intrusion without placing unreasonable constraints on the construction process or substantially increasing costs. The following are possible control measures that can be implemented under standard condition SC-CI-23 to minimize noise disturbances at sensitive areas during construction:

- All equipment shall have sound-control devices no less effective than those provided on the original equipment. Each internal combustion engine used for any purpose on the job or related to the job shall be equipped with a muffler of a type recommended by the manufacturer. No internal combustion engine shall be operated on the jobsite without an appropriate muffler.
- Construction methods or equipment that will provide the lowest level of noise impact (e.g., avoid impact pile driving near residences and consider alternative methods that are also suitable for the soil condition) shall be used.
- Idling equipment shall be turned off.
- Truck loading, unloading, and hauling operations shall be restricted so that noise and vibration are kept to a minimum through residential neighborhoods to the greatest possible extent.
- Construction activities shall be coordinated to build recommended permanent soundwalls during the first phase of construction to protect sensitive receivers from

subsequent construction noise, dust, light, glare, and other impacts, to the extent feasible.

- Temporary noise barriers shall be used and relocated, as needed, to protect sensitive receivers against excessive noise from construction activities involving large equipment and by small items such as compressors, generators, pneumatic tools, and jackhammers. Noise barriers can be made of heavy plywood, moveable insulated sound blankets, or other best available control techniques.
- Newer equipment with improved noise muffling shall be used, and all equipment items shall have the manufacturers' recommended noise abatement measures (e.g., mufflers, engine covers, and engine vibration isolators) intact and operational. Newer equipment will generally be quieter in operation than older equipment. All construction equipment shall be inspected at periodic intervals to ensure proper maintenance and presence of noise-control devices (e.g., mufflers and shrouding).
- Construction activities shall be minimized in residential areas during evening, nighttime, weekend, and holiday periods. Noise impacts are typically minimized when construction activities are performed during daytime hours; however, nighttime construction may be desirable (e.g., in commercial areas where businesses may be disrupted during daytime hours) or necessary to avoid major traffic disruption. Coordination with the City shall occur before construction can be performed in noise-sensitive areas.
- Construction laydown or staging areas shall be selected in industrially zoned districts. If industrially zoned areas are not available, commercially zoned areas may be used, or locations that are at least 100 feet from any noise-sensitive land use (e.g., residences).
- Contractor shall prepare a Noise and Vibration Monitoring and Mitigation Plan by a qualified Acoustical Engineer and submit it for approval. The Plan must outline noise and vibration monitoring procedures at predetermined noise- and vibration-sensitive sites, as well as historic properties. The Plan also must include calculated noise and vibration levels for various construction phases and mitigation measures that may be needed to meet the project specifications. The Contractor shall not start any construction work or operate any noise-generating construction equipment at the construction site before approval of the Plan. The Plan must be updated every 3 months or sooner if there are any changes to the construction activities.

Certain construction activities could cause intermittent localized concern from vibration in the project area. Processes such as earth moving with bulldozers, the use of vibratory compaction rollers, impact pile driving, demolitions, or pavement braking may cause construction-related vibration impacts such as human annoyance or, in some

cases, building damage. There are cases where it may be necessary to use this type of equipment near residential buildings. The following are procedures that can be used to minimize the potential impacts from construction vibration:

- Restrict the hours of vibration-intensive equipment or activities, such as vibratory rollers, so that impacts to residents are minimal (e.g., weekdays during daytime hours only when as many residents as possible are away from home).
- The owner of a building close enough to a construction vibration source that damage to that structure due to vibration is possible would be entitled to a preconstruction building inspection to document the preconstruction condition of that structure.
- Conduct vibration monitoring during vibration-intensive activities.

A combination of the mitigation techniques for equipment vibration control, as well as administrative measures, when properly implemented, can be selected to provide the most effective means to minimize the effects of construction activity. Application of these measures as standard condition SC-CI-24 will reduce the construction impacts; however, temporary increases in vibration may occur at some locations.

Based on the studies completed to date and input from the public, Caltrans and the City intend to incorporate noise abatement in the form of a barrier at the western and southern property lines of the Star Trailer Park community. The proposed Soundwall SW-7 would be placed between the mobile homes and Grove Avenue, with a length of 332 feet and an average height of 8 feet. Calculations based on preliminary design data show that the barrier will reduce noise levels by 8 dBA for 12 residences at a current cost of $182,200. If conditions have substantially changed during final design, noise abatement may not be constructed. The final decision on noise abatement will be made upon completion of the project design.

2.3.8 Energy

Energy is consumed during construction and operation of transportation projects. This section provides an assessment of the potential impacts of the proposed project on transportation-related energy consumption in the study corridor. The analysis considers direct (operational) and indirect (construction and maintenance) energy requirements.

2.3.8.1 Regulatory Setting

NEPA (42 U.S.C. Part 4332) requires the identification of all potentially significant impacts to the environment, including energy impacts.

CEQA Guidelines Section 15126.2(b) and Appendix F, Energy Conservation, require analysis of a project's energy use to determine if the project may result in significant environmental effects due to wasteful, inefficient, or unnecessary use of energy or wasteful use of energy resources.

2.3.8.2 Affected Environment

The California Energy Commission (CEC) is California's primary energy policy and planning agency. SCAG's responsibilities include tracking and forecasting energy use in southern California. An Energy Working Group, as part of SCAG's Energy Planning Program, assists in developing energy policies consistent with the adopted plans, such as the RTP and the RCP and Guide. Over the past 50 years, energy supplies in southern California have sufficiently served the rapid growth in population and development (SCAG, 2008).

Energy resources for transportation include petroleum, natural gas, liquefied petroleum gas electricity, hydrogen, and biofuel. Transportation is the single largest contributor to California's GHG emissions, producing approximately 39 percent of the state's total emissions in 2009. In addition, Californians consumed more than 18 billion gallons of gasoline and diesel fuel in 2010, resulting in the estimated emission of more than 200 million metric tons of GHG equivalence. California has long been regulating the criteria pollutants from automobiles. The State adopted stringent tailpipe emission standards as early as 1996 and in 1971 adopted nitrogen oxides (NO_X) standards, both the first such standards in the nation. The California Smog Check Program, which assured the effectiveness of vehicle emission control systems, went into effect in 1984. In 1992, California began the first phase of reformulated clean-burning gasoline, and in 1993, the State enacted new standards for cleaner diesel fuel. However, reducing GHG emissions is a new, more difficult challenge for a state so heavily dependent on automobiles.

Currently, California's gas and diesel markets are characterized by increasing demands, tight supplies, and volatile supplies. California imports more than 50 percent of its crude oil and more than 15 percent of its refined products. Demand for gasoline and diesel is projected to increase in California by 1 to 2 percent each year as a growing population registers more vehicles and drives more miles. California is the third largest consumer of transportation fuels in the world (behind the United States as a whole and China); almost 16 billion gallons of gasoline and more than 4 billion gallons of diesel fuels are consumed each year. California would like to improve efficiency of the transportation fuel; however, federal law has prohibited states from setting the minimum number of miles per gallon (mpg) that new cars and light trucks must achieve. In 2003, the CEC and ARB reviewed the technical and economic aspects of a major reduction in the petroleum dependence of California's transportation sector. Based on this research, in 2005, Governor Schwarzenegger appealed to the United States House of Representatives "to establish new fuel economy standards that double the fuel efficiency of new cars, light trucks and SUVs." In June 2007, the United States Senate voted to raise the fuel efficiency standards for cars to 35 mpg by 2020. The proposed 35-mpg standard pales in comparison with Japan's current standard of 45 mpg and Europe's more than 50 mpg standard by 2012.

California's population is estimated to exceed 44 million by 2020, which would result in substantial increases in transportation fuel demand for the State. Table 2.3.8-1 indicates a projected 149 million-barrel increase in transportation fuel demand from 2005 by the year 2020.

Table 2.3.8-1. California Transportation Fuel Demand

Year	Demand Level Range (Million Barrels per Year)	Daily Energy Consumption (Billions BTU)
2005	553	8,787
2010	580-617	9,804
2015	608-661	10,504
2020	638-702	11,155
Values derived from Figure 7-5 in 2007 IEPR (CEC, 2007).		

Source: CEC, 2007.

The CEC-proposed energy needs are measured in petroleum and equivalent British Thermal Units (BTU). A BTU is the quantity of heat required to raise the temperature of water 1 degree Fahrenheit (°F) at sea level. Other units of energy can be converted into equivalent BTU units, and BTU is used as the basis for comparing energy consumption associated with different resources. Table 2.3.8-2 shows comparisons of types of energy and their equivalent BTU units.

Table 2.3.8-2. Energy Value (BTU) of Various Energy Sources

Energy Source	Measurement Unit	Equivalent BTU[a]
Electricals	Kilowatt-hour	3,412
Natural Gas	Cubic Feet	1,034
Petroleum (Crude Oil)	Barrel (42 Gallons)	5,800,000
Gasoline	Gallon	125,000
[a] One BTU is the quantity of energy necessary to raise the temperature of one pound of water by 1 °F		

Source: CEC, 2007.

Transportation sector energy consumption reflects the types and numbers of vehicles, the extent of their use (i.e., VMT), and their fuel economy (i.e., mpg). Implementation of the proposed project would allow capacity in the project corridor, thereby facilitating improved efficiency in energy use. Changes in VMT would affect traffic fuel and energy consumption. VMT and vehicle hours traveled (VHT) are also important in determining the demand for infrastructure improvements. Urban growth patterns have caused California's VMT to increase at a rate of more than 3 percent per year between 1975 and 2004. In 2005, SCAG data showed automobile VMT in California at 372 million, which is equivalent to 2.14 trillion BTUs or approximately 369,000 barrels of oil.

Existing traffic conditions on Grove Avenue and in the surrounding area are discussed in Section 2.2.10, Traffic and Transportation/Pedestrian and Bicycle Facilities, which define associated energy consumption by vehicles. Existing pavement is in good condition, and there are 27.5- to 31.5-foot-high LED streetlights along the corridor.

2.3.8.3 Environmental Consequences

Based on CEQA Guidelines, Appendix F, energy impacts would be considered significant if implementation of the proposed project would result in:

- Wasteful, inefficient, and unnecessary usage of energy; or
- Placing a significant demand on regional energy supply or requirement for substantial additional capacity.

Energy consumption includes direct and indirect energy use. Direct use is the energy consumed in the actual propulsion of the vehicles traveling within the project corridor. Indirect use includes the energy consumed for project construction and maintenance activities. The impact of the proposed project in context of the countywide travel is too small to demonstrate energy impacts quantitatively; therefore, a qualitative energy analysis was conducted.

No Build Alternative

Under the No Build Alternative, fuel consumption by motor vehicle traffic would change as vehicle traffic volumes, driving speed, and the vehicle type changes year by year. Fuel efficiency would decrease due to projected future growth as more vehicles would be traveling with reduced average speeds on an increasingly congested roadway. There would be no construction activities except for regular maintenance operations.

Build Alternative (Proposed Project)

The proposed project would not affect traffic volume or traffic mix, and it would not affect the diesel truck percentage along the project corridor. The project traffic study indicates that currently the project corridor traffic is not significantly affected by the delays at the intersections (see Table 2.33.8-3); however, traffic flow would continue deteriorating in the future with the No Build Alternative. The proposed addition of a new traffic lane on each side of Grove Avenue, within the proposed limits, would relieve traffic congestion along the project corridor. Furthermore, as a result of the project, LOS at intersections would improve, and delay due to traffic congestions at the project intersections would be greatly reduced. The effects would translate into more efficient energy consumption for the proposed Build Alternative compared to the No Build Alternative.

Table 2.3.8-3. Comparison of Traffic LOS for Existing and Future Build Years 2025 and 2045

Grove Avenue Segments and Intersections	Peak Hour LOS (AM/PM)		
	Existing	2025	2045
No Build			
Grove Avenue/4th Street	D/C	D/E	D/F
Grove Avenue/I Street	A/A	A/A	A/A
Grove Avenue/G Street	A/A	A/A	B/C
Grove Avenue/D Street	A/A	A/A	B/B
Grove Avenue/Holt Boulevard	C/C	F/F	F/F
Grove Avenue/State Street-Airport Drive	C/C	C/C	F/F
Build Alternative			
Grove Avenue/4th Street	--	D/**D**	D/**D**
Grove Avenue/I Street	--	A/A	A/A
Grove Avenue/G Street	--	A/A	B/**B**
Grove Avenue/D Street	--	A/A	**A/A**
Grove Avenue/Holt Boulevard	--	**D/D**	**E/E**
Grove Avenue/State Street-Airport Drive	--	C/C	**D/E**
Improved LOS is shown in **bold**.			

Source: Iteris, 2015.

Maintenance of the Build Alternative can potentially generate indirect energy impacts within the proposed project corridor; however, operation of the Build Alternative would translate into more efficient energy consumption and higher energy savings for the project corridor. These high energy savings from operation of the Build Alternative would offset the potential indirect energy impacts generated from maintenance of the improved facility.

Furthermore, it should be noted that while the No Build Alternative does not require immediate consumption of energy for construction activities, it may use larger quantities of energy in the future as traffic worsens; as such, savings in operational energy requirements would more than offset construction energy requirements, and thus, in the long term, result in a new savings in energy usage.

When balancing energy used during construction and operation against energy saved by relieving congestion and other transportation efficiencies, the project would not have substantial energy impacts nor result in wasteful, inefficient, or unnecessary consumption use of energy or wasteful use of energy resources.

The proposed project is listed in both the SCAG 2012–2035 RTP and the SCAG 2015 FTIP Amendment 4 under project ID number 2002160. The 2012–2035 RTP was approved by FHWA on April 4, 2012. The 2015 FTIP was approved by FHWA on April 8, 2015. The project remains listed in the 2019 FTIP, which was adopted by SCAG in September 2018 and for which FHWA issued a conformity determination in December 2018. Thus, it would not obstruct or conflict with a state or local plan for renewable energy or energy efficiency.

2.3.8.4 Avoidance, Minimization, and/or Mitigation Measures

No avoidance, minimization, or mitigation measures are required; however, as discussed in Section 3.6.1.6, GHG Reduction Strategies, several measures will be included in the proposed project to reduce GHG emissions. A few of these GHG measures will also aid in reducing energy consumption for the Build Alternative. These measures include the following:

1. **Use of Reclaimed Water:** Use of reclaimed water helps conserve energy, which reduces GHG emissions from electricity production.
2. **Lighting:** Use of energy-efficient lighting, such as light-emitting diode (LED) traffic signals.

3. **Idling Restrictions:** Turning off the engines of trucks and construction equipment when not in use will assist in conserving energy during construction.

In addition to the measures listed above, the following measure will also be included to further conserve energy usage from the proposed project:

- The solicitation for construction bids shall include language requiring the use of energy and fuel-efficient fleets and zero-emission technologies for vehicles where possible.

2.4 Biological Environment

The analysis of potential impacts of the Grove Avenue Corridor Project on the biological environment is based on the *Natural Environment Study (Minimal Impacts)* (September 2016) prepared for this project.

2.4.1 Natural Communities

This section of the document discusses natural communities of concern. The focus of this section is on biological communities, not individual plant or animal species. This section also includes information on wildlife corridors and habitat fragmentation. Wildlife corridors are areas of habitat used by wildlife for seasonal or daily migration. Habitat fragmentation involves the potential for dividing sensitive habitat and thereby lessening its biological value.

Habitat areas that have been designated as critical habitat under the Federal Endangered Species Act (FESA) are discussed below in Section 2.4.5, Threatened and Endangered Species. Wetlands and other waters are also discussed below in Section 2.4.2, Wetlands and Other Waters.

2.4.1.1 Affected Environment

Biological Study Area

The Biological Study Area (BSA) for the project is located along an approximately 116.27-acre study area along Grove Avenue in Ontario. The BSA consists of Caltrans ROW, anticipated TCEs, proposed construction staging areas (CSAs), and areas within a 50-foot-wide buffer immediately adjacent to the ROW and CSAs. The BSA includes all areas anticipated to be disturbed during construction of the proposed project.

The BSA consists of entirely developed land. Vegetation within the BSA is limited to non-native ornamental landscaping for existing roads, homes, and parks, in addition to non-native ruderal (weedy) elements within vacant locks. Surveyed trees within the BSA that overlap with the parkway are, at a minimum, 10 feet tall; therefore, these trees qualify as parkway trees under the City's Municipal Code Sections 10-2 *et seq*. A total of 484 trees occur within the BSA. All trees with a minimum trunk diameter of 4 inches were surveyed within the BSA permanent impact area. All trees were noted for their species, size (trunk diameter at breast height in inches), crown radius (in feet), and general health and vigor.

Natural Communities of Special Concern

As identified in the California Natural Diversity Database (CNDDB) and summarized in Table 2.4.1-1, no sensitive natural communities, one special-status plant species, and three special-status animal species have been reported within 1.0 mile of the BSA between the years 1905 and 2001. Based on the current developed condition and lack of suitable habitat within the BSA, regional species of concern are not likely to occur within the BSA.

Table 2.4.1-1. Regional Species of Concern

Scientific Name	Common Name	Status	Species Present/ Absent
Plants			
Uneatekelia cuneata var. puberula	Mesa Horkelia	--/-- CRPR 1B.1	Absent
Wildlife			
Rhaphiomidas terminates abdominalis	Delhi Sands Flower-loving Fly	FE/--	Absent
Anniella pulchra	Silvery Legless Lizard	--/SSC	Absent
Antrozous pallidus	Pallid bat	--/SSC	Absent

FE: Federally Endangered

CRPR 1B.1: California Rare Plant Rank listing designates plants that are rare, with most of them endemic to California, that present populations throughout their range, are seriously threatened in California (more than 80 percent of occurrences threatened/high degree and immediacy of threat).

SSC: Species of Special Concern

These designations are to be considered during the State and federal environmental review process, as applicable (e.g., CEQA [PRC Section 21000 *et seq*.] and NEPA [50 CFR 402.12]).

Habitat Connectivity

Habitat connectivity is established when there is a wildlife movement corridor that connects two blocks of native habitat. A wildlife corridor between such habitats functions to allow genetic interchange between populations. Movement corridors allow dispersal of young and allow animals to flee one patch of habitat in the event of a fire or other large-scale disturbance. Viable connections between habitat areas act as a linkage between those habitats contained in each connected habitat, effectively expanding the usable areas for wildlife that use both the habitats and the corridors connecting them. Wildlife movement connections between these features are generally limited by urbanization.

With that being considered, it should be mentioned that there are some wildlife species that are well adapted to urban environments and will thrive among residential and

commercial developments. Most of the species that are commonly observed in urban environments do not have specific movement corridor requirements, instead using nonspecific movement patterns across these urban areas.

The BSA is situated within a transportation corridor and highly urbanized area that provides no connectivity of habitat in the region.

2.4.1.2 Environmental Consequences

The City has not established significance thresholds for use in evaluating the proposed project's natural community impacts; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used. The guidelines suggest that a project-related significant impact would occur if 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 CDFW or United States Fish and Wildlife Service (USFWS).
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by CDFW or USFWS.
- 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.

An evaluation of potential impacts to natural communities associated with each alternative is presented below.

No Build Alternative

The No Build Alternative does not propose any construction or other disturbance in the BSA; therefore, this alternative would not result in permanent impacts to natural communities.

Build Alternative (Proposed Project)

Project implementation would result in no impacts to sensitive habitats or natural communities.

The project would result in permanent unavoidable impacts to approximately 174 trees. Permanent impacts were determined if at least 50 percent of the tree occurred within

the permanent impact area. This number includes tree trimming, as well as tree removals.

No special-status plants or wildlife have potential to occur within the BSA due to lack of suitable habitat.

Implementation of the Build Alternative would not conflict with the provisions of any habitat conservation plan or local biological resource protection ordinances.

Given the high level of existing development within the BSA and minimal opportunity for regional wildlife movement, no permanent impacts to wildlife movement are anticipated to result.

2.4.1.3 Avoidance, Minimization, and/or Mitigation Measures

Although avoidance, minimization, or compensatory mitigation is not required, the following minimization measure is proposed to reduce impacts:

NC-1: The project shall preserve as many mature trees as practicable. Although there is no City or County ordinance for tree removal, the project's landscape plan will incorporate a tree replacement plan with a replacement ratio of 2:1 – for every mature tree removed, two trees will be planted to be consistent with Measure VA-2. Mature trees (larger than 20 feet high) that are to be removed shall be replaced with two 24-inch box trees. Design plans shall indicate locations of existing mature trees (larger than 20 feet high) to be preserved in place. Tree replacement shall meet all Caltrans and City standards and policies, and near John Galvin Park, the replacement tree species will incorporate species that have been identified as those of the original planting of John Galvin Park in the 1930s.

2.4.2 Wetlands and Other Waters

2.4.2.1 Regulatory Setting

Clean Water Act: Section 404

Wetlands and other waters are protected under several laws and regulations. At the federal level, the Federal Water Pollution Control Act, more commonly referred to as the CWA (33 U.S.C. 1344), is the primary law regulating wetlands and surface waters. One purpose of the CWA is to regulate the discharge of dredged or fill material into waters of the U.S., including wetlands. Waters of the U.S. include navigable waters, interstate waters, territorial seas, and other waters that may be used in interstate or foreign commerce. The lateral limits of jurisdiction over nontidal water bodies extend to the ordinary high water mark (OHWM), in the absence of adjacent wetlands. When adjacent wetlands are present, CWA jurisdiction extends beyond the OHWM to the limits of the adjacent wetlands. To classify wetlands for the purposes of the CWA, a three-parameter approach is used that includes the presence of hydrophytic (water-loving) vegetation, wetland hydrology, and hydric soils (soils formed during saturation/ inundation). All three parameters must be present, under normal circumstances, for an area to be designated as a jurisdictional wetland under the CWA.

Section 404 of the CWA establishes a regulatory program that provides that discharge of dredged or fill material cannot be permitted if a practicable alternative exists that is less damaging to the aquatic environment or if the nation's waters would be significantly degraded. The Section 404 permit program is run by USACE with oversight by EPA.

USACE issues two types of 404 permits: General and Individual. There are two types of General permits: Regional and Nationwide. Regional permits are issued for a general category of activities when they are similar in nature and cause minimal environmental effect. Nationwide permits are issued to allow a variety of minor project activities with no more than minimal effects.

Ordinarily, projects that do not meet the criteria for a Regional or Nationwide Permit may be permitted under one of USACE's Individual permits. There are two types of Individual permits: Standard permits and Letters of Permission. For Individual permits, the USACE decision to approve is based on compliance with EPA's Section 404(b)(1) Guidelines (40 CFR Part 230), and whether permit approval is in the public interest. The Section 404 (b)(1) Guidelines (Guidelines) were developed by EPA in conjunction with USACE, and allow the discharge of dredged or fill material into the aquatic system (waters of the U.S.) only if there is no practicable alternative which would have less

adverse effects. The Guidelines state that USACE may not issue a permit if there is an LEDPA to the proposed discharge that would have lesser effects on waters of the U.S. and not have any other significant adverse environmental consequences.

The Executive Order for the Protection of Wetlands (EO 11990) also regulates the activities of federal agencies with regard to wetlands. Essentially, EO 11990 states that a federal agency, such as FHWA and/or Caltrans, as assigned, cannot undertake or provide assistance for new construction located in wetlands unless the head of the agency finds: (1) that there is no practicable alternative to the construction and (2) the proposed project includes all practicable measures to minimize harm. A Wetlands Only Practicable Alternative Finding must be made.

At the State level, wetlands and waters are regulated primarily by the SWRCB, the RWQCBs, and CDFW. In certain circumstances, the Coastal Commission (or Bay Conservation and Development Commission or the Tahoe Regional Planning Agency) may also be involved. Sections 1600-1607 of the CFG Code require any agency that proposes a project that will substantially divert or obstruct the natural flow of or substantially change the bed or bank of a river, stream, or lake to notify CDFW before beginning construction. If CDFW determines that the project may substantially and adversely affect fish or wildlife resources, a Lake or Streambed Alteration Agreement will be required. CDFW jurisdictional limits are usually defined by the tops of the stream or lake banks, or the outer edge of riparian vegetation, whichever is wider. Wetlands under jurisdiction of USACE may or may not be included in the area covered by a Streambed Alteration Agreement obtained from CDFW.

The RWQCBs were established under the Porter-Cologne Water Quality Control Act to oversee water quality. Discharges under the Porter-Cologne Act are permitted by WDRs and may be required even when the discharge is already permitted or exempt under the CWA. In compliance with Section 401 of the CWA, the RWQCBs also issue water quality certifications for activities which may result in a discharge to waters of the U.S. This is most frequently required in tandem with a Section 404 permit request. Please see Section 2.3.2, Water Quality and Stormwater Runoff, for more details

California Fish and Game Code: Section 1602

CFG Code Section 1602 requires any person, state, or local government agency, or public utility proposing a project that may affect a river, stream, or lake to notify CDFW before beginning the project. If activities will result in the diversion or obstruction of the natural flow of a stream; substantially alter its bed, channel, or bank; impact riparian

vegetation; or adversely affect existing fish and wildlife resources, then a Streambed Alteration Agreement is required.

A Streambed Alteration Agreement lists the CDFW conditions of approval relative to the project, and it serves as an agreement between an applicant and CDFW for a term of not more than 5 years for the performance of activities subject to this section. A CDFW Streambed Alteration Notification is required for all activities potentially affecting streambeds and/or their associated riparian habitats. Subsequently, implementation of the project may require a 1602 Streambed Alteration Agreement if these areas are determined to be jurisdictional by CDFW. A Streambed Alteration Agreement will be required for potential impacts to drainages within the study area.

2.4.2.2 Affected Environment

This section discusses wetlands and other waters and summarizes the *Jurisdictional Delineation Letter Report* completed in September 2016 and the *Natural Environment Study (Minimal Impacts)* completed in September 2016. While a Jurisdictional Determination has not been obtained from USACE, Veronica (Chan) Li of USACE responded to the Notice of Preparation (NOP) for the project and indicated that the Cucamonga Channel is a USACE-built facility, and Section 404 and 408 Permits may be required.

A delineation of jurisdictional waters and wetlands within the BSA was conducted in accordance with regulation set forth in 33 CFR Part 328 and the USACE guidance documents as referenced in the *Jurisdictional Delineation Letter Report* (September 2016) and *Natural Environment Study (Minimal Impacts)* (September 2016).

Jurisdictional Delineation Methodology

Prior to conducting the field delineation for potential jurisdictional Waters of the U.S. (including wetlands), all available biological reports, historical land use of the property, local and regional climactic data, and areas with topographical configurations and vegetative signatures occurring within the survey area that may suggest the potential or presence of jurisdictional Waters of the U.S. at the time of the field survey were reviewed. The National Hydrography Dataset (USGS, 2015), National Wetlands Inventory (NWI) Interactive Wetlands Mapper (USFWS, 2015), NRCS (2015a, 2015b), Office of Water Programs, Water Quality Planning Tool (CSUS, 2015), and SBCFCD System Facilities (SBCFCD, 2014) were consulted.

A field survey and formal jurisdictional delineation of potentially regulated waters of the U.S. and State, including wetlands, within the project study area were conducted

on March 26, 2015. All acquired field data were obtained by recording the presence, including extents, types, and boundaries, of potential jurisdictional waters using a handheld global positioning system (GPS) unit. Geographic Information System (GIS) post-processing of the data was conducted for further analysis.

The survey and field reconnaissance determined that the study area did not have potential for the presence of wetlands as defined in 33 CFR 328.3[b], 40 CFR 230.3[t] and USACE guidance documents.

The formal field delineation for field indicators of all potential nonwetland waters of the U.S. and the identification of the jurisdictional lateral extent of the ordinary high water mark (OHWM) utilized all relevant guidance, methodologies, and procedural documents. OHWM indicators were used to delineate the lateral jurisdictional extent of potential nonwetland waters of the U.S.

The formal field delineation for field indicators of all potential nonwetland waters of the U.S. yielded approximately 1.76 acres of jurisdictional waters of the U.S. and State in the form of a concrete-lined ephemeral channel for the West Cucamonga Channel, which is a previously permitted and serviceable facility owned and operated by SBCFCD (Table 2.4.2-1).

Table 2.4.2-1. Potential Waters of the U.S. and State occurring within the Study Area

Geomorphic Feature	Type of Habitat	Regulatory Authority	USACE Jurisdiction		
			Non-wetland Waters (acres)	Non-wetland Waters (linear feet)	Wetland Waters Acres (linear feet)
West Cucamonga Channel	Riverine; Intermittent Stream Bed, Temporarily Flooded, Artificial Substrate, Fresh	USACE, CDFW, and RWQCB	1.76	2,031	0.00 (0)
Total			1.76	2,031	0.00 (0)

The West Cucamonga Channel is still representative of riverine features that present a hydrologic regime and have the potential to support aquatic-dependent life and/or aquatic functions in semi-arid environments, albeit related to downstream receiving waters (namely the Prado Flood Control Basin and the Santa Ana River). Therefore, the West Cucamonga Channel is a valuable cement-lined channel with regard to flood

control protection. As an abiotic feature that presents no hydroperiod or biological activity, it can be considered to provide low ecological functions. However, the West Cucamonga Channel conveys stormwater into the Prado Flood Control Basin and, in turn, the Santa Ana River. The Prado Flood Control Basin, as a receiving waterbody, supports extensive and important aquatic habitats.

2.4.2.3 Environmental Consequences

The City has not established significance thresholds for use in evaluating the proposed project's wetland impacts; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used. The guidelines suggest that a project-related significant impact would occur if the project would:

- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the CWA (e.g., marsh, vernal pool, coastal) through direct removal, filling, hydrological interruption, or other means.

An evaluation of potential impacts to wetlands associated with each alternative is presented below.

Permanent Impacts

No Build Alternative

The No Build Alternative does not propose any construction or other disturbance in the BSA; therefore, this alternative would not result in permanent impacts to wetlands or other jurisdictional waters.

Build Alternative (Proposed Project)

The Build Alternative would result in no permanent impacts to wetlands or nonwetland waters of the U.S. While the No Build Alternative would have no impact on wetlands and other waters, the Build Alternative would be considered the LEDPA because it would have no permanent impacts to wetlands but still meet the project purpose and need.

Temporary/Construction Impacts

No Build Alternative

The No Build Alternative does not propose any construction or other disturbance in the BSA; therefore, this alternative would not result in temporary impacts to wetlands or other jurisdictional waters.

Build Alternative (Proposed Project)

The Build Alternative would result in approximately 0.46 acre (795 linear feet) of temporary impacts to nonwetland waters of the U.S. as a result of improvements to existing, enclosed box culverts for Grove Avenue (Table 2.4.2-2). Temporary impacts would not result in the permanent loss of jurisdictional acreage or permanent loss of function or value of these areas. The affected jurisdictional features would be restored to their approximate original contours and conditions.

Table 2.4.2-2. Impacts to Nonwetland Waters of the U.S.

Geomorphic Feature Number	Impact Acres (Linear Feet)	
	Temporary	Permanent
West Cucamonga Channel	0.46 (795)	0.00 (0)

2.4.2.4 Avoidance, Minimization, and/or Mitigation Measures

The project has been designed to avoid and minimize impacts to waters of the U.S. and State as practicable. Complete avoidance is not possible due to the need to widen Grove Avenue at the existing West Cucamonga Channel crossing locations. The project would minimize impacts by maintaining the existing drainage course and channel width through culverts. The project would implement BMPs to prevent stormwater runoff, sedimentation, and pollutants from entering the channel during construction. Temporary impact areas would be restored to preconstruction contours and conditions.

The project proposes no permanent impacts to waters of the U.S. or waters of the State. No permanent fill would be placed within the channel (concrete would be removed and replaced resulting in no net import of fill), channel elevation would not be altered, and drainage functions would be conserved and returned to pre-project conditions. The effects of shading the channel would be negligible because it is an abiotic feature and resources are not present that could be adversely affected by shading; therefore, compensatory mitigation is not required.

During construction, the following minimization measure will be implemented to avoid and minimize potential project impacts:

WET-1: Construction activities within the West Cucamonga Channel and Princeton Basin will be designed and conducted to maintain downstream flow conditions. All construction activities will be effectively isolated from water flows to the greatest extent feasible. This

may be accomplished by working in the dry season or dewatering the work area in the wet season. When work in standing or flowing water is required, structures for isolating the in-water work area and/or diverting the water flow must not be removed until all disturbed areas are cleaned and stabilized. The diverted water flow must not be contaminated by construction activities. Structures used to isolate the in-water work area and/or diverting the water flow (e.g., coffer dam, geotextile silt curtain) must not be removed until all disturbed areas are stabilized.

2.4.2.5 Wetlands Only Practicable Alternative Finding

EO 11990 states that Caltrans cannot undertake or provide assistance for new construction located in wetlands unless the head of the agency finds: (1) that there is no practicable alternative to the construction and (2) the proposed project includes all practicable measures to minimize harm.

Because the project purpose and need is centered on improving operational deficiencies on Grove Avenue, an alternative site or road that does not cross or run near the West Cucamonga Creek would not meet any of the project objectives. The project also proposes widening an existing roadway. With the West Cucamonga Creek running alongside Grove Avenue and crossing the road at two locations, widening of the roadway would require improvements to existing, enclosed box culverts of the creek at Grove Avenue. There is no other practicable alternative to the project that would not impact the creek. The widening has been confined to the east side of the road to avoid impacts to both sides of the roadway, effectively limiting impacts to the creek to one side.

Implementation of minimization measure WET-1 would minimize disturbance of water flows and maintain downstream flow conditions in West Cucamonga Creek. In addition, structures used to isolate the in-water work area and/or for diverting the water flow (e.g., coffer dam, geotextile silt curtain) would not be removed until all disturbed areas are cleaned and stabilized.

Based on the above considerations, it is determined that there is no practicable alternative to the proposed construction in wetlands and that the proposed action includes all practicable measures to minimize harm to wetlands that may result from such use.

2.4.3 Plant Species

2.4.3.1 Regulatory Setting

USFWS and CDFW have regulatory responsibility for the protection of special-status plant species. "Special-status" species are selected for protection because they are rare and/or subject to population and habitat declines. Special status is a general term for species that are provided varying levels of regulatory protection. The highest level of protection is given to threatened and endangered species; these are species that are formally listed or proposed for listing as endangered or threatened under the FESA and/or the California Endangered Species Act (CESA). Please see Section 2.44.5, Threatened and Endangered Species, for detailed information about these species.

This section of the document discusses all other special-status plant species, including CDFW species of special concern, USFWS candidate species, and California Native Plant Society (CNPS) rare and endangered plants.

The regulatory requirements for FESA can be found at 16 U.S.C., Section 1531, *et seq.* See also 50 CFR Part 402. The regulatory requirements for CESA can be found at CFG Code, Section 2050, *et seq*. Caltrans projects are also subject to the Native Plant Protection Act, found at CFG Code, Section 1900-1913, and CEQA, CA PRC, Sections 2100-21177.

2.4.3.2 Affected Environment

The analysis of potential for the Grove Avenue Corridor Project to result in adverse impacts on special-status plant species is described in the *Natural Environment Study (Minimal Impacts)* (September 2016).

In developing the *Natural Environment Study (Minimal Impacts)*, the BSA was surveyed by biologists in June 2013 and March 2015 to determine the extent of plant communities and assess the presence of suitable habitat for sensitive plant species. Plant identifications were made in the field or in the lab through comparison with voucher specimens or photographs. Data from the field maps were digitized into GIS using ArcGIS 9.2. In addition to conducting biological surveys, a review of existing literature and biological databases was conducted to identify the existence or potential occurrence of special-status species plants and vegetation communities in or within the vicinity of the BSA. Primary databases consulted included the CNDDB information (version 5), which is administered by CDFW, and CNPS' On-line Inventory of Rare and Endangered Plants of California (Version 8-02, CNPS Inventory [2016]). Additionally, USFWS's Information, Planning, and Conservation (IPaC) System was used to generate a list of species to be considered in the effects analysis for the project.

The general biological surveys confirmed that the entirety of the BSA is developed. Vegetation within the BSA is limited to non-native ornamental landscaping for existing roads, homes, and parks, in addition to non-native ruderal (weedy) elements within vacant lots.

According to the CNDDB, two special-status plant species have been reported within 1.0 mile of the BSA between 1905 and 1917. Based on the current developed condition and lack of suitable habitat within the BSA, regional species of concern are not likely to occur within the BSA (Table 2.4.3-1).

Table 2.4.3-1. Special-Status Plant Species

Scientific Name/ Common Name	Status	General Habitat Description	Species Present/ Absent	Rationale
Dodecahema leptoceras Slender-horned Spineflower	FE/SE CRPR 1B.1	**Distribution:** Riverside Los Angeles, and San Bernardino counties. **Habitat:** Chaparral, cismontane woodland, coastal scrub on alluvial fans.	Absent	No suitable habitat occurs within the BSA. Most recent report to the CNDDB of this species within 1 mile of the BSA was 1905.
Uneatekelia cuneata var. puberula Mesa Horkelia	--/-- CRPR 1B.1	**Distribution: Coastal southern California from San Luis Obispo County south.** **Habitat:** Sandy or gravelly soils in maritime chaparral, cismontane woodland, or coastal scrub.	Absent	No suitable habitat occurs within the BSA. Most recent report to the CNDDB of this species within 1 mile of the BSA was in 1917.

FE: Federally Endangered
SE: State Endangered
CRPR 1B.1: California Rare Plant Rank listing designates plants that are rare, with most of them endemic to California, that present populations throughout their range, are seriously threatened in California (more than 80 percent of occurrences threatened/high degree and immediacy of threat).
These designations are to be considered during the State and federal environmental review process, as applicable (e.g., CEQA [PRC Section 21000 *et seq*.] and NEPA [50 CFR 402.12]).

2.4.3.3 Environmental Consequences

Permanent Impacts

No Build Alternative

The No Build Alternative does not propose any construction or other disturbance in the BSA; therefore, this alternative would not result in permanent impacts to special-status plant species.

Build Alternative (Proposed Project)

Botanical surveys conducted in June 2013 and March 2015 confirmed that the entirety of the BSA is developed and has been determined as not suitable for special-status plant species. None of the two special-status plant species were observed during the surveys; therefore, no permanent impacts to these special-status plants would occur as a result of the project. The project would have no effect on these special-status plant species, which includes the slender-horned spineflower that is listed on the USFWS Species List as Endangered. See Appendix H of the USFWS Species List.

Temporary/Construction Impacts

No Build Alternative

The No Build Alternative does not propose any construction or other disturbance in the BSA; therefore, this alternative would not result in temporary impacts to special-status plant species.

Build Alternative (Proposed Project)

None of the two special-status plant species were observed during the surveys; therefore, no temporary impacts to these special-status plants would occur as a result of the project.

2.4.3.4 Avoidance, Minimization, and/or Mitigation Measures

No avoidance, minimization, or mitigation measures are warranted because no special-status plant species occur in the BSA.

2.4.4 Animal Species

2.4.4.1 Regulatory Setting

Many State and federal laws regulate impacts to wildlife. USFWS, National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries), and CDFW are responsible for implementing these laws. This section discusses potential impacts and permit requirements associated with animals not listed or proposed for listing under FESA or CESA. Species listed or proposed for listing as threatened or endangered are discussed in Section 2.44.5, Threatened and Endangered Species. All other special-status animal species are discussed here, including CDFW fully protected species and species of special concern, and USFWS or NOAA Fisheries candidate species.

Federal laws and regulations relevant to wildlife include the following:

- NEPA
- Migratory Bird Treaty Act (MBTA)
- Fish and Wildlife Coordination Act

State laws and regulations relevant to wildlife include the following:

- CEQA
- Sections 1600–1603 of the CFG Code
- Sections 4150 and 4152 of the CFG Code

2.4.4.2 Affected Environment

The BSA is situated within a transportation corridor and highly urbanized area. According to the CNDDB (CDFW, 2015), three special-status animal species have been reported within 1.0 mile of the BSA between the dates of 1951 and 1997. Based on the current developed condition and lack of suitable habitat within the BSA, special-status wildlife species are not likely to occur within the BSA (Table 2.4.4-1).

Although not specifically listed in Table 2.4.4-1, the project site contains trees, shrubs, and other vegetation that provide suitable nesting habitat for common birds, including raptors, protected under the MBTA and CFG Code.

Table 2.4.4-1. Special-Status Wildlife Species

Scientific Name/ Common Name	Status	General Habitat Description	Species Present/ Absent	Rationale
Invertebrates				
Rhaphiomidas terminates abdominalis Delhi Sands Flower-loving Fly	FE/--	**Distribution:** Endemic to the Colton Dunes of southwestern San Bernardino and northwestern Riverside counties. **Habitat:** Sandy substrates (Delhi soil series) with sparse cover (less than 50 percent, usually 10 to 20 percent) of perennial shrubs and other vegetation. Three indicator plant species are usually present in occupied habitat: California buckwheat, telegraph weed, and croton; only a few individuals of telegraph weed occur in the BSA.	Absent	No suitable habitat occurs within the BSA. The soils within the BSA are not associated with this species. Most recent report to the CNDDB of this species within 1 mile of the BSA was in 2001. The Ontario Recovery Unit occurs approximately 3 miles east of the BSA (USFWS, 1997).
Reptiles				
Anniella pulchra Silvery Legless Lizard	--/SSC	**Distribution:** Occurs from the Bay Area south through the Coast and Peninsular Ranges to northern Baja California. Occurrences scattered through the San Joaquin Valley and southern Sierra Nevada. **Habitats:** Loose soil, particularly in sand dunes or otherwise sandy soil. Generally found in leaf litter, under rocks, logs, or driftwood in oak woodland, chaparral, and desert scrub.	Absent	No suitable habitat occurs within the BSA. Most recent report to the CNDDB of this species within 1 mile of the BSA was 1993.
Mammals				
Antrozous pallidus Pallid bat	--/SSC	**Distribution:** Mexico and extreme southwestern U.S. north through Oregon, Washington, and western Canada. **Habitats:** Deserts and canyons with daytime roosts in buildings, crevices; less often in caves, mines, hollow trees, and other shelters.	Absent	No suitable habitat occurs within the BSA. The existing railroad bridge overcrossing in the southern portion of the BSA does not provide suitable roosting habitat. Most recent report to the CNDDB of this species within 1 mile of the BSA was in 1951.

FE: Federally Endangered
SSC: Species of Special Concern
These designations are to be considered during the State and federal environmental review process, as applicable (e.g., CEQA [PRC Section 21000 *et seq*.] and NEPA [50 CFR 402.12]).

2.4.4.3 Environmental Consequences

The City has not established significance thresholds for use in evaluating the proposed project's impacts to animal species; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used. The guidelines suggest that a project-related significant impact would occur if the project would:

- 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.

An evaluation of potential impacts to animal species associated with each alternative is presented below.

Permanent Impacts

No Build Alternative

The No Build Alternative does not propose any construction or other disturbance in the BSA; therefore, this alternative would not result in permanent impacts to special-status animal species.

Build Alternative (Proposed Project)

The June 2013 and March 2015 general biological surveys confirmed that the entirety of the BSA is developed and is not suitable for special-status wildlife species. As such, project implementation would result in no impacts on special-status wildlife species. The project would have no effect on these special status wildlife species, which includes the Delhi Sands flower-loving fly that is listed on the USFWS Species List as Endangered. See Appendix H of the USFWS Species List.

Raptors and migratory birds potentially using shrubs within the BSA could be affected by their removal and/or proximity to construction activities. Construction of the proposed project could result in the removal or trimming of trees during the general bird nesting season (i.e., February 15 through August 31); therefore, it could result in impacts to nesting birds in violation of the MBTA and CFG Code. Direct impacts could occur as a result of removal of vegetation supporting an active nest. Impacts would be considered significant. Implementation of Mitigation Measure AS-1 would reduce potentially significant impacts on nesting birds and raptors to less than significant levels.

Temporary/Construction Impacts

No Build Alternative

The No Build Alternative does not propose any construction or other disturbance in the BSA; therefore, this alternative would not result in temporary impacts to special-status animal species.

Build Alternative (Proposed Project)

None of the three special-status animal species were observed during the surveys; therefore, no temporary impacts to these special-status animals would occur as a result of the project.

Raptors and migratory birds potentially using shrubs within the BSA could be affected by their removal and/or proximity to construction activities. Temporary effects include increased noise and vibration that may result in an alteration in bird behavior and the potential to abandon nests and/or alter nesting locations. In addition, increased dust on vegetation from construction may alter bird behavior for preferred nest sites.

2.4.4.4 Avoidance, Minimization, and/or Mitigation Measures

The following mitigation measure will be implemented prior to construction to avoid and reduce potential impacts related to special-status animal species:

Mitigation Measure AS-1: To avoid effects to nesting birds, the Project Engineer will require the contractor to conduct vegetation removal or tree-trimming activities outside of the nesting bird season (i.e., February 15 through August 31).

If vegetation clearing is necessary during the nesting season, the Project Engineer will require the contractor to have a qualified biologist conduct a preconstruction survey within 150 feet of construction areas no more than 10 days prior to construction at the location to identify the location of nests, if any. A qualified biologist is one that has previously surveyed for nesting bird species within Southern California.

Should nesting birds be found, an exclusionary buffer will be established by the qualified biologist around each nest site. The buffer will be clearly marked in the field by construction personnel under guidance of the contractor's qualified biologist, and construction or

clearing will not be conducted within this zone until the qualified biologist determines that the young have fledged or the nest is no longer active.

The qualified biologist will monitor the nests on a weekly basis to ensure that construction activities do not disturb or disrupt nesting activities.

If the qualified biologist determines that construction activities are disturbing or disrupting nesting activities, then the biologist will notify the Project Engineer, who has the authority to stop or modify construction to reduce the noise and/or disturbance to the nests. Responses may include, but are not limited to, increasing the size of the exclusionary buffer, curtailing nearby work activities, turning off vehicle engines and other equipment wherever possible to reduce noise, installing a protective noise barrier between the nest and the construction activities, and/or working in other areas until the young have fledged.

2.4.5 Threatened and Endangered Species

2.4.5.1 Regulatory Setting

The primary federal law protecting threatened and endangered species is the FESA: 16 U.S.C., Section 1531, *et seq.* See also 50 CFR Part 402. This act and later amendments provide for the conservation of endangered and threatened species and the ecosystems upon which they depend. Under Section 7 of this act, federal agencies, such as FHWA (and Caltrans, as assigned), are required to consult with USFWS and NOAA Fisheries to ensure that they are not undertaking, funding, permitting, or authorizing actions likely to jeopardize the continued existence of listed species or destroy or adversely modify designated critical habitat. Critical habitat is defined as geographic locations critical to the existence of a threatened or endangered species. The outcome of consultation under Section 7 may include a Biological Opinion with an Incidental Take Statement or a Letter of Concurrence. Section 3 of FESA defines take as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect or any attempt at such conduct."

California has enacted a similar law at the state level, the CESA, CFG Code, Section 2050, *et seq.* CESA emphasizes early consultation to avoid potential impacts to rare, endangered, and threatened species and to develop appropriate planning to offset project-caused losses of listed species populations and their essential habitats. CDFW is the agency responsible for implementing CESA. Section 2080 of the CFG Code prohibits "take" of any species determined to be an endangered species or a threatened species. Take is defined in Section 86 of the CFG Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." CESA allows for take incidental to otherwise lawful development projects; for these actions an incidental take permit is issued by CDFW. For species listed under both FESA and CESA requiring a Biological Opinion under Section 7 of FESA, CDFW may also authorize impacts to CESA species by issuing a Consistency Determination under Section 2080.1 of the CFG Code.

Another federal law, the Magnuson-Stevens Fishery Conservation and Management Act of 1976, was established to conserve and manage fishery resources found off the coast, as well as anadromous species and Continental Shelf fishery resources of the United States, by exercising (A) sovereign rights for the purposes of exploring, exploiting, conserving, and managing all fish within the exclusive economic zone established by Presidential Proclamation 5030, dated March 10, 1983, and (B) exclusive fishery management authority beyond the exclusive economic zone over such anadromous species, Continental Shelf fishery resources, and fishery resources in special areas.

2.4.5.2 Affected Environment

The analysis of the project's potential effects on threatened and endangered species is based on the *Natural Environment Study (Minimal Impacts)* (September 2016). The findings of the *Natural Environment Study (Minimal Impacts)* related to threatened and endangered species are summarized in this section.

Prior to performing field surveys for threatened and endangered species, existing documentation relevant to the BSA was reviewed. The most recent records of the CNDDB (CDFW, 2015) and the CNPS' Electronic Inventory of Rare and Endangered Vascular Plants of California were reviewed for the United States Geological Survey (USGS) quadrangles containing these resources surrounding the BSA. Two special-status plant species and three special-status animal species have been reported within 1.0 mile of the BSA between the dates of 1905 and 2001 (Tables 2.44.3-1 and 2.44.4-1). Based on the current developed conditions and lack of suitable habitat within the BSA, threatened or endangered species are not likely to occur within the BSA.

2.4.5.3 Environmental Consequences

Permanent Impacts

No Build Alternative

The No Build Alternative does not propose any construction or other disturbance in the BSA; therefore, this alternative would not result in permanent impacts to threatened or endangered species.

Build Alternative (Proposed Project)

There are no designated or proposed critical habitats in the BSA for any species listed by USFWS and NOAA Fisheries that would be affected by the project. The June 2013 and March 2015 general biological surveys confirmed that the entirety of the BSA is developed and has been determined as not suitable for threatened or endangered species. As such, no threatened or endangered species have potential to occur within the BSA due to lack of suitable habitat. Project implementation would result in no permanent impacts on threatened or endangered species. Therefore, the project would have no effect on threatened and endangered species listed on the USFWS species list (see Appendix H).

Temporary Impacts

No Build Alternative

The No Build Alternative does not propose any construction or other disturbance in the BSA; therefore, this alternative would not result in temporary effects to threatened or endangered species.

Build Alternative (Proposed Project)

Because the BSA is in an urbanized setting, any potential indirect effects/impacts of construction would be no greater than they would be under existing conditions. As such, no temporary effects to threatened or endangered species would occur as a result of the Build Alternative.

2.4.5.4 Avoidance, Minimization, and/or Mitigation Measures

No avoidance, minimization, and/or mitigation measures are required because no threatened or endangered species have the potential to occur in the project area.

2.4.6 Invasive Species

2.4.6.1 Regulatory Setting

On February 3, 1999, President William J. Clinton signed EO 13112 requiring federal agencies to combat the introduction or spread of invasive species in the United States. The order defines invasive species as "any species, including its seeds, eggs, spores, or other biological material capable of propagating that species, that is not native to that ecosystem whose introduction does or is likely to cause economic or environmental harm or harm to human health." FHWA guidance issued August 10, 1999, directs the use of the State's invasive species list, maintained by the California Invasive Plant Council (Cal-IPC) to define the invasive plants that must be considered as part of NEPA analysis for a proposed project.

2.4.6.2 Affected Environment

This section discusses invasive species with the potential to occur within the BSA as discussed in the *Natural Environment Study (Minimal Impacts)* (September 2016). The *Natural Environment Study (Minimal Impacts)* determined that the study area is dominated by non-native species, most of which are non-native plants that occur within portions of the Grove Avenue corridor, adjacent developments, and basin bottoms. Ornamental vegetation is also present for aesthetic reasons.

Highway corridors provide opportunities for the movement of invasive species through the landscape. Invasive species can move on vehicles and in the loads they carry. Invasive plants can be moved from site to site during spraying and mowing operations. Weed seed can be inadvertently introduced into the corridor on equipment during construction and through the use of mulch, imported soil or gravel, and sod. In erosion control, landscape, or wildflower projects, some invasive plant species might be planted deliberately. Transportation corridor ROWs provide ample opportunity for weeds in adjacent lands to spread along corridors that span, on a national scale, millions of miles along highways.

The Cal-IPC Invasive Plant Inventory is based on information submitted by members, land managers, botanists, and researchers throughout California, as well as published sources. The inventory highlights nonnative plants that are serious problems in wildlands (i.e., natural areas that support native ecosystems, including national, State, and local parks; ecological reserves; wildlife areas; national forests; and Bureau of Land Management lands). The Invasive Plant Inventory categorizes plants as High, Moderate, or Limited based on the species' negative ecological impact in California. Plants categorized as "High" have severe ecological impacts. Plants categorized as "Moderate" have substantial and apparent, but not severe, ecological impacts. Plants

categorized as "Limited" are invasive, but their ecological impacts are minor on a statewide level.

2.4.6.3 Environmental Consequences

No Build Alternative

The No Build Alternative does not propose any construction or other disturbance in the BSA; therefore, this alternative would not result in long-term impacts related to the introduction or spread of invasive species to or from the BSA and would not cause permanent direct or indirect adverse impacts regarding invasive species.

Build Alternative (Proposed Project)

Implementation of the Build Alternative would have the potential to spread invasive species by the entering and exiting of construction equipment contaminated by invasives, the inclusion of invasive species in seed mixtures and mulch, and the improper removal and disposal of invasive species so that seed is spread along the highway. The plant palette used for revegetation would not include invasive species; therefore, the Build Alternative for the proposed project would not have a substantial effect on invasive species. With implementation of Avoidance Measure IS-1, temporary invasive species impacts are not anticipated.

2.4.6.4 Avoidance, Minimization, and/or Mitigation Measures

The following avoidance measure will avoid potential temporary and permanent impacts related to invasive species:

IS-1: In compliance with the Executive Order on Invasive Species (EO 13112), and guidance from FHWA, the landscaping and erosion control included in the project will not use species listed as invasive. In areas of particular sensitivity (i.e., near or adjacent to drainages), extra precautions will be taken if invasive species are found in or next to the construction areas. This includes the inspection and cleaning of construction equipment and eradication strategies, as required by the City of OntarioBiological Monitor, to be implemented should an invasion occur. Any cleaning of equipment or site watering will be conducted in adherence to any applicable drought conditions and related regulations. A City of Ontario biologist or landscape Architect will approve any seed lists (for planting).

2.5 Cumulative Impacts

2.5.1 Regulatory Setting

Cumulative impacts are those that result from past, present, and reasonably foreseeable future actions, combined with the potential impacts of the proposed project. A cumulative effect assessment looks at the collective impacts posed by individual land use plans and projects. Cumulative impacts can result from individually minor but collectively substantial impacts taking place over a period of time.

Cumulative impacts to resources in the project area may result from residential, commercial, industrial, and highway development, as well as from agricultural development and the conversion to more intensive agricultural cultivation. These land use activities can degrade habitat and species diversity through consequences such as displacement and fragmentation of habitats and populations, alteration of hydrology, contamination, erosion, sedimentation, disruption of migration corridors, changes in water quality, and introduction or promotion of predators. They can also contribute to potential community impacts identified for the project, such as changes in community character, traffic patterns, housing availability, and employment.

CEQA Guidelines Section 15130 describes when a cumulative impact analysis is necessary and what elements are necessary for an adequate discussion of cumulative impacts. The definition of cumulative impacts under CEQA can be found in Section 15355 of the CEQA Guidelines. A definition of cumulative impacts under NEPA can be found in 40 CFR Section 1508.7 of the CEQ Regulations.

2.5.2 Environmental Consequences

This section discusses potential impacts to various resources that could occur as a result of the Grove Avenue Corridor Project.

Cumulative Impacts

Land Use

Cumulative projects and planned growth in Ontario will lead to changes in land use and an increase in development intensity of the area. With this growth, there would be pressure for urbanized areas to expand to vacant lands and agricultural lands next to existing urban development. Historically, this has happened in the Ontario area, but future development would be managed to be consistent with adopted general plans.

The proposed project, which is widening an existing road, would provide support to the existing and planned developments. Therefore, the project would not cumulatively contribute to considerable cumulative land use impacts.

Farmlands

No farmlands occur within or immediately adjacent to the proposed improvements along the Grove Avenue corridor; therefore, there would be no cumulative effect to farmlands as a result of this project.

Growth

Given the existing level of growth to Ontario and the continuing traffic congestion in the project area, construction of the proposed project is judged unlikely to have a substantial effect on residential or commercial growth in the area. The project would not contribute to growth or expansion but would instead alleviate existing and future traffic congestion.

Parks and Recreational Facilities

The Build Alternative is not expected to have an adverse cumulative impact on parks when considered with any transportation, commercial, industrial, or residential projects because the overall parkland acquisition area would only minimally reduce the overall size of Grove Memorial Park and John Galvin Park and would not inhibit existing recreational facilities within the parks.

Community Character and Cohesion

As previously discussed in Section 2.2.6.1, the Build Alternative would result in the acquisition and removal of several residential properties requiring the displacement of residents. Some of the other projects considered in the cumulative impacts analysis, identified in Table 2.2.1-1, are also expected to result in the acquisition and removal of residential properties and the displacement of residents in the surrounding area. Although there would likely be some residential displacements throughout Ontario connected to the various projects, due to the dispersed locations of the projects and their associated displacements, there would not be an overall cumulative effect to one distinct neighborhood or localized community. Efforts would be made to relocate the displaced residents within the same general neighborhood or local vicinity as the affected property.

Relocation

The Build Alternative is not expected to have an adverse cumulative impact on relocations when considered with any transportation, commercial, industrial, or

residential projects because adequate replacement properties are available within close proximity.

Environmental Justice

Construction cumulative impacts on community disruption could occur if multiple projects in the same locality are scheduled to undergo construction at the same time. The City, through community outreach described earlier, would continue to work closely with the cities and communities within the project area to identify such potential consequences and adjust construction schedules to avoid construction, to the extent practicable, of multiple projects occurring simultaneously within the same locality.

Because implementation of the Build Alternative would not cause disproportionately high and adverse effects on minority or low-income populations, no permanent cumulative impacts are anticipated.

Utilities and Emergency Services

Utilities and emergency services are actively planned for and developed based on service needs of the area in which they are provided. Related transportation and public infrastructure project impacts would be beneficial because they normally improve circulation in their respective project areas. Emergency services would benefit from improved access and circulation. The Build Alternative is not expected to have an adverse cumulative impact on utilities when considered with any transportation, commercial, industrial, or residential projects.

Traffic

Implementation of the proposed project, together with the other transportation projects located within the cumulative projects study area, would accommodate future traffic demand during peak periods resulting in the reduction of traffic congestion conditions at various segments and interchanges. Other cumulative transportation projects would also provide alternative transportation modes and pedestrian connectivity, resulting in additional beneficial congestion impacts. The impacts to circulation and access systems are beneficial on a cumulative basis.

Visual/Aesthetics

Visual impacts during construction would be typical of roadway construction projects, including construction fencing, construction equipment, material stockpiles, and vegetation removal, which would collectively temporarily disturb the park's existing landscape aesthetic. Temporarily disturbed areas would be returned to pre-project

conditions once construction is completed; therefore, the minor visual changes associated with the Build Alternative would not be considered a cumulative effect.

Cultural Resources

The proposed project is not expected to affect any cultural resources in the project area; therefore, the project would not have an adverse cumulative impact on cultural resources.

Groundwater

The geographic context for the analysis of cumulative impacts associated with groundwater is the area underlain by the Chino Basin groundwater basin within the project corridor. The proposed project is not located within an identified recharge area. Construction activities, such as pile driving and dewatering, that would encounter groundwater could potentially occur and may reduce the storage capacity of groundwater. The displaced volume, however, would not be substantial relative to the volume of the basin. Likewise, the volume of water used during construction for dust control and other uses would be nominal; therefore, construction activities would not substantially deplete groundwater supplies nor interfere substantially with groundwater recharge. Thus, there would be no potential impacts to groundwater recharge in the area of the proposed project. Although implementation of the project would not have a cumulatively considerable contribution to the adverse effects on groundwater recharge in the basin, the overall development associated with transportation infrastructure projects that may be planned within the basin could directly and/or indirectly result in the loss of groundwater volume and recharge areas. This loss would be mitigated by groundwater recharge programs that have already been designed and implemented within the basin areas to ensure that groundwater will continue to be a viable water supply in the future. In addition, all of the projects would be required to implement BMP techniques to the MEP. BMP techniques, such as infiltration basins, augment groundwater by retaining stormwater runoff, which subsequently infiltrates into the groundwater regime.

Due to the volume of traffic and the nature of materials that are transported on roadways, sources of groundwater contamination would be associated with hazardous and nonhazardous materials that are transported through the area that could result in accidental spills, leaks, toxic releases, fire, or explosion. The transport of hazardous materials is regulated by the CHP. Hazardous materials and waste transporters are responsible for complying with all applicable packaging, labeling, and shipping regulations, which reduce the potential for a spill to impact water quality. The Office of Emergency Services also provides emergency response services involving

hazardous material incidents. The United States Federal Aviation Administration's Office of Hazardous Materials Safety prescribes strict regulations for the safe transportation of hazardous materials, as described in Title 49 of the CFR and implemented by Title 13 of the CCR. Appropriate documentation for all hazardous waste that is transported would be provided as required for compliance with existing hazardous materials regulations codified in Titles 8, 22, and 26 of the CCR, and their enabling legislation set forth in Chapter 6.95 of the California Health and Safety Code. Compliance with all applicable federal and State laws related to the transportation of hazardous materials would reduce the likelihood and severity of accidents during transit. Furthermore, any spill (i.e., hazardous and nonhazardous) would generate an immediate, local response to report, contain, and mitigate the incident.

Pollutants associated with roadway runoff that are considered treatable by BMP techniques include sediment, metals (i.e., total and dissolved fractions of zinc, Pb, and copper), nitrogen (e.g., ammonia), phosphorus, and general metals. Stormwater runoff from the project ROW would be conveyed to BMP facilities; therefore, roadway runoff conveyed to BMPs would be treated to the MEP and not create any groundwater quality impacts.

Furthermore, the City conducts roadway activities (i.e., sweeping operations and litter and debris removal) on a regular basis to correct situations that could cause water pollution; therefore, implementation of these nonstructural source control BMPs would reduce the discharge of potential pollutants to the stormwater drainage system and watercourses and not create any groundwater quality impacts.

Therefore, there would be no groundwater impacts associated with the Grove Avenue Corridor Project, and the proposed project would not have a cumulatively considerable contribution to the cumulative effects related to groundwater.

Water Quality

The geographic context for the analysis of cumulative impacts associated with water quality is the area covered by the HSA within the proposed project corridor. Development of the proposed project, in combination with all other development that would occur in the watershed area, would involve construction activities, increases in stormwater runoff from new impervious surface area, and possibly reduction in groundwater recharge areas. Construction of new development throughout the watershed area could result in the erosion of soil, thereby cumulatively degrading water quality. In addition, the increase in impervious surface area resulting from future development may also adversely affect water quality by increasing the amount of

stormwater runoff, transportation-related pollutants, and associated roadway runoff chemical pollutants entering the storm drain system. New development, however, would have to comply with existing regulations regarding construction practices that minimize risks of erosion and runoff. Among the various regulations are the applicable provisions of the County of San Bernardino MS4 NPDES Permit; municipal codes related to control of stormwater quality for transportation projects; municipal grading permits; and other NPDES permits. This would minimize degradation of water quality at individual project construction sites. Consequently, cumulative water quality impacts would be minimized during the construction and operational phases. Compliance with applicable SWRCB and Santa Ana RWQCB regulations would ensure that water quality is maintained to the MEP for potential development projects within the watershed areas. Therefore, there would be no water quality impacts associated with implementation of the project. The proposed project would not have a considerable contribution to the cumulative effects related to water quality.

Geology/Soils/Seismic/Topography

The project area generally has a low to negligible potential for geologic hazards such as landslides, expansive soil, collapsible soil, tsunamis, seismic slope instability, and subsidence. The proposed project would not increase the risk of exposing people or structures to potential adverse effects because of seismic activities or seismic-related ground failure beyond the existing level already present with the Grove Avenue configuration. Therefore, the proposed project is not expected to contribute to the cumulative effects related to geology, soils, seismic hazards, or topography.

Paleontology

While the Build Alternative does have the potential to affect paleontological resources during construction, the potential for such impacts is moderate undemonstrated to low. Appropriate monitoring in certain areas of the project would reduce the potential for any impacts to paleontological resources; therefore, there would be no cumulative effects related to paleontological resources.

Hazardous Waste/Materials

The proposed project would not create a significant hazard to the public or environment through transport, use, or disposal of hazardous materials because the project is not expected to produce a large amount of hazardous waste, and BMPs and industry standards would be utilized while handling and transporting any project-related hazardous materials; therefore, the project is not expected to contribute to the cumulative effects to hazardous wastes or materials.

Air Quality

Other individual projects in the Basin may be under construction simultaneously with the project. Depending on construction schedules and implementation of other projects in the region, fugitive dust and pollutant emissions generated during construction may result in substantial short-term increases in air pollutants. This would contribute to short-term cumulative air quality impacts; however, implementation of construction BACMs during site grading activities would reduce fugitive dust emissions to a level that is considered minor.

Noise

Under no-build conditions for the design year (2045), noise levels are expected to increase up to 2 dBA (all project noise levels include traffic projections from other regional projects). Under build conditions for the design year, traffic noise modeling results indicate that noise levels are expected to increase by up to 8 dB over design-year no-build noise levels. Increases in noise levels are due to the addition of two lanes (one in each direction) within the Grove Avenue corridor. The additional lanes would shift traffic closer to representative receivers within the proposed project area. Under future design-year 2045 build conditions, most of the receiver locations have traffic noise levels that were found to approach or exceed the applicable NAC. Where possible, noise abatement was considered at these receiver locations.

No exceedances of the applicable NAC were identified at any of the existing or planned commercial uses located within the project study area. Field monitoring confirmed that none of the existing commercial properties with outdoor areas of frequent human use within 500 feet of Grove Avenue would benefit from lower noise levels. As a result, consideration of noise abatement was not warranted for the commercial land uses located within the study area.

Energy

Maintenance of the Build Alternative can potentially generate indirect energy impacts within the proposed project corridor; however, operation of the Build Alternative would translate into more efficient energy consumption and higher energy savings for the project corridor. These high energy savings from operation of the Build Alternative would offset the potential indirect energy impacts generated from maintenance of the improved facility. Thus, the project is not expected to contribute to the cumulative effects to energy impacts.

Natural Communities

Project implementation would result in no impacts to sensitive habitats or natural communities. The project would result in permanent unavoidable impacts to

approximately 174 trees. Permanent impacts were determined if at least 50 percent of the tree occurred within the permanent impact area, which is not the case. This number includes tree trimming, as well as tree removals. No special-status plants or wildlife have potential to occur within the BSA due to lack of suitable habitat. Implementation of the Build Alternative would not conflict with the provisions of any habitat conservation plan or local biological resource protection ordinances. Given the high level of existing development within the BSA and minimal opportunity for regional wildlife movement, no permanent impacts to wildlife movement are anticipated to result. Given that the project impacts to natural communities are so small, it is doubtful that it would contribute to the cumulative effects to natural communities in the project area.

Wetlands and Other Waters

The Build Alternative would result in no permanent impacts to wetlands or nonwetland waters of the U.S. The Build Alternative would result in approximately 0.46 acre (795 linear feet) of temporary impacts to nonwetland waters of the U.S. as a result of improvements to existing, enclosed box culverts for Grove Avenue. Temporary impacts would not result in the permanent loss of jurisdictional acreage or permanent loss of function or value of these areas. The affected jurisdictional features would be restored to their approximate original contours and conditions. Thus, the proposed project would not contribute to cumulative impacts to wetlands and other waters.

Plant Species

Botanical surveys conducted in June 2013 and March 2015 confirmed that the entirety of the BSA is developed and has been determined as not suitable for special-status plant species; therefore, no cumulative impacts to special-status plants would occur as a result of the project.

Animal Species

The June 2013 and March 2015 general biological surveys confirmed that the entirety of the BSA is developed and is not suitable for special-status wildlife species. As such, project implementation would result in no impacts on special-status wildlife species. Raptors and migratory birds potentially using shrubs within the BSA could be affected by their removal and/or proximity to construction activities. Construction of the proposed project could result in the removal or trimming of trees during the general bird nesting season (i.e., February 15 through August 31); therefore, it could result in impacts to nesting birds in violation of the MBTA and CFG Code. Direct impacts could occur as a result of removal of vegetation supporting an active nest. If other projects in

the area also removed shrubs and trees during nesting season, then the proposed project could have a cumulative effect on animal species.

Threatened and Endangered Species

The June 2013 and March 2015 general biological surveys confirmed that the entirety of the BSA is developed and has been determined as not suitable for threatened or endangered species. As such, no threatened or endangered species have potential to occur within the BSA due to lack of suitable habitat. Project implementation would result in no permanent impacts on threatened or endangered species; therefore, the project would have no effect on plant and animal species listed on the USFWS species list and has no potential to provide a cumulative effect on threatened or endangered species. See Appendix H of the USFWS Species List.

Invasive Species

Implementation of the Build Alternative would have the potential to spread invasive species by the entering and exiting of construction equipment contaminated by invasives, the inclusion of invasive species in seed mixtures and mulch, and the improper removal and disposal of invasive species so that seed is spread along the highway. Therefore, this project has the potential to contribute to a cumulative effect to invasive species.

2.5.3 Avoidance, Minimization, and/or Mitigation Measures

Avoidance, minimization, and/or mitigation measures identified in each topical section in this document would serve to minimize cumulative impacts to the extent feasible.

Chapter 3 California Environmental Quality Act (CEQA) Evaluation

3.1 Determining Significance under the California Environmental Quality Act

The Grove Avenue Corridor Project (proposed project or project) is subject to federal, as well as City and State environmental review requirements because the City proposes the use of federal funds from FHWA and/or the project requires an approval from FHWA. Project documentation, therefore, has been prepared in compliance with CEQA and NEPA. The City is the project proponent and the lead agency under CEQA. FHWA's responsibility for environmental review, consultation, and any other action required in accordance with NEPA and other applicable federal laws for this project is being, or have been, carried-out by Caltrans pursuant to 23 U.S.C. 327 and the MOU dated December 23, 2016, and executed by FHWA and Caltrans.

One of the primary differences between NEPA and CEQA is the way significance is determined. Under NEPA, significance is used to determine whether an EIS, or a lower level of documentation, will be required. NEPA requires that an EIS be prepared when the proposed federal action (project) *as a whole* has the potential to "significantly affect the quality of the human environment." The determination of significance is based on context and intensity. Some impacts determined to be significant under CEQA may not be of sufficient magnitude to be determined significant under NEPA. Under NEPA, once a decision is made regarding the need for an EIS, it is the magnitude of the impact that is evaluated, and no judgment of its individual significance is deemed important for the text. NEPA does not require that a determination of significant impacts be stated in the environmental documents.

CEQA, on the other hand, does require Caltrans to identify each "significant effect on the environment" resulting from the project and ways to mitigate each significant effect. If the project may have a significant effect on any environmental resource, then an EIR must be prepared. Each and every significant effect on the environment must be disclosed in the EIR and mitigated if feasible. In addition, the CEQA Guidelines list a number of mandatory findings of significance, which also require preparation of an EIR. There are no types of actions under NEPA that parallel the findings of mandatory significance of CEQA. This chapter discusses the effects of the Build Alternative (preferred alternative or proposed project) and CEQA significance.

3.2 CEQA Environmental Checklist

This checklist identifies physical and biological factors that might be affected by the proposed project. In many cases, background studies performed in connection with the projects will indicate that there are no impacts to a particular resource. A NO IMPACT answer in the last column reflects this determination. The words "significant" and "significance" used throughout the following checklist are related to CEQA, not NEPA, impacts. The questions in this form are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

Project features, which can include design elements of the project and standardized measures that are applied to all or most Caltrans projects, such as BMPs and measures included in the Standard Plans and Specifications or as Standard Special Provisions, are considered an integral part of the project and have been considered prior to any significance determinations documented below; see Chapters 1 and 2 for a detailed discussion of these features. The annotations to this checklist are summaries of information contained in Chapter 2 to provide the reader with the rationale for significance determinations; for a more detailed discussion of the nature and extent of impacts, please see Chapter 2. This checklist incorporates by reference the information contained in Chapters 1 and 2.

3.2.1 Aesthetics

The City has not established significance thresholds for use in evaluating the proposed project's visual impacts; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used.

Except as provided in Public Resources Code Section 21099, would the project:	**Significant and Unavoidable Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐

Except as provided in Public Resources Code Section 21099, would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

CEQA Significance Determinations for Aesthetics

a) No Impact

The proposed project would not result in impacts to scenic vistas and would not provide new sources of glare. The evaluation of this resource is provided in Section 2.2.11.3, Environmental Consequences.

b, c, d) Less than Significant Impact

The project would be located in an urbanized area. The proposed project would require removal of mature trees at John Galvin Park, as well as parkway trees along Grove Avenue. The removal of trees could, in the short term, increase light trespass from streetlights along the widened road into adjacent neighborhoods. It is anticipated that this effect would be reduced over time as the newly planted trees in the new parkway strips grow; however, it would be many years before the new trees reach the stature to achieve the previously existing character along Grove Avenue. Given the number of trees in the project area (484 trees within the BSA) to the number that are being removed/replanted (174 trees to be removed and replaced at a 2:1 ratio or 348 replacement trees), an increase in the number of trees in the BSA would occur with the project.

In addition, the new, widened corridor is not anticipated to create any new sources of glare because no glass or mirrored surfaces are proposed. The existing roadway is already lit with 41 streetlights (excluding traffic signal lights or lights on traffic signal poles that would remain in place), of which 34 would be removed and replaced with 76

new streetlights, for a total of 83 streetlights along the corridor. Streetlight poles would be located near the curb, with arms extending out and lights directed downward into travel lanes as part of the new configuration. Distance (i.e., width of sidewalks and parkways and yard setbacks) and obstructions (i.e., parkway trees and property walls) would reduce lighting levels at the adjacent residences. Also, while the increased number of vehicles on the widened roadway would add to vehicle headlights that may pose nighttime glare to adjacent properties, there are existing property walls and proposed soundwalls that would block light trespass into the adjacent residential uses. Thus, impacts would be less than significant.

Overall, the new widened roadway is not anticipated to change the overall visual character or quality of the corridor. While the widened pavement section would detract from existing views, the addition of planted medians, preserving as much of the existing trees in the corridor as feasible, and the addition of new street tree plantings would have the overall effect of maintaining the existing character and quality.

3.2.2 Agriculture and Forest Resources

The City has not established significance thresholds for use in evaluating the proposed project's impact to agricultural and forest resources; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used.

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☐	☒

CEQA Significance Determinations for Agriculture and Forest Resources

a, b, c, d, e) <u>No Impact</u>

The proposed project would not result in impacts to agricultural or forest resources because none are in the project footprint.

3.2.3 Air Quality

The City has not established significance thresholds for use in evaluating the proposed project's air quality impacts; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used.

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.				
Would the project:	**Significant and Unavoidable Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
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?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☒

CEQA Significance Determinations for Air Quality

a, d) <u>No Impact</u>

The evaluation of this resource is provided in Section 2.3.6, Air Quality. The proposed project would not conflict with or obstruct implementation of the SCAQMD 2016 AQMP because it is consistent with the 2012-2035 and 2016-2040 RTP/SCS and the 2015 RTIP and 2019 FTIP.

The project is intended to alleviate existing and anticipated congestion along Grove Avenue, and Section 2.2.10 states that the average delays are forecast to significantly improve with implementation of the Build Alternative (proposed project). As discussed in Section 2.3.6, there would be no increase in VMT from no-build and build conditions. Thus, the associated vehicle emissions are expected to decrease due to decreased congestion and improved traffic flows. Table 2.3.6-4 in Section 2.3.6 also shows that the project would result in decreased 1-hour and 8-hour CO concentrations and would not exceed state and federal standards for CO. As shown in Table 2.3.6-7, predicted PM emission levels are also projected to trend lower from existing to the future years 2025 and 2045 under the No Build and Build Alternatives. As such, operation of the proposed project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. Results from the CO hot-spot modeling analysis demonstrate that under the Build Alternative, CO concentrations are expected to remain generally unchanged and are below the 1-hour and 8-hour NAAQS of 35 ppm and 9 ppm, respectively. The project would not contribute to a violation of CO standards; therefore, local CO project-level transportation conformity requirements would be satisfied. In addition, predicted PM emission levels trend lower from existing to the future no-build years 2025 and 2045. The project provides further reductions in PM emissions by enhancing traffic flow and reducing the wait time at signalized intersections, minimizing brake use and tire wear under the Build Alternative. It is anticipated that the project would not worsen existing air quality, cause an exceedance, or cause any new violations of the $PM_{2.5}$ and PM_{10} standards. PM project-level transportation conformity requirements are satisfied.

Furthermore, the project was incorporated in the conforming Interim 2015 FTIP; therefore, it is anticipated that the project would not worsen existing air quality, or cause an exceedance, or cause any new violations of the O_3 standards.

Operation of the project would not be a significant source of offensive odors. Any odors generated from the corridor after implementation of the project would be similar in nature to odors that would be generated from the corridor in the absence of the project. A site visit determined that there were no unusual or objectionable odors detected from nearby onsite or offsite land uses; therefore, the project is not anticipated to cause or substantially contribute to odor impacts. In addition, the City prepared a Health Risk Assessment (Appendix F) in accordance with CEQA guidelines.

b, c) Less Than Significant Impact

The proposed project would result in temporary air quality impacts during construction, with estimated pollutant emissions provided in Table 3.2-1 (also see Section 2.3.6, Air Quality). During construction, the project would generate pollutants, such as hydrocarbons (ROG), NO_X, CO, and suspended PM. Construction activities of the project would include limited excavation, grading, hauling, and various other activities needed to construct the project.

Project construction emissions were estimated with the *Road Construction Emissions Model* (Version 9.0, Sacramento Metropolitan Air Quality Management District, May 2018). The results are presented below in Table 3.2-1.

Table 3.2-1. Construction Emissions Estimates

Parameter	ROG	CO	NO_X	PM_{10}	$PM_{2.5}$	SO_X	CO_2e
Peak Day Construction Emissions (lbs/day)	4.7	44.7	45.7	16.9	4.9	0.1	9,910
Total Construction Emissions (tons/year)	0.43	4.33	4.16	1.86	0.51	0.01	929
SCAQMD Mass Daily Thresholds (lbs/day)	75	550	100	150	55	150	NA
Project Exceeds Threshold?	No	No	No	No	No	No	NA
SCAQMD Localized Significance Threshold	NA	1,232	170	6	5	NA	NA
Project Exceeds Threshold?	NA	No	No	**Yes**	No	NA	NA

Notes: lbs – pounds; ROG – reactive organic compounds; CO – carbon monoxide; NO_X – nitrogen oxides; PM_{10} – particulate matter less than 10 microns; $PM_{2.5}$ – particular matter less than 2.5 microns; SO_X – sulfur oxides; CO_2e – carbon dioxide equivalent. LSTs are for Source-Receptor Area (SRA) 33 for a source-receptor distance of 25 meters.

As shown in Table 3.2-1, the project's daily emissions during construction would not exceed SCAQMD's Mass Daily Thresholds; therefore, they are not regionally

significant. Except for PM_{10} emissions, the project's daily emissions during construction would also not exceed the relevant Localized Significance Thresholds (LST). Project PM_{10} emissions, however, would substantially exceed its LST. Dust and odors at some residences very close to the ROW could cause occasional annoyance and complaints; however, implementation of Standard Conditions SC-CI-21 and SC-CI-22, which includes an extensive list of air quality control measures, would reduce PM_{10} emissions during construction. Implementation of minimization measure AQ-1 would further reduce emissions. Impacts would be temporary and considered less than significant.

Other individual projects in the Basin may be under construction simultaneously with the project. Depending on construction schedules and implementation of other projects in the region, fugitive dust and pollutant emissions generated during construction may result in substantial short-term increases in air pollutants. This would contribute to short-term cumulative air quality impacts; however, implementation of construction BACMs during site grading activities would reduce fugitive dust emissions to a level that is considered minor. In addition, the City prepared a Health Risk Assessment (Appendix F) in accordance with CEQA guidelines.

3.2.4 Biological Resources

The City has not established significance thresholds for use in evaluating the proposed project's impact to biological resources; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used.

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, or NOAA Fisheries?	☐	☒	☐	☐

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
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?	☐	☐	☒	☐
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?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
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?	☐	☐	☐	☒

CEQA Significance Determinations for Biological Resources

a) Less Than Significant Impact with Mitigation Incorporated

The removal and/or trimming of trees and shrubs along the corridor could result in impacts to nesting birds in violation of the MBTA and CFG Code. Implementation of Mitigation Measure AS-1 would reduce potentially significant impacts on nesting birds and raptors to less than significant levels because this measure includes guidelines on vegetation clearing, survey dates, and buffers. General biological surveys confirmed that the entire BSA is composed of developed land. No sensitive habitats, natural communities, special-status plant species, or special-status wildlife species have potential to occur within the BSA due to lack of suitable habitat.

b, d, f) No Impact

The Jurisdictional Delineation Letter Report for the project identifies 1.76 acres of jurisdictional waters of the U.S. and State in the West Cucamonga Channel. The channel is concrete-lined and abiotic, and it does not support riparian vegetation. As such, the channel is not considered as wetland. No impacts to wetlands, riparian habitat, or other sensitive natural community would occur with the project.

No regional habitats and natural communities of special concern are known to occur on or within 1 mile of the BSA. Also, there is no habitat conservation plan or natural community conservation plan that is applicable to Grove Avenue or the surrounding area. Thus, the proposed 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.

The proposed project would not interfere substantially with the movement of any wildlife species because the project does not have any wildlife corridors in its project footprint.

Two special-status plant species have been reported within 1 mile of the BSA between 1905 and 1917. Based on the current developed condition and lack of suitable habitat within the BSA, regional species of concern are not likely to occur within the BSA; thus, the proposed project would not result in impacts to special-status plant species.

c, e) Less Than Significant Impact

The proposed project would result in temporary impacts to approximately 0.46 acre of nonwetland Waters of the U.S. The proposed project would not impact wetlands. The affected jurisdictional features would be restored to their approximate original contours and conditions and would not result in permanent loss of jurisdictional acreage, functionality, or value.

The City of Ontario, California Municipal Code, Volume II, Title 10 (Parks and Recreation), Chapter 2 (Parkway Trees), Sections 10-2 *et seq.* provides provisions for the protection of "Parkway Trees." Section 10-2.03(e) states "Parkway" shall mean that portion of any public street ROW between the ROW boundary line and the curb line, and also the area enclosed within the curb lines of a median divider. Section 10-2.03(g) states "Tree" shall mean plant materials having a single upright woody stem or trunk, maturing at a height in excess of 10 feet. The City keeps a list of parkway trees. Pursuant to Section 10-2.06, the City requires approval and removal permits for

parkway trees to be removed. To remove a parkway tree, it must meet criteria set forth by the City. The project would result in permanent unavoidable impacts to approximately 174 trees, of which 122 are parkway trees. This number includes tree trimming, as well as tree removals. As dictated by the municipal code, no person shall remove or relocate any parkway tree without prior authorization from the Public Works Agency of the City. Tree removal by the project would require approval from the City, and replacement trees would be provided at a 2:1 ratio (or 348 replacement trees). Thus, no conflict with the City's parkway tree policy would occur, and impacts would be less than significant.

3.2.5 Cultural Resources

The City has not established significance thresholds for use in evaluating the proposed project's impact to cultural resources; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used.

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☐	☒

CEQA Significance Determinations for Cultural Resources

a, b, c) <u>No Impact</u>

The proposed project would not result in impacts to any cultural resources because no NRHP-eligible archaeological resources were identified during the survey for the current project, the literature and records search did not reveal any known archaeological sites within a 1-mile radius, and the NAHC sacred lands file search did not reveal any results. Additionally, as a result of the cultural studies completed for this project, the APE contains one historic property that was determined eligible for listing in the NRHP and two additional historical resources for the purposes of CEQA only, as defined by CEQA Section 21084.1. Although Jay Littleton Ballpark is a historic

property eligible for listing in the NRHP, the project improvements do not infringe on the physical aspects of any portion of the ballpark, and potential indirect effects to the ballpark would be minimal. The Fountain Winery and Cucamonga Valley Wine Company and Distillery are local historical resources, but the project would not require acquisition of any of these resources, and there are no project improvements proposed that would physically impact or alter these buildings or properties. As a result, the project would not affect the qualities of historical and architectural significance that qualify these buildings as local historical resources. No historic properties would be affected as a result of the proposed project's construction or operation.

Lastly, the project is not expected to disturb any human remains. See Minimization Measures CR-1 and CR-2 in Section 2.2.12.4, Avoidance, Minimization, and/or Mitigation Measures, and CI-1 in Section 3.3.1 for the minimization of impacts due to any inadvertent discoveries. Standard Conditions SC-CI-6 and SC-CI-7 would also be implemented.

3.2.6 Energy

The City has not established significance thresholds for use in evaluating the proposed project's impact to energy; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used.

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

CEQA Significance Determinations for Energy

a, b) <u>Less than Significant Impact</u>

As discussed in Section 2.3.8.2 , transportation fuel demand in California is expected to increase over time. However, the increase in the number of travel lanes on Grove Avenue would result in reductions in traffic congestion at the project intersections and the improvement of LOS, even with projected increases in the number of vehicles on

Grove Avenue. Also, a slight decrease in VMT from the no-build to build conditions in 2025 and 2045 would occur with the project. This would translate into more efficient energy consumption and higher energy savings for vehicles traveling on Grove Avenue. Construction and future maintenance activities for the project would require energy sources, but this demand would be short-term and minimal. The project would also comply with idling restrictions during construction, use reclaimed water for irrigation and energy-efficient lighting for streetlights, and use energy and fuel-efficient fleets and zero-emission technologies for vehicles during construction, where possible. The energy savings from operation of the Build Alternative would offset the potential energy impacts generated from construction of the project and maintenance of the improved facility. Thus, energy use during construction, operation, and maintenance of the project would not be wasteful, inefficient, or unnecessary, and no conflict with a renewable energy or energy efficiency plan would occur. Impacts related to energy would be less than significant.

3.2.7 Geology and Soils

The City has not established significance thresholds for use in evaluating the proposed project's geology-related impacts; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used.

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☒
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e) 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?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

CEQA Significance Determinations for Geology and Soils

a i, ii, iii, iv, b c, d, e) <u>No Impact</u>

The site is not located in an Alquist-Priolo Fault Special Studies Zone, nor is it within 1,000 feet of any unzoned fault. It is also located outside designated earthquake zones of required investigations. Thus, fault rupture potential is remote, and the potential for liquefaction and earthquake-induced landslide is low. As with all of southern California, ground-shaking hazards may occur due to earthquake events in the region. With groundwater estimated at 375 to 475 feet below the ground surface, liquefaction hazards are unlikely. The project area is relatively flat, and no hazards related to landslides are expected. The preliminary geotechnical report states that liquefaction and scour potential are not a concern; hydrocollapse is unlikely; corrosion potential is low; and seismic design criteria and geotechnical recommendations are provided.

The project would increase impervious surfaces and reduce the potential for long-term erosion. Temporary constructed-related erosion would be minimized by the implementation of BMPs outlined in the SWPPP for the project. No septic tanks are needed or proposed by the project.

The project would be designed and constructed to meet the City's engineering design standards to minimize geologic and seismic hazards. Thus, the proposed project would not expose people or structures to substantial adverse effects of seismic activities or seismic-related ground failure beyond the existing level already present with the Grove Avenue configuration. The evaluation of this resource is provided in Section 2.3.3.3, Environmental Consequences.

f) Less Than Significant Impact

While the area is highly disturbed due to the original construction of Grove Avenue and existing adjacent developments and infrastructure, undisturbed native soils (i.e., Holocene and Pleistocene alluvial deposits) that underlie the project area have the potential to contain fossils. Grading and excavation are planned to be approximately 3 to 5 feet deep and confined to previously disturbed sediments, but retaining walls and soundwalls could require excavations up to 20 feet deep. Excavations deeper than 5 feet have the potential to encounter fossils in the Pleistocene portions of alluvial fan deposits. Thus, the proposed project has the potential to impact paleontological resources from excavation during construction. In accordance with the PMP for the project, to ensure that there would be no potential impacts to paleontological resources, monitoring would occur for all excavations greater than 10 feet deep in sediments mapped as Holocene at the surface and for all excavations greater than 5 feet deep in sediments mapped as Pleistocene at the surface, as part of construction specifications. Impacts would be less than significant.

3.2.8 Greenhouse Gas Emissions

The City has not established significance thresholds for use in evaluating the proposed project's GHG emissions; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used.

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

CEQA Significance Determinations for Greenhouse Gas Emissions

Additional discussion of GHG is provided in Section 3.6, Climate Change.

a, b) Less Than Significant Impact

GHG emissions associated with construction equipment would be a direct effect during construction of the Grove Avenue Corridor Project. The proposed project is a roadway widening project, and the roadway itself would not directly generate GHG emissions. Rather, GHG emissions associated with vehicles traveling along the Grove Avenue corridor would be considered an indirect effect of the proposed project.

As analyzed in Section 3.2.3, Air Quality, and shown in Table 3.2-1 above, construction of the project would result in an estimated 929 tons of CO_2e; however, it is anticipated that any increase in GHG emissions due to construction would be offset by the improvement in operational GHG emissions. In both 2025 and 2045, the estimated GHG emissions from vehicles using the project under the Build Alternative (proposed project) would be lower than the estimated GHG emissions under the No Build Alternative (see Table 3.2-2). Based on the project-related reduction in annual GHG emissions in 2025, the GHG emitted during construction would be recaptured in approximately 8 years. Based on the project-related reduction in annual GHG emissions in 2045, the GHG emitted during construction would be recaptured in less than 1 year.

Table 3.2-2. Greenhouse Gases Emissions

Year	Greenhouse Gas Emissions (tpy of CO_2e)		
	No Build Alternative	Build Alternative	Change
Existing	3,686	NA	NA
2025	5,281	5,167	-114
2045	8,235	7,266	-969
Notes: CO_2e – carbon monoxide equivalents; tpy – tons per year			

Therefore, GHG impacts associated with the proposed project would be less than significant. No mitigation is required.

The proposed project consists of widening Grove Avenue to alleviate existing and anticipated future congestion along Grove Avenue between 4th Street and Airport Drive and improve traffic operations along the corridor. With it being anticipated that any increase in GHG emissions due to construction would be offset by the improvement in

operational GHG emissions, the proposed project is in alignment with the goals and policies of SCAG, SCAQMD and San Bernardino County by reducing GHG emissions overall. The proposed project directly relates to Measure Trans-9 Roadway Management of the City of Ontario's Community Climate Action Plan. This measure's goal is to implement traffic and roadway management strategies to improve mobility and efficiency and reduced associated emissions. The proposed project does not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. Impacts associated with the proposed project are less than significant, and no mitigation is required.

3.2.9 Hazards and Hazardous Materials

The City has not established significance thresholds for use in evaluating the proposed project's hazardous materials-related impacts; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used.

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
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?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
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?	☐	☐	☒	☐

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

CEQA Significance Determinations for Hazards and Hazardous Materials

a, c, e, f, g) No Impact

The proposed project would not create a significant hazard to the public or environment through transport, use, or disposal of hazardous materials because the Build Alternative involves improvements to an existing roadway only, and the transport, use, or storage of toxic materials or chemicals is not a proposed component of the project. Because Grove Avenue is a designated truck route, the widened roadway and projected increase in traffic volumes may lead to more trucks carrying hazardous materials or hazardous wastes using Grove Avenue. The transport of hazardous materials or wastes is regulated by Hazardous Materials Transportation Act (49 U.S.C. Chapter 51), Hazardous Materials Regulations (49 CFR 171-177), California Vehicle Code (Section 32000.5), California Health and Safety Code (Section 25167.1 *et seq.),* and the City's Traffic Regulations (Chapter 6 of the Ontario Municipal Code). Compliance with these regulations by truck drivers and haulers would prevent the creation of hazards associated with the transport of hazardous materials and wastes on Grove Avenue.

The project is located within 0.25 mile of Del Norte Elementary School and within 2 miles of Ontario International Airport, but associated roadway improvements would not result in the emissions of hazardous materials nor result in a safety hazard for people residing or working in the project area. The Airport Land Use Compatibility Plan (ALUCP) shows Grove Avenue within the Airport Influence Area but outside the

designated Safety Zones, except for the southern end (south of Airport Drive) where land use restrictions have been established and aviation easements are required. The project does not propose a new land use, and roads are normally compatible with the designated Safety Zone. The entire project segment is within areas with allowable height limits ranging from 70 to 150 feet above the ground level. The proposed roadway improvements would largely be at-grade, except for retaining walls and soundwalls (6 to 12 feet high) and streetlights that would be 31.5 feet high and, thus, would not conflict with the ALUCP. No airport hazards would be created by the project. Also, the project would not change the exposure of residents or other persons in the area to airport noise.

While the proposed project may involve the handling of hazardous substances during construction, including fuel and degreasers for construction vehicles and equipment, and paints used for new lane striping, appropriate BMPs and industry standards would be utilized to protect workers and residents from potential impacts.

There is no risk associated with wildland fires because there are no wildlands in the project vicinity.

Lastly, there is no potential for the project to interfere with an adopted emergency response or evacuation plan because a TMP would be prepared to ensure appropriate emergency route planning and coordination during the construction period.

b, d) Less Than Significant Impact

Construction and maintenance of the proposed project would utilize hazardous materials but the transport, use, handling, storage, and disposal of hazardous materials would be conducted in compliance with pertinent national, state, and local hazardous materials regulations. These include the transport of hazardous materials in accordance with the Hazardous Materials Transportation Act and California Vehicle Code; storage, handling, and disposal of hazardous waste in compliance with the California Hazardous Waste Control Act; protection of high-pressure and high-voltage utility lines and pipelines per the California Code of Regulations; and lead abatement and asbestos-containing material removal and disposal per SCAQMD Rules and the California Code of Regulations, among others. These regulations establish procedures and practices that would reduce the potential for accidental release of hazardous materials and minimize the adverse effects of accidental releases.

Construction of the proposed project has the potential to encounter hazardous materials at several locations. The removal of utility poles would be managed as treated wood

waste (TWW), while the pole-mounted overhead transformers, street lighting, traffic signals, utility boxes, meters, and associated electrical components may contain polychlorinated biphenyls (PCBs) and other hazardous substances, which need to be profiled and managed appropriately. Lane markings (i.e., thermoplastics and paints) on the project corridor may contain lead-based paint (LBP) at concentrations that may pose a hazard to workers. Exposed soils in landscaped medians, parkways, slopes, and unpaved sidewalk/parkway areas that would be disturbed by construction activities may contain ADL. The proposed project would also require removal of multiple residential structures and, depending on the structures' age, they may contain asbestos-containing material (ACM) and lead-based paint (LBP); however, BMPs and industry standards would ensure that no significant hazards would be released to the public, some of which are detailed in Standard Conditions SC-CI-18 through SC-CI-20 and Minimization Measure HW-1.

Properties identified for temporary construction easements and partial acquisitions are not considered RECs for the project. As part of the ROW acquisition process, structures on property to be acquired would be tested for ACM and LBP. Implementation of Standard Conditions SC-CI-18 through SC-CI-20 and Minimization Measure HW-1 would minimize potential impacts to a less than significant level.

3.2.10 Hydrology and Water Quality

The City has not established significance thresholds for use in evaluating the proposed project's impacts on hydrology and floodplains; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used.

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	☒
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
(i) result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☒
iii create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
iv) impede or redirect flood flows?	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

CEQA Significance Determinations for Hydrology and Water Quality

a, b, c, d, e) No Impact

Construction of the project would include the implementation of BMPs to reduce pollutants in the stormwater runoff, including eroded soils and sediment. In the long-term, the increased number of vehicles on the roadway would generate the same pollutants that may be entrained by stormwater. Implementation of Minimization Measure WQ-3 would incorporate source control BMPs and BMP techniques (i.e., drainage swales, bioretention, and/or infiltration basins/trenches) as part of the project to reduce pollutant runoff into the West Cucamonga Channel. Also, the West Cucamonga Channel is not listed as an impaired water body per Section 303(d) of the CWA. In addition, the project would not include kitchen, toilet, or bathroom facilities nor generate wastewater that may violate the WDRs of wastewater treatment plants serving the area. Thus, it would not violate any water quality standards or WDRs.

No groundwater wells are proposed with the project, and irrigation water would be derived from reclaimed water sources. Also, the project area is urbanized and does not serve as a groundwater recharge area. Proposed excavations would not be deep enough to affect groundwater, which is estimated at 375 to 475 feet below the ground surface. Thus, the project would not substantially deplete groundwater resources or interfere with groundwater recharge, and no impact on local groundwater resources would occur with the project.

The limits of the 100-year floodplain in the project area are confined to the West Cucamonga Channel. Although the Build Alternative would geometrically encroach on the West Cucamonga Channel's floodplain at the culvert crossings, it would not alter the floodplain because the culvert crossings would only be extended to accommodate the roadway widening by a maximum of approximately 37 feet. Even with the increase in impervious areas due to the project, the 100-year flood event would still be contained in the channel under the proposed conditions. The encroachment to the channel has been minimized, and the proposed roadway surface would be above the water surface elevation in the channel. Thus, the limits of the 100-year floodplain would not change. Also, water in the channel would not lead to the interruption or termination of a transportation facility in the event of a 100-year rain event. No effects to the floodplain or risks to incompatible developments would occur. Also, no impedance or redirection of flood flows in the channel would occur.

No natural or beneficial uses for this floodplain have been identified in the Santa Ana RWQCB's Basin Plan for the Santa Ana River Basin. As such, West Cucamonga Channel's only use is for drainage conveyance. The evaluation of this resource is provided in Section 2.3.1.3, Environmental Consequences. Thus, no conflict with the Basin Plan for the Santa Ana River Basin would occur.

Construction of the Build Alternative would add 2.57 acres of additional impervious surface area, as estimated in the Final Water Quality Management Plan for the project. The additional impervious surface area would not alter the existing drainage patterns because stormwater runoff would continue to be conveyed to the concrete-lined West Cucamonga Channel that runs through and serves the project area. Localized changes in drainage patterns would not change the direction of flows in the West Cucamonga Channel and downstream channels. Also, source control BMPs and BMP techniques (i.e., drainage swales, bioretention, and/or infiltration basins/trenches) would be implemented through Minimization Measure WQ-3 and would reduce pollutants and runoff volumes and rates in compliance with the County MS4 Permit. The project would not result in runoff that would exceed the existing stormwater drainage system

capacity of the West Cucamonga Channel because stormwater volume from a 100-year rain event would still be contained within the channel. Thus, no change to the potential release of pollutants into the channel from flood waters would occur.

The proposed project would geometrically encroach on the West Cucamonga Channel's floodplain at the culvert crossings. The proposed encroachment would not alter the floodplain because the culvert crossings would only be extended to accommodate the roadway widening by a maximum of approximately 37 feet. Furthermore, the 100-year flood event would still be contained in the existing channel under the proposed conditions. Existing drainage patterns would not be altered. In addition, several minimization measures, HYD-1 through HYD-5, would be incorporated into the design and construction phases to avoid potential floodplain and water quality impacts.

The proposed project would add 2.57 acres of additional impervious surface area, resulting in a potential increase in stormwater runoff and water quality impacts. With incorporation of temporary construction site BMPs, source control BMPs, and BMP techniques (i.e., drainage swales, bioretention, and/or infiltration basins/trenches), no significant impacts are expected with implementation of the proposed project. In addition, Minimization Measures WQ-1 through WQ-3 and Standard Conditions SC-CI-8 through SC-CI-10 would be implemented to minimize potential water quality and hydrological impacts.

Lastly, the project area is underlain by the Chino Groundwater Basin, which is an adjudicated basin where groundwater pumping is monitored and regulated by the Chino Basin Watermaster. This groundwater basin is a very low priority basin under the Sustainable Groundwater Management Act, and no sustainable groundwater management plan is required. Because no impacts to groundwater resources are expected with the project, no conflict with a sustainable groundwater management plan would occur.

3.2.11 Land Use and Planning

The City has not established significance thresholds for use in evaluating the proposed project's consistency with related plans and policies; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used.

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
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?	☐	☐	☒	☐

CEQA Significance Determinations for Land Use and Planning

a) No Impact

The proposed project would not physically divide an established community because the roadway already exists, and the project would provide improved accessibility for motorists, pedestrians, and bicyclists. In addition, there would be improved sidewalks, crosswalks, lighting, and landscaping. Overall, the proposed project is generally consistent with area local plans, including policies and goals for improving traffic operations and mobility.

b) Less Than Significant Impact

Overall, there is a less than significant impact associated with the proposed project's consistency with existing plans and policies. The project is consistent with the Ontario General Plan and Master Plan of Streets and Highways. The project is also consistent with SCAG's RTP/SCS. The proposed project would not conflict with habitat conservation plans because there are none that apply to the project area, and the project is generally consistent with area local plans, including policies and goals for improving traffic operations and mobility. However, the proposed project would require permanent removal of 0.06 acre of open space parkland and removal of approximately 174 trees, which would be inconsistent with SCAG's 2008 RCP policies focused on protection of open space. While the RCP was adopted to serve as a vision for promoting economic prosperity, natural resource sustainability, and quality of life in the region, some of its policies indirectly serve to avoid or mitigate environmental effects associated with the loss of open space and natural lands. However, the project would not affect natural lands and has been designed to preserve as many mature trees as practicable. In addition, the project's landscape plan would incorporate a tree replacement plan with a replacement ratio of 2:1 — for every mature tree removed, two

trees would be planted. This would bring the project in line with SCAG 2008 policies regarding protection of open space.

3.2.12 Mineral Resources

The City has not established significance thresholds for use in evaluating the proposed project's impact to mineral resources; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used.

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
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?	☐	☐	☐	☒

CEQA Significance Determinations for Mineral Resources

a, b) No Impact

The proposed project would not result in impacts to mineral resources because none have been identified in the project area.

3.2.13 Noise

The City has not established significance thresholds for use in evaluating the proposed project's noise and vibration impacts; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used. Additionally, per Caltrans Traffic Noise Analysis Protocol, Section 7, CEQA and NEPA Considerations, a 12-dB increase between existing and design-year with-project conditions is considered a significant impact.

Would the project result in:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of a project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne 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?	☐	☐	☐	☒

CEQA Significance Determinations for Noise

a) Less Than Significant Impact

In California, a substantial noise increase is considered to occur when the project's predicted worst-hour design-year noise level exceeds the existing worst-hour noise level by 12 dB or more. The evaluation of this resource is provided in Section 2.33.7, Noise and Vibration. Noise levels in the future design-year Build conditions are predicted to increase by a maximum of 8 dB at one receiver location over the existing noise conditions. Noise levels in the design-year Build conditions would increase from existing conditions; however, this increase in noise level is not considered to be substantial.

In the future design-year 2045 build conditions, most of the receiver locations have traffic noise levels that were found to approach or exceed the applicable NAC. Fifteen (15) soundwalls to provide noise abatement for affected receptors were evaluated on private property lines in the proposed project corridor, which was the optimum location for breaking the line of sight between Grove Avenue and impacted receiver locations. Of the 15 soundwalls evaluated, 8 (SW-1, SW-5C, SW-6, SW-7, SW-8, SW-9, SW-11, and SW-12) were found to be feasible and reasonable. However, only one soundwall (SW-7) was considered reasonable from the viewpoint of the benefitted receptors. Receptors (24 single-family and multi-family residences) where soundwalls were

found to be unreasonable and/or infeasible would experience an increase in noise levels approaching or exceeding the applicable NAC, but a soundwall would not reduce noise levels by 7 dB or more and/or the cost of the soundwall would exceed the set cost per benefited receptor. Because increases in noise levels would be less than 12 dB, the impact on the 24 residences would not be substantial or significant.

Implementation of Minimization Measure N-1 would minimize noise impacts to more than 92 benefited receptors. Because some of the soundwalls would not be constructed (due to objections from the property owners and other factors), the increase in noise levels over existing and future design-year 2045 build conditions would be an unavoidable impact from the operation of the project, but this increase would not be more than 12 dB. Thus, long-term impacts would be less than significant.

During construction of the project, noise from construction activities may intermittently and temporarily dominate the noise environment in the immediate area of construction. Construction equipment is expected to generate noise levels ranging from 70 to 90 dBA at a distance of 50 feet, and noise produced by construction equipment would be attenuated over distance at a rate of approximately 6 dB per doubling of distance. To minimize the construction-generated noise, abatement measures in standard Specification 14-8.02, "Noise Control" and SSP 14-8.02 must be followed:

- Do not exceed 86 dBA at 50 feet from the job site activities from 9:00 p.m. to 6:00 a.m.
- Equip an internal combustion engine with the manufacturer-recommended muffler.
- Do not operate an internal combustion engine on the job site without the appropriate muffler.

No significant noise impacts from construction are anticipated because construction would be conducted in accordance with Standard Specification 14-8.02, SSP 14-8.02, and applicable local noise standards. In addition, the temporary and intermittent construction noise would cease to exist upon completion of the construction project.

b) <u>No Impact</u>

BMPs and industry standards would ensure that the project would have no to very little potential for groundborne vibration or noise levels during construction or operation of the project. These standards are further discussed in Section 2.3.7, Noise and Vibration.

c) No Impact

The project is within 2 miles of the Ontario International Airport, and the southern section of the project segment (south of G Street) is within the 60-65 dB CNEL and 65-70 dB CNEL noise impact zones of the airport. The project would not directly increase the number of vehicles on Grove Avenue, nor would it change the exposure of residents or other persons in the area to airport noise. Therefore, no impacts would occur.

3.2.14 Population and Housing

The City has not established significance thresholds for use in evaluating the proposed project's potential for growth inducement; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used.

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

CEQA Significance Determinations for Population and Housing

a) No Impact

The proposed project would not induce substantial growth directly or indirectly. Widening of the Grove Avenue corridor would alleviate current congestion issues and would not contribute to growth. The evaluation of this resource is provided in Section 2.2.6.1, Community Character and Cohesion.

b) Less Than Significant Impact

The proposed project would require the acquisition and displacement of 8 single-family housing units and 4 parcels with 10 multi-family housing units. It is estimated that approximately 47 residents would be displaced as a result. As part of the relocation analysis, adequate resources for comparable decent, safe, and sanitary relocation sites can be found for all affected residents within the replacement area of the cities of

Ontario, Upland, Rancho Cucamonga, and Montclair. There would not be a need to construct replacement housing for those affected by the proposed project.

3.2.15 Public Services

The City has not established significance thresholds for use in evaluating the proposed project's impact to public services; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used.

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	**Significant and Unavoidable Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
Fire protection?	☐	☐	☐	☒
Police protection?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

CEQA Significance Determinations for Public Services

a) No Impact

The proposed project would not result in impacts to public services. The improvements associated with the proposed project would have beneficial effects for law enforcement protection and emergency service access and response times.

3.2.16 Recreation

The City has not established significance thresholds for use in evaluating the proposed project's impact to recreational resources; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used.

	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

CEQA Significance Determinations for Recreation

a) No Impact

The project would result in small acquisitions of the existing Grove Memorial and John Galvin parks, but the widening of Grove Avenue would not result in an increase in use of the parks. The project would not result in any impacts to the level of use at the existing parks.

b) Less Than Significant Impact

The proposed project would require the acquisition of approximately 0.005 acre of Grove Memorial Park and 0.05 acre of John Galvin Park to accommodate the roadway improvements. As discussed in detail in Appendix A, Section 4(f) Evaluation, the permanent acquisitions would be limited to unused landscaped and mulch-covered areas at Grove Memorial Park and John Galvin Park; therefore, they would not adversely affect the recreational activities, features, or attributes of either park.

3.2.17 Transportation

The City has not established significance thresholds for use in evaluating the proposed project's transportation-related impacts; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used.

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle lanes and pedestrian facilities?	☐	☐	☐	☒
b) Would the project conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(2)?	☐	☐	☐	☒
cc) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
dd) Result in inadequate emergency access?	☐	☐	☐	☒

CEQA Significance Determinations for Transportation

a, b, c, d) No Impact

Implementation of the proposed project would result in no effect for each of the traffic- and transportation-related significance thresholds. The proposed project would not conflict with any applicable plan, ordinance, or policy focused on the performance of the circulation system. The roadway improvements associated with the Build Alternative would improve traffic operations along Grove Avenue and would be compatible with local and regional congestion management plans and transportation-related plans, policies, or programs. While the Grove Avenue/Holt Boulevard, Grove Avenue/State Street-Airport Drive, and Grove Avenue/Mission Boulevard intersections are forecast to continue to operate at LOS E or F in horizon year 2045 build conditions, the average delays are forecast to significantly improve with implementation of the Build Alternative compared to the No Build Alternative.

The proposed roadway improvements would be designed to meet all applicable roadway design and safety standards. Because the project would result in a slight decrease in VMT from the no-build to build conditions in 2025 and 2045, no conflict with CEQA Guidelines Section 15064.3 (b) would occur.

Because no arterial roadways would be permanently closed, there are no permanent impacts to access or circulation, and no indirect impacts are anticipated with implementation of the Build Alternative. A TMP would be implemented during

construction to ensure appropriate coordination with emergency response providers regarding construction activities. Emergency access through the project corridor would be maintained during project construction. Standard Conditions SC-CI-1 through SC-CI-3 and SC-CI-5 would also be implemented.

Grove Avenue is designated as a Bicycle Corridor by the City of Ontario Multipurpose Trails and Bikeway Corridor Plan. The project would include a new Class III bikeway along Grove Avenue in conformance with SBCTA's Non-Motorized Transportation Plan 2014. The Build Alternative would be designed to retain and improve the existing pedestrian sidewalk on the west side of Grove Avenue between I Street and G Street. The Build Alternative would improve pedestrian connectivity by constructing a new sidewalk that seamlessly connects with an existing walkway in Grove Memorial Park. Additionally, pedestrian sidewalks along the project area would include a landscaped median between traffic and pedestrians to enhance safety. There would also be a design element that provides a pedestrian connection across the West Cucamonga Channel to an existing trail leading to James Galanis Park. All pedestrian sidewalk changes would be ADA compliant. As such, no adverse effects with respect to nonmotorized and pedestrian features would occur as a result of implementation of the Build Alternative.

3.2.18 Tribal Cultural Resources

The City has not established significance thresholds for use in evaluating the proposed project's consistency with related plans and policies; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used.

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:	**Significant and Unavoidable Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☒

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:	**Significant and Unavoidable Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
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.	☐	☐	☐	☒

CEQA Significance Determinations for Tribal Cultural Resources

a, b) No Impact

A sacred lands records search was requested for this project from the NAHC on March 27, 2015. The NAHC responded on April 22, 2015, that a search of the sacred lands file failed to indicate the presence of Native American cultural resources in the immediate project area. The NAHC requested that four Native American tribes or individuals be contacted for further information regarding the general project vicinity.

The following is a summary of the tribes contacted and their responses to the request for consultation:

- Gabrieleno/Tongva Band of Mission Indians – Archaeological monitoring should be conducted in case of subsurface archaeological material.
- Gabrielino/Tongva Nation – Letter sent May 13, 2015; e-mail sent June 5, 2015; and a follow-up phone call made June 12, 2015. On June 12, 2015, consultation was deferred to Mr. Sam Dunlap, who provides all cultural resource consultation comments for the Gabrielino/Tongva Tribe. See below for Mr. Dunlap's response.
- Gabrieliño Band of Mission Indians – No responses received to any of the three attempts at contact.
- Gabrielino/Tongva Nation Los Angeles – Mr. Sam Dunlap, Cultural Resources Director of the Gabrielino/Tongva Nation Los Angeles, responded by e-mail and recommended implementing Native American monitoring oversight during

construction and to be informed of any unanticipated discovery of prehistoric cultural material.

- San Manuel Band of Mission Indians – A comment was received noting that the ethnography section contained no discussion of the Serrano. Another comment was received to revise the report asking that the tribal territory match the description developed by the tribe, that nearby villages be mentioned, and that mention of the Vanyume be removed.
- Serrano Nation – Requested to be notified if any cultural resources are observed during construction activities and to be contacted immediately if any human remains are encountered.

While no tribal cultural resources were identified during the AB 52 process, Minimization Measures CR-1, CR-2, and CI-1were identified to reduce any potential impacts to tribal cultural resources that may be encountered during construction.

Please see Chapter 4, Comments and Coordination, for more details on the AB 52 consultation results.

3.2.19 Utilities and Service Systems

The City has not established significance thresholds for use in evaluating the proposed project's impact to utilities; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used.

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☒

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

CEQA Significance Determinations for Utilities and Service Systems

a, b, c, d, e) No Impact

The demolition of existing structures along Grove Avenue would result in the elimination of water demand and wastewater generation from existing land uses. Existing water and sewer lines serving these uses would be abandoned or relocated, and new water lines may be constructed for irrigation of landscaped parkways and medians; however, reclaimed water would be utilized and no new water supplies are needed. The proposed project would not result in an increase in demand for existing water and sewer utilities or require the construction of new water or sewer facilities to serve the project. Existing storm drainage facilities would be relocated, and drainage improvements would include installation of operational BMPs to reduce pollutant runoff and runoff volumes. Standard Condition SC-CI-4 would also be implemented. The impacts of these utility line relocations and improvements have been considered in this EIR/EA.

Short-term construction-related solid waste disposal would be made in accordance with existing regulations, such as the Ontario Integrated Solid Waste Management Ordinance, CalGreen Code, and applicable hazardous waste disposal regulations for TWW, ACM, LBP, and hazardous materials used for building construction. Construction and demolition wastes would also be accommodated by area landfills, such as the Mid-Valley Sanitary Landfill (accepts 7,500 tons per day and has 67.52

million cubic yards of remaining capacity) and San Timoteo Sanitary Landfill (accepts 2,000 tons per day and has 11.2 million cubic yards of remaining capacity).

The proposed improvements under the Build Alternative would result in the relocation of some major electrical and water utilities, but they would not adversely affect the long-term operations of these utilities.

3.2.20 Wildfire

The City has not established significance thresholds for use in evaluating the proposed project's impact related to wildfire; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used.

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	**Significant and Unavoidable Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

CEQA Significance Determinations for Wildfire

a, b, c, d) No Impact

Grove Avenue is located in an urbanized area of the city and is not located near a Very High Fire Hazard Severity Zone. Therefore, the project would not be exposed to wildfire hazards. The project area is relatively flat and would have no effect on

emergency response or evacuation in wildfire hazard areas that are located outside the city. No impacts related to wildfire would occur.

3.2.21 Mandatory Findings of Significance

The City has not established significance thresholds for use in evaluating the proposed project's consistency with related plans and policies; therefore, the thresholds presented in Appendix G of the CEQA Guidelines are used.

	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project 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?	☐	☐	☒	☐
b) Does the project 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 past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

CEQA Significance Determinations for Mandatory Findings of Significance

a, b) <u>Less Than Significant Impact</u>

While the project would require the removal and/or trimming of trees and shrubs along the corridor, which could result in impacts to nesting birds in violation of the MBTA and CFG Code, the project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish

or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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.

As discussed in Section 2.5, Cumulative Impacts, the project does not have impacts that are individually limited but cumulatively considerable. In several cases, the project would improve conditions, thus creating beneficial cumulative impacts.

c) Less Than Significant Impact with Mitigation Incorporated

During project construction, there is a possibility to encounter hazardous materials. TWW and transformers containing PCBs may be encountered. During demolition of buildings, ACM and LBP could be present. These potentially significant conditions would be reduced to less than significant with Standard Conditions SC-CI-18 through SC-CI-20 and Minimization Measure HW-1.

3.3 Mitigation Measures for Significant Impacts under CEQA

Impacts are avoided or minimized through implementation of standard conditions, minimization measures and mitigation measures (identified at the end of each topic in Chapter 2). Implementation of the standard conditions is assumed prior to making the determination if an impact is significant because these are regulatory requirements or practices that Caltrans routinely applies to all projects. Other mitigation measures would reduce impacts identified as significant. Mitigation measures are listed below with a cross reference to the section where the mitigation measures can be found. In addition, all of the measures and standard conditions are listed in Appendix D. No mitigation measures would apply to the No Build Alternative because no improvements would be made.

Mitigation Measures:

Animal Species

AS-1: To avoid effects to nesting birds, the Project Engineer will require the contractor to conduct vegetation removal or tree-trimming activities outside of the nesting bird season (i.e., February 15 through August 31).

If vegetation clearing is necessary during the nesting season, the Project Engineer will require the contractor to have a qualified biologist conduct a preconstruction survey within 150 feet of construction areas no more

than 10 days prior to construction at the location to identify the location of nests, if any. A qualified biologist is one that has previously surveyed for nesting bird species within southern California.

Should nesting birds be found, an exclusionary buffer will be established by the qualified biologist around each nest site. The buffer will be clearly marked in the field by construction personnel under guidance of the contractor's qualified biologist, and construction or clearing will not be conducted within this zone until the qualified biologist determines that the young have fledged or the nest is no longer active.

The qualified biologist will monitor the nests on a weekly basis to ensure that construction activities do not disturb or disrupt nesting activities.

If the qualified biologist determines that construction activities are disturbing or disrupting nesting activities, then the biologist will notify the Project Engineer, who has the authority to stop or modify construction to reduce the noise and/or disturbance to the nests. Responses may include, but are not limited to, increasing the size of the exclusionary buffer, curtailing nearby work activities, turning off vehicle engines and other equipment wherever possible to reduce noise, installing a protective noise barrier between the nest and the construction activities, and/or working in other areas until the young have fledged. (Section 2.4.4)

3.3.1 Avoidance and Minimization Measures

Standard conditions and minimization measures would reduce construction-related impacts to various resources described in the previous sections. These include:

Avoidance and Minimization Measures

Consistency with State, Federal, and Local Plans and Programs

LU-3: The remnant parking lot on the west side of John Galvin Park will be reconfigured to maintain as many parking spots at this location as possible. (Section 2.2.6)

VA-2: Where it is not feasible to save the existing trees, new tree and vegetation plantings shall be included in the final design of the roadway.

Replacement trees shall be two 24-inch boxed trees for each tree removed by the project. All areas disturbed by the project shall be fitted with new landscaping, including trees, groundcovers, accent plants, and turf grass (in park areas adjacent to existing remaining turf). (Section 2.2.11)

NC-1: The project shall preserve as many mature trees as practicable. Although there is no City or County ordinance for tree removal, the project's landscape plan will incorporate a tree replacement plan with a replacement ratio of 2:1 – for every mature tree removed, two trees will be planted to be consistent with Measure VA-2. Mature trees (larger than 20 feet high) that are to be removed shall be replaced with two 24-inch box trees. Design plans shall indicate locations of existing mature trees (larger than 20 feet high) to be preserved in place. Tree replacement shall meet all Caltrans and City standards and policies, and near John Galvin Park, the replacement tree species will incorporate species that have been identified as those of the original planting of John Galvin Park in the 1930s. (Section 2.4.1)

Noise and Vibration

N-1: Based on the studies completed to date and input from the public, Caltrans and the City will incorporate noise abatement in the form of soundwalls that meet the criteria for reasonableness and feasibility. The recommended soundwalls would reduce the traffic noise by at least 5 dB at the impacted receivers, would meet the design goal by providing a 7-dB reduction for at least one receiver, and would cost less than the reasonable cost allowance. If conditions have substantially changed during final design, noise abatement may change or may not be necessary, depending on the results of the updated noise analysis using final design information. The final decision of the noise abatement will be made upon completion of the project design and the public involvement process.

After circulation of the draft environmental document, soundwall surveys were conducted with all property owners and residents of benefited receptors located within the footprint of the Build Alternative. Where 100 percent of the responding benefited receptors did not support the soundwall, the soundwall will not be constructed.

However, if conditions substantially change at the time of final design, a noise analysis and/or soundwall surveys may be conducted again, and the final decision on noise abatement will be reconsidered as part of the project design. (Section 2.3.7)

Parks and Recreation

LU-1: Turf grass and rock curbs will be replaced in TCE areas within Grove Memorial Park to match pre-project conditions in consultation with the property owner (City) during and at completion of construction. (Section 2.2.3)

LU-2: Turf grass and rock curbs will be replaced in TCE areas within John Galvin Park to match pre-project conditions in consultation with the property owner (City) during and at completion of construction. (Section 2.2.3)

LU-3: The remnant parking lot on the west side of John Galvin Park will be reconfigured to maintain as many parking spots at this location as possible. (Section 2.2.3)

Utilities/Emergency Services

UT-1: During final design, the Project Engineer will prepare utility relocation plans in consultation with the affected utility providers/owners for those utility facilities that will need to be relocated, removed, or protected in-place. (Section 2.2.9)

UT-2: During final design, the Project Engineer will prepare utility relocation plans in consultation with the affected utility providers/owners for those utility facilities that will need to be relocated, removed, or protected in place. If relocation is necessary, the final design will focus on relocating utilities within the State ROW or other existing public ROWs and/or easements. If relocation outside of existing or the additional public ROWs and/or easements required for the project is necessary, the final design will focus on relocating those facilities in adjacent public ROWs and in a manner so as to not result in significant community, land use, or natural resource impacts. (Section 2.2.9)

UT-3: Close coordination with utility service providers and implementation of a public outreach program will be conducted, as needed, to minimize impacts to surrounding communities. (Section 2.2.9)

UES-1: Prior to and during any construction activities, the City will coordinate with emergency service providers to ensure that all providers are aware of temporary road closures and detours. (Section 2.2.9)

UES-2: Emergency service phone numbers (i.e., fire, emergency medical, police) will be posted in visible locations in all active construction areas. (Section 2.2.9)

UES-3: To avoid conflicts during construction, the project's Resident Engineer will notify all emergency and other essential service providers no less than 2 weeks prior to the start of construction. Agencies to be notified include:

- City of Ontario Police Department
- City of Ontario Fire Department
- San Bernardino County Sherriff's Department
- San Bernardino County Fire Department (Section 2.2.9)

Community Character and Cohesion

COM-1: Where acquisition and relocation are unavoidable, provisions of the Uniform Act and the 1987 Amendments, as implemented by the Uniform Relocation Assistance and Real Property Acquisition Regulations for Federal and Federally Assisted Programs adopted by USDOT (March 2, 1989) and where applicable, the California Public Park Preservation Act of 1971, will be followed. An appraisal of the affected property will be obtained, and an offer for the full appraisal will be made. (Section 2.2.6)

COM-2: Outreach activities targeted to low-income residents will be conducted during the planning, design, and construction phases of the Build Alternative. (Section 2.2.6)

Traffic and Transportation/Pedestrian and Bicycle Facilities

T-1: Final TMP – A TMP (July 2015) was prepared during development of the preliminary engineering for the project. During final design, a Final

TMP will be prepared. At a minimum, the Final TMP will include the detailing of any projected temporary street closures or expected traffic delays due to project construction activities. The Final TMP will include a public awareness program that will use an appropriate combination of the HAR, local media, newsletters, and/or flyers. The following elements will be major components of the Final TMP: Public Awareness Campaign, particularly related to the scheduling of work; COZEEP; Utilization of portable CMSs; and notification to be sent to local cities and emergency responders, if applicable. (Section 2.2.10)

T-2: During project construction, the Project Engineer will ensure that the measures in the Final TMP are properly implemented by the contractor. (Section 2.2.10)

T-3: During final design and construction, the Project Engineer will work with affected property owners to identify means to avoid and minimize parking impacts, including space management, such as restriping of parking areas and identifying parking replacement options. (Section 2.2.10)

T-4: All pedestrian facilities will be designed to meet or exceed requirements of the ADA and current safety standards. Access to pedestrians and bicyclists shall be maintained to the extent practicable during the construction period. (Section 2.2.10)

T-5: Prior to and during construction, the Project Engineer will coordinate with Omnitrans, the Ontario-Montclair School District, and other affected transit providers to request and comply with applicable procedures for any required temporary bus stop relocations or other disruptions to transit service during construction, if necessary. (Section 2.2.10)

T-6: During final design and prior to and during construction, the Project Engineer will coordinate with the design and construction team for the I-10/Grove Avenue Interchange Project to ensure the Grove Avenue Corridor Project and the I-10/Grove Avenue Interchange Project are designed compatibly. (Section 2.2.10)

Visual/Aesthetics

VA-1: The existing trees, particularly within the park area, provide scale, shade, and visual relief to the extent of roadway paving. Preserving existing trees to the extent feasible will help maintain the existing visual character of the roadway. (Section 2.2.11)

VA-2: Where it is not feasible to save the existing trees, new tree and vegetation plantings shall be included in the final design of the roadway. Replacement trees shall be two 24-inch boxed trees for each tree removed by the project. All areas disturbed by the project shall be fitted with new landscaping, including trees, groundcovers, accent plants, and turf grass (in park areas adjacent to existing remaining turf). (Section 2.2.11)

VA-3: To support the replacement of plantings, the project shall include a permanent irrigation system to all new plantings. Materials used or irrigation shall be as per City of Ontario standards. (Section 2.2.11)

VA-4: Decorative paving shall be employed for medians, islands, and parkway strips that are too narrow to plant. Paving color and texture/pattern shall match City of Ontario standards. (Section 2.2.11)

Cultural Resources

CR-1: If cultural resources are discovered at the job site, all work activities shall stop within a 60-foot radius of the discovery, the discovery area shall be protected, and the Resident Engineer shall be notified. Cultural resources shall not be moved or taken from the job site until Caltrans investigates and determines the significance of the find. Work activities shall not resume within the discovery area until Caltrans provides written notification authorizing work activities to resume. (Section 2.2.12)

CR-2: **Human Remains.** If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities will cease in any area or nearby area suspected to overlie remains, and the County Coroner will be contacted. Pursuant to PRC Section 5097.98, if the remains are thought to be Native American, the Coroner will notify the NAHC, who will designate the MLD. At this time, the Caltrans District 8 Environmental Branch Chief, Andrew

Walters (909) 383-2647, will be contacted so that they may work with the MLD on the respectful treatment and disposition of the remains. Further provisions of PRC 5097.98 are to be followed as applicable. (Section 2.2.12)

CI-1: **Inadvertent Discoveries:** Should subsurface archaeological resources be discovered, a qualified archaeologist shall be contacted to assess the significance of the find according to CEQA Guidelines Section 15064.5. If any find is determined to be significant, the archaeologist shall determine, in consultation with Caltrans, the City, and any local Native American groups expressing interest for prehistoric resources, appropriate avoidance measures or other appropriate mitigation. Per CEQA Guidelines Section 15126.4(b)(3), preservation in place shall be the preferred means to avoid impacts to archaeological resources qualifying as historical resources. Methods of avoidance may include, but shall not be limited to, rerouting or redesign, cancellation, or identification of protection measures such as capping or fencing. Consistent with CEQA Guidelines Section 15126.4(b)(3)(C), if it is demonstrated that resources cannot be avoided, the qualified archaeologist shall develop additional treatment measures, such as data recovery or other appropriate measures, in consultation with Caltrans, the City, and any local Native American representatives expressing interest for prehistoric archaeological resources. If an archaeological site does not qualify as a historical resource but meets the criteria for a unique archaeological resource as defined in Section 21083.2, then the site shall be treated in accordance with the provisions of Section 21083.2.

Hydrology and Floodplain

HYD-1: Provide positive drainage during construction and refrain from filling designated floodplains. Construction site surface runoff will be channeled into existing drainage facilities so as to not cause water flow on neighboring properties. Offsite flows will be managed in a manner that will mimic the existing drainage network and will not inundate the roadway surface of any of the existing drainage systems. (Section 2.3.1)

HYD-2: Implement standard BMPs as identified in the City of Ontario's Water Quality Management Plan, including temporary construction site BMPs

to address site soil stabilization and reduce deposition of sediments to receiving waters. (Section 2.3.1)

HYD-3: Include erosion control and water quality protection during construction at the West Cucamonga Channel. BMPs will be designed and implemented to reduce the discharge of pollutants to the MEP. Typical measures that may be implemented include preservation of existing vegetation, use of soil binders or hydroseeding, and installation of silt fences or fiber rolls. (Section 2.3.1)

HYD-4: Contractor shall develop a contingency plan for unforeseen discovery of underground contaminants in the SWPPP. (Section 2.3.1)

HYD-5: Limit construction activities between October and May to those actions that can adequately withstand high flows and entrainment of construction materials. The Contractor shall prepare an REAP and discuss high flows mitigation. (Section 2.3.1)

Water Quality and Stormwater Runoff

WQ-1: **Implement Temporary Construction BMPs.** The project will be required to conform to the requirements of the NPDES Permit for Construction Activities, Order No. 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-0006-DWQ, NPDES No. CAS000002. (Section 2.3.2)

WQ-2: **Prepare and Implement an SWPPP.** The Contractor will be required to develop an acceptable SWPPP. The SWPPP shall contain BMPs that have demonstrated effectiveness at reducing stormwater pollution. The SWPPP shall address all construction-related activities, equipment, and materials that have the potential to affect water quality. All Construction Site BMPs will be installed, maintained, and inspected to control and minimize the impacts of construction-related pollutants. The SWPPP shall include BMPs to control pollutants, sediment from erosion, stormwater runoff, and other construction-related impacts. In addition, the SWPPP shall include implementation of specific stormwater effluent monitoring requirements based on the project's risk level to ensure that the implemented BMPs are effective in preventing discharges from exceeding any of the water quality standards. (Section 2.3.2)

WQ-3: **Incorporate Design Principles into Final Roadway Design.** Design Principles are permanent measures to minimize pollution discharges by retaining source materials and stabilizing soils. The three objectives associated with Design Principle BMPs include maximizing vegetated surfaces; preventing downstream erosion; and stabilizing soil areas. These design objectives will be applied to the entire project. (Section 2.3.2)

Paleontology

P-1: Develop and implement a PMP, with monitoring in excavations more than 10 feet deep for sediments mapped as Holocene at the surface and more than 5 feet deep for excavations mapped as Pleistocene at the surface. The PMP will guide and facilitate the identification and treatment of paleontological resources, if any are found, during project construction to reduce adverse effects on significant resources. The PMP will summarize identified paleontologically sensitive areas within the APE, the organization and responsibilities of the paleontological team, the responsibilities of other parties, and the treatment and communications procedures to be implemented if paleontological resources are encountered during the project. (Section 2.3.4)

Hazardous Waste/Materials

HW-1: If any discolored, odorous, or compromised soils are encountered during excavation, they shall be tested and removed and disposed of per regulatory requirements. (Section 2.3.5)

Air Quality

AQ-1: The City shall encourage construction contractors to apply for SCAQMD "SOON" funds. The "SOON" program provides funds to applicable fleets for the purchase of commercially available low-emission heavy-duty engines to achieve near-term reduction of NO_X emissions from in-use off-road diesel vehicles. More information on this program can be found at SCAQMD's website: http://www.aqmd.gov/home/programs/business/business-detail?title=off-road-diesel-engines&parent=vehicle-engine-upgrades. (Section 2.3.6)

Natural Communities

NC-1: The project shall preserve as many mature trees as practicable. Although there is no City or County ordinance for tree removal, the project's

landscape plan will incorporate a tree replacement plan with a replacement ratio of 2:1 – for every mature tree removed, two trees will be planted to be consistent with Measure VA-2. Mature trees (larger than 20 feet high) that are to be removed shall be replaced with two 24-inch box trees. Design plans shall indicate locations of existing mature trees (larger than 20 feet high) to be preserved in place. Tree replacement shall meet all Caltrans and City standards and policies, and near John Galvin Park, the replacement tree species will incorporate species that have been identified as those of the original planting of John Galvin Park in the 1930s. (Section 2.4.1)

Wetlands and Other Waters

WET-1: Construction activities within the West Cucamonga Channel and Princeton Basin will be designed and conducted to maintain downstream flow conditions. All construction activities will be effectively isolated from water flows to the greatest extent feasible. This may be accomplished by working in the dry season or dewatering the work area in the wet season. When work in standing or flowing water is required, structures for isolating the in-water work area and/or diverting the water flow must not be removed until all disturbed areas are cleaned and stabilized. The diverted water flow must not be contaminated by construction activities. Structures used to isolate the in-water work area and/or diverting the water flow (e.g., coffer dam, geotextile silt curtain) must not be removed until all disturbed areas are stabilized. (Section 2.4.2)

Invasive Species

IS-1: In compliance with the Executive Order on Invasive Species (EO 13112), and guidance from FHWA, the landscaping and erosion control included in the project will not use species listed as invasive. In areas of particular sensitivity (i.e., near or adjacent to drainages), extra precautions will be taken if invasive species are found in or next to the construction areas. This includes the inspection and cleaning of construction equipment and eradication strategies, as required by the City of Ontario Biological Monitor, to be implemented should an invasion occur. Any cleaning of equipment or site watering will be conducted in adherence to any applicable drought conditions and related

regulations. A City of Ontario biologist or landscape Architect will approve any seed lists (for planting).

Standard Conditions

Community Character and Cohesion

SC-CI-1: To the extent practicable, street closures required during construction shall be scheduled to occur during nighttime hours. This requirement will be addressed in the TMP to be prepared during the final design phase of project development.

SC-CI-2: To the extent practicable, the contractor shall avoid blocking or limiting access to businesses during construction during normal business hours. Businesses will be contacted and advised of nearby construction activities before their start.

SC-CI-3: Caltrans shall notify emergency service providers, such as fire, police, and ambulance services, in advance of construction of the timing, location, and duration of construction activities and the locations of detours and lane closures.

Utilities and Emergency Services

SC-CI-4: In accordance with the requirements in the CCR, prior to the initiation of construction, the contractor shall coordinate and notify the operators of underground or overhead utility and service lines prior to any excavation activities. This coordination will avoid damage to existing utility lines and will limit disruption to existing utility services to the existing developments near the proposed alignments.

Traffic and Transportation/Pedestrian and Bicycle Facilities

SC-CI-5: Caltrans shall require the contractor to provide motorist alert and awareness information during construction, as appropriate for the conditions, to include the following options: CMSs, stationary ground-mounted signs, traffic radio announcements, and the Caltrans Highway Information Network.

Cultural Resources

SC-CI-6: In accordance with Caltrans standard specifications, if cultural materials are discovered during construction, all earth-moving activities within and around the immediate discovery area will be diverted until a

qualified archaeologist can assess the nature and significance of the find. If human remains are discovered, Section 7050.5 of the State Health and Safety Code states that further disturbances and activities shall stop in any area or nearby area suspected to overlie remains, and the county coroner shall be contacted. Pursuant to Section 5097.98 of the PRC, if the remains are thought to be Native American, the coroner will notify the Resident Engineer and the NAHC, who will then notify the MLD. At this time, the Resident Engineer will contact the District 8 Environmental Branch so that staff may work with the MLD on the respectful treatment and disposition of the remains. Further provisions of Section 5097.98 of the PRC are to be followed as applicable.

SC-CI-7: It is Caltrans' policy to avoid cultural resources whenever possible. Further investigation may be needed if resources cannot be avoided by the project. Additional survey(s) will be required if the project changes to include areas not previously surveyed.

Water Quality and Stormwater Runoff

SC-CI-8: The project shall conform to and submit a Water Quality Management Plan to the City. In addition, the project shall conform to the requirements of the NPDES Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009- DWQ, NPDES No. CAS000002, as amended by 2010-0014-DWQ and 2012-0006-DWQ), also referred to as the Construction General Permit.

SC-CI-9: The contractor shall develop an acceptable SWPPP containing proven BMPs to minimize stormwater pollution that has the potential to affect water quality. All construction site BMPs will follow the latest edition of the Storm Water Quality Handbooks and the Construction Site Best Management Practices Manual. In addition, the SWPPP shall include implementation of specific stormwater effluent monitoring requirements based on the project's risk level to ensure water quality standards are met.

SC-CI-10: During construction, when dewatering is required, the contractor shall fully conform to the requirements specified in Order No. R8-2015-0004 (CAG 998001), General Waste Discharge Requirements for Discharges

to Surface Water which Pose an Insignificant *(De Minimis)* Threat to Water Quality, from the RWQCB.

SC-CI-11: The contractor shall comply with all requirements of the Section 404 Permit issued by USACE for the discharge of dredged or fill material into waters of the U.S.

SC-CI-12: The contractor shall comply with all requirements of the Section 401 Certification issued by the RWQCB to ensure that all discharges comply with applicable federal and State effluent limitations and water quality standards.

SC-CI-13: The contractor shall comply with all requirements of the Streambed Alteration Agreement per Section 1602 of the CFG Code.

Paleontology

A PMP will be prepared prior to project construction. The plan will include the following mitigation measures:

SC-CI-14: Specifications for paleontological mitigation shall be included in the construction contract special provisions section for this project to advise the construction contractor of the requirement to cooperate with the salvage of paleontological resources, particularly fossil remains and associated locality data.

SC-CI-15: A principal paleontologist that meets the qualifications in Chapter 8 – Paleontology of the Caltrans Standard Environmental Reference shall prepare a detailed Paleontological Mitigation Plan before the start of construction. The paleontologist must have a Master of Science/Arts (M.S./M.A.) or Doctor of Philosophy (Ph.D.) degree in paleontology or geology and will be familiar with paleontological salvage or mitigation procedures and techniques. The Paleontological Mitigation Plan shall be certified by a California Professional Geologist.

SC-CI-16: If unanticipated fossils are discovered in an area of the project site not being actively monitored, the remains shall not be disturbed. The Resident Engineer shall direct that all work within a 60-foot radius of the discovery be stopped and that the area be protected. The Resident Engineer, in consultation with the paleontologist, will investigate and modify the dimensions of the protected area, if necessary.

Paleontological resources will not be removed from the project site without authorization. Work will not resume within the specified radius of the discovery until authorized by the Resident Engineer.

SC-CI-17: The construction contractor shall attend a preconstruction meeting with the Paleontological Salvage Team and the Resident Engineer to establish procedures for cooperation in the event fossil remains are encountered and to provide for worker safety during monitoring and salvage activities. The Principal Paleontologist and the Caltrans paleontology coordinator will be present at pregrading meetings to consult with grading and excavation contractors.

Hazardous Waste/Materials

SC-CI-18: Appropriately manage, per regulatory compliance requirements, environmental AOCs including TWW, PCB in transformers and other equipment, LBP in yellow thermoplastic/paint striping, and ADL-contaminated soils on unpaved areas if encountered prior to or during construction.

SC-CI-19: As part of the ROW acquisition process, property to be acquired will be tested for ACM and LBP. If ACM and LBP are found, the contractor will remove these materials per California Occupational Safety and Health Administration standards. Removal and/or disturbance of ACM must be conducted by a California Occupational Safety and Health Administration-registered and State-licensed asbestos removal contractor. At no time shall the identified asbestos-containing construction materials be drilled, cut, sanded, scraped, or otherwise disturbed by untrained personnel. Construction activities involving the potential for impacting asbestos-containing construction materials shall be conducted in accordance with the requirements of Title 8 of the CCR, Section 1529. Written notification shall be made to the California Occupational Safety and Health Administration at least 24 hours prior to the initiation of any construction activities that involve asbestos-related work of at least 100 square or linear feet.

SC-CI-20: Any compromised soils, if present, will be removed and disposed of per regulatory requirements.

Air Quality

SC-CI-21: The contractor shall implement all applicable measures that are feasible during construction. Examples of air quality control measures include:

- All disturbed areas, including storage piles that are not being actively used for construction purposes, shall be effectively stabilized of dust emissions using water or chemical stabilizer/ suppressant, or they shall be covered with a tarp, another suitable cover, or vegetative groundcover.
- All onsite unpaved roads and offsite unpaved access roads shall be effectively stabilized of dust emissions using water or a chemical stabilizer/suppressant.
- All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions by applying water or by presoaking.
- With the demolition of buildings up to six stories in height, all exterior surfaces of the building shall be wetted during demolition.
- When materials are transported offsite, all material shall be covered or effectively wetted to limit visible dust emissions, and at least 6 inches of freeboard space from the top of the container shall be maintained.
- All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.
- Within urban areas, an owner/operator shall prevent carryout and trackout, or immediately remove carryout and trackout when it extends 50 feet or more from the nearest unpaved surface exit point of the site.
- Any construction site with 150 or more vehicle trips per day shall prevent carryout and trackout.
- Limit traffic speed on unpaved roads to 15 miles per hour (mph) at construction sites with high emissions of fugitive dust. The

following measures shall be implemented at large construction sites near sensitive receptors:

- Install wheel washers for all exiting trucks, or wash off tires of trucks and equipment leaving the site.
- Install wind breaks at windward side(s) of construction areas.
- Suspend excavation and grading activities when wind exceeds 20 mph.
- Limit areas subject to excavation, grading, and other earthwork activity at any one time.

SC-CI-22: The contractor shall comply with the following Caltrans' Standard Specifications and SCAQMD rules, ordinances, and regulations:

- The construction contractor must comply with SCAQMD Rule 403 (Fugitive Dust), which specifies actions or control measures to prevent, reduce, or mitigate PM emissions generated from construction, demolition, excavation, extraction, and other earth-moving activities.
- Water or dust palliative will be applied to the site and equipment as frequently as necessary to control fugitive dust emissions.
- Soil binder will be spread on any unpaved roads used for construction purposes and all project construction parking areas.
- Trucks will be washed off as they leave the ROW as necessary to control fugitive dust emissions.
- Construction equipment and vehicles shall be properly tuned and maintained. Low-sulfur fuel shall be used in all construction equipment as provided in CCR Title 17, Section 93114.
- Equipment and materials storage sites will be located as far away from residential and park uses as practicable. Keep construction areas clean and orderly.
- Track-out reduction measures, such as gravel pads, will be used at project access points to minimize dust and mud deposits on roads affected by construction traffic.
- All transported loads of soils and wet materials will be covered prior to transport or adequate freeboard will be provided (i.e., space from the top of the material to the top of the truck) to reduce PM_{10} and deposition of particulates during transportation.

- Dust and mud that are deposited on paved, public roads due to construction activity and traffic will be removed to decrease PM.
- The construction contractor must comply with Caltrans Standard Specifications in Section 14-9.
- Section 14-9.02 includes specifications relating to compliance with air pollution control rules, regulations, ordinances, and statutes of the local ordinances and air quality management district.
- Section 14-9.03 includes specifications relating to preventing and alleviating dust by applying water, dust palliative, or both and by covering active and inactive stockpiles.

Noise and Vibration

SC-CI-23: The contractor shall be required to adhere to the following equipment noise-control measures:

- Each internal combustion engine used for any purpose on the job or related to the job shall be equipped with a muffler of a type recommended by the manufacturer. No internal combustion engine shall be operated on the job site without an appropriate muffler.
- Construction methods or equipment that will provide the lowest level of noise and ground vibration impact (e.g., avoid impact pile driving near residences and consider alternative methods that are also suitable for the soil condition) shall be used.
- Idling equipment shall be turned off.
- Construction activities shall be coordinated to build recommended permanent soundwalls during the first phase of construction to protect sensitive receivers from subsequent construction noise, dust, light, glare, and other impacts, to the extent feasible.
- Temporary noise barriers shall be used and relocated, as needed, to protect sensitive receptors against excessive noise from construction activities involving large equipment and by small items such as compressors, generators, pneumatic tools, and jackhammers. Noise barriers can be made of heavy plywood, moveable insulated sound blankets, or other best available control techniques.
- Newer equipment with improved noise muffling shall be used, and all equipment items shall have the manufacturers' recommended noise abatement measures (e.g., mufflers, engine covers, and engine vibration isolators) intact and operational. Newer equipment will

generally be quieter in operation than older equipment. All construction equipment shall be inspected at periodic intervals to ensure proper maintenance and presence of noise-control devices (e.g., mufflers and shrouding).

- Construction activities shall be minimized to the extent possible in residential areas during evening, nighttime, weekend, and holiday periods. Noise impacts are typically minimized when construction activities are performed during daytime hours. However, nighttime construction may be desirable (e.g., in commercial areas where businesses may be disrupted during daytime hours) or necessary to avoid major traffic disruption. Coordination with the City or County shall occur before construction can be performed in noise-sensitive areas between 9:00 p.m. and 6:00 a.m.

SC-CI-24: The contractor shall be required to adhere to the following vibration control measures:

- Restrict the hours of vibration-intensive equipment or activities such as vibratory rollers so that impacts to residents are minimal (e.g., weekdays during daytime hours only when as many residents as possible are away from home).
- The owner of a building close enough to a construction vibration source that could cause damage to that structure could be entitled to a preconstruction building inspection to document the preconstruction condition of that structure.
- Conduct vibration monitoring during vibration-intensive activities.

SC-CI-25: The contractor shall be required to adhere to the following administrative noise control measures:

- Once details of the construction activities become available, the contractor shall work with local authorities to develop an acceptable approach to minimize interference with the business and residential communities, traffic disruptions, and the total duration of the construction.
- Good public relations shall be maintained with the community to minimize objections to unavoidable construction impacts. Frequent activity updates of all construction activities shall be provided. A

construction noise monitoring program to track sound levels and limit the impacts shall be implemented.

- In case of construction noise complaints by the public, the Resident Engineer shall coordinate with the construction manager, and the specific noise-producing activity may be changed, altered, or temporarily suspended, if necessary.

Energy

SC-CI-26: The contractor shall identify specific measures that reduce the amount of refuse generated by construction of the proposed project, consistent with the waste reduction requirements established by the California Integrated Waste Management Act of 1989.

Invasive Species

SC-CI-27: In compliance with the Executive Order on Invasive Species (EO 13112) and subsequent guidance from FHWA, the City of Ontario shall not use species listed as invasive as part of landscaping erosion control measures. In areas of particular sensitivity, extra precautions shall be taken if invasive species are found in or adjacent to the construction areas. These include the inspection and cleaning of construction equipment and eradication strategies to be implemented should an invasion occur. To adhere to this requirement, any landscape designs shall be submitted to the City of Ontario for review and concurrence by a qualified biologist during the project design phase. The review shall verify that no noxious weeds/invasive exotic plant species are in the proposed landscaping plan. If the plan contains noxious weeds/invasive species, the reviewing biologist shall coordinate suitable substitutes.

3.4 Project Alternatives and Significant Irreversible Environmental Changes

3.4.1 Alternatives to the Proposed Project

CEQA Guidelines Section 15126.6 states that an EIR shall describe and evaluate a range of reasonable alternatives to the project, including the "no project" alternative and alternative locations for the project. The No Build Alternative discussed in Section 1.3.1.3 is the "no project" alternative, which represents the continuation of existing conditions, and its impacts are discussed in Chapter 2 under each environmental issue. The No Build Alternative would generally not result in environmental changes and

would be considered environmentally superior because no direct change to the existing environment would occur; however, it would not meet the project purpose and need and would have greater impacts related to traffic.

Due to the objectives of the project, as based on its purpose and need to improve operational deficiencies on Grove Avenue, an alternative site would not meet any of the project objectives and has been dismissed from consideration. Also, other alternatives to the project are constrained by the existing alignment of Grove Avenue. Consideration of reversible lanes in the design of the project was rejected because reversible lanes would not be feasible due to the short segment (1.24 miles) proposed for widening; the presence of seven intersections at even shorter segments within the corridor; and the lack of a highly defined directional traffic flow during the AM or PM peak hours. In addition, the City's General Plan shows Grove Avenue as a six-lane Principal Arterial without reversible lanes

During the initial design of this project, three alternatives were developed: widening Grove Avenue on both sides, widening Grove Avenue to the east, and widening Grove Avenue to the west. Because widening Grove Avenue on both sides would lead to a displacement of existing land uses on both sides of the street, this alternative was rejected early. Instead, widening to the east or the west was further considered, with both alternatives including three through lanes in each direction along Grove Avenue, while avoiding impacts to the historic Jay Littleton Ballpark.

The alternative that would generally widen Grove Avenue to the east (i.e., widen Grove Avenue from 4th Street to I Street to the west [to avoid impacts to the historic Jay Littleton Ballpark]; widen Grove Avenue to the east between I Street and Holt Boulevard; and widen Grove Avenue on both sides between Holt Boulevard and State Street/Airport Drive) was subsequently chosen as the Build Alternative.

The rejected alternative, which would generally widen Grove Avenue to the west, would have had the same six lanes as the Build Alternative. Specifically, under this rejected alternative, Grove Avenue would be widened to the west north of the UPRR until north of G Street. North of G Street to 4th Street, the alignment would match that of the Build Alternative and would widen Grove Avenue to the east from G Street to I Street and to the west from I Street to 4th Street. With the same proposed six-lane configuration, impacts related to traffic, noise, and air quality would generally be the same as the Build Alternative.

On the other hand, the ROW impacts of widening Grove Avenue to the west would affect 17 residential parcels, 2 vacant parcels, 1 building at Sovereign Grace Baptist Church, and areas at Grove Memorial Park and John Galvin Park, as identified in Section 1.3.4.1. Due to the more extensive ROW requirements and associated property displacements and park impacts, this alternative was eliminated from further consideration. As such, this alternative cannot be considered an environmentally superior alternative to the proposed project.

Therefore, while the No Build Alternative will not result in environmental impacts, traffic conditions on Grove Avenue would deteriorate over time, leading to increased congestion and associated vehicle pollutant and GHG emissions. The impacts of the Build Alternative would be avoided by the No Build Alternative on all other issue areas. However, the Build Alternative (proposed project) would meet the project's purpose and need and would be environmentally superior compared to the other rejected alternatives.

3.4.2 Significant Irreversible Environmental Changes

CEQA Guidelines Section 15126.2(c) states significant irreversible environmental changes to nonrenewable resources which would be caused by the proposed project, should it be implemented, must be addressed. Construction of the Build Alternative would involve a modest irreversible commitment to the use of fossil fuels, labor, public capital, and construction materials (e.g., cement, aggregate). In addition to the costs of construction and ROW for the Build Alternative, there would be increased ongoing costs for facility maintenance, including pavement, roadside litter/sweeping, signs and markers, electrical, and stormwater control. Savings in travel time and improved transportation efficiency would offset this use of materials, labor, resources, and funds.

Generally, a project would result in potentially significant irreversible environmental changes if:

- The primary and secondary impact would generally commit future generations to similar uses;
- The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project;
- The project would involve a large commitment of nonrenewable resources; and
- The proposed consumption of resources is not justified.

Significant irreversible environmental changes are not anticipated for the following resources: aesthetics, agriculture and forest resources, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, mineral resources, growth, population and housing, public services, farmlands, community impacts, utilities and services, recreation, or transportation and traffic.

Primary impacts would result from the consumption of nonrenewable resources during construction and operation of the proposed project. Nonrenewable resources, such as sand, gravel, and steel, and renewable resources, such as lumber, would be consumed during project construction. Energy, fossil fuels, oils, and natural gas would be irreversibly committed during construction. These same resources are used for vehicles and heating/cooling equipment during operations. The continued use of these resources associated with project operations represents a long-term obligation.

The commitment of these resources to the Build Alternative is based on the concept that residents, workers, travelers, and others in the immediate area, region, and state would benefit from the improved quality of the roadway facility. These benefits include improved accessibility, travel time, and safety. The benefit of the Build Alternative is expected to outweigh the commitment of resources to the project.

3.5 Wildfire

SB 1241 required the Office of Planning and Research, the Natural Resources Agency, and the California Department of Forestry and Fire Protection to develop amendments to the "CEQA Checklist" for the inclusion of questions related to fire hazard impacts for projects located on lands classified as very high fire hazard severity zones. The 2018 updates to the CEQA Guidelines expanded this to include projects "near" these very high fire hazard severity zones.

As discussed in Section 3.2.20 above, Grove Avenue is located in an urbanized area of the City of Ontario and is not located near a Very High Fire Hazard Severity Zone, as identified by the California Department of Forestry and Fire Protection. Therefore, the project would not be exposed to wildfire hazards. The project area is relatively flat and does not serve as a route to designated Very High Fire Hazard Severity Zones in the region. The project would have no effect on emergency response to or evacuation in wildfire hazard areas that are located outside the city. No impacts related to wildfire risks or post-fire flooding/landslides would occur. No avoidance, minimization and/or mitigation measures are needed.

3.6 Climate Change

Climate change refers to long-term changes in temperature, precipitation, wind patterns, and other elements of the earth's climate system. An ever-increasing body of scientific research attributes these climatological changes to GHG emissions, particularly those generated from the production and use of fossil fuels.

While climate change has been a concern for several decades, the establishment of the Intergovernmental Panel on Climate Change (IPCC) by the United Nations and World Meteorological Organization in 1988 has led to increased efforts devoted to GHG emissions reduction and climate change research and policy. These efforts are primarily concerned with the emissions of GHGs generated by human activity, including carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), tetrafluoromethane, hexafluoroethane, sulfur hexafluoride (SF_6), and various hydrofluorocarbons (HFCs). CO_2 is the most abundant GHG; while it is a naturally occurring component of Earth's atmosphere, fossil-fuel combustion is the main source of additional, human-generated CO_2

Two terms are typically used when discussing how we address the impacts of climate change: "greenhouse gas mitigation" and "adaptation." Greenhouse gas mitigation covers the activities and policies aimed at reducing GHG emissions to limit or "mitigate" the impacts of climate change. Adaptation,, on the other hand, is concerned with planning for and responding to impacts resulting from climate change, such as adjusting transportation design standards to withstand more intense storms and higher sea levels. This analysis will include a discussion of both.

3.6.1.1 Regulatory Setting

This section outlines federal and State efforts to comprehensively reduce GHG emissions from transportation sources.

Federal

To date, no national standards have been established for nationwide mobile-source GHG reduction targets, nor have any regulations or legislation been enacted specifically to address climate change and GHG emissions reduction at the project level.

NEPA (42 U.S.C. Part 4332) requires federal agencies to assess the environmental effects of their proposed actions prior to making a decision on the action or project.

FHWA recognizes the threats that extreme weather, sea-level change, and other changes in environmental conditions pose to valuable transportation infrastructure and those who depend on it. FHWA therefore supports a sustainability approach that assesses vulnerability to climate risks and incorporates resilience into planning, asset management, project development and design, and operations and maintenance practices (FHWA, 2019). This approach encourages planning for sustainable highways by addressing climate risks while balancing environmental, economic, and social values—"the triple bottom line of sustainability (FHWA, n.d.). Program and project elements that foster sustainability and resilience also support economic vitality and global efficiency, increase safety and mobility, enhance the environment, promote energy conservation, and improve the quality of life.

Various efforts have been promulgated at the federal level to improve fuel economy and energy efficiency to address climate change and its associated effects. The most important of these was the Energy Policy and Conservation Act of 1975 (42 U.S.C. Section 6201) and Corporate Average Fuel Economy (CAFE) Standards. This act establishes fuel economy standards for on-road motor vehicles sold in the United States. Compliance with federal fuel economy standards is determined through the CAFE program based on each manufacturer's average fuel economy for the portion of its vehicles produced for sale in the United States.

Energy Policy Act of 2005 (109th Congress H.R.6) (2005–2006): This act sets forth an energy research and development program covering: (1) energy efficiency; (2) renewable energy; (3) oil and gas; (4) coal; (5) the establishment of the Office of Indian Energy Policy and Programs within the Department of Energy; (6) nuclear matters and security; (7) vehicles and motor fuels, including ethanol; (8) hydrogen; (9) electricity; (10) energy tax incentives; (11) hydropower and geothermal energy; and (12) climate change technology.

EPA, in conjunction with the National Highway Traffic Safety Administration (NHTSA), is responsible for setting GHG emission standards for new cars and light-duty vehicles to significantly increase the fuel economy of all new passenger cars and light trucks sold in the United States. Fuel efficiency standards directly influence GHG emissions.

State

California has been innovative and proactive in addressing GHG emissions and climate change by passing multiple Senate and Assembly bills and executive orders (EOs) including, but not limited to, the following:

EO S-3-05 (June 1, 2005): The goal of this EO is to reduce California's GHG emissions to: (1) year 2000 levels by 2010, (2) year 1990 levels by 2020, and (3) 80 percent below year 1990 levels by 2050. This goal was further reinforced with the passage of AB 32 in 2006 and SB 32 in 2016.

AB 32, Chapter 488, 2006: Núñez and Pavley, The Global Warming Solutions Act of 2006: AB 32 codified the 2020 GHG emissions reduction goals as outlined in EO S-3-05, while further mandating that ARB create a scoping plan and implement rules to achieve "real, quantifiable, cost-effective reductions of greenhouse gases." The Legislature also intended that the statewide GHG emissions limit continue in existence and be used to maintain and continue reductions in emissions of GHGs beyond 2020 (Health and Safety Code Section 38551(b)). The law requires ARB to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective GHG reductions.

EO S-01-07 (January 18, 2007): This order sets forth the low carbon fuel standard (LCFS) for California. Under this EO, the carbon intensity of California's transportation fuels is to be reduced by at least 10 percent by the year 2020. ARB re-adopted the LCFS regulation in September 2015, and the changes went into effect on January 1, 2016. The program establishes a strong framework to promote the low-carbon fuel adoption necessary to achieve the Governor's 2030 and 2050 GHG reduction goals.

SB 375, Chapter 728, 2008, Sustainable Communities and Climate Protection: This bill requires ARB to set regional emissions reduction targets for passenger vehicles. The MPO for each region must then develop an SCS that integrates transportation, land-use, and housing policies to plan how it will achieve the emissions target for its region.

SB 391, Chapter 585, 2009, California Transportation Plan: This bill requires the State's long-range transportation plan to meet California's climate change goals under AB 32.

EO B-16-12 (March 2012) orders State entities under the direction of the Governor, including ARB, CEC, and the Public Utilities Commission, to support the rapid commercialization of zero-emission vehicles. It directs these entities to achieve various benchmarks related to zero-emission vehicles.

EO B-30-15 (April 2015) establishes an interim statewide GHG emission reduction target of 40 percent below 1990 levels by 2030 to ensure California meets its target of

reducing GHG emissions to 80 percent below 1990 levels by 2050. It further orders all State agencies with jurisdiction over sources of GHG emissions to implement measures, pursuant to statutory authority, to achieve reductions of GHG emissions to meet the 2030 and 2050 GHG emissions reductions targets. It also directs ARB to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of carbon dioxide equivalent ($MMTCO_2e$).[8] Finally, it requires the California Natural Resources Agency (Resources Agency) to update the State's climate adaptation strategy, *Safeguarding California*, every 3 years, and to ensure that its provisions are fully implemented.

SB 32 Chapter 249, 2016, codifies the GHG reduction targets established in EO B-30-15 to achieve a mid-range goal of 40 percent below 1990 levels by 2030.

SB 1386, Chapter 545, 2016, declared "it to be the policy of the state that the protection and management of natural and working lands … is an important strategy in meeting the state's greenhouse gas reduction goals, and would require all state agencies, departments, boards, and commissions to consider this policy when revising, adopting, or establishing policies, regulations, expenditures, or grant criteria relating to the protection and management of natural and working lands."

AB 134, Chapter 254, 2017, allocates GHG Reduction Funds and other sources to various clean vehicle programs, demonstration/pilot projects, clean vehicle rebates and projects, and other emissions-reduction programs statewide.

SB 743, Chapter 386 (September 2013): This bill changes the metric of consideration for transportation impacts pursuant to CEQA from a focus on automobile delay to alternative methods focused on vehicle miles traveled, to promote the state's goals of reducing GHG emissions and traffic-related air pollution and promoting multimodal transportation while balancing the needs of congestion management and safety.

SB 150, Chapter 150, 2017, Regional Transportation Plans: This bill requires ARB to prepare a report that assesses progress made by each MPO in meeting their established regional GHG emission reduction targets.

[8] GHGs differ in how much heat each trap in the atmosphere (global warming potential, or GWP). CO_2 is the most important GHG, so amounts of other gases are expressed relative to CO_2, using a metric called "carbon dioxide equivalent" (CO_2e). The global warming potential of CO_2 is assigned a value of 1, and the GWP of other gases is assessed as multiples of CO_2.

EO B-55-18 (September 2018) sets a new statewide goal to achieve and maintain carbon neutrality no later than 2045. This goal is in addition to existing statewide targets of reducing GHG emissions.

EO N-19-19 (September 2019) advances California's climate goals in part by directing the California State Transportation Agency to leverage annual transportation spending to reverse the trend of increased fuel consumption and reduce GHG emissions from the transportation sector. It orders a focus on transportation investments near housing, managing congestion, and encouraging alternatives to driving. This EO also directs ARB to encourage automakers to produce more clean vehicles, formulate ways to help Californians purchase them, and propose strategies to increase demand for zero-emission vehicles.

3.6.1.2 Environmental Setting

The proposed project is in an urban area of the City of Ontario in San Bernardino County with a well-developed road and street network. The project area is mainly residential, with some commercial and institutional buildings. Traffic congestion during peak hours is not uncommon in the project area. The RTP/SCS by SCAG guides transportation and housing development in the project area. The Ontario Community Climate Action Plan addresses GHGs in the project area.

A GHG emissions inventory estimates the amount of GHGs discharged into the atmosphere by specific sources over a period of time, such as a calendar year. Tracking annual GHG emissions allows countries, states, and smaller jurisdictions to understand how emissions are changing and what actions may be needed to attain emission reduction goals. EPA is responsible for documenting GHG emissions nationwide, and ARB does so for the state, as required by H&SC Section 39607.4.

National GHG Inventory

EPA prepares a national GHG inventory every year and submits it to the United Nations in accordance with the Framework Convention on Climate Change. The inventory provides a comprehensive accounting of all human-produced sources of GHGs in the United States, reporting emissions of CO_2, CH_4, N_2O, HFCs, perfluorocarbons, SF_6, and nitrogen trifluoride. It also accounts for emissions of CO_2 that are removed from the atmosphere by "sinks," such as forests, vegetation, and soils that uptake and store CO_2 (carbon sequestration). The 1990–2016 inventory found that of 6,511 $MMTCO_2e$ GHG emissions in 2016, 81 percent consist of CO_2, 10 percent are CH_4, and 6 percent are N_2O; the balance consists of fluorinated gases (EPA, 2018a). In 2016, GHG

emissions from the transportation sector accounted for nearly 28.5 percent of United States GHG emissions. Figure 3.6-1 shows the 2016 United States GHG emissions.

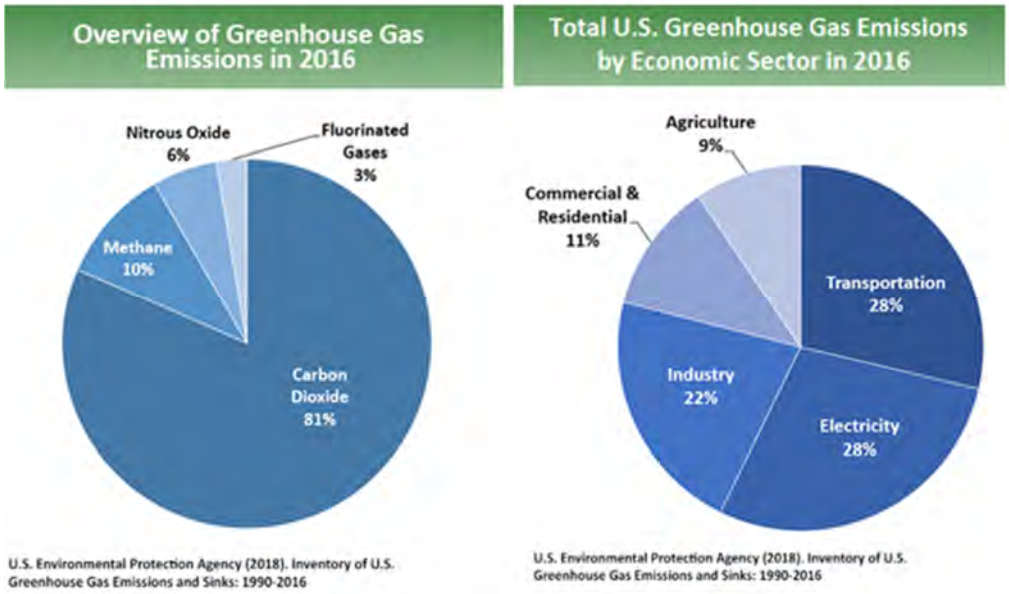


Figure 3.6-1. U.S. 2016 Greenhouse Gas Emissions

State GHG Inventory

ARB collects GHG emissions data for transportation, electricity, commercial/residential, industrial, agricultural, and waste management sectors each year. It then summarizes and highlights major annual changes and trends to demonstrate the state's progress in meeting its GHG reduction goals. The 2019 edition of the GHG emissions inventory found total California emissions of 424.1 $MMTCO_2e$ for 2017, with the transportation sector responsible for 41 percent of total GHGs (Figure 3.6-2). It also found that overall statewide GHG emissions declined from 2000 to 2017 despite growth in population and state economic output (ARB, 2019a) (Figure 3.6-3).

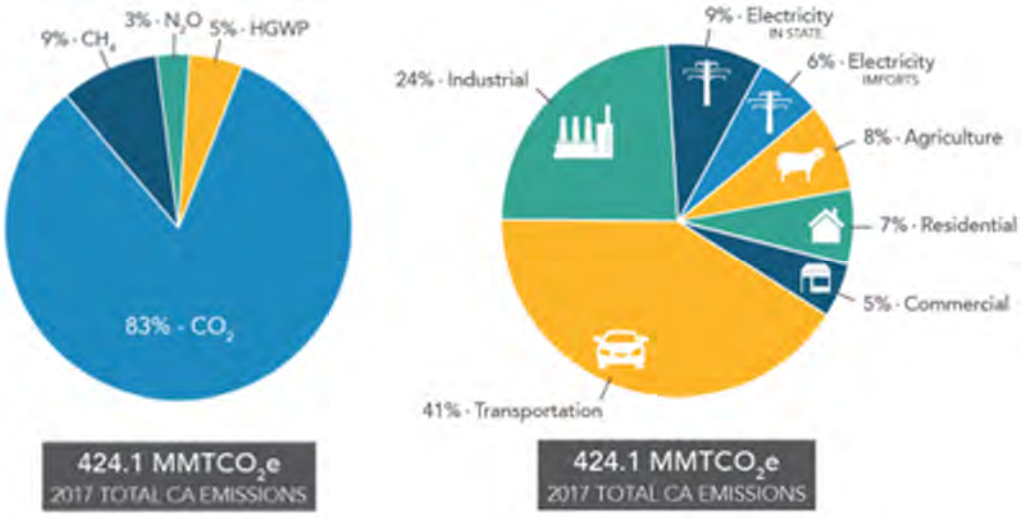
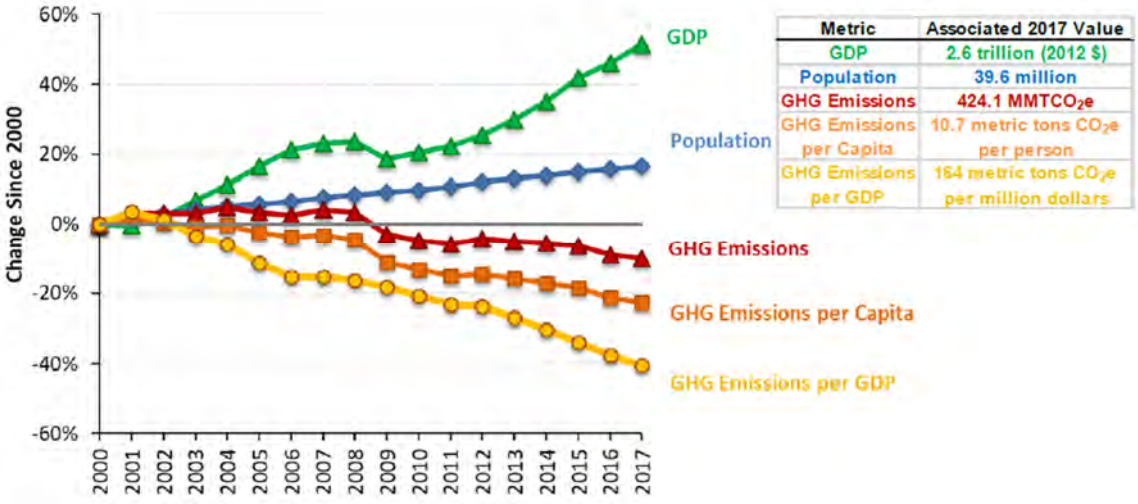


Figure 3.6-2. California 2017 Greenhouse Gas Emissions



(*Source*: ARB, 2019b)

Figure 3.6-3. Change in California GDP, Population, and GHG Emissions since 2000

AB 32 required ARB to develop a Scoping Plan that describes the approach California will take to achieve the goal of reducing GHG emissions to 1990 levels by 2020 and to update it every 5 years. ARB adopted the first scoping plan in 2008. The second updated plan, California's 2017 Climate Change Scoping Plan, adopted on December 14, 2017, reflects the 2030 target established in EO B-30-15 and SB 32. The AB 32 Scoping Plan and the subsequent updates contain the main strategies California will use to reduce GHG emissions.

Regional Plans

ARB sets regional targets for California's 18 MPOs to use in their RTP/SCS to plan future projects that will cumulatively achieve GHG reduction goals. Targets are set at a percent reduction of passenger vehicle GHG emissions per person from 2005 levels. The proposed project is included in the RTP/SCS for the SCAG region. The regional reduction target for this SCAG is 8 percent from October 2018 to 2020 and 19 percent from October 2018 to 2035 (ARB, 2019c).

Local Plans

The City of Ontario is committed to reducing GHG emissions in accordance with the Ontario General Plan and the Community Climate Action Plan. The City of Ontario General Plan Environmental Resources Element addresses air quality concerns, including GHG emissions. The Community Climate Action Plan sets a GHG emissions reduction goal of 30 percent below BAU 2020 levels.

Table 3.6-1 lists the plans and relevant policies or goals in SCAG's RTP/SCS, the Ontario General Plan, and the Ontario Community Climate Action Plan.

Table 3.6-1. Regional and Local Greenhouse Gas Reduction Plans

Title	GHG Reduction Policies or Strategies
SCAG's 2016—2040 RTP/SCS	Goals: • Preserve and ensure a sustainable regional transportation system • Protect the environment and health of our residents by improving air quality and encouraging active transportation (e.g., bicycling and walking) • Actively encourage and create incentives for energy efficiency, where possible • Encourage land use and growth patterns that facilitate transit and active transportation. GHG reductions Strategies: • Focus new growth around transit • Plan for growth around livable corridors • Support local sustainability planning • Manage congestion • Expand existing modes of transportation • Improve active transportation systems • Promote mobility innovations
SCAG's SoCal Connect (Draft 2020—2045 RTP/SCS)	Strategies: • Focus growth near destinations and mobility options • Implement sustainability policies • Promote a green region that would meet increasingly aggressive GHG reduction goals.

Table 3.6-1. Regional and Local Greenhouse Gas Reduction Plans

Title	GHG Reduction Policies or Strategies
Ontario General Plan (The Ontario Plan)	Environmental Resources Element Policies: • Land Use • GHG Emissions Reductions • Transportation Mobility Element Policies: • Roadway Design and Maintenance • Roadway Improvements. • Complete Streets
Ontario Community Climate Action Plan	Reduce GHG emissions generated from community activities that is consistent with statewide Scoping Plan GHG reduction efforts through On-road Transportation Measures: • Expanded Public Transportation Infrastructure • Roadway Management • Signal Synchronization • Bicycle and Pedestrian Infrastructure Plan • Smart Growth and Infill • Transit-Oriented Development • Idling Ordinance • Climate Change Awareness • Shade Tree Planting

3.6.1.3 Project Analysis

GHG emissions for transportation projects can be divided into those produced during operations and those produced during construction. The primary GHGs produced by the transportation sector are CO_2, CH_4, N_2O, and HFCs. CO_2 emissions are a product of the combustion of petroleum-based products, like gasoline, in internal combustion engines. Relatively small amounts of CH_4 and N_2O are emitted during fuel combustion. In addition, a small amount of HFC emissions are included in the transportation sector.

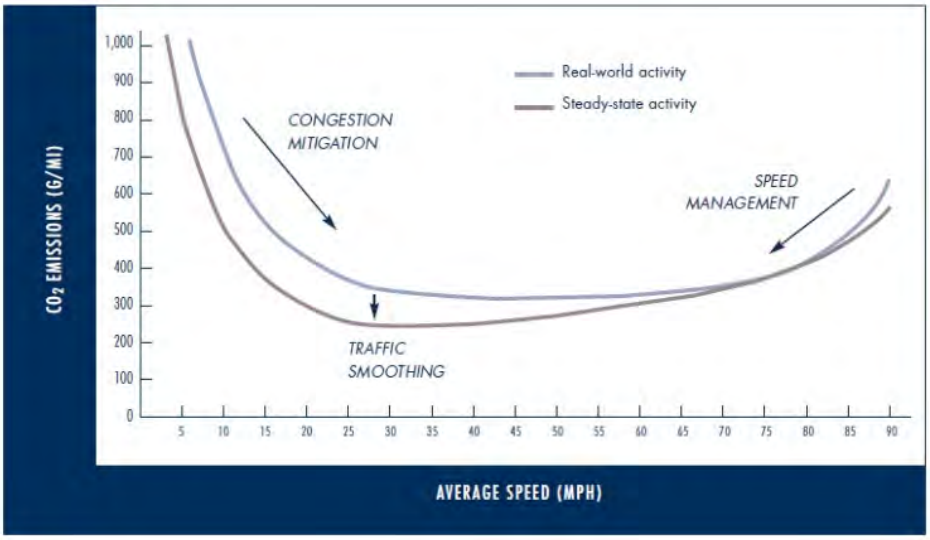
The CEQA Guidelines generally address GHG emissions as a cumulative impact due to the global nature of climate change (Pub. Resources Code, § 21083[b][2]). As the California Supreme Court explained, “because of the global scale of climate change, any one project's contribution is unlikely to be significant by itself.” (Cleveland National Forest Foundation v. San Diego Assn. of Governments [2017] 3 Cal.5th 497, 512.) In assessing cumulative impacts, it must be determined if a project’s incremental effect is “cumulatively considerable” (CEQA Guidelines Sections 15064[h][1] and 15130).

To make this determination, the incremental impacts of the project must be compared with the effects of past, current, and probable future projects. Although climate change is ultimately a cumulative impact, not every individual project that emits greenhouse gases must necessarily be found to contribute to a significant cumulative impact on the environment.

Operational Emissions

CO_2 accounts for 95 percent of transportation GHG emissions in the United States. The largest sources of transportation-related GHG emissions are passenger cars and light-duty trucks, including sport utility vehicles, pickup trucks, and minivans. These sources account for more than half of the emissions from the sector. The remainder of GHG emissions comes from other modes of transportation, including freight trucks, commercial aircraft, ships, boats, and trains, as well as pipelines and lubricants. Because CO_2 emissions represent the greatest percentage of GHG emissions, it has been selected as a proxy within the following analysis for potential climate change impacts generally expected to occur.

The highest levels of CO_2 from mobile sources, such as automobiles, occur at stop-and-go speeds (0–25 miles per hour [mph]) and speeds over 55 mph; the most severe emissions occur from 0–25 mph (see Figure 3.6-4). To the extent that a project relieves congestion by enhancing operations and improving travel times in high-congestion travel corridors, GHG emissions, particularly CO_2, may be reduced.



(Source: Barth and Boriboonsomsin, 2010)

Figure 3.6-4. Possible Use of Traffic Operation Strategies in Reducing On-Road CO_2 Emissions

Four primary strategies can reduce GHG emissions from transportation sources: (1) improving the transportation system and operational efficiencies, (2) reducing travel activity, (3) transitioning to lower GHG-emitting fuels, and (4) improving vehicle technologies/efficiency. To be most effective, all four strategies should be pursued concurrently.

The proposed project is located within the jurisdiction of SCAG and is listed in both the SCAG 2012–2035 RTP and the SCAG 2015 FTIP Amendment 4 under project ID number 2002160. The 2012–2035 RTP was approved by FHWA on April 4, 2012. The 2015 FTIP was approved by FHWA on April 8, 2015. The project is still listed in the 2016–2040 RTP/SCS and the 2015 RTIP. The project remains listed in the 2019 FTIP, which was adopted by SCAG in September 2018. Thus, the Build Alternative is consistent with the SCAG RTP/SCS. The Build Alternative would improve the regional transportation system, help decrease congestion, improve safety, and maximize the productivity of the transportation system. The project would support land use and growth patterns that facilitate transit and nonmotorized transportation, further contributing to a more sustainable community and region.

The purpose of the proposed project is to alleviate existing and anticipated future congestion along Grove Avenue between 4th Street and Airport Drive; improve traffic operations and mobility to and from Ontario International Airport, existing and future cargo hub facilities near Grove Avenue and Holt Boulevard, and other planned uses; and to provide continuity along Grove Avenue.

To the extent that a project relieves congestion by enhancing operations and improving travel times in high-congestion travel corridors, GHG emissions, particularly CO_2, may be reduced.

Quantitative Analysis

A quantitative analysis estimating CO_2 emissions for existing, No Build Alternative, and Build Alternative was performed using Caltrans' CT-EMFAC and is provided in Table 3.6-2. Inputs used to estimate CO_2 emissions were peak and off-peak total VMT, vehicle mix, and VMT distribution by speed.

Table 3.6-2. Maximum CO_2 Emissions[1]

Pollutant	Existing	No Build 2025	Build 2025	No Build 2045	Build 2045
CO_2 emissions	3,686	5,281	5,167	8,235	7,266
Note: [1] CO_2 emissions are measured in tons.					

Source: Air Quality Report, Grove Avenue Corridor Project, February 2017.

CO_2 emissions are expected to increase from existing conditions to 2045 conditions due to increases in total VMT; however, as shown in Table 3.6-3, in future 2025 conditions, VMT slightly decreases from no-build to build conditions, resulting in a slight decrease of CO_2 emissions. Likewise, in 2045 conditions, the total VMT is expected to decrease from no-build to build conditions; therefore, a substantial increase of CO_2 emissions would not occur. Currently, there are no federal or State standards set for CO_2 emissions; therefore, the estimated emissions shown in Table 3.6-3 are only useful for a comparison between alternatives. The numbers are not necessarily an accurate reflection of what the true CO_2 emissions would be because CO_2 emissions are dependent on other factors that are not part of the model, such as the fuel mix (EMFAC model emission rates are only for direct engine-out CO_2 emissions, not full fuel cycle; fuel cycle emission rates can vary dramatically depending on the amount of additives such as ethanol and the source of the fuel components), rate of acceleration, and the aerodynamics and efficiency of the vehicles.

Table 3.6-3. VMT Percentage Differences

Intersection	VMT % Differences			
	Existing and 2025 No Build	Existing and 2045 No Build	2025 No Build and Build Alternatives	2045 No Build and Build Alternatives
Grove Avenue/Holt Boulevard	50	118	-1.6	-4.0
Grove Ave/State Street-Airport Drive	29	73	3.5	-2.1
Grove Avenue/Mission Boulevard	35	84	-5.5	-5.2

Source: Air Quality Report, Grove Avenue Corridor Project, February 2017.

While CT-EMFAC has a rigorous scientific foundation and has been vetted through multiple stakeholder reviews, its GHG emission rates are based on tailpipe emission

test data.[9] Moreover, the model does not account for factors such as the rate of acceleration and vehicle aerodynamics, which influence the amount of emissions generated by a vehicle. GHG emissions quantified using CT-EMFAC are therefore estimates and may not reflect actual physical emissions. Though CT-EMFAC is currently the best available tool for calculating GHG emissions from mobile sources, it is important to note that the GHG results are only useful for a comparison among alternatives.

Construction Emissions

Construction GHG emissions would result from material processing, onsite construction equipment, and traffic delays due to construction. These emissions would be produced at different levels throughout the construction phase; their frequency and occurrence can be reduced through innovations in plans and specifications and by implementing better traffic management during construction phases.

In addition, with innovations such as longer pavement lives, improved traffic management plans, and changes in materials, the GHG emissions produced during construction can be offset to some degree by longer intervals between maintenance and rehabilitation activities.

All construction contracts include Caltrans Standard Specifications Section 7-1.02A and 7 1.02C, Emissions Reduction, which require contractors to comply with all laws applicable to the project and to certify they are aware of and will comply with all ARB emission reduction regulations; and Section 14-9.02, Air Pollution Control, which requires contractors to comply with all air pollution control rules, regulations, ordinances, and statutes. Certain common regulations, such as equipment idling restrictions, that reduce construction vehicle emissions also help reduce GHG emissions.

3.6.1.4 CEQA Conclusion

While the project would result in a slight increase in GHG emissions during construction, it is anticipated that the proposed project would not result in an increase

[9] This analysis does not currently account for the effects of the U.S. NHTSA and EPA SAFE (Safer Affordable Fuel-Efficient) Vehicles Rule. Part One revoking California's authority to set its own GHG emissions standards was published on September 27, 2019, and effective November 26, 2019. The SAFE Vehicles Rule Part 2 would amend existing CAFE and tailpipe CO_2 emissions standards for passenger cars and light trucks and establish new standards covering model years 2021 through 2026. The proposal would retain the model year 2020 standards for both programs through model year 2026. Although ARB has not yet provided adjustment factors for GHG emissions to be utilized in light of the SAFE Rule, modeling these estimates with EMFAC2017 or CT-EMFAC2017 remains the most precise means of estimating future GHG emissions.

in operational GHG emissions in comparison to no-build conditions for each respective year. No specific GHG thresholds have been established for transportation projects. In the absence of further regulatory or scientific information related to GHG emissions and CEQA significance, SCAQMD and its GHG CEQA Significance Stakeholder Working Group threshold of 10,000 $MTCO_2e$ was used to make a significance determination regarding the project's direct impact and its contribution on the cumulative scale to climate change, and to provide a comparison of the order of magnitude of project-generated emissions. The CT-EMFAC model was used to estimate CO_2 emissions for the existing and future no-build and build conditions. The increases in CO_2e emissions between existing conditions and project years 2025 and 2045 are attributable to increases in daily traffic volumes; however, GHG emissions are lower in the build conditions than for the no-build conditions for future opening and design years. Furthermore, CO_2e emissions for all project years, existing, no build, and build, are far below SCAQMD and its GHG CEQA Significance Stakeholder Working Group threshold of 10,000 $MTCO_2e$; therefore, operation of the project does not cause a significant impact to global climate change.

In addition, the City prepared a Health Risk Assessment (Appendix F) in accordance with CEQA guidelines.

Consistency with Air Quality Management Plan

Consistency with the AQMP is typically determined by whether the project would increase the frequency or severity of existing air quality violations, contribute to new violations, or delay the timely attainment of air quality standards or interim reductions as specified in the AQMPs.

Based on the air quality emissions modeling contained in this report, with the implementation of Standard Conditions SC-CI-21 and SC-CI-22 and Minimization Measure AQ-1, the air pollutant and GHG emissions associated with the proposed project would be below the applicable thresholds of significance. Thus, it is expected that there would be no significant short-term construction impacts nor long-term operational impacts on climate change due to the proposed project.

3.6.1.5 GHG Reduction Strategies

Statewide Efforts

Major sectors of the California economy, including transportation, will need to reduce emissions to meet the 2030 and 2050 GHG emissions targets. Former Governor Edmund G. Brown promoted GHG reduction goals that involved (1) reducing today's petroleum use in cars and trucks by up to 50 percent; (2) increasing from one-third to

50 percent our electricity derived from renewable sources; (3) doubling the energy efficiency savings achieved at existing buildings and making heating fuels cleaner; (4) reducing the release of methane, black carbon, and other short-lived climate pollutants; (5) managing farms and rangelands, forests, and wetlands so they can store carbon; and (6) periodically updating the state's climate adaptation strategy, Safeguarding California (Figure 3.6-5).

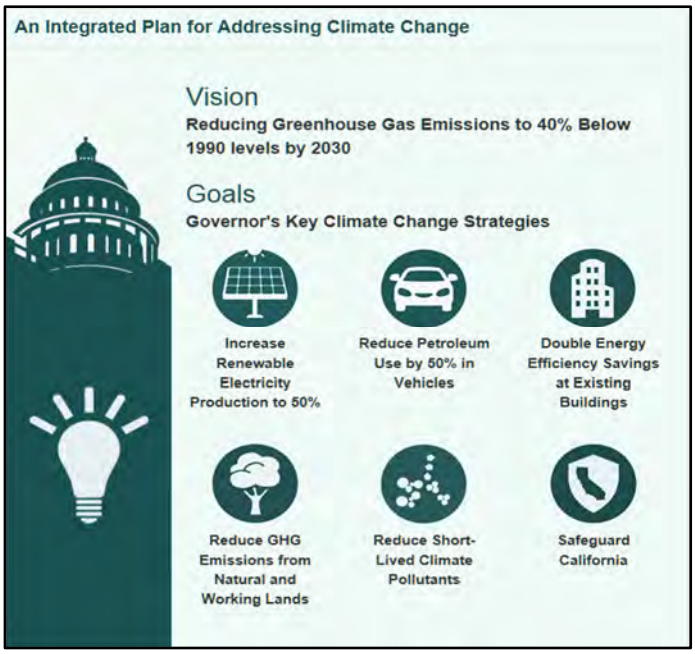


Figure 3.6-5. California Climate Strategy

The transportation sector is integral to the people and economy of California. To achieve GHG emission reduction goals, it is vital that we build on our past successes in reducing criteria and toxic air pollutants from transportation and goods movement activities. GHG emission reductions will come from cleaner vehicle technologies, lower-carbon fuels, and reduction of VMT. A key state goal for reducing GHG emissions is to reduce today's petroleum use in cars and trucks by up to 50 percent by 2030 (State of California, 2019).

In addition, SB 1386 (Wolk, 2016) established as state policy the protection and management of natural and working lands and requires state agencies to consider that policy in their own decision making. Trees and vegetation on forests, rangelands, farms, and wetlands remove CO_2 from the atmosphere through biological processes and sequester the carbon in above- and below-ground matter.

Caltrans Activities

Caltrans continues to be involved on the Governor's Climate Action Team as the ARB works to implement EOs S-3-05 and S-01-07 and help achieve the targets set forth in AB 32. EO B-30-15, issued in April 2015, and SB 32 (2016), set an interim target to cut GHG emissions to 40 percent below 1990 levels by 2030. The following major initiatives are underway at Caltrans to help meet these targets.

California Transportation Plan (CTP 2040)

The California Transportation Plan (CTP) is a statewide, long-range transportation plan to meet our future mobility needs and reduce GHG emissions. In 2016, Caltrans completed the CTP 2040, which establishes a new model for developing ground transportation systems, consistent with CO_2 reduction goals. It serves as an umbrella document for all the other statewide transportation planning documents. Over the next 25 years, California will be working to improve transit and reduce long-run repair and maintenance costs of roadways and developing a comprehensive assessment of climate-related transportation demand management and new technologies rather than continuing to expand capacity on existing roadways.

SB 391 (Liu 2009) requires the CTP to meet California's climate change goals under AB 32. Accordingly, the CTP 2040 identifies the statewide transportation system needed to achieve maximum feasible GHG emission reductions while meeting the state's transportation needs. While MPOs have primary responsibility for identifying land use patterns to help reduce GHG emissions, CTP 2040 identifies additional strategies in Pricing, Transportation Alternatives, Mode Shift, and Operational Efficiency.

Caltrans Strategic Management Plan

The Strategic Management Plan, released in 2015, creates a performance-based framework to preserve the environment and reduce GHG emissions, among other goals. Specific performance targets in the plan that will help reduce GHG emissions include:

- Increasing percentage of non-auto mode share
- Reducing VMT
- Reducing Caltrans' internal operational (buildings, facilities, and fuel) GHG emissions

Funding and Technical Assistance Programs

In addition to developing plans and performance targets to reduce GHG emissions, Caltrans also administers several sustainable transportation planning grants. These

grants encourage local and regional multimodal transportation, housing, and land use planning that furthers the region's RTP/SCS; contribute to the State's GHG reduction targets and advance transportation-related GHG emission reduction project types/strategies; and support other climate adaptation goals (e.g., Safeguarding California).

Caltrans Policy Directives and Other Initiatives

Caltrans Director's Policy 30 (DP-30) Climate Change (June 22, 2012) is intended to establish a Caltrans policy that will ensure coordinated efforts to incorporate climate change into Caltrans decisions and activities. Caltrans Activities to Address Climate Change (April 2013) provides a comprehensive overview of Caltrans' statewide activities to reduce GHG emissions resulting from agency operations.

City of Ontario Activities

The City is committed to reducing GHG emissions in accordance with the City's own plans.

City of Ontario General Plan

The City of Ontario General Plan Environmental Resources Element addresses air quality concerns including GHG emissions. The City is working to develop strategies to minimize the City's future impacts associated with accumulation of GHGs. The California Global Warming Solutions Act of 2006 requires a cumulative reduction of GHG emissions by City operations and on a project-by-project basis.

Two policies, in particular, are associated with reducing GHG emissions. ER4-1 is a policy associated with land use. This policy intends to reduce GHG emissions through compact, mixed-use, and transit-oriented development and development that improves the regional jobs-housing balance. ER4-3 is a policy associated with GHG emissions reductions. The policy states that the City will reduce GHG emissions in accordance with regional, State, and federal regulations.

City of Ontario Community Climate Action Plan

The City committed to the development of a Community Climate Action Plan with the GHG emissions reduction goal of 30 percent below BAU 2020 levels. This goal is roughly equivalent to the Scoping Plan adopted by the State in 2008 that recommends a target of 15 percent below current emissions levels. The primary purpose of the Community Climate Action Plan is to design a feasible strategy to reduce GHG emissions generated from community activities that is consistent with statewide Scoping Plan GHG reduction efforts.

Approximately 64 percent of the reductions needed to achieve the City's GHG reduction goal are achieved through State- and County-level programs, and 36 percent is achieved through City-level programs. The largest GHG reductions are identified in the areas of building energy, agriculture, and transportation.

Several on-road transportation measures have been identified to assist in reducing GHG emissions associated with transportation activities. The proposed project directly relates to Measure Trans-9 Roadway Management. The goal of this measure is to implement traffic and roadway management strategies to improve mobility and efficiency and reduced associated emissions. The goal is to reduce community vehicle fuel consumption by 2 percent.

Project-Level GHG Reduction Strategies

The following measures will also be included in the project to reduce the GHG emissions and potential climate change impacts from the project:

1. **Use of Reclaimed Water:** Currently, 30 percent of the electricity used in California is used for the treatment and delivery of water. Use of reclaimed water helps conserve this energy, which reduces GHG emissions from electricity production.
2. **Landscaping:** Reduces surface warming and, through photosynthesis, decreases CO_2.
3. **Portland Cement:** Use of lighter colored surfaces, such as Portland cement, helps to reduce the albedo effect (i.e., measure of how much light a surface reflects) and cool the surface. Adding fly ash reduces the GHG emissions associated with cement production; it also can make the pavement stronger.
4. **Lighting:** Use of energy-efficient lighting, such as LED traffic signals.
5. **Idling Restrictions:** For trucks and equipment.

3.6.1.6 Adaptation

Reducing GHG emissions is only one part of an approach to addressing climate change. Caltrans must plan for the effects of climate change on the state's transportation infrastructure and strengthen or protect the facilities from damage. Climate change is expected to produce increased variability in precipitation, rising temperatures, rising sea levels, variability in storm surges and their intensity, and in the frequency and intensity of wildfires. Flooding and erosion can damage or wash out roads; longer periods of intense heat can buckle pavement and railroad tracks; and storm surges combined with a rising sea level can inundate highways. Wildfire can directly burn

facilities and indirectly cause damage when rain falls on denuded slopes that landslide after a fire. Effects will vary by location and may, in the most extreme cases, require that a facility be relocated or redesigned. Accordingly, Caltrans must consider these types of climate stressors in how highways are planned, designed, built, operated, and maintained.

Federal Efforts

Under NEPA assignment, Caltrans is obligated to comply with all applicable federal environmental laws and FHWA NEPA regulations, policies, and guidance. The U.S. Global Change Research Program (USGCRP) delivers a report to Congress and the president every 4 years, in accordance with the Global Change Research Act of 1990 (15 U.S.C. chapter 56A § 2921 *et seq).* The Fourth National Climate Assessment, published in 2018, presents the foundational science and the "human welfare, societal, and environmental elements of climate change and variability for 10 regions and 18 national topics, with particular attention paid to observed and projected risks, impacts, consideration of risk reduction, and implications under different mitigation pathways." Chapter 12, "Transportation," presents a key discussion of vulnerability assessments. It notes that "asset owners and operators have increasingly conducted more focused studies of particular assets that consider multiple climate hazards and scenarios in the context of asset-specific information, such as design lifetime" (USGCRP, 2018).

The USDOT Policy Statement on Climate Adaptation in June 2011 committed the federal Department of Transportation to "integrate consideration of climate change impacts and adaptation into the planning, operations, policies, and programs of DOT in order to ensure that taxpayer resources are invested wisely and that transportation infrastructure, services and operations remain effective in current and future climate conditions" (USDOT, 2011).

FHWA Order 5520 (Transportation System Preparedness and Resilience to Climate Change and Extreme Weather Events, December 15, 2014) established FHWA policy to strive to identify the risks of climate change and extreme weather events to current and planned transportation systems. FHWA has developed guidance and tools for transportation planning that fosters resilience to climate effects and sustainability at the federal, State, and local levels (FHWA, 2019).

State Efforts

Climate change adaptation for transportation infrastructure involves long-term planning and risk management to address vulnerabilities in the transportation system. Change Assessment (2018) is the state's effort to "translate the state of climate science

into useful information for action" in a variety of sectors at both statewide and local scales. It adopts the following key terms used widely in climate change analysis and policy documents:

- *Adaptation* to climate change refers to adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderates harm or exploits beneficial opportunities.
- *Adaptive capacity* is the "combination of the strengths, attributes, and resources available to an individual, community, society, or organization that can be used to prepare for and undertake actions to reduce adverse impacts, moderate harm, or exploit beneficial opportunities."
- *Exposure* is the presence of people, infrastructure, natural systems, and economic, cultural, and social resources in areas that are subject to harm.
- *Resilience* is the "capacity of any entity – an individual, a community, an organization, or a natural system – to prepare for disruptions, to recover from shocks and stresses, and to adapt and grow from a disruptive experience."." Adaptation actions contribute to increasing resilience, which is a desired outcome or state of being.
- *Sensitivity* is the level to which a species, natural system, or community, government, etc., would be affected by changing climate conditions.
- *Vulnerability* is the "susceptibility to harm from exposure to stresses associated with environmental and social change and from the absence of capacity to adapt." Vulnerability can increase because of physical (built and environmental), social, political, and/or economic factor(s). These factors include, but are not limited to,, ethnicity, class, sexual orientation and identification, national origin, and income inequality. Vulnerability is often defined as the combination of sensitivity and adaptive capacity as affected by the level of exposure to changing climate.

Several key state policies have guided climate change adaptation efforts to date. Recent state publications produced in response to these policies draw on these definitions.

EO S-13-08, issued by then-governor Arnold Schwarzenegger in November 2008, focused on sea-level rise and resulted in the *California Climate Adaptation Strategy* (2009), updated in 2014 as *Safeguarding California: Reducing Climate Risk* (Safeguarding California Plan). The Safeguarding California Plan offers policy principles and recommendations and continues to be revised and augmented with sector-specific adaptation strategies, ongoing actions, and next steps for agencies.

EO S-13-08 also led to the publication of a series of sea-level rise assessment reports and associated guidance and policies. These reports formed the foundation of an interim *State of California Sea-Level Rise Interim Guidance Document* (SLR Guidance) in 2010, with instructions for how state agencies could incorporate "sea-level rise (SLR) projections into planning and decision making for projects in California" in a consistent way across agencies. The guidance was revised and augmented in 2013. *Rising Seas in California – An Update on Sea-Level Rise Science* was published in 2017 and its updated projections of sea-level rise and new understanding of processes and potential impacts in California were incorporated into the *State of California Sea-Level Rise Guidance Update* in 2018.

EO B-30-15, signed in April 2015, requires state agencies to factor climate change into all planning and investment decisions. This EO recognizes that effects of climate change other than sea-level rise also threaten California's infrastructure. At the direction of EO B-30-15, the Office of Planning and Research published *Planning and Investing for a Resilient California: A Guidebook for State Agencies* in 2017, to encourage a uniform and systematic approach. Representatives of Caltrans participated in the multi-agency, multidisciplinary technical advisory group that developed this guidance on how to integrate climate change into planning and investment.

AB 2800 (Quirk 2016) created the multidisciplinary Climate-Safe Infrastructure Working Group, which in 2018 released its report, *Paying it Forward: The Path Toward Climate-Safe Infrastructure in California*. The report provides guidance to agencies on how to address the challenges of assessing risk in the face of inherent uncertainties still posed by the best available science on climate change. It also examines how state agencies can use infrastructure planning, design, and implementation processes to address the observed and anticipated climate change impacts.

Caltrans Adaptation Efforts

Caltrans Vulnerability Assessments

Caltrans is conducting climate change vulnerability assessments to identify segments of the State Highway System vulnerable to climate change effects including precipitation, temperature, wildfire, storm surge, and SLR. The approach to the vulnerability assessments was tailored to the practices of a transportation agency, and involves the following concepts and actions:

- *Exposure* – Identify Caltrans assets exposed to damage or reduced service life from expected future conditions.

- *Consequence* – Determine what might occur to system assets in terms of loss of use or costs of repair.
- *Prioritization* – Develop a method for making capital programming decisions to address identified risks, including considerations of system use and/or timing of expected exposure.

The climate change data in the assessments were developed in coordination with climate change scientists and experts at federal, state, and regional organizations at the forefront of climate science. The findings of the vulnerability assessments will guide analysis of at-risk assets and development of adaptation plans to reduce the likelihood of damage to the State Highway System, allowing Caltrans to both reduce the costs of storm damage and to provide and maintain transportation that meets the needs of all Californians.

Project Adaptation Analysis

Caltrans District 8 completed a climate change vulnerability assessment to better understand the vulnerability of their portion of the State Highway System. While the project area is not specifically listed as vulnerability priority areas, the area will experience effects of climate change.

Temperature, precipitation, and wildfire are three climate stressors that will affect the project area in the future. Both the absolute minimum air temperature and the change in average maximum temperature over 7 consecutive days (a required measure for pavement design) will increase by up to 7.9 degrees Fahrenheit by 2055. Precipitation depth in 100-year storm events in the project area could change up to 4.9 percent by 2055. Wildfire concern levels along SR-71 and SR-91 in the project area are rated "medium" for 2025, 2055, and 2085.

Local and regional plans include strategies to combat climate change; these plans are listed above in Table 3.6-1.

Climate-change risk analysis involves uncertainties as to the timing and intensity of potential risks.

Sea Level Rise

The proposed project is outside the coastal zone and not in an area subject to SLR. Accordingly, direct impacts to the Grove Avenue Corridor due to projected SLR are not expected.

Floodplains

Based on the *Floodplain Evaluation Rep*ort (September 2015) and *Water Quality Technical Report* (June 2016) and as discussed in Section 2.3.1, Hydrology and Floodplains, FEMA's FIRM shows the project is fully encompassed by the 500-year flood plain (Zone X-shaded; 0.2 percent annual chance flood), and the West Cucamonga Channel resides in Zone A (1 percent annual chance flood). Appendix I contains the FIRM for the site and surrounding area.

The roadway widening associated with the Build Alternative would geometrically encroach on the West Cucamonga Channel's floodplain at the culvert crossings;; it is not anticipated that the proposed work would alter the floodplain. The culvert crossings would only be extended to accommodate the roadway widening by a maximum of approximately 37 feet. Other than the culvert extensions, there would be no modifications to the existing channel, and the 100-year flood event would still be contained in the channel under the proposed conditions.

Because the proposed work is located on an existing roadway, a new roadway alignment is not a feasible alternative to floodplain encroachment. The only variable to the impacts of the culvert extensions is the degree of encroachment; therefore, during the final design and construction phases, disturbance to the floodplain shall be minimized where possible. The project would not result in a significant encroachment to the 100-year floodplain.

The proposed project would be designed to minimize impacts, where possible, by limiting the grading and structural encroachments at designated floodplain and floodway areas. The project would also implement various measures to minimize impacts to the floodplain, including providing positive drainage (HYD-1), compliance with the City of Ontario's Water Quality Management Plan (HYD-2), implementing erosion control and water quality protection during construction at the West Cucamonga Channel (HYD-3), developing a contingency plan for unforeseen discovery of underground contaminants in the SWPPP (HYD-4), and limiting construction activities between October and May to those actions that can adequately withstand high flows and entrainment of construction materials (HYD-5).

Wildfire

Based on CalFire's Fire Hazard Severity Zone map, the Grove Avenue Corridor Project area is not located near a Very High Fire Hazard Severity Zone (see Section 3.5, Wildfire). Therefore, the project would not be exposed to wildfire hazards and would not increase the area's vulnerability to wildfires due to climate change.

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Chapter 4 Comments and Coordination

4.1 Early Coordination and Consultation

Early and continuing coordination with the general public and public agencies is an essential part of the environmental process. It helps planners determine the necessary scope of environmental documentation and the level of analysis required, and to identify potential impacts and avoidance, minimization, and/or mitigation measures and related environmental requirements. Agency consultation and public participation for this project have been accomplished through a variety of formal and informal methods, including PDT meetings and interagency coordination meetings. This chapter summarizes the results of Caltrans and City efforts to fully identify, address, and resolve project-related issues through early and continuing coordination.

4.1.1 Notice of Preparation

To fulfill CEQA requirements, an NOP of an EIR was written and circulated to announce the commencement of the EIR process for the Grove Avenue Corridor Project. The NOP is included as Figure 4-1.

Submittal of the NOP to the State Clearinghouse (SCH) officially initiated the scoping period, which began on November 5, 2014, and ended 30 calendar days later on December 4, 2014. After receiving the NOP, the SCH identified the project as SCH #2014101071 and distributed copies of the NOP to State agencies with a potential interest in the proposed project.

Fifteen (15) copies of the NOP were provided to the SCH. The following agencies and departments received a copy of the NOP via the SCH:

- ARB
- Caltrans (District 8)
- Department of Conservation, Fish and Wildlife Inland Deserts Region
- NAHC
- Office of Historic Preservation
- Department of Parks and Recreation
- Public Utilities Commission
- Santa Ana RWQCB
- SWRCB (Water Quality)
- DTSC
- SCAQMD

City of Ontario
Planning Department
303 East "B" Street
Ontario, California
Phone: (909) 395-2036
Fax: (909) 395-2420

California Environmental Quality Act

Notice of Preparation

TO: Property Owners, Responsible Agencies & Interested Parties

FROM: City of Ontario, Planning Department, 303 East "B" Street, Ontario, CA 91764

SUBJECT: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE GROVE AVENUE CORRIDOR WIDENING PROJECT

NOTICE IS HEREBY GIVEN that the City of Ontario will be the Lead Agency and will prepare an Environmental Impact Report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the Environmental Impact Report prepared by our agency when considering your permit or other approval for the project.

The Project description, location and the probable environmental effects are contained in the attached materials.

The proposed project ☒ is, ☐ is not, considered a project of statewide, regional or area-wide significance. The proposed project ☒ will, ☐ will not, affect highways or other facilities under the jurisdiction of the State Department of Transportation. A scoping meeting ☒ will, ☐ will not, be held on:

November 20, 2014 at 5pm at the Ontario Senior Center located at 225 East "B" Street, Ontario, CA 91764.

Your response must be sent at the earliest possible date, but no later than December 4, 2014. Please send your response to Richard Ayala, Senior Planner at the address shown above or at rayala@ci.ontario.ca.us. We will need the name for a contact person in your agency.

Project Title: Grove Avenue Corridor Widening Project

Project Location: The project site is generally located along Grove Avenue from north of 4th Street to Airport Drive in the City of Ontario, County of San Bernardino. Please refer to Figures 1 and 2.

Project Description: The proposed Grove Avenue Corridor Widening Project consists of widening Grove Avenue from four to six lanes from north of 4th Street to Airport Drive.

Environmental Issues: Based on an initial analysis of the Project, the following environmental topics will be analyzed further within the forthcoming Environmental Impact Report:

- Aesthetics;
- Air Quality, including potential Greenhouse Gas Emissions and Global Climate Change impacts;
- Biological Resources;
- Cultural Resources;
- Geology and Soils;
- Hazards/Hazardous Materials;
- Hydrology/Water Quality;
- Land Use;
- Noise;
- Population and Housing;
- Public Services and Utilities;
- Recreation; and
- Transportation and Circulation.

Figure 4-1. Notice of Preparation (Page 1 of 3)

Project Sponsor:

City of Ontario
303 East "B" Street
Ontario, CA 91764-4105
Contact: Richard Ayala
Phone: (909) 395-2036

Consulting firm retained to prepare draft Environmental Impact Report:

Parsons
3200 East Guasti Road, Suite 200
Ontario, CA 91761
Contact: Ernie Figueroa
Phone: (909) 218-3560

Signature: _____ Date: 10/30/14

Name *(print or type)*: RICHARD AYALA Title: SENIOR PLANNER

Reference: California Code of Regulations, Title 14 (CEQA Guidelines) Sections 15082(a), 15103, 15375.

Figure 4-1. Notice of Preparation (Page 2 of 3)

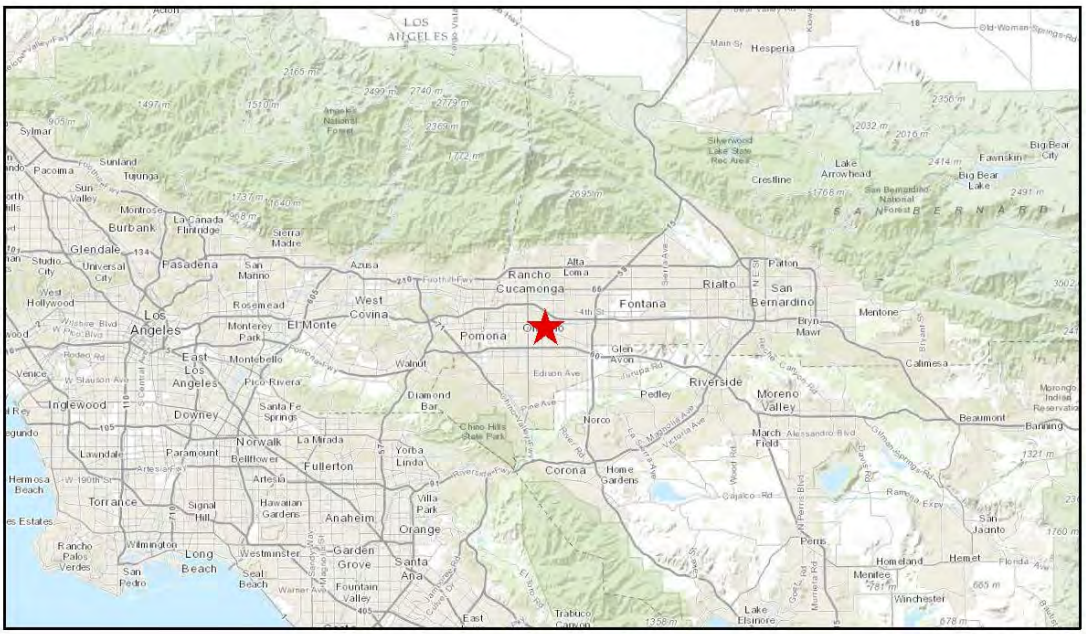


Figure 1
Project Location Map

Figure 2
Project Vicinity Map

Figure 4-1. Notice of Preparation (Page 3 of 3)

In addition, the NOP was mailed to 26 local, State, and federal agencies with potential interest in or jurisdiction of the proposed project. This mailer to agencies included a Notice of Initiation of Studies (NOIS) for the Grove Avenue Corridor Project.

4.1.2 Public Mailers and Newspaper Advertisement

On November 5, 2014, the City sent 1,100 public notices to all property owners within 300 feet of the project corridor. The public notice included summary information about the project, a project location map, information on the scoping meeting, and contact information for more information. The purpose of the public notice was to inform the public of the initiation of studies, announce the public scoping meeting, and announce the opportunity to comment on the proposed project. The one-page notice was printed double-sided, with an English version on the front side and a Spanish version on the back side. In addition, each mailer included a double-sided print with English and Spanish versions of the public notice for the Grove Avenue Corridor Project.

In addition, a newspaper notice was published for the project in the *Inland Valley Daily Bulletin* on November 7, 2014.

4.1.3 Scoping Meeting

During the 30-day scoping period, one public scoping meeting was held at the Ontario Senior Center to encourage public participation in the environmental process. The meeting was held November 20, 2014, from 5:00 to 6:00 p.m. for agency representatives and from 6:00 to 8:00 p.m. for the general public. The scoping meeting was held concurrently with a public hearing for the I-10/Grove Avenue Interchange Project.

The public scoping meeting was conducted in open-house format with aerial maps and informational boards on display. The informational boards included content related to the project purpose; proposed alternatives; potential impacts; environmental process; and conceptual project schedule. In addition, a comment station was set up so meeting participants could submit comments at the meeting. A PowerPoint presentation of all of the boards was translated into Spanish and played on loop for Spanish-speaking attendees. Staff members from the City, Caltrans, and Parsons were on hand to answer questions and facilitate the meeting.

Details regarding the number and affiliation of participants that attended the scoping meeting are provided in Table 4-1. If no affiliation was listed on the sign-in sheet, then the meeting attendee was counted as “resident.”

Table 4-1. Number and Affiliation of Participants at Scoping Meeting

Affiliation	November 20, 2014 Scoping Meeting Attendees
Resident	29
Community-Based Organization	1
Business Owner	4
Public Agency	1
Total	**35**

Source: Parsons, 2014.

A *Scoping Summary Report* (February 2015) was prepared for the proposed project. The purpose of the scoping process under CEQA is to examine a proposed project early in the environmental analysis/review process to identify the range of issues pertinent to the proposed project and feasible alternatives or mitigation measures to avoid the potentially significant adverse environmental effects of those alternatives. The scoping process stresses early consultation with resource agencies, other State and local agencies, Tribal governments, and any federal agency whose approval or funding of the proposed project would be required for completion of the project, as well as interested members of the general public.

Under NEPA, the lead agency is required to conduct an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action (Section 1501. 7, 40 CFR). The scoping process is used to identify the range of alternatives to be addressed in the environmental document.

4.1.3.1 Public Scoping Comment Period Summary

A total of 24 comments were received during the scoping period. Fifteen (15) comment cards were completed and submitted at the scoping meeting. In addition, 2 letters were received from residents or property owners and 7 letters were received from notified agencies.

The following list summarizes the most common issues that property owners and residents identified during the scoping period. Most comments addressed more than one topic.

- Request to be added to project notification list for future updates – **6 comments**
- Noise impacts – **4 comments**
- Air quality impacts – **3 comments**
- Property value – **3 comments**

- Support for both projects – **2 comments**
- Requested poster slides in Spanish – **2 comments**
- Community impacts – **2 comments**
- Business impacts – **2 comments**
- ROW acquisition – **2 comments**
- Suggestions for design variations – **2 comments**
- Concerns over road closures and circulation during construction – **1 comment**
- Oppose both projects – **1 comment**
- Flood control facility impacts – **1 comment**

Finally, comments received from local, State, and federal agencies are summarized in Table 4-2.

Table 4-2. Summary of Agency Comments Received during the Scoping Period

Agency	Comment
CDFW	• Requested that the environmental document contain sufficient biological resource analysis, quantification of impacts, cumulative impact analysis, and mitigation measures. • Confirmed that a Lake or Streambed Alteration Agreement would be necessary to construct the project. • Noted that special-status species surveys and an incidental take permit may be required.
NAHC	• Requested that a records search, Sacred Lands File check, and coordination with Native American groups be conducted. • Requested that mitigation measures for cultural resources be included in the environmental document. • Noted that an archaeological inventory survey may be required.
SCAQMD	• Provided guidance for air quality analysis and suggested quantification of construction and operational emissions. • Suggested use of SCAQMD regional and localized significance thresholds. • Recommended conducting a mobile source health risk assessment and analysis of all toxic air contaminant impacts.
Ontario-Montclair School District	• Provided a list of schools in the project vicinity. • Suggested specific content to be included in the project's TMP.
San Bernardino County Department of Public Works	• Requested that the environmental document examine hydrology and water quality impacts. • Requested the opportunity to review the draft environmental document and design plans when available.
City of Rancho Cucamonga	• Provided no comments, but requested to be included in future project-related correspondence.

Table 4-2. Summary of Agency Comments Received during the Scoping Period

Agency	Comment
USACE	• Confirmed that a Section 404 permit would be necessary to construct the project. • Indicated that the proposed project may also require a Section 408 permit and other real estate approvals issued through the USACE Asset Management Division.
EPA	• On April 28, 2015, the TCWG, which includes EPA personnel, provided concurrence that the project was not a POAQC based on the $PM_{2.5}$ and PM_{10} review forms that were submitted. The form was resubmitted to the TCWG in June 2020 to obtain concurrence, as shown in Appendix e of the *Air Quality Conformity Analysis* (July 2020). Also provided in Appendix D of the *Air Quality Conformity Analysis* is the TCWG's June 2020 confirmation that the proposed project in not a POAQC and does not require a hot-spot analysis to be performed.

The comments received during the scoping period were shared with the PDT and were considered during the development of alternatives and evaluation of environmental impacts.

4.2 Native American Consultation and Coordination

On March 9, 2015, the NAHC was requested to review its sacred land records. The NAHC responded on April 22, 2015, stating that the search of the sacred land file failed to indicate the presence of Native American cultural resources in the immediate project area. However, six Native American Tribes, groups, and individuals were still contacted to solicit any concerns regarding cultural resources within the project vicinity. Table 4-3 shows all individuals who were contacted regarding consultation, title, organization, and responses to the project.

Table 4-3. Native American Consultation

Name	Title	Organization	Response
Anthony Morales	Chairperson	Gabrieleno/Tongva San Gabriel Band of Mission Indians	Requested that archaeological monitoring should be conducted to capture any subsurface archaeological material.
Sandonne Goad/ Sam Dunlap	Chairperson/ Cultural Resources Director	Gabrielino/Tongva Nation	Consultation deferred to Mr. Sam Dunlap. Mr. Dunlap recommended archaeological monitoring and oversight during construction. He requested to be informed of any unanticipated discovery of prehistoric cultural material and have the option of implementing a Native American monitoring component.

Table 4-3. Native American Consultation

Name	Title	Organization	Response
Andrew Sales	Chairperson	Gabrieliño Band of Mission Indians	No response.
Daniel F. McCarthy	Cultural Resources Management	San Manuel Band of Mission Indians	Mr. McCarthy requested a copy of the record of findings and a copy of a draft cultural resources report.
Goldie Walker		Serrano Nation	Ms. Goldie Walker requested to be notified if any cultural resources are observed during construction activities related to the project; she emphasized she would like to be contacted no matter how small the artifact. She also requested to be contacted immediately if any human remains are encountered.

4.3 Draft EIR/EA Public Comment Period

The Draft EIR/EA was circulated for public review, beginning on August 19, 2019, and ending on October 2, 2019.

4.3.1 Notice of Availability

To fulfill CEQA requirements, a Notice of Availability (NOA) of the Draft EIR/EA was prepared and circulated to announce the start of the public comment period for the Grove Avenue Corridor Project. The NOA is included as Figure 4-2.

The NOA and Notice of Completion (NOC) were filed with the San Bernardino County Clerk of the Board on August 16, 2019, for posting until September 28, 2019.

The NOC, along with 15 copies of the NOA, Executive Summary, SCH Summary Form, and CDs with the Draft EIR/EA, was submitted to the SCH for posting on the CEQANet database and distribution to State agencies. The following State agencies and departments received a copy of the NOA and Draft EIR/EA via the SCH:

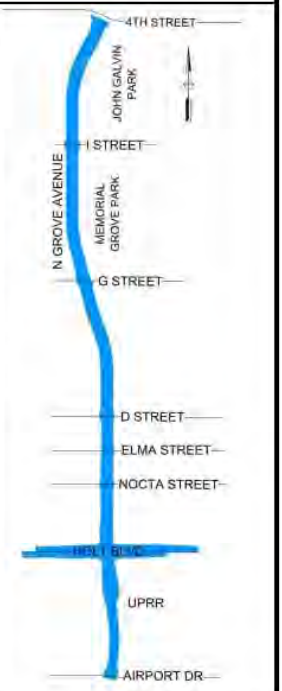
- California Resources Agency
- Department of Conservation
- CDFW, Region 6
- Department of Parks and Recreation
- Department of Water Resources
- Department of Aeronautics
- CHP

PUBLIC NOTICE
Grove Avenue Corridor Project

Notice of Availability of the Draft Environmental Impact Report/Environmental Assessment and Announcement of Public Meeting

WHAT'S BEING PLANNED

The City of Ontario (City) in cooperation with the California Department of Transportation (Caltrans), is proposing the Grove Avenue Corridor Project to improve traffic operations and mobility to and from the Ontario International Airport (ONT), and provide consistency of access and mobility along Grove Avenue between the I-10 freeway and Holt Boulevard. The project proposes to widen Grove Avenue from four to six lanes between 4th Street and State Street/Airport Drive in accordance with the City of Ontario Master Plan of Streets and Highways.



WHY THIS AD?

The City of Ontario and Caltrans have studied the effects this project may have on the environment. Our studies show it will not significantly affect the quality of the environment. The report that explains why is called an Environmental Impact Report/ Environmental Assessment. This notice is to inform you of the preparation of the proposed Draft Environmental Impact Report/Environmental Assessment and of its availability for you to provide input and attend a public meeting.

A Public Meeting will be held to give you an opportunity to talk about the environmental impacts of this project with City staff before the final alternative is selected. Written comments will become part of the public record and will be considered in the Final EIR/EA.

WHAT'S AVAILABLE?

The Draft EIR/EA is available for review at the following locations:

- City of Ontario Planning Department, 303 East "B" Street, Ontario, CA 91764
- Ovitt Family Community Library, 215 East C Street, Ontario, CA 91764
- South Ontario Library/Colony High Branch Library, 3850 E Riverside Drive, Ontario, CA 91761
- Caltrans District 8 Office, 464 W 4th Street, San Bernardino, CA 92401 (Available for review on weekdays from 8 am to 4 pm). Please ask the guards at the security desk in the lobby to contact Aaron Burton upon arrival.
- To view electronic copies of the document, go to: www.ontarioca.gov/planning

WHERE YOU COME IN

Do you have any comments about processing the project with the EIR/EA? Do you disagree with the findings of Draft EIR/EA? Would you care to make any other comments on the project? Please submit your comments via email to rayala@ontarioca.gov or in writing, no later than October 2, 2019 to:

Mr. Richard Ayala, Senior Planner
Attn: Grove Avenue Corridor Project
Planning Department
City of Ontario
303 East "B" Street
Ontario, CA 91764-4105

The City will be accepting comments from August 19 to October 2, 2019. Following the public and agency review and comment period, if there are no major comments, and the project is given environmental approval and funding is obtained, the City will proceed with the project's design.

WHEN AND WHERE

The Public Meeting will be held at the **Ontario Senior Center located at 225 East "B" Street, Ontario, California 91764 on September 19, 2019, between 5:00 p.m. and 8:00 p.m.** You are invited to attend any time between the hours of 5:00 p.m. and 8:00 p.m.

CONTACT

Individuals who require special accommodation (American Sign Language interpreter, accessible seating, documentation in alternative formats, etc.) are requested to contact the City of Ontario, Attention: Richard Ayala, Senior Planner, Planning Department, 303 East "B" Street, Ontario, CA 91764 at least 7 days prior to scheduled meeting date. TDD users may use the California Relay Service 1-800-735-2929 (TTY to Voice), 1-800-735-2922 (Voice to TTY), 1-800-854-7784 (From or to Speech to Speech), or dial 711. For more information about the Draft EIR/EA or any project issue, call Richard Ayala at (909) 395-2421. Thank you for your interest in this project.

EA 0815000220

Figure 4-2a: Notice of Availability (English)

Aviso Público
Proyecto del Corredor de la Avenida Grove
Anuncio de la Disponibilidad del Anteproyecto de Informe de Impacto Ambiental/Evaluación Ambiental y Anuncio de Reunión Pública

¿QUÉ SE PLANIFICA?

La Ciudad de Ontario (Ciudad) en cooperación con el Departamento de Transportación del Estado de California (Caltrans), propone el Proyecto del Corredor de la Avenida Grove para mejorar las operaciones de tráfico y movilidad de ida y vuelta al Aeropuerto Internacional de Ontario (ONT), y asi facilitar accesibilidad y movilidad por la Avenida Grove entre la Carretera Interestatal 10 y el Boulevard Holt. El proyecto propone ampliar la Avenida Grove de cuatro a seis carriles entre la Calle 4ta y la Calle State/Airport Drive según el Plan Maestro de Calles y Carreteras de la Ciudad de Ontario.

¿POR QUÉ ESTE AVISO?

La Ciudad de Ontario y Caltrans han estudiado los impactos que este proyecto pudiera causar al medio ambiente. Nuestro análisis demuestra que el proyecto no tendrá impacto significativo a la calidad del medio ambiente. El informe que explica el porqué, se llama un Anteproyecto de Informe de Impacto Ambiental/ Evaluación Ambiental (EIR/EA, por sus siglas en inglés). Este aviso público sirve para notificarle de la preparación y disponibilidad del Anteproyecto de Informe de Impacto Ambiental/Evaluación Ambiental propuesto, para que tenga la oportunidad de dar a conocer su opinión y asistir una reunión pública.

Se tendrá una reunión pública para darle una oportunidad de hablar sobre los impactos medioambientales del proyecto con personal de la Ciudad antes que el alternativo preferido sea adoptado. Comentarios escritos pasarán a formar parte del registro público y serán considerados en la Versión Final EIR/EA.

¿QUÉ ESTÁ DISPONIBLE?

El Anteproyecto EIR/EA está disponible para revisión en las siguientes ubicaciones:

- City of Ontario Planning Department, 303 East "B" Street, Ontario, CA 91764
- Ovitt Family Community Library, 215 East C Street, Ontario, CA 91764
- South Ontario Library/Colony High Branch Library, 3850 E Riverside Drive, Ontario, CA 91761
- Caltrans District 8 Office, 464 W 4th Street, San Bernardino, CA 92401 (Disponible para revisión entre semana entre las 8 am a las 4 pm). Al llegar, favor de preguntar a los guardias en el mostrador de seguridad en el vestíbulo que llamen a Aaron Burton.
- Para obtener copias electrónicas del documento, visite: www.ontarioca.gov/planning

¿CÓMO PARTICIPAR?

¿Tiene algún comentario sobre el procesamiento del proyecto con el EIR/EA? ¿No está de acuerdo con los hallazgos del Anteproyecto EIR/EA? ¿Le gustaría hacer algún otro comentario sobre el proyecto? Favor de enviar sus comentarios por correo electrónico a rayala@ontarioca.gov o por correo, a más tardar el 2 de octubre del 2019, a:

Mr. Richard Ayala, Senior Planner
Attn: Grove Avenue Corridor Project
Planning Department
City of Ontario
303 East "B" Street
Ontario, CA 91764-4105

La Ciudad aceptará comentarios del 19 de agosto al 2 de octubre del 2019. Después del período de revisión y comentarios del público y de la agencia, la Ciudad procederá con el diseño final sólo si no hay comentarios significativos, si el proyecto recibe aprobación ambiental, y se obtiene financiación.

¿CUÁNDO Y DÓNDE?

La reunión pública se llevará a cabo en el **Ontario Senior Center ubicada en 225 East "B" Street, Ontario, California 91764 el 19 de septiembre del 2019 entre las 5:00 p.m. a las 8:00 p.m.** Está invitado a asistir en cualquier momento entre las 5:00 p.m. a las 8:00 p.m.

CONTACTAR

Individuos que requieren acomodación especial (Intérprete de lenguaje de señas americano, asientos accesibles, documentación en formatos alternativos, etc.) deben comunicarse con la Ciudad de Ontario, Atención: Richard Ayala, Senior Planner, Planning Department, 303 East "B" Street, Ontario, CA 91764 al menos 7 días antes de la fecha programada para la reunión pública. Usuarios de dispositivo de telecomunicaciones para sordos (TDD por sus siglas en inglés) pueden usar el Servicio de Retransmisión de California llamando al 1-800-735-2929 (Máquina de escribir de teléfono o teletipo a voz - TTY, por sus siglas en inglés), o 1-800-735-2922 (de voz a TTY), 1-800-854-7784 (de/a voz a voz - STS por sus siglas en inglés), o marque 711. Para más información acerca del Anteproyecto EIR/EA o cualquier otro asunto que tiene que ver con el proyecto, llame a Richard Ayala al número (909) 395-2421. Gracias por su interés en este proyecto.

EA 0815000220

Figure 4-2b: Notice of Availability (Spanish)

- Caltrans, District 8
- ARB: Transportation Projects
- Department of Resources, Recycling and Recovery
- SWRCB: Division of Drinking Water
- RWQCB, Region 8
- DTSC
- NAHC
- Public Utilities Commission

4.3.2 Public Mailers and Newspaper Advertisement

The NOA was published in the *Inland Valley Daily Bulletin* on August 19, 2019, which was the start of the public comment period.

Copies of the NOA in both English and Spanish were distributed to 58 responsible and trustee agencies, public agencies, and parties known to have an interest in the project. The English and Spanish NOA was also mailed out to 17 scoping meeting attendees and property owners of the 624 parcels within 300 feet of the project alignment. In addition, a notification letter was sent to 12 federal, State, and local officials, along with a copy of the Executive Summary of the Draft EIR/EA. The distribution list is provided in Appendix L.

Hard copies of the Draft EIR/EA were also made available for public review at Caltrans' District 8 office, the City of Ontario City Clerk office and Planning Counter, the South Ontario Library, and the Ovitt Family Community Library. Pdf files of the Draft EIR/EA were also uploaded to the City's website for online review and downloading: www.ontarioca.gov/planning.

4.3.3 Public Meeting

During the 45-day public comment period, one public meeting was held at the Ontario Senior Center to encourage public participation in the environmental process. A public meeting/open house was held on September 19, 2019, at the Ontario Senior Center from 5:00 to 8:00 p.m. A PowerPoint presentation and display boards of the project, project acquisition, proposed soundwalls, the environmental review process, and opportunities for comment and input were provided at the meeting, along with hard copies of the NOA and Draft EIR/EA. Staff from the City of Ontario and consultants from Parsons and Bender-Rosenthal were at the meeting to respond to questions from the attendees. Approximately 20 people attended the meeting, with 12 of them signing in. Issues discussed at the public meeting included:

- Real estate acquisition process
- Valuation and relocation processes
- No interest in living adjacent to a six-lane roadway
- Support of the project
- Full acquisition versus partial acquisition for individual properties
- Appropriate compensation
- Need for Health Risk Assessment that looks at future years
- If analysis included projections
- Existing and future noise levels
- Soundwalls along their properties
- Construction schedule, next steps
- Width of partial acquisition
- Trouble getting out of driveway into the busy street
- Distance of new sidewalk to residences
- Accidents along Grove Avenue
- Reduction in speed limit
- Blocking of driveways during construction
- Where soundwalls would be or would not be provided
- Negotiation process for new driveway and soundwall
- Safety of kids crossing Grove Avenue and G Street to get to school
- Upgrade of Grove Avenue like other new streets in the City
- Installation of streetlight beside residence
- Funding sources
- Construction of Grove Interchange and Grove Corridor

4.3.3.1 Public Comment Summary

Four comment cards were received at the public meeting/open house from the following attendees:

- Norberto Corona
- Maria Hernandez
- Ray Mendoza
- Ernestine Mendoza

At the end of the public comment period, eight additional comment letters were received from the following agencies, organizations, and individuals on the Draft EIR/EA:

- Lijin Sun, SCAQMD
- Alexandra McCleary, San Manuel Band of Mission Indians
- Craig Misso, Ontario-Montclair School District
- Carolyn Mulvihill, EPA
- Lidia Rodriguez
- Jerry Hale
- AJ Gerber/Michael Perry, San Bernardino County Department of Public Works
- Scott Morgan, SCH

A summary of the comments received during the public comment period for the Draft EIR/EA is provided in Table 4-4.

Table 4-4. Summary of Comments Received during the Public Comment Period

Commenting Agency/Person	Comment
Norberto Corona	• Requested noise table from Draft EIR/EA for noise levels and soundwall proposed at R50
Maria Hernandez	• Wider street with a traffic light to turn left for safety, with an arrow at Grove Avenue and G Street
Ray Mendoza	• Access to park and soundwall, speed limit, tree removal, impact on property values, construction schedule, and lighting levels
Ernestine Mendoza	• Frequent accidents and need for school kids crossing at G Street and Grove Avenue • High noise levels • Change in area flooding
SCAQMD	• Proximity to existing residential uses and exceedance of Localized Significance Threshold for PM_{10} • Quantification of PM_{10} emissions after mitigation • Mitigation measures to incorporate into the project, such as use of zero-emission or near-zero emission heavy-duty haul trucks, limit number of daily truck trips, use of Level 3 Diesel particulate filters, use of Tier 4 off-road diesel-powered equipment, maintenance of equipment, and application for SOON funds • Provide written responses, conclusory statements, feasibility of recommended mitigation measures
San Manuel Band of Mission Indians	• Project is located outside Serrano ancestral territory
Ontario-Montclair School District	• Use of comment letter does not indicate or suggest District is involved in project or CEQA compliance • Project schedule and road closures/detours that could issue bus stops
EPA	• Cumulative impacts from construction emissions • Implement all feasible mitigation to minimize emissions

Table 4-4. Summary of Comments Received during the Public Comment Period

Commenting Agency/Person	Comment
Lidia Rodriguez	• Safety of children crossing Grove Avenue at I, G, and D streets • Impacts on Veterans Memorial and James Galanis Parks • Reduction of speed limit • Increase in noise and air pollution from trucks • 10 other more direct traffic corridors to the airport • Safe entry and exit from driveways on Grove Avenue
Jerry Hale	• More traffic will be more dangerous for children crossing G and D Streets • Cars speeding and more accidents • Higher noise levels but only certain houses get a soundwall • Driveway on Grove Avenue will be dangerous • Loss of front and backyard and driveway, retain fence and gate, room for parking in driveway • Affected residents have not been taken into consideration
San Bernardino County Department of Public Works	• Alteration of storm drains in the area will require approval from the City and any required mitigation • Project is within 500-year floodplain — Zone X-shaded • Enforce FEMA regulations for floodplain construction • Encroachment on District ROW or facilities will require permits • Requires consideration of reversible lanes
SCH	• Project compliance with review requirements under CEQA

These comments have been responded to in writing and can be found in Appendix J of this Final EIR/EA. Where necessary, changes to the text of the Draft EIR/EA were made in response to the comments. As indicated earlier, a vertical line in the margin indicates a change made since circulation of the draft environmental document.

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Chapter 5 List of Preparers

The following Caltrans staff and consultants contributed to preparation of the draft and final environmental documents.

5.1 Caltrans Staff

Aaron Burton, Senior Environmental Planner

5.2 Consultant Staff

Group Delta

Glenn Burks, Director of Environmental Services. Bachelor of Science, Chemical Engineering, University of California, San Diego; Ph.D. Environmental Engineering, University of California, Los Angeles; Professional Chemical Engineer. 21 years of experience in Process Engineering; Phase II Soil Investigations; Environmental Compliance; Remedial Investigation, Remedial Design and Implementation including Green and Sustainable Remediation. Contribution: Oversight and author of the Site Investigation and the Aerially Deposited Lead Investigation.

Jack Packwood, Senior Project Manager. Bachelor of Science, Environmental Science, University of California, Riverside; Master of Science, Environmental Science, California State University, Fullerton. 12 years of experience in construction compliance, site assessment, remediation, water quality, stormwater, and waste management. Contribution: Project Manager for the Aerially Deposited Lead Study and Site Investigation.

Cogstone

Sherri Gust, Qualified Principal Paleontologist. Bachelor of Science, University of California Davis; Master of Science, Anatomy (Evolutionary Morphology), University of Southern California, Los Angeles. 35 years of experience in California paleontology. Contribution: Author of Archaeological Survey Report, contributing author of the Paleontological Identification Report/ Paleontological Evaluation Report.

John Harris, Paleontology Practice Leader. Ph.D., Geology with paleontology emphasis, University of Bristol. 40 years of experience. Contribution:

Contributing author of the Paleontological Identification Report/ Paleontological Evaluation Report.

Kim Scott, Principal Paleontologist. Master of Science, Biology with paleontology emphasis, California State University, San Bernardino. 20 years of experience in California paleontology. Contribution: Contributing author of the Paleontological Identification Report/Paleontological Evaluation Report.

Helix Environmental Planning

Karl Osmundson, Principal Biologist/Biology Group Manager

Joshua Zinn, Ecologist and Regulatory Specialist

Entech Consulting Group

Zack Dennis, Environmental Scientist. G.D.E., Metallurgy, University of the Witwatersrand, Johannesburg, South Africa, 2004; Bachelor of Science, Chemistry, Harvey Mudd College. 16 years of experience performing TNM 2.5 noise modeling, noise monitoring and writing NSRs. Contribution: Co-author of NSR.

Michelle A. Jones, Principal Engineer. Bachelor of Science, Civil Engineering, University of Washington. 23 years of experience performing and managing the development of NSRs. Contribution: Co-author of NSR.

Parsons

Josephine Alido, AICP, Principal Planner. Bachelor of Science, Architecture, University of the Philippines and Masters in Planning, University of Southern California. 28 years of experience in CEQA documentation and processing. Contribution: Revised environmental document per City and Caltrans comments.

Joza M. Burnam, Senior Planner. Bachelor of Science, Environmental Sciences, University of California, Riverside. 9 years of air quality and noise experience. Contribution: Coordinated, assisted in preparation of, and reviewed NSR and Air Quality Study; contributing author of the draft environmental document; and review of the environmental document.

Monica Corpuz, Associate Planner. Master of Arts, Anthropology-Public Archaeology, California State University, Northridge. 3 years of environmental planning experience. Contribution: Author of Section 4(f) Report; coordinated, assisted

in preparation of, and reviewed HPSR and HRER; reviewed ASR, Paleontological Identification Report/Paleontological Evaluation Report; contributing author of the draft environmental document; and review of the environmental document.

Sidra Fatima, Associate Environmental Planner. Bachelor of Science, Urban and Regional Planning; Minor in Geographic Information Systems, California State Polytechnic University, Pomona. 2 years of planning experience. Contribution: Researched census data, created exhibits and assisted in preparation of Community Impact Assessment; contributing author of Section 4(f); contributing author of the draft environmental document; and review of the environmental document.

Ernie Figueroa, Principal Project Manager. Juris Doctorate, University of La Verne. 25 years of experience in project management and CEQA/NEPA document preparation oversight. Contribution: Peer review and quality assurance/quality control of the environmental document.

Melissa Gomez P.E., Project Engineer. Bachelor of Science, Structural Engineering, University of California San Diego; MEng Civil & Environmental Engineering, Cornell University. 6 years of engineering experience. Contribution: Author of Noise Abatement Decision Report and Cost Estimates.

Emily Hoyt, Associate Planner. Bachelor of Arts, Urban Studies, Loyola Marymount University. 4 years of environmental planning experience. Contribution: Coordinated and assisted in preparation of the Community Impact Assessment, response to comments, and review of the environmental document.

Teak Kim. Bachelor of Science, Civil Engineering, Keimyung University, South Korea; Master of Science and PhD, Civil & Environmental Engineering, University of Louisville, Kentucky. 23 years of experience performing TNM 2.5 noise modeling, noise monitoring and writing NSRs. Contribution: Co-author of NSR.

Greg King, Senior Project Planner. Bachelor of Arts, History, University of California, Santa Barbara; Master of Arts, Public Historical Studies, University of California, Santa Barbara. 35 years of environmental planning experience. Contribution: Reviewed HPSR and contributed evaluations of properties for the HRER.

Liz Koos, Lead Technical Editor. 28 years of editing experience. Contribution: Technical Editor.

Jeffrey Lormand, Registered Landscape Architect (CA Number 3576). Masters in Landscape Architecture, University of Arizona. 10 years of visual impact assessment experience. Contribution: Review of the Visual Impact Assessment report.

Robert Malone, AICP, Project Planner. Bachelor of Science Management, Clemson University; Master of Regional Planning, University of Massachusetts, Amherst. 16 years of environmental planning experience. Contribution: Contributing author of the draft environmental document and review of the environmental document.

Eve Moir, Associate Planner. Bachelor of Arts, Political Science and Master of Urban Regional Planning, California State Polytechnic University, Pomona. More than 1 year of environmental planning experience. Contribution: Assisted in preparation of and reviewed Community Impact Assessment, HPSR, HRER; contributing author of Section 4(f); assisted with environmental document distribution production and review of the environmental document.

Arianne Preite, Principal Scientist. Master of Science, Environmental Science, Bachelor of Science, Biological Science, California State University, Fullerton. 16 years of environmental planning/biology experience. Contribution: Quality assurance/quality control review of Jurisdictional Delineation, Natural Environment Study, and biology section.

James Santos, Senior Planner. Bachelor of Arts, Urban Economics and Bachelor of Arts, English, University of Toronto. 10 years of experience in environmental and transportation planning. Contribution: Draft environmental document preparation and quality assurance/quality control.

Angela Schnapp, Principal Planner. Master of Science, Environmental Engineering and Bachelor of Science, Nuclear Engineering, University of Illinois Urbana-Champaign. 18 years of experience in environmental and transportation planning. Contribution: Draft environmental document preparation and quality assurance/quality control.

Veronica Seyde, Project Scientist. Certified Professional in Erosion and Sediment Control, Certified Professional in Storm Water Quality, Qualified SWPPP Developer. Master of Science, Environmental Studies, California State University, Fullerton. More than 25 years of experience in water quality sciences. Contribution: Preparer of sections of the Water Quality Technical Report.

Vincent Tong, Associate Planner. Bachelor of Science, Environmental Engineering, University of California, San Diego; Master of Urban and Regional Planning, University of California, Irvine. 1 year of environmental planning experience. Contribution: Assisted in preparation of Community Impact Report; contributing author of the draft environmental document.

Daniel Wagner, Professional Engineer, Senior Engineer. Bachelor of Science, Civil Engineering, San Diego State University. 9 years of roadway design, drainage design, and project management experience. Contribution: Engineering support, Section 4(f), and water quality.

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Chapter 6 Distribution List

Federal Agencies

Karin Cleary-Rose
United States Department of the Interior
Fish and Wildlife Service
Ecological Services
777 East Tahquitz Canyon Way
Suite 208
Palm Springs, CA 92262

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Appendix A Section 4(f) Evaluation

The environmental review, consultation, and any other action required in accordance with applicable federal laws for this project is being, or has been, carried out by Caltrans under its assumption of responsibility pursuant to 23 United States Code (U.S.C.) 327.

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Acronyms and Abbreviations

APE	Area of Potential Effects
ASR	Archaeological Survey Report
Caltrans	California Department of Transportation
CFR	*Code of Federal Regulations*
City	City of Ontario
DOI	U.S. Department of the Interior
EA	Environmental Assessment
EIR	Environmental Impact Report
FTA	Federal Transit Administration
FHWA	Federal Highway Administration
FONSI	Finding of No Significant Impact
HPSR	Historic Property Survey Report
HRER	Historical Resources Evaluation Report
I-10	Interstate 10
LOS	Level of Service
LWCF	Land and Water Conservation Fund
NRHP	National Register of Historic Places
PA	Programmatic Agreement
ROW	right-of-way
SHPO	State Historic Preservation Officer
TCE	temporary construction easement
U.S.C.	United States Code
USDOT	United States Department of Transportation

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Chapter 1 Introduction

Section 4(f) of the Department of Transportation Act of 1966, codified in federal law at 49 United States Code (U.S.C.) 303, declares that "it is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreational lands, wildlife and waterfowl refuges, and historic sites."

Section 4(f) specifies that the Secretary [of Transportation] may approve a transportation project . . . requiring the use of publicly owned land of a public park, recreational area, or wildlife and waterfowl refuge of national, State, or local significance, or land of an historic site of national, State, or local significance (as determined by the federal, State, or local officials having jurisdiction over the park, refuge, or site) only if:

- There is no prudent and feasible alternative to using that land; and
- The project includes all possible planning to minimize harm to the park, recreational area, wildlife and waterfowl refuge, or historic site resulting from the use.

Section 4(f) requires consultation with the United States Department of the Interior (DOI) and, as appropriate, the United States Department of Agriculture, and the Department of Housing and Urban Development in developing transportation projects that use lands protected by Section 4(f). If historic sites are involved, then coordination with the State Historic Preservation Officer (SHPO) is also needed.

The proposed project is a transportation project that may receive federal funding and/or discretionary approvals through the U.S. Department of Transportation (USDOT) (i.e., Federal Highway Administration [FHWA]); therefore, documentation of compliance with Section 4(f) is required.

The FHWA Section 4(f) Checklist, Attachment B – Park, Recreational Facilities, Wildlife Refuges, and Historic Properties Evaluated Relative to the Requirements of Section 4(f), revised September 2003, represents their recommended "best practices" for compliance with Section 4(f) requirements. Attachment B of the Section 4(f) Checklist indicates that all archaeological and historical sites within the Section 106 Area of Potential Effects (APE) and all public parks, recreational facilities, and wildlife refuges within approximately 0.5 mile of any of the project alternatives should be

included in the evaluation. The entire FHWA Section 4(f) Checklist is provided as Appendix A.[1]

This Section 4(f) analysis provides an overview of parks, recreational facilities, wildlife refuges, and historic properties found within 0.5 mile of the proposed project in accordance with the requirements of Section 4(f).

To determine whether Section 4(f) applies to a federal transportation project, two prerequisites are considered: (1) the project must involve a resource that is protected under the provisions of Section 4(f), and (2) there must be a use of that resource. Resources subject to Section 4(f) consideration include publicly owned lands that are considered part of a public park; or a recreational area of national, state, or local significance, whether publicly or privately owned.

1.1 Project Description

One No Build Alternative and one Build Alternative are being considered for the Grove Avenue Corridor Project. The Build Alternative proposes local street improvements along Grove Avenue and improvements at the Grove Avenue/Holt Boulevard intersection. The Build Alternative is bound on the north by 4th Street and on the south by State Street/Airport Drive.

1.2 Purpose and Need

1.2.1 Purpose of Project

The purpose of the proposed Grove Avenue Corridor Project is to accomplish the following objectives:

- To alleviate existing and anticipated future congestion along Grove Avenue between 4th Street and Airport Drive;
- To improve traffic operations and mobility to and from Ontario International Airport, existing and future cargo hub facilities near Grove Avenue and Holt Boulevard, and other planned uses; and
- To provide route continuity along Grove Avenue to conform with the City of Ontario General Plan Circulation Element, which identifies Grove Avenue as a six-lane principal arterial.

[1] Federal Highway Administration. 1997 (revised September 2003). Section 4(f) Checklist.

1.2.2 Need for the Project

Improvements to Grove Avenue are needed to accommodate recent and projected growth in passenger and goods/trucks movement associated with Ontario International Airport and changes in land use since Grove Avenue was originally constructed.

Based on traffic projections and the existing and planned land uses in the vicinity, the existing Grove Avenue facility is forecast to operate at unsatisfactory level of service (LOS) at three intersections within the project limits by 2045 without improvements.

1.3 Project Alternatives

The Grove Avenue Corridor Project considers one No Build Alternative and one Build Alternative to address existing and future projected traffic demands. A summary of the proposed project alternatives is provided below.

1.3.1 No Build Alternative

The No Build Alternative proposes no improvements within the project area. Grove Avenue would maintain the existing four through lanes, and the existing configuration at the Grove Avenue/Holt Boulevard intersection would be maintained.

1.3.2 Build Alternative

The Build Alternative includes widening Grove Avenue from four lanes to six lanes between 4th Street and State Street/Airport Drive in accordance with the City of Ontario Master Plan. South of 4th Street, Grove Avenue would be widened to the west to avoid impacts to the historic Jay Littleton Ballpark. Between I Street and Holt Boulevard, Grove Avenue would be widened to the east, and between Holt Boulevard and State Street/Airport Drive, Grove Avenue would be widened on both sides.

In addition, Holt Boulevard would be widened at the Grove Avenue intersection from two through lanes, two through-right lanes, and one left-turn lane to four through lanes, two through-right lanes, and two left-turn lanes.

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Chapter 2 Regulatory Setting

2.1 Overview

This evaluation identifies the Section 4(f) resources in the Grove Avenue Corridor Project study area, describes the nature and extent of the potential effects on these properties, evaluates alternatives that would avoid the use of Section 4(f) resources, and describes measures to minimize harm to the affected resources.

2.2 Determining Section 4(f) Resources

There are two steps in determining whether Section 4(f) applies to a project:

1. The project must involve a resource that is protected by the provisions of Section 4(f).
2. There must be a "use" of that resource.

Protected resources include:

- Public parks
- Recreational areas of national, state, or local significance
- Wildlife or waterfowl refuges
- Historic sites of national, state, or local significance

2.3 Section 4(f) Use

As defined in 23 *Code of Federal Regulations* (CFR) 774.17, a "use" of a protected resource occurs when any of the following conditions are met:

- **Direct Use:** Land is permanently incorporated into a transportation facility.
- **Temporary Use:** There is a temporary occupancy of land that is adverse in terms of the statute's preservation purpose as determined by the criteria in 23 CFR 774.13(d).
- **Constructive Use:** There is a constructive use of a Section 4(f) property as determined by the criteria in 23 CFR 774.15.

2.3.1 Direct Use

A direct use of a Section 4(f) resource takes place when part or all of the property designated for protection under Section 4(f) is permanently incorporated into a

transportation project (23 CFR Section 774.17). This may occur as a result of partial or full acquisition of a fee simple interest, permanent easements, or temporary easements that exceed the regulatory limits noted below (23 CFR Section 771.135).

2.3.2 Temporary Use

A temporary use of a Section 4(f) property occurs when there is temporary occupancy of a protected property for construction-related activities and when that temporary occupancy is considered adverse in terms of the preservationist purposes of the Section 4(f) statute.

If the following five conditions set forth in 23 CFR Section 774.13(d) can be satisfied, the temporary occupancy of the resource is not considered a use within the meaning of Section 4(f)::

1. The duration of the occupancy must be temporary (i.e., shorter than the period of construction) and does not involve a change in ownership of the property.
2. The scope of the work must be minor, with only minimal changes to the protected resource.
3. There are no anticipated permanent adverse physical impacts on the protected resource and no temporary or permanent interference with the activities or purpose of the resource.
4. The land being used must be fully restored to a condition that at least equals the condition that existed prior to the proposed project.
5. There must be documented agreement by the appropriate officials having jurisdiction over the Section 4(f) resource regarding the above conditions.

2.3.3 Constructive Use

A constructive use of a Section 4(f) resource happens when a transportation project does not permanently incorporate land from the resource in the transportation facility, but the proximity of the project to the Section 4(f) property results in adverse proximity impacts (i.e., noise, vibration, visual, access, and/or ecological impacts) so severe that the protected activities, features, or attributes that qualify the property for protection under Section 4(f) are substantially impaired (23 CFR Section 774.15). Substantial impairment occurs only if the protected activities, features, or attributes of the Section 4(f) property are substantially diminished by the indirect adverse impacts of the project (23 CFR Section 774.15(a)). This determination is made through the following process:

- Identification of the current activities, features, or attributes of the resource that may be sensitive to proximity impacts
- Analysis of the potential proximity impacts of the project on the resource
- Consultation with the appropriate officials having jurisdiction over the resource (23 CFR Section 774.15(d))

2.4 *De Minimis* Impacts

2.4.1 Determining *De Minimis* Impacts to Section 4(f) Resources

A *de minimis* impact to a Section 4(f) resource is a nominal impact that would not be adverse to the activities, features, or attributes of the Section 4(f) resource. A *de minimis* impact finding can be made for some direct uses and temporary uses; however, a *de minimis* impact finding cannot be made for constructive uses.

Under FHWA regulations (23 CFR Section 774.13(d)), temporary occupancy, including temporary construction easements (TCEs), and other temporary project activities are typically considered *de minimis* impacts if they do not exceed the five thresholds discussed above in Section 2.3.2.

Under Section 4(f), *de minimis* impacts to historic resources would be either no impact to the property or a finding of "no adverse effect" under 36 CFR Part 800. For other Section 4(f) protected resources, including publicly owned parks, recreational areas, and wildlife and waterfowl refuges, *de minimis* impacts would be defined as those impacts that do not adversely affect the activities, features, or attributes of the Section 4(f) resource.

The *de minimis* impact finding is based on the level of impact, including any avoidance, minimization, and mitigation or enhancement measures that are included in the project to address the Section 4(f) use. *De minimis* impact findings are expressly conditioned upon the implementation of measures that are relied on to reduce the impact to a *de minimis* level.

As discussed below in Sections 2.4.2 through 2.4.4, to reach a *de minimis* impact finding for properties where a use would occur, the official(s) with jurisdiction over the Section 4(f) resource must provide written concurrence to the California Department of Transportation (Caltrans) that the project would not adversely affect the activities, features, or attributes that qualify the property for protection under Section 4(f). In addition, the public must be afforded the opportunity to review and comment on the effects of the project on the identified Section 4(f) resource(s).

2.4.2 Coordination and Concurrence on *De Minimis* Findings

As discussed above, the regulations require coordination with officials that have jurisdiction over park and historic resources that may be used by the project prior to the approval of Section 4(f) impact findings. Regulations require written concurrence from these officials prior to:

- Making *de minimis* impact findings
- Applying an exception for temporary occupancies
- Applying an exception for transportation enhancement and mitigation activities

For parks, recreational areas, and wildlife and waterfowl refuges, the officials with jurisdiction over the property must be informed of the intent to make a *de minimis* impact determination, after which an opportunity for public review and comment must be provided. Information on coordination with each jurisdiction is provided in detail in Chapter 4.0.

2.4.3 Public Meeting to Disclose Section 4(f) *De Minimis* Finding

After initial formal consultation is conducted with the official representing each potentially impacted resource, a meeting must be held to provide the public with an opportunity to review and comment on the draft environmental document. To facilitate public disclosure, notice of the public meeting must be circulated informing agencies and the general public of the time and place of the meeting, project description, and the proposed *de minimis* findings. During the public meeting and circulation of the draft environmental document, the public must be afforded the opportunity to review the environmental document, as well as to comment on the effects of the project on Section 4(f) resources along the project corridor.

2.4.4 Caltrans *De Minimis* Impact Finding for the Grove Avenue Corridor Project

When seeking a *de minimis* impact determination for a use of Section 4(f) resources, local agencies must work with Caltrans to complete the analysis. Caltrans is responsible for making the *de minimis* impact finding.

After considering any comments received from the public during circulation, and whether the official concurs in writing that the project will not adversely affect the Section 4(f) activities, features, or attributes, then Caltrans finalizes the *de minimis* impact determination on behalf of FHWA. Final Section 4(f) concurrence will be achieved prior to approval of the Finding of No Significant Impact (FONSI).

2.5 Section 6(f) Resources

In addition to resources protected under Section 4(f), this project is also required to analyze potential impacts to properties protected or enhanced with Land and Water Conservation Fund (LWCF) grants. Section 6(f)(3) of the LWCF Act (16 U.S.C. Section 4601-4) contains provisions to protect federal investments in park and recreational resources and the quality of those resources. State and local governments often obtain grants through the LWCF Act to acquire or make improvements to parks and recreational areas. Section 6(f) of the LWCF Act prohibits the conversion of property acquired or developed with LWCF grants to a nonrecreational purpose without the approval of the DOI's National Park Service. Section 6(f) further directs DOI to assure that replacement lands of equal value, location, and usefulness are provided as conditions to such conversions. Consequently, where conversion of Section 6(f) lands are proposed for roadway and highway projects, replacements will be necessary.

To determine whether LWCF funds were involved in the acquisition or improvement of Section 4(f) resources, State Parks staff and database records of all LWCF-funded parks within San Bernardino County were consulted in April 2015 to determine properties pursuant to Section 6(f).[2] This research revealed that no LWCF funds were utilized for improvements at any sites within 0.5 mile of the proposed project; therefore, there would be no effect on LWCF-funded parks or recreational resources.

2.6 Measures to Minimize Harm

As discussed above, there are no prudent and feasible alternatives that would avoid all Section 4(f) resources. The next step is to identify all reasonable measures to minimize harm or mitigate adverse impacts and effects. 23 CFR 774.3(c) provides the following direction:

> *(c) If the analysis … concludes that there is no feasible and prudent avoidance alternative, then the Administration may approve only the alternative that:*
> *(1) Causes the least overall harm in light of the statute's preservation purpose. The least overall harm is determined by balancing the following factors:*
> *i. The ability to mitigate adverse impacts to each Section 4(f) property (including any measures that result in benefits to the property);*

[2] Provided by Cristelle Taillon of California State Parks Grand and Local Services. The report is dated April 1, 2015.

ii. The relative severity of the remaining harm, after mitigation, to the protected activities, attributes, or features that qualify each Section 4(f) property for protection;

iii. The relative significance of each Section 4(f) property;

This section describes how the project alternatives, and other potential minimization measures, could avoid one or more of the Section 4(f) resources, reduce the impacts to one or more Section 4(f) resources, or potentially mitigate impacts to Section 4(f) resources. This section also evaluates whether these measures would be reasonable.

As outlined in 23 CFR 774.17, *all possible planning*, in evaluating the reasonableness of measures to minimize harm, FHWA and Federal Transit Administration (FTA) consider the preservation principles of the Section 4(f) statute, along with:

(i) The views of the officials with jurisdiction over the Section 4(f) property,

(ii) Whether the cost of the measures is a reasonable public expenditure in light of the adverse impacts of the project on the Section 4(f) property and the benefits of the measure to the property, and

(iii) Any impacts or benefits of the measures to communities or environmental resources outside the Section 4(f).

Based on this analysis, some of the project alternatives and other measures that could minimize harm to Section 4(f) resources are not reasonable; however, because the project is currently in the conceptual design phase, it is not possible to draw conclusions about the reasonableness of all potential measures to minimize harm. Therefore, this Section 4(f) Evaluation carries all reasonable and potentially reasonable measures forward for consideration. These measures will be further considered as the project sponsors identify a locally preferred alternative and move into preliminary engineering and final design. In all cases, measures to minimize harm to Section 4(f) resources will be considered in coordination with the relevant consulting parties for historic resources, and with jurisdictions for City of Ontario (City) park resources along the project corridor.

Chapter 3 List and Description of Section 4(f) Properties

3.1 Identification of Section 4(f) Properties

As noted above, resources subject to Section 4(f) consideration include publicly owned lands such as public parks; recreational areas of national, state, or local significance; wildlife and waterfowl refuges; and historic sites of national, state, or local significance.

Resources in the project study area were identified if they were:

- Existing publicly owned recreational and park resources, including local, regional, and State resources;
- Publicly owned wildlife and water fowl refuges and conservation areas;
- Existing public bicycle, pedestrian, and equestrian trails; or
- National Register of Historic Places (NRHP) listed or eligible historic sites.

Research was conducted to identify publicly owned parks, recreational areas, wildlife and waterfowl refuges, and land from a historic site within 0.5 mile of the project alternatives.

Based on this research, there are 12 properties within 0.5 mile of the project corridor that qualify as Section 4(f) resources, including 5 parks, 6 schools with publicly accessible facilities, 1 historic property, and no archaeological sites. As stated previously, no Section 6(f) resources exist within the project study area.

A summary of the number of identified resources is provided in Table 1. A map of public parks and public schools with recreational facilities is provided as Figure 1.

Table 1. Summary of Properties Subject to Section 4(f) Consideration

Type of Property	Geographic Location to Project	Number of Properties Identified
Public Parks	Within 0.5 mile	5
Public Schools with Recreational Areas	Within 0.5 mile	6
Trails	Within 0.5 mile	0
Wildlife and Waterfowl Refuges	Within 0.5 mile	0
NRHP-eligible historic sites	Within 0.5 mile	1
NRHP-eligible archaeological sites	Within 0.5 mile	0

Source: Parsons, 2015.

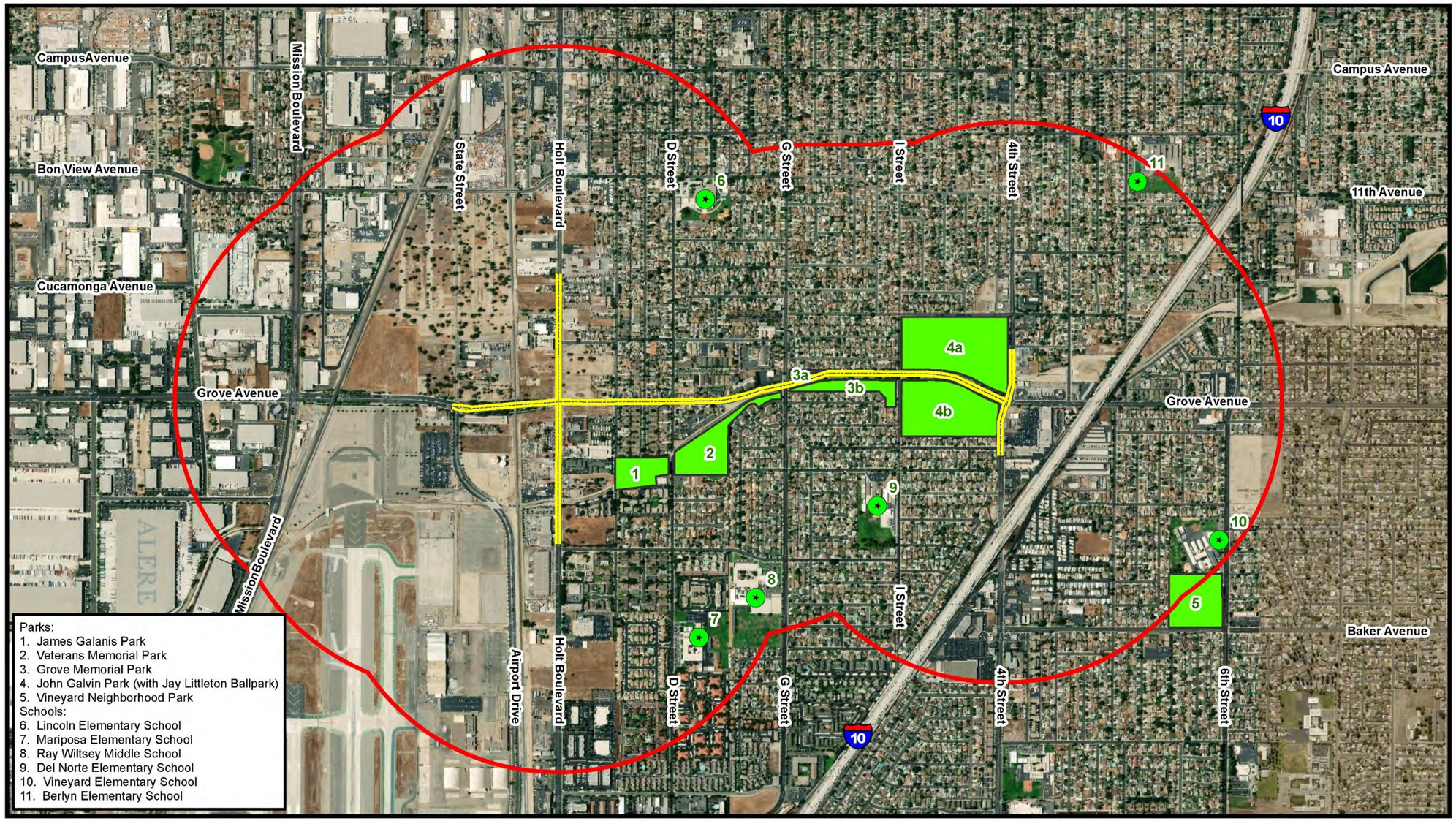
3.2 Public Parks and Recreational Facilities

Eleven (11) publicly owned lands that contain parks and recreational areas are within 0.5 mile of the project corridor, as shown in Figure 1. Of these 11 properties, 6 are public schools with outdoor playgrounds and other recreational facilities, which are assumed to be open to the general public. The remaining 5 properties are outdoor parks. Tables 2 and 3 provide a summary of all 11 properties by type (i.e., school and park), including information on location, ownership, facilities available at each property, and whether the property is subject to Section 4(f) protection.

Table 2. School Facilities within the Study Area

Property Name	Location	Current Ownership	Facilities	Subject to Section 4(f) Protection?
Lincoln Elementary School	440 N. Allyn Avenue Ontario, CA 91764	Ontario Montclair School District	Playground; basketball courts; soccer field; large multiple use area	Yes
Mariposa Elementary School	1605 E. D Street Ontario, CA 91764	Ontario Montclair School District	Multiuse playground; blacktop play area; swing set; multiuse turf area; baseball backstop; basketball courts	Yes
Ray Wiltsey Middle School	1450 E. G Street Ontario, CA 91764	Ontario Montclair School District	Basketball courts; tennis courts; large multiuse turf area; baseball backstop; soccer field	Yes
Del Norte Elementary School	850 N. Del Norte Avenue Ontario, CA 91764	Ontario Montclair School District	Basketball courts; multiuse turf area; soccer field; swings; playground; baseball backstop	Yes
Vineyard Elementary School	1500 E. 6th Street Ontario, CA 91764	Ontario Montclair School District	Basketball courts; tennis courts; multiuse turf area; baseball backstop; playground; swings	Yes
Berlyn Elementary School	1320 N. Berlyn Avenue Ontario, CA 91764	Ontario Montclair School District	Multiuse playground; blacktop play area; swing set; large multiuse turf area; baseball backstops; basketball courts	Yes

Source: Parsons, 2015.



Sources: GeoEye Aerial Imagery (2019); Parsons (2015).

Figure 1. Section 4(f) Public Parks and Recreation Lands

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Table 3. Parks and Recreational Resources within the Study Area

Property Name	Location	Current Ownership	Facilities	Subject to Section 4(f) Protection?
James Galanis Park	1259 E. D Street Ontario, CA 91764	City of Ontario	5.10 acres; turf area – multiuse	Yes
Veterans Memorial Park	1259 E. D Street Ontario, CA 91764	City of Ontario	8.90 acres; community center; restrooms; tot lot; basketball courts; picnic tables; barbecues; soccer, football, softball fields; pedestrian/bike paths; drinking fountains	Yes
Grove Memorial Park	800 Block of Grove Avenue Ontario, CA 91764	City of Ontario	Western Portion: 0.48 acre; two benches; horseshoe-shaped walking path Eastern Portion: 3.84 acres; standard curb for pedestrians	Yes
John Galvin Park	900 Block of Grove Avenue Ontario, CA 91764	City of Ontario	Western Portion: 19.71 acres; baseball field; tennis courts; playgrounds; horseshoe pits; picnic shelters and BBQs Eastern Portion: 15.23 acres; Jay Littleton Ballpark; two additional baseball fields; picnic shelters and BBQs; basketball courts	Yes
Vineyard Neighborhood Park	1530 E. 6th Street Ontario, CA 91764	City of Ontario	9.60 acres; pool; restrooms; tot lot; basketball courts; picnic tables; barbecues; turf area/multiuse; benches; drinking fountains	Yes

Source: Parsons, 2015.

3.3 Historic and Archaeological Sites

Many efforts have been undertaken to identify historic properties, including a Historical Resources Evaluation Report (HRER) and an Archaeological Survey Report (ASR) to support the findings of the project's Historic Property Survey Report (HPSR). These studies included cultural resource records and literature searches, Native American consultation, a reconnaissance survey and intensive pedestrian (Phase I) surveys of the project APE, archival research, and consultation with historical societies and local government agencies.

As part of these studies, 85 parcels containing buildings, groups of buildings, and structures were identified within the APE; of these, only 8 parcels contained historic-period resources that required evaluation. These included 8 historic architectural properties and no historic archaeological sites. The remaining parcels within the APE were either vacant, contained buildings constructed after 1964, or contained buildings exempt from evaluation in accordance with Attachment 4 of the Section 106 Programmatic Agreement (PA) among FHWA, the Advisory Council on Historic Preservation, the SHPO, and Caltrans regarding compliance with Section 106 of the National Historic Preservation Act. Properties listed in or determined eligible for listing in the NRHP are provided in Table 4. Locally significant properties determined to not be eligible for the NRHP are provided in Table 5.

Table 4. Properties Listed in or Determined Eligible for Listing in the National Register of Historic Places

Property Name	Address/Location	Listed in the National Register of Historic Places?	Details
Jay Littleton Ballpark	John Galvin Park	No	Found eligible as a result of the HRER completed for this project

Source: Parsons, 2015; National Register, 2015.

Table 5. Locally Significant Properties Determined to Not be Eligible for the National Register of Historic Places*

Property Name	Address/Location	Community	Section 4(f) Resource?
1130 E. Holt Boulevard	1130 E. Holt Boulevard	Ontario	No
1101 E Holt Boulevard	1101 E Holt Boulevard	Ontario	No
*Eligibility for listing in the National Register is determined on an individual basis. These properties have been evaluated in detail on Department of Parks and Recreation Historical Resources Inventory Forms (Series DPR 523) in Appendix A of the HRER (2015).			

Source: Parsons, 2015; National Register, 2015.

As a result of this study, the project APE is known to contain one historic property listed in or eligible for the NRHP. The project cultural studies found that Jay Littleton Ballpark appears eligible for listing in the NRHP under National Register Criterion A and C, with a period of significance from 1937 to 1955.

No historic archaeological sites were found eligible for listing in the NRHP. Three historic archaeological resources are present within the project APE and were determined by qualified archaeologists to meet Property Type 1 as defined in PA Attachment 4 (Properties Exempt from Evaluation).

Based on current design plans for the project, no adverse effects to any of these resources are anticipated. All historic properties identified along the project corridor are outside of the direct impact footprint and would not be affected by the Build Alternative. No indirect effects are anticipated. With no historic properties being affected, there would be no constructive use of historic properties. Therefore, no further analysis of historic and archaeological Section 4(f) resources would be required.

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Chapter 4 Impacts on Section 4(f) Properties

This section describes which Section 4(f) resources may be affected if the proposed project is implemented.

Although not discussed in detail in this chapter, every Section 4(f) resource within the study area was analyzed for potential direct and indirect impacts under both alternatives. Of the five public parks and recreational facilities discussed in Chapter 3, potential impacts are discussed in this evaluation for the two properties where impacts are anticipated under the Build Alternative.

A summary of potential effects is provided in Table 6. Later in this chapter, additional analysis follows for each resource with the potential to be impacted by the Build Alternative. In each instance, an assessment has been made as to whether any permanent or temporary occupation of the property would occur, and whether the proximity of the project would cause any access, visual, air quality, noise, vibration, biological, or water quality effects that would substantially impair the features or attributes that qualify the resource for protection under Section 4(f).

Table 6. Section 4(f) Impact Summary for Build Alternative

Property Name	Direct Use?	Temporary Use?	Constructive Use?	Comments
Grove Memorial Park	Yes	Yes	No	0.005-acre direct use; 0.52-acre temporary use
John Galvin Park	Yes	Yes	No	0.05-acre direct use; 0.68-acre temporary use

Source: Parsons, 2015.

The analysis of potential effects on Section 4(f) resources that follows includes discussion of how the proposed project would affect each Section 4(f) resource and whether the effects would result in a use of the resource.

4.1 Potential Section 4(f) Uses by the No Build Alternative

There would be no uses of park, recreational, or historic resources subject to Section 4(f) provisions with the No Build Alternative.

4.2 Potential Section 4(f) Uses by the Build Alternative

The following sections describe each resource where a potential *use* may occur, provide aerial photos with proposed project improvements for each property, and describe the potential Section 4(f) *uses* for the Build Alternative.

In summary, the Build Alternative would require direct use and temporary use of two Section 4(f) resources. No direct use, temporary use, or constructive use of Section 4(f) resources would be required for the No Build Alternative.

4.3 Grove Memorial Park

4.3.1 Description of Grove Memorial Park

The 4.32-acre Grove Memorial Park, which is owned by the City, is located on the west and east sides of Grove Avenue, generally located between G Street and I Street in Ontario. Representative site photographs are provided in Appendix B.

Western Portion: The 0.48-acre western portion of Grove Memorial Park is located at the northwest corner of Grove Avenue and G Street. Amenities at this section of the park include two benches, a horseshoe-shaped walking path, dense tree coverage, and drought-tolerant shrub cover. The existing walking path connects to the sidewalk along G Street, because currently there is no sidewalk along the western portion of Grove Avenue between G Street and I Street. There is no dedicated parking for Grove Memorial Park.

Eastern Portion: The 3.84-acre eastern portion of Grove Memorial Park is located along the eastern edge of Grove Avenue between G Street and I Street. Within this section of the park, there are no recreational amenities, such as benches, playgrounds, and/or ball fields. As such, recreational use of this park is generally limited to users walking and jogging along the sidewalk. Although it is identified as a park by the City, the eastern portion of Grove Memorial Park resembles a parkway, landscaped with mature trees and turf grass, and a standard sidewalk along the length of the park. There is no dedicated parking for this section of the park.

There are many other parks near Grove Memorial Park, including John Galvin Park and Veterans Memorial Park, which are both less than 0.25 mile away. Compared to Grove Memorial Park, these other parks in close vicinity provide a much wider range of recreational amenities, including baseball fields, basketball courts, playgrounds,

BBQs, and picnic shelters. Therefore, the primary use of this section of John Galvin Park is to commute (jog/walk) from one park to the other.

In 2015, consistent with the City of Ontario General Plan Circulation Element, which identifies Grove Avenue as a six-lane principal arterial, the City adopted a roadway easement along Grove Avenue to accommodate the ultimate six-lane facility and clarify the edge of the existing Grove Memorial Park. The current park boundary is delineated in Figure 2. Information related to the easement is provided in Appendix C.

4.3.2 Project Effects at Grove Memorial Park

No Build Alternative

Because there are no project activities proposed under the No Build Alternative, no impacts to Grove Memorial Park would result from this alternative.

Build Alternative

Direct Use

The Build Alternative would require acquisition of 0.005 acre (218 square feet) of Grove Memorial Park on both sides of Grove Avenue, which represents approximately 0.1 percent of the park's pre-project acreage.

At the western portion of Grove Memorial Park, acquisition would be necessary to accommodate a modified curb return and a connection with the proposed new sidewalk, which would connect this side of the park with John Galvin Park just 0.2 mile to the north. As such, the proposed project would help increase usage of this section of the park and would provide improved pedestrian connectivity between Grove Memorial Park and John Galvin Park.

At the eastern portion of Grove Memorial Park, partial acquisition would be necessary to extend the covered portion of the existing West Cucamonga Creek concrete channel. Given that this park has no active use areas, this minor proposed direct use is not anticipated to impair recreational values of the park.

The direct use areas described above would not adversely affect any of the recreational activities, features, or attributes within the park. Although the acquisition area would minimally reduce the overall size of the park, it would not inhibit existing recreational activities within the park. In fact, given that this park is primarily used by walkers and joggers, improving pedestrian connectivity along the western side of Grove Avenue through this park would help to increase its utility for neighborhood residents.

Temporary Use

Under the Build Alternative, a 0.52-acre TCE would be required at Grove Memorial Park to allow for construction of curb returns, new sidewalks on both sides of Grove Avenue, and to extend the covered portion of the existing West Cucamonga Creek concrete channel, as shown in Figure 2. Although this TCE would temporarily reduce the overall park area during construction, it would not affect existing recreational activities, features, or attributes in the park. Pedestrian connectivity along Grove Avenue through Grove Memorial Park would be maintained at all times during project construction. Construction of the proposed project would not result in a temporary use of the park because recreational activities within this park would not be impeded.

Constructive Use

The Build Alternative would not result in a constructive use of Grove Memorial Park. An indirect impact would be considered a constructive use under Section 4(f) if the impact were so severe that the public did not have access to the park and/or recreational activities occurring within the park were severely affected by the project's impacts. Potential indirect impacts related to the Build Alternative are discussed below.

Accessibility

Vehicular and pedestrian access to Grove Memorial Park would be maintained at all times during construction and operation of the Build Alternative. No designated parking exists for Grove Memorial Park; therefore, no impacts to parking for Grove Memorial Park would result from the Build Alternative.

No sidewalk currently exists along the southbound side of Grove Avenue between I Street and G Street, just north of the western portion of Grove Memorial Park. As illustrated in Figure 2, a new sidewalk along the southbound side of Grove Avenue would be constructed under the Build Alternative, which would provide improved access to the park once the project is constructed.

Visual

Visual impacts during construction would be typical of roadway construction projects, including construction fencing, construction equipment, material stockpiles, and vegetation removal, which would collectively temporarily disturb the park's existing landscape aesthetic. Temporarily disturbed areas would be returned to pre-project conditions once construction is completed; therefore, the minor visual changes associated with the Build Alternative would not be considered a Section 4(f) constructive use.

Figure 2. Build Alternative Impacts at Grove Memorial Park

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Air Quality and Noise

Indirect air quality and noise impacts as a result of the Build Alternative are not expected to result in a constructive use of Grove Memorial Park. As discussed in the project's *Air Quality Study* (February 2017) and *Noise Study Report* (December 2017), the park is currently subject to indirect air quality and noise impacts due to its proximity to the existing Interstate 10 (I-10) mainline and Grove Avenue, and due to the park's location in a built-out suburban environment. The incremental increase in noise and air quality impacts during construction and once the proposed project is in operation would not inhibit existing recreational functions in the park that are already subject to noise and air quality. The proposed project would not result in a Section 4(f) constructive use of the park due to indirect noise and air quality impacts.

Vibration

Vibration impacts as a result of the Build Alternative would not result in a constructive use of Grove Memorial Park. Vibration generated by construction equipment can result in varying degrees of ground vibration, depending on the equipment. The operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance from the piece of construction equipment. These impacts would be short term and would not inhibit recreational use of the site during construction. During operation of the Build Alternative, ground-borne vibration impacts are not anticipated beyond the impacts currently experienced as a result of vehicles traveling through the study area. Therefore, there would be no vibration impacts at Grove Memorial Park that would result in a Section 4(f) constructive use.

Vegetation and Wildlife

Grove Memorial Park is located in a built-out suburban area; there are no wildlife corridors or substantial vegetation communities adjacent to the park that would be indirectly impacted by the project; therefore, there would be no vegetation or wildlife impacts at the park resulting in a Section 4(f) constructive use.

Water Quality

Construction of the Build Alternative has the potential to affect water quality. Potential pollutant sources from the building phase of this alternative include construction activities and materials expected at the project site, such as vehicle fluids; concrete and masonry products; landscaping and other products; and contaminated soils. Similarly, operation of this alternative has the potential to affect water quality. Potential pollutant sources associated with operation of this alternative include motor vehicles, highway maintenance, illegal dumping, spills, and landscaping care; however, with

minimization measures, short- and long-term water quality impacts associated with the Build Alternative would not substantially impair the activities, features, and/or attributes that qualify the park for protection under Section 4(f).

4.3.3 Applicability of Section 4(f)

The Build Alternative would result in direct and temporary use of Grove Memorial Park. No constructive use of this resource is anticipated under the Build Alternative.

The Build Alternative would require direct use of 0.005 acre (218 square feet) of Grove Memorial Park in the form of permanent acquisition, which represents 0.1 percent of the park's pre-project acreage. According to the FHWA guidance provided in the Environmental Review Toolkit for Section 4(f) Evaluations, to be considered a *de minimis* impact, the amount of land to be acquired from any Section 4(f) site must not exceed 10 percent of the site. Given that this direct use is below the threshold set forth in the statute, the proposed 0.005-acre acquisition at Grove Memorial Park is eligible to be considered as a *de minimis* impact. In addition, the area to be acquired is primarily unused landscaped and mulch-covered space, which does not contribute to the walking path or park benches that qualify Grove Memorial Park as a resource under Section 4(f). Given that the five conditions set forth in 23 CFR Section 774.13(d) are satisfied, and the proposed acquisition would not adversely affect the activities, features, or attributes of Grove Memorial Park. Thus, under Section 4(f),, the direct use is considered *de minimis*.

In addition, the Build Alternative would result in temporary use of 0.52 acre of Grove Memorial Park; however, work would be minor in scope, and there are no anticipated permanent adverse physical effects or other interference with the activities or purpose of the resource. Temporarily disturbed areas would be fully restored to pre-project conditions once temporary impacts are complete. Therefore, under Section 4(f), this temporary use is considered *de minimis*.

4.3.4 Documentation of Consultation

Since the scoping period, staff members from the City of Ontario Public Works, Planning, and Parks Departments have coordinated internally with the City Manager regarding potential project impacts and potential avoidance and minimization measures to be implemented during construction at Grove Memorial Park. Meetings and further correspondence between City departments continued to occur throughout development of the Draft and Final Environmental Impact Report (EIR)/Environmental Assessment (EA).

Formal consultation with the City of Ontario Planning Director to confirm the *de minimis* finding occurred before and after public review of the Draft EIR/EA. Concurrence on the *de minimis* finding and that the temporary occupancy and permanent transportation use of a portion of this park would not adversely affect the activities, features, or attributes of the park has been obtained from the City of Ontario Planning Director, as the official with jurisdiction over Grove Memorial Park, and has been added to Appendix C.

4.4 John Galvin Park

4.4.1 Description of John Galvin Park

The 34.94-acre John Galvin Park, which is owned by the City, is located on both sides of Grove Avenue, generally between 4th Street and I Street in Ontario. Representative site photographs are provided in Appendix B.

Western Portion: The 19.71-acre western portion of John Galvin Park is located west of Grove Avenue between 4th Street and I Street. Amenities at this section of the park include a volleyball court, baseball field, tennis courts, playgrounds, and an area with BBQs, tables, and shelters. An Army National Guard post and a City water purification facility are also located within the park. The City recently built a dog park in John Galvin Park near the corner of I Street and Cucamonga Avenue, which includes a new lot for parking.

The western portion of John Galvin Park is accessible to pedestrians from 4th Street, Cucamonga Avenue, I Street, and Grove Avenue. Existing vehicular parking and access for the western section of John Galvin Park is located at the southwest corner of 4th Street and Grove Avenue. In addition, a smaller parking lot is located at the southeast corner of 4th Street and Cucamonga Avenue, which primarily serves the three tennis courts in this section of the park. Automobile parking is also widely available along surface streets adjacent to the western portion of John Galvin Park, including along I Street and Cucamonga Avenue.

Eastern Portion: The 15.23-acre eastern portion of John Galvin Park is located along the eastern edge of Grove Avenue between 4th Street and I Street. Within this section of the park, there are two baseball stadiums, one smaller baseball field, two basketball courts, several playgrounds, a concession stand, picnic shelters with BBQs, and restrooms. This eastern portion of John Galvin Park is generally landscaped with turf grass and scattered mature trees.

The eastern portion of John Galvin Park is accessible to pedestrians from sidewalks and crosswalks along 4th Street, I Street, and Grove Avenue. Existing vehicular parking for the eastern portion of John Galvin Park is located at the southeast corner of 4th Street and Grove Avenue. Parking is also available throughout the interior of the park. This parking can be accessed from Grove Avenue and I Street.

There are many other parks in the vicinity within a short walk, including Grove Memorial Park and Veterans Memorial Park, which are both less than 0.25 mile from John Galvin Park. Despite the presence of other parks in the vicinity, the eastern portion of John Galvin Park is important for providing large spaces and facilities for groups, and large-scale baseball facilities for local and regional users. To a lesser extent, the western section of John Galvin Park is significant compared to other regional parks for its tennis courts and meandering walking paths, with less utility for use by large groups or organized sports leagues.

In 2015, consistent with the City of Ontario General Plan Circulation Element, which identifies Grove Avenue as a six-lane principal arterial, the City adopted a roadway easement along Grove Avenue to accommodate the ultimate six-lane facility and clarify the edge of the existing John Galvin Park. The current park boundary is delineated in Figures 3 and 4. As stated previously, information related to the easement is provided in Appendix C.

4.4.2 Project Effects at John Galvin Park

No Build Alternative

Because there are no project activities proposed under the No Build Alternative, no impacts to John Galvin Park would result from this alternative.

Build Alternative

Direct Use

The Build Alternative would require acquisition of a total of 0.05 acre (2,304 square feet) of John Galvin Park on both sides of Grove Avenue, which represents 0.14 percent of the park's pre-project acreage.

At the western portion of John Galvin Park, partial acquisition would be necessary to accommodate two curb returns and to accommodate widening of the 4th Street Culvert, as shown in Figure 3.

Figure 3. Build Alternative Impacts at John Galvin Park – West

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* The proposed ROW follows the existing ROW unless drawn otherwise.

Figure 4. Build Alternative Impacts at John Galvin Park – East

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In addition, the project proposes permanent removal of approximately 40 parking spaces that are currently available for users of the western portion of John Galvin Park in the Grove Avenue and 4th Street parking lot, as shown in Figure 4. During field surveys, only 2 to 3 parking spaces were observed to have been used during each of three visits to the site. Although these parking spaces are within the Grove Avenue right-of-way (ROW) and not technically within the John Galvin Park boundaries, the impacted parking spaces are currently accessible to park users and are perceived as belonging to the park. As part of the project, the remnant parking lot would be reconfigured to maintain as many parking spots at this location as possible. As discussed in Section 4.4.1, a secondary parking lot and ample on-street parking are available in the immediate vicinity of the western portion of John Galvin Park. In addition, many users of this portion of the park are local residents who generally walk to the park, as observed during field studies at the site. Finally, given that the western section of John Galvin Park does not have facilities for organized sports or other large events, it is highly unlikely that the proposed permanent removal of parking spaces would impair usage of this section of the park.

At the eastern portion of John Galvin Park, partial acquisition would be necessary to accommodate two curb returns. The direct use area at this location would be acquired for project ROW and would be converted to transportation uses.

Existing trees and vegetation would be removed during project construction. Turf areas would be replanted to the extent feasible. Existing mature trees (larger than 20 feet high) that are to be removed by proposed improvements at John Galvin Park would be mitigated at a 2:1 ratio to the extent feasible.

No permanent impacts to parking at the eastern portion of John Galvin Park are proposed. Access to the parking lot and the total number of parking spaces available would remain the same after project construction.

As discussed above, the direct use areas in the western and eastern portions of John Galvin Park would not adversely affect any of the recreational activities, features, or attributes of the park. Although the acquisition areas would minimally reduce the overall size of the park and number of parking spaces, these direct uses would not inhibit existing recreational activities within either portion of the park or substantially affect access to the park. Sufficient parking would remain for existing and future use of the western and eastern portions of John Galvin Park.

Temporary Use

Under the Build Alternative, a 0.68-acre TCE would be required at John Galvin Park to allow construction of curb returns and sidewalks, as shown in Figures 3 and 4. Although the temporary TCEs would temporarily reduce the overall park area available to users during construction, the proposed TCEs would not affect existing recreational activities, features, or attributes in the park. The areas proposed as TCEs are landscaped areas at the edge of the western and eastern sections of John Galvin Park and, as such, are not used for recreational purposes. Furthermore, pedestrian access along Grove Avenue through John Galvin Park would be maintained at all times during project construction. Therefore, construction of the proposed project, including the proposed TCEs at this park, would not result in a temporary use of the park itself because use of the park can continue throughout project construction.

As discussed above, the parking lot on the west side of John Galvin Park would be closed for approximately 1 month so that it can be reconfigured, resulting in a temporary reduction of 10 spaces in this parking lot beyond those that would be permanently impacted as discussed in the direct use section above. No impacts to parking for the east side of John Galvin Park are anticipated.

Due to the road realignment and widening, the sidewalks along northbound and southbound Grove Avenue through John Galvin Park would be reconstructed to follow the proposed road. Pedestrian connectivity would be maintained at all times through the park during project construction.

Constructive Use

The Build Alternative would not result in a constructive use of John Galvin Park. An indirect impact would be considered a constructive use under Section 4(f) if the impact were so severe that the public did not have access to the park and/or recreational activities occurring within the park were severely affected by the project's impacts. Potential indirect impacts related to the Build Alternative are discussed below.

Accessibility

Access to John Galvin Park would be maintained at all times during construction and operation of the Build Alternative. As discussed previously, although the Build Alternative would result in the permanent reduction of parking spots on the western portion of John Galvin Park, sufficient alternate parking spaces are available to adequately meet existing demand for this portion of the park.

Visual

Visual impacts during construction would be typical of roadway construction projects, including construction fencing, construction equipment, material stockpiles, and vegetation removal, which would collectively temporarily disturb the park's existing landscape aesthetic. Temporarily disturbed areas would be returned to pre-project conditions once construction is completed; therefore, the minor visual changes associated with the Build Alternative would not be considered a Section 4(f) constructive use

Air Quality and Noise

Indirect air quality and noise impacts as a result of the Build Alternative are not expected to result in a constructive use of John Galvin Park. As discussed in the project's *Air Quality Study* (February 2017) and *Noise Study Report* (December 2017), the park is currently subject to indirect air quality and noise impacts due to its proximity to the existing I-10 mainline and Grove Avenue, and due to the park's location in a built-out suburban environment. The incremental increase in noise and air quality impacts during construction and once the proposed project is in operation would not inhibit existing recreational functions in the park that are already subject to noise and air quality. The proposed project would not result in a Section 4(f) constructive use of the park due to indirect noise and air quality impacts.

Vibration

Vibration impacts as a result of the Build Alternative would not result in a constructive use of John Galvin Park. Vibration generated by construction equipment can result in varying degrees of ground vibration, depending on the equipment. The operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance from the piece of construction equipment. These impacts would be short term and would not inhibit recreational use of the site during construction. During operation of the Build Alternative, ground-borne vibration impacts are not anticipated beyond the impacts currently experienced as a result of vehicles traveling through the study area. Therefore, there would be no vibration impacts at John Galvin Park that would result in a Section 4(f) constructive use.

Vegetation and Wildlife

John Galvin Park is located in a built-out suburban area; there are no wildlife corridors or substantial vegetation communities adjacent to the park that would be indirectly impacted by the project; therefore, there would be no vegetation or wildlife impacts at the park resulting in a Section 4(f) constructive use.

Water Quality

Construction of the Build Alternative has the potential to affect water quality. Potential pollutant sources from the building phase of this alternative include construction activities and materials expected at the project site, such as vehicle fluids; concrete and masonry products; landscaping and other products; and contaminated soils. Similarly, operation of this alternative has the potential to affect water quality. Potential pollutant sources associated with operation of this alternative include motor vehicles, highway maintenance, illegal dumping, spills, and landscaping care; however, with minimization measures, short- and long-term water quality impacts associated with the Build Alternative would not substantially impair the activities, features, and/or attributes that qualify the park for protection under Section 4(f).

4.4.3 Applicability of Section 4(f)

The Build Alternative would result in direct and temporary use of John Galvin Park. No constructive use of this resource is anticipated under the Build Alternative.

The Build Alternative would require direct use of 0.05 acre (2,304 square feet) of John Galvin Park in the form of permanent acquisition, which represents 0.14 percent of the park's pre-project acreage. According to the FHWA guidance provided in the Environmental Review Toolkit for Section 4(f) Evaluations, to be considered a *de minimis* impact the amount of land to be acquired from any Section 4(f) site must not exceed 10 percent of the site. Given that this direct use is below the threshold set forth in the statute, the proposed 0.05-acre acquisition at John Galvin Park is eligible to be considered as a *de minimis* impact. In addition, the area to be acquired is primarily unused landscaped and mulch-covered space, which does not contribute to the ball fields and basketball courts that qualify John Galvin Park as a resource under Section 4(f). Therefore, this acquisition would not adversely affect the activities, features, or attributes of John Galvin Park. Thus, under Section 4(f),, the direct use is considered *de minimis*.

In addition, the Build Alternative would result in temporary use of 0.68 acre of John Galvin Park; however, work is minor in scope, and there are no anticipated permanent adverse physical effects or other interference with the activities or purpose of the resource. Temporarily disturbed areas would be fully restored to pre-project conditions once temporary impacts are complete.

Given that the five conditions set forth in 23 CFR Section 774.13(d) are satisfied, and the proposed acquisition and temporary use proposed would not adversely affect the

activities, features, or attributes of John Galvin Park. Thus, under Section 4(f),, this temporary use is considered *de minimis*.

4.4.4 Documentation of Consultation

Since the scoping period, staff members from the City of Ontario Public Works, Planning, and Parks Departments have coordinated internally with the City Manager regarding potential project impacts and potential avoidance and minimization measures to be implemented during construction at John Galvin Park. Meetings and further correspondence between City departments continued to occur throughout the development of the Draft and Final EIR/EA.

Formal consultation with the City of Ontario Planning Director to confirm the *de minimis* finding occurred prior to and after the public review of the Draft EIR/EA. Concurrence on the *de minimis* finding and that the temporary occupancy and permanent transportation use of a portion of this park would not adversely affect the activities, features, or attributes of the park has been obtained from the City of Ontario Planning Director, as the official with jurisdiction over John Galvin Park, and has been included in Appendix C.

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Chapter 5 Avoidance Alternatives

As outlined in 23 CFR 774.3, USDOT may not approve the use of Section 4(f) property unless they first determine that there is no prudent and feasible alternative to the use of land from the property, or that any use of Section 4(f) property would be a *de minimis* impact. An alternative is not feasible and prudent, according to 23 CFR 774.17(3)), if it compromises the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need. In other words, alternatives that do not adequately meet the project's purpose and need can be dropped from further consideration.

The No Build Alternative, which would result in no direct, temporary, or constructive use of parks or bike trails within the project area, would not fulfill the project purpose and need; thus, it is not a prudent or feasible avoidance alternative.

The Build Alternative would affect one or more protected Section 4(f) properties; however, all impacts are considered *de minimis*. Therefore, no avoidance alternatives are required. Also, no avoidance alternatives are feasible given that Grove Avenue is an existing roadway corridor, which is constrained by park and residential uses. Alternative alignments would be infeasible due to ROW costs and impacts to the community.

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Chapter 6 Measures to Minimize Harm

6.1 Common Measures to Minimize Harm

Several common measures have been identified during development of the technical studies and the Draft and Final EIR/EA to minimize potential project impacts to Section 4(f) properties.

Common Visual Measures

For common visual measures to minimize harm, please see Chapter 2 of the Final EIR/EA.

Common Air Quality Measures

For common air quality measures to minimize harm, please see Chapter 2 of the Final EIR/EA.

Common Noise Measures

For common noise measures to minimize harm, please see Chapter 2 of the Final EIR/EA.

Common Vibration Measures

For common vibration measures to minimize harm, please see Chapter 2 of the Final EIR/EA.

Common Vegetation and Wildlife Measures

For common vegetation and wildlife measures to minimize harm, please see Chapter 2 of the Final EIR/EA.

Common Water Quality Measures

For common water quality measures to minimize harm, please see Chapter 2 of the Final EIR/EA.

6.2 Specific Measures to Minimize Harm by Specific Section 4(f) Property

Along with the common measures described above, indirect impacts would be reduced to *de minimis* levels through implementation of specific measures at potentially impacted Section 4(f) resources as discussed below.

Grove Memorial Park

A 0.52-acre TCE would be required at Grove Memorial Park under the Build Alternative to widen Grove Avenue and to construct curb returns and sidewalk connections. The affected area in the park is the sidewalk and an area of the park landscaped with turf grass and scattered tree cover. Turf grass would be replaced in TCE areas to match pre-project conditions in consultation with the property owner (City of Ontario) during and at the completion of construction. By doing so, the land used as a TCE would have similar function and value as it did prior to project construction.

John Galvin Park

A 0.68-acre TCE would be required at John Galvin Park under the Build Alternative to widen Grove Avenue and to construct a sidewalk and curb return. The affected area in the park is the sidewalk and an area of the park landscaped with turf grass and scattered tree cover. Turf grass would be replaced in TCE areas to match pre-project conditions in consultation with the property owner (City of Ontario) during and at the completion of construction. By doing so, the land used as a TCE would have similar function and value as it did prior to project construction.

The Build Alternative proposes permanent removal of approximately 40 parking spaces that are currently available for users of the western portion of John Galvin Park in the Grove Avenue and 4th Street parking lot. Although these parking spaces are within the Grove Avenue ROW and not technically within the John Galvin Park boundaries, the impacted parking spaces are currently accessible to park users and are perceived as belonging to the park. The remnant parking lot on the west side of John Galvin Park would be reconfigured to maintain as many parking spots at this location as possible.

Appendix A Federal Highway Administration Section 4(f) Checklist

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Section 4(f) Checklist

The attached section 4(f) checklist was developed by Dan Harris (FHWA, San Francisco). It includes the items he looks for when reviewing section 4(f) evaluations, and is based on 2 CFR 771.15, the FHWA Technical Advisory T 6640.8A, the FHWA Guidebook Section 24, and project experience.

Comments and suggestions regarding the checklist are encouraged; please send them to Dan Harris via the internet or FHWA email. The checklist has been in use for some time; however, it is a working document subject to change and improvement.

Dan R. Harris
Environmental Specialist
FHWA Western Resource Center
201 Mission Street, Suite 2100
San Francisco 94105-188
tel: 415.744.2611
dan.harris@fhwa.dot.gov

May 1997

Draft Section 4(f) Evaluation

General

Is the section 4(f) evaluation contained in a separate section, chapter, or appendix?

For EIS's, is the environmental document entitled Draft Environmental Impact Statement and Section 4(f) Evaluation@ on the EIS title page?
For EA's, is it entitled Draft Environmental Assessment and Section 4(f) Evaluation@?

Does the title page include the citation: Submitted Pursuant to 42 U.S.C. 42(2)(c) and 49 U.S.C. 0@?

Does the introduction to the section 4(f) evaluation include the following boiler plate description of section 4(f):

> Section 4(f) of the Department of Transportation Act of 1966, codified in Federal law at 49 U.S.C. '0, declares that A[i]t is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites.
>
> Section 4(f) specifies that A[t]he Secretary [of Transportation] may approve a transportation program or project . . . requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance, or land of an historic site of national, State, or local significance (as determined by the Federal, State, or local officials having jurisdiction over the park, area, refuge, or site) only if:
>
> (1) there is no prudent and feasible alternative to using that land; and
>
> (2) the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.
>
> Section 4(f) further requires consultation with the Department of the Interior and, as appropriate, the involved offices of the Departments of Agriculture and Housing and Urban Development in developing transportation projects and programs which use lands protected by section 4(f).

Is Section 4(f) listed in the EIS index with correct page numbers?

Proposed Action

Are the proposed project and the project purpose and need briefly described with the corresponding EIS/EA text discussions properly referenced for additional information?

Description of Section 4(f) Property(ies)

Does the description of **each** section 4(f) resource which would be used by any alternative include all of the applicable information outlined in Attachment A?

Impacts on the Section 4(f) Property(ies)

Does the impact evaluation discussion address the following impacts on **each** section 4(f) property for **each** alternative?

the amount of land to be used?
the facilities, functions, and/or activities affected?
accessibility?
visual?
noise?
vegetation?
wildlife?
air quality?
water quality?

If there is not an impact in one of the above areas, does the evaluation state such with adequate supportive information?

Does the evaluation include an impact summary table when:
(1) more than one section 4(f) property is involved and
(2) such a table would be useful in comparing the various impacts of the alternatives?

Alternatives

Does the section 4(f) evaluation of alternatives **identify** and **summarize** the alternatives addressed in the EIS/EA and include specific references to those discussions?

Detailed discussions of alternatives in an EIS/EA do not need to be repeated in the section 4(f) portion of the document if they are identified and summarized with specific references to the EIS/EA discussions of alternatives.

Do both the section 4(f) evaluation and the EIS/EA discussion of alternatives include the same location alternatives?

Are location alternatives and site-specific design variations which avoid section 4(f) property(ies) identified and evaluated?

Does the section 4(f) evaluation of alternatives
include at least one build alternative which avoids **each** and **all** section 4(f) resources
or
explain why there are not any such avoidance alternatives with adequate supportive information?

Measures to Minimize Harm

Are all possible measures which are available to minimize the impacts to the section 4(f) property(ies) discussed?
Detailed discussions of mitigation measures in the EIS/EA may be referenced and appropriately summarized rather than repeated.

If the section 4(f) property includes lands or facilities developed under section 6(f) of the Land and Water Conservation Fund Act, does the mitigation discussion address the section 6(f) requirements? See Attachment C.

Other Park, Recreational Facilities, Wildlife Refuges, and Historic Properties Evaluated Relative to the Requirements of Section 4(f)

This section evaluates other park, recreational facilities, wildlife refuges, and historic sites in the project vicinity that do not involve a section 4(f) use.
It needs to include the information outlined in Attachment B. This discussion is necessary to explain why some resources or facilities are not protected by provisions of section 4(f) and to document that any proximity impacts to section 4(f) resources do not result in a constructive use.

Coordination

Does the summary discussion of preliminary coordination with the public official having jurisdiction over the section 4(f) resource address the following:
avoidance alternatives,
impacts to the property,
measures to minimize harm, and
where necessary, the significance and primary use of the property?

If section 6(f) lands are involved, does the summary discussion include preliminary coordination with the National Park Service Region Office?

Final Section 4(f) Evaluation

Is the information contained in the draft section 4(f) evaluation included in the final evaluation with appropriate revisions to reflect comments received on the draft document and any changed conditions, new information, or project refinements?

Does the final evaluation provide the basis for concluding that there are no feasible and prudent alternatives to the use of section 4(f) land(s)?

> *The supporting information must demonstrate that there are unique problems or unusual factors involved in the use of alternatives that avoid these properties or that the cost, social, economic, and environmental impacts, or community disruption resulting from such alternatives reach extraordinary magnitudes 2 CFR '771.15(a)(2).*

Does the final evaluation provide the basis for concluding that the preferred alternative includes all possible planning to minimize harm to the section 4(f) property(ies)?

Does the final evaluation demonstrate that the preferred alternative is the feasible and prudent alternative with the least harm on the section 4(f) resources after considering mitigation?

Does the Coordination Section summarize the formal section 4(f) coordination with the Department of the Interior and, as appropriate, the involved offices of the Departments of Agriculture (usually the Forest Service) and Housing and Urban Development?

Are copies of the section 4(f) comments included in the final evaluation, or if contained in the Draft EIS Comment and Response Section, are they accurately referenced?

Have each of the section 4(f) comments received a full and adequate response?

> *Where new alternatives or modifications to existing alternatives are identified and will not be given further consideration, the basis for dismissing the alternatives/modifications needs to be provided and supported by factual information.*

Where section 6(f) land is involved, is the National Park Service's position on the land transfer summarized in the text and documented with a copy of an NPS letter?

Does the final section 4(f) evaluation conclude with the following statement?

> Based upon the above considerations, there is no feasible and prudent alternative to the use of land from the [name(s) of the section 4(f) property(ies)] and the proposed action includes all possible planning to minimize harm to the [names(s) of the section 4(f) property(ies)] resulting from such use.

EIS/EA's Without a Section 4(f) Use

All EIS's (and EA's only if appropriate) need to include a subsection/subchapter within the Environmental Consequences section/chapter entitled:

Park, Recreational Facilities, Wildlife Refuges, and Historic Properties
Evaluated Relative to the Requirements of Section 4(f)

that addresses the information outlined in Attachment B.

This discussion is necessary to explain why some resources or facilities are not protected by provisions of section 4(f) and to document that any proximity impacts to section 4(f) resources do not result in a constructive use.

5

Attachment A

Description of Section 4(f) Property(ies)

A detailed map or drawing of sufficient scale to identify the relationship of the alternatives to the section 4(f) property.

Size of the section 4(f) property (hectares or square meters (with acres or square feet following parenthesis)).

Location of the section 4(f) property (maps or other exhibits such as photographs and/or sketches).

Ownership (e.g., private, city, county, State, Federal agency).

Type of section 4(f) property (e.g., park, recreation, historic).

Available activities or function of the property (e.g., ball playing, swimming, golfing).

Description and location of all existing and planned facilities (e.g., ball diamonds, tennis courts).

Type of access to the property (e.g., pedestrian, vehicular).

Usage of the section 4(f) resource (e.g., approximate number of users/visitors).

Relationship to other similarly used lands in the vicinity.

Applicable clauses affecting the ownership, such as lease, easement, covenants, restrictions, or conditions, including forfeiture.

Unusual characteristics of the section 4(f) property that either reduce or enhance the value of all or part of the property (e.g., flooding problems, terrain conditions, or other features).

If the section 4(f) property includes lands or facilities developed under section 6(f) of the Land and Water Conservation Fund Act, the description of the section 4(f) resource will need to indicate such. See Attachment C.

Attachment B

Park, Recreational Facilities, Wildlife Refuges, and Historic Properties Evaluated Relative to the Requirements of Section 4(f)

This section evaluates parks, recreational facilities, wildlife refuges, and historic sites in the project vicinity that do not involve a use of section 4(f) land. It describes each resource and then either:

(1) explains why it is not protected by section 4(f), or

(2) demonstrates that the proximity impacts do not rise to a level that substantially impairs the activities, features, or attributes that qualified the resource for protection under section 4(f).

All archaeological and historic sites within the section 106 area of potential effect (APE) and all public and private parks, recreational facilities, and wildlife refuges within approximately 0.8 km (one-half mile) of any of the project alternatives should be included. It is usually unlikely that such resources would be affected at greater distances; however, if there is an issue or question whether they would be affected, they should also be included.

Does the introduction to this discussion include:

a listing of the parks, recreational facilities, wildlife refuges, and historic properties being addressed in this section?

if a section 4(f) resource type (i.e., a park, recreational facility, wildlife refuge, or historic property) does not exist in the project vicinity, does the discussion state such?

the following statement, edited as appropriate for the types of resources involved:

> The purpose of this discussion is to address section 4(f) requirements relative to other park, recreational facilities, wildlife refuges, and historical properties in the project vicinity. As indicated below, none of the alternatives under consideration result in a section 4(f) use of these other park, recreational, wildlife refuges, or historical resources. The discussion of each resource either documents (1) why the resource is not protected by the provisions of section 4(f) or (2) if it is protected by section 4(f), why none of the alternatives under consideration cause a section 4(f) use by (a) permanently incorporating land into the project, (b) by temporarily occupying land that is adverse to the preservationist purposes of section 4(f), or (c) by constructively using land from the resource.

Does the description of **each** resource include:

all of the applicable information outlined in Attachment A?

documentation of whether it is or is not protected by the provisions of section 4(f)?

For each of the resources protected by section 4(f), does the impact evaluation:

address the following for **each** alternative:

the facilities, functions, and/or activities potentially affected?
accessibility?
visual?
noise?
vegetation?
wildlife?
air quality?
water quality?

conclude, based on the above discussion, whether any of the alternatives under consideration would cause a section 4(f) use?

If there is not an impact in one of the above areas, does the evaluation state such with adequate supportive information?

Concluding discussions of section 4(f) **must not use** phrases such as "therefore, section 4(f) does not apply." Section 4(f) is applicable to all US Department of Transportation actions.

Rather, use:

Therefore, the provisions of section 4(f) are not triggered,
Therefore, the provisions of section 4(f) do not come into play,

or

The proposed project [<preferred alternative= for final evaluations] will not cause a constructive use of [name of section 4(f) resource] because the proximity impacts will not substantially impair the protected activities, features, or attributes of [type of resource, e.g., park, historic site, future park].

Attachment C

Section 6(f)

Section 6(f) of the Land and Water Conservation Fund Act directs the Department of the Interior (National Park Service) to assure that replacement lands of equal value, location, and usefulness are provided as conditions to their approval of the section 6(f) land conversion. Therefore, where a section 6(f) land conversion is proposed, replacement land will be necessary. Regardless of the mitigation proposed, the draft and final section 4(f) evaluations need to document the National Park Service's position on the section 6(f) land transfer.

Appendix B Representative Site Photos

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Photo 1: Looking south along the western portion of John Galvin Park.

Photo 2: Looking north along Grove Avenue at John Galvin Park.

Photo 3: Jay Littleton Ballpark and other baseball fields are character-defining elements of the eastern portion of John Galvin Park.

Photo 4: In addition to baseball fields, the eastern portion of John Galvin Park contains basketball courts, picnic facilities, mature trees, and turf landscaping.

Photo 5: Typical view of the eastern portion of Grove Memorial Park (looking north).

Photo 6: Looking north at the western portion of Grove Memorial Park.

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Appendix C Summary of Consultation with the City of Ontario

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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY EDMUND G. BROWN Jr., Governor

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Serious Drought.
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October 25, 2018

Cathy Wahlstrom, Director
City of Ontario
Planning Department
303 East "B" Street
Ontario, California 91764

Re: Grove Avenue Corridor Project – Section 4(f) Evaluation

Dear Ms. Wahlstrom,

The purpose of this letter is to inform you that the California Department of Transportation District 8 (Caltrans) intends to issue a *de minimis* impact finding under Section 4(f) of the U.S. Department of Transportation Act of 1966 as part of the environmental compliance process for the proposed Grove Avenue Corridor Project, as discussed in detail below. As public park facilities managed by the City of Ontario, Grove Memorial Park and John Galvin Park are afforded special protections under Section 4(f). A *de minimis* impact to a Section 4(f) resource is a nominal impact that would not be adverse to the activities, features, or attributes of the resource. A *de minimis* finding is conditioned upon:

- The official(s) with jurisdiction over the resource indicating, in writing, that the proposed action, including consideration of any mitigation, will not adversely affect the activities, features, and attributes that are important to the resource;
- The public has been afforded an opportunity (by public notice) to review and comment on the effects of the project on the protected activities, features, and attributes of the Section 4(f) resources; and
- Implementation of mitigation measures, if applicable.

Project Background

The City of Ontario, in cooperation with the County of San Bernardino and Caltrans, proposes to widen Grove Avenue in Ontario from four to six lanes between 4th Street and East State Street/East Airport Drive. Figure 1 shows the project's regional location. Grove Avenue is located approximately 1.4 miles east of Euclid Avenue and approximately 1.2 miles west of Vineyard Avenue along Interstate 10 (I-10). The project area is bound on the north by 4th Street and on the south by East State Street/East Airport Drive. The widened segment of Grove Avenue would be located south of I-10 and would serve the City of Ontario. The Grove Avenue Corridor Project considers one No Build Alternative and one Build Alternative to address existing and future projected traffic demands:

Alternative 1 – No Build Alternative: Alternative 1 would not result in any project improvements.

Alternative 2 – Build Alternative: The Build Alternative includes widening Grove Avenue from four lanes to six lanes between 4th Street and East State Street/East Airport Drive in accordance with the City of Ontario Master Plan. South of 4th Street, Grove Avenue would be widened to the west to avoid impacts to the historic Jay Littleton Ballpark. Between I Street and Holt Boulevard, Grove Avenue would be widened to the east, and between Holt Boulevard and East State Street/East Airport Drive, Grove Avenue would be widened on both sides. In addition, Holt Boulevard would be widened at the Grove Avenue intersection from one through lane, one through-right lane, and one left-turn lane in each direction to two through lanes, one through-right lane, and two left-turn lanes in each direction.

Effective July 1, 2007, the Federal Highway Administration (FHWA) assigned, and Caltrans assumed, all of FHWA's responsibilities under the National Environmental Policy Act (NEPA) for projects on California's State Highway System (SHS) and for federal-aid local street and road projects under FHWA's Surface Transportation Project Delivery Pilot Program, pursuant to 23 *Code of Federal Regulations* (CFR) 773. Caltrans also assumed all of FHWA's responsibilities for environmental coordination and consultation under other federal environmental laws pertaining to the review or approval of projects. Caltrans is deemed to be acting as FHWA with respect to environmental review, consultation, and other actions required under those responsibilities.

The proposed Grove Avenue Corridor Project may receive federal funding and/or discretionary approvals through the U.S. Department of Transportation (i.e., FHWA); therefore, documentation of compliance with Section 4(f) is required. The purpose of this letter is to share information from the Section 4(f) Evaluation. Section 4(f) of the federal Department of Transportation Act of 1966 (49 United States Code [U.S.C.] § 303), declares that "[i]t is the policy of the United States government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites." In addition to these areas, Section 4(f) can also apply to publicly accessible bikeways and scenic trails, as well as school playgrounds and sports fields/arenas/courts/tracks.

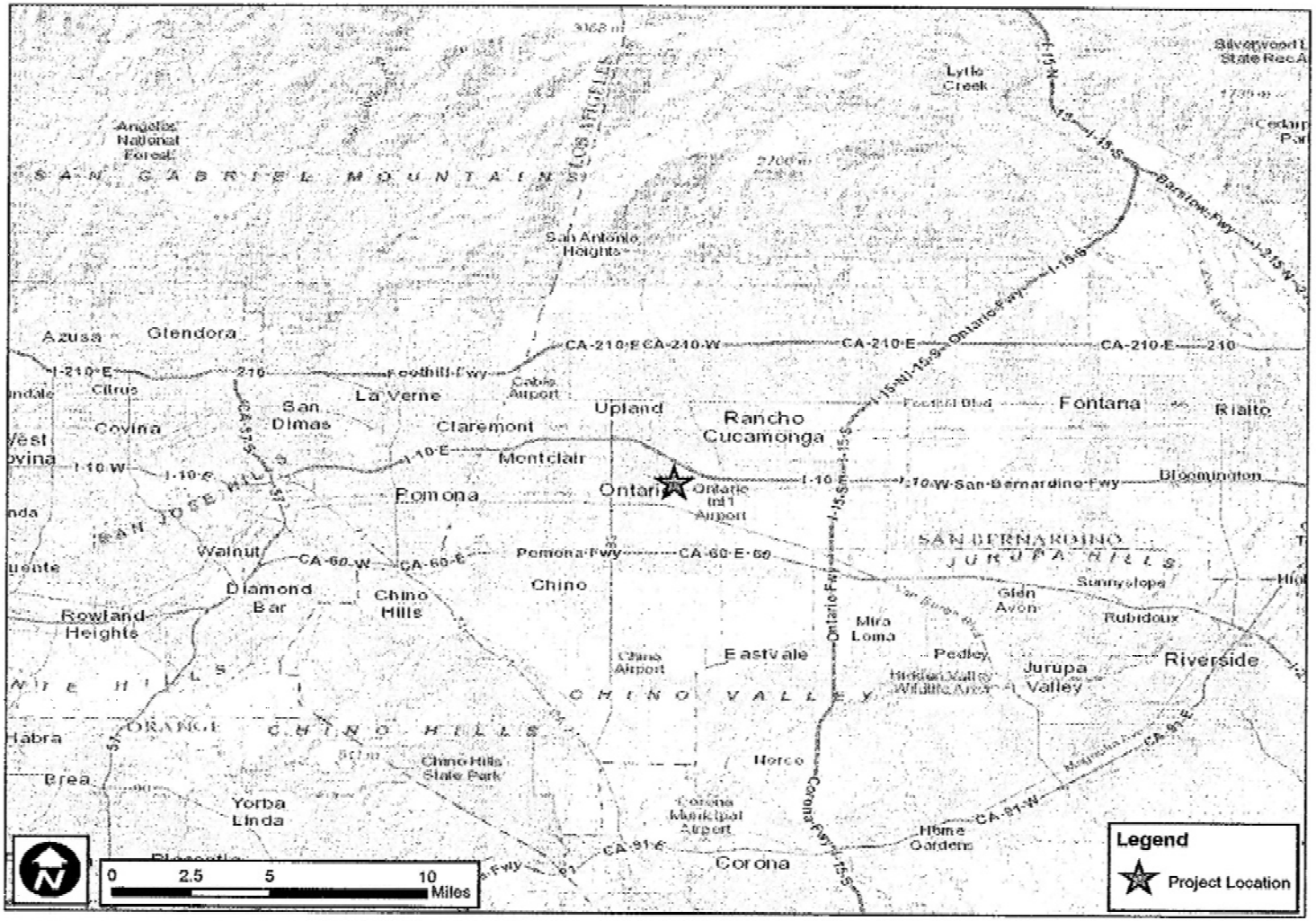

Figure 1. Regional Project Location

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Accordingly, a Section 4(f) Evaluation has been prepared. The evaluation identifies the Section 4(f) resources in the Grove Avenue Corridor Project study area, describes the nature and extent of the potential effects on these properties, evaluates alternatives that would avoid the use of Section 4(f) resources, and describes measures to minimize harm to the affected resources.

The City of Ontario administers numerous trails, bike paths, parks, and open spaces within the study area that are subject to Section 4(f) protection. The Section 4(f) Evaluation has identified Grove Memorial Park and John Galvin Park as being affected by the Grove Avenue Corridor Project.

- The 4.32-acre Grove Memorial Park, which is owned by the City of Ontario, is located on the west and east sides of Grove Avenue, generally located between G Street and I Street in Ontario.
- The 34.90-acre John Galvin Park, which is owned by the City of Ontario, is located on both sides of Grove Avenue, generally between 4th Street and I Street in Ontario.

Impacts to Grove Memorial Park

Grove Memorial Park – Direct Use

The Build Alternative would require acquisition of 0.06 acre (2,393 square feet) of Grove Memorial Park on both sides of Grove Avenue, which represents approximately 1.4 percent of the park's pre-project acreage.

At the western portion of Grove Memorial Park, acquisition would be necessary to accommodate a modified curb return and a connection with the proposed new sidewalk, which would connect this side of the park with John Galvin Park 0.2 mile to the north. As such, the proposed project would help increase usage of this section of the park and would provide improved pedestrian connectivity between Grove Memorial Park and John Galvin Park.

At the eastern portion of Grove Memorial Park, partial acquisition would be necessary to extend the covered portion of the existing West Cucamonga Creek concrete channel. Because this park has no active use areas, this minor proposed direct use is not anticipated to impair recreational values of the park.

The direct use areas described above would not adversely affect any of the recreational activities, features, or attributes within the park. Although the acquisition area would minimally reduce the overall size of the park, it would not inhibit existing recreational activities within the park. Because this park is primarily used by walkers and joggers, improving pedestrian connectivity along the western side of Grove Avenue through this park would help increase its utility for neighborhood residents.

Grove Memorial Park – Temporary Use

Under the Build Alternative, a 0.48-acre temporary construction easement (TCE) would be required at Grove Memorial Park to allow construction of curb returns and new sidewalks on both sides of Grove Avenue and to extend the covered portion of the existing West Cucamonga Creek concrete channel, as shown in Figure 2. Although this TCE would temporarily reduce the overall park area during construction, it would not affect existing recreational activities, features, or attributes in the park. Pedestrian connectivity along Grove Avenue through Grove Memorial Park would be maintained during project construction. Construction of the proposed project would not result in a temporary use of the park because recreational activities within this park would not be impeded.

Grove Memorial Park – Constructive Use

The Build Alternative would not result in a constructive use of Grove Memorial Park. An indirect impact would be considered a constructive use under Section 4(f) if the impact were so severe that the public did not have access to the park and/or recreational activities occurring within the park were severely affected by the project's impacts. Potential indirect impacts related to the Build Alternative are discussed below. No indirect impacts to Grove Memorial Park would qualify as a constructive use under Section 4(f).

Impacts to John Galvin Park

John Galvin Park – Direct Use

The Build Alternative would require acquisition of 0.06 acre (2,304 square feet) of John Galvin Park on both sides of Grove Avenue, which represents 0.2 percent of the park's pre-project acreage.

At the western portion of John Galvin Park, partial acquisition would be necessary to accommodate two curb returns and widening of the 4th Street culvert, as shown in Figure 3. In addition, the project proposes removal of approximately 40 parking spaces that are currently available for users of the western portion of John Galvin Park in the Grove Avenue and 4th Street parking lot, as shown in Figure 3. Although these parking spaces are within the Grove Avenue right-of-way and not technically within the John Galvin Park boundaries, the impacted parking spaces are currently accessible to park users and are perceived as belonging to the park. As part of the project, the remnant parking lot would be reconfigured to maintain as many parking spaces at this location as possible. Parking lots on the east side of Grove Avenue, as well as ample on-street parking on I Street, would remain.

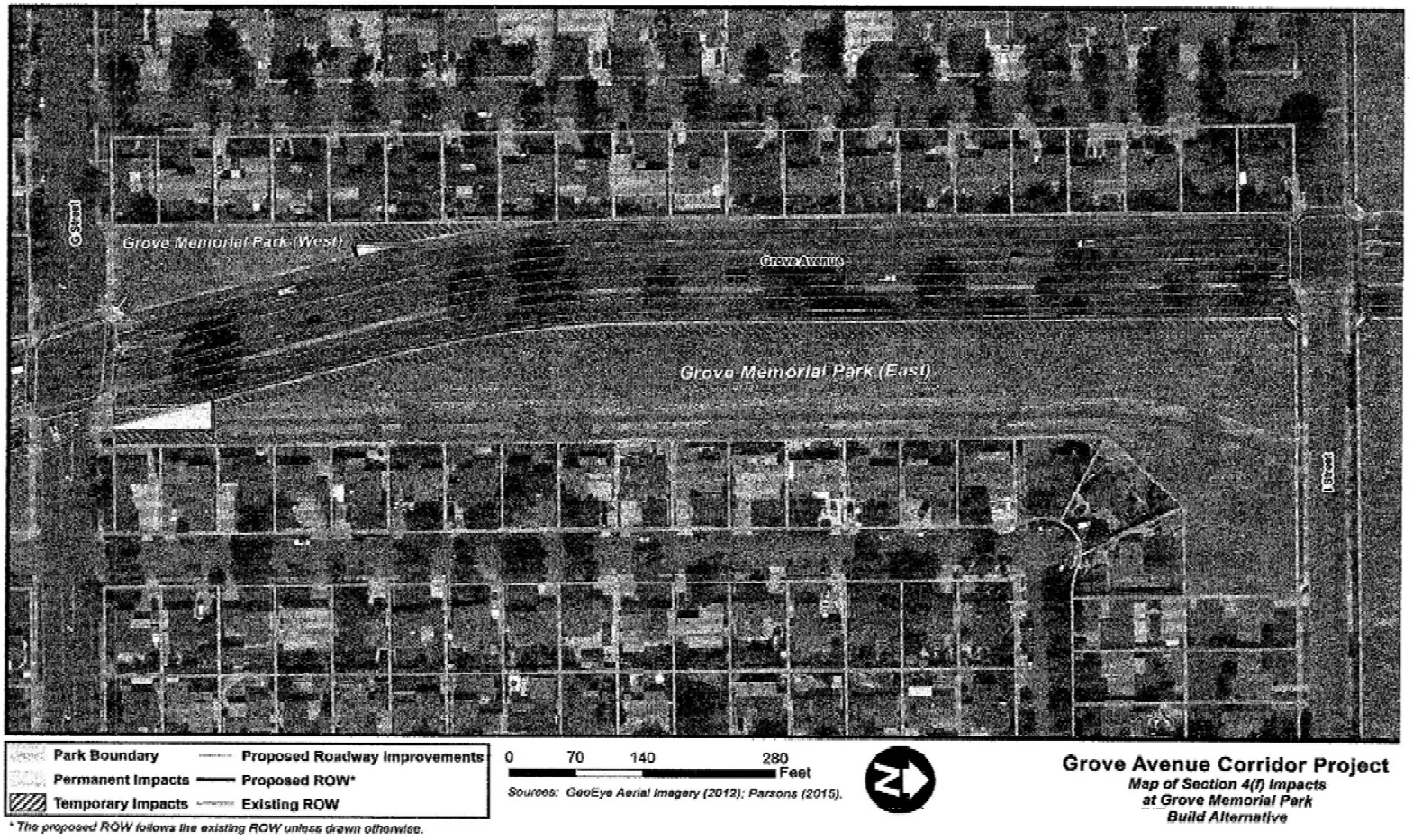

Figure 2. Impacts at Grove Memorial Park

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Figure 3. Build Alternative Impacts at John Galvin Park – West

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At the eastern portion of John Galvin Park, partial acquisition would be necessary to accommodate two curb returns, as shown in Figure 4. No permanent impacts to parking at the eastern portion of John Galvin Park are proposed. Access to the parking lot and the total number of parking spaces available would remain the same after project construction.

The direct use areas in the western and eastern portions of John Galvin Park would not adversely affect any of the recreational activities, features, or attributes of the park. Although the acquisition areas would minimally reduce the overall size of the park and number of parking spaces, these direct uses would not inhibit existing recreational activities within either portion of the park or substantially affect access to the park. Sufficient parking would remain for existing and future use of the western and eastern portions of John Galvin Park.

John Galvin Park – Temporary Use

Under the Build Alternative, a 0.20-acre TCE would be required at John Galvin Park to allow construction of curb returns and sidewalks. Although the TCEs would temporarily reduce the overall park area available to users during construction, the proposed TCEs would not affect existing recreational activities, features, or attributes in the park. The areas proposed as TCEs are landscaped areas at the edge of the western and eastern sections of John Galvin Park and are not used for recreational purposes. Furthermore, pedestrian access along Grove Avenue through John Galvin Park would be maintained during project construction. Therefore, construction of the proposed project, including the proposed TCEs at this park, would not result in a temporary use of the park itself because use of the park can continue throughout project construction.

The parking lot on the west side of John Galvin Park would be closed for approximately 1 month so that it can be reconfigured, resulting in a temporary reduction of 10 parking spaces beyond those that would be permanently impacted, as discussed in the direct use section above. No impacts to parking for the east side of John Galvin Park are anticipated.

Due to the road realignment and widening, the sidewalks along northbound and southbound Grove Avenue through John Galvin Park would be reconstructed to follow the proposed road. Pedestrian connectivity would be maintained through the park during project construction.

John Galvin Park – Constructive Use

The Build Alternative would not result in a constructive use of John Galvin Park. An indirect impact would be considered a constructive use under Section 4(f) if the impact were so severe that the public did not have access to the park and/or recreational activities occurring within the park were severely affected by the project's impacts. No indirect impacts to John Galvin Park would qualify as a constructive use under Section 4(f).

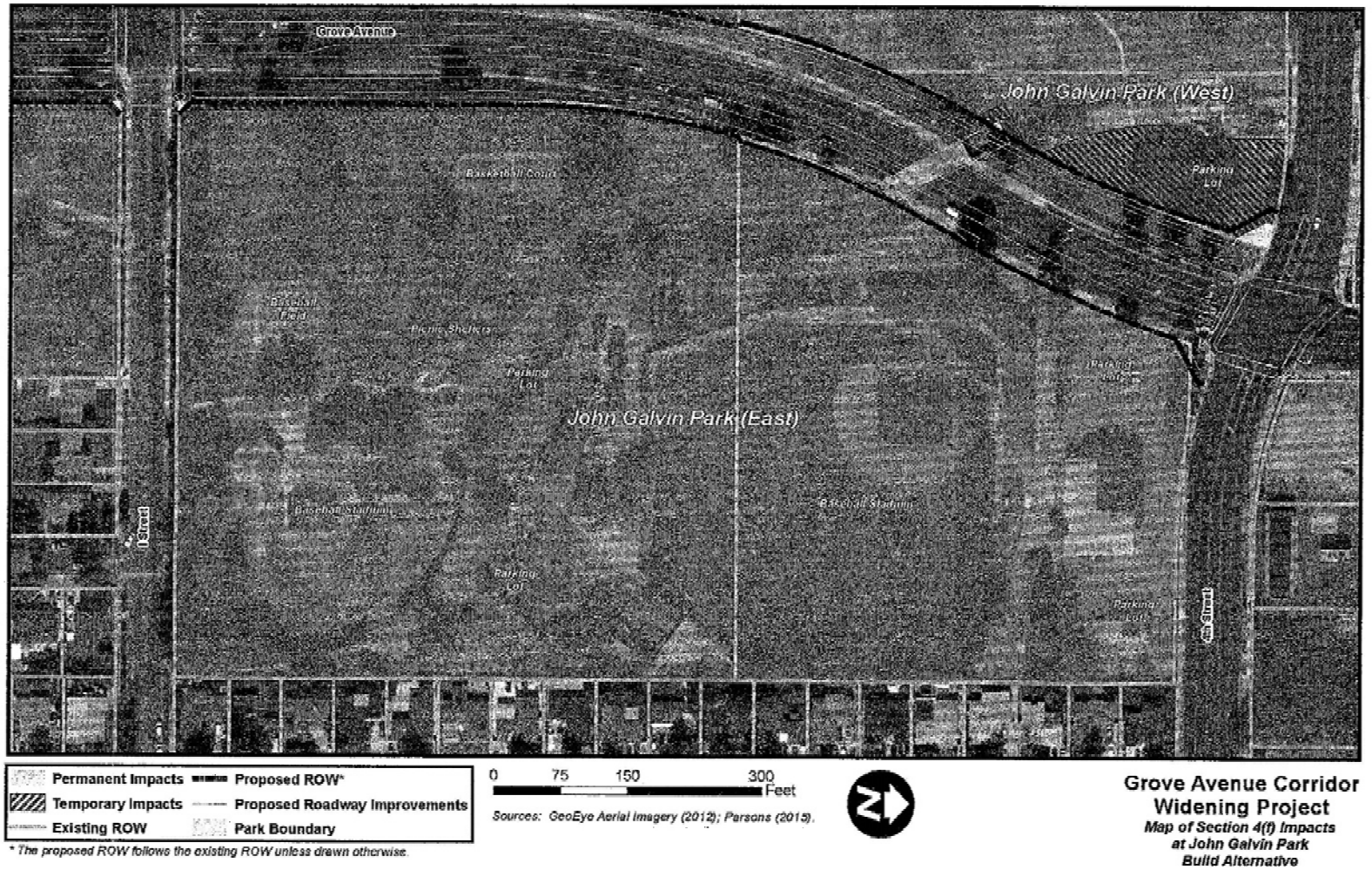

Figure 4. Build Alternative Impacts at John Galvin Park – East

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Grove Memorial Park and John Galvin Park – De Minimis Impact Finding Determination

Since the scoping period, Caltrans has contacted the City of Ontario to consult on project impacts to Grove Memorial Park and John Galvin Park.

While the extent of project improvements is under review, it is expected that the project would result in *de minimis* impacts to Grove Memorial Park and John Galvin Park under Section 4(f) because the activities, features, and attributes of these resources would not be adversely affected as discussed above; therefore, Caltrans is requesting the City of Ontario's concurrence with this *de minimis* impact finding determination, as required under Section 4(f) in 23 CFR 774. For your convenience, a signature block is provided as an attachment to this letter. Your concurrence is needed to continue to maintain the schedule of the project. Therefore, please provide concurrence on or before November 7, 2018. If you have any questions or would like to discuss in more detail, please contact Aaron Burton at Caltrans District 8 (909) 383-2841.

Sincerely,

Aaron Burton
Senior Environmental Planner, District 8
Local Assistance – Environmental Support

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

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CITY MANAGER

SHEILA MAUTZ
CITY CLERK

JAMES R. MILHISER
TREASURER

The City of Ontario appreciates the opportunity to participate in the Section 4(f) concurrence process. The City of Ontario understands that as part of the Grove Avenue Corridor Project, the California Department of Transportation (Caltrans) is proposing to widen Grove Avenue in the City of Ontario and the County of San Bernardino from four to six lanes between 4th Street and East State Street/East Airport Drive.

Caltrans determines that the *de minimis* finding is appropriate and would be maintained with regard to potential impacts to Grove Memorial Park and John Galvin Park on the activities, features, and attributes that qualify these trails for protection under Section 4(f).

My signature below represents written concurrence on the *de minimis* finding that the Grove Avenue Corridor Project would not adversely affect the activities, features, and attributes that qualify Grove Memorial Park and John Galvin Park for protection under Section 4(f). The temporary occupancy or use of portions of Grove Memorial Park and John Galvin Park during the construction phase and transportation use of the Section 4(f) resource incorporated into the Grove Avenue Corridor Project, together with the Section 4(f) avoidance, minimization, and mitigation or enhancement measures incorporated into the Grove Avenue Corridor Project, do not adversely affect the activities, features, and attributes that qualify Grove Memorial Park and John Galvin Park for protection under Section 4(f). The public has been afforded an opportunity to review and comment on the effects of the project on the protected activities, features, and attributes of the Section 4(f) resource. The signature is conditioned upon the Section 4(f) impacts and avoidance, minimization, and mitigation measures as previously referenced.

Cathy Wahlstrom, Director
City of Ontario
Planning Department
303 East "B" Street
Ontario, California 91764

12/18/19
Date

www.ontarioca.gov

Printed on recycled paper.

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Appendix B Title VI Policy Statement

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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY Gavin Newsom, Governor

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Making Conservation a California Way of Life.

August 2020

NON-DISCRIMINATION POLICY STATEMENT

The California Department of Transportation, under Title VI of the Civil Rights Act of 1964, ensures *"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."*

Caltrans will make every effort to ensure nondiscrimination in all of its services, programs and activities, whether they are federally funded or not, and that services and benefits are fairly distributed to all people, regardless of race, color, or national origin. In addition, Caltrans will facilitate meaningful participation in the transportation planning process in a nondiscriminatory manner.

Related federal statutes, remedies, and state law further those protections to include sex, disability, religion, sexual orientation, and age.

For information or guidance on how to file a complaint, or obtain more information regarding Title VI, please contact the Title VI Branch Manager at (916) 324-8379 or visit the following web page: https://dot.ca.gov/programs/civil-rights/title-vi.

To obtain this information in an alternate format such as Braille or in a language other than English, please contact the California Department of Transportation, Office of Civil Rights, at 1823 14th Street, MS-79, Sacramento, CA 95811; (916) 324-8379 (TTY 711); or at <Title.VI@dot.ca.gov>.

Original signed by
Toks Omishakin
Director

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY Gavin Newsom, Governor

DEPARTMENT OF TRANSPORTATION
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Making Conservation a California Way of Life.

Agosto de 2020

DECLARACIÓN DE POLÍTICA DE NO DISCRIMINACIÓN

El Departamento de Transporte de California, bajo el Título VI de la Ley de Derechos Civiles de 1964, asegura que *"Ninguna persona en los Estados Unidos, debido a su raza, color u origen nacional, será excluída de participar, ni se le negarán los beneficios, o será objeto de discriminación, en ningún programa o actividad que reciba ayuda financiera federal."*

Caltrans hará todos los esfuerzos para asegurar que no exista discriminación en ninguno de sus servicios, programas y actividades, ya sea que reciban fondos del gobierno federal o no, y que los servicios y beneficios sean justamente distribuidos a todas las personas sin importar su raza, color, u origen nacional. Adicionalmente, Caltrans facilitará la participación significativa en el proceso de planeación de los programas de transporte de manera no discriminatoria.

Los estatutos federales relacionados, los remedios, y la ley estatal refuerzan estas protecciones para incluir el sexo, la discapacidad, la religión, la orientación sexual y la edad.

Para información u orientación sobre cómo presentar una queja o para obtener más información relacionada con el Título VI, por favor comuníquese con el Gerente del Título VI al teléfono (916) 324-8379 o visite la siguiente página de Internet: https://dot.ca.gov/programs/civil-rights/title-vi.

Para obtener esta información en un formato alternativo como el Braille o en un lenguaje diferente al inglés, por favor póngase en contacto con la Oficina de Derechos Civiles del Departamento de Transporte de California, al 1823 14th Street, MS-79, Sacramento, CA 95811; al teléfono (916) 324-8379 (Teléfono de Texto TTY: 711); o al email: Title.VI@dot.ca.gov

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Appendix C Summary of Relocation Benefits

California Department of Transportation Relocation Assistance Program

RELOCATION ASSISTANCE ADVISORY SERVICES

This appendix is general in nature and is not intended to be a complete statement of federal and state relocation laws and regulations. Any questions about relocation should be addressed to Caltrans Right-of-Way. This section provides some general descriptive information on Public Law (PL) 91-646, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. This is often referred to simply as the "Uniform Act." The information in this appendix is provided only as background and is not intended as a complete statement of all the state or federal laws and regulations; for specific details, the environmental planner should contact the Caltrans District or Regional Right-of-Way Relocation Branch. After presenting an outline of the basic legal foundation for relocation policy, the appendix looks at important relocation assistance information, including advisory services and the payment program. Refer to the Caltrans Right-of-Way Manual Chapter 10, for more detailed and specific information on relocation and housing programs.

DECLARATION OF POLICY

"The purpose of this title is to establish a uniform policy for fair and equitable treatment of persons displaced as a result of federal and federally assisted programs in order that such persons shall not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole."

The Fifth Amendment to the U.S. Constitution states, "No Person shall…be deprived of life, liberty, or property, without due process of law, nor shall private property be taken for public use without just compensation." The Uniform Act sets forth in statute the due process that must be followed in Real Property acquisitions involving federal funds. Supplementing the Uniform Act is the government-wide single rule for all agencies to follow, set forth in 49 *Code of Federal Regulations* (CFR) Part 24. Displaced individuals, families, businesses, farms, and nonprofit organizations may be eligible for relocation advisory services and payments, as discussed below.

Fair Housing

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act, and as amended, makes discriminatory practices in the purchase and rental of most residential units illegal. Whenever possible, minority persons shall be given reasonable opportunities to relocate to any available housing regardless of neighborhood, as long as the replacement dwellings are decent, safe, and sanitary and are within their financial means. This policy, however, does not require Caltrans to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

Any persons to be displaced will be assigned to a relocation advisor, who will work closely with each displacee in order to see that all payments and benefits are fully utilized and that all regulations are observed, thereby avoiding the possibility of displacees jeopardizing or forfeiting any of their benefits or payments. At the time of the initiation of negotiations (usually the first written offer to purchase), owner-occupants are given a detailed explanation of the state's relocation services. Tenant occupants of properties to be acquired are contacted soon after the initiation of negotiations and also are given a detailed explanation of the Caltrans Relocation Assistance Program. To avoid loss of possible benefits, no individual, family, business, farm, or nonprofit organization should commit to purchase or rent a replacement property without first contacting a Caltrans relocation advisor.

Relocation Assistance Advisory Services

In accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, Caltrans will provide relocation advisory assistance to any person, business, farm or nonprofit organization displaced as a result of the acquisition of real property for public use, so long as they are legally present in the United States. Caltrans will assist eligible displacees in obtaining comparable replacement housing by providing current and continuing information on the availability and prices of both houses for sale and rental units that are "decent, safe and sanitary." Nonresidential displacees will receive information on comparable properties for lease or purchase (for business, farm and nonprofit organization relocation services, see below).

Residential replacement dwellings will be in a location generally not less desirable than the displacement neighborhood at prices or rents within the financial ability of the individuals and families displaced, and reasonably accessible to their places of

employment. Before any displacement occurs, comparable replacement dwellings will be offered to displacees that are open to all persons regardless of race, color, religion, sex, national origin, and consistent with the requirements of Title VIII of the Civil Rights Act of 1968. This assistance will also include the supplying of information concerning federal and state assisted housing programs and any other known services being offered by public and private agencies in the area.

Persons who are eligible for relocation payments and who are legally occupying the property required for the project will not be asked to move without first being given at least 90 days written notice. Residential occupants eligible for relocation payment(s) will not be required to move unless at least one comparable "decent, safe and sanitary" replacement dwelling, available on the market, is offered to them by Caltrans.

Residential Relocation Payments

The Relocation Assistance Program will help eligible residential occupants by paying certain costs and expenses. These costs are limited to those necessary for or incidental to the purchase or rental of a replacement dwelling and actual reasonable moving expenses to a new location within 50 miles of the displacement property. Any actual moving costs in excess of the 50 miles are the responsibility of the displacee. The Residential Relocation Assistance Program can be summarized as follows:

Moving Costs

Any displaced person, who lawfully occupied the acquired property, regardless of the length of occupancy in the property acquired, will be eligible for reimbursement of moving costs. Displacees will receive either the actual reasonable costs involved in moving themselves and personal property up to a maximum of 50 miles, or a fixed payment based on a fixed moving cost schedule. Lawful occupants who move into the displacement property after the initiation of negotiations must wait until Caltrans obtains control of the property in order to be eligible for relocation payments.

Purchase Differential

In addition to moving and related expense payments, fully eligible homeowners may be entitled to payments for increased costs of replacement housing.

Homeowners who have owned and occupied their property for 90 days or more prior to the date of the initiation of negotiations (usually the first written offer to purchase the property), may qualify to receive a price differential payment and may qualify to receive reimbursement for certain nonrecurring costs incidental to the purchase of the replacement property. An interest differential payment is also available if the interest

rate for the loan on the replacement dwelling is higher than the loan rate on the displacement dwelling, subject to certain limitations on reimbursement based upon the replacement property interest rate.

Rent Differential

Tenants and certain owner-occupants (based on length of ownership) who have occupied the property to be acquired by Caltrans prior to the date of the initiation of negotiations may qualify to receive a rent differential payment. This payment is made when Caltrans determines that the cost to rent a comparable "decent, safe and sanitary" replacement dwelling will be more than the present rent of the displacement dwelling. As an alternative, the tenant may qualify for a down payment benefit designed to assist in the purchase of a replacement property and the payment of certain costs incidental to the purchase, subject to certain limitations noted under the Down Payment section below.

To receive any relocation benefits, the displaced person must buy or rent and occupy a "decent, safe and sanitary" replacement dwelling within one year from the date Caltrans takes legal possession of the property, or from the date the displacee vacates the displacement property, whichever is later.

Down Payment

The down payment option has been designed to aid owner-occupants of less than 90 days and tenants in legal occupancy prior to Caltrans' initiation of negotiations. The one-year eligibility period in which to purchase and occupy a "decent, safe and sanitary" replacement dwelling will apply.

Last Resort Housing

Federal regulations (49 CFR 24) contain the policy and procedure for implementing the Last Resort Housing Program on federal-aid projects. Last Resort Housing benefits are, except for the amounts of payments and the methods in making them, the same as those benefits for standard residential relocation as explained above. Last Resort Housing has been designed primarily to cover situations where a displacee cannot be relocated because of lack of available comparable replacement housing, or when the anticipated replacement housing payments exceed the limits of the standard relocation procedure, because either the displacee lacks the financial ability or other valid circumstances.

After the initiation of negotiations, Caltrans will within a reasonable length of time, personally contact the displacees to gather important information, including the following:

- Number of people to be displaced.
- Specific arrangements needed to accommodate any family member(s) with special needs.
- Financial ability to relocate into comparable replacement dwelling which will adequately house all members of the family.
- Preferences in area of relocation.
- Location of employment or school.

Nonresidential Relocation Assistance

The Nonresidential Relocation Assistance Program provides assistance to businesses, farms and nonprofit organizations in locating suitable replacement property, and reimbursement for certain costs involved in relocation. The Relocation Advisory Assistance Program will provide current lists of properties offered for sale or rent, suitable for a particular business's specific relocation needs. The types of payments available to eligible businesses, farms and nonprofit organizations are: searching and moving expenses, and possibly reestablishment expenses; or a fixed in lieu payment instead of any moving, searching and reestablishment expenses. The payment types can be summarized as follows:

Moving Expenses

Moving expenses may include the following actual, reasonable costs:

- The moving of inventory, machinery, equipment and similar business-related property, including: dismantling, disconnecting, crating, packing, loading, insuring, transporting, unloading, unpacking, and reconnecting of personal property. Items identified as real property may not be moved under the Relocation Assistance Program. If the displacee buys an Item Pertaining to the Realty back at salvage value, the cost to move that item is borne by the displacee.
- Loss of tangible personal property provides payment for actual, direct loss of personal property that the owner is permitted not to move.
- Expenses related to searching for a new business site, up to $2,500, for reasonable expenses actually incurred.

Reestablishment Expenses

Reestablishment expenses related to the operation of the business at the new location, up to $25,000 for reasonable expenses actually incurred.

Fixed In Lieu Payment

A fixed payment in lieu of moving, searching, and reestablishment payments may be available to businesses that meet certain eligibility requirements. This payment is an amount equal to half the average annual net earnings for the last two taxable years prior to the relocation and may not be less than $1,000 nor more than $40,000.

Additional Information

Reimbursement for moving costs and replacement housing payments are not considered income for the purpose of the Internal Revenue Code of 1954, or for the purpose of determining the extent of eligibility of a displacee for assistance under the Social Security Act, or any other law, except for any federal law providing local "Section 8" Housing Programs.

Any person, business, farm or nonprofit organization that has been refused a relocation payment by the Caltrans relocation advisor or believes that the payment(s) offered by the agency are inadequate may appeal for a special hearing of the complaint. No legal assistance is required. Information about the appeal procedure is available from the relocation advisor.

California law allows for the payment for lost goodwill that arises from the displacement for a public project. A list of ineligible expenses can be obtained from Caltrans Division of Right-of-Way and Land Surveys. California's law and the federal regulations covering relocation assistance provide that no payment shall be duplicated by other payments being made by the displacing agency.

The link to the Division of Right-of-Way's Relocation Assistance Program is:

- https://dot.ca.gov/programs/right-of-way/relocation-assistance-program

Appendix D Avoidance, Minimization and/or Mitigation Summary

To be sure that all of the environmental measures identified in this document are executed at the appropriate times, the following mitigation program (as articulated on the proposed Environmental Commitments Record [ECR], which follows) would be implemented. During project design, avoidance, minimization, and/or mitigation measures will be incorporated into the project's final plans, specifications, and cost estimates, as appropriate. All permits will be obtained prior to implementation of the project. During construction, environmental and construction/engineering staff will ensure that the commitments contained in this ECR are fulfilled. Following construction and appropriate phases of project delivery, long-term mitigation maintenance and monitoring will take place, as applicable. As the following ECR is a draft, some fields have not been completed and will be filled out as each of the measures is implemented. Note: Some measures may apply to more than one resource area. Duplicative or redundant measures have not been included in this ECR.

The following matrix lists each of the environmental topics evaluated in the environmental document and the avoidance, minimization, and mitigation measures required to reduce or eliminate project impacts related to those topics. The column headings include the following information:

- **ID No.:** This column provides each commitment, as defined in Chapters 2 and 3.
- **Task and Brief Description:** This column provides the complete language of each environmental commitment, from Chapters 2 and 3.
- **Source:** Describes the specific section in the Final Environmental Document from where the commitment was derived.
- **CEQA Significance Addressed:** This column describes the significance level (potentially significant impact, less than significant with mitigation, less than significant, and no impact) of the California Environmental Quality Act (CEQA) impact that the commitment addresses.

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ID No.	Task and Brief Description	Source	SSP/NSSP	Project Timing	Responsible Staff	Action to Comply	CEQA Significance Addressed	Task Completed		Remarks/ Due Date
								Initial	Date	
Consistency with State, Regional, and Local Plans and Programs										
LU-3	The remnant parking lot on the west side of John Galvin Park will be reconfigured to maintain as many parking spots at this location as possible.	Final Environmental Document, Section 2.2.3.4, Measure LU-3	No				No Impact			
VA-2	Where it is not feasible to save the existing trees, new tree and vegetation plantings shall be included in the final design of the roadway. Replacement trees shall be two 24-inch boxed trees for each tree removed by the project. All areas disturbed by the project shall be fitted with new landscaping, including trees, groundcovers, accent plants, and turf grass (in park areas adjacent to existing remaining turf).	Final Environmental Document, Section 2.2.11.4, Measure VA-2	Yes				Less Than Significant Impact			
NC-1	The project shall preserve as many mature trees as practicable. Although there is no City of Ontario (City) or County of San Bernardino (County) ordinance for tree removal, the project's landscape plan will incorporate a tree replacement plan with a replacement ratio of 2:1 – for every mature tree removed, two trees will be planted to be consistent with Measure VA-2. Mature trees (larger than 20 feet high) that are to be removed shall be replaced with two 24-inch box trees. Design plans shall indicate locations of existing mature trees (larger than 20 feet high) to be preserved in place. Tree replacement shall meet all California Department of Transportation (Caltrans) and City standards and policies, and near John Galvin Park, the replacement tree species will incorporate species that have been identified as those of the original planting of John Galvin Park in the 1930s.	Final Environmental Document, Section 2.4.1.3, Measure NC-1	Yes				No Impact			
Parks and Recreation										
LU-1	Turf grass and rock curbs will be replaced in temporary construction easement (TCE) areas within Grove Memorial Park to match pre-project conditions in consultation with the property owner (City) during and at completion of construction.	Final Environmental Document, Section 2.2.3.4, Measure LU-1	No				No Impact			
LU-2	Turf grass and rock curbs will be replaced in TCE areas within John Galvin Park to match pre-project conditions in consultation with the property owner (City) during and at completion of construction.	Final Environmental Document, Section 2.2.3.4, Measure LU-2	No				No Impact			
LU-3	The remnant parking lot on the west side of John Galvin Park will be reconfigured to maintain as many parking spots at this location as possible.	Final Environmental Document, Section 2.2.3.4, Measure LU-3	No				No Impact			
Community Character and Cohesion										
SC-CI-1	To the extent practicable, street closures required during construction shall be scheduled to occur during nighttime hours. This requirement will be addressed in the Transportation Management Plan (TMP) to be prepared during the final design phase of project development.	Final Environmental Document, Section 3.3, Measure SC-CI-1	Yes				No Impact			
SC-CI-2	To the extent practicable, the contractor shall avoid blocking or limiting access to businesses during construction during normal business hours. Businesses will be contacted and advised of nearby construction activities before their start.	Final Environmental Document, Section 3.3, Measure SC-CI-2	Yes				No Impact			
SC-CI-3	Caltrans shall notify emergency service providers, such as fire, police, and ambulance services, in advance of construction of the timing, location, and duration of construction activities and the locations of detours and lane closures.	Final Environmental Document, Section 3.3, Measure SC-CI-3	No				No Impact			
Utilities and Emergency Services										
SC-CI-4	In accordance with the requirements in the California Code of Regulations (CCR), prior to the initiation of construction, the contractor shall coordinate and notify the operators of underground or overhead utility and service lines prior to any excavation activities. This coordination will avoid damage to existing utility lines and will limit disruption to existing utility services to the existing developments near the proposed alignments.	Final Environmental Document, Section 3.3, Measure SC-CI-4	No				No Impact			
UT-1	During final design, the Project Engineer will prepare utility relocation plans in consultation with the affected utility providers/owners for those utility facilities that will need to be relocated, removed, or protected in-place	Final Environmental Document, Section 2.2.9.3, Measure UT-1	Yes				No Impact			

ID No.	Task and Brief Description	Source	SSP/NSSP	Project Timing	Responsible Staff	Action to Comply	CEQA Significance Addressed	Task Completed		Remarks/ Due Date
								Initial	Date	
UT-2	During final design, the Project Engineer will prepare utility relocation plans in consultation with the affected utility providers/owners for those utility facilities that will need to be relocated, removed, or protected in place. If relocation is necessary, the final design will focus on relocating utilities within the State right-of-way (ROW) or other existing public ROWs and/or easements. If relocation outside of existing or the additional public ROWs and/or easements required for the project is necessary, the final design will focus on relocating those facilities in adjacent public ROWs and in a manner so as to not result in significant community, land use, or natural resource impacts.	Final Environmental Document, Section 2.2.9.3, Measure UT-2	Yes				No Impact			
UT-3	Close coordination with utility service providers and implementation of a public outreach program will be conducted, as needed, to minimize impacts to surrounding communities.	Final Environmental Document, Section 2.2.9.3 Measure UT-3	No				No Impact			
UES-1	Prior to and during any construction activities, the City will coordinate with emergency service providers to ensure that all providers are aware of temporary road closures and detours.	Final Environmental Document, Section 2.2.9.3, Measure UES-1	No				No Impact			
UES-2	Emergency service phone numbers (i.e., fire, emergency medical, police) will be posted in visible locations in all active construction areas.	Final Environmental Document, Section 2.2.9.3, Measure UES-2	No				No impact			
UES-3	To avoid conflicts during construction, the project's Resident Engineer will notify all emergency and other essential service providers no less than 2 weeks prior to the start of construction. Agencies to be notified include: • City of Ontario Police Department • City of Ontario Fire Department • San Bernardino County Sherriff's Department • San Bernardino County Fire Department	Final Environmental Document, Section 2.2.9.3, Measure UES-3	No				No Impact			
Relocations and Real Property Acquisition										
COM-1	Where acquisition and relocation are unavoidable, provisions of the Uniform Act and the 1987 Amendments, as implemented by the Uniform Relocation Assistance and Real Property Acquisition Regulations for Federal and Federally Assisted Programs adopted by the United States Department of Transportation (USDOT) (March 2, 1989) and, where applicable, the California Public Park Preservation Act of 1971, will be followed. An appraisal of the affected property will be obtained, and an offer for the full appraisal will be made.	Final Environmental Document, Section 2.2.6.4, Measure COM-1	No				Less Than Significant Impact			
Traffic and Transportation / Pedestrian and Bicycle Facilities										
SC-CI-5	Caltrans shall require the contractor to provide motorist alert and awareness information during construction, as appropriate for the conditions, to include the following options: changeable message signs (CMSs), stationary ground-mounted signs, traffic radio announcements, and the Caltrans Highway Information Network.	Final Environmental Document, Section 3.3, Measure SC-CI-5	yes				No Impact			
T-1	Final TMP – A TMP (July 2015) was prepared during development of the preliminary engineering for the project. During final design, a Final TMP will be prepared. At a minimum, the Final TMP will include the detailing of any projected temporary street closures or expected traffic delays due to project construction activities. The Final TMP will include a public awareness program that will use an appropriate combination of the Highway Advisory Radio (HAR), local media, newsletters, and/or flyers. The following elements will be major components of the Final TMP: Public Awareness Campaign, particularly related to the scheduling of work; Construction Zone Enhanced Enforcement Program (COZEEP); utilization of portable CMSs; and notification to be sent to local cities and emergency responders, if applicable.	Final Environmental Document, Section 2.2.6.4, Measure T-1	Yes				No Impact			
T-2	During project construction, the Project Engineer will ensure that the measures in the Final TMP are properly implemented by the contractor.	Final Environmental Document, Section 2.2.6.4, Measure T-2	Yes				No Impact			
T-3	During final design and construction, the Project Engineer will work with affected property owners to identify means to avoid and minimize parking impacts, including space management, such as restriping of parking areas and identifying parking replacement options.	Final Environmental Document, Section 2.2.6.4, Measure T-3	No				No Impact			

ID No.	Task and Brief Description	Source	SSP/NSSP	Project Timing	Responsible Staff	Action to Comply	CEQA Significance Addressed	Task Completed		Remarks/ Due Date
								Initial	Date	
T-4	All pedestrian facilities will be designed to meet or exceed requirements of the Americans with Disabilities Act (ADA) and current safety standards. Access to pedestrians and bicyclists shall be maintained to the extent practicable during the construction period.	Final Environmental Document, Section 2.2.6.4, Measure T-4	Yes				No Impact			
T-5	Prior to and during construction, the Project Engineer will coordinate with Omnitrans, the Ontario-Montclair School District, and other affected transit providers to request and comply with applicable procedures for any required temporary bus stop relocations or other disruptions to transit service during construction, if necessary.	Final Environmental Document, Section 2.2.6.4, Measure T-5	No				No Impact			
T-6	During final design and prior to and during construction, the Project Engineer will coordinate with the design and construction team for the I-10/Grove Avenue Interchange Project to ensure the Grove Avenue Corridor Project and the I-10/Grove Avenue Interchange Project are designed compatibly.	Final Environmental Document, Section 2.2.6.4, Measure T-6	No				No Impact			
Cultural Resources										
SC-CI-6	In accordance with Caltrans standard specifications, if cultural materials are discovered during construction, all earth-moving activities within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find. If human remains are discovered, Section 7050.5 of the State Health and Safety Code states that further disturbances and activities shall stop in any area or nearby area suspected to overlie remains, and the county coroner shall be contacted. Pursuant to Section 5097.98 of the Public Resources Code (PRC), if the remains are thought to be Native American, the coroner will notify the Resident Engineer and the Native American Heritage Commission (NAHC), who will then notify the Most Likely Descendent (MLD). At this time, the Resident Engineer will contact the District 8 Environmental Branch so that staff may work with the MLD on the respectful treatment and disposition of the remains. Further provisions of Section 5097.98 of the PRC are to be followed as applicable.	Final Environmental Document, Section 3.3, Measure SC-CI-6	Yes				No Impact			
SC-CI-7	It is Caltrans' policy to avoid cultural resources whenever possible. Further investigation may be needed if resources cannot be avoided by the project. Additional survey(s) will be required if the project changes to include areas not previously surveyed.	Final Environmental Document, Section 3.3, Measure SC-CI-7	Yes				No Impact			
CR-1	If cultural resources are discovered at the job site, all work activities shall stop within a 60-foot radius of the discovery, the discovery area shall be protected, and the Resident Engineer shall be notified. Cultural resources shall not be moved or taken from the job site until Caltrans investigates and determines the significance of the find. Work activities shall not resume within the discovery area until Caltrans provides written notification authorizing work activities to resume.	Final Environmental Document, Section 2.2.12.4, Measure CR-1	Yes				No Impact			
CR-2	**Human Remains:** If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities will cease in any area or nearby area suspected to overlie remains, and the County Coroner will be contacted. Pursuant to PRC Section 5097.98, if the remains are thought to be Native American, the Coroner will notify the NAHC, who will designate the MLD. At this time, the Caltrans District 8 Environmental Branch Chief, Andrew Walters (909) 383-2647, will be contacted so that they may work with the MLD on the respectful treatment and disposition of the remains. Further provisions of PRC 5097.98 are to be followed as applicable.	Final Environmental Document, Section 2.2.12.4, Measure CR-2	Yes				No Impact			
CI-1	**Inadvertent Discoveries:** Should subsurface archaeological resources be discovered; a qualified archaeologist shall be contacted to assess the significance of the find according to CEQA Guidelines Section 15064.5. If any find is determined to be significant, the archaeologist shall determine, in consultation with Caltrans, the City, and any local Native American groups expressing interest for prehistoric resources, appropriate avoidance measures or other appropriate mitigation. Per CEQA Guidelines Section 15126.4(b)(3), preservation in place shall be the preferred means to avoid impacts to archaeological resources qualifying as historical resources. Methods of avoidance may include, but shall not be limited to, rerouting or redesign, cancellation, or identification of protection measures such as capping or fencing. Consistent with CEQA Guidelines Section 15126.4(b)(3)(C), if it is demonstrated that resources cannot be avoided, the qualified archaeologist shall develop additional treatment measures, such as data recovery or other appropriate measures, in	Final Environmental Document, Section 3.3, Measure CI-1	No				No Impact			

ID No.	Task and Brief Description	Source	SSP/NSSP	Project Timing	Responsible Staff	Action to Comply	CEQA Significance Addressed	Task Completed		Remarks/ Due Date
								Initial	Date	
	consultation with Caltrans, the City, and any local Native American representatives expressing interest for prehistoric archaeological resources. If an archaeological site does not qualify as a historical resource but meets the criteria for a unique archaeological resource as defined in Section 21083.2, then the site shall be treated in accordance with the provisions of Section 21083.2.									
Water Quality and Stormwater Runoff										
SC-CI-8	The project shall conform to and submit a Water Quality Management Plan to the City. In addition, the project shall conform to the requirements of the National Pollutant Discharge Elimination System (NPDES) Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009- DWQ, NPDES No. CAS000002, as amended by 2010-0014-DWQ and 2012-0006-DWQ), also referred to as the Construction General Permit.	Final Environmental Document, Section 3.3, Measure SC-CI-8	Yes				No Impact			
SC-CI-9	The contractor shall develop an acceptable Storm Water Pollution Prevention Plan (SWPPP) containing proven best management practices (BMPs) to minimize stormwater pollution that has the potential to affect water quality. All construction site BMPs will follow the latest edition of the Storm Water Quality Handbooks and the Construction Site Best Management Practices Manual. In addition, the SWPPP shall include implementation of specific stormwater effluent monitoring requirements based on the project's risk level to ensure water quality standards are met.	Final Environmental Document, Section 3.3, Measure SC-CI-9	Yes				No Impact			
SC-CI-10	During construction, when dewatering is required, the contractor shall fully conform to the requirements specified in Order No. R5-00-175 (CAG 995001), General Waste Discharge Requirements for Discharges to Surface Water which Pose an Insignificant *(De Minimis)* Threat to Water Quality, from the Regional Water Quality Control Board (RWQCB).	Final Environmental Document, Section 3.3, Measure SC-CI-10	Yes				Less Than Significant Impact			
SC-CI-11	The contractor shall comply with all requirements of the Section 404 Permit issued by the U.S. Army Corps of Engineers (USACE) for the discharge of dredged or fill material into waters of the U.S.	Final Environmental Document, Section 3.3, Measure SC-CI-11	Yes				No Impact			
SC-CI-12	The contractor shall comply with all requirements of the Section 401 Certification issued by the RWQCB to ensure that all discharges comply with applicable federal and State effluent limitations and water quality standards.	Final Environmental Document, Section 3.3, Measure SC-CI-12	Yes				No Impact			
SC-CI-13	The contractor shall comply with all requirements of the Streambed Alteration Agreement per Section 1602 of the California Fish and Game Code (CFG Code).	Final Environmental Document, Section 3.3, Measure SC-CI-13	Yes				No Impact			
WQ-1	**Implement Temporary Construction BMPs.** The project will be required to conform to the requirements of the NPDES Permit for Construction Activities, Order No. 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-0006-DWQ, NPDES No. CAS000002.	Final Environmental Document, Section 2.2.2.4, Measure WQ-1	Yes				No Impact			
WQ-2	**Prepare and Implement an SWPPP.** The Contractor will be required to develop an acceptable SWPPP. The SWPPP shall contain BMPs that have demonstrated effectiveness at reducing stormwater pollution. The SWPPP shall address all construction-related activities, equipment, and materials that have the potential to affect water quality. All Construction Site BMPs will be installed, maintained, and inspected to control and minimize the impacts of construction-related pollutants. The SWPPP shall include BMPs to control pollutants, sediment from erosion, stormwater runoff, and other construction-related impacts. In addition, the SWPPP shall include implementation of specific stormwater effluent monitoring requirements based on the project's risk level to ensure that the implemented BMPs are effective in preventing discharges from exceeding any of the water quality standards.	Final Environmental Document, Section 2.3.2.4, Measure WQ-2	Yes				Less Than Significant Impact			
WQ-3	**Incorporate Design Principles into Final Roadway Design.** Design Principles are permanent measures to minimize pollution discharges by retaining source materials and stabilizing soils. The three objectives associated with Design Principle BMPs include maximizing vegetated surfaces, preventing downstream erosion, and stabilizing soil areas. These design objectives will be applied to the entire project.	Final Environmental Document, Section 2.3.2.4, Measure WQ-3	Yes				No Impact			

ID No.	Task and Brief Description	Source	SSP/NSSP	Project Timing	Responsible Staff	Action to Comply	CEQA Significance Addressed	Task Completed		Remarks/ Due Date
								Initial	Date	
Paleontology										
P-1	Develop and implement a Paleontological Monitoring Plan (PMP), with monitoring in excavations more than 10 feet deep for sediments mapped as Holocene at the surface and more than 5 feet deep for excavations mapped as Pleistocene at the surface. The PMP will guide and facilitate the identification and treatment of paleontological resources, if any are found, during project construction to reduce adverse effects on significant resources. The PMP will summarize identified paleontologically sensitive areas within the area of potential effects (APE), the organization and responsibilities of the paleontological team, the responsibilities of other parties, and the treatment and communications procedures to be implemented if paleontological resources are encountered during the project.	Final t Environmental Document, Section 2.3.4.4, Measure P-1	No				Less than Significant Impact			
SC-CI-14	Specifications for paleontological mitigation shall be included in the construction contract special provisions section for this project to advise the construction contractor of the requirement to cooperate with the salvage of paleontological resources, particularly fossil remains and associated locality data.	Final Environmental Document, Section 3.3, Measure SC-CI-14	Yes				Less Than Significant Impact			
SC-CI-15	A principal paleontologist that meets the qualifications in Chapter 8 – Paleontology of the Caltrans Standard Environmental Reference shall prepare a detailed Paleontological Mitigation Plan before the start of construction. The paleontologist must have a Master of Science/Arts (M.S./M.A.) or Doctor of Philosophy (Ph.D.) degree in paleontology or geology and will be familiar with paleontological salvage or mitigation procedures and techniques. The Paleontological Mitigation Plan shall be certified by a California Professional Geologist.	Final Environmental Document, Section 3.3, Measure SC-CI-15	Yes				Less Than Significant Impact			
SC-CI-16	If unanticipated fossils are discovered in an area of the project site not being actively monitored, the remains shall not be disturbed. The Resident Engineer shall direct that all work within a 60-foot radius of the discovery be stopped and that the area be protected. The Resident Engineer, in consultation with the paleontologist, will investigate and modify the dimensions of the protected area, if necessary. Paleontological resources will not be removed from the project site without authorization. Work will not resume within the specified radius of the discovery until authorized by the Resident Engineer.	Final Environmental Document, Section 3.3, Measure SC-CI-16	Yes				Less Than Significant Impact			
SC-CI-17	The construction contractor shall attend a preconstruction meeting with the Paleontological Salvage Team and the Resident Engineer to establish procedures for cooperation in the event fossil remains are encountered and to provide for worker safety during monitoring and salvage activities. The Principal Paleontologist and the Caltrans paleontology coordinator will be present at pregrading meetings to consult with grading and excavation contractors.	Final Environmental Document, Section 3.3, Measure SC-CI-17	Yes				Less Than Significant Impact			
Environmental Justice										
COM-2	Outreach activities targeted to low-income residents will be conducted during the planning, design, and construction phases of the Build Alternative.	Final Environmental Document, Section 2.2.6.4, Measure COM-2	No				Not Available- NEPA Only			
Visual Aesthetics										
VA-1	The existing trees, particularly within the park area, provide scale, shade, and visual relief to the extent of roadway paving. Preserving existing trees to the extent feasible will help maintain the existing visual character of the roadway.	Final Environmental Document, Section 2.2.11.4, Measure VA-1	Yes				Less Than Significant Impact			
VA-2	Where it is not feasible to save the existing trees, new tree and vegetation plantings shall be included in the final design of the roadway. Replacement trees shall be two 24-inch boxed trees for each tree removed by the project. All areas disturbed by the project shall be fitted with new landscaping, including trees, groundcovers, accent plants, and turf grass (in park areas adjacent to existing remaining turf).	Final Environmental Document, Section 2.2.11.4, Measure VA-2	Yes				Less Than Significant Impact			
VA-3	To support the replacement of plantings, the project shall include a permanent irrigation system to all new plantings. Materials used for irrigation shall be as per City of Ontario standards.	Final Environmental Document, Section 2.2.11.4, Measure VA-3	Yes				Less Than Significant Impact			

ID No.	Task and Brief Description	Source	SSP/NSSP	Project Timing	Responsible Staff	Action to Comply	CEQA Significance Addressed	Task Completed		Remarks/ Due Date
								Initial	Date	
VA-4	Decorative paving shall be employed for medians, islands, and parkway strips that are too narrow to plant. Paving color and texture/pattern shall match City of Ontario standards.	Final Environmental Document, Section 2.2.11.4, Measure VA-4	Yes				No Impact			
Hydrology										
HYD-1	Provide positive drainage during construction and refrain from filling designated floodplains. Construction site surface runoff will be channeled into existing drainage facilities so as to not cause water flow on neighboring properties. Offsite flows will be managed in a manner that will mimic the existing drainage network and will not inundate the roadway surface of any of the existing drainage systems.	Final Environmental Document, Section 2.3.1.4, Measure HYD-1	Yes				Less Than Significant Impact			
HYD-2	Implement standard BMPs as identified in the City of Ontario's Water Quality Management Plan, including temporary construction site BMPs to address site soil stabilization and reduce deposition of sediments to receiving waters.	Final Environmental Document, Section 2.3.1.4, Measure HYD-2	Yes				No Impact			
HYD-3	Include erosion control and water quality protection during construction at the West Cucamonga Channel. BMPs will be designed and implemented to reduce the discharge of pollutants to the Maximum Extent Practicable (MEP). Typical measures that may be implemented include preservation of existing vegetation, use of soil binders or hydroseeding, and installation of silt fences or fiber rolls.	Final Environmental Document, Section 2.3.1.4, Measure HYD-3	Yes				No Impact			
HYD-4	Contractor shall develop a contingency plan for unforeseen discovery of underground contaminants in the SWPPP.	Final Environmental Document, Section 2.3.1.4, Measure HYD-4	Yes				No Impact			
HYD-5	Limit construction activities between October and May to those actions that can adequately withstand high flows and entrainment of construction materials. The Contractor shall prepare a Rain Event Action Plan (REAP) and discuss high flows mitigation.	Final Environmental Document, Section 2.3.1.4, Measure HYD-5	Yes				No Impact			
Natural Communities										
NC-1	The project shall preserve as many mature trees as practicable. Although there is no City or County ordinance for tree removal, the project's landscape plan will incorporate a tree replacement plan with a replacement ratio of 2:1 – for every mature tree removed, two trees will be planted to be consistent with Measure VA-2. Mature trees (larger than 20 feet high) that are to be removed shall be replaced with two 24-inch box trees. Design plans shall indicate locations of existing mature trees (larger than 20 feet high) to be preserved in place. Tree replacement shall meet all Caltrans and City standards and policies, and near John Galvin Park, the replacement tree species will incorporate species that have been identified as those of the original planting of John Galvin Park in the 1930s.	Final Environmental Document, Section 2.4.1.3, Measure NC-1	Yes				No Impact			
Wetlands and Other Waters										
WET-1	Construction activities within the West Cucamonga Channel and Princeton Basin will be designed and conducted to maintain downstream flow conditions. All construction activities will be effectively isolated from water flows to the greatest extent feasible. This may be accomplished by working in the dry season or dewatering the work area in the wet season. When work in standing or flowing water is required, structures for isolating the in-water work area and/or diverting the water flow must not be removed until all disturbed areas are cleaned and stabilized. The diverted water flow must not be contaminated by construction activities. Structures used to isolate the in-water work area and/or diverting the water flow (e.g., coffer dam, geotextile silt curtain) must not be removed until all disturbed areas are stabilized.	Final Environmental Document, Section 2.4.2.4, Measure WET-1	Yes				No Impact			
Hazardous Waste										
HW-1	If any discolored, odorous, or compromised soils are encountered during excavation, they shall be tested and removed and disposed of per regulatory requirements.	Final Environmental Document, Section 2.4.5.4, Measure HW-1	Yes				Less than Significant Impact			
SC-CI-18	Appropriately manage, per regulatory compliance requirements, environmental areas of concern (AOCs) including treated wood waste (TWW)PCB in transformers and other	Final Environmental Document, Section 3.3, Measure SC-CI-18	Yes				Less than Significant Impact			

ID No.	Task and Brief Description	Source	SSP/NSSP	Project Timing	Responsible Staff	Action to Comply	CEQA Significance Addressed	Task Completed		Remarks/ Due Date
								Initial	Date	
	equipment, LBP in yellow thermoplastic/paint striping, and ADL-contaminated soils on unpaved areas if encountered prior to or during construction.									
SC-CI-19	As part of the ROW acquisition process, property to be acquired will be tested for asbestos-containing material (ACM) and lead-based paint (LBP). If ACM and LBP are found, the contractor will remove these materials per California Occupational Safety and Health Administration standards. Removal and/or disturbance of ACM must be conducted by a California Occupational Safety and Health Administration-registered and State-licensed asbestos removal contractor. At no time shall the identified asbestos-containing construction materials be drilled, cut, sanded, scraped, or otherwise disturbed by untrained personnel. Construction activities involving the potential for impacting asbestos-containing construction materials shall be conducted in accordance with the requirements of Title 8 of the CCR, Section 1529. Written notification shall be made to the California Occupational Safety and Health Administration at least 24 hours prior to the initiation of any construction activities that involve asbestos-related work of at least 100 square or linear feet.	Final Environmental Document, Section 3.3, Measure SC-CI-19	Yes				Less than Significant Impact			
SC-CI-20	Any compromised soils, if present, will be removed and disposed of per regulatory requirements.	Final Environmental Document, Section 3.3, Measure SC-CI-20	Yes				Less than Significant Impact			
Air Quality										
SC-CI-21	The contractor shall implement all applicable measures that are feasible during construction. Examples of air quality control measures include: • All disturbed areas, including storage piles that are not being actively used for construction purposes shall be effectively stabilized of dust emissions using water or chemical stabilizer/ suppressant, or they shall be covered with a tarp, another suitable cover, or vegetative ground cover. • All onsite unpaved roads and offsite unpaved access roads shall be effectively stabilized of dust emissions using water or a chemical stabilizer/suppressant. • All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions by applying water or by presoaking. • With the demolition of buildings up to six stories in height, all exterior surfaces of the building shall be wetted during demolition. • When materials are transported offsite, all material shall be covered or effectively wetted to limit visible dust emissions, and at least 6 inches of freeboard space from the top of the container shall be maintained. • All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden. • Within urban areas, an owner/operator shall prevent carryout and trackout, or immediately remove carryout and trackout when it extends 50 feet or more from the nearest unpaved surface exit point of the site. • Any construction site with 150 or more vehicle trips per day shall prevent carryout and trackout. The following measures shall be implemented at large construction sites near sensitive receptors: • Install wheel washers for all exiting trucks, or wash off tires of trucks and equipment leaving the site. • Install wind breaks at windward side(s) of construction areas. • Suspend excavation and grading activities when wind exceeds 20 mph. • Limit areas subject to excavation, grading, and other earthwork activity at any one time.	Final Environmental Document, Section 3.3, Measure SC-CI-21	Yes				No Impact			

ID No.	Task and Brief Description	Source	SSP/NSSP	Project Timing	Responsible Staff	Action to Comply	CEQA Significance Addressed	Task Completed		Remarks/ Due Date
								Initial	Date	
SC-CI-22	The contractor shall comply with the following Caltrans' Standard Specifications and South Coast Air Quality Management District (SCAQMD) rules, ordinances, and regulations: • The construction contractor must comply with SCAQMD Rule 403 (Fugitive Dust), which specifies actions or control measures to prevent, reduce, or mitigate particulate matter (PM) emissions generated from construction, demolition, excavation, extraction, and other earth-moving activities. • Water or dust palliative will be applied to the site and equipment as frequently as necessary to control fugitive dust emissions. • Soil binder will be spread on any unpaved roads used for construction purposes and all project construction parking areas. • Trucks will be washed off as they leave the ROW as necessary to control fugitive dust emissions. • Construction equipment and vehicles shall be properly tuned and maintained. Low-sulfur fuel shall be used in all construction equipment as provided in CCR Title 17, Section 93114. • Equipment and materials storage sites will be located as far away from residential and park uses as practicable. Keep construction areas clean and orderly. • Track-out reduction measures, such as gravel pads, will be used at project access points to minimize dust and mud deposits on roads affected by construction traffic. • All transported loads of soils and wet materials will be covered prior to transport or adequate freeboard will be provided (i.e., space from the top of the material to the top of the truck) to reduce particulate matter less than 10 microns in diameter (PM_{10}) and deposition of particulates during transportation. • Dust and mud that are deposited on paved, public roads due to construction activity and traffic will be removed to decrease PM. • The construction contractor must comply with Caltrans Standard Specifications in Section 14-9. • Section 14-9.02 includes specifications relating to compliance with air pollution control rules, regulations, ordinances, and statutes of the local ordinances and air quality management district. • Section 14-9.03 includes specifications relating to preventing and alleviating dust by applying water, dust palliative, or both and by covering active and inactive stockpiles.	Final Environmental Document, Section 3.3, Measure SC-CI-22	Yes				No Impact			
AQ-1	The City shall encourage construction contractors to apply for SCAQMD "SOON" funds. The "SOON" program provides funds to applicable fleets for the purchase of commercially available low-emission heavy-duty engines to achieve near-term reduction of NO_x emissions from in-use off-road diesel vehicles. More information on this program can be found at SCAQMD's website: http://www.aqmd.gov/home/programs/business/business-detail?title=off-road-diesel-engines&parent=vehicle-engine-upgrades.	Final Environmental Document, Section 2.3.6.4, Measure AQ-1	No				Less than Significant Impact			
Noise										
SC-CI-23	The contractor shall be required to adhere to the following equipment noise-control measures: • Each internal combustion engine used for any purpose on the job or related to the job shall be equipped with a muffler of a type recommended by the manufacturer. No internal combustion engine shall be operated on the job site without an appropriate muffler. • Construction methods or equipment that will provide the lowest level of noise and ground vibration impact (e.g., avoid impact pile driving near residences and consider alternative methods that are also suitable for the soil condition) shall be used. • Idling equipment shall be turned off. • Construction activities shall be coordinated to build recommended permanent soundwalls during the first phase of construction to protect sensitive receivers from subsequent construction noise, dust, light, glare, and other impacts, to the extent feasible. • Temporary noise barriers shall be used and relocated, as needed, to protect sensitive receptors against excessive noise from construction activities involving large equipment	Final Environmental Document, Section 3.3, Measure SC-CI-23	Yes				No Impact			

ID No.	Task and Brief Description	Source	SSP/NSSP	Project Timing	Responsible Staff	Action to Comply	CEQA Significance Addressed	Task Completed		Remarks/ Due Date
								Initial	Date	
	and by small items such as compressors, generators, pneumatic tools, and jackhammers. Noise barriers can be made of heavy plywood, moveable insulated sound blankets, or other best available control techniques. • Newer equipment with improved noise muffling shall be used, and all equipment items shall have the manufacturers' recommended noise abatement measures (e.g., mufflers, engine covers, and engine vibration isolators) intact and operational. Newer equipment will generally be quieter in operation than older equipment. All construction equipment shall be inspected at periodic intervals to ensure proper maintenance and presence of noise-control devices (e.g., mufflers and shrouding). • Construction activities shall be minimized to the extent possible in residential areas during evening, nighttime, weekend, and holiday periods. Noise impacts are typically minimized when construction activities are performed during daytime hours. However, nighttime construction may be desirable (e.g., in commercial areas where businesses may be disrupted during daytime hours) or necessary to avoid major traffic disruption. Coordination with the City or County shall occur before construction can be performed in noise-sensitive areas between 9:00 p.m. and 6:00 a.m.									
SC-CI-24	The contractor shall be required to adhere to the following vibration control measures: • Restrict the hours of vibration-intensive equipment or activities such as vibratory rollers so that impacts to residents are minimal (e.g., weekdays during daytime hours only when as many residents as possible are away from home). • The owner of a building close enough to a construction vibration source that could cause damage to that structure could be entitled to a preconstruction building inspection to document the preconstruction condition of that structure. • Conduct vibration monitoring during vibration-intensive activities.	Final Environmental Document, Section 3.3, Measure SC-CI-24	Yes				No Impact			
SC-CI-25	The contractor shall be required to adhere to the following administrative noise control measures: • Once details of the construction activities become available, the contractor shall work with local authorities to develop an acceptable approach to minimize interference with the business and residential communities, traffic disruptions, and the total duration of the construction. • Good public relations shall be maintained with the community to minimize objections to unavoidable construction impacts. Frequent activity updates of all construction activities shall be provided. A construction noise monitoring program to track sound levels and limit the impacts shall be implemented. • In case of construction noise complaints by the public, the Resident Engineer shall coordinate with the construction manager, and the specific noise-producing activity may be changed, altered, or temporarily suspended, if necessary.	Final Environmental Document, Section 3.3, Measure SC-CI-25	Yes				No Impact			
N-1	Based on the studies completed to date and input from the public, Caltrans and the City will incorporate noise abatement in the form of soundwalls that meet the criteria for reasonableness and feasibility. The recommended soundwalls would reduce the traffic noise by at least 5 decibels (dB) at the impacted receivers, would meet the design goal by providing a 7-dB reduction for at least one receiver, and would cost less than the reasonable cost allowance. If conditions have substantially changed during final design, noise abatement may change or may not be necessary, depending on the results of the updated noise analysis using final design information. The final decision of the noise abatement will be made upon completion of the project design and the public involvement process. After circulation of the draft environmental document, soundwall surveys were conducted with all property owners and residents of benefited receptors located within the footprint of the Build Alternative. Where 100Where10 percent of the responding benefited receptors did not support the soundwall, the soundwall will not be constructed. However, if conditions substantially change at the time of final design, a noise analysis and/or soundwall surveys may be conducted again and the final decision on noise abatement will be reconsidered as part of the project design.	Final Environmental Document, Section 2.3.7.4, Measure N-1	Yes				Unavoidable Significant Environmental Impacts			

ID No.	Task and Brief Description	Source	SSP/NSSP	Project Timing	Responsible Staff	Action to Comply	CEQA Significance Addressed	Task Completed		Remarks/ Due Date
								Initial	Date	
Energy										
SC-CI-26	The contractor shall identify specific measures that reduce the amount of refuse generated by construction of the proposed project, consistent with the waste reduction requirements established by the California Integrated Waste Management Act of 1989.	Final Environmental Document, Section 3.3, Measure SC-CI-26	Yes				Not Available- NEPA Only			
Invasive Species										
SC-CI-27	In compliance with the Executive Order (EO) on Invasive Species (EO 13112) and subsequent guidance from the Federal Highway Administration (FHWA), the City of Ontario shall not use species listed as invasive as part of landscaping erosion control measures. In areas of particular sensitivity, extra precautions shall be taken if invasive species are found in or adjacent to the construction areas. These include the inspection and cleaning of construction equipment and eradication strategies to be implemented should an invasion occur. To adhere to this requirement, any landscape designs shall be submitted to the City of Ontariofor review and concurrence by a qualified biologist during the project design phase. The review shall verify that no noxious weeds/invasive exotic plant species are in the proposed landscaping plan. If the plan contains noxious weeds/invasive species, the reviewing biologist shall coordinate suitable substitutes.	Final Environmental Document, Section 3.3, Measure SC-CI-27	Yes				Not Available- NEPA Only			
IS-1	In compliance with the EO on Invasive Species (EO 13112) and guidance from FHWA, the landscaping and erosion control included in the project will not use species listed as invasive. In areas of particular sensitivity (i.e., near or adjacent to drainages), extra precautions will be taken if invasive species are found in or next to the construction areas. This includes the inspection and cleaning of construction equipment and eradication strategies, as required by the City of Ontario Biological Monitor, to be implemented should an invasion occur. Any cleaning of equipment or site watering will be conducted in adherence to any applicable drought conditions and related regulations. A City of Ontario biologist or landscape Architect will approve any seed lists (for planting).	Final Environmental Document, Section 2.4.6.4, Measure IS-1	Yes				Not Available- NEPA Only			
Animal Species										
Mitigation Measure AS-1	To avoid effects to nesting birds, the Project Engineer will require the contractor to conduct vegetation removal or tree-trimming activities outside of the nesting bird season (i.e., February 15 through August 31). If vegetation clearing is necessary during the nesting season, the Project Engineer will require the contractor to have a qualified biologist conduct a preconstruction survey within 150 feet of construction areas no more than 10 days prior to construction at the location to identify the location of nests, if any. A qualified biologist is one that has previously surveyed for nesting bird species within southern California. Should nesting birds be found, an exclusionary buffer will be established by the qualified biologist around each nest site. The buffer will be clearly marked in the field by construction personnel under guidance of the contractor's qualified biologist, and construction or clearing will not be conducted within this zone until the qualified biologist determines that the young have fledged or the nest is no longer active. The qualified biologist will monitor the nests on a weekly basis to ensure that construction activities do not disturb or disrupt nesting activities. If the qualified biologist determines that construction activities are disturbing or disrupting nesting activities, then the biologist will notify the Project Engineer, who has the authority to stop or modify construction to reduce the noise and/or disturbance to the nests. Responses may include, but are not limited to, increasing the size of the exclusionary buffer, curtailing nearby work activities, turning off vehicle engines and other equipment wherever possible to reduce noise, installing a protective noise barrier between the nest and the construction activities, and/or working in other areas until the young have fledged.	Final Environmental Document, Section 2.4.4.4, Measure AS-1	Yes				Less Than Significant with Mitigation			

Appendix E List of Acronyms and Abbreviations

°F	degrees Fahrenheit
µg/m^3	micrograms per cubic meter
AADT	average annual daily traffic
AB	Assembly Bill
ACHP	Advisory Council on Historic Preservation
ACS	American Community Survey
ACM	asbestos-containing material
ADA	Americans with Disabilities Act
ADT	average daily traffic
ALUCP	Airport Land Use Compatibility Plan
AOC	Areas of Concern
APE	Area of Potential Effect
AQMP	Air Quality Management Plan
ARB	California Air Resources Board
ASR	Archaeological Survey Report
BACM	Best Available Control Measures
Basin	South Coast Air Basin
BAU	business as usual
bgs	below ground surface
BFE	base flood elevation
BMPs	Best Management Practices

BSA	Biological Study Area
BTEX	benzene, toluene, ethylbenzene, and xylene
BTU	British thermal units
CAFE	Corporate Average Fuel Economy
Cal/EPA	California Environmental Protection Agency
Cal-IPC	California Invasive Plant Council
Caltrans	California Department of Transportation
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CE	Categorical Exclusion
CEC	California Energy Commission
CEQ	Council on Environmental Quality
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act of 1980
CERFA	Community Environmental Response Facilitation Act of 1992
CESA	California Endangered Species Act
CFG Code	California Fish and Game Code
CFR	*Code of Federal Regulations*
CH_4	methane
CHP	California Highway Patrol
C+M	Construction and Management
City	City of Ontario

CMS	changeable message sign
CNDDB	California Natural Diversity Database
CNPS	California Native Plant Society
CO	carbon monoxide
CO_2	carbon dioxide
CO-CAT	Coastal and Ocean Working Group of the California Climate Action Team
County	San Bernardino County
COZEEP	Construction Zone Enhanced Enforcement Program
CRHR	California Register of Historic Resources
CSA	construction staging area
CTP	California Transportation Plan
CWA	Clean Water Act
dB	decibel
dBA	A-weighted decibel
DOC	California Department of Conservation
DPM	diesel particulate matter
DSA	disturbed soil area
DTSC	Department of Toxic Substances Control
EA	Environmental Assessment
ECR	Environmental Commitments Record
EDR	Environmental Data Resources, Inc.
EIR	Environmental Impact Report
EIS	Environmental Impact Statement

EO	Executive Order
EPA	United States Environmental Protection Agency
ESA	Environmentally Sensitive Area
FCAA	Federal Clean Air Act
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FHWA	Federal Highway Administration
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FIRM	Flood Insurance Rate Map
FIS	Flood Insurance Study
FMMP	Farmland Mapping and Monitoring Program
FONSI	Finding of No Significant Impact
FPPA	Farmland Protection Policy Act
FSTIP	Federal Statewide Transportation Improvement Program
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GHG	greenhouse gas
GIS	geographic information system
GPS	global positioning system
H_2S	hydrogen sulfide
HAR	Highway Advisory Radio
HCM	Highway Capacity Manual
HEI	Health Effects Institute
HHS	Department of Health and Human Services

HOV	High-Occupancy Vehicle
HPSR	Historic Property Survey Report
HREC	Historic Recognized Environmental Condition
HRER	Historical Resources Evaluation Report
HSA	hydrologic subarea
I-10	Interstate 10
I-15	Interstate 15
IBI	Index of Biotic Integrity
IEUA	Inland Empire Utility Agency
IPaC	Information, Planning, and Conservation
IPCC	Intergovernmental Panel on Climate Change
LCFS	low carbon fuel standard
LED	light-emitting diode
LBP	Lead-based paint
LEDPA	lease environmentally damaging practicable alternative
LOS	Level of Service
LST	Localized Significance Threshold
LUST	leading underground storage tank
MAP-21	Moving Ahead for Progress in the 21st Century
MBTA	Migratory Bird Treaty Act
MEP	maximum extent practicable
MLD	Most Likely Descendent
$MMTCO_2e$	million metric tons of carbon dioxide equivalent
MOU	Memorandum of Understanding

mpg	miles per gallon
mph	miles per hour
MPO	Metropolitan Planning Organization
MS4	municipal separate storm sewer system
MSAT	Mobile source air toxic
MSWMP	Master Stormwater System Maintenance Program
$MTCO_2e$	metric tons of carbon dioxide equivalent
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAC	Noise Abatement Criteria
NAHC	Native American Heritage Commission
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act of 1966
NHTSA	National Highway Traffic Safety Administration
NMFS	National Marine Fisheries Service
NO_2	nitrogen dioxide
NO_x	nitrogen oxides
NOA	Notice of Availability
NOAA	National Oceanic and Atmospheric Administration
NOAA Fisheries	National Oceanic and Atmospheric Administration's National Marine Fisheries
NOC	Notice of Completion
NOIS	Notice of Initiation of Studies
NOP	Notice of Preparation

NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NSR	Noise Study Report
NWI	National Wetlands Inventory
NWP	Nationwide Permit
O_3	ozone
OE	Operations Engineer
OHWM	ordinary high water mark
OPR	Office of Planning and Research
OSHA	Occupational Safety and Health Act
OSTP	Office of Science and Technology Policy
PA	Programmatic Agreement
PA/ED	Project Approval/Environmental Document
Pb	lead
PCB	polychlorinated biphenyls
PCE	passenger car equivalent
PCL	Pacific Coast League
PDT	Project Development Team
PFYC	Potential Fossil Yield Classification
PL	Public Law
PM	particulate matter
PM_{10}	particulate matter less than 10 microns in diameter
$PM_{2.5}$	particulate matter less than 2.5 microns in diameter

PMP	Paleontological Monitoring Plan
POAQC	Project of Air Quality Concern
ppb	parts per billion
ppm	parts per million
PRC	Public Resources Code
Project	Grove Avenue Corridor Project
RAP	Relocation Assistance Program
RCP	Regional Comprehensive Plan
RCRA	Resource Conservation and Recovery Act of 1976
RCTC	Riverside County Transportation Commission
REC	Recognized environmental conditions
REAP	Rain Event Action Plan
Resources Agency	California Natural Resources Agency
RIS	Relocation Impact Statement
ROG	reactive organic gases
ROW	right-of-way
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SAA	Streambed Alteration Agreement
SAWCO	San Antonio Water Company
SB	Senate Bill
SBAIC	San Bernardino Archaeological Information Center
SBCFCD	San Bernardino County Flood Control District
SBCM	San Bernardino County Museum

SBCTA	San Bernardino County Transportation Authority
SBTAM	San Bernardino County Transportation Analysis Model
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCH	State Clearinghouse
SCS	Sustainable Communities Strategy
SDC	Seismic Design Criteria
SER	Standard Environmental Reference
SF_6	sulfur hexafluoride
SHPO	State Historic Preservation Officer
SIP	State Implementation Plan
SLR	Sea Level Rise
SO_2	sulfur dioxide
SO_x	sulfur oxides
SPRR	Southern Pacific Railroad
SR	State Route
SWMP	Storm Water Management Plan
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TCE	Temporary Construction Easement
TCWG	Transportation Conformity Working Group
TDS	total dissolved solids
TMDLs	Total Maximum Daily Loads
TMP	Transportation Management Plan

TPH	total petroleum hydrocarbon
TSCA	Toxic Substances Control Act
TWW	treated wood waste
UPRR	Union Pacific Railroad
U.S.C.	United States Code
USACE	United States Army Corps of Engineers
USDA	United States Department of Agriculture
USDOT	United States Department of Transportation
USFWS	United States Fish and Wildlife Service
USGCRP	U.S. Global Change Research Program
USGS	United States Geological Survey
v/c	volume to capacity
VHT	vehicle hours traveled
VMT	vehicle miles traveled
VOC	volatile organic compounds
VRP	visibility-reducing particles
WDR	Waste Discharge Requirements
WPCP	Water Pollution Control Program

Appendix F Health Risk Assessment

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DRAFT
HEALTH RISK ASSESSMENT

Grove Avenue Corridor Project

City of Ontario
San Bernardino County

FPN HPLUL-5092(039)
Project Identification 0815000220

July 2016

CITY OF ONTARIO

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DRAFT
HEALTH RISK ASSESSMENT

CITY OF ONTARIO

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List of Acronyms and Abbreviations

AADT	average annual daily traffic
ADT	average daily traffic
ARB	California Air Resources Board
AQR	Air Quality Report
AT	Averaging time
BW	body weight
CAAQS	California Ambient Air Quality Standards
Cair	concentration of contaminant in air
Caltrans	California Department of Transportation
CDI	chronic daily intake
CEQA	California Environmental Quality Act
City	City of Ontario
CO	carbon monoxide
CPF	cancer potency factor
County	County of San Bernardino
DPM	diesel particulate matter
ED	exposure duration
EF	exposure frequency
EPA	U.S. Environmental Protection Agency
FHWA	Federal Highway Administration

I-10	Interstate 10
IR	inhalation rate
LOS	level of service
$\mu g/m^3$	micrograms per cubic meter
mg/m^3	milligrams per cubic meter
mpg	miles per gallon
mph	miles per hour
MPO	Metropolitan Planning Organization
NB	northbound
NEPA	National Environmental Policy Act
NOA	naturally occurring asbestos
NO_2	nitrogen dioxide
NO_X	oxides of nitrogen
O_3	ozone
PM	particulate matter
PM_{10}	particulate matter less than 10 microns in diameter
$PM_{2.5}$	particulate matter less than 2.5 microns in diameter
ppb	parts per billion
ppm	parts per million
REL	Reference Exposure Level
RME	reasonable maximum exposures
ROGs	reactive organic gases

ROW	right-of-way
SB	Southbound
SCAQMD	South Coast Air Quality Management District
UPRR	Union Pacific Railroad
URF	unit risk factor
TAC	toxic air contaminant
SRA	Source Receptor Area
VMT	vehicle miles traveled
VOC	volatile organic compounds

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Chapter 1 Introduction

For the Grove Avenue Corridor Project, emissions generated by the widening of the roadway are a potential concern and relevant thresholds and standards exist to determine the impact of vehicular emissions on an exposed population. As such, a health risk assessment was prepared to evaluate the potential impact of these emissions on individuals residing within the proposed project area.

In April 2005, the California Air Resources Board (CARB) developed recommendations regarding setting sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles per day, or rural road with 50,000 vehicles per day. According to the recommendation from CARB, the increased cancer risk is 300 to 1,700 per million within this domain. The strongest association of traffic related emissions with adverse health outcomes was seen within 300 feet of roadways with high truck densities and particulate pollution levels decreasing by approximately 70 percent at a distance of 500 feet and greater.

The ambient concentrations of air pollutants are determined by the amount of emissions released by sources and the atmosphere's ability to transport and dilute the emissions. Air quality conditions are generated by topography, wind speed, wind direction, air temperature gradients, and emissions released by air pollutant sources, which interact to move and disperse air pollutants.

This report summarizes the methodologies used in assessing the potential health risks associated with the proposed project and presents the results of the assessment. The assessment and dispersion modeling methodologies used in the preparation of this report were composed of all relevant and appropriate procedures presented by the U.S. Environmental Protection Agency (EPA), California Environmental Protection Agency (CalEPA) and South Coast Air Quality Management District (SCAQMD). The methodologies and assumptions offered under this regulatory guidance were used to ensure that the assessment effectively quantified residential exposures associated with the generation of contaminant emissions from the Grove Avenue Corridor Project.

1.1 Project Purpose, Need, Description, and Alternatives

1.1.1 Project Purpose

The purpose of the proposed Grove Avenue Corridor Project is to accomplish the following objectives:

- Alleviate existing and anticipated future congestion along Grove Avenue between Interstate 10 (I-10) and State Street/Airport Drive;
- Improve traffic operations and mobility to and from LA/Ontario International Airport, a future cargo hub facility near Grove Avenue and Holt Boulevard, and other planned uses; and

Provide route continuity along Grove Avenue in conformance with the City of Ontario General Plan Circulation Element, which identifies Grove Avenue as a six-lane principal arterial.

1.1.2 Project Need

The proposed project is needed to serve existing and projected travel demand along the Grove Avenue corridor. Improvements to Grove Avenue are needed to accommodate the recent and projected growth in passenger and goods/trucks movement associated with the LA/Ontario International Airport and changes in land use since Grove Avenue was originally constructed.

Based on traffic projections and the existing and planned land uses in the vicinity, the existing Grove Avenue facility is forecast to operate at unsatisfactory level of service (LOS) at three intersections within the project limits by 2045 without improvements.

1.1.3 Project Description

The City of Ontario (City) proposes to widen Grove Avenue from a four-lane roadway to a six-lane roadway from 4th Street to State Street/Airport Drive, as shown in Figures 1-1 and 1-2. One Build Alternative and a No Build Alternative are being considered for the Grove Avenue Corridor Project.

Grove Avenue is located approximately 1.4 miles east of Euclid Avenue and approximately 1.2 miles west of Vineyard Avenue along I-10. The project area is bound on the north by 4th Street and on the south by East State Street/East Airport Drive.

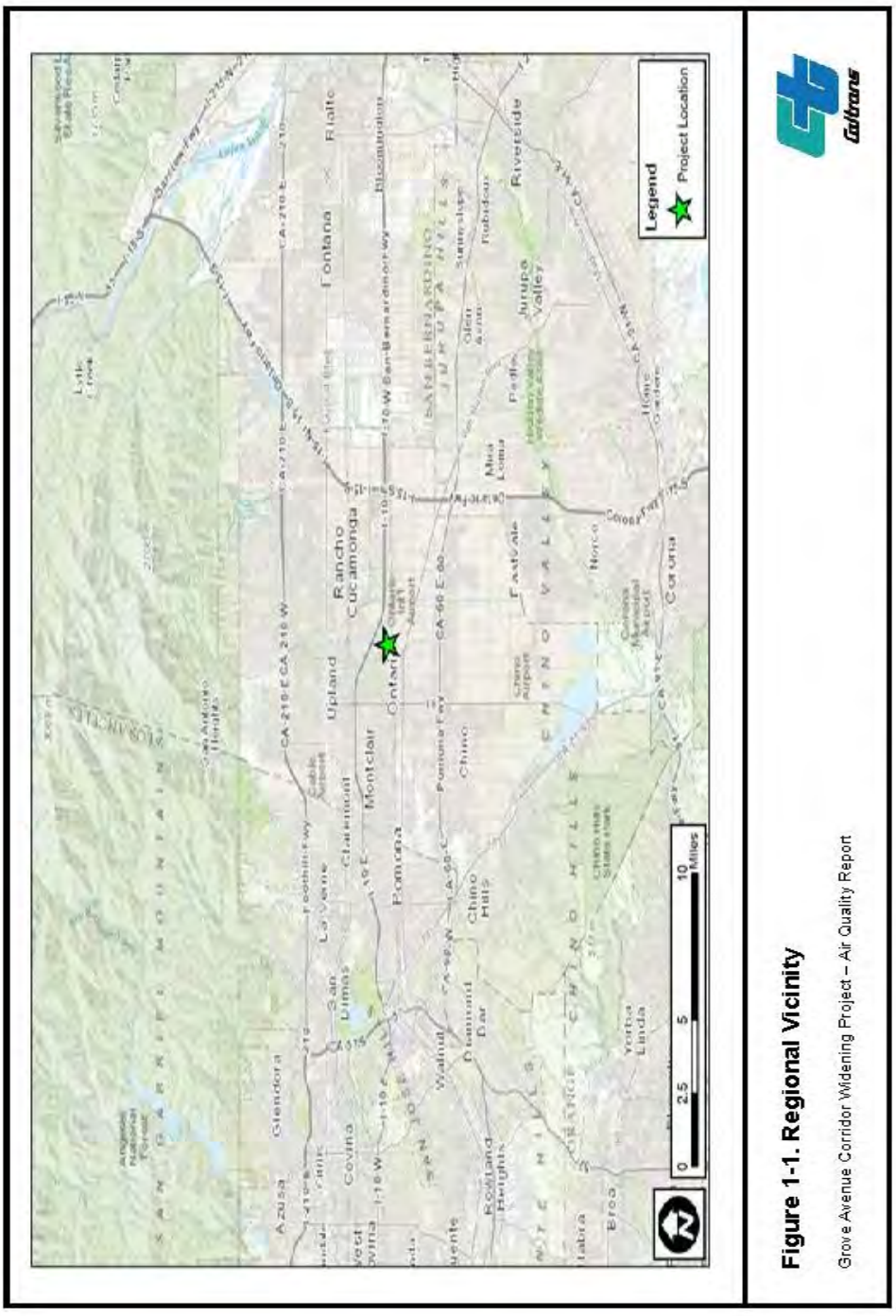

Figure 1-1. Regional Vicinity

Grove Avenue Corridor Widening Project – Air Quality Report

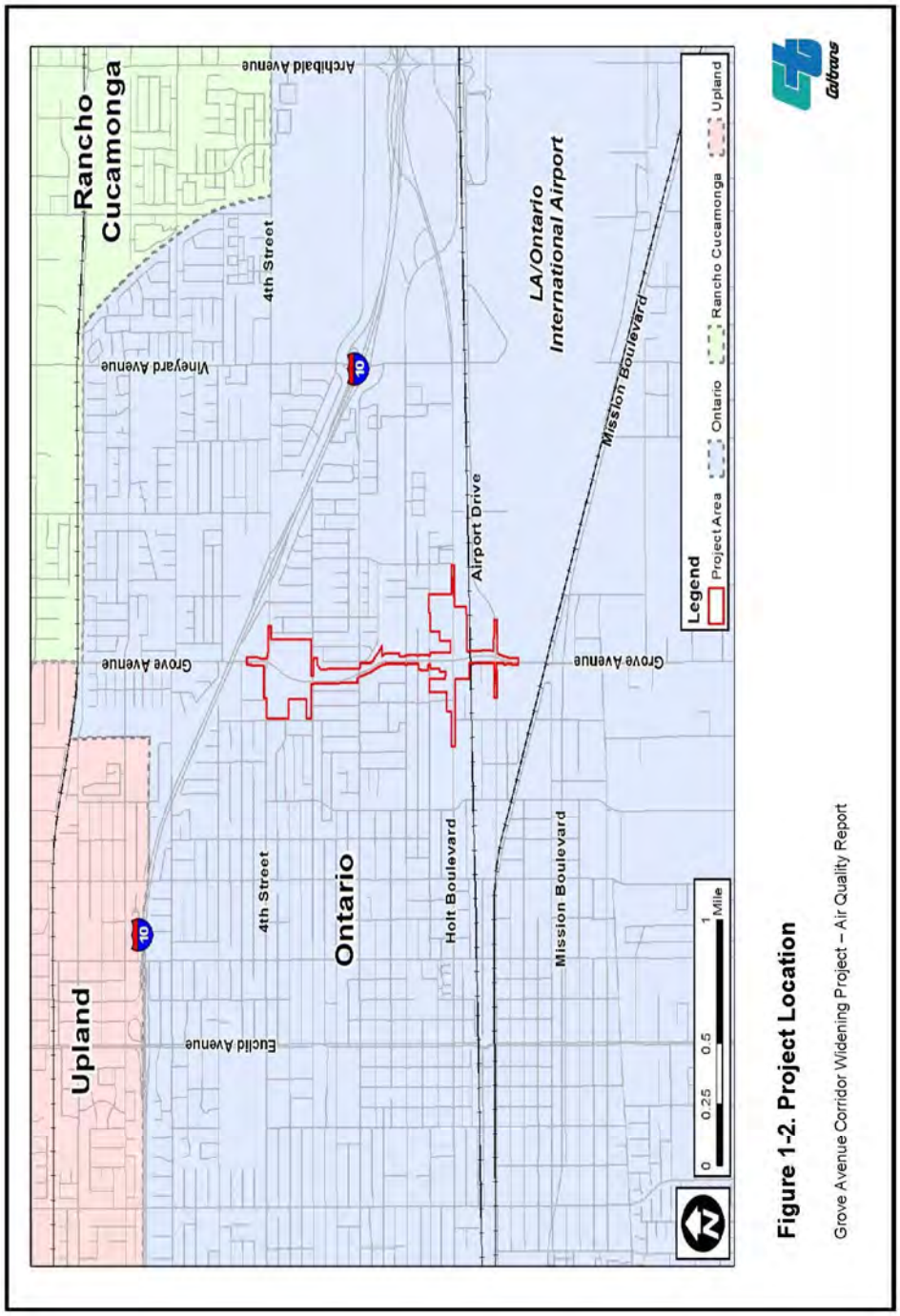

Figure 1-2. Project Location

Grove Avenue Corridor Widening Project – Air Quality Report

1.1.4 Alternatives

Build Alternative

The Build Alternative proposes local street improvements along Grove Avenue and improvements at the Grove Avenue/Holt Boulevard intersection. This includes widening Grove Avenue from four lanes to six lanes between 4th Street and East State Street/East Airport Drive in accordance with the City of Ontario Master Plan. South of 4th Street, Grove Avenue would be widened to the west to avoid impacts to the historical Jay Littleton Ballpark. Between I Street and Holt Boulevard, Grove Avenue would be widened to the east, and between Holt Boulevard and East State Street/East Airport Drive, Grove Avenue would be widened on both sides. Holt Boulevard would be widened at the Grove Avenue intersection from one through lane, one through-right lane, and one left turn lane in each direction to two through lanes, one through-right lane, and two left turn lanes in each direction. Alternative 2 would include covering a portion of two culverts: the G Street Culvert and the Grove Avenue Culvert.

Earthwork and Retaining Walls. The project would include earthwork activities and development of retaining walls. The cut slopes would be a standard two (horizontal) to one (vertical), and fill slopes would be a standard four (horizontal) to one (vertical). Four retaining walls would be proposed under the Union Pacific Rail Road (UPRR) Bridge between Holt Boulevard and East State Street/East Airport Drive to accommodate widening Grove Avenue without impacting the UPRR Bridge. The walls would range from 6 to 10 feet in height and would be constructed at the following locations:

- Northbound (NB) Grove Avenue under the UPRR Bridge, between the roadway and the sidewalk
- NB Grove Avenue between the UPRR Bridge and Holt Boulevard, at the back of sidewalk
- Southbound (SB) Grove Avenue under the UPRR Bridge, between the roadway and the sidewalk
- SB Grove Avenue between the UPRR Bridge and Holt Boulevard, at the back of sidewalk

Nonmotorized and Pedestrian Features. Grove Avenue is designated as a Bicycle Corridor by the City of Ontario Multipurpose Trails and Bikeway Corridor Plan. The Build Alternative proposes an outside lane width of 15 feet, in accordance with the City of Ontario Master Plan. Standard sidewalks would be provided along Grove Avenue within the project limits.

Right-of-Way (ROW) Acquisition. To provide ROW for the local street widening, the Build Alternative would fully acquire approximately 14 properties and partially acquire approximately 70 properties. The ROW impacts consist of single-family and multi-family residential properties, vacant parcels, and commercial and industrial properties. In addition, temporary construction easements would be needed from several properties where grading would occur.

No Build Alternative

The No Build Alternative proposes no improvements to the project area. Grove Avenue would maintain the existing four through lanes, and the existing configuration at the Grove Avenue/Holt Boulevard intersection would be maintained.

1.1.5 Existing Land Uses

The area surrounding the project alignment supports a variety of land uses, including outdoor recreational uses (John Galvin Park and Memorial Grove Park); single- and multi-family residences; three motels; and commercial properties.

Generally, people that are more susceptible to poor air quality are young children, the elderly, and people with immune deficiencies; therefore, land uses, such as schools, daycare facilities, hospitals, elderly care facilities, and other areas that are occupied by people susceptible to air quality pollutants are considered sensitive air quality receptors. Residential land uses also are considered sensitive receptors.

1.1.6 Summary of Findings

For carcinogenic exposures, the summation of risk for the maximum exposed residential receptor totaled 3.03E-06 (3.03 in one million) for the 30 year and 9.09E-08 (9.09 in one million) for the 9 year exposure scenarios. In comparison to the threshold level of ten in one million, carcinogenic risks will not exceed the applicable thresholds for both the 30 and 9 year exposure scenario. Therefore, carcinogenic exposures are calculated to be within acceptable limits and are less than significant.

For chronic noncarcinogenic effects, the hazard index identified for each toxicological endpoint totaled less than one for both the 30 year and 9 year exposure scenarios. For acute exposures, the hazard indices for the identified averaging times did not exceed unity. Therefore, noncarcinogenic hazards are calculated to be within acceptable limits and a less than significant impact would occur.

For the maximum exposed residential receptor, results of the analysis predicted freeway emissions will produce PM_{10} concentrations of 0.552 $\mu g/m^3$ and 0.25 $\mu g/m^3$ for the 24-hour and annual averaging times. These values will not exceed the SCAQMD significance thresholds of 2.5 $\mu g/m^3$ and 1.0 $\mu g/m^3$, respectively.

For $PM_{2.5}$, a maximum 24-hour average concentration of 1.38 $\mu g/m^3$ was predicted. This value also will not exceed the identified significance threshold of 2.5 $\mu g/m^3$.

The maximum modeled 1-hour average concentration for CO of 1.5 parts per million (ppm) (3,600 $\mu g/m^3$), when added to an existing background concentration of 2.1 ppm, would equal a total Project concentration of 3.6 ppm. This would not cause an exceedance of the California CAAQS of 20 ppm. For the 8-hour averaging time, the maximum predicted concentration of 1.5 ppm (1,500 $\mu g/m^3$), when added to an existing background level of 1.3 ppm, would equal a total Project concentration of 2.8 ppm. This would not cause an exceedance of the CAAQS of 9 ppm.

For NO_2, a maximum one hour concentration of 0.20 ppm (200$\mu g/m^3$) was predicted. This concentration, when added to a background concentration of 00.072 ppm, would equal a total Project concentration.

1.1.7 Mitigation Measures

No significant impacts would occur, thus no mitigation is required.

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Chapter 2 Source Identification and Characterization

2.1 Source Identification

Motor vehicle emissions contribute to ambient levels of air toxics known or suspected as human or animal carcinogens, or that have noncancer health effects. Noncancer health effects can result from exposures to air toxics, and include neurological, cardiovascular, liver, kidney, and respiratory effects as well as effects on the immune and reproductive systems.

In January 2015, Iteris, Inc. developed a Traffic Operations Analysis to future design-year traffic volumes generated by the operation of the proposed project. Table 2-1 presents the annual average daily traffic volumes (AADT) for the roadway segments considered in the assessment.

Table 2-1. Average Daily Traffic Volumes

2045 Conditions	AADT	Truck AADT	Diesel Truck Percentage
Grove Avenue/4th Street	103,052	4,431	4
Grove Avenue/I Street	69,507	2,989	4
Grove Avenue/G Street	79,522	3,022	4
Grove Avenue/D Street	77,562	2,947	4
Grove Avenue/Holt Boulevard	168,413	6,400	4
Grove Avenue/State Street-Airport Drive	131,811	5,009	4

Source: Iteris, Inc. 2015

2.2 Source Characterization

Mobile source emissions within the project area contribute significantly to localized air pollutant concentrations. Emissions that are generated from mobile sources are sorted by vehicle mix, the rate pollutants are generated during the course of travel and the number of vehicles traveling along the roadway network. For on-road motor vehicles, emissions rates are typically expressed as mass of pollutant emitted per mile driven, per vehicle per day, or per trip made, depending on the emissions process being analyzed. An emissions process for a motor vehicle is the physical mechanism that results in the emissions of a pollutant (e.g., the combustion of fuel, the evaporation of fuel, tire or brake wear, or the start of an engine).

CARB developed an EMission FACtors (EMFAC) model to calculate statewide or regional emissions inventories by multiplying emissions rates with vehicle activity data from all motor vehicles, including passenger cars to heavy-duty trucks, operating on highways,

freeways, and local roads in California. In December 2015, the EPA approved the EMFAC2014 model making this model the most current emission factor model. However, at the time the Air Quality Report (AQR) for the proposed project was developed EMFAC2014 had not been approved; therefore, EMFAC2011 was utilized to evaluate potential air quality impacts and establish project conformity. To remain consistent with the project's AQR, emissions factors from EMFAC2011 was utilized to identify pollution emission rates for total organic gases (TOG), diesel particulates, particulates (PM_{10} and $PM_{2.5}$), carbon monoxide (CO) and nitrogen oxide (NO_x) compounds. To produce a representative vehicle fleet distribution, the assessment utilized CARB's San Bernardino County population estimates for the 2045 calendar year. This approach provides an estimate of vehicle mix associated with operational profiles at the link or intersection level. Table 2-2 lists the identified vehicle traffic percentage considered in the assessment. Based upon the project's Traffic Operation Analysis, diesel vehicles account for 4 percent of the on-road mobile fleet. For chronic (long term) and acute (e.g., 1-hour) exposures, AADT values were averaged to produce representative hourly traffic volumes. Table 2-3 presents the hourly traffic volumes considered in the assessment.

Table 2-2. Vehicle Traffic Percentage

Segment	Low (2 Axle Long)	Medium (2 Axle 6 Tire)	Heavy (>3 Axle Single)
7th St - 4th St	19.9%	4.6%	0.2%
4th St - G St	19.7%	4.0%	0.3%
G St - Holt Blvd	19.5%	3.4%	0.4%
Holt Blvd - Mission Blvd	19.5%	3.4%	0.4%
South of Mission Blvd	20.7%	6.7%	0.4%

Table 2-3. PM Peak Hour Traffic Volumes

Segment	Southbound	Northbound	Total Vehicles
Grove Avenue/4th Street	1290	1510	2800
Grove Avenue/I Street	1200	1740	2940
Grove Avenue/G Street	1070	1720	2790
Grove Avenue/D Street	1080	1900	2980
Grove Avenue/Holt Boulevard	1560	1860	3420
Grove Avenue/State Street [Airport Drive]	1520	2510	4030

Source: Iteris, Inc. 2015

Posted speeds were assumed for vehicles traveling along this segment of Grove Avenue. Emissions associated with acceleration and deceleration (i.e., intersection signals) was based upon vehicle speeds of 15 and 5 mile(s) per hour, respectively.

For particulates (PM_{10} and $PM_{2.5}$), emissions were quantified through the reentrainment of paved roadway dust. The predictive emission equation developed by the EPA (AP-42, Section 13.2.1) was utilized to generate particulate source strength. To account for the mass rate of emissions entrained from the roadway surface, the contribution from exhaust, break and tire wear were added to the AP-42 emission factor equation.

A list of compounds associated with mobile source emissions is presented in Table 2-4. Appendix A presents the on-road emission rate calculation worksheets for the freeway segments considered in the assessment.

Table 2-4. Compounds Emitted from On-Road Mobile Source Activity

Source	Pollutant
Grove Avenue	Benzene
	Formaldehyde
	1,3-Butadiene
	Acetaldehyde
	Acrolein
	Diesel Particulates
	Reentrained Particulates (PM10, PM2.5)
	Carbon Monoxide
	Nitrogen Dioxide

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Chapter 3 Exposure Quantification

To determine potential impacts on residents who live within 500 feet of the Grove Avenue Corridor improvements, air quality modeling was performed utilizing Caltrans' dispersion model CALINE4. CALINE4 is a simple line source Gaussian plume dispersion model. The user defines the proposed roadway geometry, worst-case meteorological parameters, anticipated traffic volumes, and receptor positions. The user must also define emission factors for each roadway link. Emission factors should be generated with CARB's EMFAC7f model or CT-EMFAC1.

This assessment followed guidance promulgated by the U.S. EPA, whereby the model was programmed to assume flat, level terrain. As Grove Avenue is predominantly at-grade with nearby residences, no modifications were developed to account for the discrepancy in terrain elevation.

Air dispersion models require additional input parameters including pollutant emission data and local meteorology. Due to the their sensitivity to individual meteorological parameters such as wind speed and direction, the EPA recommends that meteorological data used as input into dispersion models be selected on the basis of relative spatial and temporal conditions that exist in the area of concern. In response to this recommendation, the nearest meteorological data available from the SCAQMD Upland (Source Receptor Area [SRA] 32), which is located less than 3 miles northwest of the project site, was used to represent local weather conditions and prevailing winds.

The modeling analysis also considered the spatial distribution of mobile source activity traveling on Grove Avenue in relation to nearby residential receptors. To accommodate a Cartesian grid format, direction dependent calculations were obtained by identifying the universal transverse mercator (UTM) coordinates for each volume source location. On-site receptors were placed to provide coverage across the identified project boundary. A two meter (6.5 feet) receptor height was assumed per AQMD guidance.

A dispersion model input summary table is provided in Appendix C. A complete listing of model input/output files are provided in electronic format in Appendix D.

Chapter 4 Risk Characterization

4.1 Carcinogenic Chemical Risk

There are no threshold levels for carcinogenic compounds; any exposure is expected to carry some associated risk. As a result, the State of California has established a threshold of one in one hundred thousand (or ten in one million) (1.0E-05) as a level posing no significant risk for exposures to carcinogens regulated under the Safe Drinking Water and Toxic Enforcement Act (Proposition 65). This threshold is also consistent with the maximum incremental cancer risk established by the SCAQMD for projects prepared under the auspices of the California Environmental Quality Act (CEQA). 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 risk of greater than ten in one million.

Health risks associated with exposure to carcinogenic compounds can be defined in terms of the probability of developing cancer as a result of exposure to a chemical at a given concentration. Under a deterministic approach (i.e., point estimate methodology), the cancer risk probability is determined by multiplying the chemical's annual concentration by its unit risk factor (URF). The URF is a measure of the carcinogenic potential of a chemical when a dose is received through the inhalation pathway. It represents an upper bound estimate of the probability of contracting cancer as a result of continuous exposure to an ambient concentration of one microgram per cubic meter (µg/m3) over a 70 year lifetime. The URFs utilized in the assessment and corresponding cancer potency factor were obtained from the Consolidated Table of OEHHA/ARB Approved Risk Assessment Health Values .

To effectively quantify dose, the procedure requires the incorporation of several discrete exposure variants. 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 associated with the proposed residential population, the following dose algorithm was utilized.

$$CDI = (Cair \times EF \times ED \times IR) / (BW \times AT)$$

Where:

CDI = chronic daily intake (mg/kg/day)

Cair = concentration of contaminant in air (mg/m^3)

EF = exposure frequency (days/year)

ED = exposure duration (years)

IR = inhalation rate (m^3/day)

BW = body weight (kg)

AT = averaging time (days)

To represent residential exposures, the assessment employed the EPA's guidance to develop viable dose estimates based on reasonable maximum exposures (RME). Specifically, activity patterns for population mobility recommended by the EPA and presented in the Exposure Factors Handbook were utilized. As a result, lifetime risk values for residents were adjusted to account for an exposure duration of 350 days per year for 30 years (i.e., 95th percentile). A 9 year exposure duration was additionally assessed to identify risk estimates associated with the average time individuals are reported to reside at a given residence. These values are consistent with CEQA, which considers the evaluation of environmental effects of proposed projects in a manner that reflects both reasonable and feasible assumptions. For body weight and inhalation, the assessment employed average adult values of 70 kilograms and 20 cubic meters per day, respectively.

Appendix 3.2, Tables A1 and A2, columns f-g, present the URF's and corresponding cancer potency factors for carcinogens considered in the assessment. The cancer risk attributed to each compound and summation of those risks are presented in column h.

For carcinogenic exposures, the summation of risk for the maximum exposed residential receptor totaled 3.03E-06 (3.03 in one million) for the 30 year and 9.09E-08 (9.09 in one million) for the 9 year exposure scenarios. In comparison to the threshold level of ten in one million, carcinogenic risks will not exceed the applicable thresholds for both the 30 and 9 year exposure scenario. Therefore, carcinogenic exposures were predicted to be within acceptable limits and are less than significant.

4.2 Non-Carcinogenic Hazards

An evaluation of the potential noncancer effects of contaminant exposures was also conducted. Under the point estimate approach, adverse health effects are evaluated by comparing the concentration of each compound with the appropriate Reference Exposure Level (REL). Available REL's presented in the Consolidated Table of OEHHA/ARB Approved Risk Assessment Health Values were considered in the assessment.

To quantify noncarcinogenic impacts, the hazard index approach was used. The hazard index assumes that subthreshold exposures adversely affect a specific organ or organ system (i.e., toxicological endpoint). For each discrete pollutant exposure, target organs presented in regulatory guidance were utilized.

To calculate the hazard index, the pollutant concentration or dose is divided by the appropriate toxicity value. For compounds affecting the same toxicological endpoint, this ratio is summed. Where the total equals or exceeds one (i.e., unity), a health hazard is presumed to exist. For chronic exposures, REL's were converted to units expressed in mg/kg/day to accommodate the above referenced intake algorithm. To assess acute noncancer impacts, the maximum pollutant concentration is divided by the REL for the corresponding averaging time (e.g., 1-hour). No exposure adjustments are considered for short duration exposures.

Appendix C, Tables A1 and A2, columns i-j, present the REL's and corresponding reference dose values used in the evaluation of chronic noncarcinogenic exposures. The noncancer hazard quotient for identified compounds generated from each source and a summation for each toxicological endpoint are presented in columns k-r. Tables A3 through A4, column e present the REL's for the assessment of acute exposures. Columns f-m identify each compound's hazard quotient and corresponding index for each endpoint.

For chronic noncarcinogenic effects, the hazard index identified for each toxicological endpoint totaled less than one for both the 30 year and 9 year exposure scenarios. For acute exposures, the hazard indices for the identified averaging times did not exceed unity. Therefore, acute and chronic non-carcinogenic hazards were predicted to be within acceptable limits and are less than significant.

4.3 Criteria Pollutant Exposures

The State of California has promulgated strict ambient air quality standards (CAAQS) for various pollutants. These standards were established to safeguard the public's health and welfare with specific emphasis on protecting those individuals susceptible to respiratory distress, such as asthmatics, the young, the elderly and those with existing conditions which may be affected by increased pollutant concentrations. However, recent research has shown that unhealthful respiratory responses occur with exposures to pollutants at levels that only marginally exceed clean air standards. Table 4-1 presents the CAAQS for the criteria pollutants considered in the assessment.

Table 4-1. California Ambient Air Quality Standards

Pollutant	Standard	Health Effects
Particulates (PM10)	50 µg/m^3 (24 hr avg) 20 µg/m^3 (Annual)	1) Excess deaths from short-term exposures and the exacerbation of symptoms in sensitive individuals with respiratory disease. 2) Excess seasonal declines in pulmonary function especially in children.
Particulates (PM2.5)	12 µg/m3 (Annual)	1) Excess deaths and illness from long-term exposures and the exacerbation of symptoms in sensitive individuals with respiratory and cardio pulmonary disease.
Carbon Monoxide (CO)	20 ppm (1 hr avg) 9.0 ppm (8 hr avg	1) Aggravation of angina pectoris and other aspects of coronary heart disease. 2) Decreased exercise tolerance in persons with peripheral vascular disease and lung disease. 3) Impairment of central nervous system functions. 4) Possible increased risk to fetuses.
Nitrogen Dioxide (NO2)	0.18 ppm (1 hr avg) 0.030 ppm (Annual)	1) Potential to aggravate chronic respiratory disease and respiratory symptoms in sensitive groups. 2) Risk to public health implied by pulmonary and extra-pulmonary biochemical and cellular changes and pulmonary structural changes.

Abbreviations: ppm: parts per million; µg/m3: micrograms per cubic meter.
Source: California Code of Regulations, Title 17, Section 70200.

Pollutant emissions are considered to have a significant effect on the environment if they result in concentrations that create either a violation of an ambient air quality standard, contribute to an existing air quality violation or expose sensitive receptors to substantive pollutant concentrations. Should ambient air quality already exceed existing standards, the SCAQMD has established significance criteria for selected compounds to account for the continued degradation of local air quality. Background concentrations are based upon the highest observed value for the most recent three year period.

For PM_{10} emissions, background concentrations representative of the project area exceed the CAAQS for the 24-hour and annual averaging times. As a result, a significant impact is achieved when pollutant concentrations produce a measurable change over existing background levels. Although background concentrations exceed the CAAQS annual averaging time for fine particulates, no measurable change criteria currently exists. As a result, the SCAQMD significance threshold of 2.5 µg/m^3 for the 24-hour averaging time is used to assess $PM_{2.5}$ impacts.

For the CO 1 and 8-hour averaging times and NO_2 1-hour averaging time, background concentrations are below the current air quality standards. As such, significance is achieved when pollutant concentrations add to existing levels and create an exceedance of the CAAQS. Table 4-2 shows the pollutant concentrations collected at the nearest available

monitoring sites to the Project for the last three years of available data. Table 4-3 outlines the relevant significance thresholds considered to affect local air quality.

Table 4-2. Air Quality Data Summary (2013-2015)

Pollutant	Monitoring Data by Year		
	2013	2014	2015
Carbon Monoxide			
Highest 8 Hour Average (ppm)	1.4	1.2	1.3
Highest 1 Hour Average (ppm)	3	2.9	2.1
Particulate Matter (PM_{10})			
Highest 24 Hour Average ($\mu g/m^3$)[b]	113	65	69
Annual Average ($\mu g/m^3$)[b]	33.9	NA	NA
Particulate Matter ($PM_{2.5}$)			
Highest 24 Hour Average ($\mu g/m^3$)[b]	49.3	38.4	52.7[d]
Annual Average ($\mu g/m^3$)[b]	11.98	NA	NA
Nitrogen Dioxide			
Highest 1 Hour Average (ppb)	62	66	72

NOTES:

ppm = parts per million; $\mu g/m^3$ = micrograms per cubic meter, ppb = parts per billion

NA = There was insufficient (or no) data available to determine the value.

a Generally, state standards and national standards are not to be exceeded more than once per year.

b Values represent federal statistics and are midnight-to-midnight 24-hour averages. State and federal statistics may differ because of different sampling methods.

c Measurements are usually collected every 6 days. Days over the standard represent the measured number of days that the standard has been exceeded.

d Monitor values at the Upland monitoring station were not available to 2015, monitor values from the Ontario (2330 S. Castle Harbour, Ontario) were used as this is the next closest monitoring station with $PM_{2.5}$ concentration values.

Table 4-3. SCAQMD Air Quality Significance Threshold

Pollutant	Averaging Time	Pollutant Concentration
Particulates (PM10) Particulates (PM2.5)	24 Hours	2.5 µg/m3 (operation)
Particulates (PM10)	Annual	1.0 µmg/m3

Table 4-3. SCAQMD Air Quality Significance Threshold

Pollutant	Averaging Time	Pollutant Concentration
Carbon Monoxide (CO)	1/8 Hours	SCAQMD is in attainment; impacts are significant if they cause or contribute to an exceedance of the following attainment standards 20 ppm (1-hour) and 9 ppm (8-hour).
Nitrogen Dioxide (NO2)	1 Hour	SCAQMD is in attainment; impacts are significant if they cause or contribute to an exceedance of the following attainment standard 0.18 ppm.

Abbreviations: ppm: parts per million; µg/m3: micrograms per cubic meter
Source: South Coast Air Quality Management District.

For the maximum exposed residential receptor, results of the analysis predicted freeway emissions will produce PM_{10} concentrations of 0.552 $\mu g/m^3$ and 0.25 $\mu g/m^3$ for the 24-hour and annual averaging times. These values will not exceed the SCAQMD significance thresholds of 2.5 $\mu g/m^3$ and 1.0 $\mu g/m^3$, respectively.

For $PM_{2.5}$, a maximum 24-hour average concentration of 1.38 $\mu g/m^3$ was predicted. This value also will not exceed the identified significance threshold of 2.5 $\mu g/m^3$.

The maximum modeled 1-hour average concentration for CO of 1.5 parts per million (ppm) (3,600 $\mu g/m^3$), when added to an existing background concentration of 2.1 ppm, would equal a total Project concentration of 3.6 ppm. This would not cause an exceedance of the California CAAQS of 20 ppm. For the 8-hour averaging time, the maximum predicted concentration of 1.5 ppm (1,500 $\mu g/m^3$), when added to an existing background level of 1.3 ppm, would equal a total Project concentration of 2.8 ppm. This would not cause an exceedance of the CAAQS of 9 ppm.

For NO_2, a maximum one hour concentration of 0.20 ppm (200µg/m3) was predicted. This concentration, when added to a background concentration of 00.072 ppm, would equal a total Project concentration.

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Chapter 5 Conclusion

For carcinogenic exposures, the summation of risk for the maximum exposed residential receptor totaled 3.03E-06 (3.03 in one million) for the 30 year and 9.09E-08 (9.09 in one million) for the 9 year exposure scenarios. In comparison to the threshold level of ten in one million, carcinogenic risks will not exceed the applicable thresholds for both the 30 and 9 year exposure scenario. Therefore, carcinogenic exposures are calculated to be within acceptable limits and impacts are less than significant.

For chronic noncarcinogenic effects, the hazard index identified for each toxicological endpoint totaled less than one for both the 30 year and 9 year exposure scenarios. For acute exposures, the hazard indices for the identified averaging times did not exceed unity. Therefore, noncarcinogenic hazards are calculated to be within acceptable limits and a less than significant impact would occur.

For the maximum exposed residential receptor, results of the analysis predicted freeway emissions will produce PM_{10} concentrations of 0.552 $\mu g/m^3$ and 0.25 $\mu g/m^3$ for the 24-hour and annual averaging times. These values will not exceed the SCAQMD significance thresholds of 2.5 $\mu g/m^3$ and 1.0 $\mu g/m^3$, respectively.

For $PM_{2.5}$, a maximum 24-hour average concentration of 1.38 $\mu g/m^3$ was predicted. This value also will not exceed the identified significance threshold of 2.5 $\mu g/m^3$.

The maximum modeled 1-hour average concentration for CO of 1.5 parts per million (ppm) (3,600 $\mu g/m^3$), when added to an existing background concentration of 2.1 ppm, would equal a total Project concentration of 3.6 ppm. This would not cause an exceedance of the California CAAQS of 20 ppm. For the 8-hour averaging time, the maximum predicted concentration of 1.5 ppm (1,500 $\mu g/m^3$), when added to an existing background level of 1.3 ppm, would equal a total Project concentration of 2.8 ppm. This would not cause an exceedance of the CAAQS of 9 ppm.

For NO_2, a maximum one hour concentration of 0.20 ppm (200$\mu g/m^3$) was predicted. This concentration, when added to a background concentration of 00.072 ppm, would equal a total Project concentration.

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Chapter 6 References

California Air Resources Board (ARB). 2013a. Area Designation Maps/State and National. Available: www.arb.ca.gov/desig/adm/adm.htm/.

————. 2013. *Ambient Air Quality Standards*. Last revised June 4, 2013. Available: <http://www.arb.ca.gov/research/aaqs/aaqs2.pdf>.

————. Consolidated Table of OEHHA/ARB Approved Risk Assessment Health Values. [Online] http://www.arb.ca.gov/toxics/healthval/contable/pdf.

————. *EMFAC2011, Version 2.30, Calculating emission inventories for vehicles in California.*

————. *2004 Revision to the California State Implementation Plan for Carbon Monoxide Updated Maintenance Plan for Ten Federal Planning Areas.* July 2004.

California Department of Transportation (Caltrans) Web page, http://www.dot.ca.gov/.

————. *CALINE4: A Computer Model for Transportation Project Impact Assessment.* June 1998.

————. *CT-EMFAC: A Computer Model to Estimate Transportation Project Emissions.* December 2007.

Governors Office of Planning and Research. RE: Memo Addressing Naturally Occurring Asbestos in CEQA Documents, August 2007. Accessed: http://www.dot.ca.gov/hq/env/haz/pdfs/noa/gopr_ceqa_noa.pdf.

SCAQMD. 2013b. *Final 2012 Air Quality Management Plan.* February.

————. 2011. *SCAQMD Air Quality Significance Thresholds*. Accessed at <http://www.aqmd.gov/CEQA/handbook/signthres.pdf>.

United States Environmental Protection Agency (EPA). 2013. *The Greenbook Nonattainment Areas for Criteria Pollutants.* Available at http://www.epa.gov/air/oaqps/greenbk/index.html.

U.S. Department of Transportation Federal Highway Administration. *Interim Guidance on Air Toxic Analysis in NEPA Documents.* February 2006.

————————. Web page. Air Section, www.epa.gov.

————————. *Transportation Conformity Guidance for Qualitative Hot-spot Analyses in $PM_{2.5}$ and PM_{10} Nonattainment and Maintenance Areas.* March 2006.

Appendix A Emission Rate Calculation Worksheets

Running Rate Emission Summary

Criteria	5 mph	15 mph	45 mph
CO	2.660	1.251	2.496
NOx	0.686	0.142	0.581
PM10	0.016	0.006	0.010
PM2.5	0.014	0.006	0.009
TOG GAS	0.433	0.174	0.122
TOG DSL	1.170	0.131	0.153
DSL Particulate	0.007	0.006	0.008

EMFAC2011 Worksheet
(5 mph)

EMFAC2014 (v1.0.7) Emission Rates
Region Type: County
Region: San Bernardino
Calendar Year: 2045
Season: Annual
Vehicle Classification: EMFAC2011 Categories
Units: miles/day for VMT, g/mile for RUNEX, PMBW and PMTW

Region	CalYr	VehClass	MdlYr	Speed	Fuel	VMT	CO_RUNE	NOx_RUN	PM10_RU	PM2_5_RUNE
San Bernar	2045	LDA	Aggregate	5	GAS	32547.21	0.054899	0.038211	0.000466	0.000428326
San Bernar	2045	LDA	Aggregate	5	DSL	452.8933	0.002552	0.041175	0.000158	0.000150878
San Bernar	2045	LDT1	Aggregate	5	GAS	2259.238	0.059582	0.042747	0.000498	0.000457543
San Bernar	2045	LDT1	Aggregate	5	DSL	1.264741	0.027298	0.157824	0.000104	0.000996577
San Bernar	2045	LDT2	Aggregate	5	GAS	12814.22	0.717647	0.045358	0.000469	0.000431683
San Bernar	2045	LDT2	Aggregate	5	DSL	28.17083	0.026451	0.000151	0.000911	0.00087202
San Bernar	2045	LHD1	Aggregate	5	GAS	125.2526	0.229792	0.073791	0.0076	0.000698811
San Bernar	2045	LHD1	Aggregate	5	DSL	140.5119	0.003528	0.034596	0.000159	0.000152462
San Bernar	2045	LHD2	Aggregate	5	GAS	48.68335	0.214608	0.000551	0.000777	0.000714574
San Bernar	2045	LHD2	Aggregate	5	DSL	70.56483	0.033257	0.002376	0.000151	0.000144925
San Bernar	2045	MCY	Aggregate	5	GAS	292.5383	0.004201	0.016387	0.000139	0.000129779
San Bernar	2045	MDV	Aggregate	5	GAS	6867.409	0.849694	0.056445	0.000506	0.004650622
San Bernar	2045	MDV	Aggregate	5	DSL	193.4764	0.029179	0.004708	0.000194	0.000185309
San Bernar	2045	MH	Aggregate	5	GAS	15.12271	0.299882	0.000181	0.000764	0.0007029
San Bernar	2045	MH	Aggregate	5	DSL	3.07548	0.00021	0.000107	0.000433	0.000414249
San Bernar	2045	SBUS	Aggregate	5	GAS	227.4591	0.032253	0.001574	0.000777	0.000714302
San Bernar	2045	SBUS	Aggregate	5	DSL	405.8311	0.011897	0.094554	0.000542	0.000518493
San Bernar	2045	UBUS	Aggregate	5	GAS	770.3906	0.059122	0.054685	0.000762	0.000700814
San Bernar	2045	UBUS	Aggregate	5	DSL	769.8618	0.004072	0.020859	0.000572	0.00054737
							2.660123	0.686279	0.015984	0.013611637

EMFAC2011 Worksheet
(5 mph)

EMFAC2014 (v1.0.7) Emission Rates
Region Type: County
Region: San Bernardino
Calendar Year: 2045
Season: Annual
Vehicle Classification: EMFAC2011 Categories
Units: miles/day for VMT, g/mile for RUNEX, PMBW and PMTW

Region	CalYr	VehClass	MdlYr	Speed	Fuel	VMT	TOG_RUN
San Bernar	2045	LDA	Aggregate	5	GAS	32547.21	0.036586
San Bernar	2045	LDT1	Aggregate	5	GAS	2259.238	0.04204
San Bernar	2045	LDT2	Aggregate	5	GAS	12814.22	0.046724
San Bernar	2045	LHD1	Aggregate	5	GAS	125.2526	0.034363
San Bernar	2045	LHD2	Aggregate	5	GAS	48.68335	0.030429
San Bernar	2045	MCY	Aggregate	5	GAS	292.5383	0.000157
San Bernar	2045	MDV	Aggregate	5	GAS	6867.409	0.060447
San Bernar	2045	MH	Aggregate	5	GAS	15.12271	0.087098
San Bernar	2045	SBUS	Aggregate	5	GAS	227.4591	0.083891
San Bernar	2045	UBUS	Aggregate	5	GAS	770.3906	0.010895
							0.43263

EMFAC2011 Worksheet
(5 mph)

EMFAC2014 (v1.0.7) Emission Rates							
Region Type: County							
Region: San Bernardino							
Calendar Year: 2045							
Season: Annual							
Vehicle Classification: EMFAC2011 Categories							
Units: miles/day for VMT, g/mile for RUNEX, PMBW and PMTW							
Region	CalYr	VehClass	MdlYr	Speed	Fuel	VMT	TOG_RUN
San Bernar	2045	LDA	Aggregate	5	DSL	452.8933	0.087735
San Bernar	2045	LDT1	Aggregate	5	DSL	1.264741	0.302185
San Bernar	2045	LDT2	Aggregate	5	DSL	28.17083	0.299059
San Bernar	2045	LHD1	Aggregate	5	DSL	140.5119	0.086295
San Bernar	2045	LHD2	Aggregate	5	DSL	70.56483	0.084797
San Bernar	2045	MDV	Aggregate	5	DSL	193.4764	0.10179
San Bernar	2045	MH	Aggregate	5	DSL	3.07548	0.085917
San Bernar	2045	SBUS	Aggregate	5	DSL	405.8311	0.025732
San Bernar	2045	UBUS	Aggregate	5	DSL	769.8618	0.09608
							1.169589

EMFAC2011 Worksheet
(5 mph)

EMFAC2014 (v1.0.7) Emission Rates								
Region Type: County								
Region: San Bernardino								
Calendar Year: 2045								
Season: Annual								
Vehicle Classification: EMFAC2011 Categories								
Units: miles/day for VMT, g/mile for RUNEX, PMBW and PMTW								
Region	CalYr	VehClass	MdlYr	Speed	Fuel	VMT	PM10_RUI	PM2_5_RU
San Bernar	2045	LDA	Aggregate	5	DSL	452.8933	0.000158	0.000151
San Bernar	2045	LDT1	Aggregate	5	DSL	1.264741	0.000104	0.000997
San Bernar	2045	LDT2	Aggregate	5	DSL	28.17083	0.000911	0.000872
San Bernar	2045	LHD1	Aggregate	5	DSL	140.5119	0.000159	0.000152
San Bernar	2045	LHD2	Aggregate	5	DSL	70.56483	0.000151	0.000145
San Bernar	2045	MDV	Aggregate	5	DSL	193.4764	0.000194	0.000185
San Bernar	2045	MH	Aggregate	5	DSL	3.07548	0.000433	0.000414
San Bernar	2045	SBUS	Aggregate	5	DSL	405.8311	0.000542	0.000518
San Bernar	2045	UBUS	Aggregate	5	DSL	769.8618	0.000572	0.000547
							0.003225	0.003982
								0.007207

EMFAC2011 Worksheet
(15 mph)

Calendar Year: 2045
Region Type: County
Region: San Bernardino
Calendar Year: 2045
Season: Annual
Vehicle Classification: EMFAC2011 Categories
Units: miles/day for VMT, g/mile for RUNEX, PMBW and PMTW

Region	CalYr	VehClass	MdlYr	Speed	Fuel	VMT	CO_RUNE	NOx_RUN	PM10_RU	PM2_5_RU
San Bernar	2045	LDA	Aggregate	15	GAS	320624.1	0.045821	0.000289	0.000194	0.000179
San Bernar	2045	LDA	Aggregate	15	DSL	4461.331	0.932349	0.000229	0.000128	0.000123
San Bernar	2045	LDT1	Aggregate	15	GAS	22327.73	0.004978	0.000323	0.000208	0.000191
San Bernar	2045	LDT1	Aggregate	15	DSL	12.50322	0.010012	0.000909	0.000817	0.000781
San Bernar	2045	LDT2	Aggregate	15	GAS	126797	0.05995	0.000343	0.000196	0.00018
San Bernar	2045	LDT2	Aggregate	15	DSL	278.7426	0.096729	0.000841	0.000747	0.000715
San Bernar	2045	LHD1	Aggregate	15	GAS	2592.963	0.001916	0.000562	0.000317	0.000292
San Bernar	2045	LHD1	Aggregate	15	DSL	2901.016	0.001302	0.002426	0.000118	0.000113
San Bernar	2045	LHD2	Aggregate	15	GAS	1006.708	0.00179	0.00042	0.000325	0.000298
San Bernar	2045	LHD2	Aggregate	15	DSL	1458.048	0.01216	0.001354	0.000123	0.000118
San Bernar	2045	MCY	Aggregate	15	GAS	2693.575	0.026175	0.013301	0.000607	0.000566
San Bernar	2045	MDV	Aggregate	15	GAS	68294.39	0.007088	0.000425	0.000211	0.000194
San Bernar	2045	MDV	Aggregate	15	DSL	1924.133	0.010659	0.000262	0.000158	0.000151
San Bernar	2045	MH	Aggregate	15	GAS	289.8469	0.002501	0.001376	0.000319	0.000294
San Bernar	2045	MH	Aggregate	15	DSL	56.92518	0.007781	0.059369	0.000339	0.000325
San Bernar	2045	SBUS	Aggregate	15	GAS	1594.465	0.002687	0.001204	0.000324	0.000298
San Bernar	2045	SBUS	Aggregate	15	DSL	2844.834	0.006786	0.042722	0.000419	0.000401
San Bernar	2045	UBUS	Aggregate	15	GAS	4328.418	0.004917	0.004194	0.000318	0.000293
San Bernar	2045	UBUS	Aggregate	15	DSL	4325.096	0.015099	0.011693	0.000351	0.000336
							1.2507	0.142241	0.006222	0.005848

EMFAC2011 Worksheet
(15 mph)

Calendar Year: 2045
Region Type: County
Region: San Bernardino
Calendar Year: 2045
Season: Annual
Vehicle Classification: EMFAC2011 Categories
Units: miles/day for VMT, g/mile for RUNEX, PMBW and PMTW

Region	CalYr	VehClass	MdlYr	Speed	Fuel	VMT	TOG_RUNI
San Bernai	2045	LDA	Aggregate	15	GAS	320624.1	0.001529
San Bernai	2045	LDT1	Aggregate	15	GAS	22327.73	0.017599
San Bernai	2045	LDT2	Aggregate	15	GAS	126797	0.019555
San Bernai	2045	LHD1	Aggregate	15	GAS	2592.963	0.014387
San Bernai	2045	LHD2	Aggregate	15	GAS	1006.708	0.012748
San Bernai	2045	MCY	Aggregate	15	GAS	2693.575	0.00069
San Bernai	2045	MDV	Aggregate	15	GAS	68294.39	0.02527
San Bernai	2045	MH	Aggregate	15	GAS	289.8469	0.036485
San Bernai	2045	SBUS	Aggregate	15	GAS	1594.465	0.000351
San Bernai	2045	UBUS	Aggregate	15	GAS	4328.418	0.045509
							0.174124

EMFAC2011 Worksheet
(15 mph)

Calendar Year: 2045
Region Type: County
Region: San Bernardino
Calendar Year: 2045
Season: Annual
Vehicle Classification: EMFAC2011 Categories
Units: miles/day for VMT, g/mile for RUNEX, PMBW and PMTW

Region	CalYr	VehClass	MdlYr	Speed	Fuel	VMT	TOG_RUNI
San Bernar	2045	LDA	Aggregate	15	DSL	4461.331	0.032053
San Bernar	2045	LDT1	Aggregate	15	DSL	12.50322	0.011008
San Bernar	2045	LDT2	Aggregate	15	DSL	278.7426	0.010933
San Bernar	2045	LHD1	Aggregate	15	DSL	2901.016	0.003181
San Bernar	2045	LHD2	Aggregate	15	DSL	1458.048	0.031011
San Bernar	2045	MDV	Aggregate	15	DSL	1924.133	0.03718
San Bernar	2045	MH	Aggregate	15	DSL	56.92518	0.000315
San Bernar	2045	SBUS	Aggregate	15	DSL	2844.834	0.001458
San Bernar	2045	UBUS	Aggregate	15	DSL	4325.096	0.003529
							0.130677

EMFAC2011 Worksheet
(15 mph)

Calendar Year: 2045
Region Type: County
Region: San Bernardino
Calendar Year: 2045
Season: Annual
Vehicle Classification: EMFAC2011 Categories
Units: miles/day for VMT, g/mile for RUNEX, PMBW and PMTW

Region	CalYr	VehClass	MdlYr	Speed	Fuel	VMT	PM10_RUI	PM2_5_RU
San Bernar	2045	LDA	Aggregate	15	DSL	4461.331	0.000128	0.000123
San Bernar	2045	LDT1	Aggregate	15	DSL	12.50322	0.000817	0.000781
San Bernar	2045	LDT2	Aggregate	15	DSL	278.7426	0.000747	0.000715
San Bernar	2045	LHD1	Aggregate	15	DSL	2901.016	0.000118	0.000113
San Bernar	2045	LHD2	Aggregate	15	DSL	1458.048	0.000123	0.000118
San Bernar	2045	MDV	Aggregate	15	DSL	1924.133	0.000158	0.000151
San Bernar	2045	MH	Aggregate	15	DSL	56.92518	0.000339	0.000325
San Bernar	2045	SBUS	Aggregate	15	DSL	2844.834	0.000419	0.000401
San Bernar	2045	UBUS	Aggregate	15	DSL	4325.096	0.000351	0.000336
							0.003201	0.003063
								0.006264

EMFAC2011 Worksheet
(45 mph)

EMFAC2014 (v1.0.7) Emission Rates
Region Type: County
Region: San Bernardino
Calendar Year: 2045
Season: Annual
Vehicle Classification: EMFAC2011 Categories
Units: miles/day for VMT, g/mile for RUNEX, PMBW and PMTW

Region	CalYr	VehClass	MdlYr	Speed	Fuel	VMT	CO_RUNE	NOx_RUN	PM10_RUI	PM2_5_RL
San Bernai	2045	LDA	Aggregate	45	GAS	4921516	0.002846	0.020597	0.000513	0.000471
San Bernai	2045	LDA	Aggregate	45	DSL	68494.75	0.091658	0.006864	0.000544	0.000616
San Bernai	2045	LDT1	Aggregate	45	GAS	335568	0.307101	0.023013	0.000545	0.000501
San Bernai	2045	LDT1	Aggregate	45	DSL	187.5199	0.101614	0.035283	0.000404	0.000387
San Bernai	2045	LDT2	Aggregate	45	GAS	1890185	0.037037	0.024355	0.000515	0.000474
San Bernai	2045	LDT2	Aggregate	45	DSL	4156.098	0.09436	0.024338	0.000372	0.000356
San Bernai	2045	LHD1	Aggregate	45	GAS	23091.99	0.117287	0.037733	0.000435	0.000368
San Bernai	2045	LHD1	Aggregate	45	DSL	34014.87	0.147118	0.018903	0.000576	0.000551
San Bernai	2045	LHD2	Aggregate	45	GAS	8996.578	0.109494	0.028089	0.000854	0.000285
San Bernai	2045	LHD2	Aggregate	45	DSL	17053.37	0.120516	0.04768	0.000614	0.000588
San Bernai	2045	MCY	Aggregate	45	GAS	60092.63	0.001498	0.001082	0.000177	0.000165
San Bernai	2045	MDV	Aggregate	45	GAS	984244.3	0.442269	0.030984	0.000557	0.000512
San Bernai	2045	MDV	Aggregate	45	DSL	27723.64	0.104768	0.007683	0.000795	0.00076
San Bernai	2045	MH	Aggregate	45	GAS	3354.581	0.153418	0.091801	0.00084	0.000472
San Bernai	2045	MH	Aggregate	45	DSL	902.7625	0.089742	0.001786	0.000195	0.000186
San Bernai	2045	SBUS	Aggregate	45	GAS	1362.492	0.164257	0.08041	0.000354	0.000785
San Bernai	2045	SBUS	Aggregate	45	DSL	2430.949	0.106103	0.026487	0.000255	0.000244
San Bernai	2045	UBUS	Aggregate	45	GAS	657.354	0.303122	0.027368	0.00084	0.000772
San Bernai	2045	UBUS	Aggregate	45	DSL	654.9276	0.001652	0.046879	0.000129	0.000124
							2.495861	0.581335	0.009512	0.008616

37

EMFAC2011 Worksheet
(45 mph)

EMFAC2014 (v1.0.7) Emission Rates
Region Type: County
Region: San Bernardino
Calendar Year: 2045
Season: Annual
Vehicle Classification: EMFAC2011 Categories
Units: miles/day for VMT, g/mile for RUNEX, PMBW and PMTW

Region	CalYr	VehClass	MdlYr	Speed	Fuel	VMT	TOG_RUNI
San Bernai	2045	LDA	Aggregate	45	GAS	4921516	0.004107
San Bernai	2045	LDT1	Aggregate	45	GAS	335568	0.004684
San Bernai	2045	LDT2	Aggregate	45	GAS	1890185	0.005215
San Bernai	2045	LHD1	Aggregate	45	GAS	23091.99	0.003778
San Bernai	2045	LHD2	Aggregate	45	GAS	8996.578	0.003341
San Bernai	2045	MCY	Aggregate	45	GAS	60092.63	0.002093
San Bernai	2045	MDV	Aggregate	45	GAS	984244.3	0.067943
San Bernai	2045	MH	Aggregate	45	GAS	3354.581	0.009591
San Bernai	2045	SBUS	Aggregate	45	GAS	1362.492	0.009197
San Bernai	2045	UBUS	Aggregate	45	GAS	657.354	0.012059
							0.122007

EMFAC2011 Worksheet
(45 mph)

EMFAC2014 (v1.0.7) Emission Rates							
Region Type: County							
Region: San Bernardino							
Calendar Year: 2045							
Season: Annual							
Vehicle Classification: EMFAC2011 Categories							
Units: miles/day for VMT, g/mile for RUNEX, PMBW and PMTW							
Region	CalYr	VehClass	MdlYr	Speed	Fuel	VMT	TOG_RUNI
San Bernar	2045	LDA	Aggregate	45	DSL	68494.75	0.003158
San Bernar	2045	LDT1	Aggregate	45	DSL	187.5199	0.011202
San Bernar	2045	LDT2	Aggregate	45	DSL	4156.098	0.010687
San Bernar	2045	LHD1	Aggregate	45	DSL	34014.87	0.034224
San Bernar	2045	LHD2	Aggregate	45	DSL	17053.37	0.030565
San Bernar	2045	MDV	Aggregate	45	DSL	27723.64	0.003661
San Bernar	2045	MH	Aggregate	45	DSL	902.7625	0.032602
San Bernar	2045	SBUS	Aggregate	45	DSL	2430.949	0.022948
San Bernar	2045	UBUS	Aggregate	45	DSL	654.9276	0.003727
							0.152775

EMFAC2011 Worksheet
(45 mph)

EMFAC2014 (v1.0.7) Emission Rates
Region Type: County
Region: San Bernardino
Calendar Year: 2045
Season: Annual
Vehicle Classification: EMFAC2011 Categories
Units: miles/day for VMT, g/mile for RUNEX, PMBW and PMTW

Region	CalYr	VehClass	MdlYr	Speed	Fuel	VMT	PM10_RUI	PM2_5_RU
San Bernar	2045	LDA	Aggregate	45	DSL	68494.75	0.000544	0.000616
San Bernar	2045	LDT1	Aggregate	45	DSL	187.5199	0.000404	0.000387
San Bernar	2045	LDT2	Aggregate	45	DSL	4156.098	0.000372	0.000356
San Bernar	2045	LHD1	Aggregate	45	DSL	34014.87	0.000576	0.000551
San Bernar	2045	LHD2	Aggregate	45	DSL	17053.37	0.000614	0.000588
San Bernar	2045	MDV	Aggregate	45	DSL	27723.64	0.000795	0.00076
San Bernar	2045	MH	Aggregate	45	DSL	902.7625	0.000195	0.000186
San Bernar	2045	SBUS	Aggregate	45	DSL	2430.949	0.000255	0.000244
San Bernar	2045	UBUS	Aggregate	45	DSL	654.9276	0.000129	0.000124
							0.003883	0.003811
								0.007694

Toxic Fractions of VOC for 2007 and later Diesel Vehicles

Pollutant	Toxic fraction
1,3-Butadiene	0.00080
Acetaldehyde	0.06934
Acrolein	0.00999
Benzene	0.01291
Formaldehyde	0.21744

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Appendix B Risk Calculation Worksheets

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Table A1
Quantification of Carcinogenic Risks and Noncarcinogenic Hazards
Residential Exposure Scenario (30 Year)

Source	Concentration		Weight Fraction (d)	Contaminant (e)	Carcinogenic Risk			Noncarcinogenic Hazards / Toxicological Endpoints*								
	(ug/m3) (b)	(mg/m3) ©			URF (ug/m3) (f)	CPF (mg/kg/day) (g)	Risk (h)	REL (ug/m3) (i)	RfD (mg/kg/day) (j)	RESP (k)	CNS/PNS (l)	CV/BL (m)	IMMUN (n)	KIDN (o)	GI/LVO (p)	REPRO (q)	EYES ®
Grove Avenue	0.26732	2.60E-04	4.60E-01	Benzene	2.90E-05	3.05E-05	4.07E-10	6.00E+01	2.37E-04		1.42E-02	1.42E-02				1.42E-02	
			3.32E-01	Formaldehyde	6.00E-06	3.90E-02	7.77E-08	9.00E+00	9.13E-03	8.22E-02							
			1.05E-01	1,3-Butadiene	1.70E-04	1.23E-02	2.20E-07	2.00E+01	9.59E-02							1.92E+00	
			7.80E-02	Acetaldehyde	2.70E-06	9.16E-03	1.93E-09	1.40E+02	7.12E-04	9.97E-02							
			2.50E-02	Acrolein				3.50E-01	2.28E-02	7.99E-03							
	0.009	0.00008	1.00E+00	Diesel Particulate	3.00E-04	9.39E-06	2.82E-09	5.00E+00	7.31E-07	3.65E-06							
Total							3.03E-07			0.1899123	1.42E-02	1.42E-02	0.00E+00	0.00E+00	0.00E+00	1.9320548	0.00E+00

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)	30
inhalation rate (m3/day)	20
average body weight (kg)	70
averaging time(cancer) (days)	25550
averaging time(noncancer) (days)	3285

Table A1
Quantification of Carcinogenic Risks and Noncarcinogenic Hazards
Residential Exposure Scenario (30 Year)

Source	Concentration		Weight Fraction	Contaminant	Carcinogenic Risk			Noncarcinogenic Hazards / Toxicological Endpoints*								
	(ug/m3) (b)	(mg/m3) (c)	(d)	(e)	URF (ug/m3) (f)	CPF (mg/kg/day) (g)	Risk (h)	REL (ug/m3) (i)	RfD (mg/kg/day) (j)	RESP (k)	CNS/PNS (l)	CV/BL (m)	IMMUN (n)	KIDN (o)	GI/LVO (p)	REPRO (q)	EYES (r)
Grove Avenue	0.26732	2.60E-04	4.60E-01	Benzene	2.90E-05	9.16E-06	1.22E-10	6.00E+01	7.12E-05		4.27E-03	4.27E-03				4.27E-03	
			3.32E-01	Formaldehyde	6.00E-06	1.17E-02	2.33E-08	9.00E+00	2.74E-03	2.47E-02							
			1.05E-01	1,3-Butadiene	1.70E-04	3.70E-03	6.60E-08	2.00E+01	2.88E-02							5.75E-01	
			7.80E-02	Acetaldehyde	2.70E-06	2.75E-03	5.79E-10	1.40E+02	2.14E-04	2.99E-02							
			2.50E-02	Acrolein				3.50E-01	6.85E-03	2.40E-03							
	0.008	0.00008	1.00E+00	Diesel Particulate	3.00E-04	2.82E-06	8.45E-10	5.00E+00	2.19E-07	1.10E-06							
Total							9.09E-08			0.0569737	1.42E-02	1.42E-02	0.00E+00	0.00E+00	0.00E+00	0.5796164	0.00E+00

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)	9
inhalation rate (m3/day)	20
average body weight (kg)	70
averaging time(cancer) (days)	25550
averaging time(noncancer) (days)	3285

Appendix C CALINE 4 Model Output Summary File

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CALINE4: CALIFORNIA LINE SOURCE DISPERSION MODEL

JUNE 1989 VERSION

PAGE 3

JOB: Grove Avenue_CO_1hr

RUN: Hour 1 (WORST CASE ANGLE)

POLLUTANT:

IV. MODEL RESULTS (WORST CASE WIND ANGLE)

	*	* PRED	*	CONC/LINK						
	*	BRG	* CONC	*			(PPM)			
RECEPTOR	*	(DEG)	* (PPM)	* A	B	C	D	E	F	G H
1. R1	*	166.	* 2.5	* 0.0	0.0	0.0	0.0	0.2	0.2	0.0 0.0
2. R2	*	173.	* 2.8	* 0.0	0.0	0.0	0.1	0.2	0.3	0.0 0.0
3. R3	*	172.	* 2.6	* 0.0	0.0	0.0	0.1	0.2	0.2	0.0 0.0
4. R4	*	357.	* 2.7	* 0.0	0.0	0.2	0.0	0.0	0.0	0.0 0.2
5. R5	*	355.	* 3.2	* 0.0	0.0	0.5	0.0	0.0	0.0	0.0 0.3

6.	R6	* 353. *	3.6 *	0.0	0.0	0.4	0.0	0.0	0.0	0.0	0.8
7.	R7	* 357. *	3.1 *	0.1	0.0	0.3	0.0	0.0	0.0	0.0	0.2
8.	R8	* 7. *	2.6 *	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0
9.	R9	* 18. *	2.8 *	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
10.	R10	* 170. *	2.6 *	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.1
11.	R11	* 188. *	2.7 *	0.0	0.0	0.0	0.0	0.2	0.4	0.0	0.0
12.	R12	* 349. *	2.6 *	0.0	0.0	0.1	0.0	0.0	0.0	0.1	0.2
13.	R13	* 349. *	2.9 *	0.0	0.0	0.2	0.0	0.0	0.0	0.1	0.4
14.	R14	* 343. *	2.6 *	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.3
15.	R15	* 186. *	2.4 *	0.0	0.0	0.0	0.0	0.1	0.1	0.1	0.0
16.	R16	* 183. *	2.5 *	0.0	0.0	0.0	0.1	0.1	0.1	0.1	0.1
17.	R17	* 177. *	2.9 *	0.0	0.0	0.1	0.1	0.0	0.0	0.0	0.4
18.	R18	* 180. *	2.5 *	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.1
19.	R19	* 7. *	3.0 *	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
20.	R20	* 208. *	2.4 *	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CALINE4: CALIFORNIA LINE SOURCE DISPERSION MODEL

JUNE 1989 VERSION

PAGE 4

JOB: Grove Avenue_CO_1hr

RUN: Hour 1 (WORST CASE ANGLE)

POLLUTANT:

IV. MODEL RESULTS (WORST CASE WIND ANGLE) (CONT.)

RECEPTOR	* CONC/LINK (PPM) I	J
1. R1	0.0	0.0
2. R2	0.0	0.0
3. R3	0.0	0.0
4. R4	0.1	0.1
5. R5	0.1	0.1
6. R6	0.2	0.0
7. R7	0.3	0.1
8. R8	0.1	0.2

9.	R9	*	0.0 0.2
10.	R10	*	0.2 0.0
11.	R11	*	0.0 0.0
12.	R12	*	0.1 0.0
13.	R13	*	0.1 0.0
14.	R14	*	0.0 0.0
15.	R15	*	0.0 0.0
16.	R16	*	0.0 0.0
17.	R17	*	0.0 0.0
18.	R18	*	0.0 0.0
19.	R19	*	0.0 0.7
20.	R20	*	0.0 0.2

```
CALINE4: CALIFORNIA LINE SOURCE DISPERSION MODEL

                    JUNE 1989 VERSION

                    PAGE   1


               JOB: Grove Avenue_CO_8hr

               RUN: (MULTI-RUN/WORST CASE HYBRID)

          POLLUTANT:




    I.  SITE VARIABLES


         VD=  0.0 CM/S             Z0= 100. CM            ALT=
306.0 (M)

         VS=  0.0 CM/S




   II.  METEOROLOGICAL CONDITIONS


                     *   U     BRG   CLASS   AMB   MIXH   SIGTH
TEMP
          RUN        * (M/S)  (DEG)          (PPM)   (M)   (DEG)
(C)
  -------------------*-------------------------------------------
-----
  1. Hour 1          *  0.5   WORST  7 (G)   1.3   1000.   5.00
27.0
```

```
  2. Hour 2          *  0.5   WORST  7 (G)   1.3   1000.   5.00
27.0

  3. Hour 3          *  0.5   WORST  7 (G)   1.3   1000.   5.00
27.0

  4. Hour 4          *  0.5   WORST  7 (G)   1.3   1000.   5.00
27.0

  5. Hour 5          *  0.5   WORST  7 (G)   1.3   1000.   5.00
27.0

  6. Hour 6          *  0.5   WORST  7 (G)   1.3   1000.   5.00
27.0

  7. Hour 7          *  0.5   WORST  7 (G)   1.3   1000.   5.00
27.0

  8. Hour 8          *  0.5   WORST  7 (G)   1.3   1000.   5.00
27.0
```

III. LINK GEOMETRY

LINK DESCRIPTION	*	LINK COORDINATES (FT) X1	Y1	X2	Y2	* TYPE	H (FT)	W (FT)
A. Grove SB-4th	*	******	*****	*****	*****	* AG	0.0	72.0
B. Grove SB-I S	*	******	*****	*****	*****	* AG	0.0	72.0
C. Grove SB-G S	*	******	*****	*****	*****	* AG	0.0	72.0
D. Grove SB-D S	*	******	*****	*****	*****	* AG	0.0	83.0
E. Grove SB-Hol	*	******	*****	*****	*****	* AG	0.0	76.0
F. Grove NB- Ar	*	******	*****	*****	*****	* AG	0.0	84.0

```
G. Grove NB- Ho ****** ***** ***** ***** *  AG   0.0  72.0

H. Grove NB- D  ****** ***** ***** ***** *  AG   0.0  72.0

I. Grove NB- G  ****** ***** ***** ***** *  AG   0.0  72.0

J. Grove NB- G  ****** ***** ***** ***** *  AG   0.0  83.0
```

CALINE4: CALIFORNIA LINE SOURCE DISPERSION MODEL

JUNE 1989 VERSION

PAGE 2

JOB: Grove Avenue_CO_8hr

RUN: (MULTI-RUN/WORST CASE HYBRID)

POLLUTANT:

IV. EMISSIONS AND VEHICLE VOLUMES

RUN	*	LINK A	B	C	D	E	F	G	H	I	J
1 VPH	*	1290	1200	1070	1080	1560	2510	1860	1900	1720	1740
EF	*	3.	1.	2.	2.	3.	3.	1.	2.	2.	3.
2 VPH	*	1290	1200	1070	1080	1560	2510	1860	1900	1720	1740
EF	*	3.	1.	2.	2.	3.	3.	1.	2.	2.	3.

```
        *

  3 VPH *  1290  1200  1070  1080  1560  2510  1860  1900  1720
1740

    EF  *    3.    1.    2.    2.    3.    3.    1.    2.    2.
3.

        *

  4 VPH *  1290  1200  1070  1080  1560  2510  1860  1900  1720
1740

    EF  *    3.    1.    2.    2.    3.    3.    1.    2.    2.
3.

        *

  5 VPH *  1290  1200  1070  1080  1560  2510  1860  1900  1720
1740

    EF  *    3.    1.    2.    2.    3.    3.    1.    2.    2.
3.

        *

  6 VPH *  1290  1200  1070  1080  1560  2510  1860  1900  1720
1740

    EF  *    3.    1.    2.    2.    3.    3.    1.    2.    2.
3.

        *

  7 VPH *  1290  1200  1070  1080  1560  2510  1860  1900  1720
1740

    EF  *    3.    1.    2.    2.    3.    3.    1.    2.    2.
3.

        *

  8 VPH *  1290  1200  1070  1080  1560  2510  1860  1900  1720
1740

    EF  *    3.    1.    2.    2.    3.    3.    1.    2.    2.
3.
```

CALINE4: CALIFORNIA LINE SOURCE DISPERSION MODEL

JUNE 1989 VERSION

PAGE 3

JOB: Grove Avenue_CO_8hr

RUN: (MULTI-RUN/WORST CASE HYBRID)

POLLUTANT:

V. RECEPTOR LOCATIONS AND MULTI-RUN AVERAGE CONCENTRATIONS

RECEPTOR	COORDINATES (FT) X	Y	Z	AVG (PPM)
1. R1	******	******	6.5	1.7
2. R2	******	******	6.5	2.0
3. R3	******	******	6.5	1.8
4. R4	******	******	6.5	1.9
5. R5	******	******	6.5	2.4
6. R6	******	******	6.5	2.8
7. R7	******	******	6.5	2.3
8. R8	******	******	6.5	1.8
9. R9	******	******	6.5	2.0
10. R10	******	******	6.5	1.8

11. R11	*	****** ******	6.5	*	1.9
12. R12	*	****** ******	6.5	*	1.8
13. R13	*	****** ******	6.5	*	2.1
14. R14	*	****** ******	6.5	*	1.8
15. R15	*	****** ******	6.5	*	1.6
16. R16	*	****** ******	6.5	*	1.7
17. R17	*	****** ******	6.5	*	2.1
18. R18	*	****** ******	6.5	*	1.7
19. R19	*	****** ******	6.5	*	2.2
20. R20	*	****** ******	6.5	*	1.6

CALINE4: CALIFORNIA LINE SOURCE DISPERSION MODEL

JUNE 1989 VERSION

PAGE 1

JOB: Grove Avenue_NO2_1hr

RUN: Hour 1

POLLUTANT: Nitrogen Dioxide

I. SITE VARIABLES

U= 0.5 M/S Z0= 100. CM ALT= 306.0 (M)

BRG= 0.0 DEGREES VD= 0.0 CM/S

CLAS= 7 (G) VS= 0.0 CM/S

MIXH= 1000. M TEMP= 27.0 DEGREE (C)

SIGTH= 5. DEGREES

NOX VARIABLES

NO2= 0.07 PPM NO= 0.00 PPM O3= 0.13 PPM KR= 0.000 1/SEC

II. LINK VARIABLES

	LINK DESCRIPTION	*	LINK COORDINATES (FT) X1	Y1	X2	Y2	* TYPE	VPH	EF (G/MI)	H (FT)	W (FT)
A.	Grove SB-4th	*	*****	*****	*****	*****	* AG	1290	0.69	0.0	72.0
B.	Grove SB-I S	*	*****	*****	*****	*****	* AG	1200	0.14	0.0	72.0
C.	Grove SB-G S	*	*****	*****	*****	*****	* AG	1070	0.14	0.0	72.0
D.	Grove SB-D S	*	*****	*****	*****	*****	* AG	1080	0.14	0.0	83.0
E.	Grove SB-Hol	*	*****	*****	*****	*****	* AG	1560	0.58	0.0	76.0
F.	Grove NB- Ar	*	*****	*****	*****	*****	* AG	2510	0.69	0.0	84.0
G.	Grove NB- Ho	*	*****	*****	*****	*****	* AG	1860	0.14	0.0	72.0
H.	Grove NB- D	*	*****	*****	*****	*****	* AG	1900	0.14	0.0	72.0
I.	Grove NB- G	*	*****	*****	*****	*****	* AG	1720	0.14	0.0	72.0
J.	Grove NB- G	*	*****	*****	*****	*****	* AG	1740	0.58	0.0	83.0

CALINE4: CALIFORNIA LINE SOURCE DISPERSION MODEL

JUNE 1989 VERSION

PAGE 2

JOB: Grove Avenue_NO2_1hr

RUN: Hour 1

POLLUTANT: Nitrogen Dioxide

III. RECEPTOR LOCATIONS

RECEPTOR	*	COORDINATES (FT) X	Y	Z
1. R1	*	******	******	6.5
2. R2	*	******	******	6.5
3. R3	*	******	******	6.5
4. R4	*	******	******	6.5
5. R5	*	******	******	6.5
6. R6	*	******	******	6.5
7. R7	*	******	******	6.5
8. R8	*	******	******	6.5
9. R9	*	******	******	6.5

10. R10	*	****** ******	6.5
11. R11	*	****** ******	6.5
12. R12	*	****** ******	6.5
13. R13	*	****** ******	6.5
14. R14	*	****** ******	6.5
15. R15	*	****** ******	6.5
16. R16	*	****** ******	6.5
17. R17	*	****** ******	6.5
18. R18	*	****** ******	6.5
19. R19	*	****** ******	6.5
20. R20	*	****** ******	6.5

CALINE4: CALIFORNIA LINE SOURCE DISPERSION MODEL

JUNE 1989 VERSION

PAGE 3

JOB: Grove Avenue_NO2_1hr

RUN: Hour 1

POLLUTANT: Nitrogen Dioxide

IV. MODEL RESULTS (PRED. CONC. INCLUDES AMB.)

RECEPTOR	* PRED * CONC * (PPM)	* CONC/LINK (PPM) A	B	C	D	E	F	G	H	I	J
1. R1	* 0.10	* 0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.01
2. R2	* 0.10	* 0.01	0.00	0.01	0.00	0.00	0.00	0.00	0.01	0.00	0.01
3. R3	* 0.11	* 0.01	0.00	0.01	0.00	0.00	0.00	0.00	0.01	0.00	0.01
4. R4	* 0.11	* 0.01	0.00	0.01	0.00	0.00	0.00	0.00	0.01	0.00	0.01
5. R5	* 0.13	* 0.01	0.00	0.02	0.00	0.00	0.00	0.00	0.02	0.00	0.01

```
  6. R6        *  0.13 * 0.01 0.00 0.01 0.00 0.00 0.00 0.00 0.03
0.00 0.01

  7. R7        *  0.14 * 0.01 0.00 0.01 0.00 0.00 0.00 0.00 0.01
0.01 0.02

  8. R8        *  0.08 * 0.01 0.00 0.00 0.00 0.00 0.00 0.00 0.00
0.00 0.00

  9. R9        *  0.07 * 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00
0.00 0.00

 10. R10       *  0.07 * 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00
0.00 0.00

 11. R11       *  0.08 * 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00
0.00 0.00

 12. R12       *  0.08 * 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00
0.00 0.00

 13. R13       *  0.08 * 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00
0.00 0.00

 14. R14       *  0.08 * 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00
0.00 0.00

 15. R15       *  0.07 * 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00
0.00 0.00

 16. R16       *  0.08 * 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00
0.00 0.00

 17. R17       *  0.10 * 0.01 0.00 0.00 0.00 0.00 0.00 0.00 0.00
0.00 0.02

 18. R18       *  0.12 * 0.02 0.00 0.00 0.00 0.00 0.00 0.00 0.00
0.00 0.03

 19. R19       *  0.20 * 0.05 0.00 0.00 0.00 0.00 0.00 0.00 0.00
0.00 0.08

 20. R20       *  0.07 * 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00
0.00 0.00
```

```
                CALINE4: CALIFORNIA LINE SOURCE DISPERSION MODEL
                         JUNE 1989 VERSION
                         PAGE    1

                      JOB: Grove Avenue_PM10
                      RUN: Hour 1           (WORST CASE ANGLE)
                POLLUTANT: Particulates
                (NOTE: OUTPUT IN MICRO-GRAMS/METER**3.  IGNORE PPM LABEL)

     I.  SITE VARIABLES

               U=   0.5 M/S              Z0= 100. CM            ALT=
306.0 (M)
             BRG= WORST CASE             VD=  0.0 CM/S
            CLAS=     7 (G)              VS=  0.0 CM/S
            MIXH= 1000. M                AMB=  0.0 PPM
           SIGTH=    5. DEGREES        TEMP= 27.0 DEGREE (C)


    II.  LINK VARIABLES

           LINK      *  LINK COORDINATES (FT)  *              EF     H
W
      DESCRIPTION  *   X1     Y1     X2     Y2  * TYPE  VPH   (G/MI)
(FT)   (FT)
```

```
  ----------------*-------------------------*-----------------------
-------

  A. Grove SB-4th * ***** ***** ***** ***** *  AG   1290   0.0
0.0  72.0

  B. Grove SB-I S * ***** ***** ***** ***** *  AG   1200   0.0
0.0  72.0

  C. Grove SB-G S * ***** ***** ***** ***** *  AG   1070   0.0
0.0  72.0

  D. Grove SB-D S * ***** ***** ***** ***** *  AG   1080   0.0
0.0  83.0

  E. Grove SB-Hol * ***** ***** ***** ***** *  AG   1560   0.0
0.0  76.0

  F. Grove NB- Ar * ***** ***** ***** ***** *  AG   2510   0.0
0.0  84.0

  G. Grove NB- Ho * ***** ***** ***** ***** *  AG   1860   0.0
0.0  72.0

  H. Grove NB- D  * ***** ***** ***** ***** *  AG   1900   0.0
0.0  72.0

  I. Grove NB- G  * ***** ***** ***** ***** *  AG   1720   0.0
0.0  72.0

  J. Grove NB- G  * ***** ***** ***** ***** *  AG   1740   0.0
0.0  83.0
```

CALINE4: CALIFORNIA LINE SOURCE DISPERSION MODEL

JUNE 1989 VERSION

PAGE 2

JOB: Grove Avenue_PM10

RUN: Hour 1 (WORST CASE ANGLE)

POLLUTANT: Particulates

(NOTE: OUTPUT IN MICRO-GRAMS/METER**3. IGNORE PPM LABEL)

III. RECEPTOR LOCATIONS

RECEPTOR	*	COORDINATES (FT) X	Y	Z
1. R1	*	******	******	6.5
2. R2	*	******	******	6.5
3. R3	*	******	******	6.5
4. R4	*	******	******	6.5
5. R5	*	******	******	6.5
6. R6	*	******	******	6.5
7. R7	*	******	******	6.5
8. R8	*	******	******	6.5
9. R9	*	******	******	6.5
10. R10	*	******	******	6.5

11.	R11	*	****** ******	6.5
12.	R12	*	****** ******	6.5
13.	R13	*	****** ******	6.5
14.	R14	*	****** ******	6.5
15.	R15	*	****** ******	6.5
16.	R16	*	****** ******	6.5
17.	R17	*	****** ******	6.5
18.	R18	*	****** ******	6.5
19.	R19	*	****** ******	6.5
20.	R20	*	****** ******	6.5

CALINE4: CALIFORNIA LINE SOURCE DISPERSION MODEL

JUNE 1989 VERSION

PAGE 3

JOB: Grove Avenue_PM10

RUN: Hour 1 (WORST CASE ANGLE)

POLLUTANT: Particulates

(NOTE: OUTPUT IN MICRO-GRAMS/METER**3. IGNORE PPM LABEL)

IV. MODEL RESULTS (WORST CASE WIND ANGLE)

	*	* PRED	*	CONC/LINK							
	* BRG	* CONC	*	(PPM)							
RECEPTOR	* (DEG)	* (PPM)	*	A	B	C	D	E	F	G	H
1. R1	* 166.	* 1.0	*	0.0	0.0	0.0	0.0	0.5	0.6	0.0	0.0
2. R2	* 173.	* 1.8	*	0.0	0.0	0.0	0.4	0.6	0.7	0.1	0.0
3. R3	* 171.	* 1.2	*	0.0	0.0	0.0	0.2	0.4	0.5	0.1	0.0
4. R4	* 357.	* 1.7	*	0.1	0.1	0.6	0.0	0.0	0.0	0.0	0.5
5. R5	* 355.	* 2.9	*	0.1	0.1	1.3	0.0	0.0	0.0	0.0	0.9

```
  6. R6        *  353. *   4.0 *  0.1  0.2  1.0  0.0  0.0  0.0  0.0
2.0

  7. R7        *  356. *   2.8 *  0.2  0.3  0.9  0.0  0.0  0.0  0.0
0.4

  8. R8        *    8. *   1.4 *  0.2  0.4  0.0  0.0  0.0  0.0  0.0
0.0

  9. R9        *  169. *   1.8 *  0.0  0.7  0.1  0.1  0.0  0.0  0.1
0.3

 10. R10       *  171. *   1.6 *  0.1  0.5  0.1  0.1  0.0  0.1  0.1
0.2

 11. R11       *  352. *   1.7 *  0.1  0.1  0.2  0.2  0.0  0.0  0.7
0.3

 12. R12       *  349. *   1.6 *  0.0  0.1  0.3  0.1  0.0  0.0  0.4
0.5

 13. R13       *  349. *   2.4 *  0.0  0.2  0.4  0.1  0.0  0.0  0.5
1.0

 14. R14       *  185. *   1.6 *  0.0  0.0  0.0  0.2  0.2  0.2  0.9
0.0

 15. R15       *  188. *   1.0 *  0.0  0.0  0.0  0.2  0.1  0.1  0.6
0.0

 16. R16       *  342. *   0.7 *  0.0  0.3  0.0  0.0  0.0  0.0  0.0
0.0

 17. R17       *  176. *   2.1 *  0.0  0.0  0.3  0.2  0.1  0.1  0.2
1.2

 18. R18       *  180. *   1.0 *  0.0  0.0  0.2  0.1  0.1  0.1  0.1
0.4

 19. R19       *  191. *   2.0 *  0.0  0.3  0.0  0.0  0.0  0.0  0.0
0.0

 20. R20       *  207. *   0.8 *  0.3  0.0  0.0  0.0  0.0  0.0  0.0
0.0
```

CALINE4: CALIFORNIA LINE SOURCE DISPERSION MODEL

JUNE 1989 VERSION

PAGE 4

JOB: Grove Avenue_PM10

RUN: Hour 1 (WORST CASE ANGLE)

POLLUTANT: Particulates

(NOTE: OUTPUT IN MICRO-GRAMS/METER**3. IGNORE PPM LABEL)

IV. MODEL RESULTS (WORST CASE WIND ANGLE) (CONT.)

RECEPTOR	* CONC/LINK (PPM) I	J
1. R1	0.0	0.0
2. R2	0.0	0.0
3. R3	0.0	0.0
4. R4	0.2	0.1
5. R5	0.3	0.1
6. R6	0.5	0.1
7. R7	0.9	0.2
8. R8	0.3	0.4
9. R9	0.4	0.0
10. R10	0.5	0.0

11. R11	*	0.1	0.1
12. R12	*	0.1	0.0
13. R13	*	0.2	0.0
14. R14	*	0.0	0.0
15. R15	*	0.0	0.0
16. R16	*	0.4	0.0
17. R17	*	0.0	0.0
18. R18	*	0.1	0.0
19. R19	*	0.3	1.4
20. R20	*	0.0	0.5

```
CALINE4: CALIFORNIA LINE SOURCE DISPERSION MODEL

                    JUNE 1989 VERSION

                    PAGE    1


                JOB: Grove Avenue_PM2.5

                RUN: Hour 1           (WORST CASE ANGLE)

           POLLUTANT: Particulates

           (NOTE: OUTPUT IN MICRO-GRAMS/METER**3. IGNORE PPM
LABEL)


    I.  SITE VARIABLES


           U=    0.5 M/S             Z0= 100. CM            ALT=
306.0 (M)

         BRG= WORST CASE             VD=  0.0 CM/S

        CLAS=     7 (G)              VS=  0.0 CM/S

        MIXH= 1000. M               AMB=  0.0 PPM

       SIGTH=    5. DEGREES       TEMP= 27.0 DEGREE (C)



   II.  LINK VARIABLES


        LINK      *  LINK COORDINATES (FT)  *              EF
H     W

     DESCRIPTION  *   X1    Y1    X2    Y2  * TYPE  VPH  (G/MI)
(FT)  (FT)
```

```
  ----------------*------------------------*--------------------
----------

  A. Grove SB-4th * ***** ***** ***** ***** *  AG   1290   0.0
0.0  72.0

  B. Grove SB-I S * ***** ***** ***** ***** *  AG   1200   0.0
0.0  72.0

  C. Grove SB-G S * ***** ***** ***** ***** *  AG   1070   0.0
0.0  72.0

  D. Grove SB-D S * ***** ***** ***** ***** *  AG   1080   0.0
0.0  83.0

  E. Grove SB-Hol * ***** ***** ***** ***** *  AG   1560   0.0
0.0  76.0

  F. Grove NB- Ar * ***** ***** ***** ***** *  AG   2510   0.0
0.0  84.0

  G. Grove NB- Ho * ***** ***** ***** ***** *  AG   1860   0.0
0.0  72.0

  H. Grove NB- D  * ***** ***** ***** ***** *  AG   1900   0.0
0.0  72.0

  I. Grove NB- G  * ***** ***** ***** ***** *  AG   1720   0.0
0.0  72.0

  J. Grove NB- G  * ***** ***** ***** ***** *  AG   1740   0.0
0.0  83.0
```

CALINE4: CALIFORNIA LINE SOURCE DISPERSION MODEL

JUNE 1989 VERSION

PAGE 2

JOB: Grove Avenue_PM2.5

RUN: Hour 1 (WORST CASE ANGLE)

POLLUTANT: Particulates

(NOTE: OUTPUT IN MICRO-GRAMS/METER**3. IGNORE PPM LABEL)

III. RECEPTOR LOCATIONS

RECEPTOR	*	COORDINATES (FT) X	Y	Z
1. R1	*	******	******	6.5
2. R2	*	******	******	6.5
3. R3	*	******	******	6.5
4. R4	*	******	******	6.5
5. R5	*	******	******	6.5
6. R6	*	******	******	6.5
7. R7	*	******	******	6.5
8. R8	*	******	******	6.5
9. R9	*	******	******	6.5

10. R10	* ******	******	6.5
11. R11	* ******	******	6.5
12. R12	* ******	******	6.5
13. R13	* ******	******	6.5
14. R14	* ******	******	6.5
15. R15	* ******	******	6.5
16. R16	* ******	******	6.5
17. R17	* ******	******	6.5
18. R18	* ******	******	6.5
19. R19	* ******	******	6.5
20. R20	* ******	******	6.5

CALINE4: CALIFORNIA LINE SOURCE DISPERSION MODEL

JUNE 1989 VERSION

PAGE 3

JOB: Grove Avenue_PM2.5

RUN: Hour 1 (WORST CASE ANGLE)

POLLUTANT: Particulates

(NOTE: OUTPUT IN MICRO-GRAMS/METER**3. IGNORE PPM LABEL)

IV. MODEL RESULTS (WORST CASE WIND ANGLE)

	*	* PRED	*	CONC/LINK							
	*	BRG	* CONC	*			(PPM)				
RECEPTOR	*	(DEG)	* (PPM)	*	A	B	C	D	E	F	G H
1. R1	*	166.	* 1.6	*	0.0	0.0	0.0	0.0	0.7	0.8	0.0 0.0
2. R2	*	173.	* 2.7	*	0.0	0.0	0.0	0.6	0.9	1.1	0.1 0.0
3. R3	*	171.	* 1.8	*	0.0	0.0	0.0	0.3	0.5	0.8	0.2 0.0
4. R4	*	357.	* 2.5	*	0.2	0.1	0.9	0.0	0.0	0.0	0.0 0.8

```
  5. R5       *  355. *   4.3 *  0.2  0.2  1.9  0.0  0.0  0.0
0.0  1.3

  6. R6       *  353. *   6.0 *  0.2  0.3  1.5  0.0  0.0  0.0
0.0  3.0

  7. R7       *  356. *   4.2 *  0.2  0.4  1.4  0.0  0.0  0.0
0.0  0.6

  8. R8       *    8. *   2.1 *  0.4  0.6  0.0  0.0  0.0  0.0
0.0  0.0

  9. R9       *  169. *   2.7 *  0.0  1.1  0.2  0.1  0.0  0.1
0.2  0.4

 10. R10      *  171. *   2.3 *  0.1  0.7  0.1  0.1  0.1  0.1
0.2  0.2

 11. R11      *  352. *   2.6 *  0.1  0.1  0.3  0.3  0.0  0.0
1.0  0.5

 12. R12      *  349. *   2.5 *  0.1  0.2  0.5  0.1  0.0  0.0
0.5  0.8

 13. R13      *  349. *   3.6 *  0.1  0.2  0.6  0.1  0.0  0.0
0.8  1.5

 14. R14      *  185. *   2.3 *  0.0  0.0  0.0  0.4  0.3  0.3
1.4  0.0

 15. R15      *  188. *   1.5 *  0.0  0.0  0.0  0.3  0.2  0.1
0.8  0.0

 16. R16      *  342. *   1.1 *  0.0  0.4  0.0  0.0  0.0  0.0
0.0  0.0

 17. R17      *  176. *   3.2 *  0.0  0.0  0.5  0.3  0.1  0.2
0.3  1.7

 18. R18      *  180. *   1.4 *  0.0  0.0  0.3  0.1  0.1  0.1
0.1  0.5

 19. R19      *  191. *   3.1 *  0.0  0.5  0.0  0.0  0.0  0.0
0.0  0.0
```

```
  20. R20       *  207. *   1.2 *  0.4   0.0   0.0   0.0   0.0   0.0
 0.0   0.0
```

CALINE4: CALIFORNIA LINE SOURCE DISPERSION MODEL

JUNE 1989 VERSION

PAGE 4

JOB: Grove Avenue_PM2.5

RUN: Hour 1 (WORST CASE ANGLE)

POLLUTANT: Particulates

(NOTE: OUTPUT IN MICRO-GRAMS/METER**3. IGNORE PPM LABEL)

IV. MODEL RESULTS (WORST CASE WIND ANGLE) (CONT.)

RECEPTOR	* CONC/LINK (PPM) I	J
1. R1	0.0	0.0
2. R2	0.0	0.0
3. R3	0.0	0.0
4. R4	0.3	0.2
5. R5	0.5	0.2
6. R6	0.8	0.2
7. R7	1.4	0.3
8. R8	0.5	0.7

9.	R9	*	0.6 0.0
10.	R10	*	0.7 0.0
11.	R11	*	0.2 0.1
12.	R12	*	0.2 0.1
13.	R13	*	0.3 0.1
14.	R14	*	0.0 0.0
15.	R15	*	0.0 0.0
16.	R16	*	0.7 0.0
17.	R17	*	0.1 0.0
18.	R18	*	0.2 0.0
19.	R19	*	0.5 2.1
20.	R20	*	0.0 0.8

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Appendix D CALINE4 Input/Output Files

Electronic Format, Available on Request

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Maximum Predicted CO Concentrations (no background)

Intersections	Existing	2025 No Build	2025 Build	2045 No Build	2045 Build
	1-hour CO Concentrations				
	State Standards - 20 ppm				
	Federal Standards - 35 ppm				
Grove Avenue/Holt Boulevard	0.6	0.5	0.4	0.7	0.4
Grove Avenue/State Street-Airport Drive	0.8	0.5	0.5	0.5	0.5
Grove Avenue/Mission Boulevard	0.5	0.4	0.4	0.5	0.5
Euclid Ave/I-10 Eastbound Ramps	0.6	0.5	0.5	0.5	0.5
I-10 Westbound Ramps/7th Street	0.4	0.2	0.2	0.2	0.2
Vineyard Aveneu Off-Ramp	0.4	0.3	0.3	0.3	0.3
	8-hour CO Concentrations				
Intersections	Federal Standards - 9 ppm				
Grove Avenue/Holt Boulevard	0.42	0.35	0.28	0.49	0.28
Grove Avenue/State Street-Airport Drive	0.56	0.35	0.35	0.35	0.35
Grove Avenue/Mission Boulevard	0.35	0.28	0.28	0.35	0.35
Euclid Ave/I-10 Eastbound Ramps	0.42	0.35	0.35	0.35	0.35
I-10 Westbound Ramps/7th Street	0.28	0.14	0.14	0.14	0.14
Vineyard Aveneu Off-Ramp	0.28	0.21	0.21	0.21	0.21

A 0.7 persistence factor applied to obtain 8-hour CO concentrations based on Table B.13 from the "Transportation Project-Level Carbon Monoxide Protocol"

Maximum Predicted CO Concentrations (with background)

Intersections	Existing	2025 No Build	2025 Build	2045 No Build	2045 Build
	1-hour CO Concentrations				
	State Standards - 20 ppm				
	Federal Standards - 35 ppm				
Grove Avenue/Holt Boulevard	3.6	3.5	3.4	3.7	3.4
Grove Avenue/State Street-Airport Drive	3.8	3.5	3.5	3.5	3.5
Grove Avenue/Mission Boulevard	3.5	3.4	3.4	3.5	3.5
Euclid Ave/I-10 Eastbound Ramps	3.6	3.5	3.5	3.5	3.5
I-10 Westbound Ramps/7th Street	3.4	3.2	3.2	3.2	3.2
Vineyard Aveneu Off-Ramp	3.4	3.3	3.3	3.3	3.3
Intersections	8-hour CO Concentrations				
	Federal Standards - 9 ppm				
Grove Avenue/Holt Boulevard	2.2	2.2	2.1	2.3	2.1
Grove Avenue/State Street-Airport Drive	2.4	2.2	2.2	2.2	2.2
Grove Avenue/Mission Boulevard	2.2	2.1	2.1	2.2	2.2
Euclid Ave/I-10 Eastbound Ramps	2.2	2.2	2.2	2.2	2.2
I-10 Westbound Ramps/7th Street	2.1	1.9	1.9	1.9	1.9
Vineyard Aveneu Off-Ramp	2.1	2.0	2.0	2.0	2.0

Background CO concentrations obtained from SCAQMD website and year 2011 (3.0 ppm 1-hr, 1.8 ppm 8-hr) applied to this study.

Notes:

The freeway intersections they are far enough from the "project" that there is no difference at all between build and no-build scenarios.
The volume did not change in the build/no build scenarios for the freeway ramp intersections.

Historical data from SCAQMD website:
2013 - 1.6 ppm high 8-hr
2012 - 1.5 ppm high 8-hr
2011 - 1.6 ppm high 8-hr
2010 - 1.8 ppm high 8-hr, 3.0 ppm high 1-hr

From SCAQMD website - 2012 AQMP
2011 - 2.7 ppm high 1-hr and 1.9 ppm high 8-hr in Riverside (LA County data is downtown and San Bernardino data is desert)

Maximum PM2.5 and PM10 Emissions (lbs/day)

Pollutant	PM10					PM2.5				
	Existing	2025 No Build	2025 Build	2045 No Build	2045 Build	Existing	2025 No Build	2025 Build	2045 No Build	2045 Build
Grove Avenue/Holt Boulevard	1.10	0.58	0.57	0.65	0.54	0.90	0.45	0.44	0.51	0.41
Grove Avenue/State Street-Airport Drive	1.01	0.40	0.41	0.40	0.39	0.81	0.32	0.33	0.33	0.32
Grove Avenue/Mission Boulevard	1.29	0.57	0.53	0.58	0.55	1.08	0.47	0.45	0.46	0.44
Euclid Ave/I-10 Eastbound Ramps	1.92	0.82	0.82	0.67	0.67	1.69	0.74	0.74	0.62	0.62
I-10 Westbound Ramps/7th Street	0.66	0.25	0.25	0.21	0.21	0.53	0.20	0.20	0.16	0.16
Vineyard Aveneu Off-Ramp	1.61	0.68	0.68	0.62	0.62	1.48	0.63	0.63	0.58	0.58

Maximum PM2.5 and PM10 Emissions (lbs/year)

Pollutant	PM10					PM2.5				
	Existing	2025 No Build	2025 Build	2045 No Build	2045 Build	Existing	2025 No Build	2025 Build	2045 No Build	2045 Build
Grove Avenue/Holt Boulevard	402	212	207	236	197	329	163	161	187	149
Grove Avenue/State Street-Airport Drive	370	146	150	146	142	297	117	121	119	117
Grove Avenue/Mission Boulevard	471	206	195	212	201	396	171	162	169	162
Euclid Ave/I-10 Eastbound Ramps	699	298	298	244	244	619	269	269	226	226
I-10 Westbound Ramps/7th Street	241	91	91	75	75	193	73	73	60	60
Vineyard Aveneu Off-Ramp	589	248	248	227	227	542	232	232	213	213

Notes:

Due to freeways not having equivalent external links compared to the other intersections and wanting an apples to apples comparison, only took into account approach and departures links.

Appendix G SHPO Concurrence Letter

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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
ENVIRONMENTAL PLANNING (MS 825)
464 W. FOURTH STREET, 6TH FLOOR
SAN BERNARDINO, CA 92401-1400
PHONE: (909) 383-6933
FAX: (909) 383-6494
TTY: (909) 383-6300

Serious drought.
Help save water!

April 3, 2017

Julianne Polanco
State Historic Preservation Officer
1725 23rd Street, Suite 100
Sacramento, CA 95816

City of Ontario
Grove Ave. Corridor Project

HPLUL 5092 (039)

Attention: Lucinda Woodward

Re: Historic Property Survey Report for the Grove Ave. Corridor Project, San Bernardino County, CA

The Federal Highway Administration (FHWA) and the California Department of Transportation (Caltrans) are initiating consultation with the State Historic Preservation Officer (SHPO) in regard to the proposed City of Ontario Grove Ave. Corridor Project, in San Bernardino County. This consultation is undertaken in accordance with the *First Amended Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act as it Pertains to the Administration of the Federal-Aid Highway Program in California* (Section 106 PA). Caltrans is concurrently complying with PRC 5024 pursuant to Stipulation III of the *Memorandum of Understanding between the California Department of Transportation and the California State Historic Preservation Officer regarding Compliance with Public Resources Code Section 5024 and Governor's Executive Order W-26-92* (PRC 5024 MOU).

Enclosed you will find a Historic Property Survey Report (HPSR) for the proposed undertaking. The HPSR is intended to fulfill three of Caltrans' responsibilities under Section 106 of the National Historic Preservation Act: determination of the Area of Potential Effects (APE); identification of potential historic properties located within the undertaking's APE; and evaluation of potential historic properties for eligibility to the National Register of Historic Places (National Register). Under the PA, Caltrans is responsible for ensuring the appropriateness of the APE (Stipulation VIII.A) and the adequacy of historic property identification efforts (Stipulation VIII.B). We are consulting with you at the present time under Stipulation VIII.C.6 of the PA, which requires concurrence with Caltrans' determinations of eligibility for potential historic properties.

Caltrans, in cooperation with the City of Ontario, proposes an undertaking to widen Grove Ave. from a four lane roadway to a six lane roadway from Interstate 10 to State Street/Airport Drive. This project coincides with the I-10. Grove Avenue Interchange Project, which would construct a new interchange along I-10 at Grove Avenue.

Consultation and identification efforts resulted in the identification of seven cultural resources within the APE for the proposed project that required evaluation that were found to be not eligible for the NRHP. Pursuant to Stipulation VIII.C.6 of the first amended Section 106 PA (January 2014), we request your concurrence that the following properties within the APE are not eligible for the NRHP:

Name	Address/Location	Community	OHP Status Code	Map Reference #
John Galvin Park		Ontario, CA	6Z	MR-1
Fountain Winery	1300 E. Holt Boulevard	Ontario, CA	5S1	MR-3
Cucamonga Valley Winery and Distillery	1101 E. Holt Boulevard	Ontario, CA	5S1	MR-4
N/A	1111 E. Holt Boulevard	Ontario, CA	6Z	MR-5
N/A	1175 E. Holt Boulevard	Ontario, CA	6Z	MR-6
N/A	1179 E. Holt Boulevard	Ontario, CA	6Z	MR-7
N/A	1329 E. Holt Boulevard	Ontario, CA	6Z	MR-8

In addition, identification efforts resulted in the identification of one cultural resource within the APE for the proposed project that was evaluated and appears eligible for the NRHP. Pursuant to Stipulation VIII.C.6 of the Section 106 PA, we request your concurrence that the following property within the APE is eligible for the NRHP:

Name	Address/Location	Community	OHP Status Code	Map Reference #
Jay Littleton Ballpark	John Galvin Park	Ontario, CA	N/A	MR-2

Pursuant to PA Stipulation IX.A, Caltrans is proposing that a finding of No Historic Properties Affected is appropriate for the undertaking. The Jay Littleton Ballpark, the only Historic Property in the APE, will not be directly affected by the undertaking, and potential indirect effects are minimal. The ballpark has been avoided through the engineering design: all project work is adjacent to the ballpark on City Streets (see HPSR page 7). The Jay Littleton Ballpark (MR-2) was included in the APE due to its proximity to the project and to clarify its (lack of) association with the adjacent John Galvin Park (MR-1) which will be directly affected by the undertaking.

We look forward to receiving your response within thirty (30) days of receipt of this submittal in accordance with Stipulation VIII.C.6 of the Section 106 PA. If you have any questions or comments regarding the proposed project, please feel free to contact Andrew Walters, Associate Environmental Planner (Architectural History) at (909) 383-2647 or by email at Andrew.walters@dot.ca.gov.

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

Sincerely,

For: Gabrielle Duff
Environmental Branch Chief
Caltrans, District 8

Enclosure: Historic Property Survey Report for the Grove Avenue Corridor Project, San Bernardino County (February 2017)

cc: Alexandra Bevk Neeb, Caltrans HQ
Andrew Walters, District 8 HRC

STATE OF CALIFORNIA – THE NATURAL RESOURCES AGENCY EDMUND G. BROWN, JR., *Governor*

OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION
1725 23rd Street, Suite 100
SACRAMENTO, CA 95816-7100
(916) 445-7000 Fax: (916) 445-7053
calshpo@parks.ca.gov
www.ohp.parks.ca.gov

April 25, 2017 In reply refer to: FHWA_2017_0403_001

VIA EMAIL

Gabrielle Duff, Environmental Branch Chief
Caltrans District 8
464 West 4th Street
San Bernardino, CA 92401

Subject: Determinations of Eligibility for the Grove Avenue Corridor Project, San Bernardino County, CA

Dear Ms. Duff:

Thank you for consulting with me about the subject undertaking in accordance with the January 1, 2014 *First Amended Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California* (PA).

Caltrans, in cooperation with the City of Ontario, proposes an undertaking to widen Grove Avenue from a four lane roadway to a six lane roadway from Interstate 10 to State Street/Airport Drive. This project coincides with the I-10 Grove Avenue Interchange Project, which would construct a new interchange along I-10 at Grove Avenue.

Caltrans has determined that the following properties, located within the area of potential effect, are not eligible for the listing in the National Register of Historic Places (NRHP):

- John Galvin Park, Ontario, CA
- Fountain Winery, 1300 East Holt Boulevard, Ontario, CA
- Cucamonga Valley Winery and Distillery, 1101 E Holt Boulevard, Ontario, CA
- 1111 E Holt Boulevard, Ontario, CA
- 1175 E Holt Boulevard, Ontario, CA
- 1179 E Holt Boulevard, Ontario, CA
- 1329 E Holt Boulevard, Ontario, CA

In addition Caltrans has determined that the Jay Littleton Ballpark (Ballpark), located in John Galvin Park, is eligible for the NRHP under Criteria A and C. Under Criteria A and Cthe Ballpark is eligible as an excellent example of both a Work Progress Administration (WPA) project, as well as a State Emergency Recovery Act (SERA) project, that touched all social levels of a community and worked towards improving neighborhood relations. While there are notable WPA-funded ballparks in the United States, there does not

appear to be a better extant example in California. Though some modifications have been made to the Ballpark in recent years, the property retains its original functionality, with a covered grandstand that hark back to a time when structures of these type were constructed by hand with a simple post and truss framing system. The period of significance in 1937-1960, as the Ballpark stopped hosting Pacific Coast League games in 1960. The outfield fence and scoreboard are contemporary and considered non-contributors.

Based on my review of the submitted documentation I concur.

Thank you for considering historic properties during project planning. If you have any questions, please contact Natalie Lindquist of my staff at (916) 445-7014 with e-mail at natalie.lindquist@parks.ca.gov or Alicia Perez at (916) 445-7020 with e-mail at alicia.perez@parks.ca.gov .

Sincerely,

Julianne Polanco
State Historic Preservation Officer

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Appendix H IPaC Database Search

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United States Department of the Interior

FISH AND WILDLIFE SERVICE
Carlsbad Fish And Wildlife Office
2177 Salk Avenue - Suite 250
Carlsbad, CA 92008-7385
Phone: (760) 431-9440 Fax: (760) 431-5901
http://www.fws.gov/carlsbad/

In Reply Refer To:
Consultation Code: 08ECAR00-2019-SLI-1055
Event Code: 08ECAR00-2021-E-01190
Project Name: I-10/Grove Corridor

January 28, 2021

Subject: Updated list of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, and proposed species, designated critical habitat, and candidate species that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Carlsbad Fish And Wildlife Office
2177 Salk Avenue - Suite 250
Carlsbad, CA 92008-7385
(760) 431-9440

Project Summary

Consultation Code: 08ECAR00-2019-SLI-1055
Event Code: 08ECAR00-2021-E-01190
Project Name: I-10/Grove Corridor
Project Type: TRANSPORTATION
Project Description: The City, in cooperation with the County of San Bernardino (County) and Caltrans District 8, proposes to widen Grove Avenue in the city of Ontario and the county of San Bernardino from four to six lanes between 4th Street and State Street/Airport Drive. Grove Avenue is located approximately 1.4 miles east of Euclid Avenue and approximately 1.2 miles west of Vineyard Avenue along I-10. The project area is bound on the north by 4th Street and on the south by State Street/Airport Drive.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@34.068881385467705,-117.6285187516007,14z

Counties: San Bernardino County, California

Endangered Species Act Species

There is a total of 5 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

---

1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
San Bernardino Merriam's Kangaroo Rat *Dipodomys merriami parvus* There is **final** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/2060	Endangered

Birds

NAME	STATUS
Coastal California Gnatcatcher *Polioptila californica californica* There is **final** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/8178	Threatened
Least Bell's Vireo *Vireo bellii pusillus* There is **final** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/5945	Endangered

Insects

NAME	STATUS
Delhi Sands Flower-loving Fly *Rhaphiomidas terminatus abdominalis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1540	Endangered

Flowering Plants

NAME	STATUS
San Diego Ambrosia *Ambrosia pumila*	Endangered

There is **final** critical habitat for this species. The location of the critical habitat is not available.
Species profile: https://ecos.fws.gov/ecp/species/8287

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

Appendix I Flood Insurance Rate Maps

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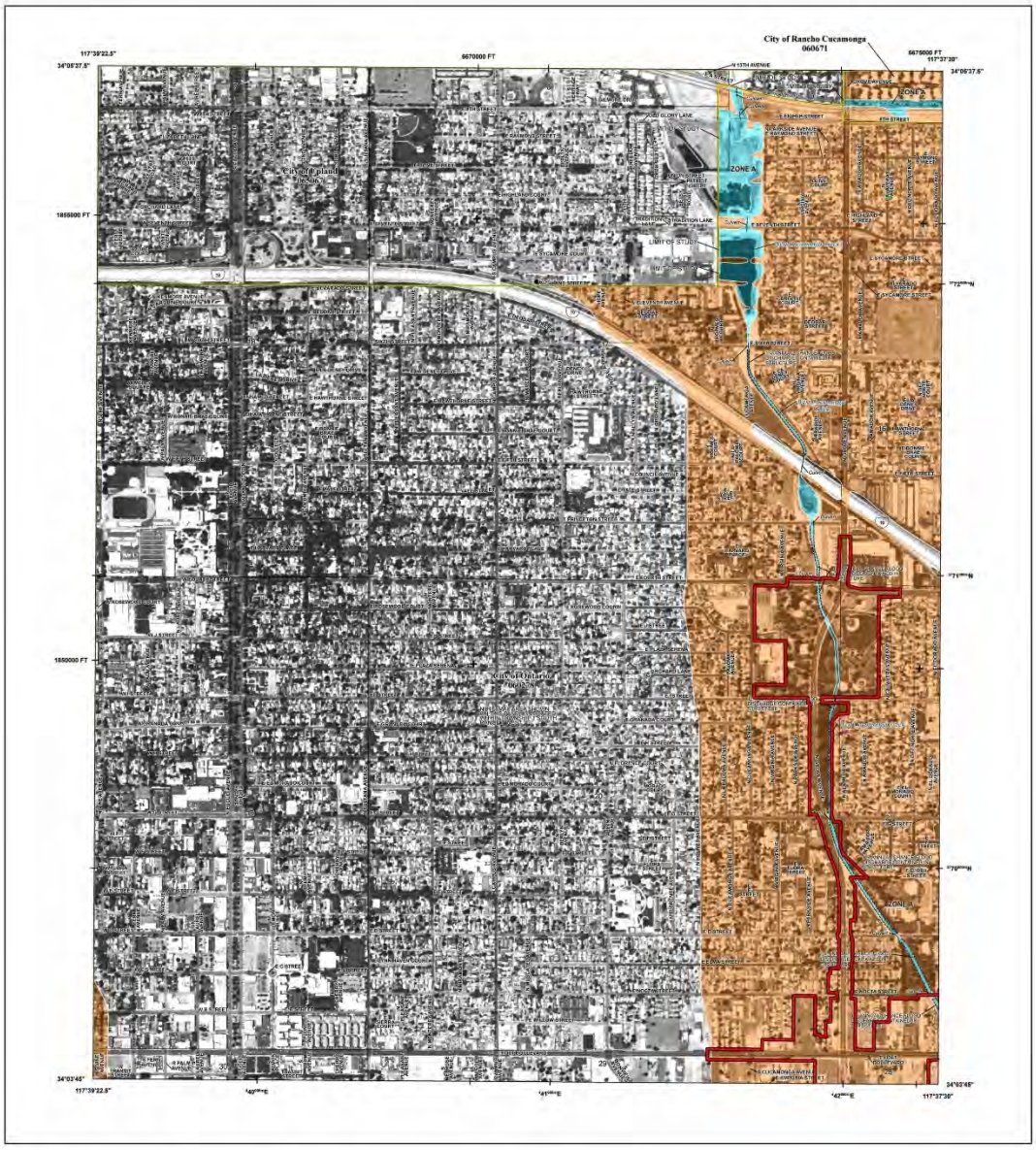

FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT HTTP://MSC.FEMA.GOV

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) (Zone A, V, A99)
- With BFE or Depth (Zone AE, AO, AH, VE, AR)
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Change Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile (Zone X)
- Future Conditions 1% Annual Chance Flood Hazard (Zone X)
- Area with Reduced Flood Risk due to Levee See Notes (Zone X)

OTHER AREAS
- NO SCREEN: Areas of Minimal Flood Hazard (Zone X)
- Area of Undetermined Flood Hazard (Zone D)

GENERAL STRUCTURES
- Channel, Culvert or Storm Sewer
- Accredited or Provisionally Accredited Levee, Dike or Floodwall
- Non-accredited Levee, Dike or Floodwall
- 15.2 / 17.5: Cross Sections with 1% Annual Chance Water Surface Elevation (BFE)
- Coastal Transect
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

OTHER FEATURES
- 513 513: Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Project Area

NOTES TO USERS

For information and questions about this map, available products associated with this FIRM including historic versions of this FIRM, how or other products on the National Flood Insurance Program in general, please visit the FEMA Map Information eXchange at 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA Map Service Center website at http://msc.fema.gov. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website. Users may determine the current map date for each FIRM panel by visiting the FEMA Map Service Center website or by calling the FEMA Map Information eXchange.

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For community and countywide map dates refer to the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

Base map information shown on this FIRM was derived from digital orthophotography collected by the U.S. Department of Agriculture Farm Service Agency. This imagery was flown in 2012 and was produced with a 1-meter ground sample distance.

SCALE

Map Projection: UTM Zone 11N, North American Datum 1983; Western Hemisphere; Vertical Datum: North American Vertical Datum of 1988

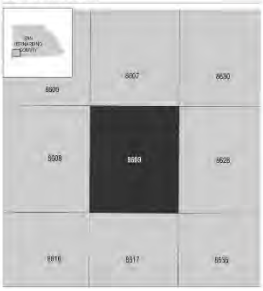
N

1 inch = 500 feet 1:6,000

0 250 500 750 1,000 2,000 Feet

0 125 250 500 Meters

PANEL LOCATOR



FEMA

National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM

FLOOD INSURANCE RATE MAP

SAN BERNARDINO COUNTY, CALIFORNIA

and Incorporated Areas

Panel 8609 of 9400

FEMA

Panel Contains

COMMUNITY	NUMBER	PANEL	SUFFIX
CHINO, CITY OF	060278	8609	J
RANCHO CUCAMONGA, CITY OF	060071	8609	J
UPLAND, CITY OF	060287	8609	J

VERSION NUMBER 2.3.2.3

MAP NUMBER 06071C8609J

MAP REVISED FEBRUARY 18, 2015

FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT HTTP://MSC.FEMA.GOV

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) Zone A, V, A99
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee See Notes Zone X

OTHER AREAS
- NO SCREEN Areas of Minimal Flood Hazard Zone X
- Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES
- Channel, Culvert or Storm Sewer
- Accredited or Provisionally Accredited Levee, Dike or Floodwall
- Non-accredited Levee, Dike or Floodwall
- 15.2 / 17.5 Cross Sections with 1% Annual Chance Water Surface Elevation (BFE)
- Coastal Transect
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature
- 513 Base Flood Elevation Line (BFE)

OTHER FEATURES
- Limit of Study
- Jurisdiction Boundary
- Project Area

NOTES TO USERS

For information and questions about this map, available products associated with this FIRM including historic versions of this FIRM, how to order products or the National Flood Insurance Program in general, please call the FEMA Map Information eXchange at 1-877-FEMA MAP (1-877-336-2627) or visit the FEMA Map Service Center website at http://msc.fema.gov. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website. Users may determine the current map date for each FIRM panel by visiting the FEMA Map Service Center website or by calling the FEMA Map Information eXchange.

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For community and countywide map dates refer to the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

Base map information shown on this FIRM was derived from digital orthophotography collected by the U.S. Department of Agriculture Farm Service Agency. This imagery was flown in 2012 and was produced with a 1-meter ground sample distance.

SCALE

Map Projection: UTM Zone 11N, North American Datum 1983; Western Hemisphere Vertical Datum North American Vertical Datum of 1988

N

1 inch = 500 feet 1:6,000

0 250 500 750 1,000 2,000 Feet

0 125 250 500 Meters

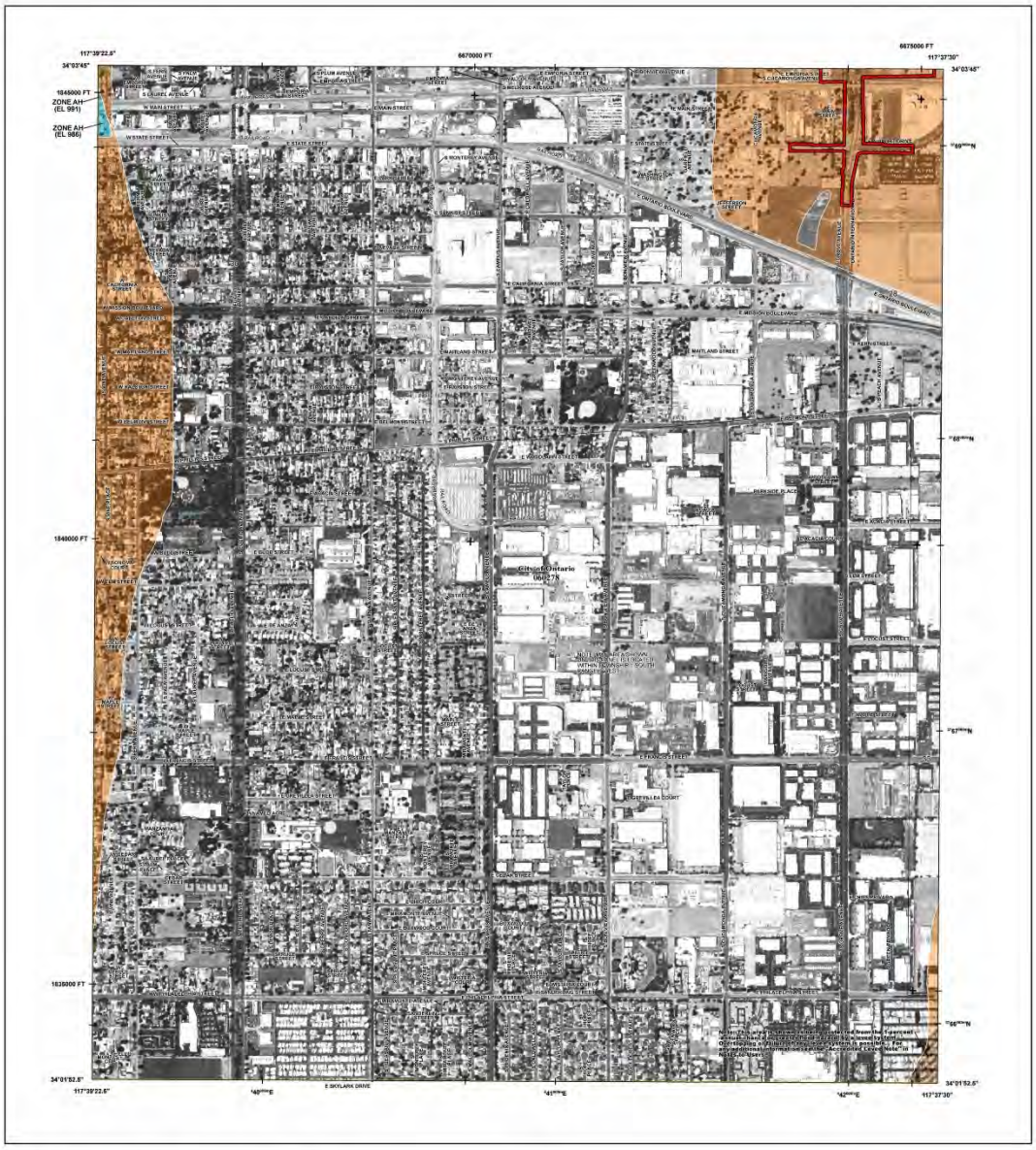
PANEL LOCATOR

FEMA National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP
SAN BERNARDINO COUNTY, CALIFORNIA and Incorporated Areas
Panel 8628 of 9400

COMMUNITY	NUMBER	PANEL	SUFFIX
ONTARIO, CITY OF	060278	8628	J
RANCHO CUCAMONGA, CITY OF	060671	8628	J

VERSION NUMBER 2.3.2.3
MAP NUMBER 06071C8628J
MAP REVISED FEBRUARY 18, 2015



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT HTTP://MSC.FEMA.GOV

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) (Zone A, V, A99)
- With BFE or Depth (Zone AE, AO, AH, VE, AR)
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile (Zone X)
- Future Conditions 1% Annual Chance Flood Hazard (Zone X)
- Area with Reduced Flood Risk due to Levee See Notes (Zone X)

OTHER AREAS
- NO SCREEN: Areas of Minimal Flood Hazard (Zone X)
- Area of Undetermined Flood Hazard (Zone D)
- Channel, Culvert or Storm Sewer

GENERAL STRUCTURES
- Accredited or Provisionally Accredited Levee, Dike or Floodwall
- Non-accredited Levee, Dike or Floodwall
- 16.2 / 17.5: Cross Sections with 1% Annual Chance Water Surface Elevation (BFE)
- Coastal Transect
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature
- Base Flood Elevation Line (BFE)

OTHER FEATURES
- Limit of Study
- Jurisdiction Boundary
- Project Area

NOTES TO USERS

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Communities annexing land on adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the corresponding FIRM Index. These may be ordered directly from the Map Service Center at the number listed above.

For community and countywide map dates refer to the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

Base map information shown on this FIRM was derived from digital orthophotography collected by the U.S. Department of Agriculture Farm Service Agency. This imagery was flown in 2012 and was processed with a 1-meter ground sample distance.

Accredited Levee Notes to Users: Check with your local community to obtain more information, such as the estimated level of protection (which may exceed the 1-percent-annual-chance level), and Emergency Action Plan, on the levees system(s) shown as providing protection to areas on this panel. To mitigate flood risk in residual risk areas, property owners and residents are encouraged to consider flood insurance and should contact their insurance representative. For more information on flood insurance, interested parties should visit the FEMA Website at http://www.fema.gov/business/nfip/index.shtm.

SCALE

Map Projection: UTM Zone 11N, North American Datum 1983; Vertical Datum: NAVD 88

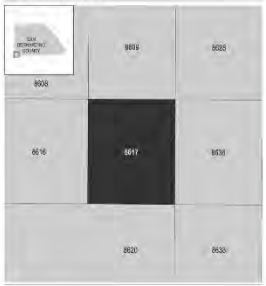
N

1 inch = 500 feet 1:6,000

0 250 500 750 1,000 2,000 Feet

0 125 250 500 Meters

PANEL LOCATOR



FEMA

National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM

FLOOD INSURANCE RATE MAP

SAN BERNARDINO COUNTY, CALIFORNIA and Incorporated Areas

Panel 8617 of 9400

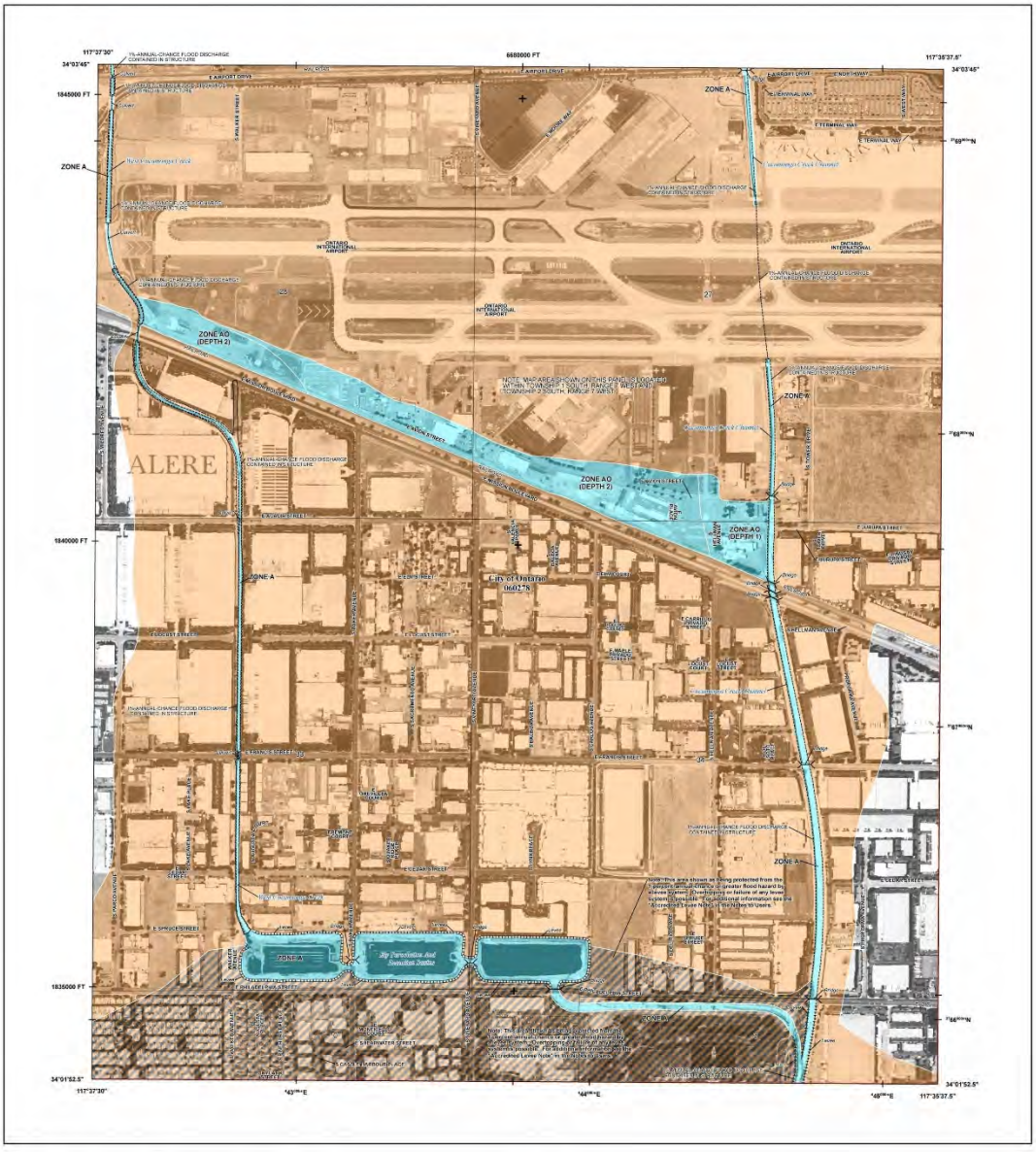
FEMA

COMMUNITY	NUMBER	PANEL	SUFFIX
ONTARIO, CITY OF	060278	8617	J

VERSION NUMBER 2.3.2.3

MAP NUMBER 06071C8617J

MAP REVISED FEBRUARY 18, 2015



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

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SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) (Zone A, V, A99)
- With BFE or Depth (Zone AE, AO, AH, VE, AR)
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile (Zone X)
- Future Conditions 1% Annual Chance Flood Hazard (Zone X)
- Area with Reduced Flood Risk due to Levee See Notes (Zone X)

OTHER AREAS
- NO SCREEN: Areas of Minimal Flood Hazard (Zone X)
- Area of Undetermined Flood Hazard (Zone D)

GENERAL STRUCTURES
- Channel, Culvert or Storm Sewer
- Accredited or Provisionally Accredited Levee, Dike or Floodwall
- Non-accredited Levee, Dike or Floodwall
- 18.2 / 17.5 Cross Sections with 1% Annual Chance Water Surface Elevation (BFE)
- Coastal Transect
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature
- 513 Base Flood Elevation Line (BFE)

OTHER FEATURES
- Limit of Study
- Jurisdiction Boundary
- Project Area

NOTES TO USERS

For information and questions about this map, available products associated with this FIRM including historic versions of this FIRM, how to order products or the National Flood Insurance Program in general, please call the FEMA Map Information eXchange at 1-877-FEMA MAP (1-877-336-2627) or visit the FEMA Map Service Center website at http://msc.fema.gov. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website. Users may determine the current map date for each FIRM panel by visiting the FEMA Map Service Center website or by calling the FEMA Map Information eXchange.

Communities annexing land on adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM Index. These may be ordered directly from the Map Service Center at the number listed above.

For community and countywide map dates refer to the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

Base map information shown on this FIRM was derived from digital orthophotography collected by the U.S. Department of Agriculture Farm Service Agency. This imagery was flown in 2012 and was produced with a 1-meter ground sample distance.

Accredited Levee Notes to Users: Check with your local community to obtain more information, such as the estimated level of protection provided (which may exceed the 1-percent-annual-chance level) and Emergency Action Plan, on the levee system(s) shown as providing protection for areas on this panel. To mitigate flood risk in residual risk areas, property owners and residents are encouraged to consider flood insurance and floodproofing or other protective measures. For more information on flood insurance, interested parties should call the FEMA Website at http://www.fema.gov/business/nfip/index.shtm.

SCALE

Map Projection: UTM Zone 11N, North American Datum 1983; Western Hemisphere Vertical Datum: North American Vertical Datum of 1988

N

1 inch = 500 feet 1:6,000

0 250 500 750 1,000 2,000 Feet

0 125 250 500 Meters

PANEL LOCATOR

FEMA National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP
SAN BERNARDINO COUNTY, CALIFORNIA and Incorporated Areas
Panel 8636 of 9400

COMMUNITY	NUMBER	PANEL	SUFFIX
ONTARIO, CITY OF	060278	8636	J

VERSION NUMBER 2.3.2.3
MAP NUMBER 06071C8636J
MAP REVISED FEBRUARY 18, 2015

Appendix J Comment Letters and Responses

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Comment Letter A
Lijin Sun
SCAQMD

From: Lijin Sun [mailto:LSun@aqmd.gov]
Sent: Tuesday, September 17, 2019 7:51 AM
To: Richard Ayala <rayala@ontarioca.gov>
Subject: South Coast AQMD Staff Comments on the Draft Environmental Impact Report/Environmental Assessment (EIR/EA) for the Grove Avenue Corridor Project

Dear Mr. Ayala,

Attached are South Coast AQMD staff comments on the Draft EIR/EA for the Grove Avenue Corridor Project (South Coast AQMD Control Number: SBC190820-04). The original, electronically signed letter will be forwarded to your attention by regular USPS mail. South Coast AQMD staff comments are meant as guidance for the Lead Agency and should be reviewed for incorporation into the Final EIR/EA. Please contact me if you have any questions regarding these comments. A-1

Thank you,
Lijin Sun, J.D.
Program Supervisor, CEQA IGR
South Coast Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765
Direct: (909) 396-3308
Fax: (909) 396-3324
Please note that the South Coast AQMD is closed on Mondays.

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL AND USPS:
rayala@ontarioca.gov
Richard Ayala, Senior Planner
City of Ontario, Planning Department
303 East B Street
Ontario, CA 91764

September 17, 2019

Draft Environmental Impact Report/Environmental Assessment (Draft EIR/EA) for the Proposed Grove Avenue Corridor Project

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final EIR/EA.

South Coast AQMD Staff's Summary of Project Description
The Lead Agency proposes to widen Grove Avenue from four lanes to six lanes between Fourth Street and State Street/Airport Drive to provide consistency of access and mobility along Grove Avenue between Interstate 10 and Holt Boulevard (Proposed Project). Based on a review of aerial photographs, South Coast AQMD staff found that portions of the Proposed Project will be located in close proximity to existing residential uses.

South Coast AQMD Staff's Summary of the Air Quality Analysis
In the air quality analysis section, the Lead Agency quantified the Proposed Project's regional and localized construction emissions and compared those emissions to South Coast AQMD's recommended regional and localized air quality CEQA significance thresholds for construction. Based on the analysis, the Lead Agency found that the Proposed Project's regional construction air quality impacts would be less than significant. However, construction of the Proposed Project would result in 16.9 pounds per day (lbs/day) of PM10 emissions, which would exceed South Coast AQMD's localized construction air quality CEQA significance threshold for PM10 at 6 lbs/day[1]. The Lead Agency requires implementation of two standard conditions with a list of air quality control measures to reduce PM10 emissions during construction[2]. As a result, the Lead Agency stated that "impacts would be temporary and considered less than significant[3]."

A-2

South Coast AQMD Staff's Comments – Recommended Mitigation Measures during Construction
CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significant adverse impacts. While the Lead Agency requires implementation of air quality control measures to reduce PM10 emissions during construction, the Draft EIR/EA did not quantify the Proposed Project's construction PM10 emissions after implementation as substantial evidence to support that the Proposed Project's localized construction air quality impacts would be less than significant. To further reduce the Proposed Project's localized air quality impacts during construction on nearby residences, South Coast AQMD staff has identified the following air quality mitigation measures during construction that the Lead Agency should review and incorporate in the Final EIR/EA.

A-3

A-4

[1] Draft EIR/ES. Page 3-7.
[2] *Ibid.* Page 3-8.
[3] *Ibid*

a. Require the use of zero-emission or near-zero emission heavy-duty haul trucks during construction, such as trucks with natural gas engines that meet the California Air Resources Board's (CARB) adopted optional NOx emissions standard of 0.02 grams per brake horsepower-hour (g/bhp-hr). At a minimum, require that operators of heavy-duty haul trucks visiting the Proposed Project during construction commit to using 2010 model year[4] or newer engines that meet CARB's 2010 engine emission standards of 0.01 g/bhp-hr for particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. Include analyses to evaluate and identify sufficient power available for zero emission trucks and supportive infrastructures in the Energy and Utilities and Service Systems Sections of the Final EIR/EA, where appropriate. Require that contractor(s) maintain records of all trucks visiting the Proposed Project and make these records available to the Lead Agency upon request. The records will serve as evidence to prove that each truck called to the Proposed Project during construction meets the minimum 2010 model year engine emission standards. The Lead Agency should conduct regular inspections of the records to the maximum extent feasible and practicable to ensure compliance with this mitigation measure. A-5

b. Limit the daily number of truck trips allowed at the Proposed Project to levels analyzed in the Final EIR/EA. If higher daily truck volumes are anticipated to visit the Proposed Project, the Lead Agency should commit to re-evaluating the Proposed Project through CEQA prior to allowing the higher activity level. A-6

c. Require the use of off-road diesel-powered construction equipment that meets or exceeds the CARB and U.S. Environmental Protection Agency (USEPA) Tier 4 Final off-road emissions standards for equipment rated at 50 horsepower or greater during construction of the Proposed Project. Such equipment will be outfitted with Best Available Control Technology (BACT) devices including a CARB certified Level 3 Diesel Particulate Filter (DPFs). Level 3 DPFs are capable of achieving at least 85 percent reduction in particulate matter emissions[5]. A list of CARB verified DPFs are available on the CARB website[6]. A-7

d. To ensure that Tier 4 Final construction equipment or better would 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. A-8

e. In the event that construction equipment cannot meet the Tier 4 Final engine certification, the Project representative or contractor must demonstrate through future study with written findings supported by substantial evidence that is approved by the Lead Agency before using other A-9

[4] CARB adopted the statewide Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. More information on the CARB's Truck and Bus Regulations is available at: https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.html.

[5] CARB. November 16-17, 2004. *Diesel Off-Road Equipment Measure – Workshop*. Page 17. Accessed at: https://www.arb.ca.gov/msprog/ordiesel/presentations/nov16-04_workshop.pdf.

[6] *Ibid*. Page 18.

technologies/strategies. Alternative applicable strategies may include, but would not be limited to, construction equipment with Tier 4 Interim or Tier 3 emission standards that the Lead Agency has already included in the air quality modeling, reduction in the number and/or horsepower rating of construction equipment, limiting the number of daily construction haul truck trips to and from the Proposed Project, and/or limiting construction phases occurring simultaneously with the remediation activities. A-9

f. Maintain vehicle and equipment maintenance records for the construction portion of the Proposed Project. All construction vehicles must be maintained in compliance with the manufacturer's recommended maintenance schedule. All maintenance records shall remain on-site for a period of at least two years from completion of construction. A-10

g. Encourage construction contractors to apply for South Coast AQMD "SOON" funds. The "SOON" program provides funds to applicable fleets for the purchase of commercially-available low-emission heavy-duty engines to achieve near-term reduction of NOx emissions from in-use off-road diesel vehicles. More information on this program can be found at South Coast AQMD's website: http://www.aqmd.gov/home/programs/business/business-detail?title=off-road-diesel-engines. A-11

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/EA. 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, when the Lead Agency makes the finding that the recommended mitigation measures are not feasible, the Lead Agency should describe the specific reasons for rejecting them in the Final EIR/EA (CEQA Guidelines Section 15091). A-12

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. If you have any questions regarding this letter, please contact me at lsun@aqmd.gov. A-13

Sincerely,

Lijin Sun

Lijin Sun, J.D.
Program Supervisor, CEQA-IGR
Planning, Rule Development & Area Sources

LS
SBC190820-04
Control Number

Response A-1: We acknowledge receipt of both the electronic and hard copies of the SCAQMD comment letter.

Response A-2: Comment is noted. As stated in Section 2.1.1.1, Existing and Future Land Uses, of the EIR/EA, various residential uses are located along and near Grove Avenue between Airport Drive and 4th Street. As stated in Section 3.2.3, Air Quality, the estimated PM10 emissions during construction would exceed SCAQMD's Localized Significance Thresholds. Standard Conditions SC-CI-21 and SC-CI-22 include an extensive list of air quality control measures, such as soil stabilization and soil binders on disturbed areas, storage piles, and unpaved roads; fugitive dust control by watering; wetting of building exteriors prior to demolition; covering of hauls or provision of freeboard; mud or dirt removal from adjacent streets/removal of carryout and track out; speed limits; wheel washers/gravel pads; wind breaks and suspension of work during strong winds; limiting ground disturbance each day; SCAQMD Rule 403 compliance; equipment maintenance and tuning; and storage sites away from residential and park uses. Since these measures would be implemented during construction of the project and PM10 impacts on adjacent land uses would be temporary (lasting approximately 1 year) and would occur for an even shorter time period when construction activity occurs adjacent to specific residences, impacts are not considered significant.

Response A-3: Standard Conditions SC-CI-21 and SC-CI-22 includes measures beyond those required by SCAQMD to reduce PM10 emissions. The specific reductions in PM10 due to the implementation of Standard Conditions SC-CI-21 and SC-CI-22 cannot be readily quantified as there are no public or commercially available computer models that would provide specific PM10 reductions for each measure under SC-CI-21 and SC-CI-22. In addition, details on the specific construction schedule and equipment that would be utilized by the selected contractor, the number of acres that would be disturbed per day, the number and volume of buildings demolished per day, the extent and volume of ground disturbance adjacent to individual residences, the dust suppressant, soil binder or dust control that would be utilized, future wind speeds on specific dates, the condition of contractor equipment and trucks, and other construction information would be required to provide an accurate estimate of PM10 emissions and potential reductions. Without a construction plan at this time, the use of assumptions for any of these details would not provide an accurate estimate of reductions in PM10 emissions from measures listed under SC-CI-21 and SC-CI-22. As indicated above, PM10 impacts on adjacent land uses would be temporary (with project construction lasting approximately 1 year) and PM impacts to adjacent residential uses would be confined to the times when construction activities and equipment are occurring only during short time periods when construction activity is within 20 to 30 feet of the receptor (although PM10 may settle within a few hundred feet depending on initial emission height of the particle, its settling velocity, and wind speeds or other atmospheric turbulence). No one residence would be exposed to PM10 emissions during the entire year of construction along Grove Avenue. Thus, impacts are considered temporary and less than significant.

Response A-4: Since the project's construction emissions are considered less than significant, the City does not propose mitigation measures in addition to compliance with Standard Conditions SC-CI-21 and SC-CI-22.

Response A-5: The reduction in PM10 emissions due to the use of zero-emission or near-zero emission heavy-duty haul trucks during construction cannot be readily quantified without knowing the truck mix that would be used by the selected contractor. For example, if assumed zero in the modelling estimates, the elimination of truck and equipment exhaust would reduce PM10 by less than 2 pounds per day or 13 percent. Also, ARB requires heavy and light trucks to have 2010 model year engines by January 2023. Therefore, it is expected that the selected contractors would use trucks that would comply with this

regulation during the construction of the project, which is anticipated to be in 2024 at the earliest. By 2023, only vehicles compliant with this regulation will be registered by the California Department of Motor Vehicles (DMV). Thus, this mitigation measure is not considered necessary and has not been added into the Final EIR/EA.

Response A-6: The distances of individual truck trips, fleet mix, and the number, size, and condition of trucks that would be used by the selected contractor are not known at this time. The amount of PM10 that would come from debris and building materials, wind speeds on specific construction dates, and the reduction in PM10 emissions due to covering hauls or providing freeboard, reductions in PM10 due to limits on the number of trucks cannot be readily quantified. Consequently, the number of trucks that would provide the reduction in PM10 emissions to bring PM10 below the LST cannot be easily set. Since the rough proportionality of setting a limit on the number of trucks coming to the construction site cannot be ascertained, this measure is not considered feasible and has not been added into the Final EIR/EA.

Response A-7: It is anticipated that the selected contractor (with either a small, medium, or large fleet of construction equipment) will comply with the ARB Regulation for in-use off-road diesel-fueled fleets with 25 horsepower or greater by 2023 for large and medium fleets and by 2028 for small fleets. Compliance with this regulation would reduce NOx and PM from construction equipment that would be used for the project. No additional mitigation measure is required.

Response A-8: Construction of the project is anticipated to begin in 2024 at the earliest, when compliance with ARB Regulation for in-use off-road diesel-fueled fleets would have been completed by contractors and other affected entities. Thus, a mitigation measure that requires use of Tier 4 construction equipment is not considered necessary.

Response A-9: See Response A-8 above.

Response A-10: This measure is included as bullet #5 under SC-CI-22.

Response A-11: As suggested, the City shall encourage contractors to apply for SOON funds under a new Minimization Measure AQ-1 that has been added to read:

> **AQ-1:** The City shall encourage construction contractors to apply for South Coast AQMD "SOON" funds. The "SOON" program provides funds to applicable fleets for the purchase of commercially available low-emission heavy-duty engines to achieve near-term reduction of NOx emissions from in-use off-road diesel vehicles. More information on this program can be found at SCAQMD's website: http://www.aqmd.gov/home/programs/business/business-detail?title=off-road-diesel-engines&parent=vehicle-engine-upgrades

Response A-12: A response to each of the mitigation measures listed in the comment letter have been provided above. These responses would be provided to the SCAQMD prior to certification of the Final EIR, as required under Section 21092.5 of CEQA and Section 15088(b) of the CEQA Guidelines. Findings will be made by the City Council in accordance with Section 15091 of the CEQA Guidelines, during the certification of the Final EIR.

Response A-13: We acknowledge the offer of assistance. No response is required.

Comment Letter B
Alexandra McCleary
San Manuel Band of Mission Indians

From: Alexandra McCleary [mailto:Alexandra.McCleary@sanmanuel-nsn.gov]
Sent: Friday, September 13, 2019 4:29 PM
To: Richard Ayala <rayala@ontarioca.gov>; gary.jones@dot.ca.gov
Subject: Grove Ave Corridor Project

Dear Richard Ayala and Gary Jones,

Thank you for contacting the San Manuel Band of Mission Indians (SMBMI) regarding the above referenced project. I write to you on behalf of Lee Clauss, Director of the Cultural Resources Management Department. SMBMI appreciates the opportunity to review the project documentation, which was received by the Cultural Resources Management Department on September 19th, 2019. The proposed project is located outside of Serrano ancestral territory and, as such, SMBMI will not be requesting consulting party status with the lead agency or requesting to participate in the scoping, development, and/or review of documents created pursuant to these legal and regulatory mandates. B-1

Kind regards,

Alexandra McCleary

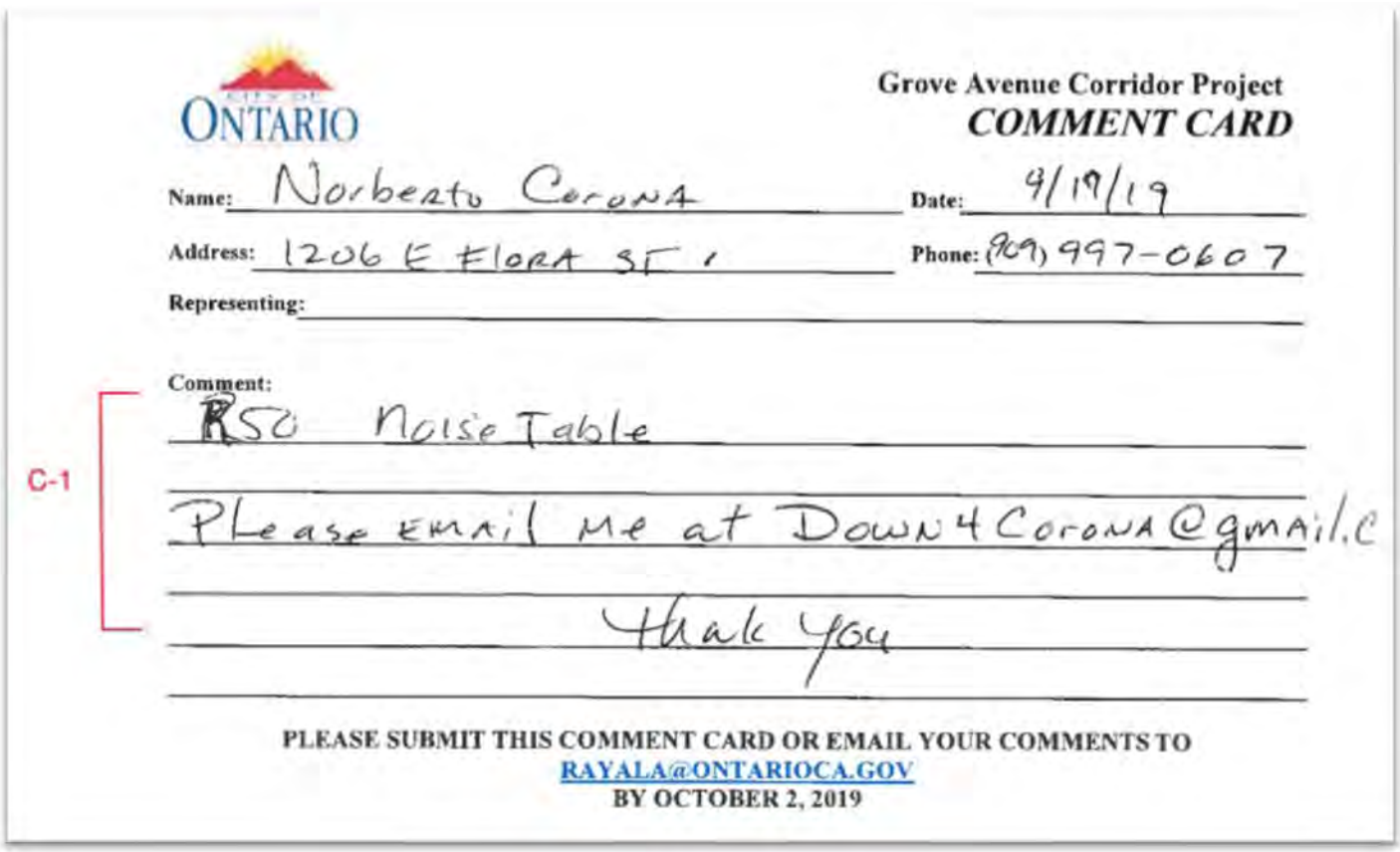
Alexandra McCleary
TRIBAL ARCHAEOLOGIST
O: (909) 864-8933 x502023
M: (909) 633-0054
26569 Community Center Drive Highland CA 92346

SAN MANUEL BAND OF MISSION INDIANS [sanmanuel-nsn.gov] | SAN MANUEL CASINO [sanmanuel.com]
BUILD SOMETHING GREATER. TOGETHER. [sanmanuelcareers.com]

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this message is not the intended recipient or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination or copying of this communication is strictly prohibited. If you have received this electronic transmission in error, please delete it from your system without copying it and notify the sender by reply e-mail so that the email address record can be corrected. Thank You

Response B-1: We appreciate the SMBMI's participation in the environmental review process. No response to this comment is required.

Comment Letter C
Norberto Corona



ONTARIO

Grove Avenue Corridor Project
COMMENT CARD

Name: Norberto Corona Date: 9/19/19

Address: 1206 E Flora St, Phone: (909) 997-0607

Representing:

Comment:

RSC Noise Table

Please email me at Down4Corona@gmail.c

Thank You

C-1

PLEASE SUBMIT THIS COMMENT CARD OR EMAIL YOUR COMMENTS TO
RAYALA@ONTARIOCA.GOV
BY OCTOBER 2, 2019

Response C-1: As requested, Table 2.2.7-3 of the Draft EIR/EA and the figures showing the noise receptors listed in the table were emailed to Norberto Corona on September 23, 2019.

Comment Letter D
Maria Hernandez

CITY OF ONTARIO

TARJETA DE COMENTARIO
Proyecto de la Avenida Grove

Nombre: MARIA HERNANDEZ Fecha: 9-14-19

Dirección: 516 N Grove Ave ontario Teléfono: (909) 331-57-41

Representando:

Comentario:

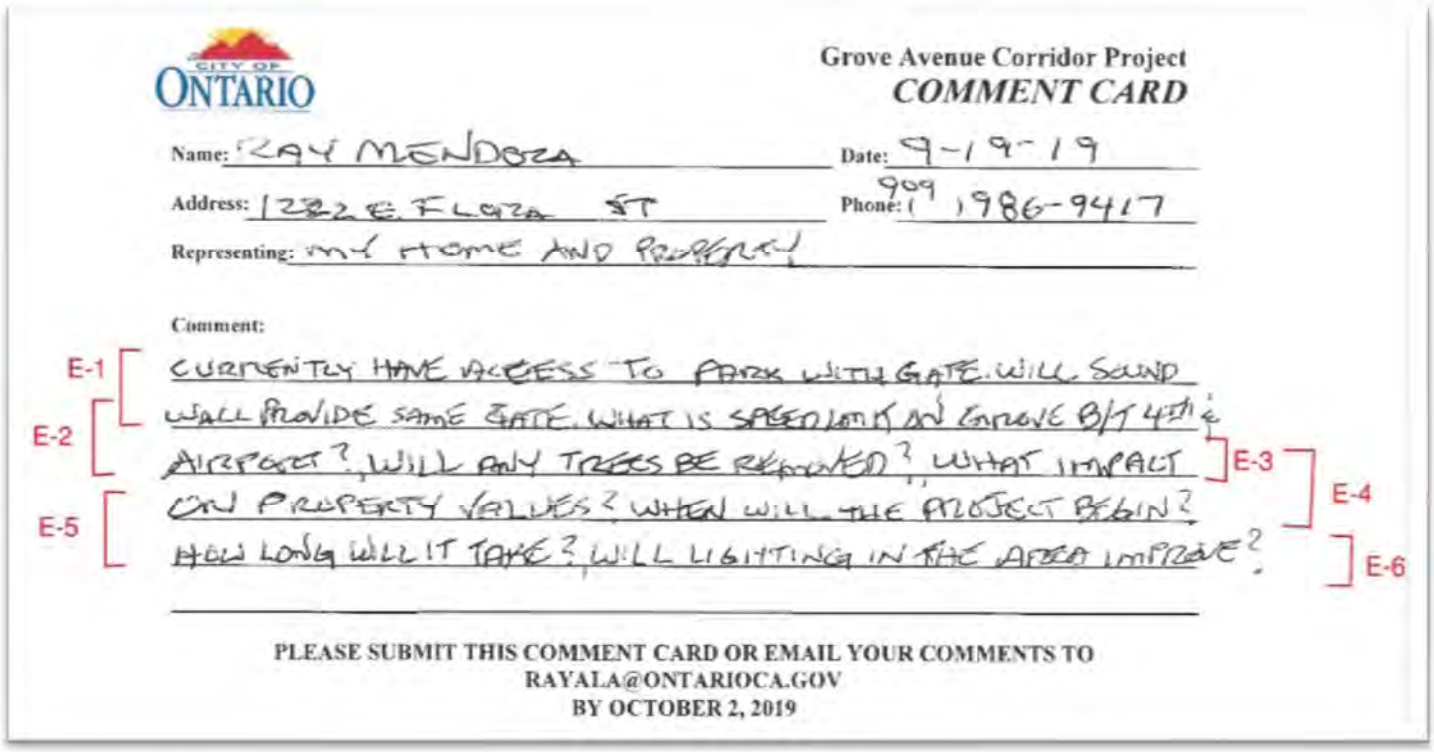
D-1

SI ME GUSTARIA VER MAS AMPLIA LA CALLE Y SI PUDIERAN PONER EN LA CALLE G UNA Luz en el Semaforo para Poder dar vuelta ala izquierda con seguridad o se con Flecha en Grove y G

POR FAVOR ENTREGUE SUS COMENTARIOS USANDO ESTA TARJETA O POR CORREO ELECTRONICO A RAYALA@ONTARIOCA.GOV ANTES DEL 2 DE OCTUBRE DEL 2019

English translation: I would like to see a wider street and if you can set up a traffic light to turn left for safety, with an arrow at Grove & G.
Response D-1: The project proposes to widen Grove Avenue from a four-lane roadway to a six-lane roadway from 4th Street to State Street/Airport Drive. The improvements proposed at the Grove Avenue and G street intersection include a single exclusive left-turn lane on all four sides of the intersection, a traffic signal, and ADA compliant curb ramps at all corners for safe pedestrian crossing. Signal phasing (left turn arrow) will be determined during final design and will consider the need for dedicated left-turn phasing. Project features are described in Section 1.3.1 of the EIR/EA.
Spanish translation: El proyecto propone ampliar Grove Avenue de una carretera de cuatro carriles a una carretera de seis carriles desde 4th Street hasta State Street/Airport Drive. Las mejoras propuestas en la intersección de la Grove Avenue y la G Street incluyen un carril único exclusivo para girar a la izquierda en los cuatro lados de la intersección, una señal de tráfico y rampas en el borde de la acera que cumplen con la ADA en todas las esquinas para un cruce peatonal seguro. La fase de la señal (flecha de giro a la izquierda) se determinará durante el diseño final y se considerará la necesidad de una fase de giro a la izquierda dedicada. Las características del proyecto se describen en la Sección 1.3.1 del EIR/EA.

Comment Letter E
Ray Mendoza



CITY OF ONTARIO

Grove Avenue Corridor Project
COMMENT CARD

Name: RAY MENDOZA Date: 9-19-19

Address: 1282 E. FLORA ST Phone: (909) 986-9417

Representing: MY HOME AND PROPERTY

Comment:

E-1 CURRENTLY HAVE ACCESS TO PARK WITH GATE. WILL SOUND WALL PROVIDE SAME GATE. WHAT IS SPEED LIMIT ON GROVE B/T 4TH &

E-2 AIRPORT?, WILL ANY TREES BE REMOVED?, WHAT IMPACT ON PROPERTY VALUES? WHEN WILL THE PROJECT BEGIN? E-3 E-4

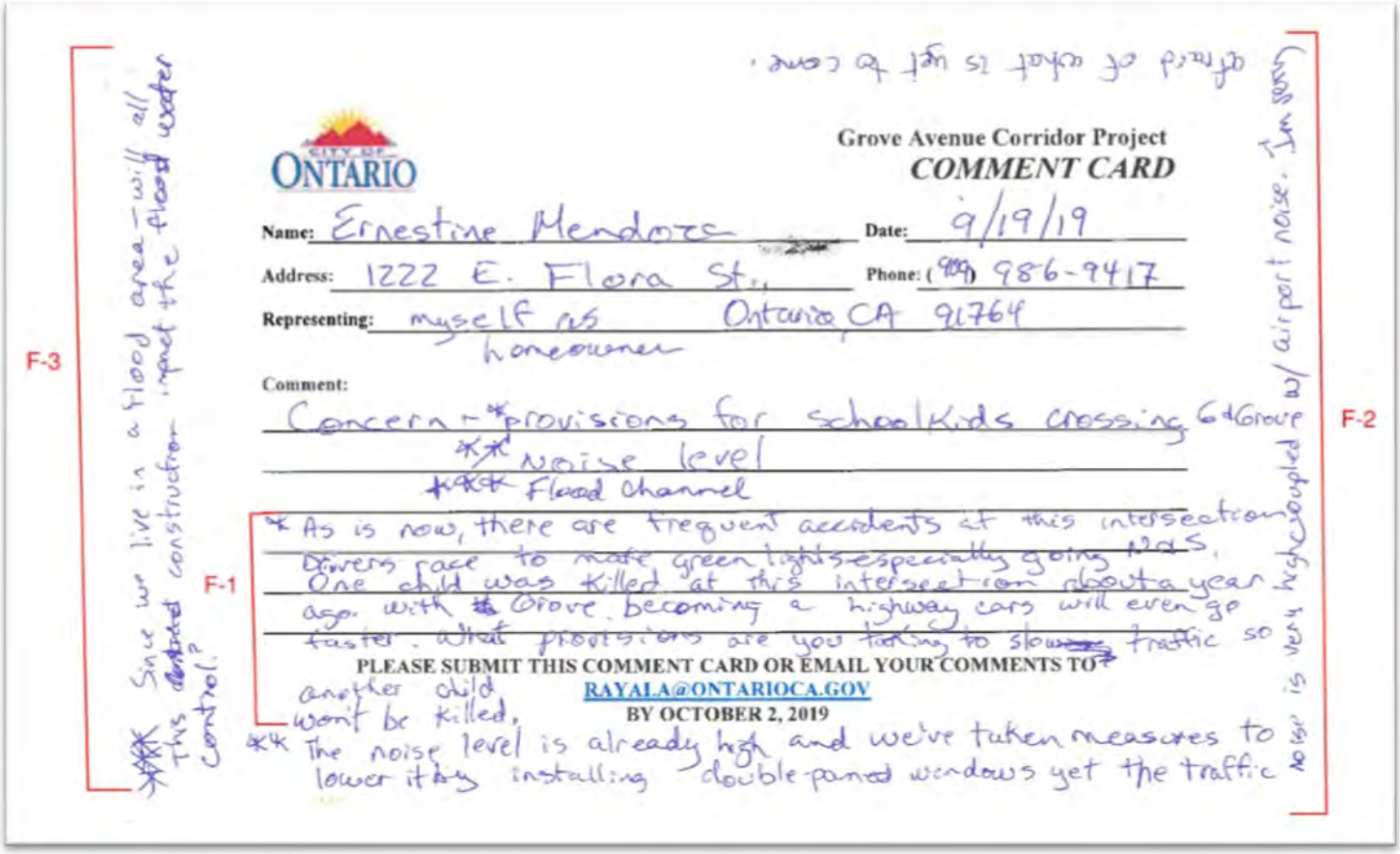
E-5 HOW LONG WILL IT TAKE?, WILL LIGHTING IN THE AREA IMPROVE? E-6

PLEASE SUBMIT THIS COMMENT CARD OR EMAIL YOUR COMMENTS TO
RAYALA@ONTARIOCA.GOV
BY OCTOBER 2, 2019

Response E-1: Any existing access to individual properties that would remain in place will be maintained with this project, unless the property owner requests otherwise. If an existing gate requires removal for construction, either the same gate or a new comparable one will be reinstalled.
Response E-2: The existing speed limit on Grove Avenue is 45 miles per hour (mph). The project does not propose to change the speed limit on Grove Avenue.
Response E-3: The Build Alternative requires that any trees which conflict with the proposed improvements be removed. As stated in Section 3.2.1, Aesthetics, of the EIR/EA, an estimated 174 trees would be removed. However, new trees and bushes will be planted in the proposed parkway and median. Minimization Measure NC-1 requires the preservation of as many mature trees as practicable and Minimization Measure VA-2 requires a 2:1 replacement for each tree removed or 348 replacement trees. Existing trees that are outside the limits of the improvements will remain in place.
Response E-4: The Grove Avenue Corridor Project will reduce congestion and provide a more aesthetically pleasing corridor for drivers and residents. However, its impact on property values is not known, as this will depend on many other factors (such as market forces, local economy, sale activity, location of goods and services, and interest rates), aside from an adjacent roadway. Also, any change in property values is not considered a physical change to the environment that is evaluated in the EIR/EA. However, changes in land use, community impacts, and growth inducement (which affect property values) are addressed in Section 2.0 of the EIR/EA.

Response E-5: If funding is obtained and the Build Alternative is implemented, it is currently anticipated that construction could begin as early as 2024, with completion in 2025, when the proposed project is scheduled to open to traffic. However, funding for the project has not yet been identified, and therefore, a delay in this schedule is anticipated. If the project moves forward, construction is anticipated to take approximately 18 months.
Response E-6: The Build Alternative for this project includes new streetlights along the Grove Avenue corridor and additional streetlights on Holt Boulevard near the intersection of Grove Avenue/Holt Boulevard, as discussed in Section 3.2.1, Aesthetics, of the EIR/EA. The project will improve lighting in the area.

Comment Letter F
Ernestine Mendoza



CITY OF ONTARIO

Grove Avenue Corridor Project
COMMENT CARD

Name: Ernestine Mendoza Date: 9/19/19

Address: 1222 E. Flora St., Ontario, CA 91764 Phone: (909) 986-9417

Representing: myself as homeowner

Comment:

Concern - *provisions for schoolKids crossing G&Grove
** Noise level
*** Flood channel

* As is now, there are frequent accidents at this intersection. Drivers race to make green lights especially going N&S. One child was killed at this intersection about a year ago with G Grove becoming a highway cars will even go faster. what provisions are you looking to slow traffic so another child won't be killed,

PLEASE SUBMIT THIS COMMENT CARD OR EMAIL YOUR COMMENTS TO
RAYALA@ONTARIOCA.GOV
BY OCTOBER 2, 2019

** The noise level is already high and we've taken measures to lower it by installing double-paned windows yet the traffic is very high coupled w/ airport noise. I'm sorry

*** Since we live in a flood area - will all construction impact the flood control?

F-1 F-2 F-3

Response F-1: The proposed Build Alternative includes a signalized intersection at Grove Avenue and G Street with single exclusive left-turns on all sides, a dedicated pedestrian crossing phase, and ADA-compliant curb ramps and sidewalks. No speed limit change is proposed with the project. Any increase or decrease in speed limits on local streets in the City is regulated by Section 4-6.1501 to 4-6.1502 of the Ontario Municipal Code and, based on an engineering and traffic survey that shows the proposed speed limit would facilitate the orderly movement of traffic and would be reasonable and safe, is subject to City Council approval.

Response F-2: As discussed in Section 2.2.7 of the EIR/EA, the noise impacts of the Build Alternative were evaluated. According to Caltrans' Traffic Noise Analysis Protocol for New Highway Construction and Reconstruction Projects, a noise impact occurs when the predicted future noise level with the project substantially exceeds the existing noise level (defined as a 12 dBA or more increase) or when the future noise level with the project approaches (within 1 dBA) or exceeds the noise abatement criteria (NAC). Where noise levels meet the NAC, soundwalls were evaluated to determine if they were reasonable and feasible. Of the 15 soundwalls evaluated, 8 were found to be feasible and reasonable. The viewpoints of benefitted receptors (property owners and tenants) would determine the construction of the soundwall. With noise level increases in the future design-year Build conditions at a maximum of 8 dB at one receiver location over the existing noise conditions and with lower increases at other receivers, the increase in noise levels due to the project is not considered substantial or significant.

Response F-3: As stated in Section 3.2.9 of the EIR/EA, the proposed Build Alternative geometrically encroaches upon the West Cucamonga Channel at the culvert crossings on Grove Avenue. The proposed encroachment would not alter the floodplain because the culvert crossings would only be extended to accommodate the roadway widening by a maximum of approximately 37 feet. The 100-year flood event would still be contained in the existing channel under the proposed conditions. Thus, existing drainage patterns would not be altered. In addition, several minimization measures would be incorporated into the design and construction phases to avoid potential floodplain and water quality impacts. The project will also implement temporary construction best management practices (BMPs) and permanent source control BMPs and BMP techniques (i.e. drainage swales, bioretention, and/or infiltration basins/trenches). No change in the limits of the floodplain would occur with the project.

Comment Letter G
Ontario-Montclair School District

Ontario-Montclair
School District

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Director, Facilities Planning & Operations

950 West D Street, Ontario, California 91762 • (909) 418-6366 FAX: (909) 459-2550

FACILITIES PLANNING & OPERATIONS

Sent Via Certified Mail
Receipt No. 7018 0680 0002 0066 7049
Return Receipt Requested

October 2, 2019

Mr. Richard Ayala, Senior Planner
Attn: Grove Avenue Corridor Project
Planning Department
City of Ontario
303 East "B" Street
Ontario, CA 91764-4105

Re: Grove Avenue Corridor Project

Dear Mr. Ayala:

The Ontario-Montclair School District (District) understands the City of Ontario (City) and the California Department of Transportation (Caltrans) are seeking information as part of its efforts to prepare an environmental document pursuant to the California Environmental Quality Act ("CEQA") for the Grove Avenue Corridor Project (Project). Thus, the District is providing the following information as a courtesy based solely on the information provided in the draft Environmental Impact Report/Environmental Assessment (EIR/EA). Except for the statements made below, the District is not providing any representations or endorsements regarding the plan or compliance with CEQA. The District has not done any independent analysis or investigation regarding the plan or any of the statements and issues included in the City's draft EIR/EA. The District hereby grants permission to the City and Caltrans to use the information provided below as part of its CEQA analysis but may not indicate or suggest that the District is involved in the Project or the City and Caltrans' efforts to comply with CEQA other than providing the information below for the City and Caltrans, independent use. G-1

In addition to Grove Avenue being a route to school for many of the District's students, the District's buses travel the route several times a day with a stop on North Grove Ave. (between East "G" Street to the North and East "D" Street to the South). The District is very interested in knowing the project schedule and any road closures or detours that could impact District operations, including temporary relocation of District bus stops. G-2

Please continue to send public notices and information regarding the Project to me. If you have any questions, feel free to contact me at 909-418-6369. G-3

Sincerely,

Craig Misso
Director, Facilities Planning & Operations

"Our Community, Our Children, Our Commitment, Our Future"

Response G-1: We appreciate Ontario-Montclair School District's participation in the environmental review process. Comment is noted and no response is required.
Response G-2: As discussed in Sections 2.1.6.3 and 2.1.6.4 of the EIR/EA, a Traffic Management Plan (TMP) was prepared during the preliminary engineering phase of the project, and a Final TMP will be prepared during final design. TMP strategies will include avoiding disruptions to existing transit services, including the Ontario-Montclair School District bus routes. At a minimum, the Final TMP will include details on projected temporary street closures or expected traffic delays due to project construction activities. The Final TMP will also include a public awareness campaign, which will include notification to the Ontario-Montclair School District. As stated in Minimization Measure T-5, "Prior to and during construction, the Project Engineer will coordinate with Omnitrans, the Ontario-Montclair School District, and other affected transit providers to request and comply with applicable procedures for any required temporary bus stop relocations or other disruptions to transit service during construction, if necessary."
Response G-3: The Ontario-Montclair School District has been informed of the project, public meetings, and environmental review process. Future notices will be sent to Mr. Craig Misso, Director of Facilities Planning and Operations, at the Ontario-Montclair School District.

Comment Letter H
USEPA

From: Mulvihill, Carolyn
Sent: Wednesday, October 02, 2019 1:52 PM
To: Richard Ayala <rayala@ontarioca.gov>
Subject: Grove Avenue Corridor Project

Mr. Ayala,
EPA appreciates the opportunity to review the environmental assessment for the Grove Avenue Corridor Project. We have some concerns about the potential for cumulative impacts from construction emissions if this project and other planned projects in the vicinity of this project have construction periods that overlap. We encourage Caltrans and the City of Ontario to implement all feasible mitigation measures to minimize those emissions, in particular if other projects are under construction concurrently. Please let us know when the final environmental document is complete. Thank you. H-1 H-2 H-3

Carolyn Mulvihill
Environmental Review Branch
U.S. EPA, Region 9
75 Hawthorne Street, TIP-2
San Francisco, CA 94105-3901

phone: (415) 947-3554
email: mulvihill.carolyn@epa.gov

Response H-1: The cumulative impacts of the project are discussed in Section 2.4 of the EIR/EA. Under Air Quality, it states that depending on the construction schedules and implementation of other projects in the region, fugitive dust and pollutant emissions generated during construction may result in substantial short-term increases in air pollutants. This would contribute to short-term cumulative air quality impacts; however, implementation of construction best available control measures (BACMs) during site grading activities would reduce fugitive dust emissions to a level that is considered less than significant.
Response H-2: The project would comply with Standard Conditions SC-CI-21 and SC-CI-22, which include an extensive list of air quality control measures that would be implemented during construction of the project and would reduce impacts on adjacent land uses. A new Minimization Measure AQ-1 has also been added to encourage contractors to apply for SOON funds as a means of reducing NOx and PM2.5 emissions by construction equipment meeting NOx and PM fleet average standards. Since construction emissions would be temporary (lasting approximately 1 year) and would not be considered significant, no mitigation measures are proposed.
Response H-3: Prior to certification of the Final EIR/EA by the City of Ontario, written responses would be provided to the USEPA for their comments on the Draft EIR/EA, as required under Section 21092.5 of CEQA and Section 15088(b) of the CEQA Guidelines.

Comment Letter I
Lidia Rodriguez

From: lidia rodriguez
Sent: Tuesday, September 24, 2019 1:55 PM
To: Richard Ayala <rayala@ontarioca.gov>
Subject: Grove Avenue Corridor Project/Comment Card

City of Ontario:
The following items listed are my concerns about the Grove Avenue Corridor Project.

1. **Safety of the Children:**
They must cross Grove Avenue at I, G & D Streets, Elma & Nocta Streets to attend Del Norte Elementary School and Mariposa Elementary School. Along with Ray Wiltsey Middle School. We've had children killed trying to cross Grove Avenue in the past, plus multiple car accidents. Have the Planners considered how the children will cross safely to attend school? I-1

2. **Impact of the City Parks:**
My concern is for the 2 parks east of D Street which are Veterans Memorial and James Galanis Park. The City of Ontario has many activities for the public and also distribution of food for the children. The Chaffey School District also has a bus stop at Veterans Memorial Park. I-2

3. **The Speed Limit:** The Grove Avenue Corridor areas is a residential zone. The current speed limit is 45 mph which I believe is too fast for this zone. I suggest it be reduced to 35 mph. I-3

4. **Environmental Concerns:** As it is, we have the noise from the Semi-trucks which will be greatly increased if this project proceeds. Along with more traffic, comes more noise in this residential area.
We believe this will cause increase of air pollution from the added traffic. I-4

5. **Traffic Corridors:** There are already 10 more direct existing traffic corridors that lead to Ontario International Airport. From the 10 Freeway, there is Vineyard Avenue, Archibald Avenue, Milliken and Haven. From the 60 Freeway, there is Grove Avenue from the south along with Vineyard, Archibald, Haven & Milliken. Plus the existing traffic that Grove is carrying already. I-5

I've been a resident of Ontario, at this address (213 N. Grove) since 1956. At that time, Grove ended at I Street to the North and Nocta on the South. We've seen it go from 2 lanes to 4 lanes. And now you're proposing 6 lanes plus a median. My concern is how will I and my neighbors enter and exit our driveways safely. I-6
I hope you will consider my concerns.
Thank you,
Lidia Rodriguez

Response I-1: The Build Alternative for the project proposes signalized intersections with dedicated left-turn lanes at the intersections of Grove Avenue with D Street, G Street, and I Street. Each of these signalized intersections will include ADA-compliant curb ramps and crosswalks, and a dedicated pedestrian crossing phase.
Response I-2: As discussed in Section 2.1.1.3 of the EIR/EA, five public parks are located within 0.5-mile of the Grove Avenue Corridor and were considered Section 4(f) resources for the project. Section 4(f) resources include any publicly owned public park, recreational area, or wildlife or waterfowl refuge or any publicly or privately-owned historic site. The five nearby parks include James Galanis Park, Veterans Memorial Park, Grove Memorial Park, John Galvin Park, and Vineyard Neighborhood Park. Of these parks, only the Grove Memorial Park and John Galvin Park are expected to be physically impacted by the proposed Build Alternative improvements. The Veterans Memorial Park and James Galanis Park will not be directly affected by the project.

Response I-3: The project does not propose a change in speed limit. Any increase or decrease in speed limits on local streets in the City is regulated by Section 4-6.1501 to 4-6.1502 of the Ontario Municipal Code and, based on an engineering and traffic survey that shows the proposed speed limit would facilitate the orderly movement of traffic and would be reasonable and safe, is subject to City Council approval.

Response I-4: As described in Section 2.2.7 of the EIR/EA, noise impacts of the Build Alternative were studied as part of this project. According to Caltrans' Traffic Noise Analysis Protocol for New Highway Construction and Reconstruction Projects, a noise impact occurs when the predicted future noise level with the project substantially exceeds the existing noise level (defined as a 12 dBA or more increase) or when the future noise level with the project approaches (within 1 dBA) or exceeds the noise abatement criteria (NAC). Where noise levels meet the NAC, soundwalls were evaluated to determine if they were reasonable and feasible. Please refer to Section 2.2.7 of the EIR/EA for the noise analysis and associated exhibits for a visual representation of the soundwalls studied and currently proposed for the Build Alternative. Of the 15 soundwalls evaluated, 8 were found to be feasible and reasonable. The viewpoints of benefitted receptors (property owners and tenants) would determine the construction of the soundwall. With noise level increases in the future design-year Build conditions at a maximum of 8 dB at one receiver location over the existing noise conditions and with lower increases at other receivers, the increase in noise levels due to the project is not considered substantial or significant.

Regarding the increase in air pollution, Section 2.2.6 of the EIR/EA discusses the National Ambient Air Quality Standards (NAAQS) and State ambient air quality standards, which have been established for six transportation-related criteria pollutants that have been linked to potential health concerns: CO, nitrogen dioxide (NO_2), ozone (O_3), PM—which is broken down for regulatory purposes into particles of 10 micrometers or smaller (PM_{10}) and particles of 2.5 micrometers or smaller ($PM_{2.5}$)—and sulfur dioxide (SO_2). The project would comply with dust control requirements in Caltrans' Standard Specifications and SCAQMD regulations during construction. Construction emissions would be temporary and minor. Because the project is included in and consistent with regional transportation plans that conform to federal and state air quality requirements, the project would not degrade ambient air quality in the long-term and would not result in substantial air quality impacts from operation of the project. The project is anticipated to have a less than significant impact on existing air quality.

Response I-5: There are other north-south running corridors from nearby freeways that lead to the Ontario International Airport. However, these corridors would not accommodate recent and projected growth in passenger and goods/trucks movement along Grove Avenue that go to and from the Ontario International Airport and changes in land uses in the area since Grove Avenue was originally constructed. Based on traffic projections and the existing and planned land uses in the vicinity, the existing Grove Avenue facility is forecast to operate at unsatisfactory level of service (LOS) at three intersections within the project limits by 2045 without improvement. The purpose of the project is to alleviate this existing and future congestion and improve traffic operations on Grove Avenue.

Response I-6: Existing driveways at properties on Grove Avenue that would not be subject to full acquisition will be retained, with no restrictions to driveway access. It is anticipated that residents will have an easier time pulling out of driveways on Grove Avenue with the increase in road capacity. With the additional lane in each direction, the proposed street widening will improve access onto Grove Avenue.

Comment Letter J
Jerry Hale

From: JERRY HALE
Sent: Tuesday, October 01, 2019 4:08 PM
To: Richard Ayala <rayala@ontarioca.gov>
Subject: Grove Avenue Corridor Project

To Whom it may concern

I would like to have my opinion on record.

I went to the meeting on Sept 19, 2019 and found out that this project will have a big impact on the residents in this area.

1. More traffic while children are crossing G st and D st. to get to and from school. More dangerous for the kids. J-1
2. Cars speeding and more accidents (Drivers don't do the speed limit now). J-2
3. The noise will be at a higher sound level day and night. According to the plans only certain houses will get a sound wall. J-3
4. Personally my property will not be getting a sound wall due to having to use Grove Ave. driveway, which will be dangerous. J-4
5. My D st driveway will be taken away to make handicapped access. Which is fine but, with this proposed project I will lose part
   Of my front and backyard and driveway which will cause less driveway to pull in and out of. And not sure if we will be able to have a fence
   With a gate to keep people out and keep our dogs in.. If a fence is possible, we would not be able to have a gate, due to not having enough
   Room to pull our car up in the driveway to open the gate when coming in off Grove Ave. J-5

   This project has not been well thought out. I don't think the residents that will be affected have been taken into consideration. J-6

   Thank You
   Susan Hale
   1195 E D st.
   Ontario Ca.

Sent from Mail [go.microsoft.com] for Windows 10

Response J-1: The purpose of this project is to alleviate existing and anticipated congestion due to projected increases in traffic, which are occurring and expected to occur with or without the project. The project itself is not a cause for more traffic. The Build Alternative proposes that each signalized intersection along the corridor have a dedicated pedestrian crossing phase, as well as ADA-compliant curb ramps and crosswalks. This will promote pedestrian safety.
Response J-2: While the project would reduce traffic congestion during peak hours, it is not intended to increase the speed and number of speeding vehicles during off-peak hours. The enforcement of speed limits in the City is the responsibility of the Police Department and the Traffic Division. Also, any increase or decrease in speed limits on local streets in the City is regulated by Section 4-6.1501 to 4-6.1502 of the

Ontario Municipal Code and, based on an engineering and traffic survey that shows the proposed speed limit would facilitate the orderly movement of traffic and would be reasonable and safe, is subject to City Council approval.

Response J-3: As described in Section 2.2.7 of the EIR/EA, noise impacts of the Build Alternative were studied as part of this project. According to Caltrans' Traffic Noise Analysis Protocol for New Highway Construction and Reconstruction Projects, a noise impact occurs when the predicted future noise level with the project substantially exceeds the existing noise level (defined as a 12 dBA or more increase) or when the future noise level with the project approaches (within 1 dBA) or exceeds the noise abatement criteria (NAC). Where noise levels meet the NAC, soundwalls were evaluated to determine if they were reasonable and feasible. Please refer to Section 2.2.7 of the EIR/EA for the noise analysis and refer to the associated exhibits for a visual representation of the soundwalls studied and currently proposed for the Build Alternative. Soundwalls are not proposed on properties where existing driveways require access to Grove Avenue, as gaps in the walls would prevent the reduction in noise levels at these properties. At the same time, with noise level increases in the future design-year Build conditions at a maximum of 8 dB at one receiver location over the existing noise conditions and with lower increases at other receivers, the increase in noise levels due to the project is not considered substantial or significant.

Response J-4: It is anticipated that residents with direct driveway access to Grove Avenue will have an easier time pulling out of driveways with the increase in road capacity provided by the project. With the additional lane in each direction, the proposed street widening will improve access onto Grove Avenue.

Response J-5: If an access driveway requires reconfiguration due to the construction of the handicap curb ramp and/or other roadway improvements, the City will be coordinating with the property owner on the necessary improvements to re-construct the driveway to meet access and safety considerations, as well as replace other private property improvements, such as drive aisles, gates, and fences that would be removed by the project. Final design of the project would include specific modifications to existing driveways and yard areas that would be affected by the project, which may result in reduced disturbances to individual private properties.

Response J-6: The impacts to and views of residents have been taken into consideration throughout the planning phase of the project. The preliminary design of the project has incorporated standard engineering practices that account for public safety of vehicles, pedestrians, and adjacent residents and property owners. In addition, the project has been designed to limit the disruption of adjacent land uses by considering ways to reduce private property acquisition to the least amount necessary. Various alternatives were evaluated to determine those that would have the least impact to the existing residential and non-residential uses along the Grove Avenue corridor. Public meetings were held with public agencies and adjacent property owners and tenants to obtain input into the design of the project, as well as on the issues to be analyzed in the Draft EIR/EA. As part of the environmental analysis, technical studies that evaluated project impacts on land use, growth, community character, traffic/transportation, utilities and emergency services, environmental justice issues (Community Impact Assessment) and displacement and relocation (Draft Relocation Impact Statement) and other environmental issues were prepared. The findings of these technical studies were summarized in the Draft EIR/EA and subject to public review.

The EIR/EA acknowledges that impacts to the human, physical and biological environments would occur with the project. Thus, it includes avoidance, minimization and mitigation measures that have been incorporated into the project to avoid and reduce potential impacts to levels considered less than significant. Public hearings will be held to discuss the project and the EIR/EA prior to approval and

impacts to individual properties will comply with Caltrans' Relocation Assistance Program (RAP), as based on the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act), and Title 49 CFR Part 24. As noted, considerations of the needs and concerns of local residents and several opportunities for public input have been provided and will continue to be provided as part of the project.

Comment Letter K
San Bernardino County Department of Public Works

From: Gerber, Arnold - DPW
Sent: Thursday, September 26, 2019 3:34 PM
To: Richard Ayala <rayala@ontarioca.gov>
Subject: CEQA Comments City of Ontario DEIR - Grove Avenue Corridor Project

Dear Mr. Ayala,

Please see the attached response to the Notice of Availability for the Draft Environmental Impact Report for the Grove Avenue Corridor Project. K-1

Thank you,

AJ Gerber
Planner II
Environmental Management Division
Department of Public Works
825 E. Third Street, Room 123
San Bernardino, CA. 92415-0835
Phone: 909-387-7802
Fax: 909-387-7876

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[sbcounty.gov]

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www.SBCounty.gov

SAN BERNARDINO COUNTY

Department of Public Works

- Flood Control
- Operations
- Solid Waste Management
- Surveyor
- Transportation

Kevin Blakeslee, P.E.
Director

Transmitted Via Email

September 26, 2019

Mr. Richard Ayala, Senior Planner
Attn: Grove A venue Corridor Project
Planning Department
City of Ontario
303 East "B" Street
Ontario, CA 91764-4105

File: 10(ENV)-4.01

RE: CEQA – NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE GROVE AVENUE CORRIDOR PROJECT

Dear Mr. Ayala:

Thank you for allowing the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. **We received this request on August 27, 2019** and pursuant to our review, the following comments are provided:

GENERAL COMMENTS

1. We are aware there may be storm drains in and around the site that may be affected by the proposed Project. When planning for or altering existing or future storm drains, be advised that the Project is subject to the City of Ontario MPD, dated March 2012. It is to be used as a guideline for drainage in the area and is available in the City of Ontario offices. Any revision to the drainage should be reviewed and approved by the City of Ontario. Should construction of new, or alterations to existing storm drains be necessary as part of the Proposed Project, their impacts and any required mitigation should be discussed within the DEIR before the document is adopted by the Lead Agency. K-2

Flood Control Planning Division (Dan Worthington, Engineering Tech IV, 909-387-8128):

1. Regarding the DEIR, Chapter 2, 2.2.1.2 - Affected Environment, Page 2-113, the Project is "fully encompassed by the 500-year floodplain (Zone X-shaded; 0.2% annual chance flood), and the West Cucamonga Channel resides in Zone A (1% annual chance flood)". K-3
2. According to the most recent FEMA Flood Insurance Rate Maps, 06071C8609J and 06071C8617J, dated February 18, 2015, the Project lies within Zone X-shaded. K-4
3. We recommend that the project includes, and the City enforce, the most recent FEMA regulations for construction in a floodplain. K-5

BOARD OF SUPERVISORS
Robert A. Lovingood, First District | Janice Rutherford, Second District | Dawn Rowe, Third District | Curt Hagman, Chairman, Fourth District | Josie Gonzales, Vice Chair, Fifth District
Gary McBride, Chief Executive Officer

Proposed construction within the described floodplain, their impacts and any required mitigation should be discussed within the DEIR before the document is adopted by the Lead Agency. K-6

Permits/Operations Support Division (Melissa Walker, Chief, 909-387-7995):

1. Portions of the Project are crossing over or within the vicinity of San Bernardino County Flood Control District (SBCFCD) easement, fee owned property and facilities (1-201-IG West Cucamonga Channel). Any encroachments on the District's right-of-way or facilities, including but not limited to access, utility crossings, staging areas, and lane reconfiguration affecting District access to its facilities will require a permit from the SBCFCD prior to start of construction. The necessity for any, or all of these permits, and any impacts associated with them, should be addressed in the DEIR prior to adoption and certification. K-7

Transportation Planning Division (Jinghui Bradley, PWE III, 909-387-8173):

1. **1.3.3 Alternatives Considered but Withdrawn from Further Discussion** states the following: Assembly Bill (AB) 2542 requires any state or local automobile capacity-increasing project or a major street or highway lane realignment project sent to the California Transportation Commission for approval consider reversible lanes in the design of the project. The Grove Avenue Corridor Project is not a capacity-increasing or major street realignment project; therefore, AB 2542 does not apply.

   This statement is confusing, since the Grove Avenue Corridor Project is a capacity increasing project. For clarification, the statement above should be edited to say that the project is not subject to CTC approval and therefore AB 2542 does not apply. If the project is subject to CTC approval, then the statement as written is incorrect and AB 2542 does apply.

   This statement should be clarified or corrected as necessary within the DEIR prior to adoption and certification. K-8

We respectfully request to be included on the circulation list for all project notices, public reviews, or public hearings. In closing, I would like to thank you again for allowing the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. Should you have any questions or need additional clarification, please contact the individuals who provided the specific comment, as listed above. K-9

Sincerely,

MICHAEL R. PERRY
Supervising Planner
Environmental Management

MRP:AJ:sr
Email: rayala@ontarioca.gov

Response K-1: We acknowledge receipt of the San Bernardino County Department of Public Works comment letter. No response is required.

Response K-2: Alterations to existing storm drains in the area will be made in compliance with the City of Ontario Master Plan of Drainage, and subject to review and approval by the City. The impacts of project construction on storm drainage infrastructure is discussed in Section 2.1.5, Utilities/Emergency Services, and Section 2.2.1, Hydrology and Floodplain, of the EIR/EA. Measures in Section 2.2.1.4, Avoidance, Minimization, and/or Mitigation Measures, include permanent and temporary best management practices (BMPs) to treat stormwater and non-stormwater discharges to the maximum extent practicable and to prevent water flow on neighboring properties.

Response K-3: The last sentence in Section 2.2.1.2 has been revised to read:

> In accordance with FEMA Flood Insurance Rate Map (FIRM), the project is fully encompassed by the 500-year flood plain (Zone X-shaded; 0.2 percent annual chance flood), and the West Cucamonga Channel resides in Zone A (1 percent annual chance flood).

Response K-4: The comment is correct and the last sentence in Section 2.2.1.2 has been revised as noted above.

Response K-5: Chapter 13 of the Ontario Municipal Code is the City's Flood Damage Prevention Program. It adopts FEMA's FIRM for the City and requires that construction projects in the City include provisions for flood hazard reduction. The project will be designed and constructed in accordance with this City regulation.

Response K-6: Section 2.2.1, Hydrology and Floodplains, of the EIR/EA discusses flood hazards in the project area, with the existing environmental setting discussed in Section 2.2.1.2; the permanent and temporary impacts of the project discussed in Section 2.2.1.3; and minimization measures for impacts related to the grading and structural encroachments at designated floodplain and floodway areas listed in Section 2.2.1.4.

Response K-7: The need for an encroachment permit from the SBCFCD prior to construction on SBCFCD easements, properties and facilities has been added to Tables S-2 and 1-7of the EIR/EA.

Response K-8: The last sentence of the 1st paragraph under Section 1.3.3 has been modified as follows:

> The Grove Avenue Corridor Project is a capacity-increasing project; therefore, AB 2542 applies. Evaluation of the feasibility of reversible lanes on Grove Avenue from 4th Street to Airport Drive indicates that reversible lanes would not be feasible due to the short segment (1.24 miles) proposed for widening; the presence of 7 intersections at even shorter segments within the corridor; and the lack of a highly defined directional traffic during the AM or PM peak hours. In addition, the City's General Plan shows Grove Avenue as a 6-lane Principal Arterial, without reversible lanes.

Response K-9: The San Bernardino County Department of Public Works has been included in past notifications regarding the project and the environmental review process and will continue to be informed of the project through future notices.

Comment Letter L
Office of Planning and Research

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit

Gavin Newsom
Governor

Kate Gordon
Director

October 1, 2019

Richard Ayala
Ontario, City of
303 East B Street
Ontario, CA 91764

Subject: Grove Avenue Corridor Widening Project
SCH#: 2014101071

Dear Richard Ayala

The State Clearinghouse submitted the above named EIR to selected state agencies for review. The review period closed on 9/30/2019, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. https://ceqanet.opr.ca.gov/2014101071/2. L-1

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL 1-916-445-0613 state.clearinghouse@opr.ca.gov www.opr.ca.gov

Response L-1: The comment regarding project compliance with State Clearinghouse review requirements under CEQA is noted. No response is required.

Appendix K 2019 FTIP and FHWA Conformity Determination

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Final 2019 Federal Transportation Improvement Program

San Bernardino County Project Listing
Local Highway
(in $000's)

ProjectID	County	Air Basin	Model	RTP ID	Program	Route	Begin	End	Signage Begin	Signage End	System	Conformity Category	Amendment
SBD55033	San Bernardino	SCAB		SBD55033	CAX63						L	NON-EXEMPT	0
Description: BOULDER AVE. FROM GREENSPOT TO SOUTH CITY LIMITS - WIDEN FROM 2-4 LANES (0.70 MILES)							PTC	2,350			Agency	HIGHLAND	

Fund	ENG	R/W	CON	Total	Prior	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	Total
CITY FUNDS	235		2,115	2,350	235		2,115					2,350
SBD55033 Total	235		2,115	2,350	235		2,115					2,350

ProjectID	County	Air Basin	Model	RTP ID	Program	Route	Begin	End	Signage Begin	Signage End	System	Conformity Category	Amendment
SBD31876	San Bernardino	SCAB		SBD31876	CAX63						L	NON-EXEMPT	0
Description: CALIFORNIA STREET BARTON ROAD TO REDLANDS BOULEVARD WIDEN FROM 2 TO 4 LANES							PTC	1,090			Agency	LOMA LINDA	

Fund	ENG	R/W	CON	Total	Prior	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	Total
CITY FUNDS	20	70	1,000	1,090			20	70	1,000			1,090
SBD31876 Total	20	70	1,000	1,090			20	70	1,000			1,090

ProjectID	County	Air Basin	Model	RTP ID	Program	Route	Begin	End	Signage Begin	Signage End	System	Conformity Category	Amendment
20150001	San Bernardino	SCAB		4G07421	CAX60						L	NON-EXEMPT	0
Description: BRIDGE NO. 54C0112, CENTRAL AVE OVER UP RR AMTRAK METROLINK, 0.2 MI S HOLT AVENUE.Bridge rehabilitate.Rehabilitate existing four lane bridge with six lane bridge with sidewalks.Project must appear in 20 year RTP. Toll credits to match EARREPU.							PTC	14,585			Agency	MONTCLAIR	

Fund	ENG	R/W	CON	Total	Prior	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	Total
2016 EARMARK REPURPOSING	1,440			1,440		1,440						1,440
CITY FUNDS	140	69	1,305	1,508	69		69			1,376		1,508
BRIDGE - LOCAL	1,079	483	10,075	11,637	531		483			10,623		11,637
20150001 Total	2,659	546	11,380	14,585	600	1,440	548			11,999		14,585

ProjectID	County	Air Basin	Model	RTP ID	Program	Route	Begin	End	Signage Begin	Signage End	System	Conformity Category	Amendment
20150201	San Bernardino	SCAB		2002160	CAX76						L	NON-EXEMPT	0
Description: GROVE AVE CORRIDOR: WIDEN GROVE BETWEEN FOURTH ST AND STATE ST / AIRPORT DR (4-6 LNS); AND IMPROVEMENTS TO GROVE AVE / HOLT BLVD INTERSECTION. Toll Credit to match EARREPU.							PTC	6,933			Agency	ONTARIO	

Fund	ENG	R/W	CON	Total	Prior	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	Total
DEMO-SAFETEA-LU	1,834			1,834	1,834							1,834
2016 EARMARK REPURPOSING			3,335	3,335		3,335						3,335
DEVELOPER FEES	204	111		315	315							315
SBD CO MEASURE I	255	139	1,055	1,449	394	1,055						1,449
20150201 Total	2,293	250	4,390	6,933	2,543	4,390						6,933

Print Date: 8/13/2018 5:02:57 PM

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U.S. Department of Transportation
Federal Highway Administration

California Division

650 Capitol Mall, Suite 4-100
Sacramento, CA 95814
(916) 498-5001
(916) 498-5008 (FAX)

December 17, 2018

In Reply Refer To:
HDA-CA

Mr. Darin Chidsey
Interim Executive Director, Southern California Association of Governments
900 Wilshire Blvd., Ste. 1700
Los Angeles, CA 90017

Attention: Mr. Naresh Amatya

SUBJECT: Conformity Determination for SCAG's 2019 FTIP, 2019 FTIP Amendment No. 19-01, and SCAG's 2016-2040 RTP/SCS through Amendment No. 3

Dear Mr. Chidsey:

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed our reviews of the conformity determination for the Southern California Association of Governments' (SCAG) 2019-22 Federal Transportation Improvement Program (FTIP), including FTIP Amendment No. 19-01, and 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) Amendment No. 3. A FHWA/FTA air quality conformity determination is required for SCAG's new 2019-22 FTIP, including FTIP Amendment No. 19-01, and 2016-2040 RTP/SCS Amendment No. 3 pursuant the Environmental Protection Agency's (EPA) *Transportation Conformity Rule*, 40 Code of Federal Regulations (CFR) Parts 51 and 93, and the United States Department of Transportation's *Final Rule on Statewide and Metropolitan Planning*, 23 CFR Part 450.

On September 6, 2018 SCAG adopted the 2019-22 FTIP, including FTIP Amendment No. 19-01, and 2016-2040 RTP/SCS Amendment No. 3. SCAG made the corresponding conformity determinations via Resolutions No. 18-603-4 and 18-603-3, respectively. The conformity analysis submitted indicates that all air quality conformity requirements have been met. Based on our review and after consultation with the EPA Region 9 Office we find that SCAG's 2019-22 FTIP, including FTIP Amendment No. 19-01, and 2016-2040 RTP/SCS Amendment No. 3 conform to the applicable state implementation plan in accordance with the provisions of 40 CFR Parts 51 and 93. In correlation with the February 14, 2018 *Memorandum of Agreement (MOA) between the FHWA California Division and the FTA Region 9*, FTA has concurred with this conformity determination.

Also, as associated with the above MOA, the FHWA's single signature constitutes the FHWA and the FTA's joint air quality conformity determination for SCAG's 2019-22 FTIP, including FTIP Amendment No. 19-01, and 2016-2040 RTP/SCS Amendment No. 3.

If you have questions pertaining to this conformity finding, contact Michael Morris (michael.morris@dot.gov) of the FHWA California Division's Cal-South Office at (213) 894-4014.

Sincerely,

Tashia J. Clemons
Director, Planning and Environment
Federal Highway Administration

PM Hot Spot Analysis Project Lists

Review of PM Hot Spot Interagency Review Forms

June, 2020	Determination
2002160 June 2020	Not a POAQC - Hot Spot Analysis Not Required
1M1003 June 2020	Not a POAQC - Hot Spot Analysis Not Required
RIV031202 June 2020	Not a POAQC - Hot Spot Analysis Not Required

U.S. Department of Transportation
Federal Highway Administration

California Division

650 Capitol Mall, Suite 4-100
Sacramento, CA 95814
(916) 498-5001
(916) 498-5008 (FAX)

August 26, 2020

In Reply, Refer To:
HDA-CA

John Bulinski, Director
California Department of Transportation
District 8
464 W. 4th Street
San Bernardino, CA 92401

Attention, Sean Yeung

SUBJECT: Project Level Conformity Determination for the Grove Avenue Corridor Project (MPO ID# 20150201)

Dear Mr. Bulinski:

On July 24, 2020, the California Department of Transportation (Caltrans) submitted to the Federal Highway Administration (FHWA) a complete request for a project level conformity determination for the Grove Avenue Corridor Project. The project is in an area that is designated Non-Attainment or Maintenance for Ozone, Carbon Monoxide (CO) and Particulate Matter (PM10, PM 2.5).

The project level conformity analysis submitted by Caltrans indicates that the project-level transportation conformity requirements of 40 CFR Part 93 have been met. The project is included in the Southern California Association of Governments' (SCAG) current Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP), as amended. The design concept and scope of the preferred alternative have not changed significantly from those assumed in the regional emissions analysis.

As required by 40 CFR 93.116 and 93.123, the localized PM2.5 and PM10 analyses are included in the documentation. The analyses demonstrate that the project will not create any new violations of the standards or increase the severity or number of existing violations.

Based on the information provided, FHWA finds that the Grove Avenue Corridor Project conforms with the State Implementation Plan (SIP) in accordance with 40 CFR Part 93.

If you have any questions pertaining to this conformity finding, please contact Joseph Vaughn at (916) 498-5346 or by email at Joseph.Vaughn@dot.gov.

Sincerely,

ANTONIO JOHNSON

Digitally signed by ANTONIO JOHNSON
Date: 2020.08.27 07:10:05 -07'00'

Tashia J. Clemons
Director, Planning and Environment

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Appendix L NOA Mailing List

Federal		Contact Name	Title	Address 1	Address 2
US Senate	Senator	Diane Feinstein		11111 Santa Monica Boulevard, Suite 915	Los Angeles, CA 90025
US Senate	Senator	Kamala Harris		11845 West Olympic Boulevard, Suite 1250W	Los Angeles, CA 90064
US Congress	Congresswoman	Norma Torres		3200 Inland Empire Blvd., Suite 200B	Ontario, CA 91764
U.S House of Representatives	US Representative	Pete Aguilar		685 E. Carnegie Drive, Suite 100	San Bernardino, CA 92408
State					
State Assembly	Assembly Member	Freddie Rodriguez		13160 7th Street	Chino, CA 91710
State Senate	Senator	Connie Leyva		101 West Mission Boulevard, Suite 111	Pomona, CA 91766
Local					
San Bernardino County, Board of Supervisors	Supervisor	Curt Hagman		14010 City Center Drive	Chino Hills, CA 91709
City of Ontario	Mayor	Paul Leon		303 East B Street	Ontario, CA 91764
City of Ontario	Mayor Pro Tem	Ruben Valencia		303 East B Street	Ontario, CA 91764
City of Ontario	Council Member	Alan Wapner		303 East B Street	Ontario, CA 91764
City of Ontario	Council Member	Jim Bowman		303 East B Street	Ontario, CA 91764
City of Ontario	Council Member	Debra Dorst-Porada		303 East B Street	Ontario, CA 91764
Public Agencies					
State Clearinghouse			-	1400 Tenth Street	Sacramento, CA 95814
San Bernardino County Clerk	Recorder-Clerk Office	Clerk of the Board	-	222 W. Hospitality Lane, 1st Floor	San Bernardino, CA 92415-0022
City of Ontario	Engineering Department	David Tan	Senior Associate Civil Engineer	303 East B Street	Ontario, CA 91764
City of Ontario	Engineering Department	Jay Bautista	Traffic/Transportation Manager	303 East B Street	Ontario, CA 91764
City of Ontario	Ontario Planning Department	Richard Ayala	Senior Planner	303 East B Street	Ontario, CA 91764
South Coast Air Quality Management District		Daniel Garcia	Program Supervisor	21865 Copley Drive	Diamond Bar, California 91765-4178
California Department of Fish and Wildlife	Inland Deserts Region	Jeff Brandt	Senior Environmental Scientist	3602 Inland Empire Boulevard, Suite C-220	Ontario, California 91764
California Native American Heritage Commission		Katy Sanchez	Associate Government Program Analyst	1550 Harbor Boulevard, Room 100	West Sacramento, California 95691
Office of State Historic Preservation		Julianne Polanco	State Historic Preservation Officer	1725 23rd Street, Suite 100	Sacramento, California 95816
Southern California Association of Governments		Art Yoon	Director of Policy and Public Affairs	900 Wilshore Boulevard, Suite 1700	Los Angeles, California 90017
Ontario-Montclair School District		James Q. Hammond, Ed.D.	Superintendent	950 West D Street	Ontario, California 91762
Ontario-Montclair School District		Phil Hillman	Chief Business Official	950 West D Street	Ontario, California 91762
San Bernardino County Department of Public Works		Kevin Blakeslee	Director	825 East Third Street	San Bernardino, California 92415-0835
US Army Corps of Engineers	Los Angeles District Regulatory Division	Veronica Li	Senior Project Manager, Transportation & Special Projects Branch	915 Wilshire Boulevard, Suite 980	Los Angeles, California 90017
Caltrans		Aaron Burton	Branch Chief	464 West Fourth Street, 6th Floor MS 829	San Bernardino, California 92401-1400
FHWA	District 8, 12 (State Program)	Tay Dam	Senior Transportation Engineer	650 Capital Mall, Suite 4-100	Sacramento, CA 95814
Ontario International Airport	Administration Offices	Alan Wapner		1923 East Avion Street	Ontario, CA 91761
SBCTA/SBCOG		Ray Wolfe	Executive Director	1170 W. 3rd Street, 2nd Floor	San Bernardino, California 92410-1715
United States Department of the Interior	Fish and Wildlife Service - Ecological Services	Karin Cleary-Rose	Fish and Wildlife Biologist	777 East Tahquitz Canyon Way, Suite 208	Palm Springs, California 92262
USDA Natural Resources Conservation Service	Legislative Public Affairs Division, Natural Resources Conservation Service	Kaveh Sadeghzadeh	Director	1400 Independence Avenue, SW Room 6121-S	Washington, D.C. 20250
United States Environmental Protection Agency	Region 9	Alexis Strauss	Environmental Review Office, Communities and Ecosystems Division	75 Hawthorne Street, TIP-1	San Francisco, California 94105
California Highway Patrol		Ed Krusey	Southern Division Lieutenant	411 North Central Avenue, #410	Glendale, California 91203
Santa Ana Regional Water Quality Control Board	Region 8	Wanda Cross	Chief of Regional Planning Programs	3737 Main Street, Suite 500	Riverside, California 92501
Public Utilities Commission		Director	Policy and Planning Division	320 West 4th Street, Suite 500	Los Angeles, California 90013
California Department of Parks and Recreation	Inlan Empire District	Gary Watts	District Superintendent	17801 Lake Perris Drive	Perris, California 92571
California Department of Conservation	Land Resource Protection	John Lowrie	Acting Assistant Director	801 K Street, MS 18-01	Sacramento, CA 95814
County of San Bernardino	Land Use Services (Planning)	Terri Rahhal	Director	385 North Arrowhead Avenue, 1st floor	San Bernardino, California 92415-0182
County of San Bernardino	Department of Public Works - Transportation Division	Mazin Kasey	Deputy Director (Transportation)	825 East Third Street	San Bernardino, California 92415-0835
County of San Bernardino	Department of Public Works - Flood Control District	David Doublet	Deputy Director (Flood Control District)	825 East Third Street	San Bernardino, California 92415-0835
City of Upland	Development Services	Michael Polland	Contract Planning Manager	460 North Euclid Avenue	Upland, California 91786
Upland Unified School District		Harold Sullins	Assistant Superintendent	390 North Euclid Avenue	Upland, CA 91786
Cucamonga School District		Janet Temkin	Superintendent	8776 Archibald Avenue	Rancho Cucamonga, CA 91730
City of Montclair	Community Development	Michael Diaz	Planning Manager	5111 Benito Street	Montclair, California 91763
City of Eastvale		Bryan Jones	City Manager	12363 Limonite Ave., Suite 910	Eastvale, CA 91752
City of Fontana	Planning Department	Zai AbuBakar		8353 Sierra Avenue	Fontana, CA 92335
City of Chino		Nick Liguori	Director of Development Services	P.O. Box 667	Chino, CA 91708-0067
City of Jurupa Valley	Planning Department			8930 Limonite Avenue	Jurupa Valley, CA 92509
City of Rancho Cucamonga	Cosntruction and Development Department	Candyce Burnett	Planning Director	10500 Civic Center Drive	Rancho Cucamonga, California 91729-0807
City of Rancho Cucamonga	Engineering Services Director	Jason Welday, PE, TE		10500 Civic Center Drive	Rancho Cucamonga, CA 91729
Ontario Heritage Society		Petrina Delman		1007 N. Euclid Avenue	Ontario, CA 91762

Chaffey Joint Union High School District		Mathew Holton	Superintendent	211 West Fifth Street	Ontario, CA 91762
Ontario Police Department		Derek Williams	Chief	2500 S. Archibald Avenue	Ontario, CA 91761
Ontario Fire Department		Ray Gayk	Fire Chief	415 East B Street	Ontario, CA 91764
Ovitt Family Community Library	Reference Desk			215 East "C" Street	Ontario, CA 91764-4111
Saouth Ontario Library/Colony High Branch Library	Reference Desk			3850 East Riverside Drive	Ontario, CA 91761-2603
City of Ontario	City Clerk's Office	Sheila Mautz	City Clerk	303 East “B” Street	Ontario, CA 91764
Gabrieleno/Tongva Band of Mission Indians		Anthony Morales	Chairperson	P.O. Box 693	San Gabriel, CA 91778
Gabrieliño Band of Mission Indians		Andrew Salas	Chairperson	P.O. Box 393	Covina, CA 91723
Gabrielino/Tongva Nation Los Angeles		Sam Dunlap,	Cultural Resources Director	P.O. Box 86908	Los Angeles, CA 90086
San Manuel Band of Mission Indians		Daniel F. McCarthy	Cultural Resources Management	26569 Community Center Dr.	Highland, CA 92346
Serrano Nation		Goldie Walker		P.O. Box 343	Patton, CA 92369
SCE	Ontario Service Center	Service Planner		1351 E Francis St	Ontario, CA 91761
SCGas	Centralized Correspondence	Ontario Service Planner		PO BOX 1626	Monterey Park, CA 91754-8626
Inland Empire Utilities Agency		Shivaji Deshmukh	General Manager	6075 Kimball Avenue	Chino, CA 91708
San Antonio Water Company (SAWCO)		Brian Lee	General Manager	139 N. Euclid Avenue	Uplan, CA 91786
Water Facilities Authority		Terry Catlin	General Manager	1775 North Benson Avenue	Upland, CA 91784
Spectrum				334 N Vineyard Ave	Ontario, CA 91764
Verizon				20 Enterprise, Ste 100	Aliso Viejo, CA 92656
Kinder Morgan		Pipeline Safety		1001 Louisiana St, Suite 1000	Houston, TX 77002
Level 3 Communications				818 7th St #510	Los Angeles, CA 90017
Lozeau Drury LLP		Richard Drury		1939 Harrison Street, Suite 150	Oakland, CA 94612
Lozeau Drury LLP		Komalpreet Toor		1939 Harrison Street, Suite 150	Oakland, CA 94612
Lozeau Drury LLP		Hannah Hughes		1939 Harrison Street, Suite 150	Oakland, CA 94612

Scoping Meeting Attendees

Name	Address 1	Address 2
John Hernandez	4732 Clair Street	Ontario, California 91762
Josefina Rodriguez	719 North Alameda Avenue	Ontario, California 91764
Roberto Rosas	510 North Grove Avenue	Ontario, California 91764
Elaine Naranjo	849 East Princeton Street	Ontario, California 91764
Alex Duran	1062 East Princeton Street	Ontario, California 91764
Mayra Gomez	932 East Princeton Street	Ontario, California 91764
Dr. Shay Salehrbai	1440 East 4th Street	Ontario, California 91764
Terry Moore	1205 East "D" Street	Ontario, California 91764
Danny Villanueva	203 North Grove Avenue	Ontario, California 91764
Bruce Wee	1245 East 4th Street	Ontario, California 91764
Margaret Vermillion	1355 North Council Avenue	Ontario, California 91764
Paramjit Sohi	1155 North Grove Avenue	Ontario, California 91764
Raul Naranjo	849 East Princeton Street	Ontario, California 91764
Petrina Delman	1007 North Euclid Avenue	Ontario, California 91762
Moises Redol	416 North Grove Avenue	Ontario, California 91764
David F. Stobaugh	701 Fifth Avenue, Suite 6550	Seattle, Washington 98104
Richard Martinez	755 North Alameda Avenue	Ontario, California 91764

PROPERTY OWNERS

OWNER_NAME	OWNER_ADDR	OWNER_ZONE
CARDENAS, RAMON	1043 N CALAVERAS AVE	ONTARIO CA 91764
MISTY LAKE PROPERTIES LP	6399 WILSHIRE BLVD STE 604	LOS ANGELES CA 90048
MISTY LAKE PROPERTIES LP	6399 WILSHIRE BLVD STE 604	LOS ANGELES CA 90048
ZYSA LLC	14069 SAN SEGUNDO DR	RANCHO CUCAMONGA CA 91739
MISTY LAKE PROPERTIES, LP	6399 WILSHIRE BLVD STE 604	LOS ANGELES CA 90048
MELCHOR, VIRGINIA	1047 N CALAVERAS AVE	ONTARIO CA 91764-3003
MARTINEZ, ANGEL A	1053 N CALAVERAS AVE	ONTARIO CA 91764
YANEZ, GUILLERMO Y	1037 N CALAVERAS AVE	ONTARIO CA 91761
SANABRIA, JOSE F LOPEZ	1033 CALAVERAS AVE	ONTARIO CA 91764
WANG, SHAOTING	1235 EAST D ST #9	ONTARIO CA 91764
LIN, IPING	11733 FERRIS RD	EL MONTE CA 91732
PARAMO, EDUARDO	428 N GROVE AVE	ONTARIO CA 91764
ROBINSON, MARY J	1235 E D ST UNIT 11	ONTARIO CA 91764
CORONA FAMILY TRUST 3-6-06	1206 E FLORA ST	ONTARIO CA 91764
LE, DAMIEN	1465 E 5TH ST	ONTARIO CA 91764
JACOBO, MARIAINES	14958 JOSHUA TREE CT	FONTANA CA 92335
MORENO, NICK AND RITA LIVING TR 8/27	1201 E FLORA ST	ONTARIO CA 91764
KEETER, AURA GARCIA	619 AMADOR AVE	ONTARIO CA 91762
RUIZ, JOSE D	1216 E FLORA ST	ONTARIO CA 91764
FLORES, ROSALVA	1235 E D ST	ONTARIO CA 91764
VENEGAS, APRIL R	1235 E D ST #16	ONTARIOI CA 91764
HOLMAN, JOHN L	2619 PARCO	ONTARIO CA 91761
MENDOZA, RAY G	1222 E FLORA ST	ONTARIO CA 91764
PEREZ, RICARDO	1235 EAST D ST UNIT 22	ONTARIO CA 91764
CASTANEDES, CLIFFORD	1226 FLORA ST	ONTARIO CA 91764
ALEJANDRE, MONICA	1235 E D ST	ONTARIO CA 91764
SYNC LLC	4912 EDMONTON ST	FONTANA CA 92336
BEDOY, MARIA	416 N GROVE AVE	ONTARIO CA 91764
LI, ZHUO YANG	4132 TYLER AVE	EL MONTE CA 91731
GALLIHER, KEITH	635 AMADOR	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
ALBARRAN, JORGE	1205 E FLORA	ONTARIO CA 91764
AYON, PETER	1232 FLORA ST	ONTARIO CA 91764
MANNING, SANDRA R	8233 KLUSMAN AVE	RANCHO CUCAMONGA CA 91786
SAN BERNARDINO CO FLOOD CONTROL DIST	825 E THIRD ST	SAN BERNARDINO CA 92415
ALLEN, CHARLES M	110 S EUCLA	SAN DIMAS CA 91773
ROSAS, ROBERTO	510 N GROVE AVE	ONTARIO CA 91764
TRAN, CHARLIE	2547 BRENNEN WY	FULLERTON CA 92835
WU, ZHICAI	22 TERKUILE RD	MONTVALE NJ 07645
BAIRES, CARLOS A	504 N GROVE AVE	ONTARIO CA 91764
VELASCO, DANIEL	1235 E D ST #3	ONTARIO CA 91764
RIEVLEY, AARON J	1235 E D ST #4	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
SAN BERNARDINO CO FLOOD CONTROL DIST	825 E THIRD ST	SAN BERNARDINO CA 92415
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
THE GALLIHER FAMILY TRUST	629 AMADOR AVE	ONTARIO CA 91764
SAN BERNARDINO CO FLOOD CONTROL DIST	825 E THIRD ST	SAN BERNARDINO CA 92415
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
HERNANDEZ, JOSE A	516 N GROVE AVE	ONTARIO CA 91764

SONG REALTY LLC	21451 COLD SPRING LN	DIAMOND BAR CA 91765
CHEN, ZHE	1707 CREST VIEW PL	POMONA CA 91768
HERNANDEZ, VENIS R	434 N GROVE AVE	ONTARIO CA 91764
SONG REALTY LLC	21451 COLD SPRING LN	DIAMOND BAR CA 91765
CHAVEZ, RAY A	1200 E FLORA	ONTARIO CA 91764
WILSON, DAWN K	610 N AMADOR AVE	ONTARIO CA 91764
HARRISON, PHILIP C	1235 E "D" ST UNIT 8	ONTARIO CA 91764
SAN BERNARDINO CO FLOOD CONTROL DIST	825 E THIRD ST	SAN BERNARDINO CA 92415
PEREZ, JUAN P	726 N ALAMEDA AVE	ONTARIO CA 91764
SANDOVAL, ROSARIO	708 ALAMEDA AVE	ONTARIO CA 91764
GONZALEZ, JUAN	720 N ALAMEDA AVE	ONTARIO CA 91764
ALVARADO, PEDRO L	714 N ALAMEDA AVE	ONTARIO CA 91764
CHEN, DAVID HAO	9726 LA ROSA DR 7	TEMPLE CITY CA 91780
PEREZ, GUADALUPE	1205 E "G" ST	ONTARIO CA 91764
COMBS, CLINTON D	738 N ALAMEDA AVE	ONTARIO CA 91764
MORENO FAMILY REVOCABLE LIVING TR 9-	1429 N HACIENDA DR	ONTARIO CA 91764
MONTOYA, ROXANNE	744 N ALAMEDA AVE	ONTARIO CA 91764
VERGARA, CARMEN R	732 N ALAMEDA AVE	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
MACHUCA, ALEXANDER	611 N SUNSET AVE	WEST COVINA CA 91790
MACHUCA, ALEXANDER	611 N SUNSET AVE	WEST COVINA CA 91790
MACHUCA, ALEXANDER	611 N SUNSET AVE	WEST COVINA CA 91790
MACHUCA, ALEXANDER	611 N SUNSET AVE	WEST COVINA CA 91790
MACHUCA, ALEXANDER	611 N SUNSET AVE	WEST COVINA CA 91790
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
MACHUCA, ALEXANDER	611 N SUNSET AVE	WEST COVINA CA 91790
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
MACHUCA, ALEXANDER	611 N SUNSET AVE	WEST COVINA CA 91790
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
SOUTHERN PACIFIC TRANSPORTATION CO	610 MAIN ST	LOS ANGELES CA 90014
SAFETY INVESTMENT COMPANY	1121 E PHILADELPHIA	ONTARIO CA 91761
MACHUCA, ALEXANDER	611 N SUNSET AVE	WEST COVINA CA 91790
AIRPORT WAY TRUST	2840 STEEPLECHASE LN	DIAMOND BAR CA 91765
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
GROUP IV POMONA PROPERTIES LTD	4900 SANTA ANITA AVE #2C	EL MONTE CA 91732
GROUP IV POMONA PROPERTIES LTD	4900 SANTA ANITA AVE #2C	EL MONTE CA 91732
GROUP IV POMONA PROPERTIES LTD	4900 SANTA ANITA AVE #2C	EL MONTE CA 91732
GROUP IV POMONA PROPERTIES LTD	4900 SANTA ANITA AVE #2C	EL MONTE CA 91732
GROUP IV POMONA PROPERTIES LTD	4900 SANTA ANITA AVE #2C	EL MONTE CA 91732
GROUP IV POMONA PROPERTIES LTD	4900 SANTA ANITA AVE #2C	EL MONTE CA 91732
SELLER, JAMIE L	16 SHELLPRINT CT	NEWPORT BEACH CA 92663
BERKI, EDWARD	1370 N LA CADENA #B	COLTON CA 92324
BEACON GROUP INC	1072 BRISTOL ST STE 100	COSTA MESA CA 92626-8652
MILLER, DAVID D	1072 BRISTOL ST STE #100	COSTA MESA CA 92626-8652
GUZMAN, OSCAR	1234 E "D" ST	ONTARIO, CA 91764
LUCERO, AURORA A LIV TR	2708 BRYCE RD	EL MONTE CA 91732
BAUTISTA, ROBERTO	16 STAGE COACH DR	POMONA CA 91766
ROBLES, JAIME	1216 E D ST	ONTARIO CA 91764
DUONG, LOUIS	2905 ALLENTON AVE	HACIENDA HEIGHTS CA 91745
SONG REALTY LLC	21451 COLD SPRING LN	DIAMOND BAR CA 91765
PARADA, MELISSA A	1235 E D ST UNIT 14	ONTARIO CA 91764
PENALOZA, JUAN	422 N GROVE AVE	ONTARIO CA 91764

SOUTHERN PACIFIC TRANSPORTATION CO	1200 CORPORATE CENTER DR ST 10(	MONTEREY PARK CA 91754
ANAYA, WILLIAM	1204 E "D" ST	ONTARIO CA 91764
CHAN, LISA D	1235 E D ST UNIT 15	ONTARIO CA 91764
LEOTAUD, PHILLIP	1235 E D ST # 19	ONTARIO CA 91764
GONZALES, OLEGARIO	1239 E D ST	ONTARIO CA 91764
MALDONADO, CARMEN H	1213 E D ST	ONTARIO CA 91764
ACOSTA, RAMON	1221 E 'D' ST	ONTARIO CA 91764
TORRES, M ANTONIO	1229 E 'D' ST	ONTARIO CA 91764
MOORE, COLETHA R	1205 E D ST	ONTARIO CA 91764
COBOS, RODOLFO C	1237 E D ST	ONTARIO CA 91764
RAMI, KULENDRA N	1217 E HOLT BLVD	ONTARIO CA 91761
CCY ONTARIO LLC	11381 183RD ST	CERRITOS CA 90702
KIM, KYUNG SAM & KATHY JONGHI REV TR	5311 BRIDGE WOOD DR	LA PALMA CA 90623
GUPTA, NARENDRA TR	14650 PACIFIC AVE	BALDWIN PARK CA 91706
TRAN, QUEN	4287 E GRAND AVE	POMONA CA 91766
GROUP IV POMONA PROPERTIES LTD	4900 SANTA ANITA AVE #2C	EL MONTE CA 91732
GROUP IV POMONA PROPERTIES LTD	4900 SANTA ANITA AVE #2C	EL MONTE CA 91732
GROUP IV POMONA PROPERTIES LTD	4900 SANTA ANITA AVE #2C	EL MONTE CA 91732
GROUP IV POMONA PROPERTIES LTD	4900 SANTA ANITA AVE #2C	EL MONTE CA 91732
GROUP IV POMONA PROPERTIES LTD	4900 SANTA ANITA AVE #2C	EL MONTE CA 91732
GROUP IV POMONA PROPERTIES LTD	4900 SANTA ANITA AVE #2C	EL MONTE CA 91732
LE, AN BA	538 SOUTHCOAST DR	WALNUT CA 91789
PATEL, AVNI V	37 WOLF RD	LEBANON NH 03766-1939
MC DERMOTT, HENRIETTA	1223 E NOCTA ST #A	ONTARIO CA 91764
MC DERMOTT, ALAN J	1223 E NOCTA ST #A	ONTARIO CA 91764
RANGWALA FAMILY TRUST 11/12/98	1818 SUNSHINE CT	GLENDALE CA 91208
GOMEZ, GENET C EP PROP TR 06/16/06	1236 E AIRPORT DR	ONTARIO CA 91761
JSC AND JMC ENTERPRISES LLC	1336 E FRANCIS ST	ONTARIO CA 91761
JSC AND JMC ENTERPRISES LLC	1336 E FRANCIS ST	ONTARIO CA 91761
JSC AND JMC ENTERPRISES LLC	1336 E FRANCIS ST	ONTARIO CA 91761
AIELLO TRUST 5/24/1996	26112 SAN MARINO CT	MISSION VIEJO CA 92692
CONTRERAS, CARLOS	1734 S CAMPUS AVE	ONTARIO CA 91761
GARRETT, CARNEALEUS	201 WEST F ST	ONTARIO CA 91762
SCHACHTLE LIVING TRUST 6/20/08	6402 ENFIELD AVE	RESEDA CA 91335
PINA, JESUS JR	827 N ALAMEDA AVE	ONTARIO CA 91764
CABRERA, ANTONIO	828 N PARKSIDE AVE	ONTARIO CA 91764
QUERIDO, JOSEPH A	429 MANDEVILLE DR	WALNUT CA 91789
YD ENTERPRISES LLC	407 W IMPERIAL HWY H157	BREA CA 92821
LOPEZ, ORALIA F FAMILY TRUST 12/01/1	828 VIRGINIA AVE	ONTARIO CA 91764
MENDEZ, LEONOR	577 E 20TH ST	SAN BERNARDINO CA 92404
TORRES, LOUIE E	734 N PARKSIDE AVE	ONTARIO CA 91764
TORRES, LUIS A	733 N PARKSIDE AVE	ONTARIO CA 91764
ROTHENBERGER, MAUREEN L REV TRUST	4101 LIVELY ST	RIVERSIDE CA 92505
CHAVEZ, AUDEL	7774 CALLE BRESCA	RANCHO CUCAMONGA CA 91730
GUTIERREZ, JOSE LUIS	P O BOX 4861	ONTARIO CA 91764
SWAGER, LILLIAN	1173 E ELMA ST	ONTARIO CA 91764
BEACON GROUP INC	1072 BRISTOL ST STE 100	COSTA MESA CA 92626-8652
BEACON GROUP INC, THE	1072 BRISTOL ST STE 100	COSTA MESA CA 92626-8652
MACH, DIEN XUAN	11289 CRESTRIDGE CT	RANCHO CUCAMONGA CA 91737
VIZCAINO, GUADALUPE	752 VIRGINIA AVE	ONTARIO CA 91764
TOLENTINO, JAVIER	833 N ALAMEDA AVE	ONTARIO CA 91764
CONTRERAS, ISMAEL R	702 MILLBURY AVE	LA PUENTE CA 91746

MOZAFARZADEH, MANOUCHER	7785 KELLY CANYON DR	DUBLIN CA 94568
MOZAFARZADEH, MANOUCHER	7785 KELLY CANYON DR	DUBLIN CA 94568
HUANG, PHILIP	17360 COLIMA RD APT 877	ROWLAND HEIGHTS CA 91748
VELASQUEZ, ALFONSO	1814 E 4TH ST #A	ONTARIO CA 91764
REBOLLEDO, FELIPE	441 N GROVE AVE	ONTARIO CA 91764
CUADRAS, MIGUEL A	1185 E ELMA ST	ONTARIO CA 91764
VENEGAS, GERARDO LOPEZ	807 N ALAMEDA AVE	ONTARIO CA 91764
DELGADO, ABEL	804 N PARKSIDE	ONTARIO CA 91764
MOGHARBEL, HANAN	314 E BENNETT AVE	GLENDORA CA 91741
CHAVEZ, JOSE C R	804 N VIRGINIA AVE	ONTARIO, CA 91764
ROBLES, FILIBERTO	442 PARKSIDE AVE	ONTARIO CA 91764
DURBIN, PAUL L SEPARATE PROP TR 8-9-	P O BOX 792	ONTARIO CA 91764
VEGA, JULIA	1154 E G ST	ONTARIO CA 91764
WILLIAMS, ROCHELE	1150 E G ST	ONTARIO CA 91764
CALVARY APOSTOLIC TABERNACLE	602 VIRGINIA AVE	ONTARIO CA 91764
DIAZ, RIGOBERTO	761 N ALAMEDA AVE	ONTARIO CA 91764
HO, HARRY C	19208 SPRINGPORT DR	ROWLAND HEIGHTS CA 91748
GREENE, VICTOR	7432 LONDON AVE	RANCHO CUCAMONGA CA 91730
ARRIOLA, JOSE JAMES	764 VIRGINIA AVE	ONTARIO CA 91764
BIBLE BAPTIST CHURCH OF ONTARIO	1168 EAST G ST	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
GASPAR, CRESCENCIANO	834 N PARKSIDE DR	ONTARIO CA 91764
HERRERA, CARLOS T	833 N PARKSIDE AVE	ONTARIO CA 91764
ORTIZ, JOSE	834 VIRGINIA AVE	ONTARIO CA 91764
SANCHEZ, GREGORIO	303 N GROVE AVE	ONTARIO CA 91764
RAMIREZ, FRANCISCO MARTINEZ	737 N ALAMEDA AVE	ONTARIO CA 91764
WILLIAMS, MICHAEL	740 PARKSIDE AVE	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
MEZA, NEMESIO	33141 PARADISE LN	MENIFEE CA 92584
SHARP, TIMOTHY W	739 N PARKSIDE AVE	ONTARIO CA 91764
GOVEA, TEOFILO	740 VIRGINIA AVE	ONTARIO CA 91764
BEACON GROUP INC, THE	1072 BRISTOL ST STE 100	COSTA MESA CA 92626-8652
CARR, ZORAIDA I	845 N ALAMEDA AVE	ONTARIO CA 91764
FLORES, JOHN A	839 N ALAMEDA ST	ONTARIO CA 91764
GALVEZ, EILEEN	846 N PARKSIDE AVE	ONTARIO CA 91764
PLAZA, NOEMI P TRUST 1/11/10	845 N PARKSIDE AVE	ONTARIO CA 91764
SAN BERNARDINO CO FLOOD CONTROL DIST	825 E THIRD ST	SAN BERNARDINO CA 92415
FENG, XIAOQI	1531 MOONRIDGE CT	UPLAND CA 91784
LIM, DENNIS D	232 S GARFIELD AVE	MONTEREY PARK CA 91754
DR & O INVESTMENT LLC	1551 S ALPINE DR	WEST COVINA CA 91791
ESQUIVEL, HILARIO	746 N PARKSIDE DR	ONTARIO CA 91764
HERMOSILLO, MARTIN	745 N PARKSIDE DR	ONTARIO CA 91764
GASPAR, DOMINGA LORETO	746 VIRGINIA AVE	ONTARIO CA 91764
SYAL TR 6-3-97	PO BOX 4977	PALOS VERDES PENINSULA CA 90275
SYAL TR 6-3-97	PO BOX 4977	PALOS VERDES PENINSULA CA 90275
TOM, PAUL K	5004 VIA VERDE ST	ALTA LOMA CA 91701
VILLAGOMEZ, MARISELA	840 N PARKSIDE AVE	ONTARIO CA 91764
SYAL TR 6-3-97	PO BOX 4977	PALOS VERDES PENINSULA CA 90275
TOVAR, OSCAR ABARCA	839 N PARKSIDE DR	ONTARIO CA 91764
NEIGHBORHOOD PARTNERSHIP HOUSING SVC	320 W G ST #103	ONTARIO CA 91762
CALVARY APOSTOLIC TABERNACLE	602 VIRGINIA AVE	ONTARIO CA 91764
LOZANO, MARTIN G	P O BOX 587	MIRA LOMA CA 91752

MACIAS, ANTONIO G & SARA LIV TR 10/1	1632 DANBROOK PL	UPLAND CA 91784
MARTINEZ, RICHARD A	755 N ALAMEDA	ONTARIO CA 91764
FIERRO, JOHN A JR	3715 GREY FOX LN	ONTARIO CA 91761
CONTRERAS, MARIA RIOS	757 N PARKSIDE AVE	ONTARIO CA 91764
PEREZ, JOE	758 VIRGINIA AVE	ONTARIO CA 91764
DALLIN LLC	5440 TRABUCO RD #H200	IRVINE CA 92620
CANO, ALFRED C	851 N PARKSIDE AVE	ONTARIO CA 91764
ELIZARRARAS, RAMON	852 N VIRGINIA	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
ARAMBULA, MARTIN V	749 N ALAMEDA AVE	ONTARIO CA 91764
VALENCIA, MAGDALENO	752 PARKSIDE AVE	ONTARIO CA 91764
RUIZ, LUIS	751 N PARKSIDE	ONTARIO CA 91764
YASSA, JOSEPH G	1424 PASEO MARAVILLA	SAN DIMAS CA 91773
MACIAS, ANTONIO G & SARA LIV TR 10/1	1632 DANBROOK PL	UPLAND CA 91784
TRUONG, CHI & THAM, LOAN FAM TR 11/2	5926 ALESSANDRO AVE #6	TEMPLE CITY CA 91780
RANGWALA FAMILY TRUST 11/12/98	1818 SUNSHINE CT	GLENDALE CA 91208
RUVALCABA, JOSE JUAN	1193 E G ST	ONTARIO CA 91764
DE LA TORRE, ALFREDO	1157 E 'G' ST	ONTARIO CA 91764
RUBALCAVA, GUADALUPE	1141 E G ST	ONTARIO CA 91764
SAVANT, TONY & MARILOU FAM TRUST 6/2	14369 ROAD 20 1/2	MADERA CA 93637
SYAL TR 6-3-97	PO BOX 4977	PALOS VERDES PENINSULA CA 90275
SYAL TR 6-3-97	PO BOX 4977	PALOS VERDES PENINSULA CA 90275
SYAL TR 6-3-97	PO BOX 4977	PALOS VERDES PENINSULA CA 90275
RODRIGUEZ, FRANCISCO	719 N ALAMEDA AVE	ONTARIO CA 91764
CARRILLO, PRUDENCIO	722 N PARKSIDE AVE	ONTARIO CA 91764
RIVERA, FRANCISCO	721 N PARKSIDE AVE	ONTARIO CA 91761
VILLANUEVA, DANNY R	203 N GROVE AVE	ONTARIO CA 91764
SYAL TR 6-3-97	PO BOX 4977	PALOS VERDES PENINSULA CA 90275
TURNER, PHYLLIS J TR	214 S GROVE AVE	ONTARIO CA 91761
HALE, JERRY W	1195 E D ST	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
MORENO, ADRIANA	24616 N BEACON FIELD RD	SURPRISE AZ 85387
SANTIZO, RAMSES A	3132 MOUNTAIN VIEW RD	EL MONTE CA 91732
DALI V LLC	468 S SAN DIMAS AVE	SAN DIMAS CA 91773
SHAHOVEISI, HESAM	8716 CORD AVE	PICO RIVERA CA 90660
BPL GROUP INC	1245 E 4TH ST	ONTARIO CA 91764
CHAI, SOO-JUNG	1369 S LYON ST	SANTA ANA CA 92705
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
DAVILA, DAVID	219 N GROVE AVE	ONTARIO CA 91764
C & M METALS, INC	1709 E 24TH ST	LOS ANGELES CA 90058
CITY OF ONTARIO	303 E "B" ST	ONTARIO CA 91761-4196
CITY OF ONTARIO	303 E "B" ST	ONTARIO CA 91764
RODRIGUEZ, ARMANDO C TR	213 N GROVE AVE	ONTARIO CA 91764
C & M METALS, INC	1709 E 24TH ST	LOS ANGELES CA 90058
BEACON GROUP INC, THE	1072 BRISTOL ST STE 100	COSTA MESA CA 92626-8652
LE, QUOC PHAM	320 S GROVE AVE	ONTARIO CA 91761
LAGUNAS, LUCIA	709 N PARKSIDE DR	ONTARIO CA 91764
DU, JIAN	707 N ALAMEDA AVE	ONTARIO CA 91764-3601
MONCADA, REYNALDO	710 N PARKSIDE DR	ONTARIO CA 91764
BONILLA, JOSE	9649 CEDAR GLEN PL	RANCHO CUCAMONGA CA 91730
GONZALEZ, JORGE A	725 N ALAMEDA AVE	ONTARIO CA 91764

ROMERO, RAUL M	1175 E D ST #3	ONTARIO CA 91764
TAMPUBOLON, YOHANNES	728 N PARKSIDE DR	ONTARIO CA 91764
GODOY, VICTOR H A	727 N PARKSIDE AVE	ONTARIO CA 91764
PEREZ, JORGE	728 VIRGINIA AVE	ONTARIO CA 91761
BEACON GROUP INC, THE	1072 BRISTOL ST STE 100	COSTA MESA CA 92626-8652
LI, RUIFENG	821 N ALAMEDA AVE	ONTARIO CA 91764-3603
DANIEL, LEONEL	822 N PARKSIDE AVE	ONTARIO CA 91762
VIGIL, TOMAS C	821 PARKSIDE	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
VELAZQUEZ, PEDRO	1180 E NOCTA AVE	ONTARIO CA 91764
SARAVIA FAMILY REV LIVING TR (8-31-9	P O BOX 1281	UPLAND, CA 91786
SARAVIA FAMILY REV LIVING TR (8-31-9	P O BOX 1281	UPLAND, CA 91786
SOUTHERN PACIFIC TRANSPORTATION CO	610 MAIN ST	LOS ANGELES CA 90014
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
SAN BERNARDINO CO FLOOD CONTROL DIST	825 E THIRD ST	SAN BERNARDINO CA 92415
SYAL TR 6-3-97	PO BOX 4977	PALOS VERDES PENINSULA CA 90275
SYAL TR 6-3-97	PO BOX 4977	PALOS VERDES PENINSULA CA 90275
SAN BERNARDINO CO FLOOD CONTROL DIST	825 E THIRD ST	SAN BERNARDINO CA 92415
SYAL TR 6-3-97	PO BOX 4977	PALOS VERDES PENINSULA CA 90275
XUE, HONG	1175 E D ST #2	ONTARIO CA 91764
LOFTUS III, OWEN	ADDRESS UNKNOWN	
SYAL TR 6-3-97	PO BOX 4977	PALOS VERDES PENINSULA CA 90275
CHONG, SIAOHONG W	522 N PARKSIDE DR	ONTARIO CA 91764
FELIX, SONIA J	1175 EAST D ST #1	ONTARIO CA 91784
CENDEJAS, CASIMIRO	1188 E D ST	ONTARIO CA 91764
RANGEL, DARLENE	1180 E D ST	ONTARIO CA 91764
WRIGHT, MARVIN L	223 ARMSLEY SQ	ONTARIO CA 91762
CASIQUE, DELFINA	1166 E "D" ST	ONTARIO CA 91764
ONTARIO HOUSING AUTHORITY	303 E B ST	ONTARIO CA 91764
NGALO, UIKELOTU	1182 NOCTA ST	ONTARIO CA 91764
SOUTHERN PACIFIC TRANSPORTATION CO	1200 CORPORATE CENTER DR ST 10(	MONTEREY PARK CA 91754
LUU, RAYMOND	1175 E "D" ST #6	ONTARIO CA 91764
YCYW INVESTMENTS LLC	24272 BRECKENRIDGE CT	DIAMOND BAR CA 91765
DANIELIS, ANDREEA	1175 E D ST #4	ONTARIO CA 91764
PERCHEZ, RUTH -EST OF	2588 AVENIDA DEL VISTA #202	CORONA CA 92882
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
SANCHEZ, ALFONSO R	1156 E I ST	ONTARIO CA 91764
OCHOA, SALLY	1140 E I ST	ONTARIO CA 91764
POLANCO, JORGE	1130 E "I" ST	ONTARIO CA 91764
BATARSEH, ADEL	11510 CEDAR AVE	BLOOMINGTON CA 92316
M L R C E GROUP LLC	3625 E PHILADELPHIA ST	ONTARIO CA 91761
CHAI, SOO-JUNG	1369 S LYON ST	SANTA ANA CA 92705
VELAZQUEZ, GUILLERMO	1177 E NOCTA ST	ONTARIO CA 91764
VELASQUEZ, BRUNO	1171 E NOCTA	ONTARIO CA 91764
METRO REALTY LLC	2523 N MOUNTAIN AVE	CLAREMONT CA 91711
VILLA MYREVA II LLC	2500 W ELECTRIC AVE	UPLAND CA 91784
ONTARIO HOUSING AUTHORITY	303 EAST 'B' STREET	ONTARIO CA 91764

BEACON GROUP INC, THE	1072 BRISTOL ST STE 100	COSTA MESA CA 92626-8652
CITY OF ONTARIO	303 E B ST	ONTARIO CA 91764
MARQUEZ, SALVADOR	809 N ALAMEDA AVE	ONTARIO CA 91764
MICHAELS FAMILY TRUST	407 WEST IMPERIAL HWY H157	BREA CA 92821
BERROSPE, ROCIO R	809 N PARKSIDE AVE	ONTARIO CA 91764
CUNG, EDMOND PHU	1820 S WALNUT ST	SAN GABRIEL CA 91776
CITY OF ONTARIO	303 E B ST	ONTARIO CA 91761-4406
LOPEZ, FERNANDO	815 N ALAMEDA AVE	ONTARIO CA 91764
SANCHEZ, ANTONIO	816 N PARKSIDE AVE	ONTARIO CA 91764
MARTINEZ, MARY	815 N PARKSIDE DR	ONTARIO CA 91764
MORA, RIGOBERTO	713 N ALAMEDA AVE	ONTARIO CA 91764
CERVANTES, JORGE & MARIA V REV TR	716 N PARKSIDE AVE	ONTARIO CA 91764
POOT, HECTOR J	715 N PARKSIDE DR	ONTARIO CA 91764
GONZALEZ, LEONARDA	816 N VIRGINIA AVE	ONTARIO CA 91764
SYAL TR 6-3-97	PO BOX 4977	PALOS VERDES PENINSULA CA 90275
SYAL TR 6-3-97	PO BOX 4977	PALOS VERDES PENINSULA CA 90275
SYAL TR 6-3-97	PO BOX 4977	PALOS VERDES PENINSULA CA 90275
CROSS, ROBERT D	P O BOX 1026	ONTARIO CA 91764
CISNEROS, ESTELA M	1184 N SIERRA BONITA	PASADENA CA 91104
SYAL TR 6-3-97	PO BOX 4977	PALOS VERDES PENINSULA CA
TURNER, PHYLLIS J TR	214 S GROVE AVE	ONTARIO CA 91761
BIBLE BAPTIST CHURCH INTL	PO BOX 267	STANTON CA 90680
CASILLAS-BRISENO REV LIV TR 10-4-5	11140 HAMAL AVE	MIRA LOMA CA 91752-1724
CASILLAS-BRISENO REV LIV TR 10/4/05	11140 HAMAL AVE	MIRA LOMA CA 91752-1724
CONTRERAS, CARLOS	1734 CAMPUS AVE	ONTARIO CA 91764
LOPEZ, FRANCISCO	517 PARKSIDE ST "C"	ONTARIO CA 91764
MEDINA, VICTOR M	5 CENTERSTONE CIR	BUENA PARK CA 90620
ALVARADO, ANGEL	1136 E FLORA ST #A	ONTARIO CA 91764
CASILLAS-BRISENO REVOC LIV TR 10-4-5	11140 HAMAL AVE	MIRA LOMA CA 91752-1724
AGRON, MICHAEL S	P O BOX 1503	ARCADIA CA 91007
LOZANO, MARTIN	P O BOX 587	MIRA LOMA CA 91752-1724
ROJAS, MARTIN	433 PARKSIDE AVE #A B C D	ONTARIO CA 91764
GAITAN, BLAZ	1143 E "D" ST	ONTARIO CA 91764
MORENO, DANIEL A	1137 E D ST	ONTARIO CA 91764
REYES, BENJAMIN	1133 E D ST	ONTARIO CA 91764
ONTARIO HOUSING AUTHORITY	303 EAST 'B' STREET	ONTARIO CA 91764
QUEZADA, JOSE D	1147 E "D" ST	ONTARIO CA 91764
CARLOS, JUAN M	426 VIRGINIA AVE	ONTARIO CA 91764
FLORES, JOSE L	416 VIRGINIA AVE	ONTARIO CA 91764
CITY OF LOS ANGELES	#1 WORLD WAY	LOS ANGELES, CA 90045
GUTIERREZ, CHARLES	1151 STATE ST	ONTARIO CA 91761
BARBA, RICHARD F	1135 E STATE ST	ONTARIO CA 91761
CITY OF ONTARIO	303 E B ST	ONTARIO CA 91764
SANCHEZ, CARLOS A	3501 S HARBOR BLVD #200	SANTA ANA CA 92704
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF LOS ANGELES	#1 WORLD WAY	LOS ANGELES, CA 90045
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
REES, WILLIAM JAY TR	1734 LA CANTERA WY	BEAUMONT CA 92223

CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	313 EAST "E" STREET	ONTARIO CA 91764
CERVANTES, JUAN	1102 E STATE ST	ONTARIO CA 91761
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF LOS ANGELES	#1 WORLD WAY	LOS ANGELES, CA 90045
CITY OF LOS ANGELES	#1 WORLD WAY	LOS ANGELES, CA 90045
CITY OF LOS ANGELES	#1 WORLD WAY	LOS ANGELES, CA 90045
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
BANK OF NEW YORK MELLON (TR)	1800 TAPO CANYON RD	SIMI VALLEY CA 93063
LOPEZ, RAMON T	424 S TULARE WY	UPLAND CA 91786
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
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CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
UNION PACIFIC RAILWAY CO	P O BOX 2500	BROOMFIELD, CO 80026
UNION PACIFIC RAILWAY CO	P O BOX 2500	BROOMFIELD, CO 80026
CITY OF ONTARIO	303 E B ST	ONTARIO CA 91711
ELLIS, GLEN	1511 SE HOLGATE	PORTLAND CA 97202
ELLIS, GLEN	1511 SE HOLGATE	PORTLAND CA 97202
ELLIS, GLEN	1511 SE HOLGATE	PORTLAND CA 97202
ELLIS, GLEN	1511 SE HOLGATE	PORTLAND CA 97202
CITY OF LOS ANGELES	#1 WORLD WAY	LOS ANGELES, CA 90045
CITY OF LOS ANGELES	#1 WORLD WAY	LOS ANGELES, CA 90045
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF LOS ANGELES	P O BOX 92216	LOS ANGELES CA 90009
CITY OF LOS ANGELES	#1 WORLD WAY	LOS ANGELES, CA 90045
LOS ANGELES AND SALT LAKE RR CO	P O BOX 2500	BROOMFIELD, CO 80026
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
GUTIERREZ, CHARLES	1151 STATE ST	ONTARIO CA 91761
CHAI, SOO-JUNG	1369 S LYON ST	SANTA ANA CA 92705
CITY OF ONTARIO	313 E E ST	ONTARIO CA 91764
HOVEY, RICHARD	P O BOX 322	RANCHO CUCAMONGA CA 91739
HOVEY, RICHARD	P O BOX 322	RANCHO CUCAMONGA CA 91739
LARIZ, AGUSTIN	1122 E EMPORIA ST	ONTARIO CA 91761
WONG, CALVIN K	1305 VERCOE PL	MONTEREY PARK CA 91755
WONG, CALVIN K	1305 VERCOE PL	MONTEREY PARK CA 91755
GESCO PROPERTIES, LLC	1106 E EMPORIA ST	ONTARIO CA 91761
SHIVASMT, INC	1120 E HOLT BLVD	ONTARIO CA 91761
COULTER, RICHARD S	3056 SANTA CARLOTTA ST	LA CRESCENT CA 91214
CHAI, SOO-JUNG	1369 S LYON ST	SANTA ANA CA 92705
CHAI, SOO-JUNG	1369 S LYON ST	SANTA ANA CA 92705

CITY OF ONTARIO	303 E B ST	ONTARIO CA 91764
MORENO, RENE & ROSE LIVING TR 5/6/13	6403 CAMBRIDGE ST	RANCHO CUCAMONGA CA 91737
ORTIZ, DONNASUE SMITH REV TR 7/30/10	10700 CIVIC CENTER DR STE 100C	RANCHO CUCAMONGA CA 91730
FRANCO, FIDENCIO	1143 E NOCTA ST	ONTARIO CA 91764
PEREZ-HUANCA, CELIO M	1140 E ELMA ST	ONTARIO CA 91764
DR & O INVESTMENTS LLC	1551 S ALPINE DR	WEST COVINA CA 91791
GUZMAN, SEVERIANO	1130 E ELMA ST	ONTARIO CA 91764
DELGADO, JOSE C	600 HELENSBURG ST	GLENDORA, CA 91740
CASTRO, JUAN	136 VIRGINIA AVE	ONTARIO CA 91764
TAN, JING	140 VIRGINIA AVE	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
MONTELLANO, MANUEL	11272 CACTUS AVE	BLOOMINGTON CA 92316
AVILA, ALEJANDRO FLORES	1134 E NOCTA ST	ONTARIO CA 91764
RUIZ, MARIA L	1157 E NOCTA ST	ONTARIO CA 91764
LOPEZ PARTNERS	11356 VERNON AVE	CHINO CA 91710
LOPEZ PARTNERS	11356 VERNON AVE	CHINO CA 91710
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
STAPP FAMILY TRUST 2003	PO BOX 8654	ALTA LOMA CA 91701
IBARRA, MAXIMO	2681 S MALCOM AVE	ONTARIO CA 91761-8708
GARCIA, PASCUALA	1139 E ELMA ST	ONTARIO CA 91764
NGUYEN, NGUYEN HUU	1137 E ELMA ST	ONTARIO CA 91764
MEDAL, MARY GAYLE	1131 E ELMA ST	ONTARIO CA 91764
SOTO, SUSANA	1145 E ELMA ST	ONTARIO CA 91764
AZPEITIA, NICOLAS	1130 E " D " ST	ONTARIO CA 91764
MARQUEZ FAMILY LIVING TRUST 6/28/12	429 N CAROLINE CT	ONTARIO CA 91762
CASTANON, MIGUEL	1152 E D ST	ONTARIO CA 91764-4338
ESQUIVEL, OSCAR	1146 E D ST	ONTARIO CA 91762
LICEA, ARTURO	1140 E D ST	ONTARIO CA 91764-4338
BALDERAMA, FRANK D	1134 EAST D ST	ONTARIO CA 91764
CARRINGTON, LOIS E	1136 EAST G ST	ONTARIO CA 91764
CALVARY APOSTOLIC TABERNACLE	602 N VIRGINIA AVE	ONTARIO CA 91764
ZAVALA, DAVID	1133 E "G" STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
V & B INVESTMENTS CORP	10803 FOOTHILL BLVD STE 212	RANCHO CUCAMONGA CA 91730
ANDRADE, ROBERTO A	722 VIRGINIA AVE	ONTARIO CA 91761
GARCIA, CARLOS	716 VIRGINIA AVE	ONTARIO CA 91764
KIMPTON, CHRISTIAN S	1003 CALAVERAS AVE	ONTARIO CA 91764
CABRERA, VERONICA D	949 CALAVERAS AVE	ONTARIO CA 91764
SANDOVAL, MARIO	907 CALAVERAS AVE	ONTARIO CA 91764
RODRIGUEZ, SANTIAGO	943 CALAVERAS AVE	ONTARIO CA 91764
MARIN, JOSE	903 CALAVERAS AVE	ONTARIO CA 91764
VALENCIA, GUILLERMINA	18063 FAIRVIEW DR	FONTANA CA 92336
RAMIREZ, J GUADALUPE & ANGELA JT LIV	6441 FRANK AVE	MIRA LOMA CA 91752
MOYNIHAN, WILLIAM P	1009 N CALAVERAS	ONTARIO CA 91764
BARAJAS, BALDOMERO	937 CALAVERAS AVE	ONTARIO CA 91764
MORALES, URIEL	931 CALAVERAS AVE	ONTARIO CA 91764
ORTEGA, ADRIAN A	1027 CALAVERAS AVE	ONTARIO CA 91764
VENEGAS, PAUL G & JUANITA	1O21 CALAVERAS	ONTARIO CA 91764
JONES, LEROY O	1015 CALAVERAS ST	ONTARIO CA 91764
MENDEZ, MARIANA N	925 CALAVERAS AVE	ONTARIO CA 91764

HERNANDEZ, PABLO	761 AMADOR ST	ONTARIO CA 91764
VELASQUEZ, JUVENAL	762 N ALAMEDA AVE	ONTARIO CA 91764
ALAM, FARAH	851 AMADOR AVE	ONTARIO CA 91764
FELIX, JUDY N	1212 E I ST	ONTARIO CA 91764
WILLIAMSON, CATHARINE	1206 E I ST	ONTARIO CA 91764
VASQUEZ, JORGE O	839 AMADOR AVE	ONTARIO CA 91764
SCOTT, SHERRAN REVOCABLE LIV TR 5-9-	857 N ALAMEDA AVE	ONTARIO CA 91764
CENICEROS, JESUS O	851 N ALAMEDA AVE	ONTARIO CA 91764
BELTRAN, HERACLIO A	862 N ALAMEDA AVE	ONTARIO CA 91764
CID, GABRIELA	852 N ALAMEDA AVE	ONTARIO CA 91764
TENNIS, LEON H	803 AMADOR	ONTARIO CA 91764
NAVARRO, REBECCA FAMILY TRUST	804 N ALAMEDA	ONTARIO CA 91764
TORRES, FERNANDO A	821 AMADOR AVE	ONTARIO CA 91764
AMADOR, SERGIO	822 N ALAMEDA AVE	ONTARIO CA 91764
RUIZ, GUSTAVO	755 N AMADOR AVE	ONTARIO CA 91764
GUTIERREZ, FEDERICO	756 N ALAMEDA AVE	ONTARIO CA 91764
PEREZ, AUCENCIO	719 AMADOR AVE	ONTARIO CA 91764
ZEA, SUSANA	14870 BAMBOO CT	FONTANA CA 92335
WASE, VICTORIA LIVING TRUST 10-27-08	583 1/2 SIXTH AVE NORTH	UPLAND CA 91786
RENDON, HENRY JR	816 N ALAMEDA	ONTARIO CA 91764
VASQUEZ, TERESA M	809 N AMADOR	ONTARIO CA 91761
TRAN, DAN	13631 GLENHAVEN DR	GARDEN GROVE CA 92843
NAVARRO, MARIA	707 AMADOR AVE	ONTARIO CA 91764
LANTZ TRUST 8-16-1	P O BOX 2701	POMONA, CA 91767
ZICAFOOSE, STEVEN R	1147 W BADILLO ST #H	COVINA CA 91722
PALLARES, JESUS	731 N AMADOR AVE	ONTARIO CA 91764
MELCHOR, JUAN	749 AMADOR PL	ONTARIO CA 91761
BELTRAN, JESUS L	750 N ALAMEDA AVE	ONTARIO CA 91764
LUA, ANTONIO M	725 AMADOR AVE	ONTARIO CA 91764
THOMPSON, MARGARET A	640 AMADOR ST	ONTARIO CA 91764
ZAMARRIPA, ELEAZAR	622 AMADOR AVE	ONTARIO CA 91764
LEPE, ISAURA	634 AMADOR AVE	ONTARIO CA 91764
PALACIOS, OSCAR A	616 AMADOR AVE	ONTARIO CA 91764
GALAVIZ, GUADALUPE	628 AMADOR AVE	ONTARIO CA 91764
SINGH, AMARPREET REVOC LIV TR	13300 SAN ANTONIO DR	NORWALK CA 90650
MACIAS, JOSE E	1342 E FLORA ST	ONTARIO CA 91764
NGUYEN, PHAN	1336 E FLORA ST	ONTARIO CA 91764
KALIL, SALVADOR G	1330 E FLORA ST	ONTARIO CA 91764
OROZCO, CARMEN	1324 E FLORA ST	ONTARIO CA 91764
ESTRADA, RENE L	1318 E FLORA ST	ONTARIO CA 91764
HALWANI, EZRA O	1312 E FLORA ST	ONTARIO CA 91764
BARRIOS, PEDRO	1306 E FLORA ST	ONTARIO CA 91764
LOPEZ, FEDERICO	9883 ORCHARD ST	BLOOMINGTON CA 92316
PETERS, TERRY W	1270 E FLORA ST	ONTARIO CA 91764
PONCE, EZEQUIEL	1264 E FLORA ST	ONTARIO CA 91764
ALVAREZ, JOSE F	1258 E FLORA ST	ONTARIO CA 91764
MYERS, DEBORAH	1252 E FLORA ST	ONTARIO CA 91764
910 ESTATE LLC	136 N GRAND AVE #181	WEST COVINA CA 91791
ROMERO, VICTOR	1240 E FLORA ST	ONTARIO CA 91764
MEDINA, ALFREDO H	1386 FLORA ST	ONTARIO CA 91764
BREVARD, LANITA M	1378 E FLORA	ONTARIO CA 91764
ALEGRIA, RAFAEL	1372 E FLORA	ONTARIO CA 91764

AGUILAR, CARMEN	1366 E FLORA ST	ONTARIO CA 91764
RODRIGUEZ, VICTOR	1360 E FLORA ST	ONTARIO CA 91764
THR CALIFORNIA LLC	410 N MAIN ST	CORONA CA 92880
PINEDA, ANDRES S	611 N DEL NORTE AVE	ONTARIO CA 91764
CAMBA, GUILLERMO	608 N CALAVERAS AVE	ONTARIO CA 91764
OXIER, JAMES	609 CALAVERAS AVE	ONTARIO CA 91764
DAVIS, RAYMOND W TR	643 DEL NORTE	ONTARIO CA 91764
OCHOA, JOSE L	640 CALAVERAS AVE	ONTARIO CA 91764
GRACIANO, ALFREDO R	643 CALAVERAS ST	ONTARIO CA 91764
MORENO, MARIO	623 N DEL NORTE AVE	ONTARIO CA 91764
PEREZ, MAXIMILIANO	622 CALAVERAS AVE	ONTARIO CA 91764
HERRERA, DANIEL C	1348 E NOCTA ST # B8	ONTARIO CA 91764
NGUYEN, ANDY C T	637 N DEL NORTE AVE	ONTARIO CA 91764
ESCOBAR, LUPE TR	636 N CALAVERAS AVE	ONTARIO CA 91764
FLORES, HECTOR	635 N CALAVERAS AVE	ONTARIO CA 91764
QUINTANILLA, DAVID	605 N DEL NORTE AVE	ONTARIO CA 91764
MERCADO, JOSE A	1257 E FLORA ST	ONTARIO CA 91764
DAVIES FAMILY TRUST	407 W IMPERIAL HWY H157	BREA CA 92821
LOPEZ, JORGE	629 CALAVERAS AVE	ONTARIO CA 91764
ALFARO, JOSE A	617 N DEL NORTE AVE	ONTARIO CA 91764
RAMIREZ, ABIGAIL	616 CALAVERAS AVE	ONTARIO CA 91764-4006
CORRAL, COSME	617 CALAVERAS AVE	ONTARIO CA 91761
VALTIERRA, MANUEL	631 N DEL NORTE AVE	ONTARIO CA 91764
MC MILLEN, LAWRENCE R TR	628 CALAVERAS AVE	ONTARIO CA 91764
GROUP IV POMONA PROPERTIES LTD	4900 SANTA ANITA AVE #2C	EL MONTE CA 91732
GROUP IV POMONA PROPERTIES LTD	4900 SANTA ANITA AVE #2C	EL MONTE CA 91732
GROUP IV POMONA PROPERTIES LTD	4900 SANTA ANITA AVE #2C	EL MONTE CA 91732
GROUP IV POMONA PROPERTIES LTD	4900 SANTA ANITA AVE #2C	EL MONTE CA 91732
SAN BERNARDINO CO FLOOD CONTROL DIST	825 E THIRD ST	SAN BERNARDINO CA 92415
MARTINEZ, YOLANDA	PO BOX 3506	ONTARIO CA 91764
1246-1248 EAST D ST TRUST 1/6/12	18472 COLIMA RD STE 211	ROWLAND HEIGHTS CA 91748-5809
HYATT, JACK O	1240 E D ST	ONTARIO CA 91764
GROUP IV POMONA PROPERTIES LTD	4900 SANTA ANITA AVE #2C	EL MONTE CA 91732
GROUP IV POMONA PROPERTIES LTD	4900 SANTA ANITA AVE #2C	EL MONTE CA 91732
GROUP IV POMONA PROPERTIES LTD	4900 SANTA ANITA AVE #2C	EL MONTE CA 91732
PEER, CHARLES E AND PHYLLIS J TR	9462 ORANGE ST	ALTA LOMA CA 91701
PEER, CHARLES E AND PHYLLIS J TR	9462 ORANGE ST	ALTA LOMA CA 91701
REED FAMILY TRUST DATED 4-15-82	10304 MOSELLE ST	SAN DIEGO CA 92131
REED, CALVIN N TR	10304 MOSELLE ST	SAN DIEGO CA 92131
GROUP IV POMONA PROPERTIES LTD	4900 SANTA ANITA AVE #2C	EL MONTE CA 91732
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
SAN BERNARDINO CO FLOOD CONTROL DIST	825 E THIRD ST	SAN BERNARDINO CA 92415
SAN BERNARDINO CO FLOOD CONTROL DIST	825 E THIRD ST	SAN BERNARDINO CA 92415
AMICK, ELMER E TR	905 W I ST	ONTARIO CA 91762
1253 HOLT LLC	1732 AVIATION BLVD STE 215	REDONDO BEACH CA 90278
LOPEZ, ALBERT R TR	8780 19TH ST #325	ALTA LOMA CA 91701
KIKUMOTO, HIDEO TR	28211 ELLA RD	RANCHO PALOS VERDES CA 90275
1253 HOLT LLC	1732 AVIATION BLVD STE 215	REDONDO BEACH CA 90278
1253 HOLT LLC	1732 AVIATION BLVD STE 215	REDONDO BEACH CA 90278
1253 HOLT LLC	1732 AVIATION BLVD STE 215	REDONDO BEACH CA 90278

CITY OF ONTARIO	303 EAST B STREET	ONTARIO CA 91764
PATEL, MOHAMMED I LIVING TR 05/12/00	12 PARMA	IRVINE CA 92602
PATEL, MOHAMMED I LIVING TR 05/12/00	12 PARMA	IRVINE CA 92602
PANNONE PROPERTIES LLC	1056 W HATHORNE ST	ONTARIO CA 91761
ROCKERFELLER PARTNERS LLC	9327 FAIRWAY VIEW PL STE 306	RANCHO CUCAMONGA CA 91730
ABMA FAMILY TRUST 9/15/04	2822 CALLE GUADALAJARA	SAN CLEMENTE CA 92673
JAUREGUI, FRANCISCO	16360 AVIANO LN	CHINO HILLS CA 91709
PANNONE PROPERTIES LLC	1056 W HATHORNE ST	ONTARIO CA 91761
PANNONE PROPERTIES LLC	1056 W HATHORNE ST	ONTARIO CA 91761
HINCKLEY & SCHMITT INC	10306 SAN DIEGO MISSION AVE	SAN DIEGO CA 92108
CITY OF LOS ANGELES	#1 WORLD WAY	LOS ANGELES, CA 90045
SFPP LP	1100 TOWN & COUNTRY RD	ORANGE CA 92868
SOUTHERN PACIFIC PIPE LINES INC	888 S FIGUEROA ST ROOM 236	LOS ANGELES CA 90017
SAFETY INVESTMENT COMPANY	1121 E PHILADELPHIA	ONTARIO CA 91761
SAFETY INVESTMENT COMPANY	1121 E PHILADELPHIA	ONTARIO CA 91761
ABMA FAMILY TRUST 9/15/04	2822 CALLE GUADALAJARA	SAN CLEMENTE CA 92673
SAN BERNARDINO CO FLOOD CONTROL DIST	825 E THIRD ST	SAN BERNARDINO CA 92415
LA COMMARE, JAMES AND JOSEPHINE TR	27685 PINESTRAP CIR	LAGUNA HILLS CA 92653
BEACON GROUP INC, THE	1072 BRISTOL ST STE 100	COSTA MESA CA 92626-8652
SAN BERNARDINO CO FLOOD CONTROL DIST	825 E THIRD ST	SAN BERNARDINO CA 92415
PAMA IV PROPERTIES LP	4900 SANTA ANITA 2-C	EL MONTE CA 91731
DE VAZQUEZ, ELODIS MUNOZ	6016 MULLER ST	BELL GARDENS CA 90201
AMERICAN WEST REGIONAL CENTER LLC	14392 ROSEWOOD CIR	TUSTIN CA 92780
HARB, NADIM FAYEZ	7805 5TH ST	DOWNEY CA 90241
GU, TOM FENG HUA	PO BOX 872	ROSEMEAD CA 91776
GUILLEN, RAFAEL DELGADO	105 VIRGINIA AVE	ONTARIO CA 91764
RODRIGUEZ, ARMANDINA	107 VIRGINIA ST	ONTARIO CA 91764
CALYPSO GROUP INVESTMENTS LLC	P O BOX 15562	IRVINE CA 92602
JOYFUL NATIONS MINISTRIES	P O BOX 4877	ONTARIO CA 91764
REXXONS HOLDINGS	21806 E PINTO WY	WALNUT CA 91789
PAMA IV PROPERTIES LP	4900 SANTA ANITA 2-C	EL MONTE CA 91731
DOTSON, FRIDA D	6205 ARCHIBALD AVE	RANCHO CUCAMONGA CA 91737
GOLDEN STATE ALLIANCE LLC	13541 PRAIRIE AVE	HAWTHORNE CA 90250
SU, FANGMING	835 E MOUNTAIN VIEW AVE	GLENDORA CA 91741
RUBIO, TERESA	4584 SAN JOSE ST	MONTCLAIR CA 91763-1719
STARLIGHT MGMT -17 LP	4900 SANTA ANITA 2-C	EL MONTE CA 91731
RIVERA, ALBERT	13256 TANGERINE	CHINO CA 91710
MUNOZ, RENE C	1116 E NOCTA ST	ONTARIO CA 91764
GUTIERREZ, ABE	1122 NOCTA ST	ONTARIO CA 91764
AGUIRRE, RUBEN	145 VIRGINIA	ONTARIO CA 91764
GARCIA, JOE	139 VIRGINIA AVE	ONTARIO CA 91764
JAUREGUI, RIGOBERTO G	135 VIRGINIA AVE	ONTARIO CA 91764
CAMACHO, GUILLERMO	109 VIRGINIA AVE	ONTARIO CA 91764
DEJAGER FAMILY TRUST	4285 NEW HAMPSHIRE AVE	CLAREMONT CA 91711
YANG, LIE JUAN	P O BOX 245	ROSEMEAD CA 91776
POPA, CATHERINE G	1910 SALMON VALLEY LN	EL DORADO HILLS CA 95762
POPA, CATHERINE G	1910 SALMON VALLEY LN	EL DORADO HILLS CA 95762
GALICIA, ADRIAN	1116 VIRGINIA AVE	ONTARIO CA 91764
MAYORGA, FRANCISCO J	1124 VIRGINIA AVE	ONTARIO CA 91764
BLEVINS FAMILY LIVING TRUST	1047 E YALE ST	ONTARIO CA 91764
SANCHES, MOISES	1138 VIRGINIA AVE	ONTARIO CA 91764
TACKETT, D OWEN	1148 VIRGINIA AVE	ONTARIO CA 91764

LOPEZ, MARTIN	1156 N VIRGINIA	ONTARIO CA 91764
HOUSING PARTNERS I INCORPORATED	715 E BRIER DR	SAN BERNARDINO CA 92408

List of Technical Studies

Air Quality Report, February 2017

Air Quality Conformity Analysis, July 2020

Archaeological Survey Report, March 2017

Community Impact Assessment, October 2016

Floodplain Evaluation Report, September 2015

Geotechnical Memorandum, September 2015

Health Risk Assessment, July 2016

Historic Property Survey Report, March 2017

Historical Resources Evaluation Report, March 2017

Initial Site Assessment, September 2015

Initial Site Assessment, August 2020

Jurisdictional Delineation Letter Report, September 2016

Natural Environment Study (Minimal Impacts), September 2016

Noise Abatement Decision Report, December 2017

Noise Study Report, December 2017

Paleontological Identification Report and Paleontological Evaluation Report, March 2017

Project Report, March 2017

Relocation Impact Statement, October 2016

Section 4(f) *De Minimis* Finding, September 2016

Traffic Operations Analysis, January 2015

Visual Impact Assessment, November 2016

Water Quality Management Plan, June 2016

Water Quality Technical Report, June 2016

CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Municipal Services Prepared By: Michael Johnson Staff Member Presenting: Tito Haes, Executive Director Public Works Reviewed By: Fabiola Contreras Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 12

SUBJECT: AUTHORIZE THE PURCHASE OF FLEET VEHICLES

RECOMMENDATION: That the City Council authorize the cooperative purchase and delivery of ten Ford Police Utility vehicles for the Police Department in the amount of $416,865 from National Auto Fleet Group of Watsonville, California consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 120716-NAF.

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

FISCAL IMPACT: The appropriations are included in the Equipment Services Fund for the purchase of replacement vehicles. The total cost of the vehicles recommended for purchase is $416,865.

BACKGROUND & ANALYSIS: The vehicles recommended for replacement in this action have outlived their useful life and it is no longer cost effective to maintain them. They are scheduled for replacement pursuant to ongoing efforts to reduce expenses, maximize useful life expectancy and extend replacement cycles of fleet equipment, while ensuring safe and reliable operations. This procurement action will result in the replaced vehicles being available to surplus, with any auction sale proceeds returning to the Equipment Service Fund.

In general conformation with the provisions of Government Code Section 54201 through 54204, Ontario Municipal Code Section 2-6.29 allows for the purchase of supplies and equipment through cooperative purchasing programs, 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.

QUANTITY	TYPE	DEPARTMENT	PRICE
10	Ford Police Utility Vehicles	PD	$416,865

CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Municipal Services Prepared By: Michael Johnson Staff Member Presenting: Tito Haes, Executive Director Public Works Reviewed By: Fabiola Contreras Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 13

SUBJECT: MAINTENANCE SERVICES AGREEMENT FOR ON-CALL DOOR AND GATE MAINTENANCE AND REPAIR SERVICES

RECOMMENDATION: That the City Council take the following actions:

1. Reject Action Door Repairs' protest against South Coast Industrial Door Inc. in its entirety; and
2. Authorize the City Manager to execute a three-year Maintenance Services Agreement (on file in the Records Management Department) with South Coast Industrial Door, Inc. of Corona, California for on-call door and gate maintenance and repair services and up to two additional one-year terms for an amount not to exceed $625,000 over a 5-year term.

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

FISCAL IMPACT: Appropriations are included in the Facilities Maintenance Fund for a not to exceed amount of $125,000 annually or $625,000 over a 5-year term for door and gate maintenance and repair services. The total compensation paid by the City will be contingent upon actual services provided based upon the fee structure set forth in the three-year maintenance services agreement.

BACKGROUND & ANALYSIS: The on-call agreement will provide for regularly scheduled preventive maintenance services and urgent repairs of doors and gates in accordance with manufacturer's warranties and specifications at all city operated facilities.

In May 2021, the City solicited proposals for on-call door and gate maintenance and repair services. 809 vendors were notified, and two proposals were received through the City's electronic bid management system in response to Invitation No. 1434. After evaluating each vendor's proposal, credentials, pricing, and staffing capabilities, staff recommends award to South Coast Industrial Door, Inc. of Corona, California for on-call door and gate maintenance and repair services.

On June 22, 2021, Action Door Repair submitted a protest letter stating to the best of their knowledge, South Coast Industrial Door, Inc. does not have qualified experience with automatic doors. Based upon review, staff finds Action Door Repairs' protest meritless and recommends rejecting it in its entirety.

Vendor	Location	Hourly Rate 2-Man Crew
South Coast Industrial Door Inc.	Corona, California	$265
Action Door Repair	Garden Grove, California	$284

CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Public Works Prepared By: Daniel P Beers Staff Member Presenting: Tito Haes, Executive Director Public Works Reviewed By: Fabiola Contreras Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 14

SUBJECT: PROJECT AND CONSTRUCTION MANAGEMENT, INSPECTION AND TESTING SERVICES FOR THE CONSTRUCTION OF THE C-BLOCK PARKING STRUCTURE

RECOMMENDATION: That the City Council take the following actions:

A. Authorize Transtech Engineers, Inc. for project and construction management support for the construction of the C-Block Parking Structure in an amount not to exceed $498,980; and
B. Authorize Kleinfelder, Inc. for construction inspection and testing services for the construction of the C-Block Parking Structure in an amount not to exceed $317,998.

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

FISCAL IMPACT: The recommended project and construction management, inspection and testing services for the construction of the C-Block Parking Structure is $816,978. If approved, appropriations of $816,978 will be included in the FY 2021-22 First Quarter Budget Update Report to the City Council.

BACKGROUND & ANALYSIS: The City is currently under construction on the C-Block Parking Structure, a new, five level 412 space parking structure to facilitate the continuing redevelopment in downtown Ontario. Construction is scheduled to be completed in the Spring of 2022. During construction, the city requires specialized project/construction management support and construction inspection and testing services. Transtech Engineers, Inc. and Kleinfelder, Inc. have both been approved to provide on-call professional services for the City and have experience providing construction management, inspection, and testing services for similar projects. Staff has reviewed their proposals and recommends using them for project and construction management, inspection and testing services for the construction of the C-Block Parking Structure.

CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Utilities Prepared By: Ryan Rebick 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: 15

SUBJECT: A GOODS AND SERVICES AGREEMENT WITH KIRKSEY AND CO. FOR THE ONTARIO MUNICIPAL SERVCES CENTER MODULAR OFFICES FURNITURE PURCHASE

RECOMMENDATION: That the City Council approve and authorize a Goods and Services Agreement (on file in the Records Management Department) with Kirksey and Co. of Irvine, California, for the Ontario Municipal Services Center Modular Offices Furniture Purchase in the amount of $259,588.02, including a 10% contingency; and authorize the City Manager to execute the agreement and any future amendments within the authorization limits.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Operate in a Businesslike Manner
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: The Fiscal Year 2021-22 Adopted Capital Improvement Program includes appropriations from the Integrated Waste, Sewer Capital Fund, and Water Capital Fund for the Ontario Municipal Services Center (OMSC) Modular Offices Furniture Purchase. The total cost for the new furniture and installation is $259,588.02, including a 10% contingency. There is no impact to the General Fund.

BACKGROUND & ANALYSIS: The OMSC building located at 1425 S. Bon View Ave. houses the Ontario Municipal Utilities Company (OMUC) and Public Works Agencies. Over the past several years, staffing positions have been filled to support the City's growing operational functions. Previous efforts to accommodate new OMUC staff included the relocation of Public Works administration staff to 1333 S. Bon View Ave. (Customer Services Center building) and remodeling of existing space to add more cubicle workstations.

On May 18, 2021, City Council awarded a Goods and Services Agreement with Williams Scotsman Inc. for the purchase of two new modular buildings. This furniture purchase will be used to furnish the two new modular buildings, one will function as the OMSC training center and the other new modular is for additional office space for up to 23 staff members. The new furniture will consist of cubicles, conference room tables, desks, shelving, and chairs.

Ontario Municipal Code, Section 2-6.29, allows for the purchase of supplies and equipment through cooperative purchasing programs pursuant to Cal. Govt. Code § 6502 and Ontario Resolution No. 91-141, also known as "piggybacking." Cooperative purchasing allows the City to pool its procurement process with other public agencies to obtain pricing lower than would otherwise be possible. In piggybacking through the OMNIA Partners Cooperative Agreement, Contract No. R191804, Kirksey and Co. was selected as the lowest cost Furniture Supplier that met the configuration needs of OMUC.

Staff recommends award to Kirksey and Co. based on their expertise, ability to perform the work in a timely manner, and successful past performance of this type of work.

CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Community Life & Culture Prepared By: Nick S Gonzalez Staff Member Presenting: Helen McAlary, Executive Director Community Life and Culture Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 16

SUBJECT: ONTARIO RECREATION & PARKS MASTER PLAN

RECOMMENDATION: That the City Council approve the Recreation & Parks Master Plan (on file in the Records Management Department).

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Operate in a Businesslike Manner
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities

FISCAL IMPACT: The Ontario Recreation & Parks Master Plan ("Master Plan") outlines short, mid, and long-term recommendations over the next decade for improvements to infrastructure, trail network, infill opportunities in parks, and programming. Associated costs related to new improvements, expansion, renovation, or construction of new amenities or facilities will be presented to the City Council for approval in future agenda items, pursuant to fiscal constraints and City Council policy. With community input, comprehensive approach, involvement of professional expertise, and interdepartmental coordination, the Ontario Recreation & Parks Master Plan will better position the Recreation & Community Services and Parks Departments to pursue external funding, such as grants.

BACKGROUND & ANALYSIS: The Master Plan is a comprehensive planning effort that provides a vision for the Recreation & Community Services and Parks Departments for the next decade. The Master Plan process has provided a clear set of goals for infrastructure and program improvements to create a premier recreation and parks system in the City. This Master Plan also outlines short, mid, and long-term recommendations in the areas of capital improvement plans; financial strategy plans; prioritization of proposed recommendations; park branding, signage, and placemaking; and improvements to the trail network.

The Master Plan was developed by KTU & A ("KTUA"), a planning and landscaping architecture firm with a 50-year history in Southern California. KTUA specializes in community planning, transportation planning, park planning, visualization, urban design/placemaking and landscape architecture. KTUA worked with GreenPlay who provided analysis of Ontario's recreation programs and researched recreational and healthy activity trends on a national, statewide and local level. Additionally, KTUA brought on RRC, who is a national level recreational research and public input specialty firm that was responsible for the survey instruments, statistically valid survey, and

demographic analysis. The KTUA, GreenPlay, and RRC team worked closely with City staff in completing this Master Plan.

Ontario currently operates 32 public parks, 3 dog parks, and 7 community centers, totaling approximately 425 acres of parkland. These public parks offer ample opportunities for passive and active recreation. Furthermore, Ontario residents have access to Guasti Regional Park, which is owned and managed by San Bernardino County Regional Parks Department. The Recreation & Community Services Department offers several programs that serve a range of audiences from tots to seniors and provide an array of classes and events for residents to participate in throughout the City.

The project team conducted an open and transparent community engagement process to ensure that community members were included throughout the entire course of the project. The Master Plan kicked off in early 2020 with a pop-up event. Shortly after this event, the ongoing COVID-19 pandemic triggered necessary safety measures for public gatherings of any size. State and local regulations prohibited large social gatherings, which resulted in shifting all community workshops and stakeholder meetings to the online video sharing platform, Zoom. The community engagement strategies utilized for this plan were project branding; a statistically valid survey; social media posts; online story map; one pop-up event; online community workshops; and stakeholder meetings.

The Master Plan also provides a Park Level of Service analysis, which is a type of analysis that compares the geographic distribution of parks to the city's population. This GIS-based analysis examines different types of accessibility modes (walk, bike, and drive) for the city's existing park types. Parks are distributed throughout the city, especially when compared to where people reside per the city's residential land use. The data indicates that the existing park acreage provides 1.41 acres of park per 1,000 population. Service gaps are most apparent in the south-central region of the City. The Park Level of Service analysis also assesses how certain park amenities and facilities service specific populations (i.e. youth and seniors). The Master Plan includes recommendations on how schools can contribute to the City's park level of service through joint-use agreements and other related partnerships to help close gaps.

Ontario has a diverse park system with amenities for all ages dispersed throughout the City. There are several recommendations that were received from the community engagement process. These recommendations include more walking paths and trails; linear parks that include natural areas; improving lighting and safety upgrades; addition of a splash pad or spray ground; more park amenities to existing parks; and identifying locations for a skatepark and dog parks. In the Master Plan, the project team has identified 6 park infill opportunity areas that could support new park amenities and features. Each opportunity area can be enhanced as funding becomes available, but each identified park will have a matrix that communicates the types of amenities that could be added. The six parks that will receive these conceptualized plans to show potential improvements are De Anza Park, John Galvin Park, the southernmost portion of Whispering Lakes Golf Course, Vineyard Park, Bon View Park and Del Rancho Park.

Since the provision of public parks and recreation services can be influenced by demographic preferences, the Master Plan process identified local and national recreation trends that help define what Ontario residents are seeking. Current trends focused on walking, hiking, and camping; participation in youth activities and sports teams; swimming and aquatic-based activities; and recreation activities and programs for diverse age-based generations. Staff will utilize this information to adapt its park and recreation programs by learning from these new shifts in participation in outdoor recreation, sports, and cultural programs.

Out of the Master Plan, a skatepark focus group was attended by local residents, skatepark advocates, youth and teens, and influential skaters from the local area. The goal of this meeting was to communicate that Ontario is pursuing the steps to plan, design, and construct a skatepark in the near future. The Master Plan shows conceptualized plans for a skatepark to be built at De Anza Park, John Galvin Park, or the new community park in Ontario Ranch. Staff will continue to have conversations on the design and location of the skatepark and will bring that back to the City Council for approval in the future.

A second listening session was held with staff from the current golf course operator, Donovan Bros. Golf, LLC. The goal of this meeting was to discuss the kinds of short, mid, and long-term improvements that could be made to the golf course to ensure its success for both the City and the community. Key highlights from this meeting included that updates need to be made to the maintenance equipment and irrigation system; there is a demand for a multi-purpose venue; and there is an opportunity to add new public park amenities in the southwest area of the golf course adjacent to Riverside Drive.

In summary, this comprehensive Master Plan outlines the following priorities and recommendations for the City:

- Maximize active park acreage on city-owned land by adding park amenities to opportunity areas.
- Implement joint-use agreements with school districts for use of amenities such as fields, courts, and walking/running tracks on school sites.
- Continue to work with developers on providing infill parks for future populations.
- Consider other park types such as linear parks when determining deficiencies in certain areas.
- Consider non-Ontario parks and programs in determining population-based demand and requirements.
- Focus should be given to preschool programming, youth activities, swim lessons, and senior wellness activities.
- Programs that are in high demand should be expanded while programs that have lower participation and service a narrower target market segment should be divested from.
- Demand for adult sports may be met through partnerships with existing providers or the City could provide programs for adults not offered by private providers.
- Continue to enable the Teen Action Committee (TAC) and shape youth programming.
- Consider developing a walking/hiking/bicycling program that aims to increase awareness of programs, parks, trails, routes, and parks' amenities.

There are also recommendations on wayfinding park signage concepts so there is consistency in branding throughout the parks system; linear park enhancements to the West Cucamonga Trail; and a financial analysis on current programs and related recommendations.

On June 2, 2021, the Recreation & Parks Commission adopted the Ontario Recreation & Parks Master Plan with a vote of 4-0. City Staff, along with the Recreation & Parks Commission will be working closely together over the years to ensure the successful implementation of the Ontario Recreation & Parks Master Plan for the residents of Ontario.

CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Investments & Revenue Resources Prepared By: Cruz Torres Staff Member Presenting: Armen Harkalyan, Executive Director of Finance Reviewed By: Jason M Jacobsen, Armen Harkalyan Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 17

SUBJECT: RESOLUTIONS ESTABLISHING THE ANNUAL SPECIAL TAXES WITHIN COMMUNITY FACILITIES DISTRICTS IN OLD MODEL COLONY AND ONTARIO RANCH FOR FISCAL YEAR 2021-22.

RECOMMENDATION: That the City Council adopt resolutions establishing the annual special taxes within City of Ontario Community Facilities Districts in Old Model Colony and Ontario Ranch for Fiscal Year 2021-22.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
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 Ontario Ranch

FISCAL IMPACT: As proposed for Fiscal Year 2021-22, total special tax revenues from the districts is anticipated to be $22,710,924. Special tax revenues from CFDs 13, 24, 25, 26, 28, 30, 31-Special Tax A, 33, 34, 38, 39, 40, 41, 42, 43, 45-Special Tax A, 46, 53, 54, 55-Special Tax A, and 57-Special Tax A in the amount of $12,314,212 will be used for debt service for those districts which have issued bonds, or will be used to acquire infrastructure once bonds are issued for those districts currently awaiting bond issuances. Special Tax revenues for CFDs 9, 10, 19, 20, 21, 23, 27, 31-Special Tax B, 32, 37, 44, 45-Special Tax B, 47, 48, 49, 50, 51, 55-Special Tax B, 57-Special Tax B, and 58 in the amount of $10,396,712 will be used to fund City services for the districts.

BACKGROUND & ANALYSIS: Community Facilities Districts (CFDs) generate special tax revenues used to fund facilities districts and services within their respective districts. The facilities to be financed by the districts are as follows: street and bridge improvements; domestic and recycled water distribution facilities; sewer collection facilities; solid waste facilities; storm drainage facilities; park and recreation facilities and equipment; aquatic facilities and equipment; fire facilities and equipment; police facilities and equipment; library facilities and equipment; fiber optic telecommunication system facilities; general governmental offices; administrative and meeting facilities, and; land, rights-of-way and easements necessary for any of such facilities. The services authorized to be financed, in whole or in part, are as follows: police protection services; fire protection and suppression services; ambulance

and paramedic services; maintenance and lighting of parks, parkways, streets, roads, and open space; flood and storm drain protection services, and; maintenance and operation of any real property or tangible property with an estimated useful life of five or more years that is owned by the City.

Goodwin Consulting Group has prepared the FY 2021-22 Administrative Tax Reports which include a description of each district, the basis for the annual levy, and the eligible uses for district special tax revenues. Each district's report is on file in the Records Management Department.

Summaries of the proposed annual tax rates for Fiscal Year 2021-22 and the assessed rates for Fiscal Year 2020-21 can be found in the attached Annual Tax Levy Tables, Exhibits "A" through "G". It should be noted that, where applicable, the maximum rate that can be legally levied is indicated next to the proposed rate for FY 2021-22.

As indicated in the attached exhibits, staff recommends a 7.5% reduction in the FY 2021-22 levy for City services assessed to residential districts located in the Ontario Ranch, with the exception of CFD 9, which is recommended to remain flat. With no change, the recommended levy for CFD 9 will remain below that of the other residential districts. Staff further recommends a similar reduction to levies for City services for all non-residential districts (e.g. business parks, light industrial, warehouses) located in the Ontario Ranch. Due to historical practice, the non-residential levies have varied slightly from one another, ranging from $0.308 per square foot to $0.316 per square foot for the previous FY 2020-21. Staff recommends a reduction to equalize these non-residential levies bringing them to $0.2846. Community Facilities District 27, being both a residential and non-residential Services district will receive a similar 7.5% reduction, but due to restrictions within the district's Rate and Method of Apportionment (RMA), the FY 2021-22 non-residential levy for the New Haven Marketplace must remain slightly higher than that of other non-residential districts. Staff is able to recommend these reductions due to the rapid pace of development within the Ontario Ranch. Over the next 12 months staff will continue to observe the pace of growth within the Ontario Ranch, and that of the regional economy, and will look to the possibility of another 7.5% reduction for next fiscal year (FY 2022-23).

For CFDs 10 (Ontario Airport Towers) and 21 (Parkside) located within the Old Model Colony, staff is proposing a slight increase in the annual levy to adjust for the increased costs of providing maintenance and services for those developments. According to the district's RMAs, the levy rates can increase by the greater of: the year-over-year change in the CPI, the So Cal Edison LS-2 lighting rates, or by a factor of 2.0%. Staff recommends that, due to the economy, an increase of only 2.0% be applied to these districts, as the CPI and LS-2 rates increased by more than 2.0% year-over-year. The combined impact of a 2.0% increase for both districts is $1,552.

Some districts for which bonds will be, or have been, issued to acquire public infrastructure and facilities will see increases in the total levy collected from all homes in the district. Minor increases are attributable to increases in the levy required to fund each district's annual debt service used to pay for the improvements; however, large increases in the total levy collected from such districts are attributable to new home starts for those districts, many of which are still under construction. The details for each of these levies, which vary by residential floor area (square footage), can be found within each district's Administrative Tax Report and are identified for each parcel number within the district.

The adoption of a resolution for each of the above, named districts by the City Council is required annually to establish the special tax rates to be levied.

Exhibit-A Annual Levy Table

City of Ontario
Ontario Ranch Bonded Facilities Community Facilities Districts
Fiscal Year 2021-22 Special Tax Levy Summary

CFD No.	CFD Name	Number of Units	FY 2020-21 Tax Levy	FY 2021-22 Proposed Tax Levy
24	Park Place Facilities Phase II	432	$1,079,087.75	1,079,087.75
25	Park Place Facilities Phase II	253	$664,727.00	664,727.00
26	Park Place Facilities Phase III	279	$681,907.00	681,907.00
28	New Haven Facilities A	336	$688,588.89	688,588.89
30	New Haven Facilities B	442	$964,420.00	964,420.00
33	Archibald/Schaefer Facilities	229	$501,514.00	$501,514.00
34	Countryside Phase 1 North - Facilities	226	$538,276.80	538,477.32
38	Park & Turner NE Facilities	330	$799,856.00	799,856.00
39	New Haven Facilities	225	$407,057.12	407,057.12
40	Emerald Park Facilities	265	$465,593.00	$495,707.00
43	Park Place Facilioties Phase IV	332	$1,001,832.25	$1,082,872.00
46	Tevelde 176 Facilities	176	$545,235.00	$545,235.00
Total Fiscal Year 2021-22 Special Tax Levy				**$8,449,449.08**

Goodwin Consulting Group, Inc.

Note: Increase in annual levy due to new homes starts.

Exhibit-B Annual Tax Levy Table

City of Ontario
Community Facilities District No. 13
(California Commerce Center - Phase IV)
Fiscal Year 2021-22 Special Tax Levy Summary

Land Use	Number of Parcels	Total Sq. Ft.	FY 2020-21 Tax Rates	FY 2021-22 Maximum Tax Rates	FY 2021-22 Proposed Tax Rates	FY 2021-22 Special Tax Levy
Industrial Property	6	1,936,142	$0.191665 per Sq. Ft.	$0.211100 per Sq. Ft.	$0.155029 per Sq. Ft.	$300,158.78
Commercial Property	1	N/A	$10,236.97 per Parcel	$11,275.00 per Parcel	$8,280.23 per Parcel	$8,280.23
Total Fiscal Year 2021-22 Special Tax Levy						**$308,439.01**

Goodwin Consulting Group, Inc.

Note: Decrease in annual levy from prior year due to lower annual debt service resulting from 2021 bond refunding.

Exhibit-C Annual Levy Table

City of Ontario
Ontario Ranch Bonded Facilities Services Districts
Fiscal Year 2021-22 Special Tax A Levy Summary

CFD No.	CFD Name	Number of Units / Acres	FY 2020-21 Tax Levy		FY 2021-22 Proposed Tax Levy
31	Carriage Hous	143	$391,613.57	$	392,413.46
45	Northpark and	242	$533,347.00	$	643,729.00
Total Fiscal Year 2021-22 Special Tax A Levy				**$**	**1,036,142.46**

Goodwin Consulting Group, Inc.

Note: Increase in levy for CFD 31 required to fund increase in debt service payments. Increase in CFD 45 levy due to new home starts.

City of Ontario
Ontario Ranch Bonded Facilities Services Districts
Fiscal Year 2021-22 Special Tax B Levy Summary

CFD No.	Land Use	Number of Units / Sq. Ft.	FY 2020-21 Tax B Rates	FY 2021-22 Maximum Tax B Rates	FY 2021-22 Proposed Tax B Rates		FY 2021-22 Tax B Levy
31	Single Family Detache	143 per Unit	$1,686.94 per Unit	$1,824.59 per Unit	$1,560.77 per Unit	$	223,190.11
45	Single Family Detache	242 per Unit	$1,686.88 per Unit	$1,824.53 per Unit	$1,560.77 per Unit	$	377,706.34
Total Fiscal Year 2021-22 Special Tax B Levy						**$**	**600,896.45**

Goodwin Consulting Group, Inc.

Note: Decrease in levy of 7.5% for all Ontario Ranch Services Districts.

Exhibit-D Annual Tax Levy Table

City of Ontario
Ontario Ranch Non-Bonded Community Facilities District
Fisval Year 2021-22 Special Tax Levy Summary

CFD No.	CFD Name	Number of Units / Acres	FY 2020-21 Tax Levy	FY 2021-22 Proposed Tax Levy
41	Canvas Park Facilities	340	$352,934.00	$606,128.00
42	West Haven	97	$10,232.00	$329,009.00
53	Tevelde Facilities	295	$182,949.00	$1,016,382.00
54	Esperanzs Facilities	90	$58,263.00	$291,040.00
Total Fiscal Year 2021-22 Special Tax Levy				$2,242,559.00

Goodwin Consulting Group, Inc.

Note: Increase in annual levy amounts due to new home starts.

Exhibit-E Annual Tax Levy Table

Ontario Ranch Non-Bonded Facilities Services District
Fiscal Year 2021-22 Special Tax A Levy Summary

CFD No.	CFD Name	Number of Units	FY 2020-21 Tax Levy	FY 2021-22 Proposed Tax Levy
55	Parklane	36	N/A	$121,562.00
57	Neuhouse	78	N/A	$156,060.00
Total Fiscal Year 2021-22 Special Tax A Levy				**$277,622.00**

Goodwin Consulting Group, Inc.

Note: CFDs 55 & 57 were recently formed and were not assessed levies in FY 2020-21.

Ontario Ranch Non-Bonded Facilities Services District
Fiscal Year 2021-22 Special Tax B Levy Summary

CFD No.	Land Use	Number of Units	FY 2020-21 Tax Rates B	FY 2021-22 Effective Maximum Tax Rates B	FY 2021-22 Proposed Tax Rates B	FY 2020-21 Special Tax B Levy
55 - Parklane	Single Family Detached	36	N/A	$1,825.00	$1,560.77	$56,187.72
57 - Neuhouse	Single Family Detached	24	N/A	$1,825.00	$1,560.77	$37,458.48
57 - Neuhouse	Multiple Family	54	N/A	$1,582.00	$1,352.95	$73,059.30
Total Fiscal Year 2021-22 Special Tax B Levy						**$166,705.50**

Goodwin Consulting Group, Inc.

Note: CFDs 55 & 57 were recently formed and were not assessed levies in FY 2020-21.

Exhibit-F Annual Tax Levy Table

City of Ontario
Ontario Ranch Services Community Facilities Districts
Fiscal Year 2021-22 Special Tax Levy Summary

CFD No.	Land Use	Number of Units / Sq. Ft.		FY 2020-21 Tax Rates		FY 2021-22 Maximum Tax Rates		FY 2021-22 Proposed Tax Rates		FY 2021-22 Special Tax Levy
9	Residential - Tax Zone 1	273	per Unit	$1,511.55	per Unit	$1,572.62	per Unit	$1,511.55	per Unit	$ 412,653.15
9	Residential - Tax Zone 2	201	per Unit	$1,183.64	per Unit	$1,231.46	per Unit	$1,183.64	per Unit	$ 237,911.64
19	Single Family Detached	226	per Unit	$1,687.50	per Unit	$1,755.00	per Unit	$1,560.77	per Unit	$ 352,734.02
23	Single Family Detached	1,296	per Unit	$1,687.50	per Unit	$1,755.00	per Unit	$1,560.77	per Unit	$ 2,022,757.92
27	Single Family Detached	854	per Unit	$1,687.50	per Unit	$1,755.00	per Unit	$1,560.77	per Unit	$ 1,332,897.58
27	Multiple Family	851	per Unit	$1,462.42	per Unit	$1,520.91	per Unit	$1,352.59	per Unit	$ 1,151,054.09
27	Non-Residential Property	95,600	per Sq. Ft.	$0.316300	per Unit	$ 0.329000	per Unit	$0.292600	per Unit	$ 27,972.56
32	Single Family Detached	229	per Unit	$1,686.94	per Unit	$1,754.41	per Unit	$1,560.77	per Unit	$ 357,416.33
37	Single Family Detached	330	per Unit	$1,687.30	per Unit	$1,754.79	per Unit	$1,560.77	per Unit	$ 515,054.10
44	Single Family Detached	315	per Unit	$1,686.88	per Unit	$1,754.36	per Unit	$1,560.77	per Unit	$ 491,642.55
47	Non-Residential Property	1,289,292	per Sq. Ft.	$0.312000	per Sq. Ft.	$0.324480	per Sq. Ft.	$0.284615	per Sq. Ft.	$ 366,951.84
48	Single Family Detached	295	per Unit	$1,687.00	per Unit	$1,754.48	per Unit	$1,560.77	per Unit	$ 460,427.15
49	Single Family Detached	176	per Unit	$1,687.00	per Unit	$1,754.48	per Unit	$1,560.77	per Unit	$ 274,695.52
50	Non-Residential Property	1,197,794	per Sq. Ft.	$0.310000	per Sq. Ft.	$0.322400	per Sq. Ft.	$0.284615	per Sq. Ft.	$ 340,910.14
51	Non-Residential Property	2,431,838	per Sq. Ft.	$0.310000	per Sq. Ft.	$0.322400	per Sq. Ft.	$0.284615	per Sq. Ft.	$ 692,137.57
58	Non-Residential Property	1,685,500	per Sq. Ft.	$0.307692	per Sq. Ft.	$0.320000	per Sq. Ft.	$0.284615	per Sq. Ft.	$ 479,718.58
								Total Fiscal Year 2021-22 Special Tax Levy		**$ 9,516,934.74**

Goodwin Consulting Group, Inc.

Note: Decrease in levy of 7.5% for all Ontario Ranch Residential Services Districts. Decrease in levy for all Non-Residential Ontario Ranch Services Districts varies.

Exhibit-G Annual Tax Levy Table

City of Ontario
Old Model Colony Services Community Facilities Districts
Fiscal Year 2021-22 Special Tax Levy Summary

CFD No.	Land Use	Taxable Acreage Number of Units	FY 2020-21 Tax Rates	FY 2021-22 Maximum Tax Rates	FY 2021-22 Proposed Tax Rates	FY 2021-22 Special Tax Levy
CFD 10	Taxable Property	25.01	$479.03 per Acre	$665.37 Per Acre	$488.61 Per Acre	$12,221.21
CFD 20	Taxable Property	16.28	$2,028.53 per Acre	$8,094.25 Per Acre	$2,028.53 Per Acre	$33,024.44
CFD 21	Detached Property	150	$243.90 per Unit	$258.41 Per Unit	$248.78 Per Unit	$37,317.00
CFD 21	Attached Property	152	$191.00 per Unit	$202.36 Per Unit	$194.82 Per Unit	$29,612.64
Total Fiscal Year 2021-22 Special Tax Levy						**$112,175.29**

Goodwin Consulting Group, Inc.

Note: Increase for CFDs 10 & 21 levy due to 2% escalator to adjust for increased service costs.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 9 (EDENGLEN), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the “Act”), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 9 (Edenglen) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 2860 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

(a) Costs of providing services authorized to be financed by the District;

(b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;

(c) Administrative costs of the District; and

(d) Any incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 9 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 9 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 9
(EDENGLEN)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	FY 2021-22 Tax Rates
Residential Property	
Tax Zone 1	$1,511.55 per Unit
Tax Zone 2	$1,183.64 per Unit
Non-Residential Property	$0.292558 per Sq.Ft.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 10 (ONTARIO AIRPORT TOWERS), ESTABLISHING THE ANNUAL SERVICES SPECIAL TAX FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the “Act”), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as “Community Facilities District No. 10 of the City of Ontario (Ontario Airport Towers)” (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 2902 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a services special tax (the “Services Special Tax”) and a facilities special tax (the “Facilities Special Tax”) to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rate of the Services Special Tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rate and amount of the Services Special Tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rate as set forth above does not exceed the amount as previously authorized by Ordinance of this legislative body and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution together with a list of all parcels subject to the Services Special Tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

(a) police protection services, fire protection and rescue services and parkway and open space maintenance services (the “Services”); and

(b) all costs related to financing and administering the Services, the determination of the amount of special taxes to be levied and costs otherwise incurred in order to carry out the authorized purposes of the District and administering the District (the “Services Incidental Expenses”).

SECTION 6. The Services Special Tax shall be collected in the same manner as ordinary ad valorem property taxes are collected and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said Services Special Tax.

SECTION 7. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 10 Special Tax," or by any other suitable designation, the installment of the Services Special Tax.

SECTION 8. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such Services Special Tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 9. This legislative body hereby certifies that the levy of the Services Special Tax was authorized in accordance with the provisions of the Act and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 10
(ONTARIO AIRPORT TOWERS)

SPECIAL TAX RATE
FOR FISCAL YEAR 2021-22

All Assessor's Parcels of Taxable Property within Community Facilities District No. 10 shall be taxed at the following special tax rate pursuant to the Rate and Method of Apportionment of Special tax, as amended:

Land Use	FY 2021-22 Tax Rates
Taxable Property	$488.61 Per Acre

Assessor's Parcel, Acre and Taxable Property shall all have the meanings as defined in the Rate and Method of Apportionment of Special tax, as amended.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 13 (CALIFORNIA COMMERCE CENTER - PHASE IV), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the “Act”), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as “Community Facilities District No. 13 of the City of Ontario (California Commerce Center - Phase IV)” (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 2893 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates as set forth above do not exceed the amount as previously authorized by Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

(a) Debt service on all bonds or other indebtedness issued to finance those facilities and incidental expenses authorized to be financed by the District (including the costs of any credit enhancement);

(b) Costs of those facilities authorized to be financed by the District;

(c) Costs incurred by the District and the City in the annual levy and collection of the special taxes;

(d) Administrative costs of the District; and

(e) Any amounts required to replenish any reserve funds established in association with bonds issued to finance those facilities and incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into a Special Tax Fund created and established in connection with the issuance of bonds by the District.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 13 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 13
(CALIFORNIA COMMERCE CENTER - PHASE IV)

SPECIAL TAX RATES
FOR FISCAL YEAR 2020-21

Land Use	FY 2021-22 Tax Rates
Taxable Property:	
Industrial Property	$0.155029 per Sq. Ft.
Commercial Property	$8,280.23 per Parcel

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 19 (COUNTRYSIDE PHASE 1 - SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the “Act”), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 19 (Countryside Phase 1 - Services) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 3007 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

(a) Costs of providing services authorized to be financed by the District;

(b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;

(c) Administrative costs of the District; and

(d) Any incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 19 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 19 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 19
(COUNTRYSIDE PHASE 1 - SERVICES)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	Number of Units / Sq. Ft.	FY 2021-22 Tax Rates
Residential Property:		
Single Family Detached	226	$1,560.77 per Unit
Multiple Family	0	$1,352.59 per Unit
Gated Apartment Community	0	$1,134.29 per Unit
Non-Residential Property	0	$0.292600 per Sq. Ft.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 20 (WAL-MART), ESTABLISHING THE ANNUAL SERVICES SPECIAL TAX FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1882" (the “Act”), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as “Community Facilities District No. 20 of the City of Ontario (Wal-Mart)” (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 2963 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a services special tax (the “Services Special Tax”) and a facilities special tax (the “Facilities Special Tax”) to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rate of the Services Special Tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rate and amount of the Services Special Tax to be collected to pay for the Costs and Expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rate as set forth above does not exceed the amount as previously authorized by Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution together with a list of all parcels subject to the Services Special Tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

(a) the lighting, operating, maintaining, improving and servicing of the public street lights and appurtenances benefiting the properties within the District, the maintaining improving and servicing of the landscaping and appurtenances of the raised, landscaped median to be constructed by the landowner on the west side of Mountain Avenue between 5th Street and 6th Street (the "Services"); and

(b) all costs related to financing and administering the Services, the determination of the amount of special taxes to be levied and costs otherwise incurred in order to carry out the authorized purposes of the District and administering the District (the "Services Incidental Expenses").

SECTION 6. The Services Special Tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said Services Special Tax.

SECTION 7. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 20 Special Tax," or by any other suitable designation, the installment of the Services Special Tax.

SECTION 8. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such Services Special Tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 9. This legislative body hereby certifies that the levy of the Services Special Tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 20
(WAL-MART)

SPECIAL TAX RATE
FOR FISCAL YEAR 2021-22

Land Use	FY 2021-22 Tax Rates
Taxable Property	$2,028.53 Per Acre

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 21 (PARKSIDE), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the “Act”), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 21 (Parkside) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 2966 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

(a) Costs of providing services authorized to be financed by the District;

(b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;

(c) Administrative costs of the District; and

(d) Any incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 21 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 21 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 21 (PARKSIDE)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	FY 2021-22 Tax Rates
Detached Property	$248.78 Per Unit
Attached Property	$194.82 Per Unit

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the “Act”), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 23 (Park Place Services) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 2988 and Ordinance No. 3087 (together, the “Special Tax Ordinance”) as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

(a) Costs of providing services authorized to be financed by the District;

(b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;

(c) Administrative costs of the District; and

(d) Any incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 23 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 23 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 23
(PARK PLACE SERVICES)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	Number of Units / Sq. Ft.	FY 2021-22 Tax Rates
Residential Property:		
Single Family Detached	1,296	$1,560.77 per Unit
Multiple Family	0	$1,352.59 per Unit
Gated Apartment Community	0	$1,134.29 per Unit
Non-Residential Property	0	$0.292600 per Sq. Ft.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES PHASE I), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of special taxes (the "Special Taxes") in the City of Ontario Community Facilities District No. 24 (Park Place Facilities Phase I) (the "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the California Government Code; and

WHEREAS, the City Council did, by the enactment of Ordinance No. 3002 (the "Special Tax Ordinance") as authorized by Section 53340 of the Act, authorize the levy of the Special Taxes to pay the costs of providing the Facilities and Services and incidental expenses (as such terms are defined in the Special Tax Ordinance), and the City Council is desirous to establish the specific rates of the Special Taxes to be collected for the specified Fiscal Year and the portion thereof to be applied to each of the costs of providing the Facilities and incidental expenses and the costs of providing the Services.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amounts of the Special Taxes to be collected for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates of the Special Taxes as set forth above do not exceed the rates previously approved by the qualified electors of the District and authorized by the Special Tax Ordinance.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the Special Taxes for the above specified Fiscal Year and the amount of the Special Taxes to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. The portion of the Special Taxes to be collected for the referenced Fiscal Year (a) to pay the costs of providing the Facilities and incidental expenses shall be 100% of the rates and amounts of the Special Taxes to be collected

for such Fiscal Year as set forth in the attached Exhibit "A", and (b) to pay the costs of providing the Services shall be 0% of the rates and amounts of the Special Taxes to be collected for such Fiscal Year as set forth in the attached Exhibit "A".

SECTION 6. The proceeds of the Special Taxes collected to pay the costs of providing the Facilities and incidental expenses shall be used only to:

(a) pay debt service on all outstanding bonds or other debt (as defined in Section 53317(d) of the Act) issued by the District under the Act and payable from the Special Taxes (the "Bonds");

(b) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds;

(c) pay administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes);

(d) provide any amounts required to establish or replenish any reserve fund for the Bonds; and

(e) pay directly for acquisition or construction of Facilities.

SECTION 7. The proceeds of the Special Taxes collected to pay the costs of providing the Services shall be used only to pay the costs of providing such Services.

SECTION 8. The Special Taxes shall be collected in the same manner as ordinary *ad valorem* property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for *ad valorem* taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any Special Taxes.

SECTION 9. All Special Taxes collected to provide costs of providing the Facilities and incidental expenses shall be deposited in the Special Tax Fund of the District. All Special Taxes collected to provide costs of providing the Services shall be deposited in the Government Fund.

SECTION 10. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 24 Special Tax," or by any other suitable designation, the installment of the Special Taxes.

SECTION 11. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 12. The City Council hereby certifies that the levy of the Special Taxes was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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, California, 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 24
(PARK PLACE FACILITIES PHASE I)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	Residential Floor Area (Sq. Ft.)	FY 2021-22 Tax Rates
Developed Property:		
Residential Property	<1,601	$1,587.41 per Unit
Residential Property	1,601-1,700	$1,683.79 per Unit
Residential Property	1,701-1,800	$1,764.41 per Unit
Residential Property	1,801-1,900	$1,840.40 per Unit
Residential Property	1,901-2,000	$1,945.11 per Unit
Residential Property	2,001-2,100	$1,952.52 per Unit
Residential Property	2,101-2,200	$2,047.05 per Unit
Residential Property	2,201-2,300	$2,110.06 per Unit
Residential Property	2,301-2,400	$2,211.07 per Unit
Residential Property	2,401-2,500	$2,279.64 per Unit
Residential Property	2,501-2,600	$2,382.51 per Unit
Residential Property	2,601-2,700	$2,484.44 per Unit
Residential Property	2,701-2,800	$2,528.92 per Unit
Residential Property	2,801-2,900	$2,578.96 per Unit
Residential Property	2,901-3,000	$2,664.22 per Unit
Residential Property	3,001-3,100	$2,782.83 per Unit
Residential Property	3,101-3,200	$2,883.84 per Unit
Residential Property	3,201-3,300	$2,894.96 per Unit
Residential Property	3,301-3,400	$2,970.02 per Unit
Residential Property	3,401-3,500	$3,058.99 per Unit
Residential Property	3,501-3,600	$3,173.89 per Unit
Residential Property	3,601-3,700	$3,204.47 per Unit
Residential Property	3,701-3,800	$3,282.32 per Unit
Residential Property	3,801-3,900	$3,361.08 per Unit
Residential Property	3,901-4,000	$3,503.79 per Unit
Residential Property	>4,000	$3,516.77 per Unit

	Tract No.	
Non-Residential Property	18075	$28,026.64 per Acre
Non-Residential Property	18076	$26,315.06 per Acre
Non-Residential Property	18077	$21,196.98 per Acre
Non-Residential Property	18078	$24,230.02 per Acre
Non-Residential Property	18079	$27,643.92 per Acre
Non-Residential Property	18080	$28,560.41 per Acre
Non-Residential Property	18913-1	$32,100.35 per Acre
Non-Residential Property	18945	$32,100.35 per Acre
Final Mapped Property	18075	$0.00 per Acre
Final Mapped Property	18076	$0.00 per Acre
Final Mapped Property	18077	$0.00 per Acre
Final Mapped Property	18078	$0.00 per Acre
Final Mapped Property	18079	$0.00 per Acre
Final Mapped Property	18080	$0.00 per Acre
Final Mapped Property	18945	$0.00 per Acre
Undeveloped Property	18075	$0.00 per Acre
Undeveloped Property	18076	$0.00 per Acre
Undeveloped Property	18077	$0.00 per Acre
Undeveloped Property	18078	$0.00 per Acre
Undeveloped Property	18079	$0.00 per Acre
Undeveloped Property	18080	$0.00 per Acre
Undeveloped Property	18945	$0.00 per Acre

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 25 (PARK PLACE FACILITIES PHASE II), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of special taxes (the "Special Taxes") in the City of Ontario Community Facilities District No. 25 (Park Place Facilities Phase II) (the "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the California Government Code; and

WHEREAS, the City Council did, by the enactment of Ordinance No. 3067 (the "Special Tax Ordinance") as authorized by Section 53340 of the Act, authorize the levy of the Special Taxes to pay the costs of providing the Facilities and Services and incidental expenses (as such terms are defined in the Special Tax Ordinance), and the City Council is desirous to establish the specific rates of the Special Taxes to be collected for the specified Fiscal Year and the portion thereof to be applied to each of the costs of providing the Facilities and incidental expenses and the costs of providing the Services.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amounts of the Special Taxes to be collected for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates of the Special Taxes as set forth above do not exceed the rates previously approved by the qualified electors of the District and authorized by the Special Tax Ordinance.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the Special Taxes for the above specified Fiscal Year and the amount of the Special Taxes to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. The portion of the Special Taxes to be collected for the referenced Fiscal Year (a) to pay the costs of providing the Facilities and incidental expenses shall be 100% of the rates and amounts of the Special Taxes to be collected

for such Fiscal Year as set forth in the attached Exhibit "A", and (b) to pay the costs of providing the Services shall be 0% of the rates and amounts of the Special Taxes to be collected for such Fiscal Year as set forth in the attached Exhibit "A".

SECTION 6. The proceeds of the Special Taxes collected to pay the costs of providing the Facilities and incidental expenses shall be used only to:

(a) pay debt service on all outstanding bonds or other debt (as defined in Section 53317(d) of the Act) issued by the District under the Act and payable from the Special Taxes (the "Bonds");

(b) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds;

(c) pay administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes);

(d) provide any amounts required to establish or replenish any reserve fund for the Bonds; and

(e) pay directly for acquisition or construction of Facilities.

SECTION 7. The proceeds of the Special Taxes collected to pay the costs of providing the Services shall be used only to pay the costs of providing such Services.

SECTION 8. The Special Taxes shall be collected in the same manner as ordinary *ad valorem* property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for *ad valorem* taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any Special Taxes.

SECTION 9. All Special Taxes collected to provide costs of providing the Facilities and incidental expenses shall be deposited in the Special Tax Fund of the District. All Special Taxes collected to provide costs of providing the Services shall be deposited in the Government Fund.

SECTION 10. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 25 Special Tax," or by any other suitable designation, the installment of the Special Taxes.

SECTION 11. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 12. The City Council hereby certifies that the levy of the Special Taxes was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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, California, 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 July 20, 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 July 20, 2021

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 25
(PARK PLACE FACILITIES PHASE II)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	Residential Floor Area (Sq. Ft.)	FY 2021-22 Tax Rates
Developed Property:		
Residential Property	<1,701	$1,691.00 per Unit
Residential Property	1,701-1,800	$1,806.00 per Unit
Residential Property	1,801-1,900	$1,911.00 per Unit
Residential Property	1,901-2,000	$1,999.00 per Unit
Residential Property	2,001-2,100	$2,078.00 per Unit
Residential Property	2,101-2,200	$2,297.00 per Unit
Residential Property	2,201-2,300	$2,332.00 per Unit
Residential Property	2,301-2,400	$2,442.00 per Unit
Residential Property	2,401-2,500	$2,525.00 per Unit
Residential Property	2,501-2,600	$2,586.00 per Unit
Residential Property	2,601-2,700	$2,714.00 per Unit
Residential Property	2,701-2,800	$2,732.00 per Unit
Residential Property	2,801-2,900	$2,883.00 per Unit
Residential Property	2,901-3,000	$2,885.00 per Unit
Residential Property	3,001-3,100	$2,966.00 per Unit
Residential Property	3,101-3,200	$2,999.00 per Unit
Residential Property	>3,200	$3,113.00 per Unit
	Tract No.	
Non-Residential Property	18266	$30,188.00 per Acre
Non-Residential Property	18267	$28,339.00 per Acre
Non-Residential Property	18977-78	$31,412.00 per Acre
Final Mapped Property	18266	$0.00 per Acre
Final Mapped Property	18267	$0.00 per Acre
Final Mapped Property	18977-78	$0.00 per Acre
Undeveloped Property	18266	$0.00 per Acre
Undeveloped Property	18267	$0.00 per Acre
Undeveloped Property	18977-78	$0.00 per Acre

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 26 (PARK PLACE FACILITIES PHASE III), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of special taxes (the "Special Taxes") in the City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III) (the "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the California Government Code; and

WHEREAS, the City Council did, by the enactment of Ordinance No. 3088 (the "Special Tax Ordinance") as authorized by Section 53340 of the Act, authorize the levy of the Special Taxes to pay the costs of providing the Facilities and Services and incidental expenses (as such terms are defined in the Special Tax Ordinance), and the City Council is desirous to establish the specific rates of the Special Taxes to be collected for the specified Fiscal Year and the portion thereof to be applied to each of the costs of providing the Facilities and incidental expenses and the costs of providing the Services.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amounts of the Special Taxes to be collected for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates of the Special Taxes as set forth above do not exceed the rates previously approved by the qualified electors of the District and authorized by the Special Tax Ordinance.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the Special Taxes for the above specified Fiscal Year and the amount of the Special Taxes to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. The portion of the Special Taxes to be collected for the referenced Fiscal Year (a) to pay the costs of providing the Facilities and incidental expenses shall be 100% of the rates and amounts of the Special Taxes to be collected

for such Fiscal Year as set forth in the attached Exhibit "A", and (b) to pay the costs of providing the Services shall be 0% of the rates and amounts of the Special Taxes to be collected for such Fiscal Year as set forth in the attached Exhibit "A".

SECTION 6. The proceeds of the Special Taxes collected to pay the costs of providing the Facilities and incidental expenses shall be used only to:

(a) pay debt service on all outstanding bonds or other debt (as defined in Section 53317(d) of the Act) issued by the District under the Act and payable from the Special Taxes (the "Bonds");

(b) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds;

(c) pay administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes);

(d) provide any amounts required to establish or replenish any reserve fund for the Bonds; and

(e) pay directly for acquisition or construction of Facilities.

SECTION 7. The proceeds of the Special Taxes collected to pay the costs of providing the Services shall be used only to pay the costs of providing such Services.

SECTION 8. The Special Taxes shall be collected in the same manner as ordinary *ad valorem* property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for *ad valorem* taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any Special Taxes.

SECTION 9. All Special Taxes collected to provide costs of providing the Facilities and incidental expenses shall be deposited in the Special Tax Fund of the District. All Special Taxes collected to provide costs of providing the Services shall be deposited in the Government Fund.

SECTION 10. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 26 Special Tax," or by any other suitable designation, the installment of the Special Taxes.

SECTION 11. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 12. The City Council hereby certifies that the levy of the Special Taxes was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day July, 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, California, 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 26
(PARK PLACE FACILITIES PHASE III)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	Residential Floor Area (Sq. Ft.)	FY 2021-22 Tax Rates
Developed Property:		
Residential Property	<1,701	$1,937.00 per Unit
Residential Property	1,701-1,800	$2,034.00 per Unit
Residential Property	1,801-1,900	$2,147.00 per Unit
Residential Property	1,901-2,000	$2,331.00 per Unit
Residential Property	2,001-2,100	$2,375.00 per Unit
Residential Property	2,101-2,200	$2,401.00 per Unit
Residential Property	2,201-2,300	$2,480.00 per Unit
Residential Property	2,301-2,400	$2,674.00 per Unit
Residential Property	2,401-2,500	$2,718.00 per Unit
Residential Property	2,501-2,600	$2,793.00 per Unit
Residential Property	2,601-2,700	$2,863.00 per Unit
Residential Property	2,701-2,800	$3,025.00 per Unit
Residential Property	2,801-2,900	$3,122.00 per Unit
Residential Property	2,901-3,000	$3,227.00 per Unit
Residential Property	3,001-3,100	$3,324.00 per Unit
Residential Property	3,101-3,200	$3,420.00 per Unit
Residential Property	>3,200	$3,517.00 per Unit
	Tract No.	
Non-Residential Property	18073	$41,577.00 per Acre
Non-Residential Property	18074	$55,099.00 per Acre
Non-Residential Property	18998	$35,217.00 per Acre
Final Mapped Property	18073	$0.00 per Acre
Final Mapped Property	18074	$0.00 per Acre
Final Mapped Property	18998	$0.00 per Acre
Undeveloped Property	18073	$0.00 per Acre
Undeveloped Property	18074	$0.00 per Acre
Undeveloped Property	18998	$0.00 per Acre

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 27 (NEW HAVEN SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the “Act”), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 27 (New Haven Services) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 2993 and Ordinance No. 3119 (together, the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

(a) Costs of providing services authorized to be financed by the District;

(b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;

(c) Administrative costs of the District; and

(d) Any incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 27 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 27 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 27
(NEW HAVEN SERVICES)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	FY 2021-22 Tax Rates
Residential Property:	
Single Family Detached	$1,560.77 per Unit
Multiple Family	$1,352.59 per Unit
Gated Apartment Community	$1,134.29 per Unit
Non-Residential Property	$0.292600 per Sq. Ft.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 28 (NEW HAVEN FACILITIES - AREA A), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of special taxes (the "Special Taxes") in the City of Ontario Community Facilities District No. 28 (New Haven Facilities - Area A) (the "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the California Government Code; and

WHEREAS, the City Council did, by the enactment of Ordinance No. 3031 (the "Special Tax Ordinance") as authorized by Section 53340 of the Act, authorize the levy of the Special Taxes to pay the costs of providing the Facilities and Services and incidental expenses (as such terms are defined in the Special Tax Ordinance), and the City Council is desirous to establish the specific rates of the Special Taxes to be collected for the specified Fiscal Year and the portion thereof to be applied to each of the costs of providing the Facilities and incidental expenses and the costs of providing the Services.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amounts of the Special Taxes to be collected for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates of the Special Taxes as set forth above do not exceed the rates previously approved by the qualified electors of the District and authorized by the Special Tax Ordinance.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the Special Taxes for the above specified Fiscal Year and the amount of the Special Taxes to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. The portion of the Special Taxes to be collected for the referenced Fiscal Year (a) to pay the costs of providing the Facilities and incidental expenses shall be 100% of the rates and amounts of the Special Taxes to be collected

for such Fiscal Year as set forth in the attached Exhibit "A", and (b) to pay the costs of providing the Services shall be 0% of the rates and amounts of the Special Taxes to be collected for such Fiscal Year as set forth in the attached Exhibit "A".

SECTION 6. The proceeds of the Special Taxes collected to pay the costs of providing the Facilities and incidental expenses shall be used only to:

(a) pay debt service on all outstanding bonds or other debt (as defined in Section 53317(d) of the Act) issued by the District under the Act and payable from the Special Taxes (the "Bonds");

(b) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds;

(c) pay administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes);

(d) provide any amounts required to establish or replenish any reserve fund for the Bonds; and

(e) pay directly for acquisition or construction of Facilities.

SECTION 7. The proceeds of the Special Taxes collected to pay the costs of providing the Services shall be used only to pay the costs of providing such Services.

SECTION 8. The Special Taxes shall be collected in the same manner as ordinary *ad valorem* property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for *ad valorem* taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any Special Taxes.

SECTION 9. All Special Taxes collected to provide costs of providing the Facilities and incidental expenses shall be deposited in the Special Tax Fund of the District. All Special Taxes collected to provide costs of providing the Services shall be deposited in the Government Fund.

SECTION 10. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 28 Special Tax," or by any other suitable designation, the installment of the Special Taxes.

SECTION 11. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 12. The City Council hereby certifies that the levy of the Special Taxes was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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, California, 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 28
(NEW HAVEN FACILITIES - AREA A)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	Residential Floor Area (Sq. Ft.)	FY 2021-22 Tax Rates
Developed Property:		
Single Family Detached Property	<1,701	$1,693.93 per Unit
Single Family Detached Property	1,701-1,900	$1,785.25 per Unit
Single Family Detached Property	1,901-2,100	$1,968.89 per Unit
Single Family Detached Property	2,101-2,300	$2,161.36 per Unit
Single Family Detached Property	2,301-2,500	$2,311.60 per Unit
Single Family Detached Property	2,501-2,700	$2,455.95 per Unit
Single Family Detached Property	2,701-2,900	$2,645.48 per Unit
Single Family Detached Property	2,901-3,100	$2,719.12 per Unit
Single Family Detached Property	3,101-3,300	$2,857.58 per Unit
Single Family Detached Property	3,301-3,500	$3,027.47 per Unit
Single Family Detached Property	3,501-3,700	$3,126.65 per Unit
Single Family Detached Property	3,701-3,900	$3,263.15 per Unit
Single Family Detached Property	3,901-4,100	$3,399.64 per Unit
Single Family Detached Property	4,101-4,300	$3,535.16 per Unit
Single Family Detached Property	4,301-4,500	$3,671.65 per Unit
Single Family Detached Property	4,501-4,700	$3,807.17 per Unit
Single Family Detached Property	>4,700	$3,943.66 per Unit
Single Family Attached Property	<801	$759.08 per Unit
Single Family Attached Property	801-950	$838.62 per Unit
Single Family Attached Property	951-1,100	$879.86 per Unit
Single Family Attached Property	1,101-1,300	$1,078.22 per Unit
Single Family Attached Property	1,301-1,500	$1,237.30 per Unit
Single Family Attached Property	1,501-1,700	$1,396.39 per Unit
Single Family Attached Property	1,701-1,900	$1,565.29 per Unit
Single Family Attached Property	1,901-2,100	$1,715.53 per Unit
Single Family Attached Property	2,101-2,300	$1,875.60 per Unit
Single Family Attached Property	>2,300	$2,034.68 per Unit
Other Residential Property		$32,186.61 per Acre
Non-Residential Property		$32,186.61 per Acre
Final Mapped Property		$0.00 per Acre
Undeveloped Property		$0.00 per Acre

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITES - AREA B), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of special taxes (the "Special Taxes") in the City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B) (the "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the California Government Code; and

WHEREAS, the City Council did, by the enactment of Ordinance No. 3057 (the "Special Tax Ordinance") as authorized by Section 53340 of the Act, authorize the levy of the Special Taxes to pay the costs of providing the Facilities and Services and incidental expenses (as such terms are defined in the Special Tax Ordinance), and the City Council is desirous to establish the specific rates of the Special Taxes to be collected for the specified Fiscal Year and the portion thereof to be applied to each of the costs of providing the Facilities and incidental expenses and the costs of providing the Services.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amounts of the Special Taxes to be collected for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates of the Special Taxes as set forth above do not exceed the rates previously approved by the qualified electors of the District and authorized by the Special Tax Ordinance.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the Special Taxes for the above specified Fiscal Year and the amount of the Special Taxes to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. The portion of the Special Taxes to be collected for the referenced Fiscal Year (a) to pay the costs of providing the Facilities and incidental expenses shall be 100% of the rates and amounts of the Special Taxes to be collected

for such Fiscal Year as set forth in the attached Exhibit "A", and (b) to pay the costs of providing the Services shall be 0% of the rates and amounts of the Special Taxes to be collected for such Fiscal Year as set forth in the attached Exhibit "A".

SECTION 6. The proceeds of the Special Taxes collected to pay the costs of providing the Facilities and incidental expenses shall be used only to:

(a) pay debt service on all outstanding bonds or other debt (as defined in Section 53317(d) of the Act) issued by the District under the Act and payable from the Special Taxes (the "Bonds");

(b) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds;

(c) pay administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes);

(d) provide any amounts required to establish or replenish any reserve fund for the Bonds; and

(e) pay directly for acquisition or construction of Facilities.

SECTION 7. The proceeds of the Special Taxes collected to pay the costs of providing the Services shall be used only to pay the costs of providing such Services.

SECTION 8. The Special Taxes shall be collected in the same manner as ordinary *ad valorem* property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for *ad valorem* taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any Special Taxes.

SECTION 9. All Special Taxes collected to provide costs of providing the Facilities and incidental expenses shall be deposited in the Special Tax Fund of the District. All Special Taxes collected to provide costs of providing the Services shall be deposited in the Government Fund.

SECTION 10. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 30 Special Tax," or by any other suitable designation, the installment of the Special Taxes.

SECTION 11. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 12. The City Council hereby certifies that the levy of the Special Taxes was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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, California, 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 30
(NEW HAVEN FACILITIES - AREA B)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	Residential Floor Area (Sq. Ft.)	FY 2021-22 Tax Rates
Developed Property:		
Single Family Detached Property	<1,701	$1,660.00 per Unit
Single Family Detached Property	1,701-1,900	$1,837.00 per Unit
Single Family Detached Property	1,901-2,100	$1,896.00 per Unit
Single Family Detached Property	2,101-2,300	$2,053.00 per Unit
Single Family Detached Property	2,301-2,500	$2,251.00 per Unit
Single Family Detached Property	2,501-2,700	$2,404.00 per Unit
Single Family Detached Property	2,701-2,900	$2,557.00 per Unit
Single Family Detached Property	2,901-3,100	$2,703.00 per Unit
Single Family Detached Property	3,101-3,300	$2,816.00 per Unit
Single Family Detached Property	3,301-3,500	$2,962.00 per Unit
Single Family Detached Property	3,501-3,700	$3,156.00 per Unit
Single Family Detached Property	3,701-3,900	$3,274.00 per Unit
Single Family Detached Property	>3,900	$3,429.00 per Unit
Single Family Attached Property	<801	$851.00 per Unit
Single Family Attached Property	801-950	$911.00 per Unit
Single Family Attached Property	951-1,100	$1,019.00 per Unit
Single Family Attached Property	1,101-1,300	$1,136.00 per Unit
Single Family Attached Property	1,301-1,500	$1,300.00 per Unit
Single Family Attached Property	1,501-1,700	$1,595.00 per Unit
Single Family Attached Property	1,701-1,900	$1,691.00 per Unit
Single Family Attached Property	>1,900	$1,886.00 per Unit
Other Residential Property		$28,946.00 per Acre
Non-Residential Property		$28,946.00 per Acre
Final Mapped Property		$0.00 per Acre
Undeveloped Property		$0.00 per Acre

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 31 (CARRIAGE HOUSE/AMBERLY LANE), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of special taxes (the "Special Taxes") in the City of Ontario Community Facilities District No. 31 (Carriage House/Amberly Lane) (the "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the California Government Code; and

WHEREAS, the City Council did, by the enactment of Ordinance No. 3020 (the "Special Tax Ordinance") as authorized by Section 53340 of the Act, authorize the levy of the Special Taxes to pay the costs of providing the Facilities and Services and incidental expenses (as such terms are defined in the Special Tax Ordinance), and the City Council is desirous to establish the specific rates of the Special Taxes to be collected for the specified Fiscal Year and the portion thereof to be applied to each of the costs of providing the Facilities and incidental expenses and the costs of providing the Services; and

WHEREAS, the Special Taxes consist of a "Special Tax A" (the "Special Tax A"), which were authorized to pay the costs of providing the Facilities and Services and incidental expenses, and a "Special Tax B" (the "Special Tax B"), which were authorized to pay the costs of providing the Services and incidental expenses.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amounts of each of Special Tax A and Special Tax B to be collected for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates of each of Special Tax A and Special Tax B as set forth above do not exceed the respective rates previously approved by the qualified electors of the District and authorized by the Special Tax Ordinance.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the Special Taxes for the above specified Fiscal Year and the amount of the Special Taxes to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but

not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. The portion of Special Tax A to be collected for the referenced Fiscal Year (a) to pay the costs of providing the Facilities and incidental expenses shall be 100% of the rates and amounts of Special Tax A to be collected for such Fiscal Year as set forth in the attached Exhibit "A", and (b) to pay the costs of providing the Services shall be 0% of the rates and amounts of Special Tax A to be collected for such Fiscal Year as set forth in the attached Exhibit "A".

SECTION 6. The proceeds of Special Tax A collected to pay the costs of providing the Facilities and incidental expenses shall be used only to:

(a) pay debt service on all outstanding bonds or other debt (as defined in Section 53317(d) of the Act) issued by the District under the Act and payable from Special Tax A (the "Bonds");

(b) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds;

(c) pay a pro rata share of administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes);

(d) provide any amounts required to establish or replenish any reserve fund for the Bonds; and

(e) pay directly for acquisition or construction of Facilities.

SECTION 7. The proceeds of Special Tax A collected to pay the costs of providing the Services shall be used only to pay the costs of providing such Services.

SECTION 8. The proceeds of Special Tax B collected to pay the costs of providing the Services and incidental expenses shall be used only to pay the costs of Services and a pro rata share of administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes).

SECTION 9. The Special Taxes shall be collected in the same manner as ordinary *ad valorem* property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for *ad valorem* taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any Special Taxes.

SECTION 10. All Special Tax A amounts collected to provide costs of providing the Facilities and incidental expenses shall be deposited in the Special Tax Fund of the District. All Special Tax A amounts collected to provide costs of providing the Services shall be deposited in the Government Fund.

All Special Tax B amounts collected shall be deposited in the Government Fund.

SECTION 11. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 31 Special Tax A," or by any other suitable designation, the installment of Special Tax A.

The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 31 Special Tax B," or by any other suitable designation, the installment of Special Tax B.

SECTION 12. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 13. The City Council hereby certifies that the levy of the Special Taxes was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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, California, 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 31
(CARRIAGE HOUSE / AMBERLY HOUSE)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

ANNUAL FACILITIES SPECIAL TAX A RATES

Land Use	Residential Floor Area (Sq. Ft.)	FY 2021-22 Tax Rates A	
Developed Property:			
Single Family Detached	<2,101	$2,102.39	per Unit
Single Family Detached	2,101-2,400	$2,233.21	per Unit
Single Family Detached	2,401-2,700	$2,624.76	per Unit
Single Family Detached	2,701-3,000	$2,727.03	per Unit
Single Family Detached	3,001-3,300	$2,870.75	per Unit
Single Family Detached	3,301-3,600	$3,026.45	per Unit
Single Family Detached	>3,600	$3,381.14	per Unit
Other Residential Property	N/A	$23,381.48	per Acre
Non-Residential Property	N/A	$23,381.48	per Acre
Final Mapped Property		$0.00	per Acre
Undeveloped Property		$0.00	per Acre

-1 For Developed Property, the levy of Special Tax A cannot exceed the applicable Assigned Special Tax A rate unless Final Mapped Property and Undeveloped Property are taxed at the Maximum Special Tax A rate.

Goodwin Consulting Group, Inc.

ANNUAL SPECIAL TAX B RATES

Developed Property Land Use	FY 2021-22 Tax Rates B
Residential Property:	
Single Family Detached	$1,560.77 per Unit
Multiple Family	$1,352.96 per Unit
Gated Apartment Community	$1,134.32 per Unit
Non-Residential Property	$0.2922 per Sq. Ft.

Goodwin Consulting Group, Inc.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 32 (ARCHIBALD/SCHAEFER - SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the “Act”), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 32 (Archibald/Schaefer - Services) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 3016 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

(a) Costs of providing services authorized to be financed by the District;

(b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;

(c) Administrative costs of the District; and

(d) Any incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 32 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 32 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 32
(ARCHIBALD/SCHAEFER - SERVICES)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	FY 2021-22 Tax Rates
Residential Property:	
Single Family Detached	$1,560.77 per Unit
Multiple Family	$1,352.96 per Unit
Gated Apartment Community	$1,134.32 per Unit
Non-Residential Property	$0.292200 per Sq. Ft.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 33 (ARCHIBALD/SCHAEFER FACILITIES), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of special taxes (the "Special Taxes") in the City of Ontario Community Facilities District No. 33 (Archibald/Schaefer Facilities) (the "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the California Government Code; and

WHEREAS, the City Council did, by the enactment of Ordinance No. 3118 (the "Special Tax Ordinance") as authorized by Section 53340 of the Act, authorize the levy of the Special Taxes to pay the costs of providing the Facilities and Services and incidental expenses (as such terms are defined in the Special Tax Ordinance), and the City Council is desirous to establish the specific rates of the Special Taxes to be collected for the specified Fiscal Year and the portion thereof to be applied to each of the costs of providing the Facilities and incidental expenses and the costs of providing the Services.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amounts of the Special Taxes to be collected for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates of the Special Taxes as set forth above do not exceed the rates previously approved by the qualified electors of the District and authorized by the Special Tax Ordinance.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the Special Taxes for the above specified Fiscal Year and the amount of the Special Taxes to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. The portion of the Special Taxes to be collected for the referenced Fiscal Year (a) to pay the costs of providing the Facilities and incidental expenses shall be 100% of the rates and amounts of the Special Taxes to be collected

for such Fiscal Year as set forth in the attached Exhibit "A", and (b) to pay the costs of providing the Services shall be 0% of the rates and amounts of the Special Taxes to be collected for such Fiscal Year as set forth in the attached Exhibit "A".

SECTION 6. The proceeds of the Special Taxes collected to pay the costs of providing the Facilities and incidental expenses shall be used only to:

(a) pay debt service on all outstanding bonds or other debt (as defined in Section 53317(d) of the Act) issued by the District under the Act and payable from the Special Taxes (the "Bonds");

(b) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds;

(c) pay administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes);

(d) provide any amounts required to establish or replenish any reserve fund for the Bonds; and

(e) pay directly for acquisition or construction of Facilities.

SECTION 7. The proceeds of the Special Taxes collected to pay the costs of providing the Services shall be used only to pay the costs of providing such Services.

SECTION 8. The Special Taxes shall be collected in the same manner as ordinary *ad valorem* property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for *ad valorem* taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any Special Taxes.

SECTION 9. All Special Taxes collected to provide costs of providing the Facilities and incidental expenses shall be deposited in the Special Tax Fund of the District. All Special Taxes collected to provide costs of providing the Services shall be deposited in the Government Fund.

SECTION 10. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 33 Special Tax," or by any other suitable designation, the installment of the Special Taxes.

SECTION 11. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 12. The City Council hereby certifies that the levy of the Special Taxes was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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, California, 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 33
(ARCHIBALD/SCHAEFER FACILITIES)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	Residential Floor Area (Sq. Ft.)	FY 2021-22 Tax Rates	
Developed Property:			
Single Family Property	<1,101	$1,020.00	per Unit
Single Family Property	1,101-1,300	$1,339.00	per Unit
Single Family Property	1,301-1,500	$1,587.00	per Unit
Single Family Property	1,501-1,700	$1,757.00	per Unit
Single Family Property	1,701-1,900	$2,095.00	per Unit
Single Family Property	1,901-2,100	$2,385.00	per Unit
Single Family Property	2,101-2,300	$2,507.00	per Unit
Single Family Property	2,301-2,500	$2,553.00	per Unit
Single Family Property	2,501-2,700	$2,907.00	per Unit
Single Family Property	2,701-2,900	$3,080.00	per Unit
Single Family Property	>2,900	$3,160.00	per Unit
Other Property		$25,577.00	per Acre
Non-Residential Prope		$25,577.00	per Acre
Final Mapped Property		$0.00	per Acre
Undeveloped Property		$0.00	per Acre

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 34 (COUNTRYSIDE PHASE 1 NORTH - FACILITIES), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of special taxes (the "Special Taxes") in the City of Ontario Community Facilities District No. 34 (Countryside Phase 1 North - Facilities) (the "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the California Government Code; and

WHEREAS, the City Council did, by the enactment of Ordinance No. 3036 (the "Special Tax Ordinance") as authorized by Section 53340 of the Act, authorize the levy of the Special Taxes to pay the costs of providing the Facilities and Services and incidental expenses (as such terms are defined in the Special Tax Ordinance), and the City Council is desirous to establish the specific rates of the Special Taxes to be collected for the specified Fiscal Year and the portion thereof to be applied to each of the costs of providing the Facilities and incidental expenses and the costs of providing the Services.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amounts of the Special Taxes to be collected for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates of the Special Taxes as set forth above do not exceed the rates previously approved by the qualified electors of the District and authorized by the Special Tax Ordinance.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the Special Taxes for the above specified Fiscal Year and the amount of the Special Taxes to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. The portion of the Special Taxes to be collected for the referenced Fiscal Year (a) to pay the costs of providing the Facilities and incidental expenses shall be 100% of the rates and amounts of the Special Taxes to be collected

for such Fiscal Year as set forth in the attached Exhibit "A", and (b) to pay the costs of providing the Services shall be 0% of the rates and amounts of the Special Taxes to be collected for such Fiscal Year as set forth in the attached Exhibit "A".

SECTION 6. The proceeds of the Special Taxes collected to pay the costs of providing the Facilities and incidental expenses shall be used only to:

(a) pay debt service on all outstanding bonds or other debt (as defined in Section 53317(d) of the Act) issued by the District under the Act and payable from the Special Taxes (the "Bonds");

(b) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds;

(c) pay administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes);

(d) provide any amounts required to establish or replenish any reserve fund for the Bonds; and

(e) pay directly for acquisition or construction of Facilities.

SECTION 7. The proceeds of the Special Taxes collected to pay the costs of providing the Services shall be used only to pay the costs of providing such Services.

SECTION 8. The Special Taxes shall be collected in the same manner as ordinary *ad valorem* property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for *ad valorem* taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any Special Taxes.

SECTION 9. All Special Taxes collected to provide costs of providing the Facilities and incidental expenses shall be deposited in the Special Tax Fund of the District. All Special Taxes collected to provide costs of providing the Services shall be deposited in the Government Fund.

SECTION 10. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 34 Special Tax," or by any other suitable designation, the installment of the Special Taxes.

SECTION 11. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 12. The City Council hereby certifies that the levy of the Special Taxes was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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, California, 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 34
(COUNTRYSIDE PHASE 1 NORTH - FACILITIES)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	Residential Floor Area (Sq. Ft.)	FY 2021-22 Tax Rates
Developed Property:		
Single Family Property	<1,701	$1,659.76 per Unit
Single Family Property	1,701-1,900	$1,739.98 per Unit
Single Family Property	1,901-2,100	$2,050.72 per Unit
Single Family Property	2,101-2,300	$2,061.79 per Unit
Single Family Property	2,301-2,500	$2,294.15 per Unit
Single Family Property	2,501-2,700	$2,537.59 per Unit
Single Family Property	2,701-2,900	$2,578.16 per Unit
Single Family Property	2,901-3,100	$2,781.94 per Unit
Single Family Property	3,101-3,300	$2,875.07 per Unit
Single Family Property	3,301-3,500	$3,105.59 per Unit
Single Family Property	3,501-3,700	$3,196.88 per Unit
Single Family Property	3,701-3,900	$3,365.62 per Unit
Single Family Property	>3,900	$3,526.06 per Unit
Other Residential Property		$21,142.56 per Acre
Non-Residential Property		$21,142.56 per Acre
Final Mapped Property		$0.00 per Acre
Undeveloped Property		$0.00 per Acre

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 37 (PARK & TURNER NE SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the “Act”), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 37 (Park & Turner NE Services) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 3043 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

(a) Costs of providing services authorized to be financed by the District;

(b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;

(c) Administrative costs of the District; and

(d) Any incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 37 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 37 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 37
(PARK & TURNER NE SERVICES)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	FY 2021-22 Tax Rates
Residential Property:	
Single Family Detached	$1,560.77 per Unit
Multiple Family	$1,352.67 per Unit
Gated Apartment Community	$1,134.16 per Unit
Non-Residential Property	$0.291400 per Sq. Ft.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 38 (PARK & TURNER NE FACILITIES), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of special taxes (the "Special Taxes") in the City of Ontario Community Facilities District No. 38 (Park & Turner NE Facilities) (the "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the California Government Code; and

WHEREAS, the City Council did, by the enactment of Ordinance No. 3073 (the "Special Tax Ordinance") as authorized by Section 53340 of the Act, authorize the levy of the Special Taxes to pay the costs of providing the Facilities and Services and incidental expenses (as such terms are defined in the Special Tax Ordinance), and the City Council is desirous to establish the specific rates of the Special Taxes to be collected for the specified Fiscal Year and the portion thereof to be applied to each of the costs of providing the Facilities and incidental expenses and the costs of providing the Services.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amounts of the Special Taxes to be collected for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates of the Special Taxes as set forth above do not exceed the rates previously approved by the qualified electors of the District and authorized by the Special Tax Ordinance.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the Special Taxes for the above specified Fiscal Year and the amount of the Special Taxes to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. The portion of the Special Taxes to be collected for the referenced Fiscal Year (a) to pay the costs of providing the Facilities and incidental expenses shall be 100% of the rates and amounts of the Special Taxes to be collected for such Fiscal Year as set forth in the attached Exhibit "A", and (b) to pay the costs of providing the Services shall be 0% of the rates and amounts of the Special Taxes to be collected for such Fiscal Year as set forth in the attached Exhibit "A".

SECTION 6. The proceeds of the Special Taxes collected to pay the costs of providing the Facilities and incidental expenses shall be used only to:

(a) pay debt service on all outstanding bonds or other debt (as defined in Section 53317(d) of the Act) issued by the District under the Act and payable from the Special Taxes (the "Bonds");

(b) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds;

(c) pay administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes);

(d) provide any amounts required to establish or replenish any reserve fund for the Bonds; and

(e) pay directly for acquisition or construction of Facilities.

SECTION 7. The proceeds of the Special Taxes collected to pay the costs of providing the Services shall be used only to pay the costs of providing such Services.

SECTION 8. The Special Taxes shall be collected in the same manner as ordinary *ad valorem* property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for *ad valorem* taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any Special Taxes.

SECTION 9. All Special Taxes collected to provide costs of providing the Facilities and incidental expenses shall be deposited in the Special Tax Fund of the District. All Special Taxes collected to provide costs of providing the Services shall be deposited in the Government Fund.

SECTION 10. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 38 Special Tax," or by any other suitable designation, the installment of the Special Taxes.

SECTION 11. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so

collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 12. The City Council hereby certifies that the levy of the Special Taxes was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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, California, 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 38
(PARK & TURNER NE FACILITIES)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	Residential Floor Area (Sq. Ft.)	FY 2021-22 Tax Rates
Developed Property:		
Residential Property	<1,501	$1,771.00 per Unit
Residential Property	1,501-1,600	$1,842.00 per Unit
Residential Property	1,601-1,700	$1,964.00 per Unit
Residential Property	1,701-1,800	$2,046.00 per Unit
Residential Property	1,801-1,900	$2,050.00 per Unit
Residential Property	1,901-2,000	$2,148.00 per Unit
Residential Property	2,001-2,100	$2,219.00 per Unit
Residential Property	2,101-2,200	$2,289.00 per Unit
Residential Property	2,201-2,300	$2,383.00 per Unit
Residential Property	2,301-2,400	$2,405.00 per Unit
Residential Property	2,401-2,500	$2,536.00 per Unit
Residential Property	2,501-2,600	$2,539.00 per Unit
Residential Property	2,601-2,700	$2,609.00 per Unit
Residential Property	2,701-2,800	$2,724.00 per Unit
Residential Property	2,801-2,900	$2,749.00 per Unit
Residential Property	2,901-3,000	$2,865.00 per Unit
Residential Property	3,001-3,100	$2,888.00 per Unit
Residential Property	>3,100	$2,958.00 per Unit
Non-Residential Property		$31,636.00 per Acre
Final Mapped Property		$0.00 per Acre
Undeveloped Property		$0.00 per Acre

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 39 (NEW HAVEN FACILITIES – AREA C), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of special taxes (the "Special Taxes") in the City of Ontario Community Facilities District No. 39 (New Haven Facilities – Area C) (the "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the California Government Code; and

WHEREAS, the City Council did, by the enactment of Ordinance No. 3079 (the "Special Tax Ordinance") as authorized by Section 53340 of the Act, authorize the levy of the Special Taxes to pay the costs of providing the Facilities and Services and incidental expenses (as such terms are defined in the Special Tax Ordinance), and the City Council is desirous to establish the specific rates of the Special Taxes to be collected for the specified Fiscal Year and the portion thereof to be applied to each of the costs of providing the Facilities and incidental expenses and the costs of providing the Services.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amounts of the Special Taxes to be collected for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates of the Special Taxes as set forth above do not exceed the rates previously approved by the qualified electors of the District and authorized by the Special Tax Ordinance.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the Special Taxes for the above specified Fiscal Year and the amount of the Special Taxes to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. The portion of the Special Taxes to be collected for the referenced Fiscal Year (a) to pay the costs of providing the Facilities and incidental expenses shall be 100% of the rates and amounts of the Special Taxes to be collected

for such Fiscal Year as set forth in the attached Exhibit "A", and (b) to pay the costs of providing the Services shall be 0% of the rates and amounts of the Special Taxes to be collected for such Fiscal Year as set forth in the attached Exhibit "A".

SECTION 6. The proceeds of the Special Taxes collected to pay the costs of providing the Facilities and incidental expenses shall be used only to:

(a) pay debt service on all outstanding bonds or other debt (as defined in Section 53317(d) of the Act) issued by the District under the Act and payable from the Special Taxes (the "Bonds");

(b) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds;

(c) pay administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes);

(d) provide any amounts required to establish or replenish any reserve fund for the Bonds; and

(e) pay directly for acquisition or construction of Facilities.

SECTION 7. The proceeds of the Special Taxes collected to pay the costs of providing the Services shall be used only to pay the costs of providing such Services.

SECTION 8. The Special Taxes shall be collected in the same manner as ordinary *ad valorem* property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for *ad valorem* taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any Special Taxes.

SECTION 9. All Special Taxes collected to provide costs of providing the Facilities and incidental expenses shall be deposited in the Special Tax Fund of the District. All Special Taxes collected to provide costs of providing the Services shall be deposited in the Government Fund.

SECTION 10. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 39 Special Tax," or by any other suitable designation, the installment of the Special Taxes.

SECTION 11. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 12. The City Council hereby certifies that the levy of the Special Taxes was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 2021.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO LEGAL FORM:

_____
BEST BEST & KRIEGER, LLP
CITY ATTORNEY

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 39
(NEW HAVEN FACILITIES – AREA C)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	Residential Floor Area (Sq. Ft.)	FY 2021-22 Tax Rates
Developed Property:		
Single Family Detached Property	<1,701	$1,563.45 per Unit
Single Family Detached Property	1,701-1,900	$1,710.71 per Unit
Single Family Detached Property	1,901-2,100	$2,005.21 per Unit
Single Family Detached Property	2,101-2,300	$2,290.82 per Unit
Single Family Detached Property	2,301-2,500	$2,395.58 per Unit
Single Family Detached Property	2,501-2,700	$2,493.42 per Unit
Single Family Detached Property	2,701-2,900	$2,682.18 per Unit
Single Family Detached Property	2,901-3,100	$2,848.21 per Unit
Single Family Detached Property	3,101-3,300	$2,999.42 per Unit
Single Family Detached Property	3,301-3,500	$3,149.64 per Unit
Single Family Detached Property	3,501-3,700	$3,297.88 per Unit
Single Family Detached Property	3,701-3,900	$3,410.54 per Unit
Single Family Detached Property	>3,900	$3,497.51 per Unit
Single Family Attached Property	<801	$555.41 per Unit
Single Family Attached Property	801-950	$763.94 per Unit
Single Family Attached Property	951-1,100	$1,097.97 per Unit
Single Family Attached Property	1,101-1,300	$1,452.77 per Unit
Single Family Attached Property	1,301-1,500	$1,548.63 per Unit
Single Family Attached Property	1,501-1,700	$1,771.98 per Unit
Single Family Attached Property	1,701-1,900	$1,985.45 per Unit
Single Family Attached Property	>1,900	$2,082.30 per Unit
Other Residential Property		$38,581.31 per Acre
Non-Residential Property		$38,581.31 per Acre
Final Mapped Property		$0.00 per Acre
Undeveloped Property		$0.00 per Acre

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 40 (EMERALD PARK FACILITIES), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of special taxes (the "Special Taxes") in the City of Ontario Community Facilities District No. 40 (Emerald Park Facilities) (the "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the California Government Code; and

WHEREAS, the City Council did, by the enactment of Ordinance No. 3131 (the "Special Tax Ordinance") as authorized by Section 53340 of the Act, authorize the levy of the Special Taxes to pay the costs of providing the Facilities and Services and incidental expenses (as such terms are defined in the Special Tax Ordinance), and the City Council is desirous to establish the specific rates of the Special Taxes to be collected for the specified Fiscal Year and the portion thereof to be applied to each of the costs of providing the Facilities and incidental expenses and the costs of providing the Services.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amounts of the Special Taxes to be collected for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates of the Special Taxes as set forth above do not exceed the rates previously approved by the qualified electors of the District and authorized by the Special Tax Ordinance.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the Special Taxes for the above specified Fiscal Year and the amount of the Special Taxes to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. The portion of the Special Taxes to be collected for the referenced Fiscal Year (a) to pay the costs of providing the Facilities and incidental expenses shall be 100% of the rates and amounts of the Special Taxes to be collected

for such Fiscal Year as set forth in the attached Exhibit "A", and (b) to pay the costs of providing the Services shall be 0% of the rates and amounts of the Special Taxes to be collected for such Fiscal Year as set forth in the attached Exhibit "A".

SECTION 6. The proceeds of the Special Taxes collected to pay the costs of providing the Facilities and incidental expenses shall be used only to:

(a) pay debt service on all outstanding bonds or other debt (as defined in Section 53317(d) of the Act) issued by the District under the Act and payable from the Special Taxes (the "Bonds");

(b) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds;

(c) pay administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes);

(d) provide any amounts required to establish or replenish any reserve fund for the Bonds; and

(e) pay directly for acquisition or construction of Facilities.

SECTION 7. The proceeds of the Special Taxes collected to pay the costs of providing the Services shall be used only to pay the costs of providing such Services.

SECTION 8. The Special Taxes shall be collected in the same manner as ordinary *ad valorem* property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for *ad valorem* taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any Special Taxes.

SECTION 9. All Special Taxes collected to provide costs of providing the Facilities and incidental expenses shall be deposited in the Special Tax Fund of the District. All Special Taxes collected to provide costs of providing the Services shall be deposited in the Government Fund.

SECTION 10. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 40 Special Tax," or by any other suitable designation, the installment of the Special Taxes.

SECTION 11. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 12. The City Council hereby certifies that the levy of the Special Taxes was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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, California, 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 40
(EMERALD PARK FACILITIES)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	Residential Floor Area (Sq. Ft.)	FY 2021-22 Tax Rates	
Developed Property:			
Single Family Detached Property	<1,701	$2,073.00	per Unit
Single Family Detached Property	1,701-1,900	$2,147.00	per Unit
Single Family Detached Property	1,901-2,100	$2,305.00	per Unit
Single Family Detached Property	2,101-2,300	$2,508.00	per Unit
Single Family Detached Property	2,301-2,500	$2,626.00	per Unit
Single Family Detached Property	2,501-2,700	$2,793.00	per Unit
Single Family Detached Property	2,701-2,900	$2,942.00	per Unit
Single Family Detached Property	2,901-3,100	$3,100.00	per Unit
Single Family Detached Property	3,101-3,300	$3,258.00	per Unit
Single Family Detached Property	3,301-3,500	$3,416.00	per Unit
Single Family Detached Property	3,501-3,700	$3,574.00	per Unit
Single Family Detached Property	3,701-3,900	$3,732.00	per Unit
Single Family Detached Property	>3,900	$3,890.00	per Unit
Single Family Attached Property	<801	$966.00	per Unit
Single Family Attached Property	801-950	$1,079.00	per Unit
Single Family Attached Property	951-1,100	$1,276.00	per Unit
Single Family Attached Property	1,101-1,300	$1,459.00	per Unit
Single Family Attached Property	1,301-1,500	$1,655.00	per Unit
Single Family Attached Property	1,501-1,700	$1,905.00	per Unit
Single Family Attached Property	1,701-1,900	$2,144.00	per Unit
Single Family Attached Property	>1,900	$2,319.00	per Unit
Other Residential Property		$46,243.00	per Acre
Non-Residential Property		$46,243.00	per Acre
Final Mapped Property		$0.00	per Acre
Undeveloped Property		$0.00	per Acre

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 41 (CANVAS PARK FACILITIES) ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of special taxes (the "Special Taxes") in the City of Ontario Community Facilities District No. 41 (Canvas Park Facilities) (the "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the California Government Code; and

WHEREAS, the City Council did, by the enactment of Ordinance No. 3161 (the "Special Tax Ordinance") as authorized by Section 53340 of the Act, authorize the levy of the Special Taxes to pay the costs of providing the Facilities and Services and incidental expenses (as such terms are defined in the Special Tax Ordinance), and the City Council is desirous to establish the specific rates of the Special Taxes to be collected for the specified Fiscal Year and the portion thereof to be applied to each of the costs of providing the Facilities and incidental expenses and the costs of providing the Services.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amounts of the Special Taxes to be collected for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates of the Special Taxes as set forth above do not exceed the rates previously approved by the qualified electors of the District and authorized by the Special Tax Ordinance.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the Special Taxes for the above specified Fiscal Year and the amount of the Special Taxes to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. The portion of the Special Taxes to be collected for the referenced Fiscal Year (a) to pay the costs of providing the Facilities and incidental expenses shall be 100% of the rates and amounts of the Special Taxes to be collected for such Fiscal Year as set forth in the attached Exhibit "A", and (b) to pay the costs of providing the Services shall be 0% of the rates and amounts of the Special Taxes to be collected for such Fiscal Year as set forth in the attached Exhibit "A".

SECTION 6. The proceeds of the Special Taxes collected to pay the costs of providing the Facilities and incidental expenses shall be used only to:

(a) pay debt service on all outstanding bonds or other debt (as defined in Section 53317(d) of the Act) issued by the District under the Act and payable from the Special Taxes (the "Bonds");

(b) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds;

(c) pay administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes);

(d) provide any amounts required to establish or replenish any reserve fund for the Bonds; and

(e) pay directly for acquisition or construction of Facilities.

SECTION 7. The proceeds of the Special Taxes collected to pay the costs of providing the Services shall be used only to pay the costs of providing such Services.

SECTION 8. The Special Taxes shall be collected in the same manner as ordinary *ad valorem* property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for *ad valorem* taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any Special Taxes.

SECTION 9. All Special Taxes collected to provide costs of providing the Facilities and incidental expenses shall be deposited in the Special Tax Fund of the District. All Special Taxes collected to provide costs of providing the Services shall be deposited in the Government Fund.

SECTION 10. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 41 Special Tax," or by any other suitable designation, the installment of the Special Taxes.

SECTION 11. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 12. The City Council hereby certifies that the levy of the Special Taxes was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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, California, 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 41
(CANVAS PARK FACILITIES)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	Residential Floor Area (Sq. Ft.)	FY 2021-22 Tax Rates
Developed Property:		
Single Family Detached Property	<1,801	$2,293.00 per Unit
Single Family Detached Property	1,801-2,000	$2,378.00 per Unit
Single Family Detached Property	2,001-2,200	$2,491.00 per Unit
Single Family Detached Property	2,201-2,400	$2,612.00 per Unit
Single Family Detached Property	>2,400	$2,653.00 per Unit
Single Family Attached Property	<901	$1,075.00 per Unit
Single Family Attached Property	901-1,100	$1,140.00 per Unit
Single Family Attached Property	1,101-1,300	$1,400.00 per Unit
Single Family Attached Property	1,301-1,500	$1,632.00 per Unit
Single Family Attached Property	1,501-1,700	$1,759.00 per Unit
Single Family Attached Property	1,701-1,900	$1,923.00 per Unit
Single Family Attached Property	>1,900	$2,066.00 per Unit
Single Family Attached Three Story	<751	$711.00 per Unit
Single Family Attached Three Story	751-900	$833.00 per Unit
Single Family Attached Three Story	901-1,050	$1,040.00 per Unit
Single Family Attached Three Story	1,051-1,200	$1,127.00 per Unit
Single Family Attached Three Story	1,201-1,400	$1,251.00 per Unit
Single Family Attached Three Story	1,401-1,600	$1,503.00 per Unit
Single Family Attached Three Story	1,601-1,800	$1,615.00 per Unit
Single Family Attached Three Story	>1,800	$1,717.00 per Unit
Other Residential Property		$43,199.00 per Acre
Non-Residential Property		$43,199.00 per Acre
Final Mapped Property		$0.00 per Acre
Undeveloped Property		$0.00 per Acre

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 42 (WEST HAVEN FACILITIES), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of special taxes (the "Special Taxes") in the City of Ontario Community Facilities District No. 42 (West Haven Facilities) (the "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the California Government Code; and

WHEREAS, the City Council did, by the enactment of Ordinance No. 3113 (the "Special Tax Ordinance") as authorized by Section 53340 of the Act, authorize the levy of the Special Taxes to pay the costs of providing the Facilities and Services and incidental expenses (as such terms are defined in the Special Tax Ordinance), and the City Council is desirous to establish the specific rates of the Special Taxes to be collected for the specified Fiscal Year and the portion thereof to be applied to each of the costs of providing the Facilities and incidental expenses and the costs of providing the Services.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amounts of the Special Taxes to be collected for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates of the Special Taxes as set forth above do not exceed the rates previously approved by the qualified electors of the District and authorized by the Special Tax Ordinance.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the Special Taxes for the above specified Fiscal Year and the amount of the Special Taxes to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. The portion of the Special Taxes to be collected for the referenced Fiscal Year (a) to pay the costs of providing the Facilities and incidental expenses shall be 100% of the rates and amounts of the Special Taxes to be collected

for such Fiscal Year as set forth in the attached Exhibit "A", and (b) to pay the costs of providing the Services shall be 0% of the rates and amounts of the Special Taxes to be collected for such Fiscal Year as set forth in the attached Exhibit "A".

SECTION 6. The proceeds of the Special Taxes collected to pay the costs of providing the Facilities and incidental expenses shall be used only to:

(a) pay debt service on all outstanding bonds or other debt (as defined in Section 53317(d) of the Act) issued by the District under the Act and payable from the Special Taxes (the "Bonds");

(b) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds;

(c) pay administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes);

(d) provide any amounts required to establish or replenish any reserve fund for the Bonds; and

(e) pay directly for acquisition or construction of Facilities.

SECTION 7. The proceeds of the Special Taxes collected to pay the costs of providing the Services shall be used only to pay the costs of providing such Services.

SECTION 8. The Special Taxes shall be collected in the same manner as ordinary *ad valorem* property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for *ad valorem* taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any Special Taxes.

SECTION 9. All Special Taxes collected to provide costs of providing the Facilities and incidental expenses shall be deposited in the Special Tax Fund of the District. All Special Taxes collected to provide costs of providing the Services shall be deposited in the Government Fund.

SECTION 10. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 42 Special Tax," or by any other suitable designation, the installment of the Special Taxes.

SECTION 11. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 12. The City Council hereby certifies that the levy of the Special Taxes was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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, California, 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 42
(WEST HAVEN FACILITIES)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	Residential Floor Area (Sq. Ft.)	FY 2021-22 Tax Rates
Developed Property:		
Single Family Property	<1,901	$2,453.00 per Unit
Single Family Property	1,901-2,100	$2,542.00 per Unit
Single Family Property	2,101-2,300	$2,709.00 per Unit
Single Family Property	2,301-2,500	$2,886.00 per Unit
Single Family Property	2,501-2,700	$3,063.00 per Unit
Single Family Property	2,701-2,900	$3,237.00 per Unit
Single Family Property	2,901-3,100	$3,411.00 per Unit
Single Family Property	3,101-3,300	$3,584.00 per Unit
Single Family Property	3,301-3,500	$3,758.00 per Unit
Single Family Property	>3,500	$3,832.00 per Unit
Other Property		$33,755.00 per Acre
Non-Residential Property		$33,755.00 per Acre
Final Mapped Property		$0.00 per Acre
Undeveloped Property		$0.00 per Acre

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 43 (PARK PLACE FACILITIES PHASE IV), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of special taxes (the "Special Taxes") in the City of Ontario Community Facilities District No. 43 (Park Place Facilities Phase IV) (the "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the California Government Code; and

WHEREAS, the City Council did, by the enactment of Ordinance No. 3114 (the "Special Tax Ordinance") as authorized by Section 53340 of the Act, authorize the levy of the Special Taxes to pay the costs of providing the Facilities and Services and incidental expenses (as such terms are defined in the Special Tax Ordinance), and the City Council is desirous to establish the specific rates of the Special Taxes to be collected for the specified Fiscal Year and the portion thereof to be applied to each of the costs of providing the Facilities and incidental expenses and the costs of providing the Services.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amounts of the Special Taxes to be collected for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates of the Special Taxes as set forth above do not exceed the rates previously approved by the qualified electors of the District and authorized by the Special Tax Ordinance.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the Special Taxes for the above specified Fiscal Year and the amount of the Special Taxes to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. The portion of the Special Taxes to be collected for the referenced Fiscal Year (a) to pay the costs of providing the Facilities and incidental expenses shall be 100% of the rates and amounts of the Special Taxes to be collected

for such Fiscal Year as set forth in the attached Exhibit "A", and (b) to pay the costs of providing the Services shall be 0% of the rates and amounts of the Special Taxes to be collected for such Fiscal Year as set forth in the attached Exhibit "A".

SECTION 6. The proceeds of the Special Taxes collected to pay the costs of providing the Facilities and incidental expenses shall be used only to:

(a) pay debt service on all outstanding bonds or other debt (as defined in Section 53317(d) of the Act) issued by the District under the Act and payable from the Special Taxes (the "Bonds");

(b) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds;

(c) pay administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes);

(d) provide any amounts required to establish or replenish any reserve fund for the Bonds; and

(e) pay directly for acquisition or construction of Facilities.

SECTION 7. The proceeds of the Special Taxes collected to pay the costs of providing the Services shall be used only to pay the costs of providing such Services.

SECTION 8. The Special Taxes shall be collected in the same manner as ordinary *ad valorem* property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for *ad valorem* taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any Special Taxes.

SECTION 9. All Special Taxes collected to provide costs of providing the Facilities and incidental expenses shall be deposited in the Special Tax Fund of the District. All Special Taxes collected to provide costs of providing the Services shall be deposited in the Government Fund.

SECTION 10. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 43 Special Tax," or by any other suitable designation, the installment of the Special Taxes.

SECTION 11. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 12. The City Council hereby certifies that the levy of the Special Taxes was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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, California, 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 43
(PARK PLACE FACILITIES PHASE IV)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	Residential Floor Area (Sq. Ft.)	FY 2021-22 Tax Rates
Developed Property:		
Residential Property		
Single Family Detached Property	<1,701	$2,282.00 per Unit
Single Family Detached Property	1,701-1,800	$2,366.00 per Unit
Single Family Detached Property	1,801-1,900	$2,449.00 per Unit
Single Family Detached Property	1,901-2,000	$2,502.00 per Unit
Single Family Detached Property	2,001-2,100	$2,616.00 per Unit
Single Family Detached Property	2,101-2,200	$2,666.00 per Unit
Single Family Detached Property	2,201-2,300	$2,823.00 per Unit
Single Family Detached Property	2,301-2,400	$2,830.00 per Unit
Single Family Detached Property	2,401-2,500	$2,990.00 per Unit
Single Family Detached Property	2,501-2,600	$3,073.00 per Unit
Single Family Detached Property	2,601-2,700	$3,156.00 per Unit
Single Family Detached Property	2,701-2,800	$3,240.00 per Unit
Single Family Detached Property	2,801-2,900	$3,282.00 per Unit
Single Family Detached Property	2,901-3,000	$3,406.00 per Unit
Single Family Detached Property	3,001-3,100	$3,448.00 per Unit
Single Family Detached Property	3,101-3,200	$3,573.00 per Unit
Single Family Detached Property	3,201-3,300	$3,615.00 per Unit
Single Family Detached Property	3,301-3,400	$3,739.00 per Unit
Single Family Detached Property	>3,400	$3,782.00 per Unit
One Story Property	<2,301	$3,185.00 per Unit
One Story Property	2,301-2,400	$3,252.00 per Unit
One Story Property	2,401-2,500	$3,346.00 per Unit
One Story Property	2,501-2,600	$3,389.00 per Unit
One Story Property	2,601-2,700	$3,442.00 per Unit
One Story Property	2,701-2,800	$3,521.00 per Unit
One Story Property	>2,800	$3,588.00 per Unit

	Tract		
Other Property	18065	$34,777.00	per Acre
Other Property	18066	$30,226.00	per Acre
Other Property	18067	$24,095.00	per Acre
Other Property	18068	$35,974.00	per Acre
Other Property	18081	$35,386.00	per Acre
Final Mapped Property	18065	$0.00	per Acre
Final Mapped Property	18066	$0.00	per Acre
Final Mapped Property	18067	$0.00	per Acre
Final Mapped Property	18068	$0.00	per Acre
Final Mapped Property	18081	$0.00	per Acre
Undeveloped Property	18065	$0.00	per Acre
Undeveloped Property	18066	$0.00	per Acre
Undeveloped Property	18067	$0.00	per Acre
Undeveloped Property	18068	$0.00	per Acre
Undeveloped Property	18081	$0.00	per Acre

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 44 (ESPERANZA SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the “Act”), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 44 (Esperanza Services) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 3124 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

(a) Costs of those services authorized to be financed by the District;

(b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;

(c) Administrative costs of the District; and

(d) Any incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 44 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 44 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 44
(ESPERANZA SERVICES)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	FY 2021-22 Tax Rates
Residential Property:	
Single Family Detached	$1,560.77 per Unit
Multiple Family	$1,352.92 per Unit
Gated Apartment Community	$1,134.49 per Unit
Non-Residential Property	$0.288700 per Sq. Ft.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 45 (NORTHPARK AND COUNTRYSIDE), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of special taxes (the "Special Taxes") in the City of Ontario Community Facilities District No. 45 (Northpark and Countryside) (the "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the California Government Code; and

WHEREAS, the City Council did, by the enactment of Ordinance No. 3105 (the "Special Tax Ordinance") as authorized by Section 53340 of the Act, authorize the levy of the Special Taxes to pay the costs of providing the Facilities and Services and incidental expenses (as such terms are defined in the Special Tax Ordinance), and the City Council is desirous to establish the specific rates of the Special Taxes to be collected for the specified Fiscal Year and the portion thereof to be applied to each of the costs of providing the Facilities and incidental expenses and the costs of providing the Services; and

WHEREAS, the Special Taxes consist of a "Special Tax A" (the "Special Tax A"), which were authorized to pay the costs of providing the Facilities and Services and incidental expenses, and a "Special Tax B" (the "Special Tax B"), which were authorized to pay the costs of providing the Services and incidental expenses.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amounts of each of Special Tax A and Special Tax B to be collected for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates of each of Special Tax A and Special Tax B as set forth above do not exceed the respective rates previously approved by the qualified electors of the District and authorized by the Special Tax Ordinance.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the Special Taxes for the above specified Fiscal Year and the amount of the Special Taxes to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but

not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. The portion of Special Tax A to be collected for the referenced Fiscal Year (a) to pay the costs of providing the Facilities and incidental expenses shall be 100% of the rates and amounts of Special Tax A to be collected for such Fiscal Year as set forth in the attached Exhibit "A", and (b) to pay the costs of providing the Services shall be 0% of the rates and amounts of Special Tax A to be collected for such Fiscal Year as set forth in the attached Exhibit "A".

SECTION 6. The proceeds of Special Tax A collected to pay the costs of providing the Facilities and incidental expenses shall be used only to:

(a) pay debt service on all outstanding bonds or other debt (as defined in Section 53317(d) of the Act) issued by the District under the Act and payable from Special Tax A (the "Bonds");

(b) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds;

(c) pay a pro rata share of administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes);

(d) provide any amounts required to establish or replenish any reserve fund for the Bonds; and

(e) pay directly for acquisition or construction of Facilities.

SECTION 7. The proceeds of Special Tax A collected to pay the costs of providing the Services shall be used only to pay the costs of providing such Services.

SECTION 8. The proceeds of Special Tax B collected to pay the costs of providing the Services and incidental expenses shall be used only to pay the costs of Services and a pro rata share of administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes).

SECTION 9. The Special Taxes shall be collected in the same manner as ordinary *ad valorem* property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for *ad valorem* taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any Special Taxes.

SECTION 10. All Special Tax A amounts collected to provide costs of providing the Facilities and incidental expenses shall be deposited in the Special Tax Fund of the District. All Special Tax A amounts collected to provide costs of providing the Services shall be deposited in the Government Fund.

All Special Tax B amounts collected shall be deposited in the Government Fund.

SECTION 11. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 45 Special Tax A," or by any other suitable designation, the installment of Special Tax A.

The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 45 Special Tax B," or by any other suitable designation, the installment of Special Tax B.

SECTION 12. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 13. The City Council hereby certifies that the levy of the Special Taxes was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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, California, 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 45
(NORTHPARK AND COUNTRYSIDE)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

ANNUAL FACILITIES SPECIAL TAX A RATES

Land Use	Residential Floor Area (Sq. Ft.)	FY 2021-22 Tax Rates A
Developed Property:		
Single Family Property	<1,701	$2,063.00 per Unit
Single Family Property	1,701-1,900	$2,216.00 per Unit
Single Family Property	1,901-2,100	$2,334.00 per Unit
Single Family Property	2,101-2,300	$2,513.00 per Unit
Single Family Property	2,301-2,500	$2,754.00 per Unit
Single Family Property	2,501-2,700	$2,879.00 per Unit
Single Family Property	2,701-2,900	$2,904.00 per Unit
Single Family Property	2,901-3,100	$3,234.00 per Unit
Single Family Property	>3,100	$3,415.00 per Unit
Other Residential Property	N/A	$25,989.00 per Acre
Non-Residential Property	N/A	$25,989.00 per Acre
Final Mapped Property		$0.00 per Acre
Undeveloped Property		$0.00 per Acre

ANNUAL SPECIAL TAX B RATES

Developed Property Land Use	FY 2021-22 Tax Rates B
Residential Property:	
Single Family	$1,560.77 per Unit
Multiple Family	$1,352.92 per Unit
Gated Apartment Community	$1,134.49 per Unit
Non-Residential Property	$0.288700 per Sq. Ft.
Total Fiscal Year 2020-21 Special Tax B Levy	

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 46 (AVENUE 176 FACILITIES) ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of special taxes (the "Special Taxes") in the City of Ontario Community Facilities District No. 46 (Avenue 176 Facilities) (the "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the California Government Code; and

WHEREAS, the City Council did, by the enactment of Ordinance No. 3149 (the "Special Tax Ordinance") as authorized by Section 53340 of the Act, authorize the levy of the Special Taxes to pay the costs of providing the Facilities and Services and incidental expenses (as such terms are defined in the Special Tax Ordinance), and the City Council is desirous to establish the specific rates of the Special Taxes to be collected for the specified Fiscal Year and the portion thereof to be applied to each of the costs of providing the Facilities and incidental expenses and the costs of providing the Services.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amounts of the Special Taxes to be collected for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates of the Special Taxes as set forth above do not exceed the rates previously approved by the qualified electors of the District and authorized by the Special Tax Ordinance.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the Special Taxes for the above specified Fiscal Year and the amount of the Special Taxes to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. The portion of the Special Taxes to be collected for the referenced Fiscal Year (a) to pay the costs of providing the Facilities and incidental expenses shall be 100% of the rates and amounts of the Special Taxes to be collected

for such Fiscal Year as set forth in the attached Exhibit "A", and (b) to pay the costs of providing the Services shall be 0% of the rates and amounts of the Special Taxes to be collected for such Fiscal Year as set forth in the attached Exhibit "A".

SECTION 6. The proceeds of the Special Taxes collected to pay the costs of providing the Facilities and incidental expenses shall be used only to:

(a) pay debt service on all outstanding bonds or other debt (as defined in Section 53317(d) of the Act) issued by the District under the Act and payable from the Special Taxes (the "Bonds");

(b) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds;

(c) pay administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes);

(d) provide any amounts required to establish or replenish any reserve fund for the Bonds; and

(e) pay directly for acquisition or construction of Facilities.

SECTION 7. The proceeds of the Special Taxes collected to pay the costs of providing the Services shall be used only to pay the costs of providing such Services.

SECTION 8. The Special Taxes shall be collected in the same manner as ordinary *ad valorem* property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for *ad valorem* taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any Special Taxes.

SECTION 9. All Special Taxes collected to provide costs of providing the Facilities and incidental expenses shall be deposited in the Special Tax Fund of the District. All Special Taxes collected to provide costs of providing the the Services shall be deposited in the Government Fund.

SECTION 10. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 46 Special Tax," or by any other suitable designation, the installment of the Special Taxes.

SECTION 11. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 12. The City Council hereby certifies that the levy of the Special Taxes was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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, California, 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 46
(AVENUE 176 FACILITIES)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	Residential Floor Area (Sq. Ft.)	FY 2021-22 Tax Rates	
Developed Property:			
Single Family Property	<2,151	$2,167.00	per Unit
Single Family Property	2,151-2,350	$2,274.00	per Unit
Single Family Property	2,351-2,550	$2,751.00	per Unit
Single Family Property	2,551-2,750	$2,879.00	per Unit
Single Family Property	2,751-2,950	$3,141.00	per Unit
Single Family Property	2,951-3,150	$3,275.00	per Unit
Single Family Property	3,151-3,350	$3,416.00	per Unit
Single Family Property	3,351-3,550	$3,666.00	per Unit
Single Family Property	>3,550	$3,901.00	per Unit
Other Residential Property		$26,735.00	per Acre
Non-Residential Property		$26,735.00	per Acre
Final Mapped Property		$0.00	per Acre
Undeveloped Property		$0.00	per Acre

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 47 (COLONY COMMERCE CENTER WEST I SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the “Act”), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 47 (Colony Commerce Center West I Services) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 3107 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

(a) Costs of providing services authorized to be financed by the District;

(b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;

(c) Administrative costs of the District; and

(d) Any incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 47 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 47 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 47
(COLONY COMMERCE CENTER WEST I SERVICES)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	FY 2021-22 Tax Rates
Residential Property:	
Single Family Detached	$1,538.82 per Unit
Multiple Family	$1,333.90 per Unit
Gated Apartment Community	$1,118.54 per Unit
Non-Residential Property	$0.284615 per Sq. Ft.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 48 (TEVELDE SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the “Act”), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 48 (Tevelde Services) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 3127 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

(a) Costs of those services authorized to be financed by the District;

(b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;

(c) Administrative costs of the District; and

(d) Any incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 48 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 48 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 48
(TEVELDE SERVICES)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	FY 2021-22 Tax Rates
Residential Property:	
Single Family Detached	$1,560.77 per Unit
Multiple Family	$1,352.61 per Unit
Gated Apartment Community	$1,134.26 per Unit
Non-Residential Property	$0.286800 per Sq. Ft.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 49 (AVENUE 176 SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the “Act”), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 49 (Avenue 176 Services) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 3139 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

(a) Costs of those services authorized to be financed by the District;

(b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;

(c) Administrative costs of the District; and

(d) Any incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 49 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 49 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 49
(AVENUE 176 SERVICES)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	FY 2021-22 Tax Rates
Residential Property:	
Single Family Detached	$1,560.77 per Unit
Multiple Family	$1,352.61 per Unit
Gated Apartment Community	$1,134.26 per Unit
Non-Residential Property	$0.286800 per Sq. Ft.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 50 (WEST ONTARIO LOGISTICS CENTER SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the “Act”), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 50 (West Ontario Logistics Center Services) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 3132 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

(a) Costs of those services authorized to be financed by the District;

(b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;

(c) Administrative costs of the District; and

(d) Any incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 50 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 50 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 50
(WEST ONTARIO LOGISTICS CENTER SERVICES)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	FY 2021-22 Tax Rates
Residential Property:	
Single Family Detached	$1,548.86 per Unit
Multiple Family	$1,342.28 per Unit
Gated Apartment Community	$1,125.61 per Unit
Non-Residential Property	$0.284615 per Sq. Ft.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 51 (ONTARIO RANCH LOGISTICS CENTER SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the “Act”), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 51 (Ontario Ranch Logistics Center Services) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 3140 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

(a) Costs of those services authorized to be financed by the District;

(b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;

(c) Administrative costs of the District; and

(d) Any incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 51 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 51 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 51
(ONTARIO RANCH LOGISTICS CENTER SERVICES)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	FY 2021-22 Tax Rates
Residential Property:	
Single Family Detached	$1,548.86 per Unit
Multiple Family	$1,342.28 per Unit
Gated Apartment Community	$1,125.61 per Unit
Non-Residential Property	$0.284615 per Sq. Ft.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 53 (TEVELDE FACILITIES), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of special taxes (the "Special Taxes") in the City of Ontario Community Facilities District No. 53 (Tevelde Facilities) (the "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the California Government Code; and

WHEREAS, the City Council did, by the enactment of Ordinance No. 3158 (the "Special Tax Ordinance") as authorized by Section 53340 of the Act, authorize the levy of the Special Taxes to pay the costs of providing the Facilities and Services and incidental expenses (as such terms are defined in the Special Tax Ordinance), and the City Council is desirous to establish the specific rates of the Special Taxes to be collected for the specified Fiscal Year and the portion thereof to be applied to each of the costs of providing the Facilities and incidental expenses and the costs of providing the Services.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amounts of the Special Taxes to be collected for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates of the Special Taxes as set forth above do not exceed the rates previously approved by the qualified electors of the District and authorized by the Special Tax Ordinance.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the Special Taxes for the above specified Fiscal Year and the amount of the Special Taxes to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. The portion of the Special Taxes to be collected for the referenced Fiscal Year (a) to pay the costs of providing the Facilities and incidental expenses shall be 100% of the rates and amounts of the Special Taxes to be collected

for such Fiscal Year as set forth in the attached Exhibit "A", and (b) to pay the costs of providing the Services shall be 0% of the rates and amounts of the Special Taxes to be collected for such Fiscal Year as set forth in the attached Exhibit "A".

SECTION 6. The proceeds of the Special Taxes collected to pay the costs of providing the Facilities and incidental expenses shall be used only to:

(a) pay debt service on all outstanding bonds or other debt (as defined in Section 53317(d) of the Act) issued by the District under the Act and payable from the Special Taxes (the "Bonds");

(b) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds;

(c) pay administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes);

(d) provide any amounts required to establish or replenish any reserve fund for the Bonds; and

(e) pay directly for acquisition or construction of Facilities.

SECTION 7. The proceeds of the Special Taxes collected to pay the costs of providing the Services shall be used only to pay the costs of providing such Services.

SECTION 8. The Special Taxes shall be collected in the same manner as ordinary *ad valorem* property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for *ad valorem* taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any Special Taxes.

SECTION 9. All Special Taxes collected to provide costs of providing the Facilities and incidental expenses shall be deposited in the Special Tax Fund of the District All Special Taxes collected to provide costs of providing the Services shall be deposited in the Government Fund.

SECTION 10. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 53 Special Tax," or by any other suitable designation, the installment of the Special Taxes.

SECTION 11. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 12. The City Council hereby certifies that the levy of the Special Taxes was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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, California, 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 53
(TEVELDE FACILITIES)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	Residential Floor Area (Sq. Ft.)	FY 2021-22 Tax Rates
Developed Property:		
Single Family Detached Property	<2,201	$2,529.00 per Unit
Single Family Detached Property	2,201-2,300	$2,642.00 per Unit
Single Family Detached Property	2,301-2,400	$2,798.00 per Unit
Single Family Detached Property	2,401-2,500	$2,956.00 per Unit
Single Family Detached Property	2,501-2,600	$3,049.00 per Unit
Single Family Detached Property	2,601-2,700	$3,094.00 per Unit
Single Family Detached Property	2,701-2,800	$3,260.00 per Unit
Single Family Detached Property	2,801-2,900	$3,329.00 per Unit
Single Family Detached Property	2,901-3,000	$3,484.00 per Unit
Single Family Detached Property	3,001-3,100	$3,639.00 per Unit
Single Family Detached Property	3,101-3,200	$3,657.00 per Unit
Single Family Detached Property	3,201-3,300	$3,770.00 per Unit
Single Family Detached Property	3,301-3,400	$3,974.00 per Unit
Single Family Detached Property	3,401-3,500	$3,998.00 per Unit
Single Family Detached Property	3,501-3,600	$4,108.00 per Unit
Single Family Detached Property	3,601-3,700	$4,221.00 per Unit
Single Family Detached Property	3,701-3,800	$4,356.00 per Unit
Single Family Detached Property	>3,800	$4,437.00 per Unit
One Story Property	<2,201	$2,946.00 per Unit
One Story Property	2,201-2,300	$3,042.00 per Unit
One Story Property	2,301-2,400	$3,123.00 per Unit
One Story Property	>2400	$3,198.00 per Unit

	Tract		
Other Property	18929	$33,652.00	per Acre
Other Property	18930	$33,652.00	per Acre
Final Mapped Property	18929	$0.00	per Acre
Final Mapped Property	18930	$0.00	per Acre
Undeveloped Property	18929	$0.00	per Acre
Undeveloped Property	18930	$0.00	per Acre

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 54 (ESPERANZA FACILITIES), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of special taxes (the "Special Taxes") in the City of Ontario Community Facilities District No. 54 (Esperanza Facilities) (the "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the California Government Code; and

WHEREAS, the City Council did, by the enactment of Ordinance No. 3162 (the "Special Tax Ordinance") as authorized by Section 53340 of the Act, authorize the levy of the Special Taxes to pay the costs of providing the Facilities and Services and incidental expenses (as such terms are defined in the Special Tax Ordinance), and the City Council is desirous to establish the specific rates of the Special Taxes to be collected for the specified Fiscal Year and the portion thereof to be applied to each of the costs of providing the Facilities and incidental expenses and the costs of providing the Services.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amounts of the Special Taxes to be collected for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates of the Special Taxes as set forth above do not exceed the rates previously approved by the qualified electors of the District and authorized by the Special Tax Ordinance.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the Special Taxes for the above specified Fiscal Year and the amount of the Special Taxes to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. The portion of the Special Taxes to be collected for the referenced Fiscal Year (a) to pay the costs of providing the Facilities and incidental expenses shall be 100% of the rates and amounts of the Special Taxes to be collected

for such Fiscal Year as set forth in the attached Exhibit "A", and (b) to pay the costs of providing the Services shall be 0% of the rates and amounts of the Special Taxes to be collected for such Fiscal Year as set forth in the attached Exhibit "A".

SECTION 6. The proceeds of the Special Taxes collected to pay the costs of providing the Facilities and incidental expenses shall be used only to:

(a) pay debt service on all outstanding bonds or other debt (as defined in Section 53317(d) of the Act) issued by the District under the Act and payable from the Special Taxes (the "Bonds");

(b) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds;

(c) pay administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes);

(d) provide any amounts required to establish or replenish any reserve fund for the Bonds; and

(e) pay directly for acquisition or construction of Facilities.

SECTION 7. The proceeds of the Special Taxes collected to pay the costs of providing the Services shall be used only to pay the costs of providing such Services.

SECTION 8. The Special Taxes shall be collected in the same manner as ordinary *ad valorem* property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for *ad valorem* taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any Special Taxes.

SECTION 9. All Special Taxes collected to provide costs of providing the Facilities and incidental expenses shall be deposited in the Special Tax Fund of the District. All Special Taxes collected to provide costs of providing the Services shall be deposited in the Government Fund.

SECTION 10. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 54 Special Tax," or by any other suitable designation, the installment of the Special Taxes.

SECTION 11. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 12. The City Council hereby certifies that the levy of the Special Taxes was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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, California, 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 54
(ESPERANZA FACILITIES]

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	Residential Floor Area (Sq. Ft.)	FY 2021-22 Tax Rates
Developed Property:		
Single Family Detached Property	<2,201	$2,574.00 per Unit
Single Family Detached Property	2,201-2,400	$2,848.00 per Unit
Single Family Detached Property	2,401-2,600	$3,016.00 per Unit
Single Family Detached Property	2,601-2,800	$3,216.00 per Unit
Single Family Detached Property	2,801-3,000	$3,441.00 per Unit
Single Family Detached Property	3,001-3,200	$3,579.00 per Unit
Single Family Detached Property	>3,200	$3,761.00 per Unit
Single Family Attached Property	<901	$1,090.00 per Unit
Single Family Attached Property	901-1,100	$1,166.00 per Unit
Single Family Attached Property	1,101-1,300	$1,312.00 per Unit
Single Family Attached Property	1,301-1,500	$1,484.00 per Unit
Single Family Attached Property	1,501-1,700	$1,623.00 per Unit
Single Family Attached Property	1,701-1,900	$1,766.00 per Unit
Single Family Attached Property	>1,900	$1,840.00 per Unit
Other Residential Property		$32,813.00 per Acre
Non-Residential Property		$32,813.00 per Acre
Final Mapped Property		$0.00 per Acre
Undeveloped Property		$0.00 per Acre

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 55 (PARKLANE), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of special taxes (the "Special Taxes") in the City of Ontario Community Facilities District No. 55 (Parklane) (the "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the California Government Code; and

WHEREAS, the City Council did, by the enactment of Ordinance No. 3177 (the "Special Tax Ordinance") as authorized by Section 53340 of the Act, authorize the levy of the Special Taxes to pay the costs of providing the Facilities and Services and incidental expenses (as such terms are defined in the Special Tax Ordinance), and the City Council is desirous to establish the specific rates of the Special Taxes to be collected for the specified Fiscal Year and the portion thereof to be applied to each of the costs of providing the Facilities and incidental expenses and the costs of providing the Services; and

WHEREAS, the Special Taxes consist of a "Special Tax A" (the "Special Tax A"), which were authorized to pay the costs of providing the Facilities and Services and incidental expenses, and a "Special Tax B" (the "Special Tax B"), which were authorized to pay the costs of providing the Services and incidental expenses.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amounts of each of Special Tax A and Special Tax B to be collected for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates of each of Special Tax A and Special Tax B as set forth above do not exceed the respective rates previously approved by the qualified electors of the District and authorized by the Special Tax Ordinance.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the Special Taxes for the above specified Fiscal Year and the amount of the Special Taxes to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but

not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. The portion of Special Tax A to be collected for the referenced Fiscal Year (a) to pay the costs of providing the Facilities and incidental expenses shall be 100% of the rates and amounts of Special Tax A to be collected for such Fiscal Year as set forth in the attached Exhibit "A", and (b) to pay the costs of providing the Services shall be 0% of the rates and amounts of Special Tax A to be collected for such Fiscal Year as set forth in the attached Exhibit "A".

SECTION 6. The proceeds of Special Tax A collected to pay the costs of providing the Facilities and incidental expenses shall be used only to:

(a) pay debt service on all outstanding bonds or other debt (as defined in Section 53317(d) of the Act) issued by the District under the Act and payable from Special Tax A (the "Bonds");

(b) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds;

(c) pay a pro rata share of administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes);

(d) provide any amounts required to establish or replenish any reserve fund for the Bonds; and

(e) pay directly for acquisition or construction of Facilities.

SECTION 7. The proceeds of Special Tax A collected to pay the costs of providing the Services shall be used only to pay the costs of providing such Services.

SECTION 8. The proceeds of Special Tax B collected to pay the costs of providing the Services and incidental expenses shall be used only to pay the costs of Services and a pro rata share of administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes).

SECTION 9. The Special Taxes shall be collected in the same manner as ordinary *ad valorem* property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for *ad valorem* taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any Special Taxes.

SECTION 10. All Special Tax A amounts collected to provide costs of providing the Facilities and incidental expenses shall be deposited in the Special Tax Fund of the District. All Special Tax A amounts collected to provide costs of providing the Services shall be deposited in the Government Fund.

All Special Tax B amounts collected shall be deposited in the Government Fund.

SECTION 11. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 55 Special Tax A," or by any other suitable designation, the installment of Special Tax A.

The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 55 Special Tax B," or by any other suitable designation, the installment of Special Tax B.

SECTION 12. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 13. The City Council hereby certifies that the levy of the Special Taxes was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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, California, 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 55
(PARKLANE)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

ANNUAL FACILITIES SPECIAL TAX A RATES

Land Use	Residential Floor Area (Sq. Ft.)	FY 2021-22 Special Tax A	
Developed Property:			
Single Family Property	<2,301	$2,784.00	per Unit
Single Family Property	2,301-2,500	$2,936.00	per Unit
Single Family Property	2,501-2,700	$3,078.00	per Unit
Single Family Property	2,701-2,900	$3,300.00	per Unit
Single Family Property	2,901-3,100	$3,478.00	per Unit
Single Family Property	3,101-3,300	$3,696.00	per Unit
Single Family Property	3,301-3,500	$3,880.00	per Unit
Single Family Property	>3,500	$4,000.00	per Unit
Other Residential Property	N/A	$30,531.00	per Acre
Non-Residential Property	N/A	$30,531.00	per Acre
Final Mapped Property		$0.00	per Acre
Undeveloped Property		$0.00	per Acre

ANNUAL SPECIAL TAX B RATES

Developed Property Land Use	Number of Units / Sq. Ft.	FY 2021-22 Tax Rates B	
Residential Property:			
Single Family	36	$1,560.77	per Unit
Multiple Family	0	$1,352.95	per Unit
Gated Apartment Community	0	$1,134.02	per Unit
Non-Residential Property	0	$0.29	per Sq. Ft.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 57 (NEUHOUSE), ESTABLISHING THE ANNUAL SPECIAL TAXES FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of special taxes (the "Special Taxes") in the City of Ontario Community Facilities District No. 57 (Neuhouse) (the "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the California Government Code; and

WHEREAS, the City Council did, by the enactment of Ordinance No. 3174 (the "Special Tax Ordinance") as authorized by Section 53340 of the Act, authorize the levy of the Special Taxes to pay the costs of providing the Facilities and Services and incidental expenses (as such terms are defined in the Special Tax Ordinance), and the City Council is desirous to establish the specific rates of the Special Taxes to be collected for the specified Fiscal Year and the portion thereof to be applied to each of the costs of providing the Facilities and incidental expenses and the costs of providing the Services; and

WHEREAS, the Special Taxes consist of a "Special Tax A" (the "Special Tax A"), which were authorized to pay the costs of providing the Facilities and Services and incidental expenses, and a "Special Tax B" (the "Special Tax B"), which were authorized to pay the costs of providing the Services and incidental expenses.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amounts of each of Special Tax A and Special Tax B to be collected for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates of each of Special Tax A and Special Tax B as set forth above do not exceed the respective rates previously approved by the qualified electors of the District and authorized by the Special Tax Ordinance.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the Special Taxes for the above specified Fiscal Year and the amount of the Special Taxes to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but

not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. The portion of Special Tax A to be collected for the referenced Fiscal Year (a) to pay the costs of providing the Facilities and incidental expenses shall be 100% of the rates and amounts of Special Tax A to be collected for such Fiscal Year as set forth in the attached Exhibit "A", and (b) to pay the costs of providing the Services shall be 0% of the rates and amounts of Special Tax A to be collected for such Fiscal Year as set forth in the attached Exhibit "A".

SECTION 6. The proceeds of Special Tax A collected to pay the costs of providing the Facilities and incidental expenses shall be used only to:

(a) pay debt service on all outstanding bonds or other debt (as defined in Section 53317(d) of the Act) issued by the District under the Act and payable from Special Tax A (the "Bonds");

(b) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds;

(c) pay a pro rata share of administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes);

(d) provide any amounts required to establish or replenish any reserve fund for the Bonds; and

(e) pay directly for acquisition or construction of Facilities.

SECTION 7. The proceeds of Special Tax A collected to pay the costs of providing the Services shall be used only to pay the costs of providing such Services.

SECTION 8. The proceeds of Special Tax B collected to pay the costs of providing the Services and incidental expenses shall be used only to pay the costs of Services and a pro rata share of administrative expenses (including costs incurred by the District and the City in the annual levy and collection of the Special Taxes).

SECTION 9. The Special Taxes shall be collected in the same manner as ordinary *ad valorem* property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for *ad valorem* taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any Special Taxes.

SECTION 10. All Special Tax A amounts collected to provide costs of providing the Facilities and incidental expenses shall be deposited in the Special Tax Fund of the District. All Special Tax A amounts collected to provide costs of providing the Services shall be deposited in the Government Fund.

All Special Tax B amounts collected shall be deposited in the Government Fund.

SECTION 11. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 57 Special Tax A," or by any other suitable designation, the installment of Special Tax A.

The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 57 Special Tax B," or by any other suitable designation, the installment of Special Tax B.

SECTION 12. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 13. The City Council hereby certifies that the levy of the Special Taxes was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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, California, 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 57
(NEUHOUSE)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

ANNUAL FACILITIES SPECIAL TAX A RATES

Land Use	Residential Floor Area (Sq. Ft.)	FY 2021-22 Tax Rates A	
Developed Property:			
Single Family Detached Property	<1,701	$2,426.00	per Unit
Single Family Detached Property	1,701-1,900	$2,508.00	per Unit
Single Family Detached Property	1,901-2,100	$2,621.00	per Unit
Single Family Detached Property	2,101-2,300	$2,732.00	per Unit
Single Family Detached Property	>2,300	$2,829.00	per Unit
Single Family Attached Property	<801	$968.00	per Unit
Single Family Attached Property	801-1,000	$1,181.00	per Unit
Single Family Attached Property	1,001-1,200	$1,444.00	per Unit
Single Family Attached Property	1,201-1,400	$1,700.00	per Unit
Single Family Attached Property	1,401-1,600	$1,900.00	per Unit
Single Family Attached Property	1,601-1,800	$2,048.00	per Unit
Single Family Attached Property	>1,800	$2,275.00	per Unit
Other Residential Property	N/A	$43,849.00	per Acre
Non-Residential Property	N/A	$43,849.00	per Acre
Final Mapped Property		$0.00	per Acre
Undeveloped Property		$0.00	per Acre

ANNUAL SPECIAL TAX B RATES

Developed Property Land Use	FY 2021-22 Tax Rates B	
Residential Property:		
Single Family	$1,560.77	per Unit
Multiple Family	$1,352.95	per Unit
Gated Apartment Community	$1,134.02	per Unit
Non-Residential Property	$0.29	per Sq. Ft.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 58 (COLONY COMMERCE CENTER EAST SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in the City of Ontario Community Facilities District No. 58 (Colony Commerce Center East Services) (the "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California; and

WHEREAS, the City Council, acting as the legislative body of the District, adopted Ordinance No. 3165 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, to authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A".

SECTION 3. That the rates as set forth above does not exceed the amount authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

(a) Costs of those services authorized to be financed by the District;

(b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;

(c) Administrative costs of the District; and

(d) Any incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 58 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 58 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIIIA and XIIIC of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 58
(COLONY COMMERCE CENTER EAST SERVICES)

SPECIAL TAX RATES
FOR FISCAL YEAR 2021-22

Land Use	Number of Units / Sq. Ft.	FY 2021-22 Tax Rates
Residential Property:		
Single Family Detached	0	$1,560.05 per Unit
Multiple Family	0	$1,352.81 per Unit
Gated Apartment Community	0	$1,134.01 per Unit
Non-Residential Property	1,685,500	$0.284615 per Sq. Ft.

CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Management Services Prepared By: Darlene M Sanchez Staff Member Presenting: Darlene M. Sanchez, Assistant City Manager Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No:

SUBJECT: APPROVAL OF AN AGREEMENT WITH THE INLAND VALLEY HUMANE SOCIETY FOR ANIMAL CONTROL SERVICES

RECOMMENDATION: That the City Council approve a two-year agreement with the Inland Valley Humane Society (IVHS) of Pomona, California for the purpose of animal control services.

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

FISCAL IMPACT: IVHS directly collects animal licensing and other service fees from its customers. The proposed Agreement features a two-year term at a gross annual cost of $1,860,000, to be paid in equal monthly payments of $155,000. This amount represents a 7.61% increase from the previous year's contract due to a delay in consumer price index adjustments and a re-balance of the multi-city cost-sharing formula. Another financial aspect of the proposed Agreement allows the City to receive 100% of all revenue received for licenses and impounds by IVHS in the City of Ontario. This revenue will be credited to the City against the Annual Fee. This arrangement would supplant the former guaranteed revenue model, wherein the City received a fixed amount and instead allow the City to receive 100% of all revenue received pertaining to licenses and impounds. This amount in previous years has ranged from $530,000 to $935,000.

BACKGROUND & ANALYSIS: The City has been contracting with IVHS for animal control and shelter services since 1990. Over the years, IVHS has demonstrated to be a viable regional partner and provider of animal control services including: collection of stray and unwanted, injured or deceased animals; enforcement of leash laws and other City regulatory ordinances relating to animals; dog bite reporting and coordination with the local health department; investigation of potentially dangerous and vicious dog bite cases; investigation and prevention of animal cruelty; and operation of an animal shelter in compliance with State standards.

IVHS collects animal licensing and other service fees directly from its customers. The proposed Agreement features a two-year term at a gross annual cost of $1,860,000. Given that this Agreement allows the City to receive 100% of all revenue received for licenses and impounds, this fee would be reduced by the revenue collected.

As a private, non-profit animal shelter IVHS is dedicated to providing a safe refuge for animals and recently initiated a new customer service platform, an enhanced and improved foster program, an improved trap, spay/neuter, a release program for community cats and will open a new medical center in Winter 2022. Additionally, over the term of the proposed contract, the City and IVHS will work

together on community outreach and public education for responsible pet ownership.

This contract includes automatic renewal language for ease of end of year processing. If the City does not wish to renew, a letter can be sent to terminate the agreement 90 days prior to the scheduled expiration date of the initial term. The City can also exercise a termination letter after the initial term with 180 days written notice.

CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: City Manager's Office Prepared By: Darlene M Sanchez Staff Member Presenting: Darlene M. Sanchez, Assistant City Manager Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 19

SUBJECT: APPROVAL OF AMENDED AND RESTATED AGREEMENT BETWEEN THE CITY OF ONTARIO AND THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY

RECOMMENDATION: That the City Council authorize the City Manager to finalize negotiations, approve and execute an Amended and Restated Agreement ("the Agreement") between the City of Ontario and the Ontario International Airport Authority ("OIAA") to provide municipal services.

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

FISCAL IMPACT: The proposed Agreement presents a staffing model that will be provided to OIAA for municipal services. Over the term of the three-year contract, the City will provide OIAA with certain municipal services and OIAA will compensate the City for those services at an agreed upon annual rate. The agreed upon annual rate for the term of the contract is $20,524,091 and will be adjusted in years 2 and 3 of the Term by any change in the consumer price index. This payment to the City will be divided into twelve equal monthly payments. The Fiscal Year 2021-22 Adopted Budget includes the revenue anticipated for OIAA charges for services for year 1 of the contract term. Years 2 and 3 rates will be accounted for in the annual budget process for subsequent fiscal years.

BACKGROUND & ANALYSIS: The OIAA was established through a Joint Exercise of Powers Agreement, dated August 21, 2012, between the City and the County of San Bernardino for the purpose of administering airport operations at the Ontario International Airport (the "Airport").

On May 2, 2017, the City and OIAA entered into separate cooperative agreements to provide Police Services, Fire Protection Services and Fleet Services. Additionally, through separate agreements, the City provided various administrative-related, or Ancillary Services, to the OIAA for Finance, Human Resources and Information Technology.

The proposed Amended and Restated Agreement consolidates the terms and conditions of the above-referenced agreements into one comprehensive document for the purposes of efficiency and streamlining of the administration of the agreements. Specifically, the Police Services (including dispatch services), Fire Protection Services (including dispatch services), Fleet Services (as related to the maintenance of City equipment) and the Ancillary Services (administrative-related Finance, Human Resources and Information Technology services) provided to the OIAA by the City will be consolidated and referred to as "Municipal Services" under this Agreement.

The staffing levels detailed in the Agreement reflect the base level of service for Police, Fire, Fleet and Ancillary Services that have been agreed upon for the term of the Agreement. With respect to Police and Fire services, the proposed service level constitutes a fully staffed Airport Bureau. The City has a demonstrated commitment to the safety and success of the Airport, thus, the level of service presented in the scope is what is necessary for the continued safe operation of the Airport based on passenger and cargo levels.

CITY OF ONTARIO *Agenda Report* **July 20, 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: 20

SUBJECT: A PUBLIC HEARING TO CONSIDER AN APPEAL OF THE PLANNING COMMISSION'S DECISION TO APPROVE (I) A DEVELOPMENT PLAN (FILE NO. PDEV18-022) TO CONSTRUCT A 6,870 SQUARE-FOOT INDUSTRIAL BUILDING AND (II) A CONDITIONAL USE PERMIT (FILE NO. PCUP18-021) TO ESTABLISH AND OPERATE A TOWING SERVICE ON 3.1 ACRES OF LAND LOCATED AT 580 EAST BELMONT STREET WITHIN THE IL (LIGHT INDUSTRIAL) ZONING DISTRICT (APNS: 1049-491-01, 1049-491-02, AND 1049 491-03).

RECOMMENDATION: That the City Council conduct a public hearing on the appeal and, after receiving all public testimony, consider the following: (1) Uphold the Planning Commission's approval of File Nos. PDEV18-022 and PCUP18-021 or (2) overturn the Planning Commission's decision of approval and deny File Nos. PDEV18-022 and PCUP18-021; and (3) Direct staff to prepare a resolution adopting findings and formalizing the decision and placing the decision on the Consent Calendar for consideration at the next regular City Council meeting.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the Growth and Evolution of the City's Economy
Operate in a Businesslike Manner
Focus Resources in Ontario's Commercial and Residential Neighborhoods

FISCAL IMPACT: There is no direct fiscal impact associated with these actions.

BACKGROUND & ANALYSIS: On June 21, 2018, Four Sisters Enterprises, LLC (the "Applicant"), applied for (I) a Development Plan (File No. PDEV18-022) approval to construct a 6,870 square-foot industrial building and (II) a Conditional Use Permit (File No. PCUP18-021) to establish and operate a towing service (the "Application") on 3.1 acres of land located at 580 East Belmont Street (the "Project"). The subject property is currently a vacant site.

Prior to any public hearing on the Project, the Planning Department sent Project notices to property owners within 300 feet of the project site on April 22, 2020, in English, and on May 4, 2020, in Spanish. These notices provided a detailed description of the Project, solicited interest in conducting a neighborhood meeting, and provided contact information for directing questions and comments.

On May 18, 2020, the Development Advisory Board conducted a hearing to consider the Application

and recommended that the Planning Commission approve the Project subject to conditions. On May 26, 2020, the Planning Commission conducted a public hearing to consider the Application and the Development Advisory Board's recommendation. Following a presentation of staff's findings and after receipt of all public correspondence and testimony, the Planning Commission addressed the Application and approved the Project by a vote of 5 to 1, adopting Resolution Nos. PC20-023 and PC20-024, subject to conditions of approval. The Project was subsequently appealed to the City Council on June 5, 2020.

On July 7, 2020, the City Council conducted a duly noticed public hearing to consider the appeal. Following testimony from the Appellant, the Project Applicant, and members of the public, the City Council deliberated and voted to refer the Development Plan and Conditional Use Permit applications back to the Planning Commission to provide the Commission the opportunity to review new information presented by the Applicant regarding the operation of the towing facility. Following the City Council public hearing, the Applicant submitted a modified Project description, including a Health Risk Assessment ("HRA") and an updated Noise Assessment addressing proposed revisions in tow facility operations.

On March 30, 2021, the Planning Department hosted a virtual Zoom community meeting for the Pepe's Towing Project. Project notices were sent out to property owners and residents beyond 500 feet of the Project site in English and Spanish. The purpose of the community meeting was to present the community with the proposed Project and all new information provided by the Applicant and to gather the community's input and comments. The community meeting was held in both English and Spanish.

In order to help residents that did not have access to a computer, the Dorothy Quesada Community Center was provided as a location to view and participate in the virtual Zoom meeting. Planning Department staff were on hand to provide Spanish translation assistance and ensure that proper social distancing measures were followed. A total of 10 people attended the meeting at the Quesada Community Center and 18 people logged on to the virtual Zoom meeting.

On May 25, 2021, the Planning Commission conducted a public hearing to consider the Application and the Development Advisory Board's recommendation. Following a presentation of staff's findings and after receipt of all public correspondence and testimony, the Planning Commission addressed the Application and approved the Project by a vote of 5 to 1, adopting Resolution Nos. PC21-041 and PC21-042.

APPEAL: On June 4, 2021, Veronica Rodriquez ("Appellant"), in conjunction with the local community, submitted an appeal of the Planning Commission's decision to approve File Nos. PCUP18-021 and PDEV18-022. A copy of the Appeal application and Appellant's statement are included as Exhibit "A" of this report.

An appeal of the Planning Commission action is limited to those matters raised during the public hearing; the appeal cannot consider any matter that was not raised during the hearing. Staff has reviewed the Appellant's appeal and finds that the Appeal includes several irrelevant statements with no evidence to support their grounds for appeal - no response is provided for those items. For those items relevant to the Project, staff provides issue raised and a response to each item as follows:

Appellant Issue No. 1: Transparency. The Planning Commission meeting was advertised as being held via Zoom, the website was in English or not in Spanish and the Agenda was not made available online in time for the Planning Commission Meeting. In addition, video recordings of public meetings were removed from YouTube and no longer available to the public.

Staff Response: The Brown Act (Section 54954.2) requires that a local legislative body shall post an agenda at least 72 hours before the meeting, containing a brief description of each item to be transacted or discussed. The Planning Commission Meeting agenda for the May 25, 2021, was posted on Friday, May 21, 2021, 96 hours prior to the hearing date, on the City website and in the display case outside City Hall. Prior to the Planning Commission Meeting, staff was made aware that there was an inactive Planning Commission Zoom meeting link on the City website from the previous April Planning Commission meeting. The Zoom link was inadvertently not updated to reflect the in-person Planning Commission meeting. Once staff was made aware of the discrepancy, the City website was corrected to reflect the in-person meeting. However, the mailed notices (English/Spanish), legal advertisements, meeting agenda, and the Planning Department home webpage all stated that the Planning Commission meeting would be held in-person on May 25, 2021. In addition, when the Planning Commission meetings were held via Zoom, they were never streamed live on YouTube. In terms of transparency, the City website default language is English, however the public has the option of translating the website content into Spanish or other languages.

Appellant Issue No. 2: Inadequate Noticing. Residents were not notified of the Planning Commission Meeting and were unable to provide input. The meeting was held in secret violating the Brown Act. The door was closed for part of the meeting to discourage residents from attending. Residents question the transparency of this Project.

Staff Response: The noticing of the Project was done in compliance with the noticing requirements of State law and the Ontario Development Code. Division 2:03 – Public Hearing, Section 2.03.010; Public Hearing Notification which requires that all owners of real property located within 300 feet of the exterior boundaries of the property that is the subject of the hearing, as shown on the last equalized assessment roll, or records of the county assessor or tax collector if those records contain more recent information than the information contained on the assessment roll, shall be noticed. Public hearing notices were sent out on May 14, 2021, to all property owners and residents (tenants). To ensure community input from the surrounding residents notices were mailed to owners and residents beyond 500 feet of the Project site and to those individuals that requested notification, in both English and Spanish.

Regarding the claim that the City Hall doors were closed during a portion of the public hearing is incorrect. The City Hall doors remained open after 5:30 p.m., after City Hall closing.

Appellant Issue No. 3: Property Values. The Project will result in the lowering of residential property values.

Staff Response: The Project site is zoned for industrial uses and has been designated for industrial uses since at least 1966. Likewise, the properties to the south and west have been designated for residential uses. The Project does not propose to change the zoning/land use of the site, developing consistent with the industrial standards. Presumably, appraisals of nearby residential properties have already considered the industrial land use designation of the Project site and the potential uses. Further, there has been no evidence provided to demonstrate the Project will lower residential property values.

Appellant Issue No. 4: Safety. Residents are concerned that the only way their children and community could be safe is if this Project is completed (i.e. Project provide safety measures not provided by the City).

Staff Response: The Project site is currently unimproved and the street frontage along Phillips Street

lacks a sidewalk, parkway, curb and gutter, which poses safety concerns for pedestrians. For all new developments, the City requires street frontage improvements (sidewalk, landscape parkway, curb/gutter, streetlights and street widening) to be constructed where they are lacking. The Project is required to widen Phillips Street and construct and improve the sidewalk and landscape parkways along Sultana Avenue, Phillips Street, and Belmont Street. In addition, the Project will only be accessed from Belmont Street. No access will be taken from either Sultana Avenue (except emergency vehicle access) or Phillips Street. The Project has been conditioned to require that all tow trucks entering and exiting the site use Campus Avenue by way of Belmont Street. Tow trucks will not be allowed to use Sultana Avenue or Phillips Street.

Appellant Issue No. 5: Health. The project contradicts and affects the current grants the City of Ontario has received from Kaiser Permanente (Ontario HEAL Zone), Strategic Growth Council (Ontario Together Transformative Climate Communities Project) and Caltrans (Ontario Active Transportation Master Plan).

Staff Response: The proposed project is within active grant and planning efforts including the Kaiser Permanente HEAL Grant, Transformative Climate Communities (TCC) Grant, and Ontario Active Transportation Master Plan with each effort in support of improving overall Quality of Life. The Kaiser Permanente HEAL Grant funding is focused specifically on achieving long-term sustainable reductions in obesity and related chronic illnesses, including diabetes and heart disease. The Transformative Climate Communities (TCC) Grant is funded through the state Cap-and-Trade program for community supported projects including sustainable housing, transportation, and infrastructure that are targeted to reduce greenhouse gases, improve health, and support economic and health benefits in California's most disadvantaged communities. The Ontario Active Transportation Master Plan has been developed to identify and prioritize the walking, biking, access to transit, and safe routes to school needs in Ontario. Community members provide input that will help guide the development of the plan. The intent is to engage community members in the plan-making process, collect and analyze data, evaluate and forecast demand, and develop Safe Routes to School (SRTS) and pedestrian and bicycle improvement recommendations. City staff has worked with the community to secure program funding in support of park improvements, community gardens, education and physical activity classes, civic engagement training, walk audits, partnerships with the Police Department's Neighborhood Watch program, and SRTS Active Transportation grants. It should be noted that these programs have no standing as to local land use regulations; however, the project does affect the spirit of the Grants' intent to encourage the community to participate in shared decisions that impact the neighborhood's quality of life. In addition, the project will be required to widen Philips Street and construct and improve the sidewalk and landscape parkways along Sultana Avenue, Phillips Street and Belmont Street, which will improve connectivity and walkability of the neighborhood.

Appellant Issue No.6: Project Information. The information provided to the residents during the Planning Commission Meeting was misleading and inaccurate. The numbers of cars towed per day, provided by Pepe's Towing were misleading and inaccurate, residents question the number of vehicles that were stated for use of the facility.

Staff Response: The subject site is presently vacant and any new development will generate new vehicle trips over what is existing. The Engineering Department's Traffic Division has reviewed the Project for access and circulation and does not anticipate traffic to increase beyond the traffic that currently exists on Sultana Avenue, Belmont Street, Phillips Street, and the surrounding areas. The Applicant provided staff with the average number of vehicles to be towed to the proposed facility. The towing frequency was based on the average tows from their existing Pepe's towing facility located at 810 East Main Street, in Ontario, which averages approximately 2 tow service calls per day and 8 to 12 calls per day

when on a 24-hour rotation. In addition, the tow yard averages about two customers per day. However, the Engineering Department Traffic Division provided a Traffic Assessment (based on the Institute of Transportation (ITE) Trip Generation Manual) that indicated that the proposed towing facility would generate approximately 34 trips per day, which staff used to analyze the project.

Appellant Issue No. 7: Residents want to be heard without being bullied, threatened, or intimidated.

Staff Response: During the Planning Commission meeting, members of the public were given the opportunity to speak and provide their comments. Each member of the public wishing to speak on the item were allotted up to 3 minutes to speak. However, the Planning Commission Chairman allowed each person to speak beyond the 3 minutes.

Appellant Issue No. 8: The images presented on the slide show presentation are not what will be built.

Staff Response: During the Planning Commission meeting, staff's presentation included 2D and 3D renderings for the Project building elevations, which showed two different color schemes. The Planning Commission asked staff to clarify what color scheme would be implemented and asked questions regarding the building's exterior materials. Staff explained that a lighter color scheme, as shown on the 2D building elevations, would be used and that during the construction plan submittal, staff would review the plans for appropriate scale, massing, color and building materials consistent with Development Code standards and design guidelines and the conditions of approval.

CONCLUSION: Staff recommends that the City Council consider all public testimony on the appeal of Planning Commission's decision approving Conditional Use Permit, File No. PCUP18-021 and Development Plan, File No. PDEV18-022, approve one of the recommended options, and direct staff to prepare and bring forward a resolution with findings supporting City Council's decision.

CITY OF ONTARIO PLANNING DEPARTMENT

Appeal Application Form

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

Instructions:

1. *Pursuant to Ontario Development Code Division 2.04 (Appeals), any person having legal standing may appeal and action or decision to the Appeal Authority, including but not limited to an applicant, resident, business owner, or any person owning real property within the City, that is aggrieved by an interpretation, action, or decision made by any City agency or department, or by an Approving Authority.*

2. *Within 10 days following the action or decision being appealed, an appeal request must be filed with the Planning Department on an Appeal Application Form, along with the required filing fees. The appeal request must include a statement identifying the specific action or decision that is being appealed, the specific grounds for the appeal, and the relief requested from the Appeal Authority.*

3. *An appeal of an action or decision made by an Approving Authority following a hearing, is limited to those matters raised during the hearing and contained in an appeal statement. The Appeal Authority cannot consider any matter that was not raised during the hearing before the Approving Authority and contained in the appeal statement.*

4. *The Appeal Authority that will hear the appeal request is limited to taking testimony and making its decision based solely on the specific grounds specified by the appellant in the Appeal Application Form, insofar as they make an adequate claim pursuant to Ontario Development Code Section 2.04.010. When the decision of an Approving Authority*

GENERAL INFORMATION (PRINT OR TYPE)

Appellant: Veronica Rodriguez
Address: 538 E. Phillips St.
Ontario, Ca 91761
Phone: 1-323-3041538
Email: veroj646@yahoo.com

Appellant's Representative: Self/Community
Address: _____
_____
Phone: _____
Email: _____

(For staff use only)
File No(s): PCUP18-021
_____
Date: 6/4/2021
Rec'd by: DR
Fees Paid: $130
☑ Cash ☐ Check (# _____)
☐ Credit Card
Receipt No.: 315965

SUBJECT OF APPEAL

This application is hereby filed pursuant to Ontario Development Code Division 2.04 (Appeals), appealing a decision or action of the following Authority:

☐ Department/Agency Head ☐ Development Advisory Board ☐ Zoning Administrator

☐ Historic Preservation Subcommittee ☐ Historic Preservation Commission ☒ Planning Commission

Project File No(s).: PDEV18-022/PCUP18-021 Date of Action/Decision: 5/25/2021

The application being appealed requests the following *(attach additional sheets as necessary)*:

List the specific action(s) or decision(s) that is/are being appealed (attach additional sheets as necessary):

All actions pertaining to this decision. The decision to pass this project.

APPEAL STATEMENT

Please check the box that best describes your reason(s) for the appeal:

- ☒ Abuse of discretion.
- ☒ Decision was not supported by the record.
- ☒ Abuse of discretion and decision was not supported by the record.

State the specific grounds for the appeal and the relief requested (please be specific and attach additional sheets if necessary):

Need clarification on statements made by councilman Alan Wapner saying that what was presented to the City Council from the planning department was Fraud. We need to know how the fraud was dealt with. (meetings now removed from you tube and no longer public)

The grounds for the appeal are due to the community not being aware of the meeting taking place.

The community was not informed to be able to give their input.

The project is not aligned with the TCC Zone program held jointly or in collaboration with Kaiser Heal Zone. Ontario Together

This does not preserve our community.

Property owners will lose value of their home and a complete study has not been done.

This project does not fall into the 9 facets of the TCC zone grant/funding the city received/

This meeting was held in secret violating the Browns Act. The door was closed for part of the meeting to discouraged residents from attending.

The communities voice was suppressed by advertising that the meeting was was held via zoom when the meeting was held in person.

The agenda was not made public/available online in time for the meeting.

The website was not in English or Spanish.

The numbers or cars towed per day, provided by Pepes towing, were misleading/inaccurate.

The information provided to the residents during the planning meeting was misleading and/or inaccurate.

Attachment 1 of 1

- Residents and community question the number of vehicles that were stated for use of the facility.
- Want to have a "town hall" to find alternatives of placement for these projects.
- Residents want to be heard without being bullied, threatened or intimidated.
- Residents question the financial gain that members of the commission may/or may not receive,
- Residents question the potential personal financial gain that may be received by councilmembers.
- Residents question the transparency of this project.
- The images presented on the slide show presentation are not what will be built.
- Residents are concerned that the only way their children and community could be safe is if this project is completed. (project provides safety measures not provided by city)
- Part of the plan notes that the community will be given safety measures once this project is complete.
- Residents want to know why the city pays for a private property cleanup and not invest in the community.
- Want greener spaces
- The fees to file are another obstacle to an already disadvantaged community.

APPELLANT ACKNOWLEDGEMENT

I, the undersigned, hereby certify that the statements and information provided in this **Appeal Application Form**, and in any attached exhibits, present the data and information required for this application to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

Date: June 04, 2021 Signature: Veronica A. Rodriguez

Name (print or type): Veronica Rodriguez

CITY OF ONTARIO PLANNING DEPARTMENT

PLANNING COMMISSION STAFF REPORT

May 25, 2021

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

FILE NOS: PDEV18-022 and PCUP18-021

SUBJECT: A Development Plan (File No. PDEV18-022) to construct a 6,870 square-foot industrial building in conjunction with a Conditional Use Permit (File No. PCUP18-021) to establish and operate a towing service and short-term storage of automobiles, vans, light trucks, and tractor trucks on 3.1 acres of land located at 580 East Belmont Street, within the IL (Light Industrial) zoning district (APNs: 1049-491-01, 1049-491-02 and 1049-491-03); **submitted by Four Sisters Enterprises LLC.**

PROPERTY OWNER: Four Sisters Enterprises, LLC

RECOMMENDED ACTION: That the Planning Commission approve File Nos. PCUP18-021 and PDEV18-022, 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, depicted in Figure 1: Project Location Map, below, is comprised of 3.1 acres of land generally bordered by Belmont Street to the north, Monterey Avenue to the east, Phillips Street to the south, and Sultana Avenue to the south. The site is located within the IL (Light Industrial) zoning district and is currently undeveloped. 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 Map

Case Planner:	Denny D. Chen
Planning Director Approval:	
Submittal Date:	6/21/2018

Hearing Body	Date	Decision	Action
DAB	5/18/2020	Approval	Recommend
PC	5/25/2021	Approved	Final
CC			

The Project site is surrounded by industrial land uses to the north and residential land uses to the east, south and west. The Ontario Plan Policy Plan (General Plan) land use designations surrounding the site are Industrial to the north, Low Density Residential/Industrial Overlay to the east, Low Density Residential to the south, and Low Medium Density Residential to the west, as depicted in Figure 2 (Policy Plan Land Use Map) below.

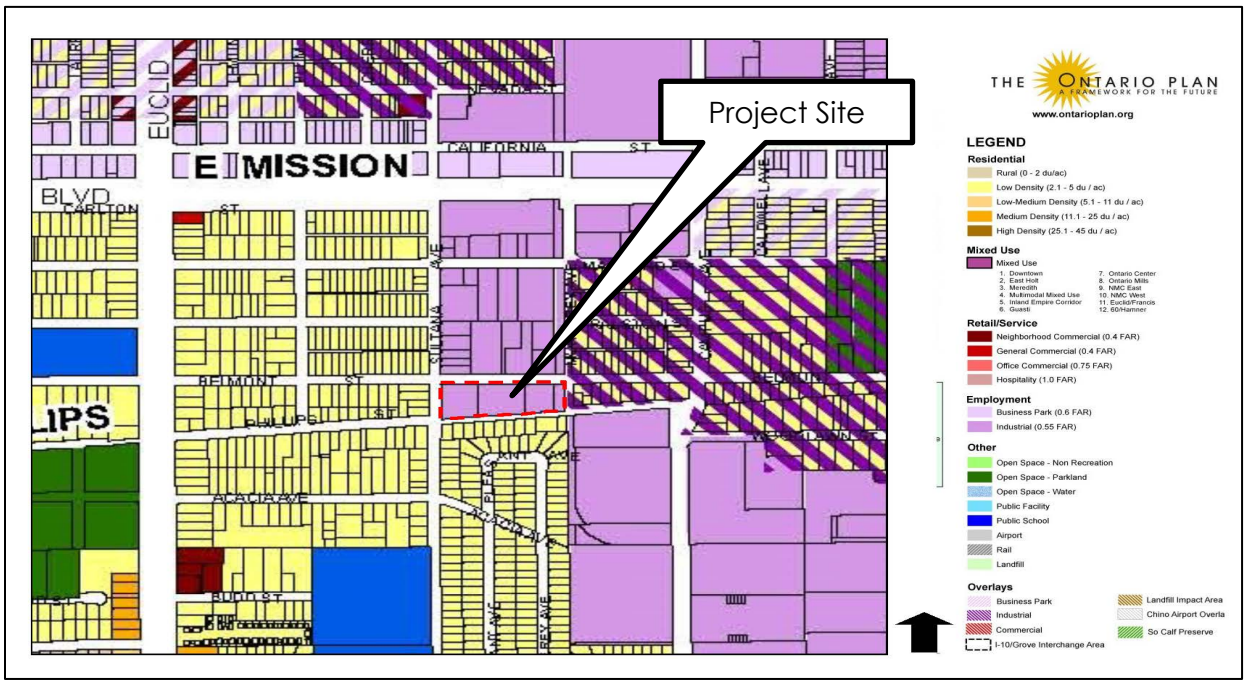


Figure 2: Policy Plan Land Use Map

PROJECT ANALYSIS:

(1) Background — On June 21, 2018, the Applicant submitted a Development Plan application requesting approval to construct a 6,870 square foot industrial building having a floor area ratio (FAR) of 0.05, in conjunction with a Conditional Use Permit (File No. PCUP18-021) to establish and operate a towing service and motor vehicle impound storage yard on the Project site.

On May 18, 2020, the Development Advisory Board reviewed the subject applications and recommended that the Planning Commission approve the proposed Project subject to the departmental conditions of approval.

On May 26, 2020, the Planning Commission approved the proposed Project, subject to conditions of approval. The Project was subsequently appealed to the City Council on June 5, 2020.

On July 7, 2020, the City Council conducted a duly noticed public hearing to consider the appeal. Following testimony from the Appellant, the Project Applicant, and members of the public, the City Council deliberated and voted to refer the Development Plan and Conditional Use Permit applicates back to the Planning Commission to provide the Commission the opportunity to review new Project information presented by the Applicant, regarding the operation of the towing facility. Following the City Council public hearing, the Applicant submitted a modified Project description, including a Health Risk Assessment ("HRA") and updated Noise Assessment addressing proposed revisions in tow facility operations. There are no changes proposed to the previously approved Development Plan; however, for reference, Sections 2 of this staff report discusses the proposed development of the Project site.

On March 30, 2021, the Planning Department hosted a virtual Zoom community meeting for the Pepe's Towing Project. A summary of the meeting is contained within the "Community Outreach" section of this report.

(2) Development Plan (File No. PDEV18-022)

(a) Site Design/Building Layout — The proposed building is located at the southeast corner of the Project site, fronting on to Monterey Avenue (to the east) and Phillips Street (to the south). The building is setback 48 feet from the Belmont Street (north) property line, 10 feet from the east property line (Southern Pacific Transportation Company railroad right-of-way), 10 feet from Phillips Street (south) property line, and approximately 540 feet from Sultana Avenue (west) property line. The building's office and main entrance is situated at the northeast corner of the building, fronting onto Belmont Street. The employee and visitor parking areas are located north of the building, at the northeast corner of the Project site, and are secured by an 8-foot tall decorative tube steel fence.

The motor vehicle impound yard is proposed on the westerly two-thirds of the Project site, covering 79,569 square feet designed to park 324 impounded vehicles. The yard area will be screened from public view by a decorative 8-foot tall wall consisting of split-face masonry block with decorative pilasters and cap, located along the north, west, and south sides of the Project site.

An 800 square foot (50 feet long by 16 feet wide) outdoor truck wash area and an above ground 1,000-gallon fuel tank are also proposed along the south side of the Project site, near the proposed building (see Exhibit C—Site Plan, attached).

(b) Site Access/Circulation — Primary vehicle access is provided by two driveways located along Belmont Street, immediately west of Monterey Avenue. A secondary emergency vehicle access point is provided from Sultana Avenue, mid-block between Belmont and Phillips Streets (see Exhibit B—Site Plan, attached).

(c) Parking — The Project is required to provide a minimum of 16 off-street parking spaces and a total of 20 off-street parking spaces have been provided, exceeding the minimum number of required parking spaces. Parking was calculated as shown in Table 1 – Required Off-Street Parking, below.

Table 1 – Required Off-Street Parking

Proposed Use	Area	Parking Ratio (per Development Code Table 6.03-1)	Required Parking
Office:	1,056	4 spaces per 1,000 SF of Building GFA exceeding 10% of building GFA (approximately 475 SF).	2
Outdoor Vehicle Storage:	79,569	0.1 space per 1,000 GFA.	8
Warehouse:	5,814	One space per 1,000 SF for first 20,000 GFA and 0.5 per 1,000 SF for building GFA greater than 20,000 SF; plus 1 tractor-trailer parking space per 4 dock-high loading doors; plus, required parking for "general business offices" when those uses exceed 10% of building GFA.	6
Total Building Area:	**6,870**		**16**
Total Parking Required:			**16**
Total Parking Provided:			**20**

(d) Architecture — The building will be designed in modern style and composed of color coated smooth-faced standing seam metal wall panels that incorporate a contemporary architectural style (see Figure 3: Building Perspective, below, and Exhibit E—Building Elevations and Exhibits F thru F3 – Building Perspectives, attached). The building design incorporates articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas, and articulation in the building parapet/roof line, which serves to accentuate the building's roofline. To accent the building design, the following materials, finishes, and fixtures have been incorporated into the building design:

- Vertical changes in building height that correspond to horizontal changes in the building footprint;
- Smooth-faced, pre-painted seamed metal panels;
- Decorative metal awnings;
- Double-glazed windows with a clear anodized mullion system;
- Decorative split-face block at the base of the building; and
- Decorative cornices on all four sides of the building.

Figure 3 – Building Perspective

(e) Landscaping — The Project proposes 15 percent landscape coverage, which meets the minimum landscape coverage required by the Development Code for corner lots located within the IL (Light Industrial) zoning district. The landscape pallet for the Project incorporates a mixture of 24-inch, 36-inch, and 48-inch box accent and shade trees. Some of the proposed trees include Raywood Ash, Western Redbud, Crape Myrtle, Purple Leaf Plum, Coast Live Oak, along with a variety of low water use grasses, shrubs, and groundcovers.

Additionally, the Project has provided the required 10-foot landscaped setback areas along all Project street frontages, including Belmont Street, Sultana Avenue, Phillips Street, and Monterey Avenue/Southern Pacific Railroad (see Exhibit H—Landscape Plan, attached).

(f) Signage — The Applicant is proposing two monument signs along the perimeter of the Project site. All Project signage shall be reviewed and approved by the Planning Department and shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

(g) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the Project. Additionally, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the Project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizing low impact development (LID) best management practices (BMPs), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes a vegetated swale designed to accept runoff from building roofs, parking lots and Project roadways, which lead to an underground stormwater infiltration system. The proposed underground infiltration system is located along the southeast portion of the site and any overflow drainage will be conveyed to the surrounding streets.

(3) Conditional Use Permit (File No. PCUP18-021) — Pursuant to the Ontario Development Code, Conditional Use Permit ("CUP") approval is required to establish an outdoor automobile storage yard (tow yard) within the IL (Light Industrial) zoning district. A CUP is required in order to adequately review the potential impacts the use might have on the surrounding properties and eliminate or mitigate those impacts. As previously mentioned in the "Background" section of this report, on July 7, 2020, the City Council held a public hearing to hear the appeal of the proposed CUP and recommended that the be Project referred back to the Planning Commission to provide the Commission the opportunity to review new Project information presented by the Applicant regarding the operation of the towing and short-term vehicle storage facility. The new information included the clarification in the overall tow operation, hours of operation, and the types of vehicles that would be towed to the facility, which are discussed below.

Pepe's Towing currently operates another towing facility within the City, located at 810 East Main Street. The towing facility was approved with a Conditional Use Permit (File No. PCUP17-016) on February 21, 2018, by the Zoning Administrator. The Applicant is requesting to establish and operate an additional vehicle towing facility and motor vehicle impound storage yard on the Project site. The proposed towing facility and vehicle impound storage yard, consists of a 79,569 square foot outdoor vehicle storage area that will accommodate up to 324 motor vehicles, including towing services and short-term storage of automobiles, vans, light trucks, and tractor trucks.

The towing service operation will also include a 6,870 square foot, two-story industrial building, and an 800 square foot outdoor truck wash area. The industrial building is comprised of an office area, which includes a dispatch office, warehouse/storage area, and a vehicle evidence room. The evidence room will serve as a staging and storage area for nonoperational vehicles that were involved in serious accidents that need to be secured for Police Department inspections (see Exhibit D—Floor Plans, attached).

Vehicles not involved in serious accidents will be kept within the outdoor storage yard area, which is screened by a decorative 8-foot tall masonry block wall. The towing service operation will have three full-time employees (dispatchers), one clerk, and two yardmen.

Normal business office hours are from 8:00 a.m. to 5:00 p.m., Monday thru Friday. After hours customer services may be arranged on an appointment-only basis.

Pepe's Towing provides 24-hour roadside towing services, every day of the week, along with tire changes, fuel delivery, lock-out, and police storage services. Vehicles from Ontario Police Department, Chino Hills Sheriff Department, Rancho Cucamonga California Highway Patrol (CHP), as well as vehicles towed within a 10-mile radius of the Project site, will be towed to the proposed location.

Towed vehicles will have access to the facility on a 24 hour basis, every day of the week. Three tow vehicles will be used by the business, including flatbed and wheel-lift trucks to accommodate automobiles, vans, and light trucks, and a heavy-duty truck to accommodate tractor trucks (see Exhibit G—Tow Vehicles Used by Pepe's Towing, attached).

(4) Community Outreach — The Project site is surrounded by residential properties to the east, south, and west. To ensure community input from the surrounding residents, a Neighborhood Meeting Notice was mailed on March 18, 2021, to all residential property owners and residents extended beyond 500-feet of the Project site, in both English and Spanish. The intent of the notification was to inform the surrounding residents and property owners of the proposed Project and to address any questions and/or concerns they may have regarding the Project.

On March 30, 2021, the Planning Department hosted a virtual Zoom community meeting for the Pepe's Towing Project. The purpose of the community meeting was to present the community with the proposed Project and all new information provided by the Applicant and to gather the community's input and comments. The community meeting was held in both English and Spanish.

In order to help residents that did not have access to a computer, the Dorothy Quesada Community Center was provided as a location to view and participate in the virtual Zoom meeting. Planning Department staff were on hand to provide Spanish translation assistance and ensure that proper social distancing measures were followed. A total of 10 people attended the meeting at the Quesada Community Center and 18 people logged on to the virtual Zoom meeting. Below is a list of issues and concerns raised at the meeting by the surrounding community.

a) Safety issues for children walking to and from nearby schools.

In response to community comments/concerns, the Project site has been designed to minimize impacts to surrounding residents by orienting Project access to the north, away from surrounding residential land uses. The Project will only be accessed from Belmont Street. No access will be taken from Sultana Avenue (excepting emergency vehicle access) or Phillips Street. The Project has been conditioned to require that all tow trucks entering and exiting the site use Campus Avenue, by way of Belmont Street. Tow trucks

will not be allowed to use Sultana Avenue or Phillips Street to access the Project site. The Project will also be required to fully widen and improve Philips Street and construct and improve Sultana Avenue, Phillips Street and Belmont Street, to include curbs, gutters, sidewalks, parkway landscaping (street trees, shrubs, and groundcover), and streetlights.

b) Reduction of property values due to the proposed Project.

Staff cannot address the impacts of property values as a result of the proposed use. The project site is zoned for industrial uses and therefore appraisals of nearby residential properties will take into account industrial land use designation of the project site and the potential uses. The land uses within the Project site's vicinity consist of a combination of industrial, residential, and nonconforming residential land uses. The residential properties located within the vicinity of the Project site are presently impacted by aircraft noise from Ontario International Airport. The Project site is zoned Light Industrial, and the surrounding area is located within the 65-70 dB CNEL noise impact zone of Ontario International Airport. The properties to the east of the Project site are located within the Policy Plan's Industrial Overlay Zone, which is an area that is affected by noise and safety impacts from Ontario International Airport. The Industrial Overlay allows residential uses to transition to an industrial land use if an entire block can be assembled in order to remove sensitive land uses within areas of the City most severely impacted by Ontario International Airport. Over the past 30 years, the City has worked with other governmental agencies and has applied for grants to purchase residential properties, relocate households, transition land uses to be compatible with the Airport, and insulate homes to reduce interior noise levels within high noise impact zones.

c) Safety concerns with the proposed 1,000 gallon above ground fuel tank in relation to the recent firework explosion in one of our residential communities.

The Project proposes the installation of a 1,000 gallon above-ground fueling tank. The fuel tank is proposed to be located at southeast area of the site, just to the west of the office/warehouse building, and setback 15 feet from the south property line along Phillips Street and more than 100 feet from the nearest residential home on the south side of Phillips Street. The fuel tank will be screened and protected from Phillips Street by an 8-foot high split-face masonry block wall. The Fire Department reviewed the Project and recommended approval subject to conditions of approval. The installation of the fuel tank will be required to be reviewed, approved, and permitted by the Fire Department, Ontario Building Department, and the San Bernardino County Fire Department Hazardous Materials Division. An exterior emergency pump shut-off switch will be required to be installed. In addition, the fuel tank will be required to obtain all necessary Air Quality Management District (AQMD) permits prior to its operation. However, staff understands the residential safety concerns with the fuel tank location and therefore has placed a condition of approval on project, that will require the fuel tank to be relocated to the northeast area of the site to a more appropriate location across from the existing industrial development.

d) Increased traffic impacts in the surrounding area and safety concerns at the Phillips and Belmont Street railroad crossing.

The subject site is presently vacant and any new development will generate new vehicle trips over what is existing. The Engineering Department's Traffic Division has reviewed the Project for access and circulation and does not anticipate traffic or noise to increase beyond the traffic and noise that currently exists on Sultana Avenue, Belmont Street, Phillips Street, and the surrounding areas.

The existing Pepe's Towing yard, located at 810 East Main Street, averages approximately two tow service calls per day and 8 to 12 calls per day when on a 24-hour rotation. In addition, the tow yard averages about two customers per day. For context, a typical single-family home averages 9.4 vehicle trips per day. On August 28, 2007, the Planning Commission approved a development plan (File No. PDEV06-035) to construct a 16,738 industrial warehouse building on the west parcel of the Project site. In comparison, that industrial building would have generated approximately 29 vehicle trips per day (based on the Institute of Transportation (ITE) Trip Generation Manual of 1.74 vehicle trips per 1,000 SF of warehouse building).

The Project will also be required to widen Philips Street and construct and improve the sidewalk and landscape parkways along Sultana Avenue, Phillips Street, and Belmont Street. In addition, the Project will only be accessed from Belmont Street. No access will be taken from Sultana Avenue (excepting emergency vehicle access) and Phillips Street. The Project has been conditioned to require that all tow trucks entering and exiting the site use Campus Avenue by way of Belmont Street. Tow trucks will not be allowed to use Sultana Avenue or Phillips Street.

e) The Health Risk Assessment ("HRA") may have been biased in favor of Pepe's Towing and it was requested that another HRA be prepared by another consultant in order to validate the current HRA findings.

The HRA was prepared by the Ganddini Group (dated February 15, 2021) and analyzed the potential impacts from the proposed Tow Yard Facility and concluded that the proposed Project will not impose significant health impacts on the surrounding environment. The Ganddini Group is a transportation and environmental consulting firm that utilized federal and State regulatory standards for analyzing the potential impacts from the proposed Project.

f) Relocate the towing and vehicle storage facility within an industrial area somewhere else in the City.

City records show that the Project site has been zoned for industrial uses since 1947. Vehicle storage yards and/or a towing facility is a conditionally permitted use within the Light Industrial zoning district. The Conditional Use Permit review process is intended to ensure the compatibility of adjacent uses by identifying potential nuisance activities and

establishes measures to mitigate those nuisance activities to an acceptable level. In response to community comments/concerns, the Project site has been designed to minimize impacts to surrounding residents by orienting Project access to the north, away from surrounding residential land uses. No access will be taken from Sultana Avenue (excepting emergency vehicle access) and Phillips Street. Also, the Project has been conditioned to require that all tow trucks entering and exiting the site use Campus Avenue by way of Belmont Street. Tow trucks will not be allowed to use Sultana Avenue or Phillips Street.

g) Develop the subject site as green space or affordable housing.

City records show that the Project site has been zoned industrial since 1947. The Policy Plan (General Plan) land use designations surrounding the site are Industrial to the north, Low Density Residential/Industrial Overlay to the east, Low Density Residential to the south, and Low Medium Density Residential to the west. The Project site zoned IL (Light Industrial). The IL zoning district was established to accommodate lighter manufacturing and assembly activities, storage and warehousing activities, and other similar uses developed at a maximum intensity of 0.55 FAR. This zoning district is typically located within 500 feet of residentially zoned properties, public parks and schools, and mixed-use properties having a residential component. The IL district is intended to serve as a buffer between residentially zoned areas and heavier industrial zoning districts. Allowed uses are expected to have little or no impacts on nearby residential uses with regard to noise, odor, or hazards. The IL zoning district is consistent with, and implements, the Industrial land use designations of the Policy Plan component of The Ontario Plan. Also, the Project site is located within the Light Industrial zoning district and the surrounding area is located within the 65-70 dB CNEL noise impact zone of Ontario International Airport. Establishing new residential land uses is not a compatible or allowable land use.

(5) 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 the Ganddini Group (dated February 15, 2021) analyzed the potential impacts from the proposed Tow Yard Facility and concluded that the proposed Project will not impose significant health impacts on the surrounding environment (see Attachment A: Health Risk Assessment). The HRA analyzed the Project's cancer burden estimates as well as the operational Toxic Air Contaminants ("TACs") impacts from Diesel Particulate Matter ("DPM") emissions. Both analyses of the impacts 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 Project entrances are oriented away from the existing residential uses and primary access will be taken from Belmont Street.

(6) Noise Assessment — The Applicant submitted an updated Noise Assessment prepared by Rincon Consultants (dated July 6, 2020), to include noise generated during typical tow-related activities. The initial Noise Assessment (Rincon Consultants, dated April 8, 2020) only analyzed noise levels from the proposed truck wash facility. The Noise Assessment concluded that the proposed tow operations and truck wash facility will not generate noise levels beyond the City's allowed noise levels for the adjacent residential zones to the west, south, and east of the Project site. Per the City's Noise Ordinance (Ontario Municipal Code Title 5, Chapter 29 (Noise), commencing with Section 5-29.01), the maximum exterior noise level allowed within residential zoning districts is 65 decibels (dBA), between the hours of 7:00 a.m. to 10:00 p.m. According to the Noise Assessment, the exterior noise level generated by the truck wash area will not exceed 59 dBA, the daytime tow operations would not exceed 55 dBA and the nighttime tow operations would not exceed 44 dBA. In addition, the Project site and the surrounding residential area are located within the 65-70 dB CNEL noise impact zone of Ontario International Airport and currently exposed to daily noise levels above 65 dBA. Therefore, the proposed outdoor truck washing and tow activities will comply with the City's maximum allowed exterior noise level for residential zoning districts and are not anticipated to adversely affect the adjacent residents (see Attachment B – Noise Study).

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

(1) City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

(2) Vision.

Distinctive Development:

- Commercial and Residential Development

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

(3) Governance.

Decision Making:

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

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

(4) Policy Plan (General Plan).

Land Use Element:

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

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

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

  - 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.

  - CE2-5 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.

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

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

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

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

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

  - CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways,

corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

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

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

- CD2-12 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 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 Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines and meets each of the following conditions: [1] the Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations; [2] the proposed development occurs within city limits, on a Project site of no more than five acres, and is substantially surrounded by urban uses; [3] the Project site has no value as habitat for endangered, rare, or threatened species; [4] approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and [5] the Project site can be adequately served by all required utilities and public services.

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 Land	Industrial	IL (Light Industrial)	N/A
North	Metal Rebar Storage Yard	Industrial	IL (Light Industrial)	N/A
South	Single-Family Residential Homes	Low Density Residential	LDR5 (Low Density Residential – 2.1 to 5.0 DUs/Acre)	N/A
East	Railroad & Single-Family Residential Homes	Low Density Residential/Industrial Overlay	LDR5 (Low Density Residential – 2.1 to 5.0 DUs/Acre)	N/A
West	Single-Family Residential Homes	Low Medium Density Residential	MDR11 (Medium Density Residential – 5.1 to 11 DUs/Acre)	N/A

General Site & Building Statistics

Item	*Proposed*	*Min./Max. Standard*	*Meets Y/N*
Project Area:	3.14 Ac (136,778 SF)	10,000 SF (Min.)	Y
Building Area	6,870 SF	75,228 SF (Max.)	Y
Floor Area Ratio (FAR)	0.05	0.55 (Max.)	Y
Building Height:	34 FT	55 FT (Max.)	Y

Off-Street Parking:

Type of Use	*Building Area*	*Parking Ratio*	*Spaces Required*	*Spaces Provided*
Warehouse Building	5,814 SF	1 per 1,000 for first 20,000 GFA and 0.5 per 1,000 for building GFA greater than 20,000; plus, required parking for "general business offices" when those uses exceed 10% of building GFA (Gross Floor Area).	6	7
Office	1,056 SF	4 spaces per 1,000 of building GFA	2	13
Outdoor Vehicle Storage Area	79,569 SF	0.1 space per 1,000 SF of GFA	8	324
TOTAL Building Area	6,870 SF		16	20

Exhibit A—AERIAL VIEW

Exhibit B—SITE PHOTOGRAPHS

Southeast Corner View of Project Site (Phillips St & Railroad Tracks)

Northeast Corner of Project Site (Railroad Easement and Belmont Street)

Exhibit B1—SITE PHOTOGRAPHS

Northwest Corner View of Project Site (Belmont Street and Sultana Avenue)

Southwest Corner View of Project Site (Sultana Ave & Phillips St)

Exhibit C—SITE PLAN

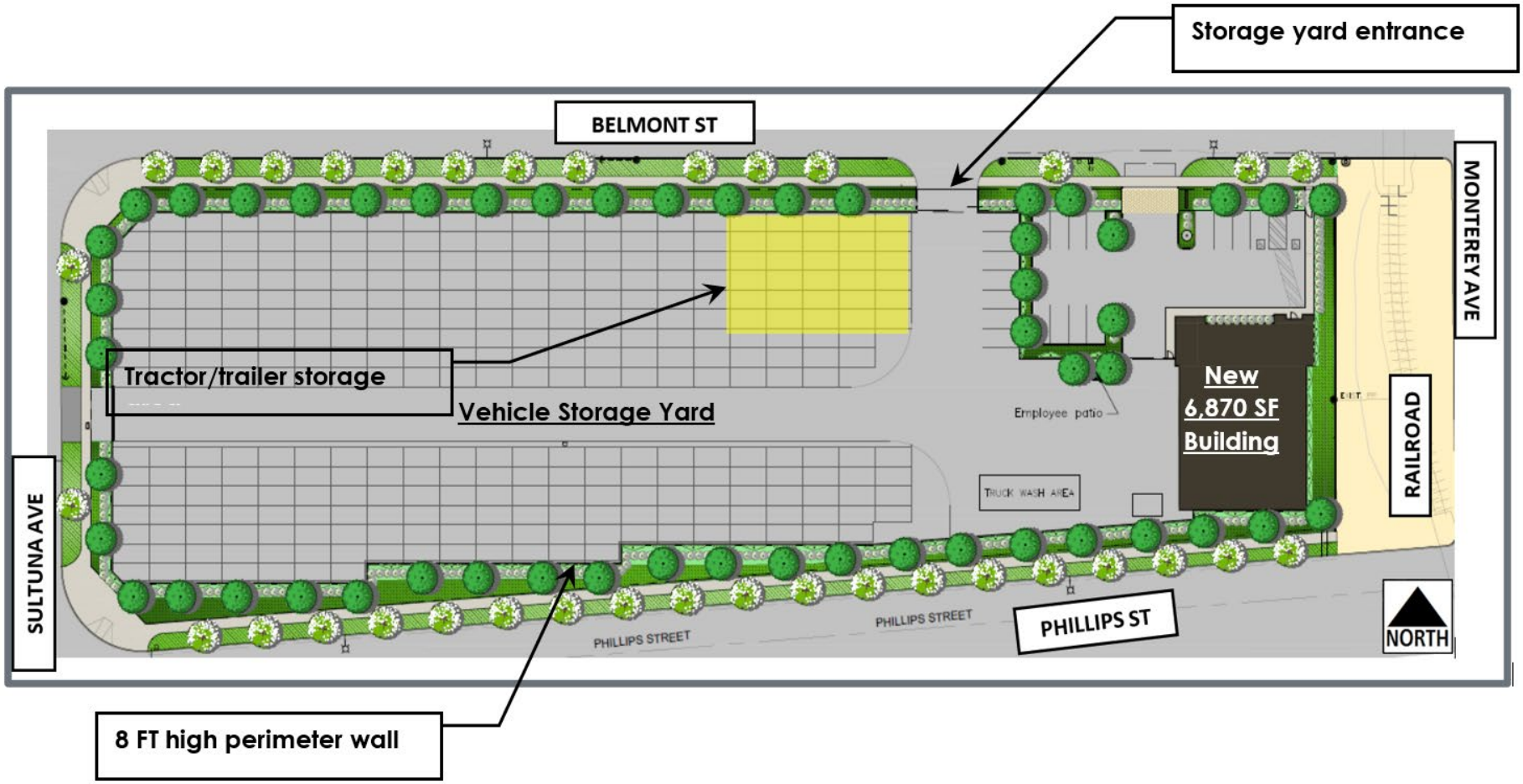


Exhibit D—BUILDING FLOOR PLANS

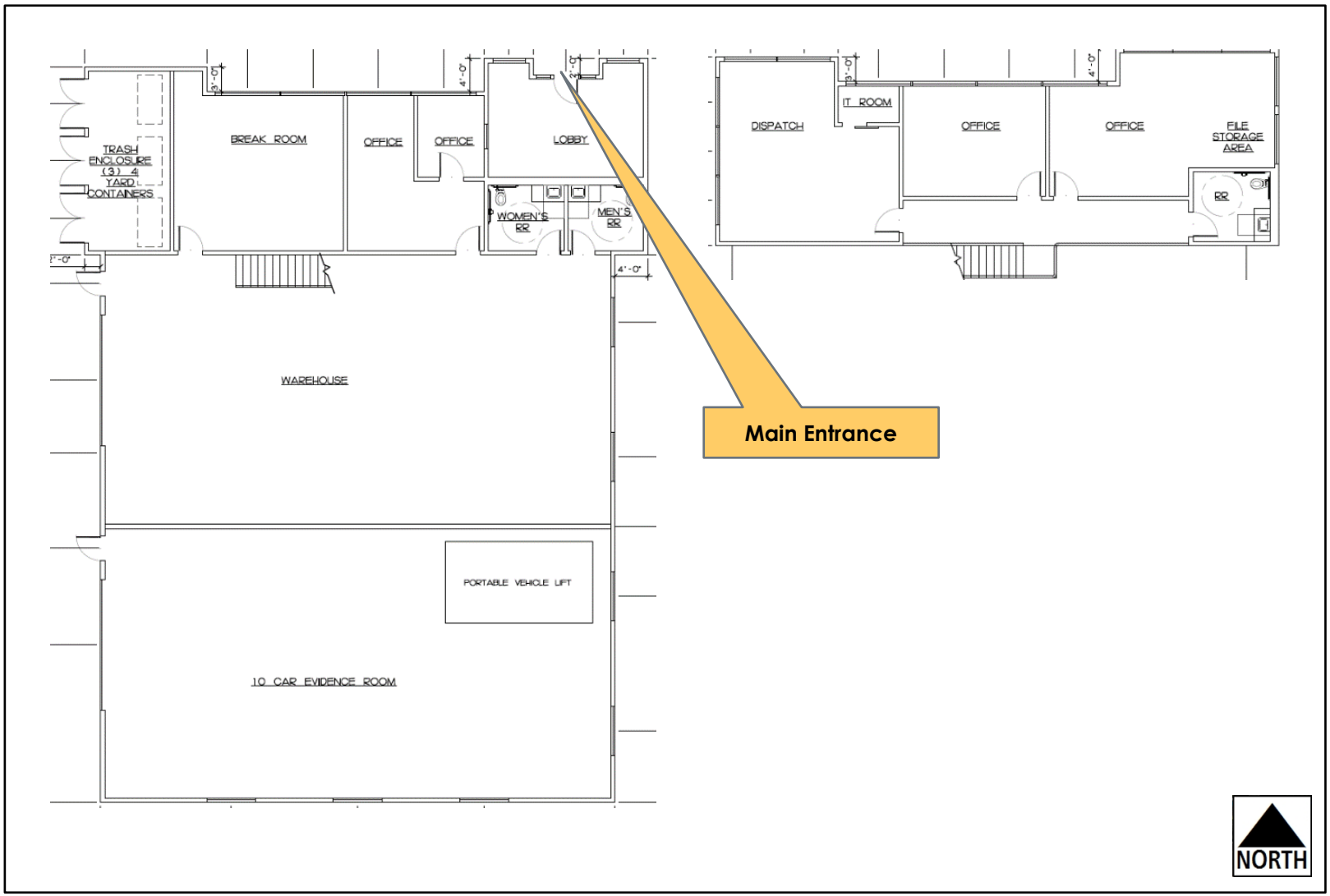
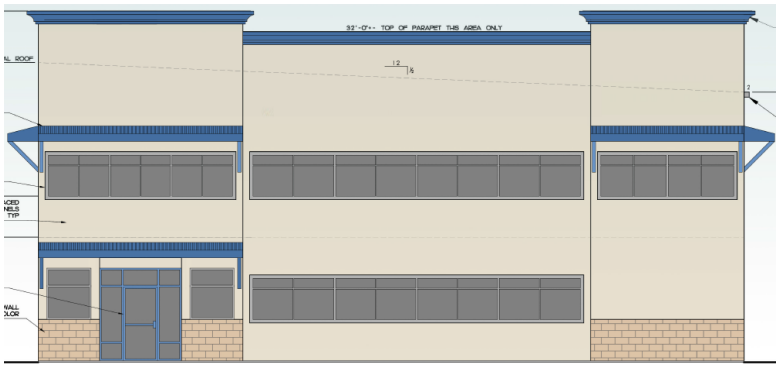
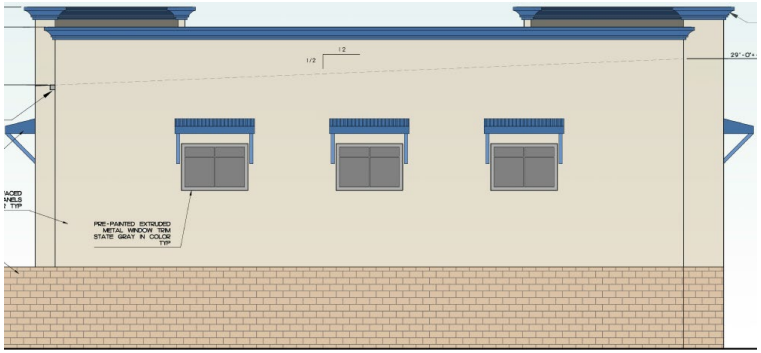


Exhibit E—BUILDING ELEVATIONS

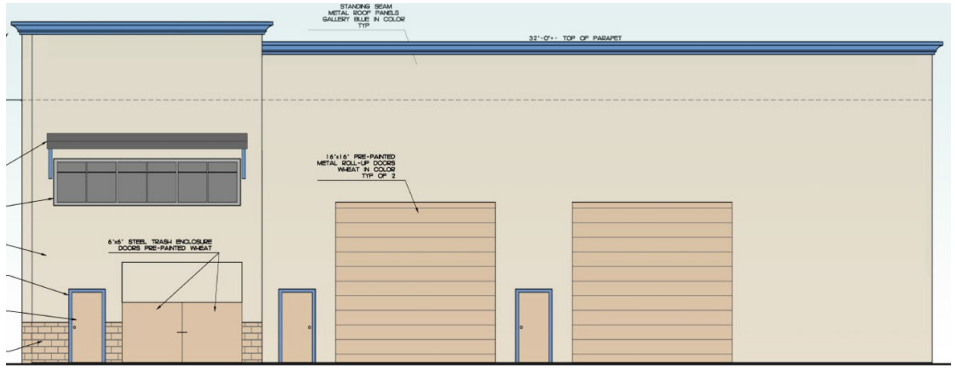


North (Belmont Street) Elevation

East Side Elevation



South (Rear) Elevation

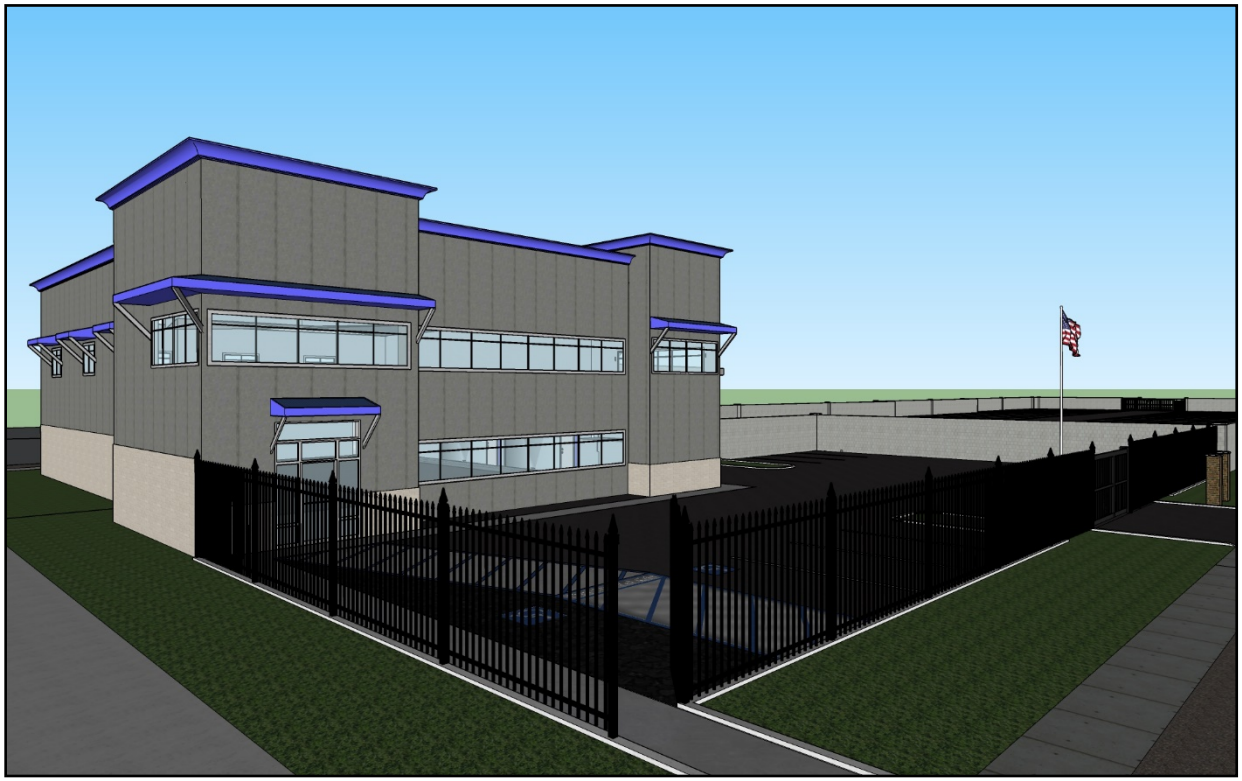


West Elevation

Exhibit F—BUILDING PERSPECTIVES

View from Belmont Street

Exhibit F1—BUILDING PERSPECTIVES



View from Belmont/Monterey Intersection

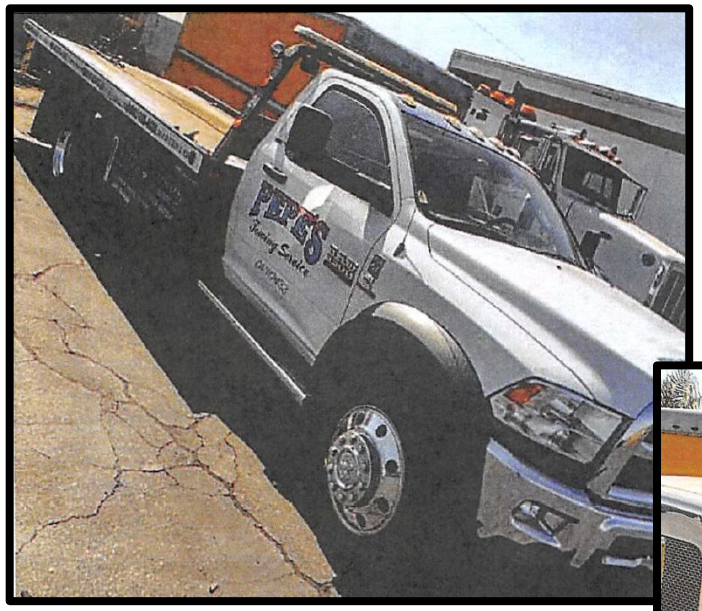
Exhibit F2—BUILDING PERSPECTIVES

View from Monterey/Phillips Intersection

Exhibit F3—BUILDING PERSPECTIVES

View from Sultana/Belmont Intersection

Exhibit G—TOW VEHICLES USED BY PEPE'S TOWING



Light Duty Flatbed Truck

Light Duty Wheel Lift Truck

Heavy Duty Truck

ATTACHMENT A:
HEALTH RISK ASSESSMENT

(Document follows this page)

500 BELMONT STREET TOW YARD HEALTH RISK ASSESSMENT ANALYSIS

City of Ontario

February 15, 2021

ganddini

Traffic Engineering • Transportation Planning • Parking • Noise & Vibration
Air Quality • Global Climate Change • Health Risk Assessment

500 BELMONT STREET TOW YARD HEALTH RISK ASSESSMENT ANALYSIS

City of Ontario

February 15, 2021

prepared by
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Katie Wilson, MS

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Project No. 19350

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EXECUTIVE SUMMARY

The purpose of this health risk assessment analysis is to provide an assessment of the impacts resulting from the operation of the proposed 500 Belmont Street Tow Yard project and to identify measures that may be necessary to reduce potentially significant impacts.

Cancer and Non-Cancer-Related Health Risk Impacts

The analysis contained in this report shows that the existing sensitive receptors, within the vicinity of the proposed 500 Belmont Street Tow Yard project, would not be exposed to a cancer risk in excess of 10 in a million from operation of the project. Impacts are considered to be less than significant.

The operational health risk impacts for non-cancer related impacts are less than 1.0; therefore, they are also considered to be less significant. No mitigation is required.

1. INTRODUCTION AND SETTING

This section describes the purpose of this health risk assessment, project location, proposed development, and study area. Figure 1 shows the project location map and Figure 2 illustrates the project site plan.

PURPOSE AND OBJECTIVES

This study was performed to address the possibility of cancer and non-cancer risk from project related diesel emissions. The objectives of the study include:

- discussion of the cancer risk thresholds of significance
- analysis of the operations related cancer risk from diesel emissions
- recommendations for mitigation measures

The City of Ontario is the lead agency for this health risk assessment, in accordance with the California Environmental Quality Act authorizing legislation. Although this is a technical report, every effort has been made to write the report clearly and concisely. To assist the reader with terms unique to air quality, a definition of terms has been provided in Appendix A.

PROJECT LOCATION

The approximately 3.01-acre project site is located at 550 East Belmont Street in the City of Ontario, California. The project site is currently vacant. A vicinity map showing the project location is provided on Figure 1.

PROJECT DESCRIPTION

The proposed project involves development of the project site with a 6,600 square foot industrial building and towing yard facility for the relocation of an existing towing storage yard currently operating on an unimproved lot at 810 East Main Street in the City of Ontario. The proposed towing facility is anticipated to continue comparably to the existing towing storage yard in terms of impounds. The proposed project will operate 24/7 with three dispatch staff working three 8-hour shifts per day and three office/yard staff working Monday through Friday from 8:00 AM to 5:00 PM. Vehicular access to the site is proposed by a new full access 27-foot driveway on Belmont Street, a gated restricted access 30-foot driveway on Belmont Street, and an emergency access 25-foot driveway on Sultana Avenue. Figure 2 illustrates the proposed site plan.

According to the SCAQMD's MATES-IV study, the project area has an estimated, ambient cancer risk of 1,144.96 in one million. In comparison, the average cancer risk for the South Coast Air Basin portion of San Bernardino County is 339 in one million. This increased cancer risk is largely due to the proximity to the Union Pacific Railroad rail line, State Route 60, and Interstate 10 Freeway.

PHASING AND TIMING

The proposed project is anticipated to be operational in 2021.

SENSITIVE RECEPTORS IN PROJECT VICINITY

Sensitive receptors include residential land uses, schools, day care centers, and other places where people reside, including prisons. The nearest sensitive receptors to the proposed project are the single-family residential dwelling units located approximately 50 feet to the south (across E Phillips Street), 65 feet to the west (across Sultana Avenue), and approximately 80 feet to the east (across Monterey Avenue) of the project site.

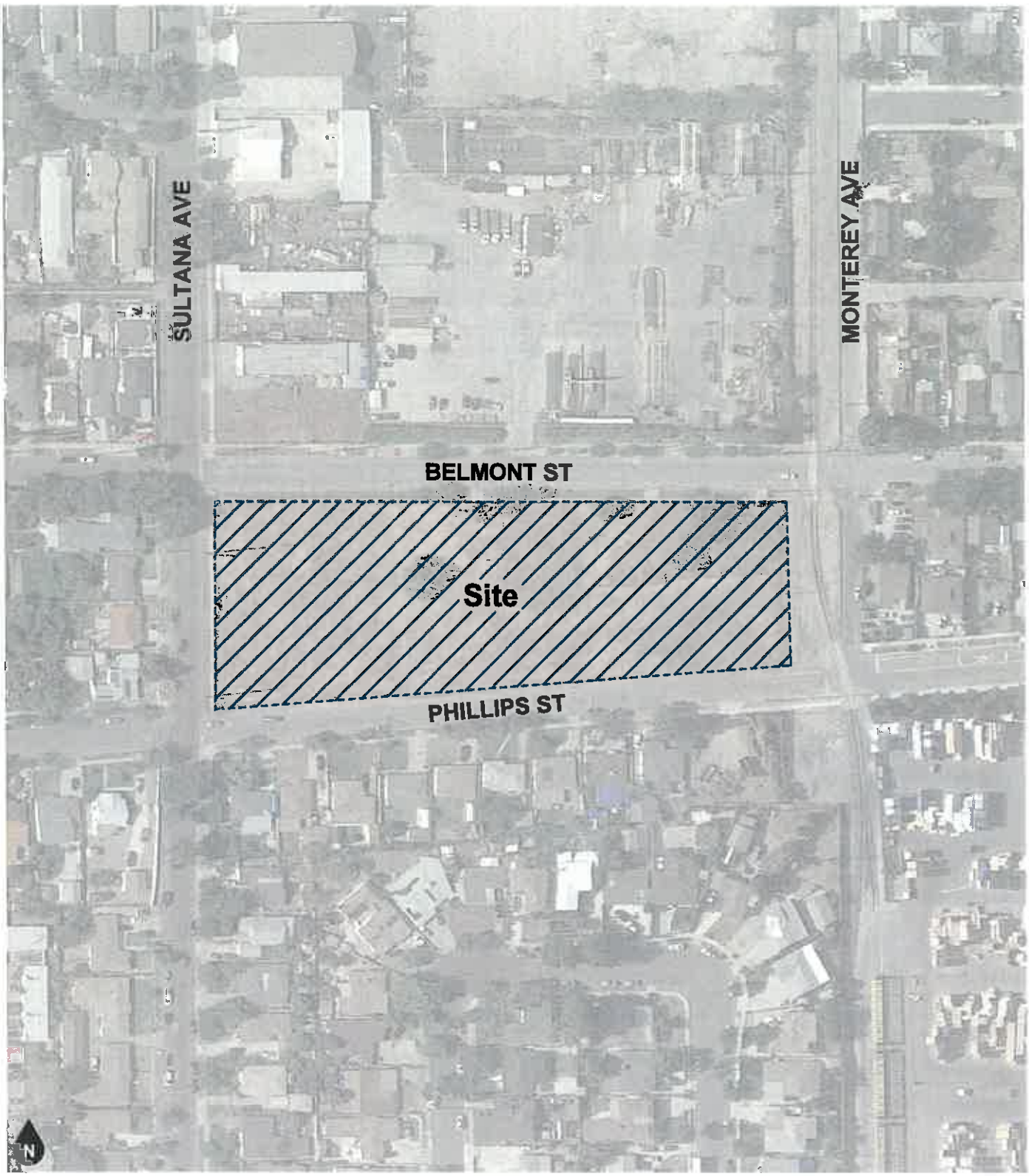

Figure 1
Project Location Map

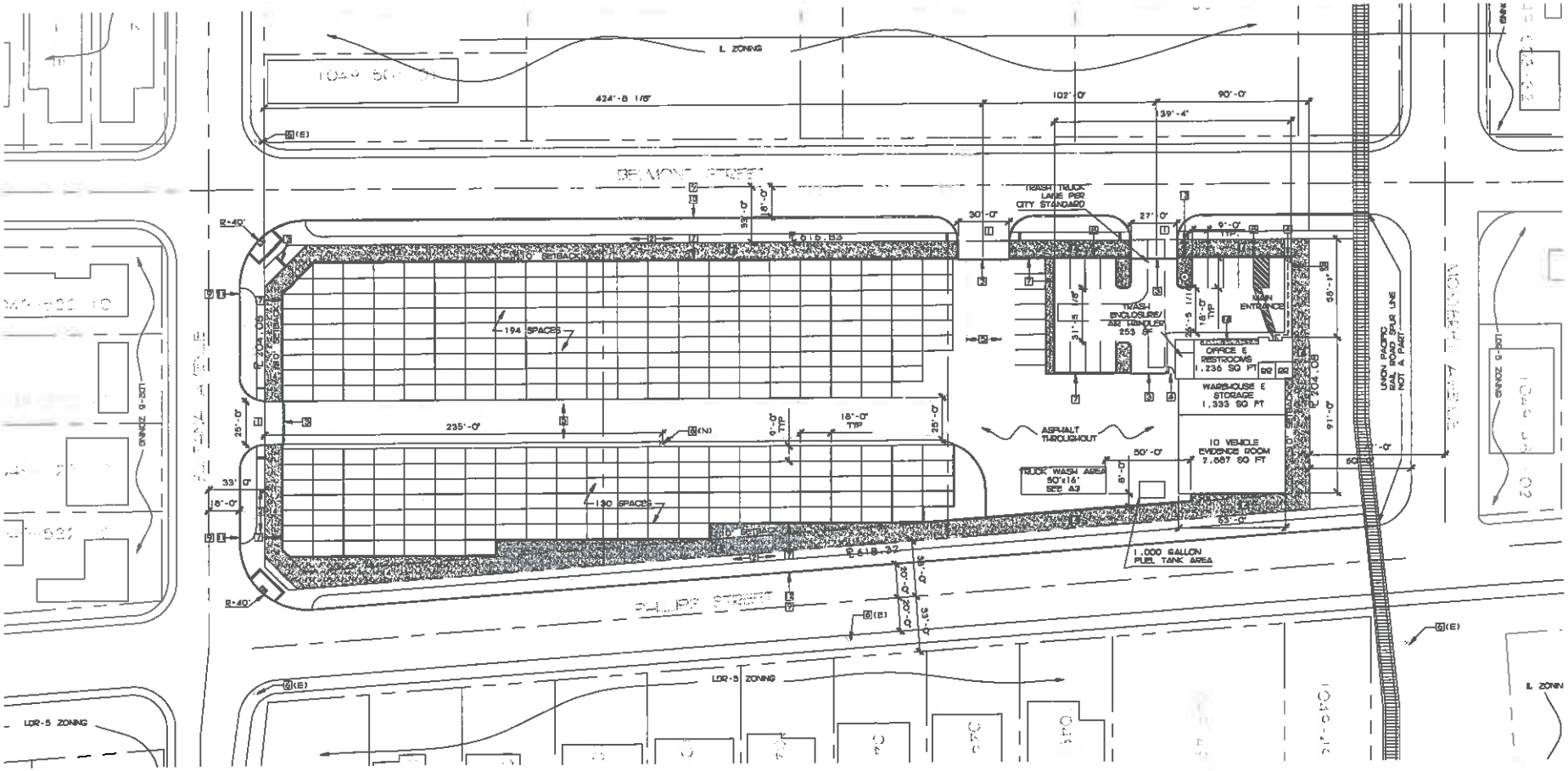

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Figure 2
Site Plan

2. POLLUTANTS AND REGULATORY SETTING

POLLUTANTS

Pollutants are generally classified as either criteria pollutants or non-criteria pollutants. Federal ambient air quality standards have been established for criteria pollutants, whereas no ambient standards have been established for non-criteria pollutants. For some criteria pollutants, separate standards have been set for different periods. Most standards have been set to protect public health. For some pollutants, standards have been based on other values (such as protection of crops, protection of materials, or avoidance of nuisance conditions). A summary of federal and state ambient air quality standards is provided in the Regulatory Framework section.

Toxic Air Contaminants

In addition to the above-listed criteria pollutants, toxic air contaminants (TACs) are another group of pollutants of concern. Sources of toxic air contaminants include industrial processes such as petroleum refining and chrome plating operations, commercial operations such as gasoline stations and dry cleaners, and motor vehicle exhaust. Cars and trucks release at least forty different toxic air contaminants. The most important of these toxic air contaminants, in terms of health risk, are diesel particulates, benzene, formaldehyde, 1,3-butadiene, and acetaldehyde. Public exposure to toxic air contaminants can result from emissions from normal operations as well as from accidental releases. Health effects of toxic air contaminants include cancer, birth defects, neurological damage, and death.

Toxic air contaminants are less pervasive in the urban atmosphere than criteria air pollutants, however they are linked to short-term (acute) or long-term (chronic or carcinogenic) adverse human health effects. There are hundreds of different types of toxic air contaminants with varying degrees of toxicity. Sources of toxic air contaminants include industrial processes, commercial operations (e.g., gasoline stations and dry cleaners), and motor vehicle exhaust.

According to the 2013 California Almanac of Emissions and Air Quality, the majority of the estimated health risk from toxic air contaminants can be attributed to relatively few compounds, the most important of which is diesel particulate matter (DPM). Diesel particulate matter is a subset of PM2.5 because the size of diesel particles are typically 2.5 microns and smaller. The identification of diesel particulate matter as a toxic air contaminant in 1998 led the California Air Resources Board (CARB) to adopt the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-fueled Engines and Vehicles in September 2000. The plan's goals are a 75-percent reduction in diesel particulate matter by 2010 and an 85-percent reduction by 2020 from the 2000 baseline. Diesel engines emit a complex mixture of air pollutants, composed of gaseous and solid material. The visible emissions in diesel exhaust are known as particulate matter or PM, which includes carbon particles or "soot". Diesel exhaust also contains a variety of harmful gases and over 40 other cancer-causing substances. California's identification of diesel particulate matter as a toxic air contaminant was based on its potential to cause cancer, premature deaths, and other health problems. Exposure to diesel particulate matter is a health hazard, particularly to children whose lungs are still developing and the elderly who may have other serious health problems. Overall, diesel engine emissions are responsible for the majority of California's potential airborne cancer risk from combustion sources.

The California Air Resources Board (CARB) have monitoring networks that measure ambient concentrations of certain TACs that are associated with important health-related effects and are present in appreciable concentrations in the area. The CARB publishes annual Statewide, air basin, and location-specific summaries of the concentration levels of several TACs and their resulting cancer risks[1]. The most recent summary is the CARB Air Quality Almanac for 2013 (CARB 2013). The Almanac presents the relevant concentration and

[1] Cancer risk is expressed as a probability of an individual out of a population of one million contracting cancer via a continuous exposure to TACs over a 30-year lifetime.

cancer risk data for the ten TACs that pose the most substantial health risk in California based on available data. These TACs are: acetaldehyde, benzene, 1,3-butadiene, carbon tetrachloride, hexavalent chromium, para-dichlorobenzene, formaldehyde, methylene chloride, and perchloroethylene. DPM is not directly measured but is indirectly estimated based on fine particulate matter measurements and special studies on the chemical speciation of ambient fine particulate data along with receptor modeling techniques. CARB showed that Diesel PM emissions decreased 37 percent from 2000 to 2010 primarily as a result of more stringent emissions standards and the introduction of cleaner burning diesel fuel. Emissions from diesel mobile sources are projected to continue to decrease after 2010. Overall, statewide emissions are forecasted to decline by 71 per cent between 2000 and 2035. CARB estimates that 78 percent of the known statewide cancer risks are from the top 10 outdoor air toxics in addition to DPM.

Estimates of total cancer risk Statewide have shown a steady decline from the early 1990s when the cancer risk from DPM was estimated to be 1,696 in one million. By the year 2000, the cancer risk was estimated to be 1,005 in one million or a reduction of 41 percent. Reductions in cancer risk are expected to continue into the future as new emission controls are implemented that further reduce DPM emissions, the major component of the total airborne cancer risk. Table 1 provides this summary of TACs and health risk information from the ARB Annual Toxic Summary for the most recent three-year period, 2017-2019 for the Riverside-Rubidoux air monitoring station, the closest air monitoring station to the project site with recent data, located approximately 13.61 miles southeast of the project site. The cancer risk attributable to the non-DPM chemicals (i.e., the 10 TACs measured by the ARB described above) have also shown significant reductions at the Riverside-Rubidoux location declining from an estimated cancer risk of 397 in one million in 2017, to 260 in one million in 2018.

Asbestos

Asbestos is listed as a TAC by the CARB and as a Hazardous Air Pollutant by the United States Environmental Protection Agency (EPA). Asbestos occurs naturally in mineral formations and crushing or breaking these rocks, through construction or other means, can release asbestiform fibers into the air. Asbestos emissions can result from the sale or use of asbestos-containing materials, road surfacing with such materials, grading activities, and surface mining. The risk of disease is dependent upon the intensity and duration of exposure. When inhaled, asbestos fibers may remain in the lungs and with time may be linked to such diseases as asbestosis, lung cancer, and mesothelioma. Naturally occurring asbestos is not present in San Bernardino County. The nearest likely locations of naturally occurring asbestos, as identified in the General Location Guide for Ultramafic Rocks in California prepared by the California Division of Mines and Geology, is located in Santa Barbara County. Due to the distance to the nearest natural occurrences of asbestos, the project site is not likely to contain asbestos.

REGULATORY SETTING

The proposed project is addressed through the efforts of various international, federal, state, regional, and local government agencies. These agencies work jointly, as well as individually, to improve air quality through legislation, regulations, planning, policy making, education, and a variety of programs. The agencies responsible for improving the air quality are discussed below.

Federal – United States Environmental Protection Agency (EPA)

The EPA is responsible for setting and enforcing the National Ambient Air Quality Standards (NAAQS) for atmospheric pollutants. It regulates emission sources that are under the exclusive authority of the federal government, such as aircraft, ships, and certain locomotives. The National Ambient Air Quality Standards (NAAQS) pollutants were identified using medical evidence.

As part of its enforcement responsibilities, the EPA requires each state with federal nonattainment areas to prepare and submit a State Implementation Plan (SIP) that demonstrates the means to attain the national standards. The State Implementation Plan (SIP) must integrate federal, state, and local components and

regulations to identify specific measures to reduce pollution, using a combination of performance standards and market-based programs within the timeframe identified in the State Implementation Plan (SIP).

State – California Air Resources Board

The CARB, which is a part of the California Environmental Protection Agency, is responsible for the coordination and administration of both federal and state air pollution control programs within California. In this capacity, the CARB conducts research, sets the California Ambient Air Quality Standards (CAAQS), compiles emission inventories, develops suggested control measures, provides oversight of local programs, and prepares the State Implementation Plan (SIP). In addition, the CARB establishes emission standards for motor vehicles sold in California, consumer products (e.g., hairspray, aerosol paints, and barbeque lighter fluid), and various types of commercial equipment. It also sets fuel specifications to further reduce vehicular emissions.

CARB Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling adopts new section 2485 within Chapter 10, Article 1, Division 3, title 13 in the California Code of Regulations. The measure limits the idling of diesel vehicles (i.e., commercial trucks over 10,000 pounds) to reduce emissions of toxics and criteria pollutants. The driver of any vehicle subject to this section: (1) shall not idle the vehicle's primary diesel engine for greater than five minutes at any location; and (2) shall not idle a diesel-fueled auxiliary power system for more than five minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle if it has a sleeper berth and the truck is located within 100 feet of a restricted area (homes and schools).

CARB Requirements to Reduce Idling Emissions from New and In-Use Trucks. Amendments were made to Title 13 in California Code of Regulations in Sections 1956.8, 2404, 2424, 2425, and 2485. The amendment states: "all new 2008 and subsequent model-year heavy-duty diesel engines shall be equipped with an engine shutdown system that automatically shuts down the engine after 300 seconds of continuous idling operation once the vehicle is stopped, the transmission is set to 'neutral' or 'park,' and the parking brake is engaged. If the parking brake is not engaged, then the engine shutdown system shall shut down the engine after 900 seconds of continuous idling operation once the vehicle is stopped and the transmission is set to 'neutral' or 'park.'" There are a few conditions where the engine shutdown system can be overridden to prevent engine damage. Any project trucks manufactured after 2008 would be consistent with this rule, which would ultimately reduce air emissions.

Statewide Truck and Bus Regulation (Regulation to Reduce Emissions of DPM, Oxides of Nitrogen and Other Criteria Pollutants, from In-Use Heavy-Duty Diesel-Fueled Vehicles, Title 13, California Code of Regulations, Section 2025). On December 12, 2008, the ARB approved this regulation to reduce emissions from existing on-road diesel trucks and buses operating in California. This regulation applies to all on-road heavy-duty diesel-fueled vehicles with a gross vehicle weight rating greater than 14,000 pounds, agricultural yard trucks with off-road certified engines, and certain diesel fueled shuttle vehicles of any gross vehicle weight rating. Out-of-state trucks and buses that operate in California are also subject. Under the regulation, older, heavier trucks (i.e. those with pre-2000 year engines and a gross vehicle weight rating greater than 26,000 pounds), are required to have installed a particulate matter filter and must be replaced with a 2010 engine between 2015 and 2020, depending on the model year. By 2015, all heavier pre-1994 trucks must be upgraded to 2010 engines and newer trucks are thereafter required to be replaced over the next eight years. Older, more polluting trucks are required to be replaced first, while trucks that already have relatively clean 2007-2009 engines are not required to be replaced until 2023. Lighter trucks (14,001-26,000 pounds) must adhere to a similar schedule. Furthermore, nearly all trucks that are not required under the Truck and Bus Regulation to be replaced by 2015 were required to be upgraded with a particulate matter filter by that date.

The CARB is also responsible for regulations pertaining to toxic air contaminants. The Air Toxics "Hot Spots" Information and Assessment Act (AB 2588, 1987, Connelly) was enacted in 1987 as a means to establish a formal air toxics emission inventory risk quantification program. AB 2588, as amended, establishes a process that requires stationary sources to report the type and quantities of certain substances their facilities routinely

release into the air basin. The data is ranked by high, intermediate, and low categories, which are determined by: the potency, toxicity, quantity, volume, and proximity of the facility to nearby receptors.

AB 617 Nonvehicular air pollution: criteria air pollutants and toxic air contaminants

This bill requires the state board to develop a uniform statewide system of annual reporting of emissions of criteria air pollutants and toxic air contaminants for use by certain categories of stationary sources. The bill requires those stationary sources to report their annual emissions of criteria air pollutants and toxic air contaminants, as specified. This bill required the state board, by October 1, 2018, to prepare a monitoring plan regarding technologies for monitoring criteria air pollutants and toxic air contaminants and the need for and benefits of additional community air monitoring systems, as defined. The bill requires the state board to select, based on the monitoring plan, the highest priority locations in the state for the deployment of community air monitoring systems. The bill requires an air district containing a selected location, by July 1, 2019, to deploy a system in the selected location. The bill would authorize the air district to require a stationary source that emits air pollutants in, or that materially affect, the selected location to deploy a fence-line monitoring system, as defined, or other specified real-time, on-site monitoring. The bill authorizes the state board, by January 1, 2020, and annually thereafter, to select additional locations for the deployment of the systems. The bill would require air districts that have deployed a system to provide to the state board air quality data produced by the system. By increasing the duties of air districts, this bill would impose a state-mandated local program. The bill requires the state board to publish the data on its Internet Web site.

Regional

The project site is located within the City of Ontario, in San Bernardino County, which is part of the South Coast Air Basin (SCAB) that includes all of Orange County as well as the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties. The South Coast Air Basin is located on a coastal plain with connecting broad valleys and low hills to the east. Regionally, the South Coast Air Basin is bounded by the Pacific Ocean to the southwest and high mountains to the east forming the inland perimeter.

SCAQMD

The SCAQMD is the agency principally responsible for comprehensive air pollution control in the South Coast Air Basin. To that end, as a regional agency, the SCAQMD works directly with the Southern California Association of Governments (SCAG), county transportation commissions, and local governments and cooperates actively with all federal and state agencies.

In addition to attaining and maintaining air quality standards set by State and Federal Governments, the District is also responsible for ensuring that toxic air pollutants do not pose a nuisance or significant health threat to the surrounding community. Every year, the State's Air Toxics Hot Spots program (AB 2588) requires the District to quantify and assess health risks from subject facilities to nearby residents, notify affected residents of significant risks, and to reduce those significant health risks to acceptable levels.

Health Risk Significant Thresholds

According to the SCAQMD CEQA Handbook, any project that has the potential to expose the public to toxic air contaminants in excess of the following thresholds would be considered to have a significant air quality impact:

- If the Maximum Incremental Cancer Risk is 10 in one million or greater; or
- Toxic air contaminants from the proposed project would result in a Hazard Index increase of 1 or greater.

In order to determine if the proposed project may have a significant impact related to hazardous air pollutants (HAP), the Health Risk Assessment Guidance for analyzing Cancer Risks from Mobile Source Diesel Idling

Emissions for CEQA Air Quality Analysis, (Diesel Analysis), prepared by SCAQMD, August 2003, recommends that if the proposed project is anticipated to create hazardous air pollutants through stationary sources or regular operations of diesel trucks on the project site, then the proximity of the nearest receptors to the source of the hazardous air pollutants and the toxicity of the hazardous air pollutants should be analyzed through a comprehensive facility-wide health risk assessment (HRA).

As determined in the *California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal. 4th 369 (CBIA) case the California Supreme Court determined that CEQA does not generally require an impact analysis of the existing environmental conditions on the future residents of a proposed project and generally only requires an analysis of the proposed project's impact on the environment. However, the CBIA case also stated that when a proposed project brings development and people into an area already subject to specific hazards and the new development/people exacerbate the existing hazards, then CEQA requires an analysis of the hazards and the proposed project's effect in terms of increasing the risks related to those hazards. Regarding air quality hazards, TACs are defined as substances that may cause or contribute to an increase in deaths or in serious illness, or that may pose a present or potential hazard to human health. As such, if a proposed project would not exacerbate pre-existing hazards (e.g., TAC health risks) then an analysis of those hazards and the proposed project's effect on increasing those hazards is not required.

However, the project is an industrial tow yard project and will be a source of toxic air contaminants; therefore, per City of Ontario request, an HRA was conducted.

Table 1
TAC Concentration Levels and Associated Risks - Riverside-Rubidoux

TAC	Concentration[1] / Risk[2]	Year		
		2017	2018	2019
Acetaldehyde	Annual Average	1.080	ND	ND
	Health Risk	16	ND	ND
Benzene	Annual Average	0.271	0.239	ID
	Health Risk	70	62	ID
1,3-Butadiene	Annual Average	0.044	0.043	ID
	Health Risk	48	46	ID
Carbon Tetrachloride	Annual Average	0.090	0.073	ID
	Health Risk	69	56	ID
Chromium, Hex	Annual Average	6.7	ID	ND
	Health Risk	ND	ND	ND
Para-Dichlorobenzene	Annual Average	ID	ID	ID
	Health Risk	ID	ID	ID
Formaldehyde	Annual Average	3.350	ND	ND
	Health Risk	70	ND	ND
Methylene Chloride	Annual Average	12.300	9.590	ID
	Health Risk	122	95	ID
Perchloroethylene	Annual Average	0.013	0.011	ID
	Health Risk	2	1	ID
Diesel PM	Annual Average	No monitoring data available		
	Health Risk			
Total Health Risk (without DPM)		**397**	**260**	-

Notes:

ND = no data reported; ID = insufficient data

Source: http://www.arb.ca.gov/adam/toxics/toxics.html (for Riverside-Rubidoux- 5558 California Avenue Air Monitoring Station)

1. Concentrations for Hexavalent Chromium are expressed as ng/m3, and concentrations for Diesel PM are expressed as µg/m3. Concentrations for all other TACs are expressed as ppb.

2. Health Risk represents the number of excess cancer cases per million people based on a lifetime (30-year) exposure to the annual average concentration. Total Health Risk represents only those compounds listed in this table and only those with data for the year. There may be other significant compounds for which monitoring and/or health risk information is not available.

3. DIESEL EMISSIONS HEALTH RISK ASSESSMENT

The on-going operation of the proposed project would generate toxic air contaminant emissions from diesel truck emissions created by the on-going operations of the proposed project. According to SCAQMD methodology, health effects from carcinogenic air toxics are usually described in terms of individual cancer risk. "Individual Cancer Risk" is the likelihood that a person exposed to concentrations of toxic air contaminants over a 30-year lifetime will contract cancer, based on the use of revised Office of Environmental Health Hazard Assessment (OEHHA) risk-assessment methodology.[2]

A health risk assessment requires the completion and interaction of four general steps:

(1) Quantify project-generated TAC emissions.
(2) Identify nearby ground-level receptor locations that may be affected by the emissions (including any special sensitive receptor locations such as residences, schools, hospitals, convalescent homes, and daycare centers).
(3) Perform air dispersion modeling analyses to estimate ambient pollutant concentrations at each receptor location using project TAC emissions and representative meteorological data to define the transport and dispersion of those emissions in the atmosphere.
(4) Characterize and compare the calculated health risks with the applicable health risk significance thresholds.

EMISSIONS INVENTORY DEVELOPMENT

Important issues that affect the dispersion modeling include the following: (1) Model Selection, (2) Source Treatment, (3) Meteorological Data, and (4) Receptor Grid. Each of these issues is addressed below.

Emission Source Estimates – DPM for Motor Vehicles

DPM emissions from the various sources were calculated using information derived from the project description, and mobile source emission factors from the CARB EMFAC2017 emissions factor model. Truck mix information was obtained from the *500 Belmont Tow Yard Trip Generation Analysis* prepared by Ganddini Group, Inc. (February 4, 2021).

Four pieces of information are required to generate the mobile source emissions from the proposed project:

- Number of vehicle trips for each component of the proposed project;
- Types of vehicles that access the proposed project (passenger car vs. heavy-duty truck and gasoline vs. diesel);
- The allocation of the vehicle trips to each building that comprises the proposed project; and
- Estimate of the vehicle emission factors for estimating exhaust and idling emissions.

Estimate of Vehicle Trips and Vehicle Types

The Trip Generation Analysis showed the project is expected to generate approximately 31 (non-passenger car equivalents) vehicle trips per day. Of those vehicle trips, for the tow yard use 21 are automobile round

[2] In February 2015, the Office of Environmental Health Hazard Assessment updated their "Air Toxics Hot Spots Program, Risk Assessments Guidelines, Guidance Manual for Preparation of Health Risk Assessments; however, the updated OEHHA guidance states in the page footers "do not cite or quote." SCAQMD staff have incorporated the updates into their methodology for SCAQMD's Rules 1401, 1401.1, 1402, and 212, and have updated their HRA Guidance for permitting; however they are still in the process of updating the guidance for CEQA analyses (via working group sessions); however, to be conservative, the new OEHHA guidance was used to assess HRA impacts in this analysis. Per SCAQMD staff (personal communication with Dr. Jillian Wong 6-19-2015 and 12-22-15), updated SCAQMD HRA guidance will be forthcoming.

trips, 8 are 2-axle truck round trips, 0 are 3-axle truck round trips, and 2 are 4+-axle truck round trips per day (non-passenger car equivalents).

Per the Trip Generation Analysis, as the Institute of Transportation Engineers (ITE) *Trip Generation Manual* (10th Edition, 2017) does not include data for tow and storage yard facilities, trip rates were derived from impound and release records provided by the project applicant for their existing facility in the City of Ontario. The impound and release records provided were for January 2020, which is prior to the pandemic related "stay-at-home" orders that disrupted regular service for many businesses. The total impounds and releases during the first four weeks of January 2020 were divided by the number of days to determine the average daily trip generation for this land use during typical weekday conditions.

Estimate of Emission Factors

The DPM emission factors for the various vehicle types were derived from the CARB EMFAC2017 mobile source emission model. The emissions factors were derived for San Bernardino County. Third trimester exposure used opening year (2021) emissions factors, 2-year factors (for infant exposure) reflect years 2022 and 2023, 14-year average factors (for child exposure during years 2-16) reflect emissions during the first 14 years of operation (2024 to 2037), the second 14 years of exposure (years 2038-2051) were used for assessment of exposure during years 16 to 30.

Emissions factors were estimated to establish the emissions generated while the vehicles travel off-site, along travel links from the entrance to the loading docks, and while idling at the loading dock during loading or unloading materials. All vehicles were assumed to travel on-site at a speed of 10 miles per hour. Off-site, the speeds along the roads were anticipated to average 35 miles per hour. Delivery vehicles were assumed to idle for a maximum of 15 minutes per vehicle per day (5 minutes per location: at the truck wash area and throughout the tow yard parking areas), in keeping with the CARB Air Toxic Control Measure (ATCM), which regulates truck idling time (CARB 2005). The four different sets of emissions factors used in this assessment are detailed in Table 2. It should be noted that the DPM emissions on both the gram per mile and gram per idle hour bases decline beyond 2021 for all vehicle classes and in particular the heavy-heavy-duty truck class (the 4+ axle "big rig" trucks). This is due to the CARB emissions' requirements on heavy-duty trucks that call for either the replacement of older trucks with cleaner trucks or the installation of diesel particulate matter filters on the truck fleet.

Emission Source Characterization

Each of the emission source types described above also requires geometrical and emission release specifications for use in the air dispersion model. Table 3 provides a summary of the assumptions used to configure the various emission sources. The following definitions are used to characterize the emission source geometrical configurations referred to in Table 3:

- Point source: A single, identifiable, local source of emissions; it is approximated in the AERMOD air dispersion model as a mathematical point in the modeling region with a location and emission characteristics such as height of release, temperature, etc., for example, a truck idle location where emissions are sourced from the truck's exhaust stack while the vehicle is stationary.

- Line source: A series of volume sources along a path, for example, vehicular traffic volumes along a roadway.

Figure 3 provides the location of the project buildings, emission source locations, and the locations of the nearest sensitive receptors (single-family detached residential dwelling units located approximately 50 feet south of the project's southern property line, 80 feet east of the project's eastern property line, and approximately 65 feet west of the project site's western property line and along Belmont St, Sultana Avenue, Mission Boulevard, and Euclid Avenue). Receptors are shown as orange triangles. Residential receptors are

shown as orange triangles labeled 1 through 10. The direction of on-site and off-site truck travel were obtained from the site plan and City truck routes.

Receptor Network

The assessment requires that a network of receptors be specified where the impacts can be computed at the various locations surrounding the project. Receptors were located at existing sensitive receptors surrounding the proposed project (as detailed above). In addition, the identified sensitive receptors locations were supplemented by the specification of a modeling grid that extended around the proposed project to identify other potential locations of impact. The locations of the receptors are shown as orange triangles on Figure 3.

Dispersion Modeling

The next step in the assessment process utilizes the emissions inventory along with a mathematical air dispersion model and representative meteorological data to calculate impacts at the various receptor locations. The dispersion model used in this assessment is described below.

Model Selection

The assessment of air quality and health risk impacts from pollutant emissions from this project applied the USEPA AERMOD Model, which is the air dispersion model accepted by the SCAQMD for performing air quality impact analyses. AERMOD predicts pollutant concentrations from point, area, volume, line, and flare sources with variable emissions in terrain from flat to complex with the inclusion of building downwash effects from buildings on pollutant dispersion. It captures the essential atmospheric physical processes and provides reasonable estimates over a wide range of meteorological conditions and modeling scenarios.

General Model Assumptions

A summary of Emission Configurations is shown in Table 3. The basic options used in the dispersion modeling are summarized in Table 4.

As indicated in Table 4 the analysis takes into account the effects of building downwash on the dispersion of emissions from the various sources located on the project's property. Building downwash occurs when the aerodynamic turbulence, induced by nearby buildings, causes pollutants emitted from an elevated source to be mixed rapidly toward the ground (downwash), resulting in potentially higher ground-level concentrations than if the buildings were not present. The AERMOD dispersion model contains algorithms to account for building downwash effects. The required information includes the location of the emission source; the location of adjacent buildings; and the building geometry in terms of length, width, and height. For purposes of this analysis, the emission source and building locations were taken from the project site plan. The proposed building geometries were estimated from the project plans, assuming a building height of 24 feet.

Meteorological Data

Meteorological data (processed with the ADJ_U option) from the Air District's Ontario International Airport monitoring site was selected for this modeling application. Five full years of sequential meteorological data was collected at the site from January 1, 2012 to December 31, 2016 by the SCAQMD. The SCAQMD processed the data for input to the model. The data was obtained at SCAQMD's https://www.aqmd.gov/home/air-quality/air-quality-data-studies/meteorological-data/data-for-aermod (see Figure 4).

ESTIMATION OF HEALTH RISKS

Health risks from diesel particulate matter are twofold. First, diesel particulate matter is a carcinogen according to the State of California. Second, long-term chronic exposure to diesel particulate matter can cause health effects to the respiratory system. Each of these health risks is discussed below.

Cancer Risks

According to the *Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments*, released by the Office of Environmental Health Hazard Assessment (OEHHA) in February 2015 and formally adopted in March 2015, the residential inhalation dose for cancer risk assessment should be calculated using the following formula:

[Dose-air (mg/(Kg-day)]*Cancer Potency*[1x10^{-6}] = Potential Cancer Risk

Where:
Cancer Potency Factor = 1.1
Dose-inh = (C¬air * DBR * A * EF * ED *ASF*FAH* 10-6) / AT

Where:
Cair [Concentration in air (µg/m3)] = (Calculated by AERMOD Model)
DBR [Daily breathing rate (L/kg body weight – day)] = 261 for adults, 572 for children, and 1,090 for infants, and 361 for 3rd trimester per SCAQMD Permit Application Package "N" Table 4.1 D guidance.

A [Inhalation absorption factor] = 1
EF [Exposure frequency (days/year)] = 350
ED [Exposure duration (years)] = 30 for adults (for an individual who is an adult at opening year), 14 for children (from 2-16 years), 14 for adults (from 16-30 years), 2 for infants, and 1 for 3rd Trimester
ASF [Age sensitivity factor) = 10 for 3rd trimester to 2 years of age, 3 for 2 to 16 years of age, and 1 for 16 to 30 years of age
FAH [Fraction of time spent at home] = 1 for 3rd trimester to 2 years of age, 1 for 2 to 16 years of age, and 0.73 for 16 to 30 years of age
10^6 [Micrograms to milligrams conversion]
AT [Average time period over which exposure is averaged in days] = 25,550

The model run results are shown in Appendix B. Figure 5 illustrates the cancer risk to the most affected age-group, infants (0-2 years).

Table 5 show the cancer risk for the unborn child during the 3rd trimester, Table 6 shows the cancer risk to infants (0-2 years), Table 7 shows the cancer risk to children ages 2 to 16 years and Table 8 shows the cancer risk as that child becomes an adult (years 16-30). The highest cancer risk corresponds to child cancer risk 2-16 years (see Table 7), and is at receptor 3, with a maximum risk of 0.45 in one million. The highest infant cancer risk 0-2 years is also at receptor 3; with a maximum risk of 0.41 in one million. Therefore, no children or infants are exposed to cancer risks in excess of 10 in a million.

The assessment of cancer-related health risk to sensitive receptors within the project vicinity is based on the following most-conservative scenario:

An unborn child in its 3rd trimester is potentially exposed to DPM emissions (via exposure of the mother) during the opening year. That child is born opening year and then remains at home for the entire first two years of life. From age 2 to 16, the child remains at home 100 percent of the time. From age 16 to 30, the child continues to live at home, growing into an adult that spends 73 percent of its time at home and lives there until age 30.

Based on the above, ultra-conservative assumptions, the 30.25-year, cumulative carcinogenic health risk (3rd trimester [-0.25 to 0 years] + infant [0-2 years] + child [2-16 years] + adult [16-30 years]) to an individual born during the opening year of the project and located in the project vicinity for the entire 30-year duration, is a maximum of 0.93 in a million at receptor location 3, as shown in Table 9. Therefore, the on-going operations of the proposed project would result in a less than significant impact due to the cancer risk from diesel emissions created by the proposed project. As the residential cancer risk does not exceed 10 in a million.

Non-Cancer Risks

The relationship for non-cancer health effects is given by the equation:

HIDPM = CDPM/RELDPM

Where,

HIDPM	=	Hazard Index; an expression of the potential for non-cancer health effects.
CDPM	=	Annual average diesel particulate matter concentration in µg/m3.
RELDPM	=	Reference Exposure Level (REL) for diesel particulate matter; the diesel particulate matter concentration at which no adverse health effects are anticipated.

The non-carcinogenic hazards to adult, child and infant receptors are also detailed in Tables 5 through 8 column (j). The RELDPM is 5 µg/m3. The Office of Environmental Health Hazard Assessment as protective for the respiratory system has established this concentration. Using the maximum DPM concentration from years 2021-2051, the resulting Hazard Index is:

HIDPM = 0.00159/5 = 0.0003

The criterion for significance is a Hazard Index increase of 1.0 or greater. Therefore, the on-going operations of the proposed project would result in a less than significant impact due to the non-cancer risk from diesel emissions created by the proposed project.

Table 2
DPM Emissions Factors for the Proposed Project

Vehicle Class	14-Year Average (First 14 years of Operation - 2024-2037)		
	Idling (g/hr)	On-Site Travel (g/mi)	Off-Site Travel (g/mi)
Light Heavy Duty Truck 2	0.79348	0.03822	0.01657
Medium Heavy Duty Truck	0.01881	0.00501	0.00387
Heavy Heavy Duty Truck	0.01113	0.01049	0.00853

Vehicle Class	14-Year Average (Second 14 years of Operation - 2038-2051)		
	Idling (g/hr)	On-Site Travel (g/mi)	Off-Site Travel (g/mi)
Light Heavy Duty Truck 2	0.79386	0.02939	0.01440
Medium Heavy Duty Truck	0.00786	0.00437	0.00368
Heavy Heavy Duty Truck	0.01017	0.00959	0.00810

Vehicle Class	2-Year Average (2022-2023)		
	Idling (g/hr)	On-Site Travel (g/mi)	Off-Site Travel (g/mi)
Light Heavy Duty Truck 2	0.78735	0.05065	0.01953
Medium Heavy Duty Truck	0.09549	0.03406	0.01910
Heavy Heavy Duty Truck	0.01380	0.02424	0.01325

Vehicle Class	1-Year Average (Opening Year-2021)		
	Idling (g/hr)	On-Site Travel (g/mi)	Off-Site Travel (g/mi)
Light Heavy Duty Truck 2	0.78639	0.05383	0.02026
Medium Heavy Duty Truck	0.24358	0.17489	0.06839
Heavy Heavy Duty Truck	0.02224	0.07840	0.03670

Notes:
Source: EMFAC2017.

Table 3
Summary of Emission Configurations

Emission Source Type	Geometric Configuration	Relevant Assumptions
Off-Site Diesel Truck Traffic	Line Sources	Stack release height: 12 feet
		Vehicle speed: 35 mph
		Length of the line source (along Belmont St from Project Driveway to Sultana Ave, Belmont Street Sultana Ave to Euclid Ave, Euclid Ave south of Belmon St, Sultana Ave Belmont St to Mission Blvd, Mission Blvd to Euclid Ave, and Euclid Ave north of Mission Blvd)
		Vehicle types: heavy-heavy-duty, medium-heavy-duty and light-heavy-duty diesel delivery trucks
		Emission factor: CARB EMFAC2017
On-Site Diesel Truck Traffic	Line Sources	Stack release height: 12 feet
		Vehicle speed: 10 mph
		Length of the line source (distance from the facility entrance on Belmont Street to parking lot area)
		Vehicle types: heavy-heavy-duty and light-heavy-duty diesel tow trucks
		Emission factor: CARB EMFAC2017
On-Site Diesel Truck Idling	Point Sources located at various locations on-site.	Stack release height: 12 feet
		Stack release characteristics
		> Stack diameter: 0.1 meter (0.3 feet)
		> Stack velocity: 51.9 mps (170 feet/sec)
		> Stack temperature: 366 °k (200° F)
		Idle time: 15 minutes per truck per day
		Vehicle types: heavy-heavy-duty and light-heavy-duty diesel tow trucks
		Emission factor: CARB EMFAC2017

Table 4
General Modeling Assumptions - AERMOD Model

Feature	Option Selected
Terrain processing	AERMAP - NED GEOTIFF 30 min
Emission source configuration	See Table 3
Regulatory dispersion options	Default
Land use	Urban
Coordinate system	UTM, Zone 11 north
Building downwash	Included in calculations
Receptor height	0 meters above ground (per OEHHA methodology)
Meteorological data	SCAQMD Ontario International Airport Meteorological Data

Table 5
Carcinogenic Risks and Non-Carcinogenic 3rd Trimester Exposure Scenario (0.25-Year)

Receptor ID (a)	Maximum Concentration (ug/m3) (b)	Maximum Concentration (mg/m3) (c)	Weight Fraction (d)	Contaminant (e)	Carcinogenic Hazards CPF (mg/kg/day) (f)	Carcinogenic Hazards RISK (per million) (g)	Noncarcinogenic Hazards REL (ug/m3) (h)	Noncarcinogenic Hazards RfD (mg/kg/day) (i)	Noncarcinogenic Hazards Index (j)
1	0.00054	5.4E-07	1.00E+00	DPM	1.1E+00	0.01	5.0E+00	1.4E-03	0.0001
2	0.00067	6.7E-07	1.00E+00	DPM	1.1E+00	0.01	5.0E+00	1.4E-03	0.0001
3	0.00129	1.3E-06	1.00E+00	DPM	1.1E+00	0.02	5.0E+00	1.4E-03	0.0003
4	0.00037	3.7E-07	1.00E+00	DPM	1.1E+00	0.01	5.0E+00	1.4E-03	0.0001
5	0.00015	1.5E-07	1.00E+00	DPM	1.1E+00	0.00	5.0E+00	1.4E-03	0.0000
6	0.00008	8.0E-08	1.00E+00	DPM	1.1E+00	0.00	5.0E+00	1.4E-03	0.0000
7	0.00009	9.0E-08	1.00E+00	DPM	1.1E+00	0.00	5.0E+00	1.4E-03	0.0000
8	0.00007	7.0E-08	1.00E+00	DPM	1.1E+00	0.00	5.0E+00	1.4E-03	0.0000
9	0.00011	1.1E-07	1.00E+00	DPM	1.1E+00	0.00	5.0E+00	1.4E-03	0.0000
10	0.00022	2.2E-07	1.00E+00	DPM	1.1E+00	0.00	5.0E+00	1.4E-03	0.0000

Notes:

OEHHA 95th percentile Exposure factors used to calculate TAC intake:

Exposure Frequency (days/year)	350
Exposure Duration (years)	0.25
Daily Breathing Rate	361
Age Sensitivity Factor	10
Fraction of Time At Home (FAH)	1
Averaging Time $_{(cancer)}$ (days)	25550
Averaging Time $_{(non\text{-}cancer)}$ (days)	91.25

E= 10^{X}, i.e. E-02 = 10^{-2}

Table 6

Carcinogenic Risks and Non-Carcinogenic Infant Exposure Scenario (2-Year)

Receptor ID (a)	Maximum Concentration (ug/m3) (b)	Maximum Concentration (mg/m3) (c)	Weight Fraction (d)	Contaminant (e)	Carcinogenic Hazards CPF (mg/kg/day) (f)	Carcinogenic Hazards RISK (per million) (g)	Noncarcinogenic Hazards REL (ug/m3) (h)	Noncarcinogenic Hazards RfD (mg/kg/day) (i)	Noncarcinogenic Hazards Index (j)
1	0.00051	5.1E-07	1.00E+00	DPM	1.1E+00	0.17	5.0E+00	1.4E-03	0.0001
2	0.00064	6.4E-07	1.00E+00	DPM	1.1E+00	0.21	5.0E+00	1.4E-03	0.0001
3	0.00126	1.3E-06	1.00E+00	DPM	1.1E+00	0.41	5.0E+00	1.4E-03	0.0003
4	0.00034	3.4E-07	1.00E+00	DPM	1.1E+00	0.11	5.0E+00	1.4E-03	0.0001
5	0.00012	1.2E-07	1.00E+00	DPM	1.1E+00	0.04	5.0E+00	1.4E-03	0.0000
6	0.00007	7.0E-08	1.00E+00	DPM	1.1E+00	0.02	5.0E+00	1.4E-03	0.0000
7	0.00008	8.0E-08	1.00E+00	DPM	1.1E+00	0.03	5.0E+00	1.4E-03	0.0000
8	0.00006	6.0E-08	1.00E+00	DPM	1.1E+00	0.02	5.0E+00	1.4E-03	0.0000
9	0.00009	9.0E-05	1.00E+00	DPM	1.1E+00	0.03	5.0E+00	1.4E-03	0.0000
10	0.00019	1.9E-04	1.00E+00	DPM	1.1E+00	0.06	5.0E+00	1.4E-03	0.0000

Notes:

OEHHA 95th percentile Exposure factors used to calculate TAC intake

Exposure Frequency (days/year)	350
Exposure Duration (years)	2
Daily Breathing Rate	1090
Age Sensitivity Factor	10
Fraction of Time At Home (FAH)	1
Averaging Time $_{(cancer)}$ (days)	25550
Averaging Time $_{(non\text{-}cancer)}$ (days)	730

E= 10^{X}, i.e. E-02 = 10^{-2}

Table 7
Carcinogenic Risks and Non-Carcinogenic Child Exposure Scenario (2-16 Years)

Receptor ID (a)	Maximum Concentration (ug/m3) (b)	Maximum Concentration (mg/m3) (c)	Weight Fraction (d)	Contaminant (e)	Carcinogenic Hazards CPF (mg/kg/day) (f)	Carcinogenic Hazards RISK (per million) (g)	Noncarcinogenic Hazards REL (ug/m3) (h)	Noncarcinogenic Hazards RfD (mg/kg/day) (i)	Noncarcinogenic Hazards Index (j)
1	0.00049	4.9E-07	1.00E+00	DPM	1.1E+00	0.18	5.0E+00	1.4E-03	0.0001
2	0.00061	6.1E-07	1.00E+00	DPM	1.1E+00	0.22	5.0E+00	1.4E-03	0.0001
3	0.00124	1.2E-06	1.00E+00	DPM	1.1E+00	0.45	5.0E+00	1.4E-03	0.0002
4	0.00032	3.2E-07	1.00E+00	DPM	1.1E+00	0.12	5.0E+00	1.4E-03	0.0001
5	0.00011	1.1E-07	1.00E+00	DPM	1.1E+00	0.04	5.0E+00	1.4E-03	0.0000
6	0.00007	7.0E-08	1.00E+00	DPM	1.1E+00	0.03	5.0E+00	1.4E-03	0.0000
7	0.00007	7.0E-08	1.00E+00	DPM	1.1E+00	0.03	5.0E+00	1.4E-03	0.0000
8	0.00006	6.0E-08	1.00E+00	DPM	1.1E+00	0.02	5.0E+00	1.4E-03	0.0000
9	0.00008	8.0E-08	1.00E+00	DPM	1.1E+00	0.03	5.0E+00	1.4E-03	0.0000
10	0.00017	1.7E-07	1.00E+00	DPM	1.1E+00	0.06	5.0E+00	1.4E-03	0.0000

Notes:

OEHHA 95th percentile Exposure factors used to calculate TAC intake

Exposure Frequency (days/year)	350
Exposure Duration (years)	14
Daily Breathing Rate	572
Age Sensitivity Factor	3
Fraction of Time At Home (FAH)	1
Averaging Time $_{(cancer)}$ (days)	25550
Averaging Time $_{(non\text{-}cancer)}$ (days)	5110

E= 10^{X}, i.e. E-02 = 10^{-2}

Table 8
Carcinogenic Risks and Non-Carcinogenic Hazards Adult Exposure Scenario (16-30 Years)

Receptor ID (a)	Maximum Concentration (ug/m3) (b)	Maximum Concentration (mg/m3) (c)	Weight Fraction (d)	Contaminant (e)	Carcinogenic Hazards CPF (mg/kg/day) (f)	Carcinogenic Hazards RISK (per million) (g)	Noncarcinogenic Hazards REL (ug/m3) (h)	Noncarcinogenic Hazards RfD (mg/kg/day) (i)	Noncarcinogenic Hazards Index (j)
1	0.00047	4.7E-07	1.00E+00	DPM	1.1E+00	0.02	5.0E+00	1.4E-03	0.0001
2	0.00059	5.9E-07	1.00E+00	DPM	1.1E+00	0.02	5.0E+00	1.4E-03	0.0001
3	0.00123	1.2E-06	1.00E+00	DPM	1.1E+00	0.05	5.0E+00	1.4E-03	0.0002
4	0.0003	3.0E-07	1.00E+00	DPM	1.1E+00	0.01	5.0E+00	1.4E-03	0.0001
5	0.0001	1.0E-07	1.00E+00	DPM	1.1E+00	0.00	5.0E+00	1.4E-03	0.0000
6	0.00007	7.0E-08	1.00E+00	DPM	1.1E+00	0.00	5.0E+00	1.4E-03	0.0000
7	0.00006	6.0E-08	1.00E+00	DPM	1.1E+00	0.00	5.0E+00	1.4E-03	0.0000
8	0.00005	5.0E-08	1.00E+00	DPM	1.1E+00	0.00	5.0E+00	1.4E-03	0.0000
9	0.00007	7.0E-08	1.00E+00	DPM	1.1E+00	0.00	5.0E+00	1.4E-03	0.0000
10	0.00011	1.1E-07	1.00E+00	DPM	1.1E+00	0.00	5.0E+00	1.4E-03	0.0000

Notes:

OEHHA 95th percentile Exposure factors used to calculate TAC intake

Exposure Frequency (days/year)	350
Exposure Duration (years)	14
Daily Breathing Rate	261
Age Sensitivity Factor	1
Fraction of Time At Home (FAH)	0.73
Averaging Time $_{(cancer)}$ (days)	25550
Averaging Time $_{(non\text{-}cancer)}$ (days)	5110

E= 10^{X}, i.e. E-02 = 10^{-2}

Table 9
Cumulative Carcinogenic Risk 30.25-Year Exposure Scenario

Receptor ID	Cumulative RISK (per million)
1	0.37
2	0.46
3	0.93
4	0.24
5	0.09
6	0.05
7	0.06
8	0.04
9	0.06
10	0.13

N

Legend

- Site Boundary
- Truck Travel Routes
- Idling Locations
- Sensitive Receptors
- Cartesian Receptor Grid

Figure 3
AERMOD Model Source and Receptor Placement

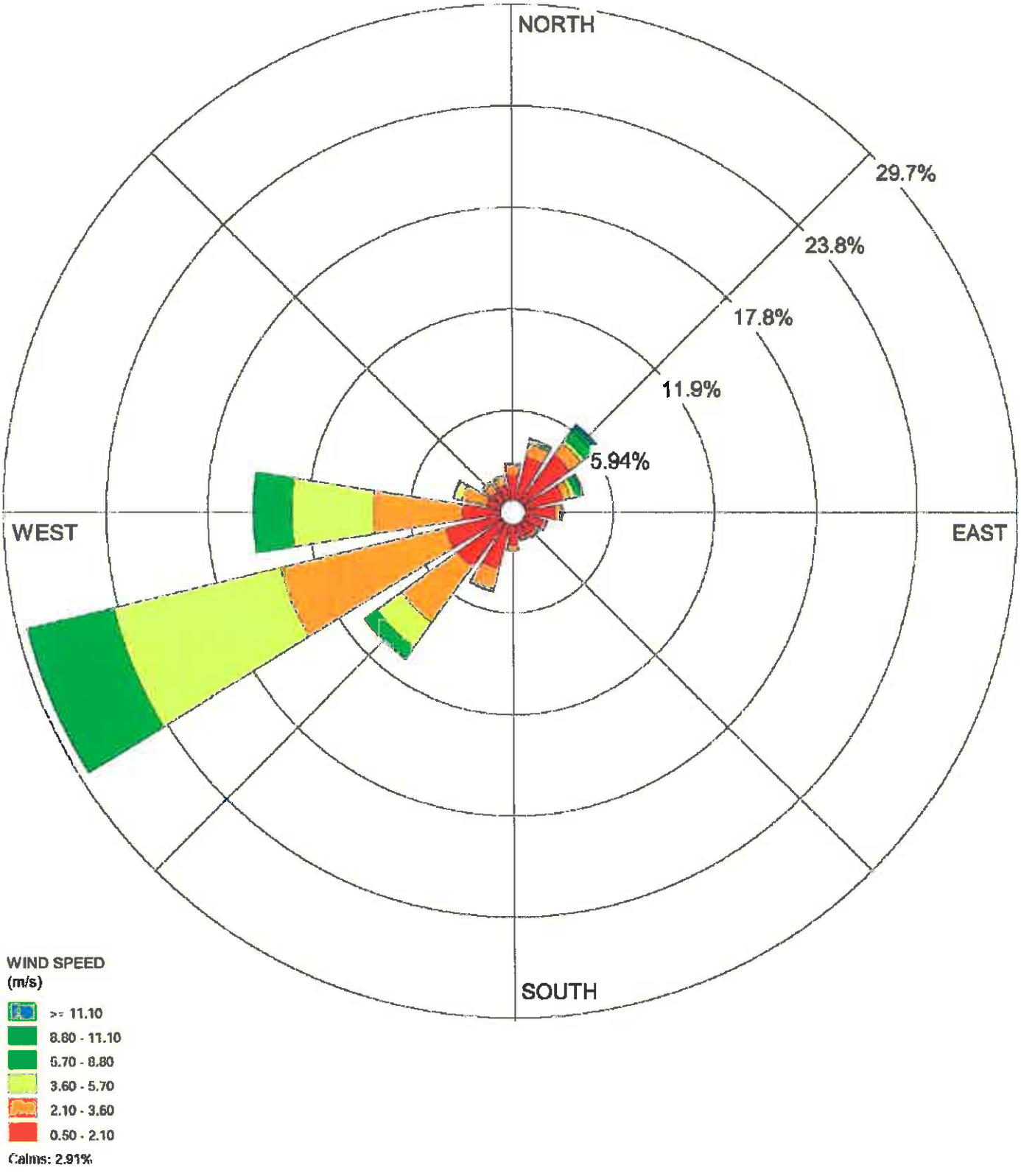

Figure 4
Wind Rose: Ontario International Airport

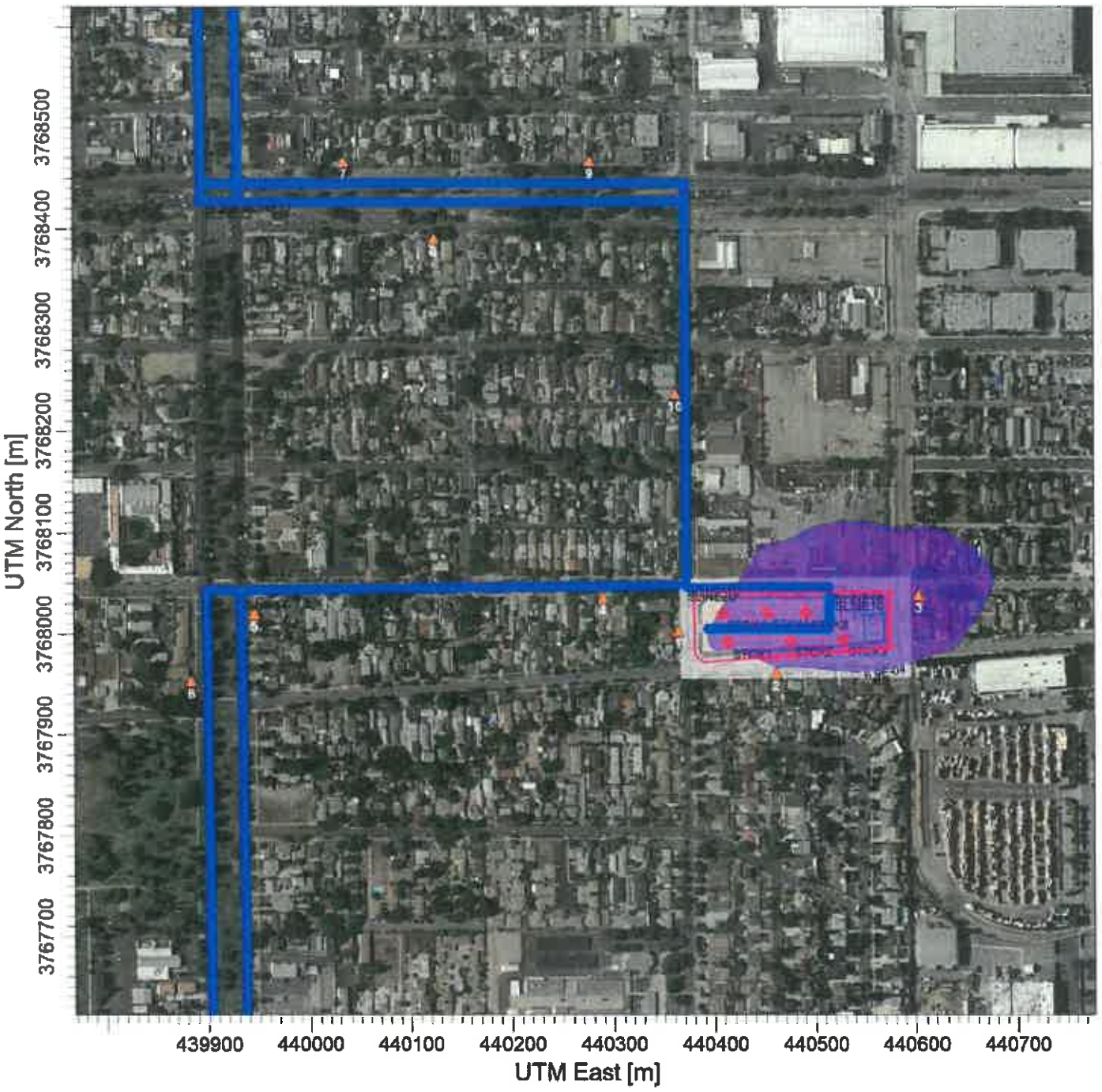

Figure 5
Modeled Study Area Highest Annual DPM Emissions

4. MITIGATION MEASURES

OPERATIONAL MEASURES

Health risk impacts are less than significant. No operational mitigation is required.

5. REFERENCES

California Air Pollution Control Officers Association

2009 Health Risk Assessments for Proposed Land Use Projects

California Air Resources Board

2008 Resolution 08-43

2008 Airborne Toxic Control Measure for in-use Diesel-Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets, Section 2477 of Division 3, Chapter 9, Title 13, California Code of Regulations

2008 ARB Recommended Interim Risk Management Policy for Inhalation-Based Residential Cancer Risk – Frequently Asked Questions

2013 Almanac of Emissions and Air Quality.
Source: https://www.arb.ca.gov/aqd/almanac/almanac13/almanac13.htm

Ganddini Group, Inc.

2021 500 Belmont Tow Yard Trip Generation Analysis. February 4.

Office of Environmental Health Hazard Assessment

2015 Air Toxics Hot Spots Program Risk Assessment Guidelines

Ontario, City of

2016 The Ontario Plan Figure M-5 Truck Routes, Revised September 20.

South Coast Air Quality Management District

2003 Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis

2015 Final MATES-IV Multiple Air Toxics Exposure Study in the South Coast Air Basin. May.

U.S. Geological Survey

2011 Reported Historic Asbestos Mines, Historic Asbestos Prospects, and Other Natural Occurrences of Asbestos in California

APPENDICES

Appendix A Glossary
Appendix B AERMOD Model Printout

APPENDIX A

GLOSSARY

AQMP	Air Quality Management Plan
BACT	Best Available Control Technologies
CAAQS	California Ambient Air Quality Standards
CalEPA	California Environmental Protection Agency
CARB	California Air Resources Board
CCAA	California Clean Air Act
CCAR	California Climate Action Registry
CEQA	California Environmental Quality Act
CFCs	Chlorofluorocarbons
CH_4	Methane
CNG	Compressed natural gas
CO	Carbon monoxide
CO_2	Carbon dioxide
CO_2e	Carbon dioxide equivalent
DPM	East Kern Air Pollution Control District
EKAPCD	Diesel particulate matter
EPA	U.S. Environmental Protection Agency
GHG	Greenhouse gas
GWP	Global warming potential
HIDPM	Hazard Index Diesel Particulate Matter
HFCs	Hydrofluorocarbons
IPCC	International Panel on Climate Change
LCFS	Low Carbon Fuel Standard
LST	Localized Significant Thresholds
$MTCO_2e$	Metric tons of carbon dioxide equivalent
$MMTCO_2e$	Million metric tons of carbon dioxide equivalent
MPO	Metropolitan Planning Organization
NAAQS	National Ambient Air Quality Standards
NOx	Nitrogen Oxides
NO_2	Nitrogen dioxide
N_2O	Nitrous oxide
OEHHA	Office of Environmental Health Hazard Assessment
O_3	Ozone
OPR	Governor's Office of Planning and Research
PFCs	Perfluorocarbons
PM	Particle matter
PM10	Particles that are less than 10 micrometers in diameter
PM2.5	Particles that are less than 2.5 micrometers in diameter
PMI	Point of maximum impact
PPM	Parts per million
PPB	Parts per billion
SF_6	Sulfur hexafluoride
SIP	State Implementation Plan
SJVAPCD	San Joaquin Valley Air Pollution Control District
SOx	Sulfur Oxides
TAC	Toxic air contaminants
VOC	Volatile organic compounds

APPENDIX B

AERMOD MODEL PRINTOUT

Please Note:

Appendix B, AERMOD Model Printout is available at the Planning Department counter.

ATTACHMENT B:
NOISE ASSESSMENT

(Document follows this page)

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July 6, 2020
Project No. 20-09388

Pepe's Towing Service
Attn: Lorenzo Navarro
14351 Veterans Way
Moreno Valley, CA 92553

Subject: **Noise Assessment for Pepe's Towing Service Ontario Towing Yard Project**
550 East Belmont Street, Ontario, California 91761

Dear Mr. Navarro:

This Noise Memorandum summarizes the results of the noise analysis for the Pepe's Towing Service Ontario Towing Yard Project (herein referred to as "proposed project" or "project"). The project involves construction of a 6,600-square foot industrial building and towing yard facility on a 3.01-acre project site at 550 East Belmont Street (Assessor's Parcel Numbers 1049-491-01, -02, and -03) in the city of Ontario. The towing yard facility would include a truck wash area where employees would hand wash trucks with hoses and hand cloths; no stationary car wash equipment or drying fans are proposed. The project would include an area to unload or onload towed vehicles. The project would also include an approximately eight-foot-high concrete masonry unit (CMU) wall that would surround the majority of the project site with the exception of access driveways, the employee and visitor parking area, and the industrial building. See Attachment 1 for the project site plans. It is our understanding that the City of Ontario (City) has requested a noise assessment for the truck wash area in accordance with the City's exterior noise standards in its project review comments dated February 18, 2020. In addition, per follow up City comments, the City has requested an analysis of noise generated during typical tow-related activities (i.e., unloading of a towed vehicle). As detailed in the analysis below, the project would be consistent with the City's exterior and interior noise standards pursuant to Ontario Municipal Code (OMC) Sections 5-29.04 and 5-29.05.

Noise Overview

Sound is a vibratory disturbance created by a moving or vibrating source, which is capable of being detected by the hearing organs (e.g., the human ear). Noise is defined as sound that is loud, unpleasant, unexpected, or undesired and may therefore be classified as a more specific group of sounds. The effects of noise on people can include general annoyance, interference with speech communication, sleep disturbance, and, in the extreme, hearing impairment.[1]

Noise levels are commonly measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound pressure levels so that they are consistent with the human hearing response, which is most sensitive to frequencies around 4,000 Hertz (Hz) and

1 Crocker, Malcolm J. (Editor). 2007. Handbook of Noise and Vibration Control Book, ISBN: 978-0-471-39599-7, Wiley-VCH, October.

less sensitive to frequencies around and below 100 Hz.[2] Decibels are measured on a logarithmic scale that quantifies sound intensity in a manner similar to the Richter scale used to measure earthquake magnitudes. A doubling of the energy of a noise source, such as a doubling of traffic volume, would increase the noise level by 3 dB; similarly, dividing the energy in half would result in a decrease of 3 dB.[3]

Human perception of noise has no simple correlation with acoustical energy. The perception of noise is not linear in terms of dBA or in terms of acoustical energy. Two equivalent noise sources combined do not sound twice as loud as one source. It is widely accepted that the average healthy ear can barely perceive changes of 3 dBA, increase or decrease; that a change of 5 dBA is readily perceptible; and that an increase (decrease) of 10 dBA sounds twice (half) as loud.[4]

The impact of noise is not a function of loudness alone. The time of day when noise occurs and the duration of the noise are also important. In addition, most noise that lasts for more than a few seconds is variable in its intensity. Consequently, a variety of noise descriptors has been developed. The noise descriptors used for this analysis are the one-hour equivalent noise level ($L_{eq(1h)}$) and the community noise equivalent level (CNEL).

- The L_{eq} is the level of a steady sound that, in a stated time period and at a stated location, has the same A-weighted sound energy as the time-varying sound. For example, $L_{eq(1h)}$ is the equivalent noise level over a 1-hour period and is a common metric for limiting nuisance noise.
- The CNEL is a 24-hour equivalent sound level. The CNEL calculation applies an additional 5 dBA penalty to noise occurring during evening hours (i.e., 7:00 p.m. to 10:00 p.m.) and an additional 10 dBA penalty is added to noise occurring during nighttime hours (i.e., 10:00 p.m. to 7:00 a.m.). These increases for certain times are intended to account for the added sensitivity of humans to noise during the evening and nighttime periods.

Sound from a small, localized source (approximating a "point" source) decreases or drops off at a rate of 6 dBA for each doubling of the distance from the source.

Existing Noise Setting

The primary sources of noise in the project site vicinity are vehicular traffic on Phillips Street and railroad operations on the Union Pacific Railroad track that runs parallel to South Monterey Avenue. Figure S-3a of the Ontario Policy Plan Safety Element *Future Roadway Noise Contours* map identifies ambient traffic noise levels at the project site and surrounding area to be between 60 and 65 CNEL.[5] In addition, Map 2-3, *Compatibility Policy Map: Noise Impact Zones*, of the Los Angeles/Ontario International Airport Land Use Compatibility Plan identifies airport noise levels at the project site and surrounding area to be between 65 and 70 CNEL.[6, 7] These noise level ranges may be a conservative underestimate of noise

2 Kinsler, Lawrence E., Austin R. Frey, Alan B. Coppens, and James V. Sanders. 1999. Fundamentals of Acoustics, 4th Edition. ISBN 0-471-84789-5. Wiley-VCH, December 1999.
3 Crocker, Malcolm J. (Editor). 2007. Handbook of Noise and Vibration Control Book, ISBN: 978-0-471-39599-7, Wiley-VCH, October.
4 California Department of Transportation (Caltrans). 2013a. Technical Noise Supplement to the Traffic Noise Analysis Protocol. (CT-HWANP-RT-13-069.25.2) September. http://www.dot.ca.gov/hq/env/noise/pub/TeNS_Sept_2013B.pdf (accessed August 2019).
5 Ontario, City of. 2019. City of Ontario Policy Plan. Adopted January 27, 2010. Last amended July 16, 2019. http://www.ontarioplan.org/policy-plan/ (accessed March 2020).
6 Ontario, City of. 2011. Ontario International Airport Land Use Compatibility Plan. Adopted April 19, 2011. http://www.ontarioplan.org/alucp-for-ontario-international-airport (accessed March 2020).

levels at the project site and surrounding area because they do not include noise generated by rail operations on the Union Pacific Railroad track.

The City of Ontario Policy Plan and OMC do not define noise-sensitive land uses. However, the most stringent noise standards in OMC Sections 5-29.05, 5-29.05, and 5-29.11 and Ontario Policy Plan Table LU-7 are applied to single-family and multi-family residential land uses, mobile home parks, schools, day care centers, hospitals and similar health care institutions, churches, libraries, museums, auditoriums, concert halls, outdoor music shells, and amphitheaters.[8] Therefore, for the purposes of this analysis, these land uses are considered to be noise-sensitive land uses. The nearest noise-sensitive land uses to the project site are single-family residences located to the west, south, and east. Other noise-sensitive land uses within 0.25 mile include Friendship Missionary Baptist Church (approximately 460 feet to the west), Delgado Family Child Care (approximately 530 feet to the northeast), Church of God of Prophecy (approximately 600 feet to the east), Love Chapel Church (approximately 760 feet to the west), De Anza Middle School (approximately 900 feet to the south), and Hope Chapel (approximately 1,200 feet to the northwest).

City of Ontario Policy Plan

The following goal and policy of the City of Ontario Policy Plan Safety Element would be applicable to the proposed project:[9]

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.

In addition, Table LU-7 of the City of Ontario Policy Plan Land Use Element includes noise/land use compatibility guidelines, which are reproduced herein as Figure 1.

[7] Due to the Executive Order N-33-20, which was in effect at the time of this study, noise measurements were not taken at the project site because this activity does not fall under a critical infrastructure sector and therefore Rincon staff were not exempt from stay-at-home requirements.
[8] Ontario, City of. 2019. City of Ontario Policy Plan. Adopted January 27, 2010. Last amended July 16, 2019. http://www.ontarioplan.org/policy-plan/ (accessed March 2020).
[9] Ontario, City of. 2019. City of Ontario Policy Plan. Adopted January 27, 2010. Last amended July 16, 2019. http://www.ontarioplan.org/policy-plan/ (accessed March 2020).

Figure 1 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: Table LU-7 of the City of Ontario Policy Plan Land Use Element

City of Ontario Municipal Code

The City's Noise Ordinance is codified as OMC Chapter 29. OMC Section 5-29.04 states:

a. The following exterior noise standards (reproduced herein as Table 1), unless otherwise specifically indicated, shall apply to all properties within a designated noise zone.

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 15-minute period; and
   2. A maximum instantaneous (single instance) noise level equal to the value of the noise standard plus 20 dBA for any period of time (measured using A-weighted slow response).
      a. 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.
      b. The Noise Zone IV standard shall apply to that portion of residential property falling within 100 feet of a commercial property or use, if the noise originates from that commercial property or use.
      c. If the measurement location is on a boundary between two different noise zones, the lower noise level standard applicable to the noise zone shall apply.

Table 1 OMC Exterior Noise Standards[1]

Noise Zone	Type of Land Use	Allowable Equivalent Noise Level (dBA L_{eq})[2]	
		7:00 a.m. – 10:00 p.m.	10:00 p.m. – 7:00 a.m.
I	Single-Family Residential	65	45
II	Multi-Family Residential, Mobile Home Parks	65	50
III	Commercial Property	65	60
IV	Residential Portion of Mixed Use	70	70
V	Manufacturing and Industrial, Other Uses	70	70

[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 OMC Section 5-29.15. The noise standard for the applicable zone is for any 15-minute period

dBA = A-weighted decibel; L_{eq} = equivalent noise level

Source: OMC Section 5-29.04(a)

OMC Section 5-29.05 states:

a. The following interior noise standards (reproduced herein as Table 2), unless otherwise specifically indicated, shall apply to all properties within a designated noise zone.

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 15-minute period; and
2. A maximum instantaneous (single instance) noise level equal to the value of the noise standard plus 20 dBA for any period of time (measured using A-weighted slow response).
   a. 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.
   b. The Noise Zone IV standard shall apply to that portion of residential property falling within 100 feet of a commercial property or use, if the noise originates from that commercial property or use.
   c. If the measurement location is on a boundary between two different noise zones, the lower noise level standard applicable to the noise zone shall apply.

Table 2 OMC Interior Noise Standards[1]

Noise Zone	Type of Land Use	Allowable Equivalent Noise Level (dBA L_{eq})[2]	
		7:00 a.m. – 10:00 p.m.	10:00 p.m. – 7:00 a.m.
I	Single-Family Residential	45	40
II	Multi-Family Residential, Mobile Home Parks	45	40
IV	Residential Portion of Mixed Use	45	40

[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 OMC Section 5-29.15. The noise standard for the applicable zone is for any 15-minute period

dBA = A-weighted decibel; L_{eq} = equivalent noise level

Source: OMC Section 5-29.05(a)

OMC Section 5-29.11 states:

> "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 OMC Section 5-29.04 prescribed for the assigned Noise Zone I."

Impact Analysis

Methodology

The proposed truck wash area to be located on the southern portion of the project site approximately 140 feet west of the intersection of Phillips Street and South Monterey Avenue. A reference noise level for the truck wash area was obtained from a noise assessment performed for a similar hand car wash in Cudworth, Barnsley, United Kingdom. The reference noise level measurement was taken for a facility comprised of two car wash bays at which vehicles are hand washed using jet sprays and hand cloths, then dried, polished, and vacuumed. Based on the noise assessment, a hand car wash generates average

noise levels of up to approximately 70 dBA L_{eq} at 25 feet.[10] Use of the reference noise level from this noise assessment provides a conservative overestimate of project-generated noise levels because the project would not include the use of jet sprays or vacuums, which generate higher levels of noise than hoses and hand cloths used by the proposed project.

To capture noise levels from towed vehicle unloading and onloading, noise measurements were conducted on July 2, 2020 at a Pepe's Towing Service location at 8828 Beech Avenue in Fontana, California. These activities typically occur over a three- to four-minute period. Sources observed making noise during an unloading or onloading activity include hydraulics, chains, truck bed moving, and truck engine idling. The truck bed is tilted and the vehicle is removed from the e-brake and quietly backed off the track during unloading. These noise levels are shown in Table 3; when accounting for distance, the loudest measurement occurred during unloading for Measurement #3. This measurement was used in the impact analysis. Per OMC Section 5-29.05, the noise standards are for a 15-minute period; therefore, the three- to four-minute measurements were analyzed over a 15-minute time period (i.e., assuming three to four minutes of activity and 11 to 12 minutes of inactivity). See Attachment 2 for detailed noise measurements.

Table 3 Tow Vehicle Measurements

Measurement	Description	Distance	Time Period	dBA L_{eq}	dBA L_{eq} over 15 minutes
#1	Truck unloading	20 feet	4 minutes	66.7	60.9
#2	Truck onloading	20 feet	4 minutes	65.3	59.1
#3	Truck unloading	40 feet	3 minutes	63.9	57.4

See Attachment 2 for detailed noise measurements

dBA = A-weighted decibel; L_{eq} = equivalent noise level

The project would involve two types of work weeks during the year, as detailed below. Per this information, during the busiest week of the year there would typically be one vehicle dropped off per two hours:

- A regular work week that occurs 42 times in one calendar year.
  - **Hours of operation:** Monday thru Friday 8 a.m. to 5 p.m. Saturday and Sunday closed.
  - **Number of vehicles drop off**: Between two or three cars per day (approximately one vehicle per eight hours).
- A rotation week that occurs 10 times in one calendar year (contract with a police department)
  - **Hours of operation**: 24/7 from Monday morning thru Sunday Night until 11:59 p.m.
  - **Number of vehicles drop off**: Between 10 to 12 per each day (approximately one vehicle per two hours).

It was conservatively assumed that the vehicle drop off and the car wash would occur simultaneously in approximately the same area. Exterior noise levels at the receivers nearest to the project site were calculated using standard distance attenuation for point sources of 6 dBA per doubling of distance. The noise analysis also takes into account the presence of the proposed eight-foot-high CMU wall that would surround the majority of the project site as well as the proposed 32-foot-high industrial building to be

[10] Waterman Infrastructure & Environment Limited. 2016. Noise Assessment – Hand Car Wash and Valet Centre, Cudworth, Barnsley, S72 8YA. November 2016.

located on the eastern portion of the project site. The CMU wall would block the line-of-sight between the project and residences to the south, and the industrial building would block line-of-sight between the project and residences to the east. The proposed CMU wall is calculated to provide an approximately 8-dBA reduction in ambient noise levels at receivers to the south of the project site and the proposed industrial building is calculated to prove an approximately 20-dBA reduction in ambient noise levels at receivers to the east of the project site. Barrier modeling outputs are included in Attachment 3.

According to the Federal Highway Administration, buildings provide exterior-to-interior noise level reductions ranging from 10 dBA for buildings with open windows to 35 dBA for masonry buildings with double glazed windows.[11] Interior noise levels at the nearest receivers to the project site were calculated using the estimated exterior noise levels and conservatively assuming an exterior-to-interior reduction of 10 dBA.

Project Impacts

Table 4 and Table 5 summarize exterior and interior noise levels, respectively, generated by the proposed project at the nearest receivers, including residences to the west, south, and east and industrial properties to the north. Noise levels for nighttime hours (i.e., 10:00 p.m. to 7:00 a.m.) did not include the truck wash area because the wash would not be in operation during those hours; towing activities would occur during the nighttime hours for approximately 10 weeks a year. As shown in Table 4 and Table 5, respectively, exterior and interior noise levels from the truck wash and vehicle unloading and onloading areas would not exceed the City's daytime exterior and interior noise level standards for the surrounding land uses, and exterior and interior noise levels from the vehicle unloading and onloading areas would not exceed the City's nighttime exterior and interior noise level standards for the surrounding land use.

[11] Federal Highway Administration. 2011. Highway Traffic Noise: Analysis and Abatement Guidance. December 2011. https://www.in.gov/indot/files/FHWA-Highway-Traffic-Noise-Analysis-and-Abatement-Guidance-December-2011.pdf (accessed March 2020).

Table 4 Exterior Noise Levels at Nearest Receivers

	Noise Level (dBA L_{eq})			
	550 Phillips Street (85 feet to the south)	1214 S. Sultana Street (460 feet to the west)	Industrial Properties (180 feet to the north)	604 S. Monterey Avenue (170 feet to the east)
Truck Wash Area[1]	59	45	53	53
Towed Vehicle Unloading[2]	51	36	44	45
Combined Wash and Unloading (Daytime Only)	60	46	54	54
CMU Wall[3, 4]	(8)	n/a	n/a	n/a
Buildings[5]	n/a	n/a	n/a	(20)
Estimated Noise Level - Daytime[6]	**52**	**46**	**54**	**34**
Exterior Noise Standard - Daytime[7]	65	65	70	65
Standard Exceeded?	**No**	**No**	**No**	**No**
Estimated Noise Level - Nighttime[8]	**43**	**36**	**44**	**25**
Exterior Noise Standard- Nighttime[7]	45	45	70	45
Standard Exceeded?	**No**	**No**	**No**	**No**

[1] Based on a reference noise level of 70 dBA L_{eq} at 25 feet and a standard distance attenuation for point sources of 6 dBA per doubling of distance.

[2] Based on a reference noise level of 57.4 dBA L_{eq} at 40 feet and a standard distance attenuation for point sources of 6 dBA per doubling of distance.

[3] See Attachment 3 for barrier modeling results.

[4] The CMU wall would only partially block the line of sight between the project area and residences to the west/industrial properties to the north; therefore, noise reductions from this wall are conservatively not included in the estimate of noise levels at these properties.

[5] The proposed industrial building would block the line of sight between the project area and residences to the east along South Monterey Avenue. See Attachment 3 for barrier modeling results.

[6] Daytime noise includes a conservative assumption of the truck wash and unloading of a towed vehicle occurring at the same time in approximately the same location.

[7] See Table 1.

[8] Nighttime noise includes unloading of a towed vehicle.

( ) denotes a negative number.

dBA = A-weighted decibel; L_{eq} = equivalent noise level; n/a = not applicable

Table 5 Interior Noise Levels at Nearest Receivers

	Noise Level (dBA L_{eq})			
	550 Phillips Street (85 feet to the south)	1214 S. Sultana Street (460 feet to the west)	Industrial Properties (180 feet to the north)	604 S. Monterey Avenue (170 feet to the east)
Truck Wash Area[1]	59	45	53	53
Towed Vehicle Unloading[2]	51	36	44	45
Combined Wash and Unloading (Daytime Only)	60	46	54	54
CMU Wall[3, 4]	(8)	n/a	n/a	n/a
Buildings[5]	n/a	n/a	n/a	(20)
Interior-to-Exterior Reduction	(10)	(10)	(10)	(10)
Estimated Noise Level - Daytime[6]	**42**	**36**	**44**	**24**
Interior Noise Standard[7]	45	45	n/a	45
Standard Exceeded?	**No**	**No**	**No**	**No**
Estimated Noise Level - Nighttime[8]	**33**	**26**	**34**	**15**
Interior Noise Standard-Nighttime[7]	40	40	n/a	40
Standard Exceeded?	**No**	**No**	**No**	**No**

[1] Based on a reference noise level of 70 dBA L_{eq} at 25 feet and a standard distance attenuation for point sources of 6 dBA per doubling of distance.

[2] Based on a reference noise level of 57.4 dBA L_{eq} at 40 feet and a standard distance attenuation for point sources of 6 dBA per doubling of distance.

[3] See Attachment 3 for barrier modeling results.

[4]The CMU wall would only partially block the line of sight between the project area and residences to the west/industrial properties to the north; therefore, noise reductions from this wall are conservatively not included in the estimate of noise levels at these properties.

[5] The proposed industrial building would block the line of sight between the project area and residences to the east along South Monterey Avenue. See Attachment 3 for barrier modeling results.

[6] Daytime noise includes a conservative assumption of the truck wash and unloading of a towed vehicle occurring at the same time in approximately the same location

[7] See Table 2. The OMC does not establish interior noise standards for industrial properties.

[8] Nighttime noise includes unloading of a towed vehicle.

( ) denotes a negative number.

dBA = A-weighted decibel; L_{eq} = equivalent noise level; n/a = not applicable

Conclusion

Noise levels generated by the project's truck wash area and towing activities would not conflict with the City of Ontario's exterior and interior noise standards.

Thank you for the opportunity to assist with this assignment. Please do not hesitate to contact us if you have questions about this report.

Sincerely,
Rincon Consultants, Inc.

Annaliese Miller
Associate Environmental Planner
(805) 644-4455 ext. 429
amiller@rinconconsultants.com

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Principal/Sr. Vice President
(805) 644-4455
jpower@rinconconsultants.com

Attachments

Attachment 1	Project Site Plans
Attachment 2	Towing Activities Noise Measurement
Attachment 3	Barrier Modeling Results

Attachment 1

Project Site Plans

PEPE'S TOWING COMPANY

500 E. BELMONT ST. ONTARIO, CA

GENERAL NOTES

PROPRIETARY NOTICE

The designs, drawings and/or written materials herein constitute the original and unpublished property of THE HOWARD PARSELL COMPANY. Said materials may not be reproduced, utilized or disclosed without written permission of THE HOWARD PARSELL COMPANY. Actions contrary to the aforementioned may constitute legal recourse.

GENERAL NOTES

1 The following notes and typical details apply to all drawings unless noted otherwise.

2 The Architect/Engineer assumes no responsibility for the completeness of plans for bid purposes prior to issuance of building permit.

3 The intent of these drawings and specifications is to include all labor, materials and services necessary for the completion of all work shown, prescribed or reasonably implied, but not limited to that explicitly indicated in the contract documents.

4 All construction and workmanship shall conform to:

2016 CALIFORNIA BUILDING CODE
2016 CALIFORNIA MECHANICAL CODE
2016 CALIFORNIA PLUMBING CODE
2016 CALIFORNIA ELECTRICAL CODE
2016 CALIFORNIA ENERGY CODES (2016 IBC, 2016 UMC, 2016 UPC AND 2016 NEC AS AMENDED BY THE STATE OF CALIFORNIA
2016 CALIFORNIA GREEN BUILDING CODE

5 Dimensions shown in figures take precedence over dimensions scaled from drawings. Large scale drawings take precedence over smaller scale drawings. Any discrepancy or conflict of dimensions shall be brought to the attention of the Architect/Engineer by the contractor prior to implementation.

6 Notes and details on drawings shall take precedence over these general notes.

7 Unless otherwise noted or indicated all dimensions on the plans shall be from centerline of column, face of concrete, or face of stud (for exterior walls), centerline of stud wall (for interior walls) or face of mullions.

8 The General Contractor and all subcontractors shall verify all dimensions and conditions on the job site prior to beginning of construction and report any discrepancies to the Architect/Engineer.

9 The Architect/Engineer's approval of shop drawings shall not relieve the General Contractor from responsibility for deviations from drawings or specifications unless he has (in writing) called the Architect/Engineer's attention to such deviations at the time of submission, nor shall it relieve him of responsibility for errors of any sort in the shop drawings.

10 For sizes, locations and specific details of Mechanical, Plumbing and Electrical equipment, refer to appropriate sub-contractor drawings and specifications.

CONSTRUCTION RESPONSIBILITY

1 The contractor shall have sole responsibility for site safety. Any fabricator and erector shall review the contract documents and if the structure, as shown on those documents, is in conflict with the requirements of any safety regulation, the fabricator shall notify the Structural Engineer of Record (EOR) prior to commencing shop drawing production. If the fabricator and/or erector fail to notify EOR, as stated above, they shall become responsible for all costs for correcting such conflicts with the requirements of any and all safety regulations.

2 It shall be the responsibility of the contractor to locate all existing utilities whether shown hereon or not and to protect them from damage. The contractor shall bear all expense of repair or replacement in conjunction with the execution of this work.

3 The Contract Drawings and specifications represent the finished structure. Unless otherwise shown, they do not indicate the method of construction. The Contractor shall supervise and direct the work and he shall be solely responsible for all construction means, methods, techniques, sequences and procedures. Observation visits to the site by field representatives of the Architect/Engineer shall not include inspections of the protective measures or the construction procedures required for same, which are furnished by others. These support services performed by the Architect/Engineer, whether for material or work, and whether performed prior to, during, or after completion of construction are performed solely for the purpose of assisting in quality control and in achieving conformance with the Contract Drawings and Specifications, but they do not guarantee Contractor performance and shall not be construed as supervision of construction.

4 All drawings, specifications and other work product of the Architect/Engineer for this project are instruments of service for this project only and shall remain the property of the Architect/Engineer whether the project is completed or not. Reuse of any of the instruments of service of the Architect/Engineer by the Owner/Client on extensions of this project or on any project without the written permission of the Architect/Engineer shall be a the Owners/Clients own risk, and the Owner/Client agrees to defend, indemnify and hold harmless the Architect/Engineer from all claims, damages, and expenses including attorneys fees arising out of such unauthorized reuse of the Architects/Engineers instruments of service by the Owner/Client or by others acting through the Owner/Client.

5 The Contractor agrees that he shall assume sole and complete responsibility for job site conditions during the course of construction of this entire project, including safety of all persons and property; that these requirements shall apply continuously and not be limited to normal working hours; and that the Owner/Client(s), Designer(s), Architect(s), Engineer(s) and Surveyor(s) are harmless from any and all liability during the course of construction.

6 ALL trades and contractors shall review ALL sheets of these drawings as well as any shop drawings provided by others for CONFLICT WITH OR APPLIANCES TO THEIR TRADE. COSTS ARISING FROM FAILURE TO DO THIS SHALL BE BORN BY THE CONTRACTOR AT FAULT. IT SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACT to distribute copies of drawings to the sub-contractors and see that they comply with the above (in particular: Notes and dimensions, etc. on one sheet may effect the work shown on another sheet, but may not be repeated on the other sheet. Therefore it is essential that all contractors are familiar with all sheets of all drawings).

7 The design, adequacy & safety of erection bracing, shoring, temporary supports, form etc., is the sole responsibility of the contractor, and has not been considered by the Structural Engineer. The contractor is responsible for means and methods of construction to insure the stability of the structure prior to the application of all walls, roof & floor sheathing and finish materials. He shall provide the necessary bracing to provide stability prior to the application of the aforementioned materials. The contractor is responsible for compliance with OSHA requirements including, but not limited to, the addition of anchor bolts and/or temporary bracing to insure column stability during construction. Observation visits to the site by the Structural Engineer shall not include inspection of the above items.

SITE

1 The Contractor, at his own expense, shall keep the project area and surrounding area free from dust nuisance. The work shall be in conformance with the Air Pollution Control Standards and regulations of the State Department of Health.

2 If existing facilities are related to the work, the Contractor shall not disrupt the existing services or utilities without obtaining Owners/Clients prior approval and instructions in each case.

3 All grading operations shall be performed in conformance with the applicable provisions of the water quality standards contained in the Public Health Regulations, State Department of Health on water pollution control and water quality standards.

4 The Contractor shall furnish adequate sharing, bracing, barricades and protective measures, etc., as required to safely execute all work, and shall be fully responsible for same.

5 The Contractor, at his own expense, shall keep the project area and surrounding Construction debris and wastes shall be deposited at an appropriate site, the Contractor shall inform the Architect/Engineer of the location of disposal sites. The disposal site must also fulfill the requirements of the grading ordinances.

6 This project shall comply with CBC Section 3306. The Contractor shall ensure that all pedestrians are protected during construction, remodeling, and demolition activities as required by CBC Section 3306 and Table 3306.1. Signs shall be provided to direct pedestrian traffic.

FINISH WORK

1 ALL REQUIRED PERMITS MUST BE OBTAINED FROM THE FIRE PREVENTION BUREAU BEFORE THE BUILDING IS OCCUPIED.

2 Unless noted otherwise, all surfaces to be painted shall receive three (3) coats.

TRADE WORK

1 The Contractor shall verify sizes and locations of all mechanical, electrical, plumbing and specialty equipment before construction of cabinets.

2 The Contractor shall insure that all under-floor rough plumbing and/or mechanical, electrical and speciality equipment installations are in place prior to placement of concrete slab floors.

3 The Contractor shall verify locations of all openings and pads required with Mechanical, Electrical, Plumbing or Specialty equipment manufacturer's data sheets and plans.

4 The Contractor shall provide and locate access panels as required after installation of mechanical ducts, plumbing and electrical work.

5 The Contractor shall provide all necessary blocking and backing framing for light fixtures, electrical units and A/C equipment.

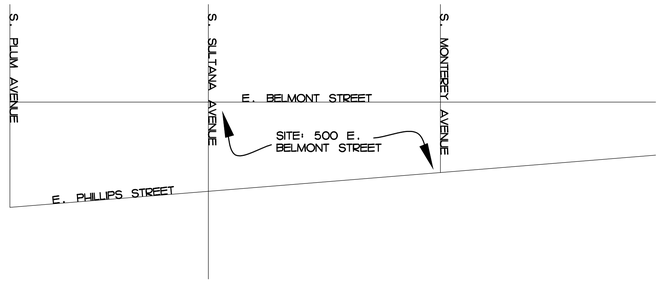
AMERICANS WITH DISABILITIES ACT (ADA)

With specific respect to design requirements of the AMERICANS WITH DISABILITIES ACT OF 1990 (ADA) or certified state or local accessibility regulations, Owner/Client agrees to waive any action against the Design Professional, and to indemnify and defend the Design Professional against any claim arising from Design Professional's alleged failure to meet ADA design requirements prescribed. Owner/Client understands that interpretation of ADA is a legal issue and not a design issue, therefore retention of legal counsel for purposes of interposition is advisable.

CALIFORNIA ACCESSIBILITY STANDARDS

THE CALIFORNIA BUILDING CODE ACCESSIBILITY STANDARDS ARE SPECIFIED AND ILLUSTRATED ON SHEETS REFERENCED AS DA1, DA2, ETC., AND ARE NOT NECESSARILY NOTED ELSEWHERE.

The Contractor is responsible for reviewing these specifications and incorporating them into this project where applicable.



SITE VICINITY MAP
500 E. BELMONT ST.

SCALE: NOT TO SCALE

INDEX TO DRAWINGS

1	COVER SHEET, GENERAL NOTES
2	STRUCTURAL SPECIFICATIONS & NOTES
SP1	SITE PLAN
SUP1	SITE UTILIZATION PLAN
SUP2	SITE UTILIZATION PLAN CONT.
G1	PRELIMINARY GRADING PLAN
G2	PRELIMINARY GRADING PLAN CONT.
L	COLORED LANDSCAPE PLAN
L1	PRELIMINARY LANDSCAPE PLAN
L2	PRELIMINARY LANDSCAPE PLAN
L3	TREE INVENTORY PLAN
A1	FLOOR PLAN
A2	SECOND FLOOR FRAMING PLAN
A3	CANOPY PLAN
A4	FUEL AREA - FLAG POLE
A5	NORTH/SOUTH ELEVATIONS
A6	EAST/WEST ELEVATIONS
A7	FENCE/BLOCK WALL ELEVATIONS
A8	CANOPY ELEVATIONS
A9	SECTIONS
A10	ROOF PLAN
S1	FOUNDATION PLAN
D1	DETAIL SHEET

SITE SUMMARY:

APN: 104-491-01,02,03
SITE AREA: 111,963SF=2.57AC

PROP BLG AREA: 5460 SF 1st FLOOR
1200 SF 2nd FLOOR (OFFICES)
6660 SF TOTAL

PROP TRUCK WASH: 800 SF

FLOOR AREA RATIO: $\frac{800+5460}{111,963} = 5.6\%$

LANDSCAPE AREA: 15,500 SF
PAVED AREA: 90,600 SF

LANDSCAPE COVERAGE RATIO: $\frac{15,500\ SF}{111,963\ SF} = 13.8\%$

TYPE OF CONSTRUCTION: V
OCCUPANCY: B,S2

PARKING NEEDED: 12 STALLS
PARKING PROVIDED: 21 STALLS

OWNER:

MANUEL ACOSTA
810 E. MAIN STREET
ONTARIO, CA

NOTES:

PRE-ENGINEERED METAL BUILDING COMPANY TO PROVIDE FULL ENGINEERING AND CONSTRUCTION DRAWINGS.

SECOND FLOOR TO BE INTEGRATED AND ENGINEERED IN TO STEEL FRAMING BY METAL BUILDING COMPANY.

MEP SHALL BE DESIGN BUILD.

STRUCTURAL ENGINEER:
RICHARD HERMAN
STRUCTURAL ENGINEER
4854 MAIN ST
YORBA LINDA, CA. 92886
714-803-1073
RHERMAN@RHERMANSE.COM

CONTRACTOR:

PROJECT NAME:

New Development For:
Pepe's Towing Co.
500 East Belmont Street
Ontario, California

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SEAL / SIGNATURE

REGISTERED PROFESSIONAL ENGINEER
RICH HERMAN
No. 3255
Exp 4/21
STRUCTURAL
STATE OF CALIFORNIA

The designs, drawings and/or written materials herein constitute the original and unpublished property of RICHARD HERMAN, STRUCTURAL ENGINEER. Said materials may not be reproduced, utilized or disclosed without written permission of RICHARD HERMAN, STRUCTURAL ENGINEER.

COVER
GENERAL NOTES

DATE: 07/31/19

PROJECT NO: 19-006

1

STRUCTURAL SPECIFICATIONS

STRUCTURAL NOTES:

1 Design Criteria:

A. Dead and Live Load (Roof)
DL= 14 psf LL= 20 psf

B. Snow loads
Ground snow load, Pg=0

C. Wind Loads Exposure
Basic Wing Speed, Vult=110 MPH
Wind importance factor, 1=1.0
Wind Exposure=C
Main wind Force Resisting System (MWFRS)=10.29 Psf
Max Components and Cladding Wind Pressure = 24.6 Psf

D. Earthquake
1. Seismic Importance Factor=1 – Occupancy Category: II
2. Mapped Spectral Response Accelerations: S1=1.355 Ss=2.419
3. Site Class Category: E
4. Spectral Response Coefficients Sds=.990 Sd1=.544
5. Seismic Design Category: D
6. Basic Seismic Force Resisting System:
Light–framed walls sheathed with wood structural panels rated for shear resistance or steel sheets.
7. Design Base Shear = 17.2k
8. Seismic Response Coefficient Cs=.152
9. Response modification factor R=6.5
10. Analysis procedure used:
Equivalent Lateral Force Procedure

2 Concrete slab on grade has not been designed by the Structural Engineer for:
A) Any construction loads (i.e. cranes, concrete trucks or etc.)
B) Any specific occupant service loads (i.e. forklifts, storage racks, or etc.)

3 Vibrational effects of mechanical equipment have not been considered by the Structural Engineer.

4 Priming and painting (per Achitectural) of steel is required when:
A. Steel is exposed to the weather.
B. Steel is Architecturally exposed.

5 All screws, lags & bolts through structural steel requires pre–drilled holes.

CONCRETE:

2500 PSI minimum strength at 28 days for floor slabs and curbs.

4500 PSI minimum strength at 28 days for all other concrete (U.N.O.).

The above values assume sulfate exposure is negligible per C.B.C. Provide sulfate test or use Type V concrete and 4500 PSI minimum concrete strength with a maximum of 0.45 W/C ratio. No special inspection or testing required unless noted on plans.

Control joints in slabs shall be as shown or as directed by Engineeer (15' x 15' maximum grid).

REINFORCING STEEL:

ASTM A615, Grade 60 for all typical bars. ASTM A706, Grade 60 for any bars to be welded. Provide 40 bar diameter laps at all splices. Concrete slab–on–grade reinforcing shall be positioned at the centerline of the slab by the use of concrete or steel chairs.

ELECTRODES FOR WELDING OF ASTM A706, GRADE 60 BARS SHALL BE EXX80

WIRE MESH REINFORCING:

Shall conform to ASTM A82–70. Mesh shall be positioned at the centerline of the slab.

FOOTINGS:

Shall rest on firm, undisturbed natural soil or approved compacted fill at a minimum depth indicated on the drawings.

SOIL DESIGN PRESSURE = 1,500 P.S.F.

See recommendations in soils report by:
(Soils Engineer Name)
(Address)
(city–state)
Project Number:

CONCRETE JOINT SEALANT:

Joint sealant shall be Pacific Polymers "ELASTO–SEAL" thiokol based joint sealant. Sealant shall not exceed 1/2". Substitutions for Pacific Polymers "ELAST–SEAL" must be pre–approved in writing by the Engineer of Record.

MASONRY:

BLOCK UNITS SHALL CONFORM WITH ASTM C–90, ASTM C140, 2016 CBC 2105A.3 & 2114.6.1.

DESIGN IS BASED ON F'M = 1,500.

USE TYPE S MORTAR & CONFORM TO ASTM C1586, & 2016 CBC 2114.6.1 PER ASTM C780.
GROUT STRENGTH SHALL BE 2 KSI MINIMUM PER ASTM C1019.
ALL MASONRY SHALL BE SOLID GROUTED
SPECIAL INSPECTION AND TESTING IS REQUIRED

ROUGH HARDWARE:

Shall be Simpson Strong–Tie Co. Inc. or approved equal. Substitutions for Simpson Stron–Tie Co. Inc. products must be pre–approved in writing by the Engineer of Record.

WOOD STUD WALLS:

Stud walls shall be 2 x 4 at 16 inches on center unless otherwise indicated. Studs at bearing walls shall be 2 x 6 at 16 inches on center. Studs at plumbing wall shall be 2 x 8 at 16 inches on center or double wall using 2 x 4 studs.

PLYWOOD:

Shall be a minimum of 5–ply and conform with current requirements of PSI and shall be grade marked. Plywood grades shall be as indicated on the drawings.

STRUCTURAL STEEL

1 All materials and workmanship shall be in accordance with the latest edition of the AISC manual of steel construction, which includes the specifications for structural steel buildings, the code of standard practice and the AWS Structural Welding Code.

2 Fabrication and erection shall conform with AISC spec. A certificate of fabrication from the shop performing welding or a report from the Special Inspector must be furnished to the job inspector prior to framing approval.

3 Unless noted otherwise on plans, structural shapes shall be:

STRUCTURAL SHAPES		
SECTION TYPE	SHAPE	ASTM DESIGNATION
ANGLES	L, J L	A36 MINIMUM
CHANNELS	C, MC	A36 MINIMUM
PLATES/BARS	PL	A36 MINIMUM
RECTANGULAR (AND SQUARE) HOLLOW STRUC. SECTIONS	TS HSS	A500 GRADE B (Fy =46 ksi) ASTM A–1085 (Fy=50 ksi)
ROUND HOLLOW STRUCTURAL SECTIONS	HSS, t > 5/8"	A500 GRADE B (Fy =42 ksi)
ROUND HOLLOW STRUCTURAL SECTIONS	HSS, t > 5/8"	A53 GRADE B
PIPE	PIPE	A53 (TYPE E OR S) GRADE B
WIDE FLANGES, MISC. CHANNELS AND ALL OTHER SHAPES U.N.O.	W, WT, S, ST, M, MT, HP, (ETC)	A53/A572 (Fy=50 ksi) DUAL STEEL; OR A572 (Fy=50 ksi); OR A992 (Fy=50 ksi)
RODS, THREADED RODS	DIA.	A36

LIGHT GAGE STEEL:

Shall conform with American Iron and Steel Institue specifications.

METAL STUDS:

Structural steel studs, joists, tracks shall be per Steel Stud Manufacturer's Association (SSMA) per ICC ESR–3064P or Architect approved equal unless noted otherwise. Size of studs shall be as noted in details.

Non–bearing metal studs shall be manufactured by CEMCO Metals (ICC ESR–3016P & RR 24923) or approved equal. Size and gage of studs shall be as indicated on the drawings.

PRE-ENGINEERED METAL BUILDINGS:

Shall be rigid frame type and shall conform with provisions of the California Building Code. Complete structural calculations and shop drawings shall be provided to the Engineer of Record for approval.

It is the contractor's responsibility to review the pre–engineered building manufacturer's drawings prior to commencing construction on this projec.t Where discrepancies occur between these drawings and the pre–engineered building manufacturer's drawings, the pre–engineered building manufacturer's drawing shall prevail. Further, any discrepancies shall be brought to the attention of the Architect/Engineer.

ANCHOR BOLTS:

ASTM A307 with standard hood or heavy hex nut tack welded to end.

BOLTS:

ASTM A307. Connections not detailed shall conform with AISC specifications.

HIGH STRENGTH BOLTS:

ASTM A325.

SPECIAL INSPECTION IS REQUIRED

WELDING:

Welding shall conform to American Society Specifications and Section 26–8 of C.B.C. Standards. All welders shall be certified. Use E70XX electrodes & AWS D1.1 structural welding unless otherwise noted.

All welding shall be accomplished using the shielded metal arc welding process (SMAW) with E70XX Electrodes or the submerged arc welding process (SAW) with E70–EXXX Electrodes or the flux–cored arc welding process (FCAW). E70T–4 Electodes shall not be used. FCAW E70T –2, –3, –10, –13, –14, –GS Electrodes shall not be used. Low hydrogen Electrodes shall be used and kept dry, and parent metals shall be pre–heated in accordance with AWS standards. Welding shall be performed by a Building Department approved certified welders. Welders shall have light gauge steel certification when welding light gauge steel.

ALL FIELD WELDING SHALL HAVE CONTINUOUS SPECIAL INSPECTION EXCEPT AS ALLOWED BY CBC SECTION 1704.3 EXCEPTIONS.

SHOT PINS

2x P.T. PLATE W/ A.B. OR D.A. AT 4'–0" O.C. OR ITW RAMSET REDHEAD 1500 SERIES AT 2'–0" O.C. W/ 1" MIN. EMBED PER ICBO 1639, 1147.

CONCRETE EXPANSION ANCHORS:

Expansion anchors for concrete shall be:

HILTI KWIK BOLT TZ (ICC ESR–1917) (LARR # 25577, TABLE IX)
or
HILTI KWIK BOLT KB3 (ICC ESR–2302)

Compliance with 2013 C.B.C is required.

SPECIAL INSPECTION IS REQUIRED IN CITY OF LOS ANGELES.

EXPANSION ANCHORS IN MASONRY:

All expansion anchors for masonry shall be HILTI KWIK BOLT 3 or approved equal per Table 2 in ICC ESR–1385 with NO SPECIAL INSPECTION (U.N.O. Where special inspection is required, compliance with 2013 C.B.C. is required.

For Los Angeles City compliance – see Table IX of LARR 25577.

SPECIAL INSPECTION IS REQUIRED IN CITY OF LOS ANGELES

EPOXY FOR ANCHOR BOLTS IN CONCRETE:

Epoxy for anchor bolts shall be HILTI HIT–RE 500–SD epoxy per ICC ESR–2322 and LARR 25514 – NO SUBSTITUTIONS ALLOWED.

SPECIAL INSPECTION IS REQUIRED

EPOXY FOR ANCHOR BOLTS IN MASONRY:

Epoxy for anchor bolts shall be SIMPSON SET epoxy per Table 16, ICC ESR–1772 and LARR 25279 or HILTI HIT–HY 200 epoxy per ICC ESR–3187.

SPECIAL INSPECTION IS REQUIRED

STRUCTURAL ENGINEER:
RICHARD HERMAN
STRUCTURAL ENGINEER
4854 MAIN ST
YORBA LINDA, CA. 92886
714-803-1073
RHERMAN@RHERMANSE.COM

CONTRACTOR:

PROJECT NAME:

New Development For:
Pepe's Towing Co.
500 East Belmont Street
Ontario, California

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SEAL / SIGNATURE

REGISTERED PROFESSIONAL ENGINEER
RICH HERMAN
No. 3255
Exp 4/21
STRUCTURAL
STATE OF CALIFORNIA

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STRUCTURAL SPECIFICATIONS

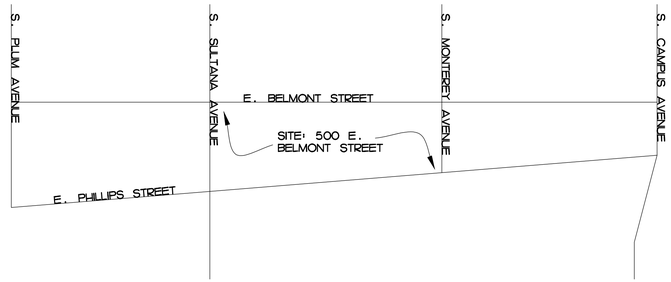
DATE: 07/31/19

PROJECT NO: 19-006

2

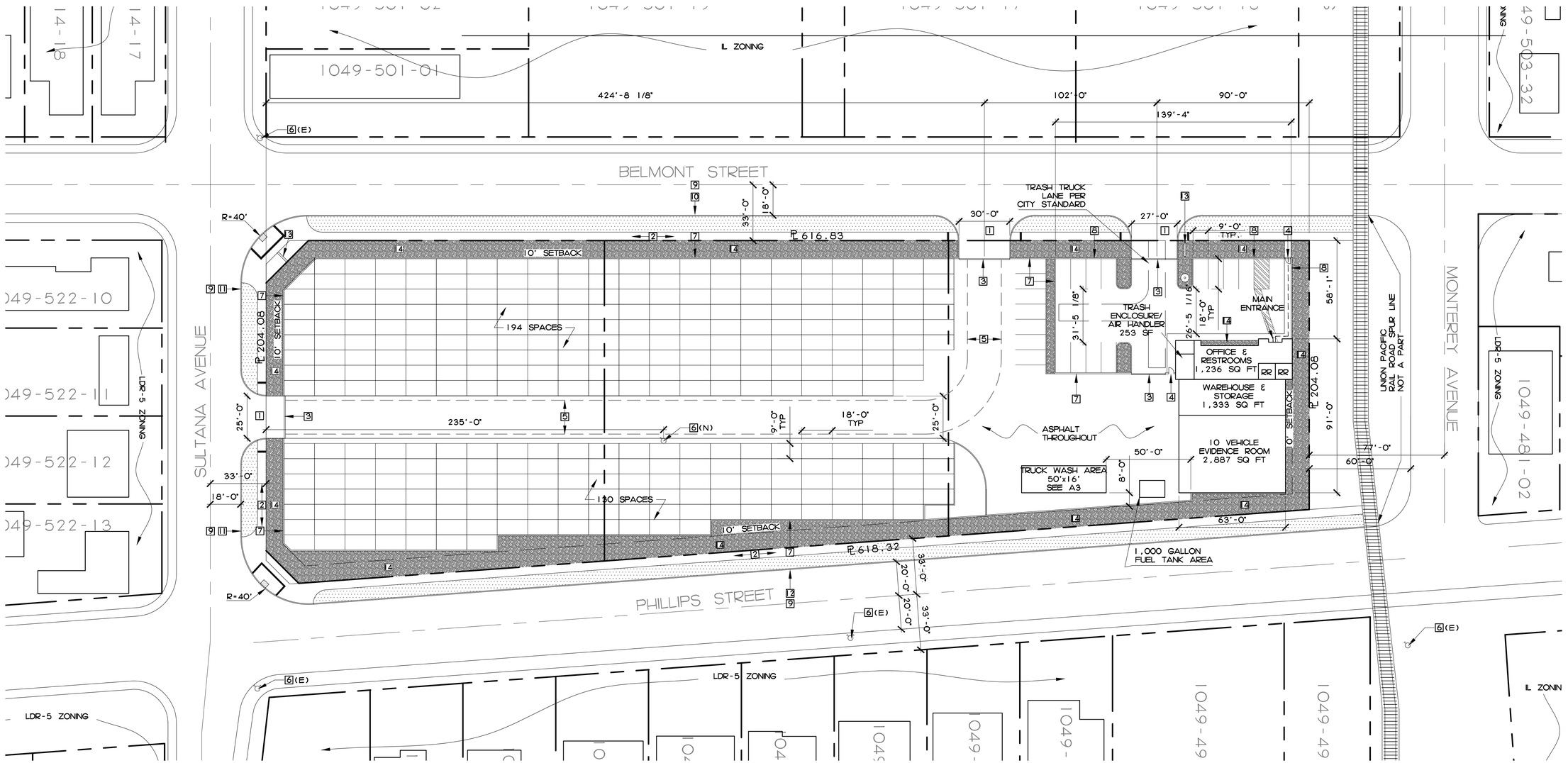
NOTES:

1. PROPOSED DRIVEWAY
2. EXISTING RIGHT OF WAY
3. ACCESS GATE
4. 3' WIDE MAN GATE
5. 20' WIDE FIRE LANE
6. FIRE HYDRANT
7. NEW 8'-0" CMU WALL
8. NEW 8'-0" WROUGHT IRON FENCE
9. STREET CENTERLINE
10. EXISTING CURB & GUTTER
11. EXISTING CURB
12. NEW CURB & GUTTER PER DWG 1201 TYPE "B"
13. MONUMENT SIGNAGE
14. LANDSCAPING PER LANDSCAPE PLAN



SITE VICINITY MAP
500 E. BELMONT ST.

SCALE: NOT TO SCALE



SITE PLAN

SCALE: ONE INCH = 30 FEET

STRUCTURAL ENGINEER:
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4854 MAIN ST
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714-803-1073
RHERMAN@RHERMAINSE.COM

CONTRACTOR:

PROJECT NAME:

New Development For:
Pepe's Towing Co.
500 East Belmont Street
Ontario, California

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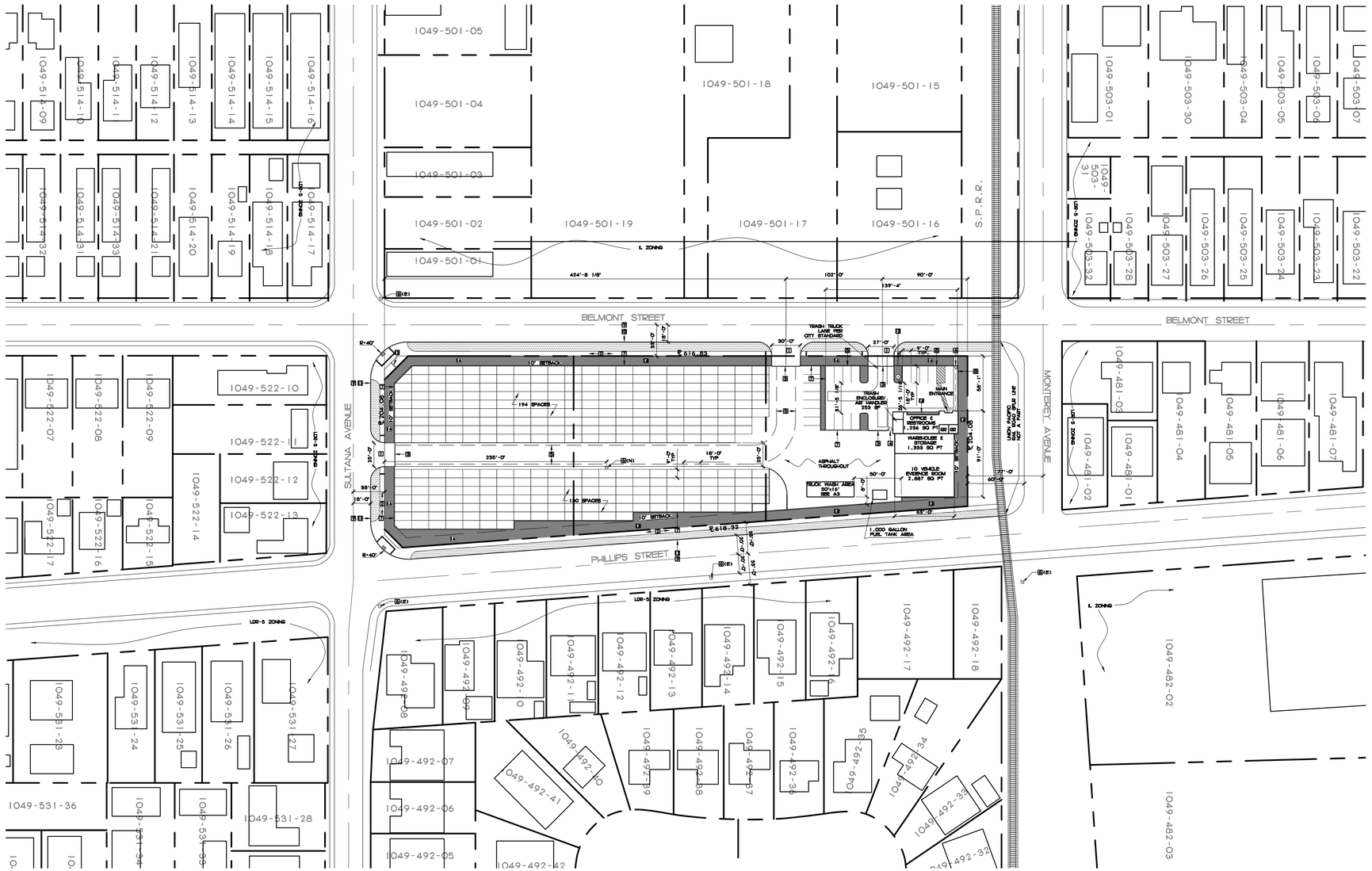
SITE PLAN

DATE: 07/31/19

PROJECT NO: 19-006

SP1



SITE UTILIZATION PLAN/MAP

SCALE: ONE INCH = 60 FEET

STRUCTURAL ENGINEER:

RICHARD HERMAN
STRUCTURAL ENGINEER
4854 MAIN ST
YORBA LINDA, CA. 92886
714-803-1073
RHERMAN@RHERMANSE.COM

CONTRACTOR:

PROJECT NAME:

New Development For:

Pepe's Towing Co.

500 East Belmont Street
Ontario, California

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SEAL / SIGNATURE

REGISTERED PROFESSIONAL ENGINEER
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STATE OF CALIFORNIA

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SITE UTILIZATION PLAN

DATE: 07/31/19

PROJECT NO: 19-006

SUP1

1049-491-01 300ft. Radius, 1/4/2018, Page 1-1

Parcel # *	Owner's Name *	#	Dir.	Street	Type	City	St.	Zip
104950117	MC KERNAN FAMILY LIMITED PTNRSHP	5390000	E	BELMONT	ST	ONTARIO	CA	91761
104950104	SILVA, ALICE	1115		SULTANA	AVE	ONTARIO	CA	91761
104951417	MORALES, FELIPE D J L	427	E	BELMONT	ST	ONTARIO	CA	91761
104951420	TORRES, JAVIER	419	E	BELMONT	ST	ONTARIO	CA	91761
104951421	LAY, NAY SOK	413	E	BELMONT	ST	ONTARIO	CA	91761
104950101	SILVA, ALICE	0						00000
104952214	RIVAS, DOROTEO R TR	0						00000
104952216	MONTERO, SANDRA	407	E	PHILLIPS	ST	ONTARIO	CA	91761
104952213	RIVAS, DOROTEO R TR	1218	S	SULTANA	AVE	ONTARIO	CA	91761
104949215	CHAVEZ, JOSEFINA ROMAN DE	542	E	PHILLIPS	ST	ONTARIO	CA	91761
104949213	CERVANTES, STEVE B	532	E	PHILLIPS	ST	ONTARIO	CA	00000
104953126	ZAMORA, LOUIE L	424	E	PHILLIPS	ST	ONTARIO	CA	00000
104950118	MC KERNAN FAMILY LIMITED PTNRSHP	533	E	BELMONT	ST	ONTARIO	CA	91761
104950116	MC KERNAN FAMILY LIMITED PTNRSHP	543		BELMONT	ST	ONTARIO	CA	91761
104949101	FOUR SISTERS ENTERPRISES LLC	500		BELMONT	ST	ONTARIO	CA	91761
104953125	JIMENEZ, VERONICA	416	E	PHILLIPS	ST	ONTARIO	CA	91761
104949237	LORENZANO, CATALINO	1306	S	PLEASANT	AVE	ONTARIO	CA	91761
104949207	LEE & LEUNG FAMILY TRUST 4/22/17	1313	S	SULTANA	AVE	ONTARIO	CA	91761
104953128	MEDINA, VICTOR	1320	S	SULTANA	AVE	ONTARIO	CA	91761
104951418	VAZQUEZ, HECTOR	425	E	BELMONT	ST	ONTARIO	CA	91761
104951419	ULTIMATE INVESTMENT ENERPRISES INC	423	E	BELMONT	ST	ONTARIO	CA	91761
104951416	RAMIREZ, RICARDO	428	E	RALSTON	ST	ONTARIO	CA	91761
104953124	RAMOS, ROSEMARY	410	E	PHILLIPS	ST	ONTARIO	CA	00000
104949236	ORTIZ, FRANCISCO	1302	S	MONTEREY	AVE	ONTARIO	CA	91761
104949238	MUNOZ, VICTOR	1310	S	PLEASANT	AVE	ONTARIO	CA	00000
104950103	SILVA, ALICE	0						00000
104951433	SANCHEZ, MARK A	409	E	BELMONT		ONTARIO	CA	91761
104950102	SILVA, ALICE	1125		SULTANA	AVE	ONTARIO	CA	91761
104949102	FOUR SISTERS ENTERPRISES LLC	532	E	BELMONT	ST	ONTARIO	CA	91761
104952208	ESPINOZA, THERESA O TR	408	E	BELMONT	ST	ONTARIO	CA	00000
104952215	CHAVEZ, JESUS	411	E	PHILLIPS	ST	ONTARIO	CA	91761
104949211	DE SANTIAGO, BAUDELIO	522	E	PHILLIPS	ST	ONTARIO	CA	00000
104953133	DAVIS, JEFFREY G TR	419	E	ACACIA	ST	ONTARIO	CA	91761
104951415	IZAGUIRRE, ADIEL OSMAR	426	E	RALSTON	ST	ONTARIO	CA	91761
104951414	RONG, SHUANG YI LIVING TRUST 4/16/15	422	E	RALSTON	AVE	ONTARIO	CA	91761
104952212	SOTO, JUAN H	1214	S	SULTANA	AVE	ONTARIO	CA	91761
104949208	QUEVEDO, MIGUEL	504	E	PHILLIPS	ST	ONTARIO	CA	91761
104949239	RODRIGUEZ, MANUEL M	1314	S	PLEASANT	AVE	ONTARIO	CA	00000
104949242	YANG, ALAN YUNGLUN	1326	S	PLEASANT	AVE	ONTARIO	CA	91761
104950119	MC KERNAN FAMILY LIMITED PTNRSHP	525	E	BELMONT	ST	ONTARIO	CA	00000
104949103	FOUR SISTERS ENTERPRISES LLC	544	E	BELMONT	ST	ONTARIO	CA	91761
104952209	IARUSSI, DONNA L	414	E	BELMONT	ST	ONTARIO	CA	91761
104949216	PHAM, KHANG KHAI	550	E	PHILLIPS	ST	ONTARIO	CA	91761
104949212	GAONA, ESTHELA A	526	E	PHILLIPS	ST	ONTARIO	CA	91761
104949235	BELTRAN, VICTOR	1313	S	MONTEREY	AVE	ONTARIO	CA	91761
104949241	GOMEZ, VICTOR M	1322	S	PLEASANT	AVE	ONTARIO	CA	91761
104952210	GUTIERREZ, ROSA M	424		BELMONT	ST	ONTARIO	CA	91761
104952211	GONZALES, FELICITAS P FAMILY TRUST 6	1208	S	SULTANA	AVE	ONTARIO	CA	00000
104949214	JAIME, ARMANDO	538	E	PHILLIPS	ST	ONTARIO	CA	91761

1049-491-01 300ft. Radius, 1/4/2018, Page 1-2

Owner's Address	City-St.-Zip
P O BOX 3877	ONTARIO CA
14135 VALLEY BLVD	FONTANA CA 92335
2034 S SULTANA AVE	ONTARIO CA 91761
419 E BELMONT AVE	ONTARIO CA 91761
1440 DELAMERE DR	ROWLAND HEIGHTS CA 91748
14135 VALLEY BLVD	FONTANA CA 92335
1218 S SULTANA AVE	ONTARIO CA 91761
407 E PHILLIPS ST	ONTARIO CA 91761
1218 S SULTANA AVE	ONTARIO CA 91761
542 E PHILLIPS ST	ONTARIO CA 91761
532 E PHILLIPS	ONTARIO CA 91761
424 E PHILLIPS ST	ONTARIO CA
P O BOX 3877	ONTARIO CA
P O BOX 3877	ONTARIO CA
23792 ROCKFIELD BLVD # 140	LAKE FOREST CA 92630
416 E PHILLIPS ST	ONTARIO CA 91761
352 W 41 PL	LOS ANGELES CA 90037
4908 WILLMONTE AVE	TEMPLE CITY CA 91780
12338 DAHLIA AVE	EL MONTE CA 91732
425 E BELMONT ST	ONTARIO CA 91761
9125 EGLISE AVE	DOWNEY CA 90240
428 E RALSTON ST	ONTARIO CA 91761
410 E PHILLIPS ST	ONTARIO CA 91761
1302 S MONTEREY AVE	ONTARIO CA 91761
1310 S PLEASANT AVE	ONTARIO CA 91762
14135 VALLEY BLVD	FONTANA CA 92335
11239 WHITEWATER AVE	MONTCLAIR CA 91763
14135 VALLEY BLVD	FONTANA CA 92335
23792 ROCKFIELD BLVD # 140	LAKE FOREST CA 92630
312 W MAITLAND ST	ONTARIO CA 91762
411 E PHILLIPS ST	ONTARIO CA 91761
522 E PHILLIPS ST	ONTARIO CA 91761
530 STRATFORD DR	ENCINITAS CA 92024
426 E RALSTON ST	ONTARIO CA 91761
9750 ARDENDALE AVE	ARCADIA CA 91007
1325 W RALSTON	ONTARIO CA 91762
504 E PHILLIPS ST	ONTARIO CA 91761
1314 S PLEASANT AVE	ONTARIO CA 91761
7246 PINEWOOD CT	CORONA CA 92880
P O BOX 3877	ONTARIO CA
23792 ROCKFIELD BLVD # 140	LAKE FOREST CA 92630
414 E BELMONT ST	ONTARIO CA 91761
908 JACARANDA ST	ONTARIO CA 91762
526 E PHILLIPS	ONTARIO CA 91761
1313 S MONTEREY DR	ONTARIO CA 91761
1322 S PLEASANT AVE	ONTARIO CA 91761
424 AND 428 E. BELMONT ST	ONTARIO, CA
1208 S SULTANA	ONTARIO CA 91761
538 E PHILLIPS ST	ONTARIO CA 91761

1049-491-01 300ft. Radius, 1/4/2018, Page 2-1

Parcel # *	Owner's Name *	#	Dir.	Street	Type	City	St.	Zip
104949210	VAREA, CALLETANO	516	E	PHILLIPS	ST	ONTARIO	CA	91761
104949209	GAONA, PABLO	510	E	PHILLIPS	ST	ONTARIO	CA	91761
104953127	RIVAS, DOROTEO R TR	430	E	PHILLIPS	ST	ONTARIO	CA	91761
104949240	PUGA, DANIEL	1318	S	PLEASANT	AVE	ONTARIO	CA	91761
104949206	PEREZ, ANTONIO TAPIA	1319	S	SULTANA	AVE	ONTARIO	CA	91761
104949205	HERNANDEZ, XAVIER	1323	S	SULTANA	AVE	ONTARIO	CA	91761
104953129	MZT INVESTMENTS LLC	1328		SULTANA	AVE	ONTARIO	CA	91761

1049-491-01 300ft. Radius, 1/4/2018, Page 2-2

Owner's Address	City-St.-Zip
516 E PHILLIPS ST	ONTARIO CA 91761
510 E PHILLIPS ST	ONTARIO CA 91761
1218 S SULTANA AVE	ONTARIO CA 91761
1318 S PLEASANT AVE	ONTARIO CA 91761
1319 S SULTANA AVE	ONTARIO CA 91761
1323 S SULTANA AVE	ONTARIO CA 91761
236 MILTON DR	SAN GABRIEL CA 91775

STRUCTURAL ENGINEER:
RICHARD HERMAN
STRUCTURAL ENGINEER
4854 MAIN ST
YORBA LINDA, CA. 92886
714-803-1073
RHERMAN@RHERMANSE.COM

CONTRACTOR:

PROJECT NAME:

New Development For:
Pepe's Towing Co.
500 East Belmont Street
Ontario, California

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SEAL / SIGNATURE

REGISTERED PROFESSIONAL ENGINEER
RICH HERMAN
No. 3255
Exp 4/21
STRUCTURAL
STATE OF CALIFORNIA

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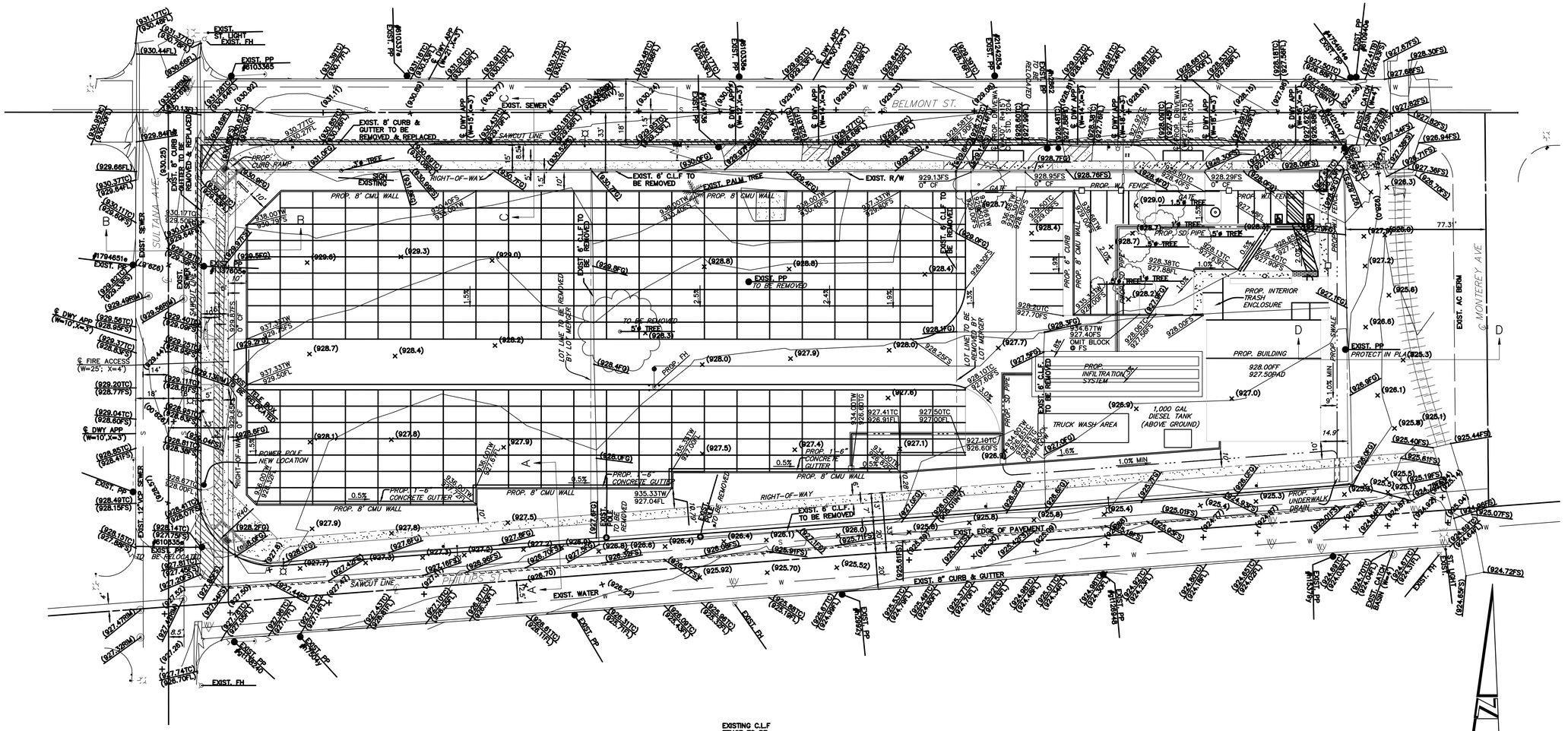
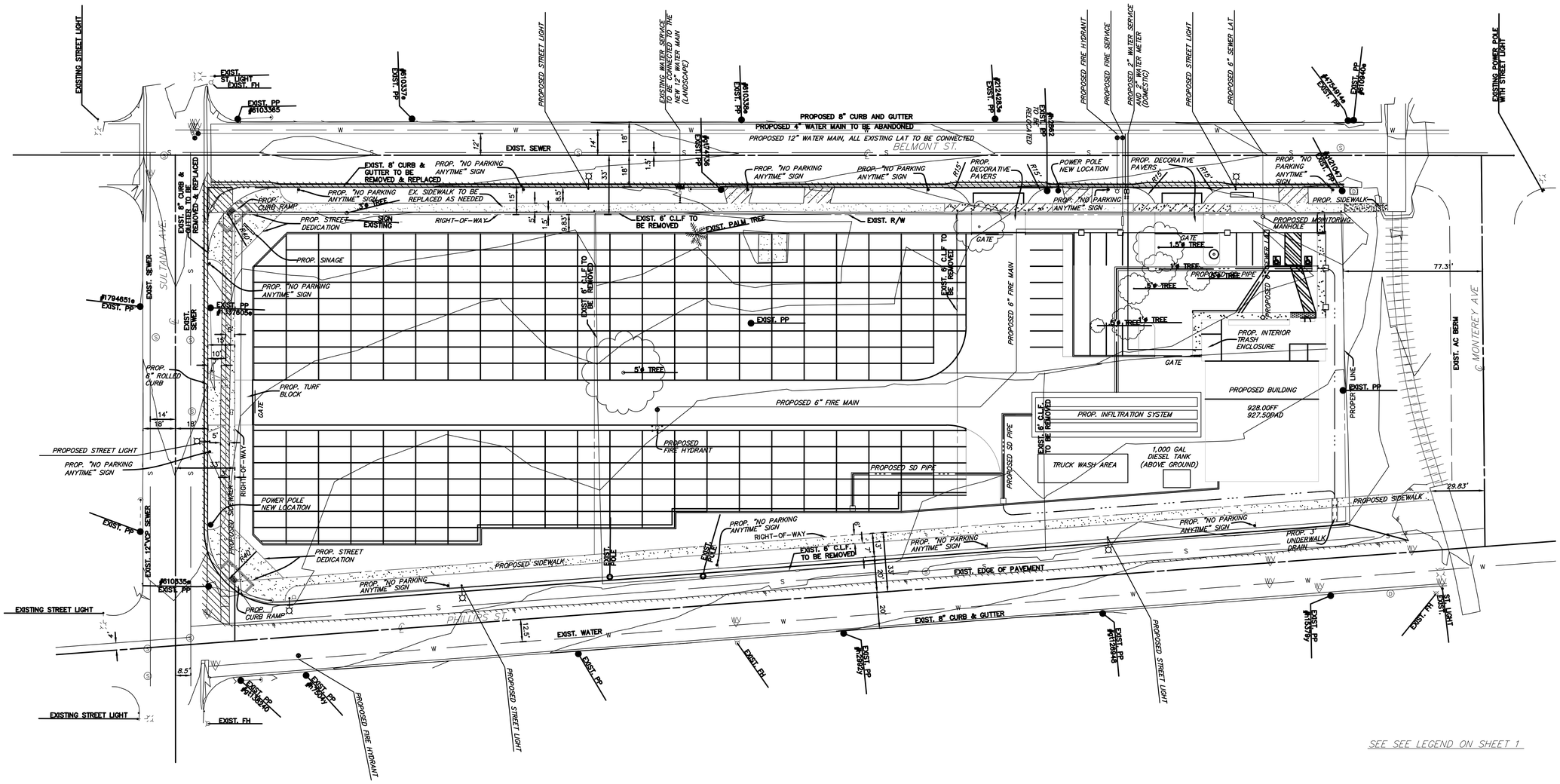
PROPERTY OWNERS WITHIN 300' RADIUS

DATE: 07/31/19

PROJECT NO: 19-006

SUP2


BELMONT ST.
PHILLIPS ST.
SULTANA AVE.
MONTEREY AVE.
EXIST. SEWER
EXIST. 8' CURB & GUTTER TO BE REMOVED & REPLACED
EXIST. 6' C.L.F. TO BE REMOVED
EXIST. PALM TREE
EXIST. R/W
PROP. 8' CMU WALL
PROP. 1'-6" CONCRETE GUTTER
PROP. 8' CMU CURB
PROP. WT. FENCE
PROP. SDI PIPE
PROP. INTERIOR TRASH ENCLOSURE
PROP. BUILDING
PROP. INFILTRATION SYSTEM
TRUCK WASH AREA
1,000 GAL DIESEL TANK (ABOVE GROUND)
EXIST. AC BERM
EXIST. PP PROTECT IN PLACE
EXIST. FH
EXIST. WATER
EXIST. EDGE OF PAVEMENT
EXIST. 8" CURB & GUTTER
PROP. 12" UNDERWALK DRAIN
SAWCUT LINE
RIGHT-OF-WAY
SIGN EXISTING
PROP. CURB RAMP
EXIST. ST. LIGHT
EXIST. PH
EXIST. FDC
EXIST. 12" VCP SEWER
EXIST. 8" SEWER
EXIST. 6" SEWER
EXIST. 8" CURB & GUTTER TO BE REMOVED & REPLACED
EXIST. 6' C.L.F TO BE REMOVED
EXIST. 5' SIDEWALK TO BE REMOVED
EXIST. PP TO BE REMOVED
EXIST. PP TO BE RELOCATED
EXIST. POWER POLE TO BE REMOVED
POWER POLE NEW LOCATION
PROP. FH
PROP. 30" PIPE
PROP. 8" CMU WALL
PROP. 8" DEPRESSED CURB
PROP. 1'-6" CONCRETE GUTTER
LOT LINE TO BE REMOVED BY LOT MERGER
LOT LINE TO BE ESTABLISHED BY LOT MERGER
EXIST. 6' C.L.F. TO BE REMOVED
EXIST. 5' SIDEWALK TO BE REMOVED
EXIST. 8' CURB & GUTTER TO BE REMOVED
EXIST. 6' C.L.F. TO BE REMOVED
EXIST. 6' C.L.F TO BE REMOVED IN PLACE
EXIST. 5' SIDEWALK TO BE REMOVED
EXIST. 8' CURB & GUTTER TO BE REMOVED
EXIST. 6' C.L.F. TO BE REMOVED



SEE SEE LEGEND ON SHEET 1

30 0 30 60 90

SCALE: 1"=30'

LAND DEVELOPMENT DESIGN COMPANY, LLC
2313 E. Philadelphia St., Ste. F
Ontario, CA 91761
(909) 930-1466 · FAX (909) 930-1468
PLANNING · CIVIL · SURVEYING

DIGALERT
DIAL TOLL FREE 811
AT LEAST TWO DAYS BEFORE YOU DIG
UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER
KEVIN J. RICHER
No. 43714
Exp. 3/31/2021
CIVIL
STATE OF CALIFORNIA

BENCHMARK #M-20-1
ELEV. 949.265'
2 IN. BRASS DISK STAMPED "CITY OF ONTARIO M20-1." SET ON CURB TOP CURB. APPROXIMATE 3 FEET ± WEST OF BCR @ SOUTHWEST RETURN OF MISSION BLVD. AND CAMPUS AVE. RECOVERED MARCH 2018.

REVISIONS:

PREPARED UNDER THE SUPERVISION OF:
KEVIN J. RICHER
R.C.E. 43714 LIC. EXP. 3/31/21 DATE

APPROVED BY:
DATE

PRELIMINARY GRADING

SITE
PEPE'S TOWING
500 BELMONT ST.
ONTARIO, CA

PREPARED FOR
MANUEL ACOSTA
23792 ROCKFIELD BLVD.
LAKE FOREST, CA

DATE: 9/04/19	JOB NO. 6078
DRAWN BY: KJR	SCALE 1"=30'
DESIGNED BY: KJR	SHEET 2 OF 2 SHEETS
CHECKED BY: KJR	

CONCEPTUAL PLANT LEGEND

PARKWAY TREE (24" box) — 36
To coordinate with City of Ontario's Master Street Tree Plan
Belmont Street: Pistacha chinensis (M)
Sultana Avenue: Chitalpa tashkentensis (L)
Phillips Street: Fraxinus oxycarpa 'Raywood Ash' (M)

ON SITE TREE — 48
(3 @ 48" box, 5 @ 36" box, 15 @ 24" box, 27 @ 15-gal)
Cercis occidentalis / Western Redbud* (L)
Koelreuteria bipinnata / Chinese Flame Tree (M)
Lagerstroemia indica / Crape Myrtle (M)
Lagunaria patersonii / Primrose Tree (L)
Pistacia chinensis / Chinese Pistache (M)
Platanus racemosa / California Sycamore* (M)
Prunus cerasifera `Krauter Vesuvius` / Purple Leaf Plum (M)
Quercus agrifolia / Coast Live Oak* (L)
Tristania conferta / Brisbane Box (M)

*25% on site trees shall be California natives
On site trees will meet Minimum Tree Species Mix requirements.

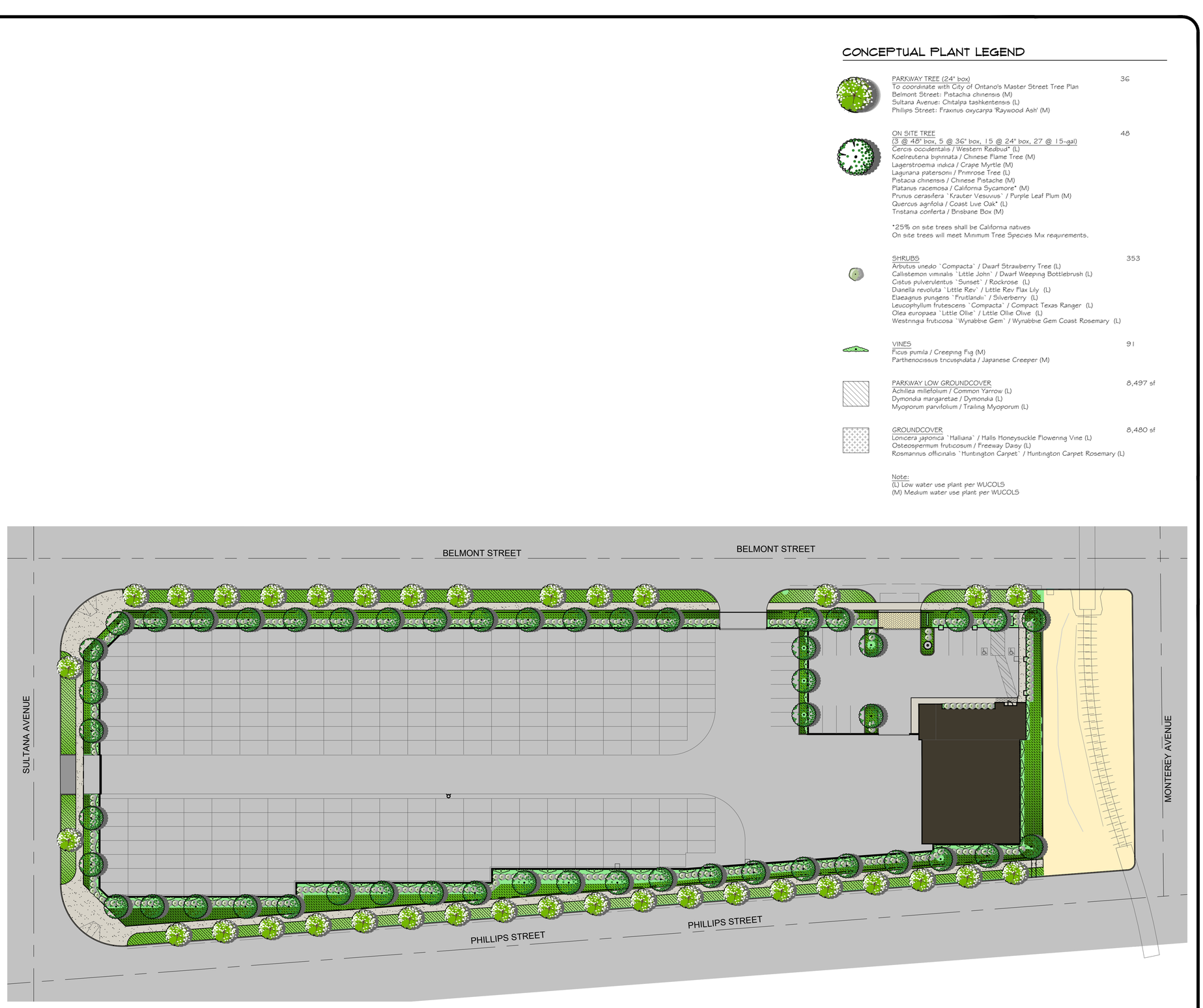
SHRUBS — 353
Arbutus unedo `Compacta` / Dwarf Strawberry Tree (L)
Callistemon viminalis `Little John` / Dwarf Weeping Bottlebrush (L)
Cistus pulverulentus `Sunset` / Rockrose (L)
Dianella revoluta `Little Rev` / Little Rev Flax Lily (L)
Elaeagnus pungens `Fruitlandii` / Silverberry (L)
Leucophyllum frutescens `Compacta` / Compact Texas Ranger (L)
Olea europaea `Little Ollie` / Little Ollie Olive (L)
Westringia fruticosa `Wynabbie Gem` / Wynabbie Gem Coast Rosemary (L)

VINES — 91
Ficus pumila / Creeping Fig (M)
Parthenocissus tricuspidata / Japanese Creeper (M)

PARKWAY LOW GROUNDCOVER — 8,497 sf
Achillea millefolium / Common Yarrow (L)
Dymondia margaretae / Dymondia (L)
Myoporum parvifolium / Trailing Myoporum (L)

GROUNDCOVER — 8,480 sf
Lonicera japonica `Halliana` / Halls Honeysuckle Flowering Vine (L)
Osteospermum fruticosum / Freeway Daisy (L)
Rosmarinus officinalis `Huntington Carpet` / Huntington Carpet Rosemary (L)

Note:
(L) Low water use plant per WUCOLS
(M) Medium water use plant per WUCOLS



North

30 0 30 60 90
Scale: 1" = 30'

REVISIONS	BY

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ROYAL OAK DESIGN
Sylvia E. Lyons, Landscape Architect #1549
2456 Hummingbird Way
La Verne, CA 91750-2371
Telephone: (909)593-4158
Email: royaloakdesign@verizon.net

COLORED PRELIMINARY LANDSCAPE PLAN

PROJECT: PEPE'S TOWING CO.

ADDRESS: 500 EAST BELMONT STREET., ONTARIO, CA

REGISTERED LANDSCAPE ARCHITECT
SYLVIA E. LYONS
NO. 1549
Exp. 11/30/19
STATE OF CALIFORNIA

DRAWN	S.L./J.S.
DATE	9/13/2019
SCALE	1" = 20'
JOB NO.	5277
SHEET	L

CONCEPTUAL PLANT LEGEND

PARKWAY TREE (24" box)
To coordinate with City of Ontario's Master Street Tree Plan
Belmont Street: Pistachia chinensis (M)
Sultana Avenue: Chitalpa tashkentensis (L)
Phillips Street: Fraxinus oxycarpa 'Raywood Ash' (M)

ON SITE TREE
(3 @ 48" box, 5 @ 36" box, 15 @ 24" box, 27 @ 15-gal)
Cercis occidentalis / Western Redbud* (L)
Koelreuteria bipinnata / Chinese Flame Tree (M)
Lagerstroemia indica / Crape Myrtle (M)
Lagunana patersonii / Primrose Tree (L)
Pistacia chinensis / Chinese Pistache (M)
Platanus racemosa / California Sycamore* (M)
Prunus cerasifera `Krauter Vesuvius` / Purple Leaf Plum (M)
Quercus agnfolia / Coast Live Oak* (L)
Tristania conferta / Brisbane Box (M)

*25% on site trees shall be California natives
On site trees will meet Minimum Tree Species Mix requirements.

SHRUBS
Arbutus unedo `Compacta` / Dwarf Strawberry Tree (L)
Callistemon viminalis `Little John` / Dwarf Weeping Bottlebrush (L)
Cistus pulverulentus `Sunset` / Rockrose (L)
Dianella revoluta `Little Rev` / Little Rev Flax Lily (L)
Elaeagnus pungens `Fruitlandii` / Silverberry (L)
Leucophyllum frutescens `Compacta` / Compact Texas Ranger (L)
Olea europaea `Little Ollie` / Little Ollie Olive (L)
Westringia fruticosa `Wynabbie Gem` / Wynabbie Gem Coast Rosemary (L)

VINES
Ficus pumila / Creeping Fig (M)
Parthenocissus tricuspidata / Japanese Creeper (M)

PARKWAY LOW GROUNDCOVER
Achillea millefolium / Common Yarrow (L)
Dymondia margaretae / Dymondia (L)
Myoporum parvifolium / Trailing Myoporum (L)

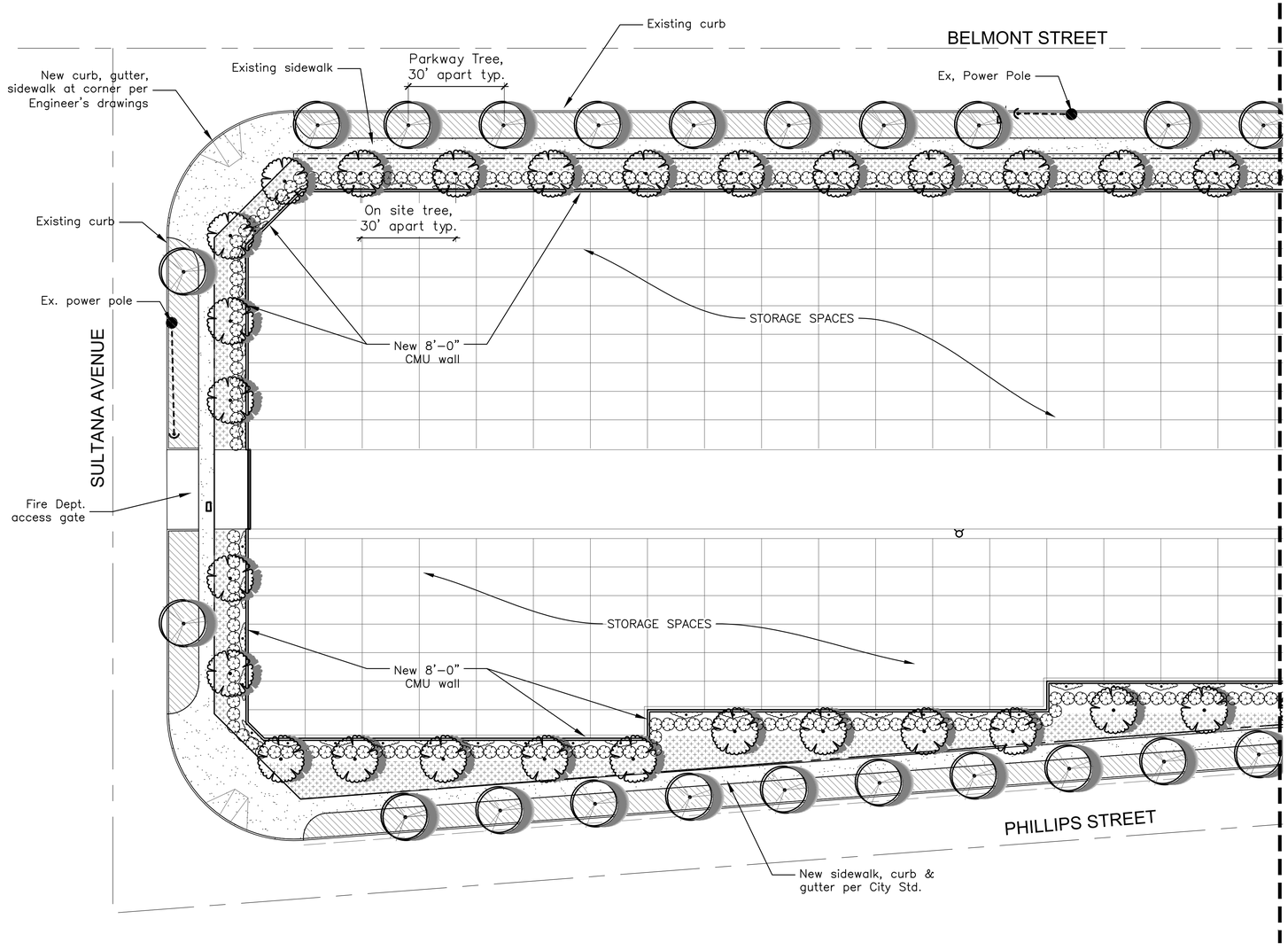
GROUNDCOVER
Lonicera japonica `Halliana` / Halls Honeysuckle Flowering Vine (L)
Osteospermum fruticosum / Freeway Daisy (L)
Rosmarinus officinalis `Huntington Carpet` / Huntington Carpet Rosemary (L

Note:
(L) Low water use plant per WUCOLS
(M) Medium water use plant per WUCOLS

LANDSCAPE NOTES:

Landscape Tabulations:
Total site: 111,960 sq ft (2.57 acres)
Total landscape: 16,721 sq. ft. (15.0% of site)

1. Agronomical soil testing is required; report of soils test will be included on landscape construction plans.
2. Landscape construction plans shall meet the requirements of City of Ontario's Landscape Development Guidelines.
3. Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be looseneed by soil fracturing. For trees a 12'x12'x18' deep area; for storm water infiltration the entire area shall be loosened.
4. The backhoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves the adjacent soil and repeats. The compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional references see Urban Tree Foundation – Planting Soil Specifications.
5. All above-ground utilities such as transformers (screened w/ 4' evergreen shrubs) and backflow devices (screened w/ 3' high strappy leaved shrubs) shall be screened from public view. Trash enclosure is located inside building.
6. Water and Sewer lines will not conflict with required tree locations.



North

20 0 20 40 60
Scale: 1" = 20'

REVISIONS	BY

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SHEET
L-1

PARKWAY - WATER EFFICIENT LANDSCAPE WORKSHEET

ONTARIO, CA

Reference Evapotranspiration (ETo): 54.60

Hydrozone #/Planting Description[A]	Plant Factor (PF)	Irrigation Method[B]	Irrigation Efficiency (IE)[C]	ETAF (PF/IE)	Landscape Area (sq. ft.)	ETAF x Area	Estimated Total Water Use (ETWU)[D]	Valves
REGULAR LANDSCAPE AREAS								
LW	0.30	DRIP	0.81	0.37	7917.00	2932.22	99261.59	
MWTR	0.40	BUBBLERS	0.80	0.50	825.00	412.50	13963.95	
				TOTALS:	8742.00	3344.72		
						ETWU TOTAL	113225.54	
					Maximum Allowed Water Allowance (MAWA)[E]		133170.38	

ETAF CALCULATIONS

REGULAR LANDSCAPE AREAS	
TOTAL ETAF x AREA	3344.72
TOTAL AREA	8742.00
AVERAGE ETAF	0.38

ON SITE WATER EFFICIENT LANDSCAPE WORKSHEET

ONTARIO, CA

Reference Evapotranspiration (ETo): 54.60

Hydrozone #/Planting Description[A]	Plant Factor (PF)	Irrigation Method[B]	Irrigation Efficiency (IE)[C]	ETAF (PF/IE)	Landscape Area (sq. ft.)	ETAF x Area	Estimated Total Water Use (ETWU)[D]	Valves
REGULAR LANDSCAPE AREAS								
LW	0.30	ROTOR	0.78	0.38	14314.00	5505.38	186368.28	A-4
LW	0.30	DRIP	0.81	0.37	831.00	307.78	10418.89	
MWTR/MW	0.40	BUBBLERS	0.80	0.50	1596.00	798.00	27013.90	
				TOTALS:	16741.00	6611.16		
						ETWU TOTAL	223801.07	
					Maximum Allowed Water Allowance (MAWA)[E]		255022.35	

ETAF CALCULATIONS

REGULAR LANDSCAPE AREAS	
TOTAL ETAF x AREA	6611.16
TOTAL AREA	16741.00
AVERAGE ETAF	0.39

[A] Hydrozone # / Planting Descrption
MW = Moderate Water use Plants
LW = Low Water use Plants
LWTR = Low Water use Trees
MWTR = Moderate Water use Trees

[B] Irrigation Method
B = Bubbler
D = Drip
O = Other

[C] Irrigation Efficiency
0.80 for bubbler
0.81 for drip
0.78 Hunter MP Rotator

[D] ETWU (Annual Gallons Required)
ETo x 0.62 x ETAF x Area

Where 0.62 is a conversion factor that converts acre – inches per acre per year to gallons per square foot per year.

[E] MAWA (Annual Gallons Allowed)
(ETo)(0.62)[(ETAF x LA)

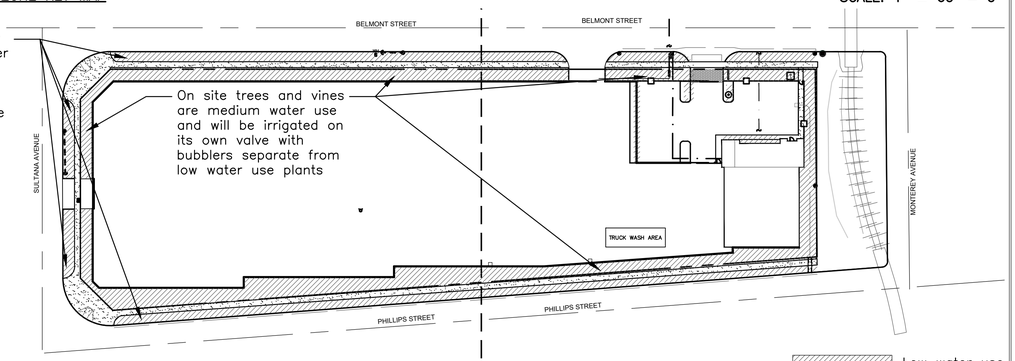
Where 0.62 is a conversion factor that converts acre–inches per acre per year to gallons per square foot per year. LA is the total landscape area in square feet. ETAF is 0.55 for residential areas and 0.45 for non–residential areas.

IRRIGATION NOTES:

- Automatic irrigation system to be installed that is water efficient, appropriate for the landscape hydrozones and provides 100% coverage.
- Landscape planting will meet MAWA water use requirements by using a low water efficient irrigation system and weather based smart controller.
- Landscape planting to be irrigated the following ways:
  - Trees: stream bubblers with PC Screens
  - Vines: bubblers
  - All other planting areas: drip irrigation
- Irrigation plans shall provide separate systems for tree stream bubblers with pc screens.
- Weather based smart controller such as Hunter X–Core, or Hunter PCC will be used.

IRRIGATION HYDROZONE KEY MAP

SCALE: 1" = 60' – 0"



CONCEPTUAL PLANT LEGEND

PARKWAY TREE (24" box) 36
To coordinate with City of Ontario's Master Street Tree Plan
Belmont Street: Pistachia chinensis (M)
Sultana Avenue: Chitalpa tashkentensis (L)
Phillips Street: Fraxinus oxycarpa 'Raywood Ash' (M)

ON SITE TREE 49
(3 @ 48" box, 5 @ 36" box, 15 @ 24" box, 27 @ 15-gal)
Cercis occidentalis / Western Redbud* (L)
Koelreuteria bipinnata / Chinese Flame Tree (M)
Lagerstroemia indica / Crape Myrtle (M)
Lagunaria patersonii / Primrose Tree (L)
Pistacia chinensis / Chinese Pistache (M)
Platanus racemosa / California Sycamore* (M)
Prunus cerasifera `Krauter Vesuvius` / Purple Leaf Plum (M)
Quercus agrifolia / Coast Live Oak* (L)
Tristania conferta / Brisbane Box (M)

*25% on site trees shall be California natives
On site trees will meet Minimum Tree Species Mix requirements.

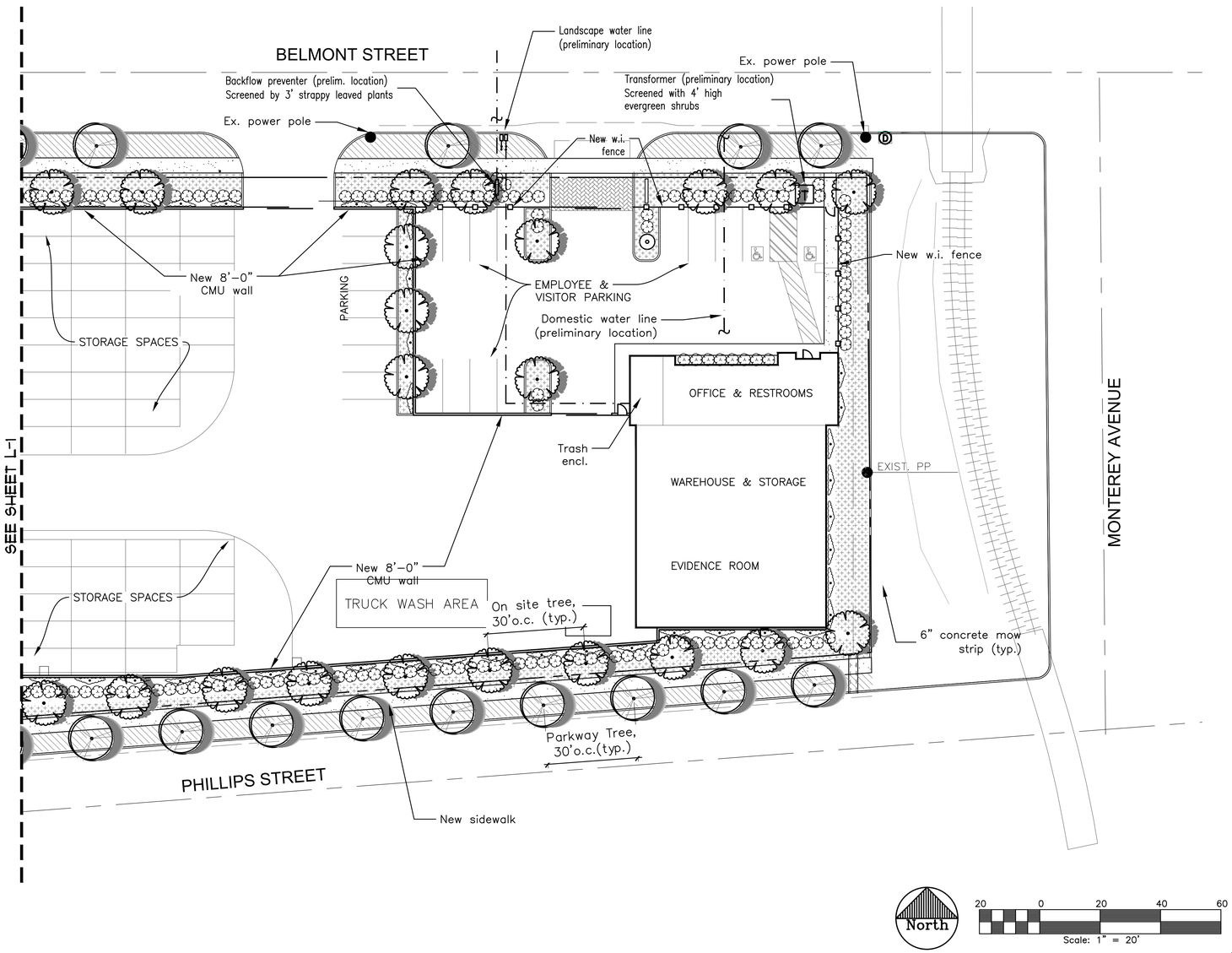
SHRUBS 353
Arbutus unedo `Compacta` / Dwarf Strawberry Tree (L)
Callistemon viminalis `Little John` / Dwarf Weeping Bottlebrush (L)
Cistus pulverulentus `Sunset` / Rockrose (L)
Dianella revoluta `Little Rev` / Little Rev Flax Lily (L)
Elaeagnus pungens `Fruitlandi` / Silverberry (L)
Leucophyllum frutescens `Compacta` / Compact Texas Ranger (L)
Olea europaea `Little Ollie` / Little Ollie Olive (L)
Westringia fruticosa `Wynabbie Gem` / Wynabbie Gem Coast Rosemary (L)

VINES 91
Ficus pumila / Creeping Fig (M)
Parthenocissus tricuspidata / Japanese Creeper (M)

PARKWAY LOW GROUNDCOVER
Achillea millefolium / Common Yarrow (L)
Dymondia margaretae / Dymondia (L)
Myoporum parvifolium / Trailing Myoporum (L)

GROUNDCOVER
Lonicera japonica `Halliana` / Halls Honeysuckle Flowering Vine (L)
Osteospermum fruticosum / Freeway Daisy (L)
Rosmarinus officinalis `Huntington Carpet` / Huntington Carpet Rosemary (L)

Note:
(L) Low water use plant per WUCOLS
(M) Medium water use plant per WUCOLS



REVISIONS	BY

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PRELIMINARY LANDSCAPE PLAN

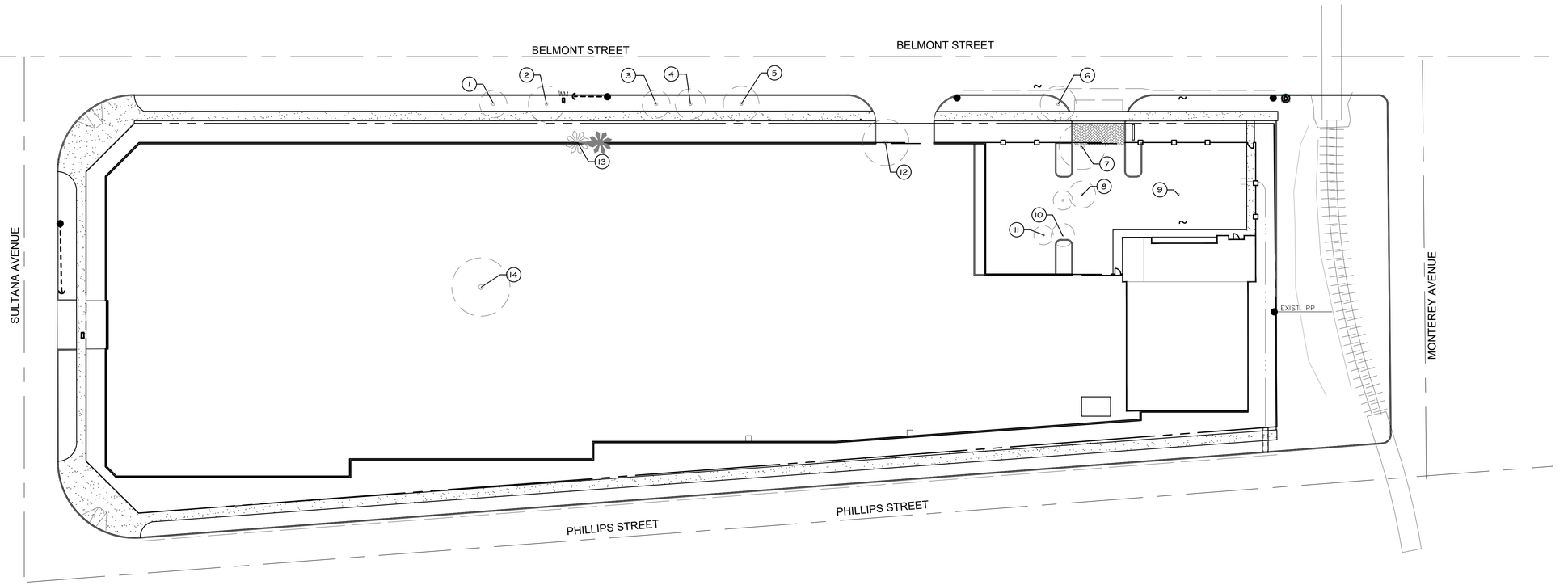
PROJECT: PEPE'S TOWING CO.
ADDRESS: 500 EAST BELMONT STREET., ONTARIO, CA

REGISTERED LANDSCAPE ARCHITECT
SYLVIA E. LYONS
NO. 1549
Exp. 11/30/19
STATE OF CALIFORNIA

DRAWN	S.L./J.S.
DATE	9/13/2019
SCALE	1" = 20'
JOB NO.	5277
SHEET	L-2

LIST OF EXISTING TREES

NO.	SPECIES	CALIPER	CANOPY	CONDITION	PROPOSED ACTION
1	Chitalpa x tashkentensis	11"	10'	Poor form (leaning)	Remove
2	Pistacia chinensis	1'–0"	15'	Good	Protect in place
3	Chitalpa x tashkentensis	10"	8'	Poor form (leaning)	Remove
4	Olea europaea	9"	8'	Fair	Protect in place
5	Olea europaea		8'	Fair	Protect in place
6	Magnolia grandiflora	6"	10'	Good	Remove
7	Eucalyptus sideroxylon	1'–4"	20'	Good	Remove
8	Eucalyptus sideroxylon	1'–0"	10'	Good	Remove
9	Unknown	6"		Dead	Remove
10	Ficus nitida	1'–0"	10'	Good	Remove
11	Tristania conferta	6"	8'	Poor – bark damage	Remove
12	Ficus nitida	10"	18'	Good	Remove
13	Phoenix canariensis	2'–0"	10'	Good	Relocate off site
14	Schinus molle	4'–0"	25'	Healthy but low branches	Remove – mitigation req'd



TREE INVENTORY NOTES:

1. All existing trees within this property (eucalyptus, ficus, phoenix, schinus, tristania) are to be removed.
2. Parkway trees to be replaced where noted.
3. Mitigation measures will be required in final landscape plans for trees 13 & 14 per the Tree Preservation Policy and Protection Measures.

North

30 0 30 60 90

Scale: 1" = 30'

REVISIONS	BY

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TREE INVENTORY PLAN

PROJECT: PEPE'S TOWING CO.

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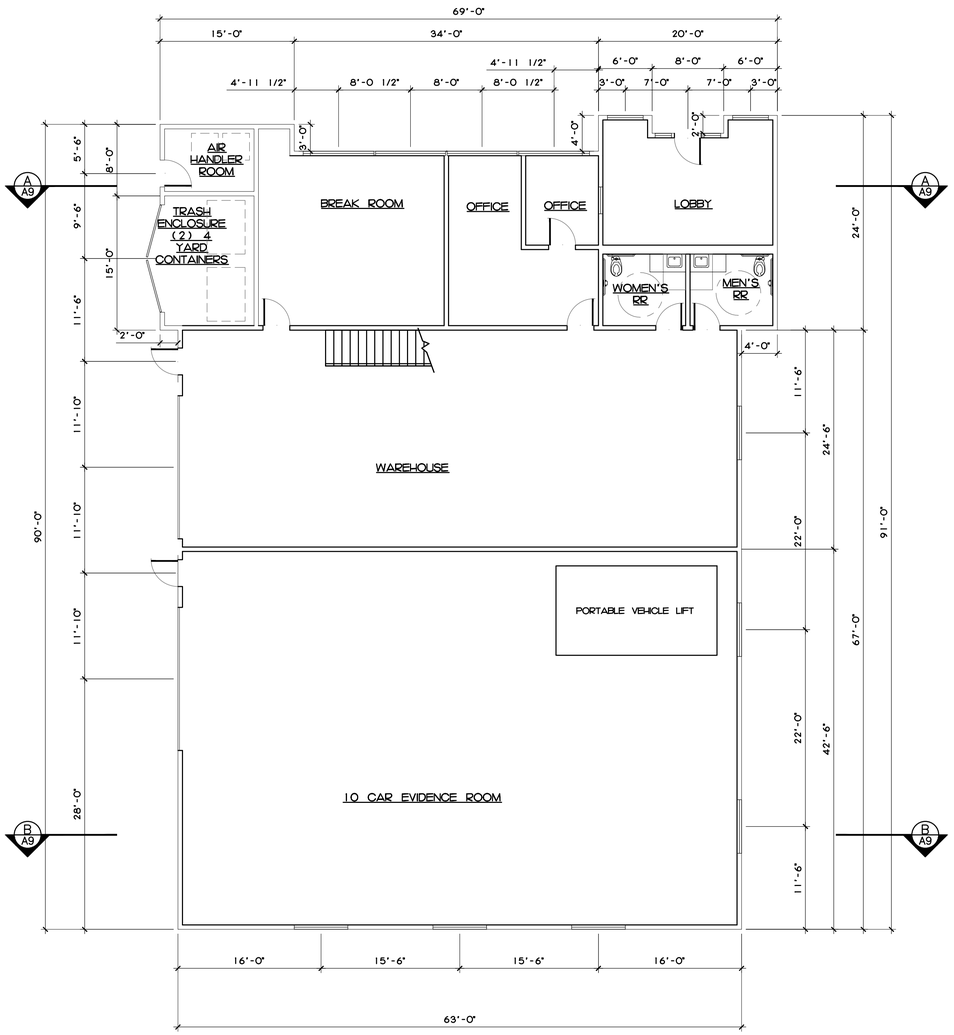
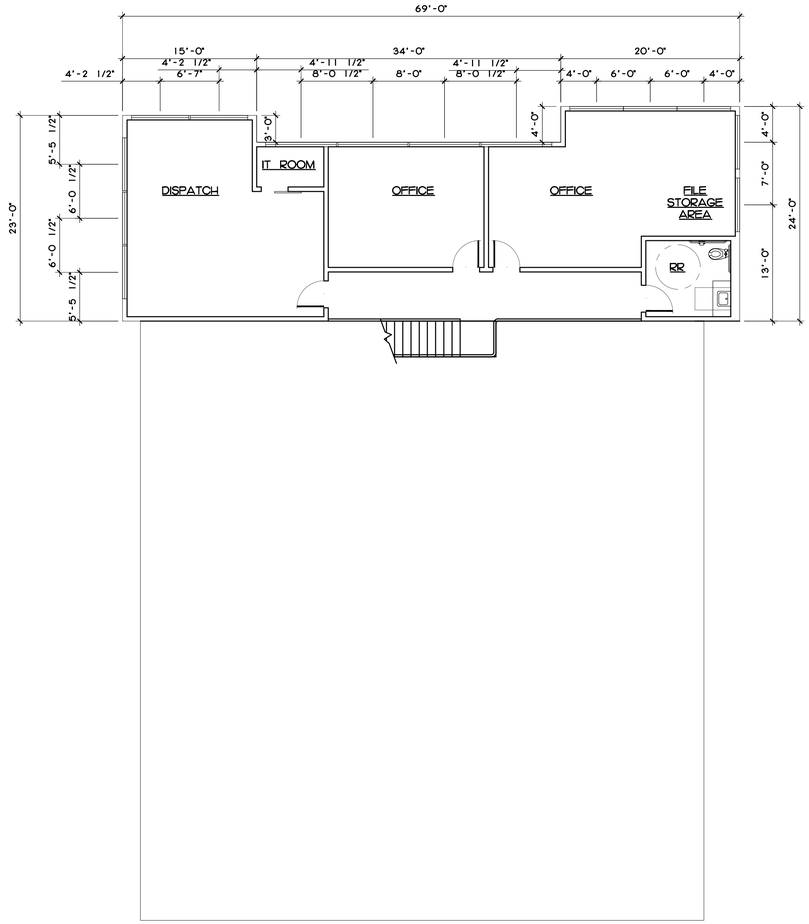
JOB NO.	5277
SHEET	L-3

NOTE:
TRASH ENCLOSURE SHALL BE PER CITY OF ONTARIO COMMERCIAL REFUSE AND RECYCLING ENCLOSURE (2) 4 YARD BINS



BUILDING FIRST FLOOR PLAN

SCALE: 1/8 INCH = ONE FOOT



BUILDING SECOND FLOOR PLAN

SCALE: 1/8 INCH = ONE FOOT

STRUCTURAL ENGINEER:
RICHARD HERMAN
STRUCTURAL ENGINEER
4854 MAIN ST
YORBA LINDA, CA. 92886
714-803-1073
RHERMAN@RHERMANSE.COM

CONTRACTOR:

PROJECT NAME:

New Development For:
Pepe's Towing Co.
500 East Belmont Street
Ontario, California

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SEAL / SIGNATURE

REGISTERED PROFESSIONAL ENGINEER
RICH HERMAN
No. 3255
Exp 4/21
STRUCTURAL
STATE OF CALIFORNIA

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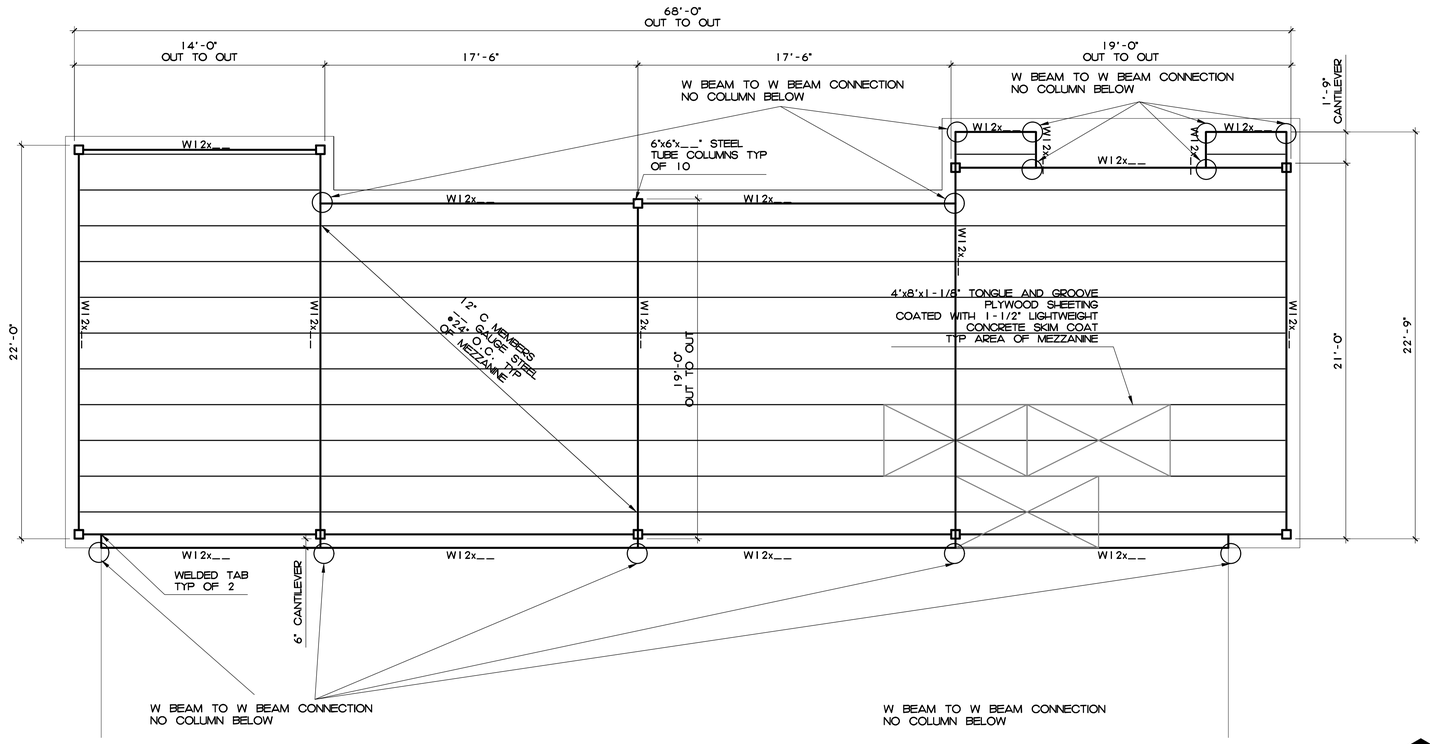
BUILDING FLOOR PLANS

DATE: 07/31/19

PROJECT NO: **19-006**

A1



INTEGRATED FLOOR FRAMING AS PER METAL BUILDING COMPANY

(PRELIMINARY FRAMING TO CHANGE UPON METAL BUILDING COMPANY'S ENGINEERING)

SCALE: 1/4 INCH = ONE FOOT

STRUCTURAL ENGINEER:

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714-803-1073
RHERMAN@RHERMANSE.COM

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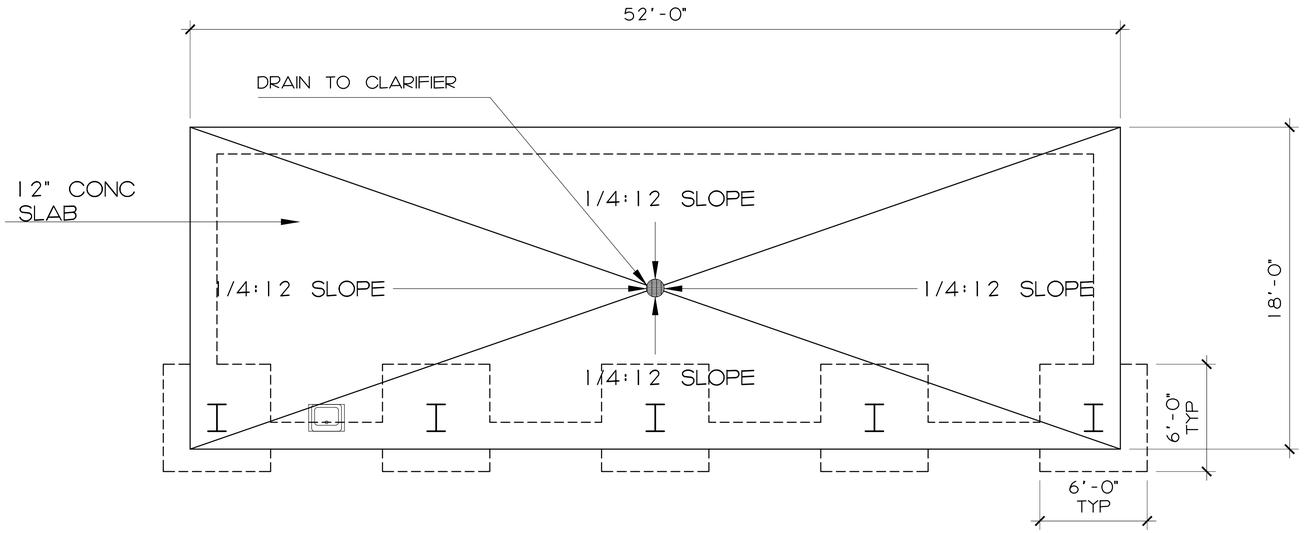
SECOND FLOOR FRAMING PLAN

DATE: 07/31/19

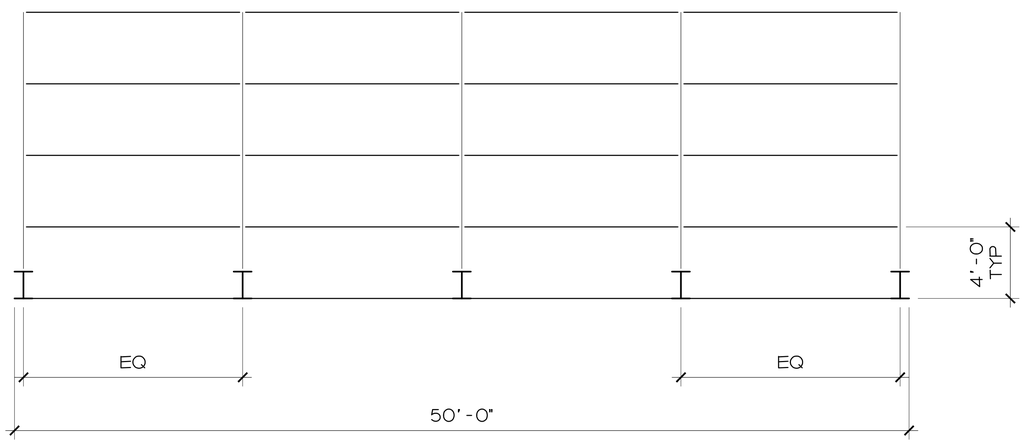
PROJECT NO: 19-006

A2



CANOPY FLOOR/FOUNDATION PLAN

SCALE: 1/4 INCH = ONE FOOT



CANOPY FRAMING PLAN

SCALE: 1/4 INCH = ONE FOOT

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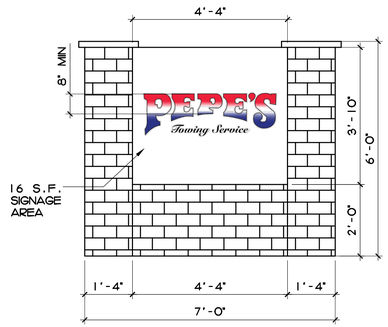
CANOPY PLAN

DATE: 07/31/19

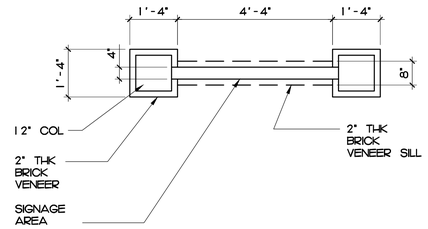
PROJECT NO: **19-006**

A3



NOTE: ALL LETTERING ON MONUMENT SIGN SHALL BE 8" MIN HEIGHT

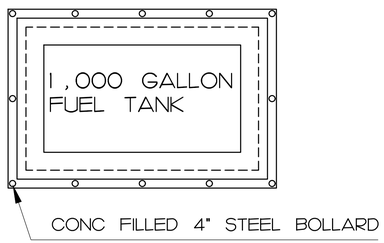
ELEVATION



PLAN

MONUMENT SIGNS

SCALE: 1/4 INCH = ONE FOOT



FUEL TANK PLAN

SCALE: 1/4 INCH = ONE FOOT

FLAG POLE PLAN

SCALE: 1/4 INCH = ONE FOOT

STRUCTURAL ENGINEER:
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CONTRACTOR:

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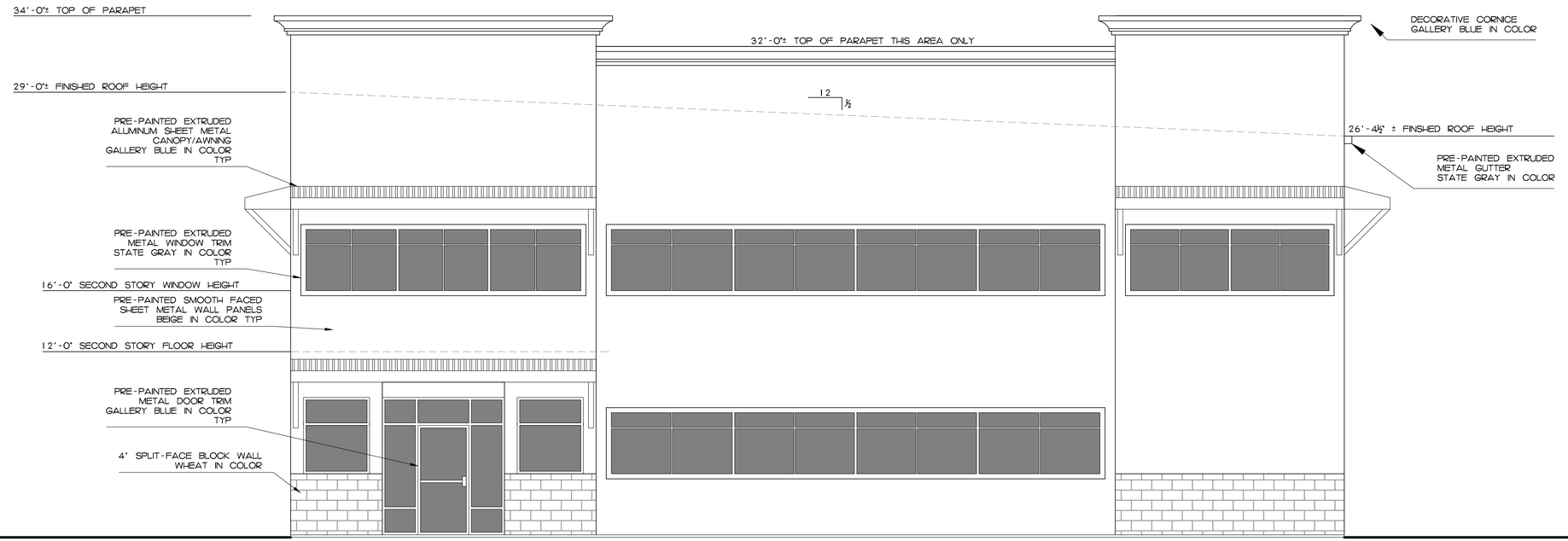
FUEL AREA
FLAG POLE
SIGNAGE

DATE: 07/31/19

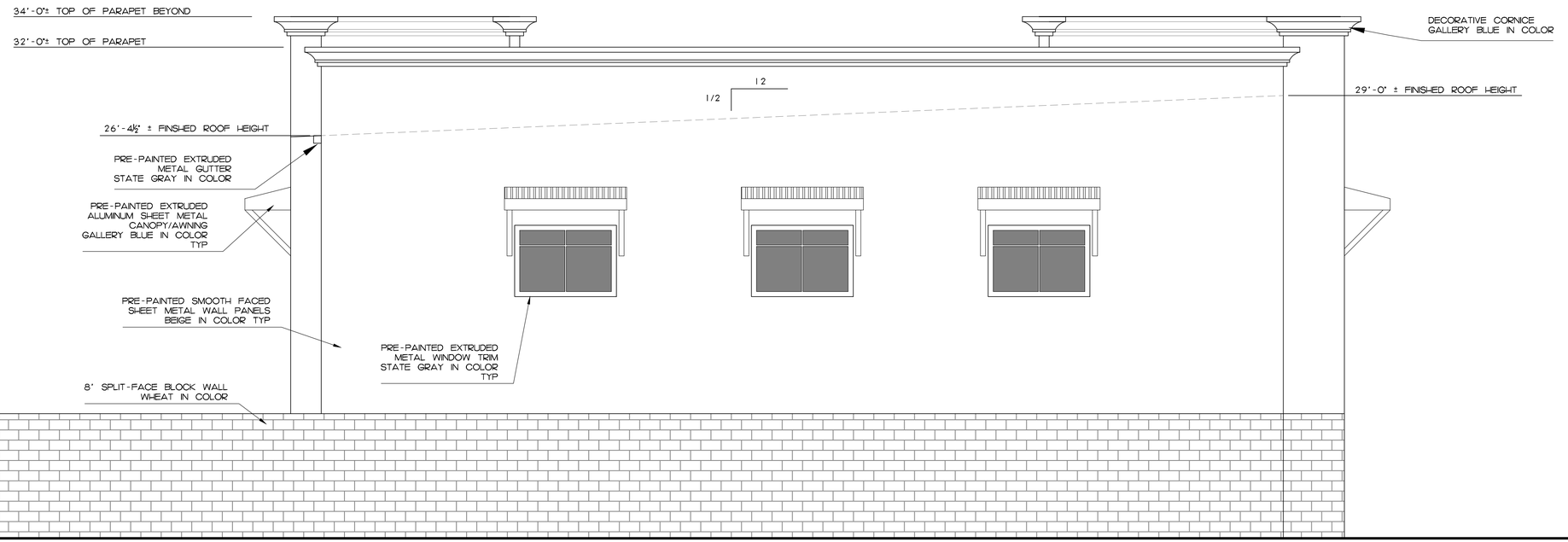
PROJECT NO: **19-006**

A4



NORTH ELEVATION

SCALE: 1/4 INCH = ONE FOOT



SOUTH ELEVATION

SCALE: 1/4 INCH = ONE FOOT

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CONTRACTOR:

PROJECT NAME:

New Development For:
Pepe's Towing Co.
500 East Belmont Street
Ontario, California

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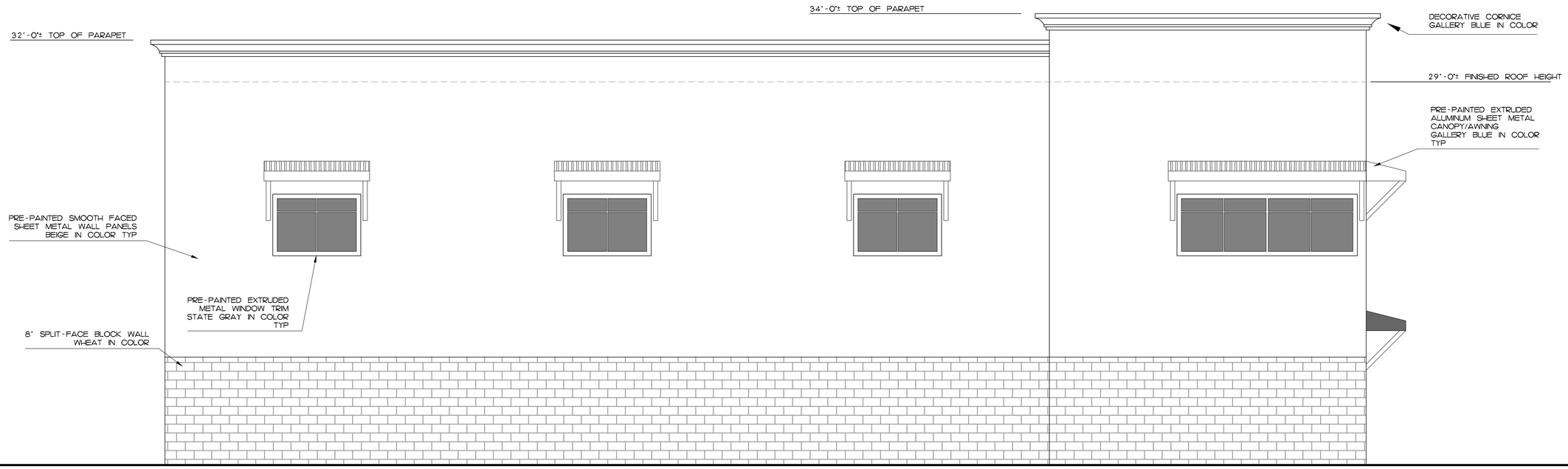
BUILDING ELEVATIONS

DATE: 07/31/19

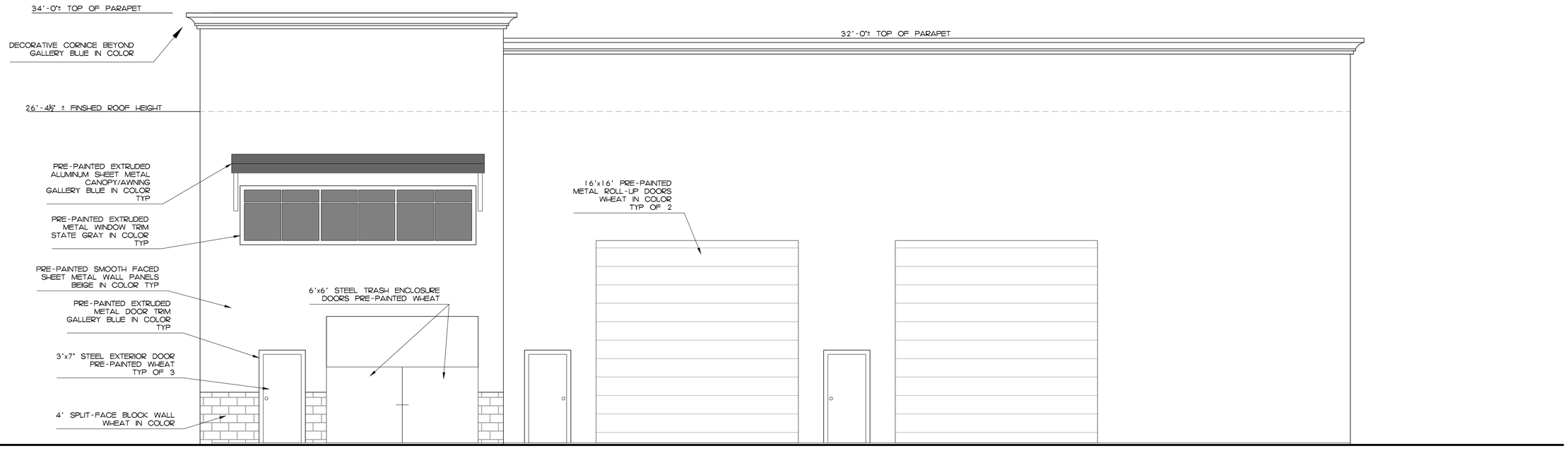
PROJECT NO: **19-006**

A5



EAST ELEVATION

SCALE: 1/4 INCH = ONE FOOT



WEST ELEVATION

SCALE: 1/4 INCH = ONE FOOT

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BUILDING ELEVATIONS

DATE: 07/31/19

PROJECT NO: **19-006**

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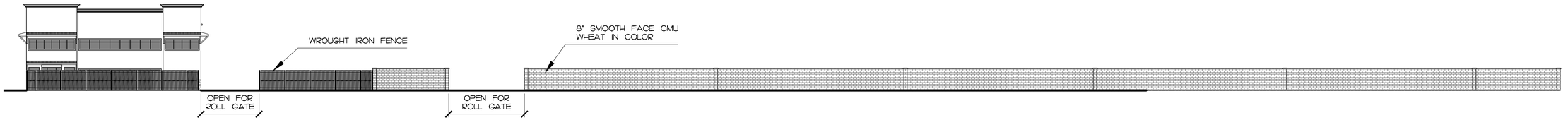
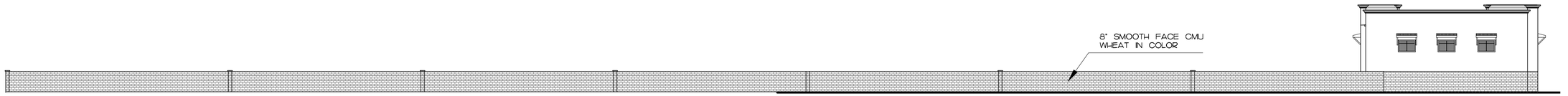


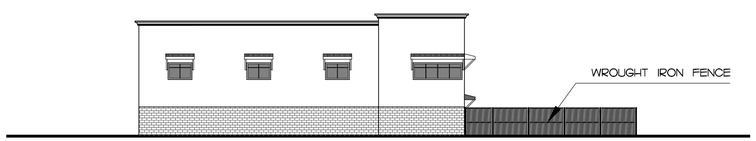
NORTH ELEVATION

SCALE: 1 INCH = 20 FEET



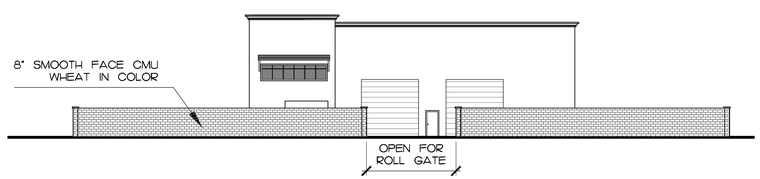
SOUTH ELEVATION

SCALE: 1 INCH = 20 FEET



EAST ELEVATION

SCALE: 1 INCH = 20 FEET



WEST ELEVATION

SCALE: 1 INCH = 20 FEET

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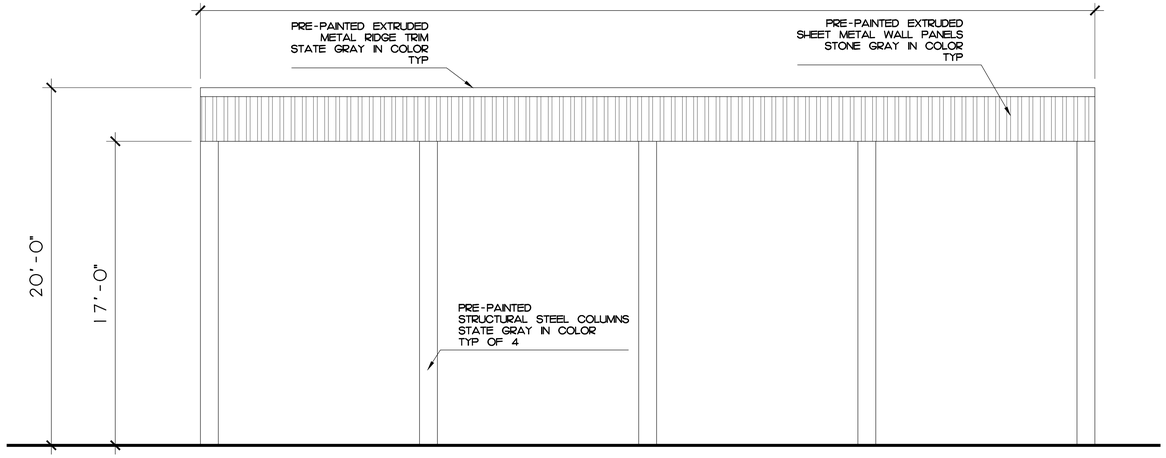
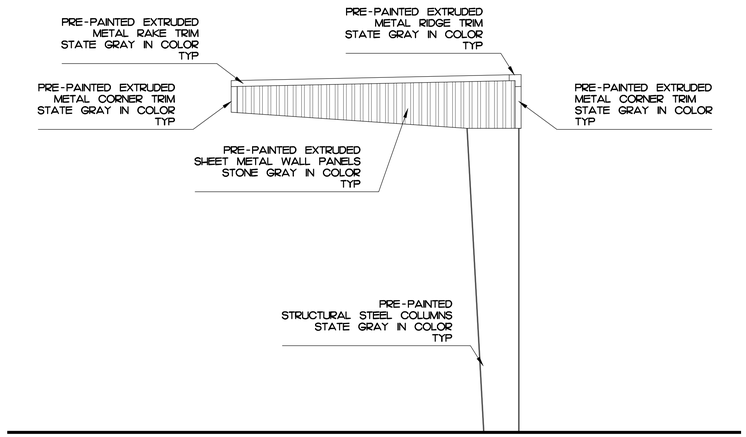
FENCING ELEVATIONS

DATE: 07/31/19

PROJECT NO: **19-006**

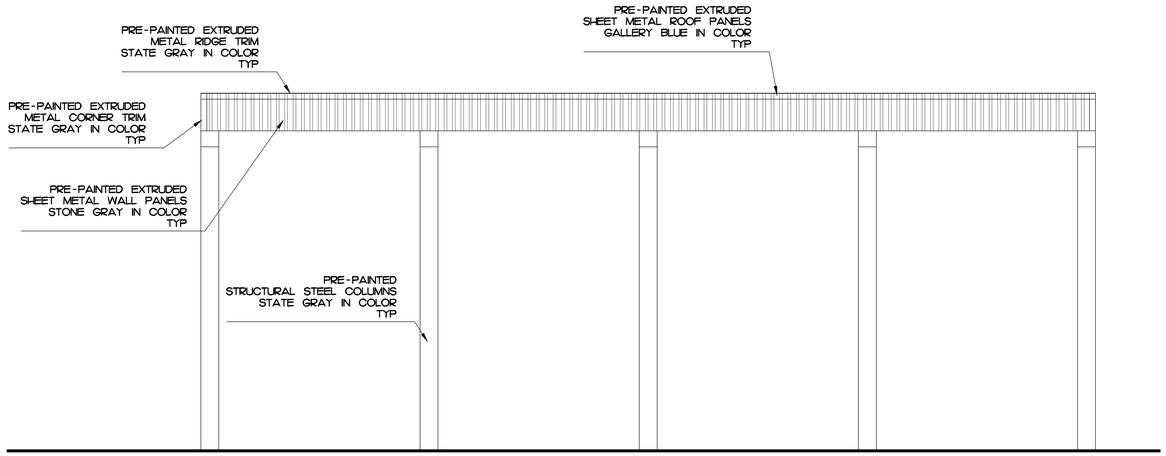
A7





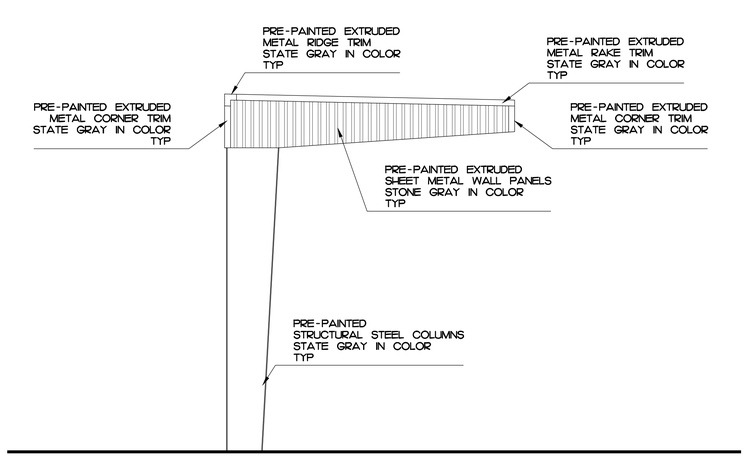
CANOPY SOUTH ELEVATION

SCALE: 1/4 INCH = ONE FOOT



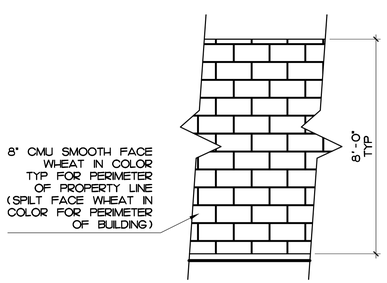
CANOPY WEST ELEVATION

SCALE: 1/4 INCH = ONE FOOT



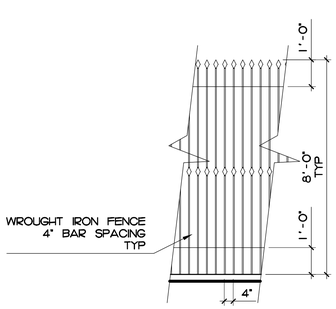
CANOPY NORTH ELEVATION

SCALE: 1/4 INCH = ONE FOOT



8" CMU ELEVATION

SCALE: 3/8 INCH = ONE FOOT



W/I FENCE ELEVATION

SCALE: 3/8 INCH = ONE FOOT

CANOPY EAST ELEVATION

SCALE: 1/4 INCH = ONE FOOT

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CONTRACTOR:

PROJECT NAME:

New Development For:
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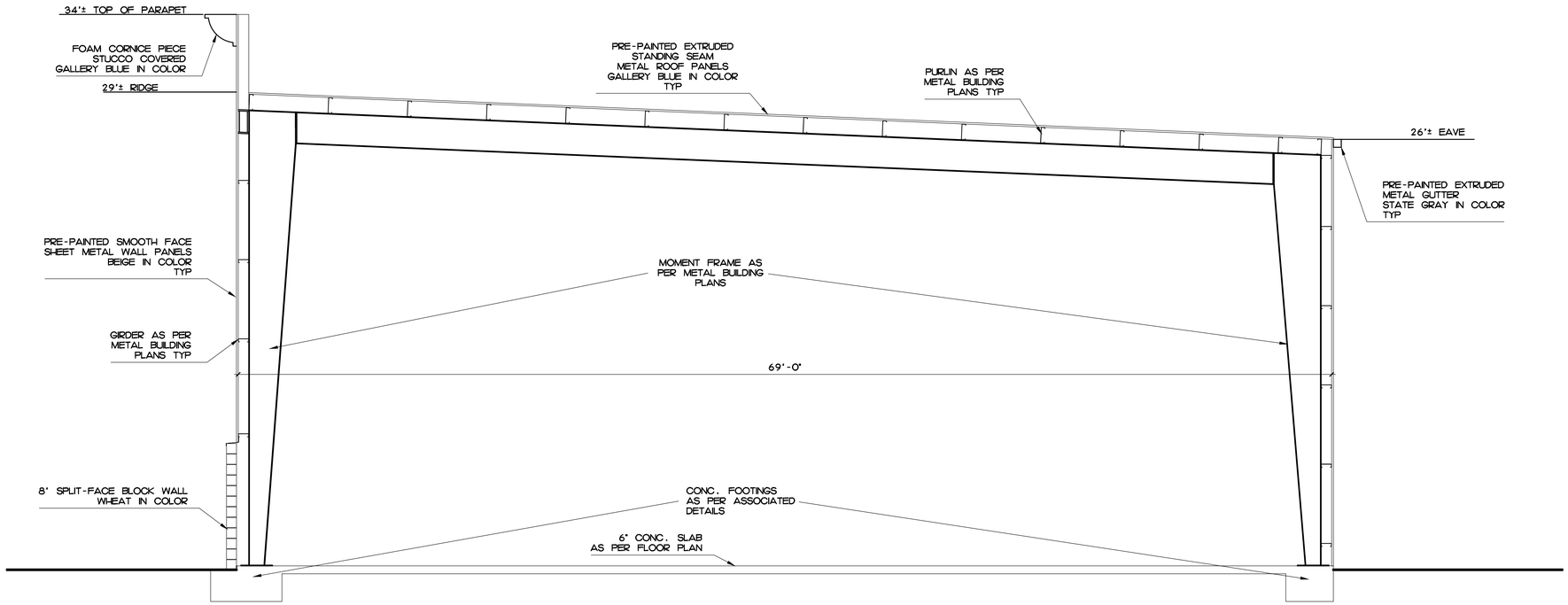
CANOPY ELEVATIONS

DATE: 07/31/19

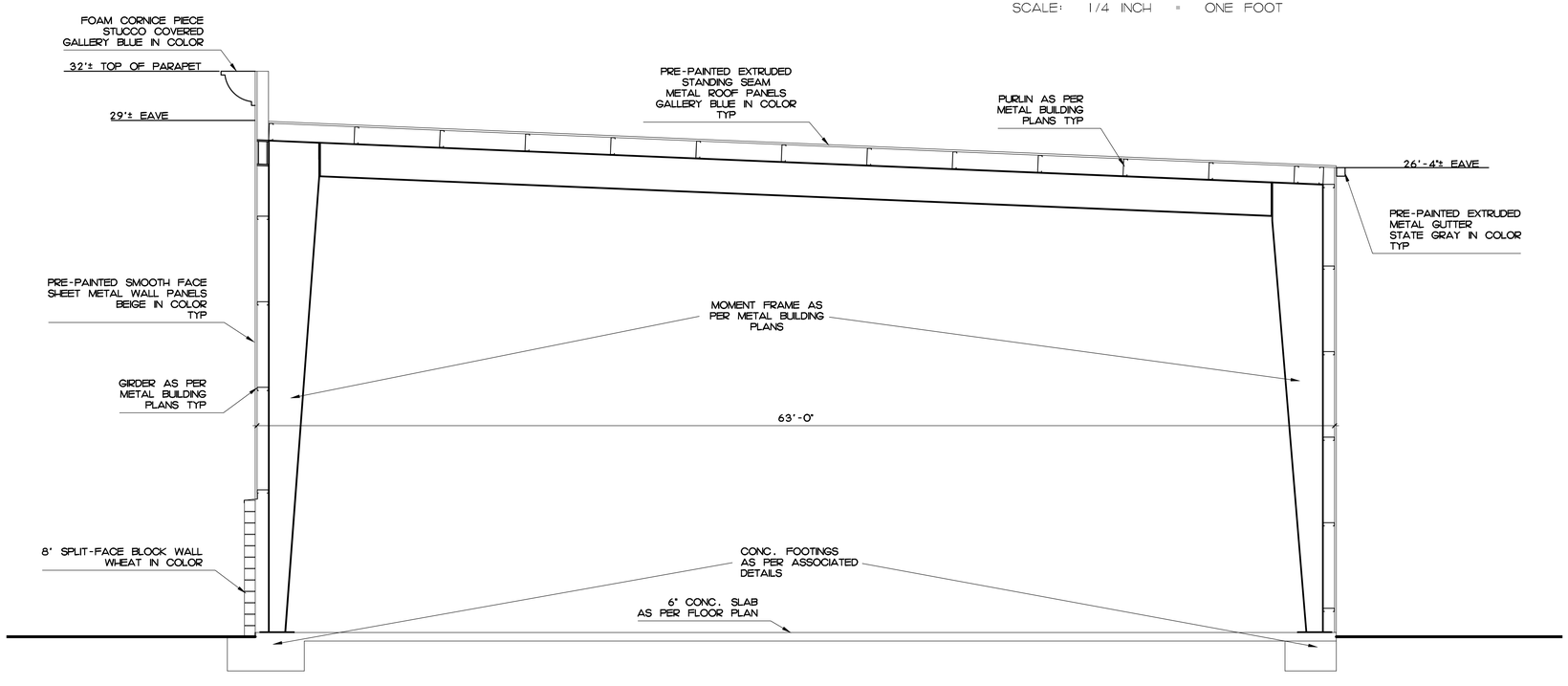
PROJECT NO: 19-006

A8



SECTION A

SCALE: 1/4 INCH = ONE FOOT



SECTION B

SCALE: 1/4 INCH = ONE FOOT

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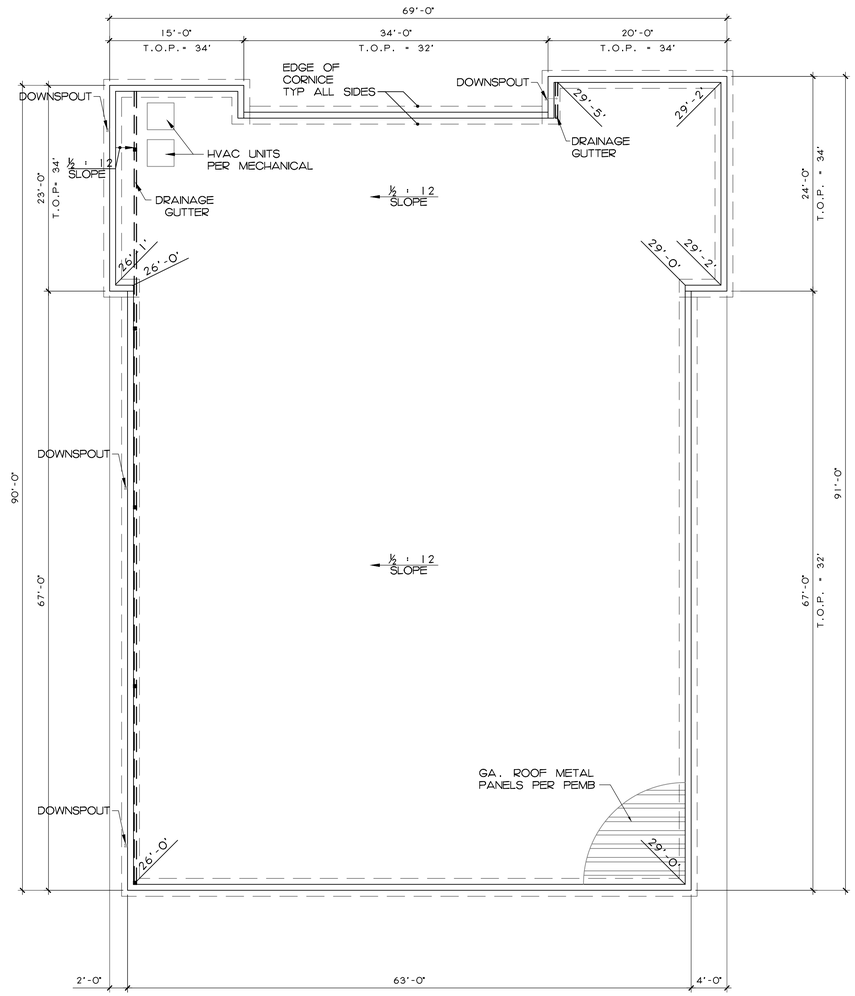
BUILDING SECTIONS

DATE: 07/31/19

PROJECT NO: **19-006**

A9



ROOF LAYOUT PLAN

SCALE: 1/8 INCH = ONE FOOT

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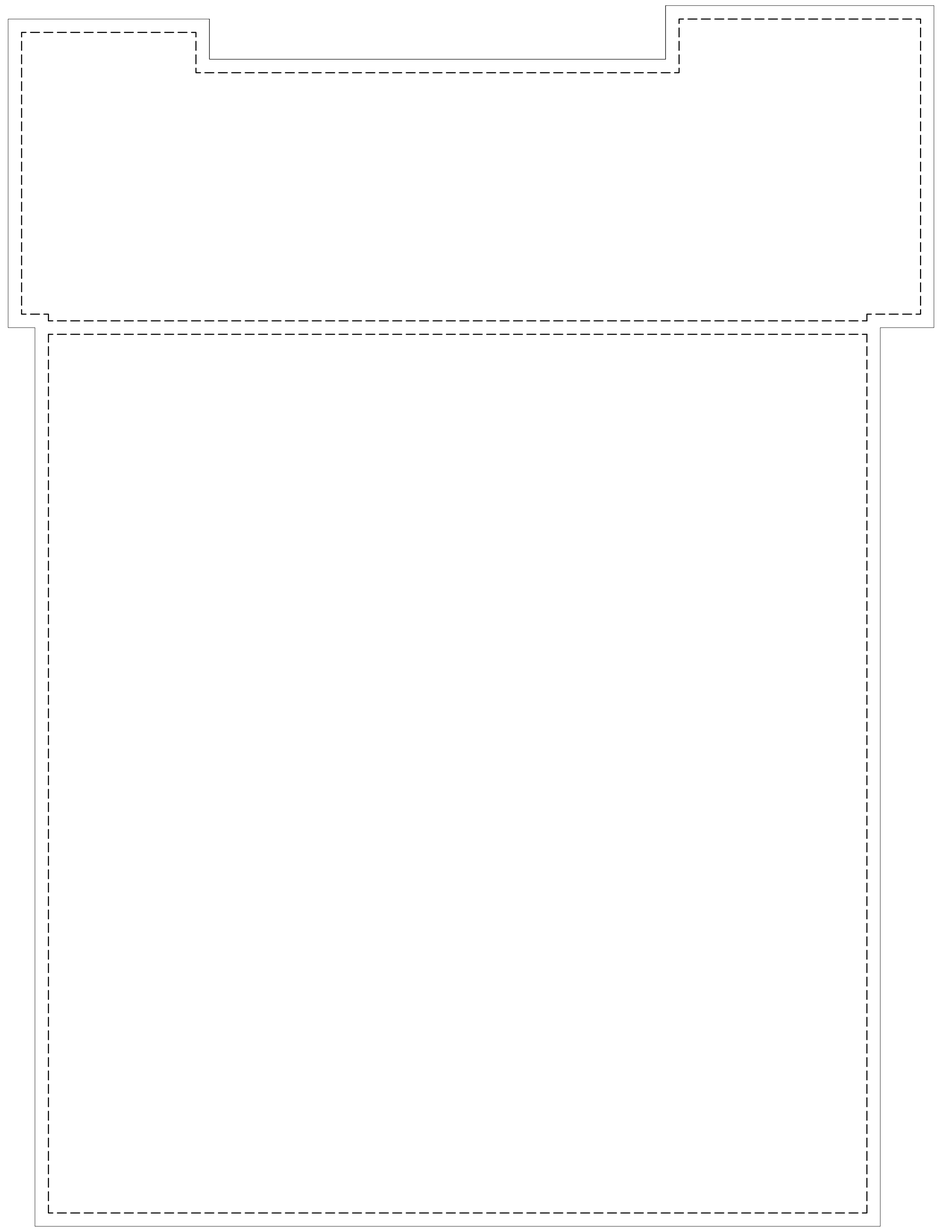
ROOF LAYOUT

DATE: 07/31/19

PROJECT NO: **19-006**

A10



FOUNDATION PLAN

(PRELIMINARY, WILL CHANGE AS PER METAL BUILDING ENGINEERING CALCS)

SCALE: 3/16 INCH = ONE FOOT

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PROJECT NAME:

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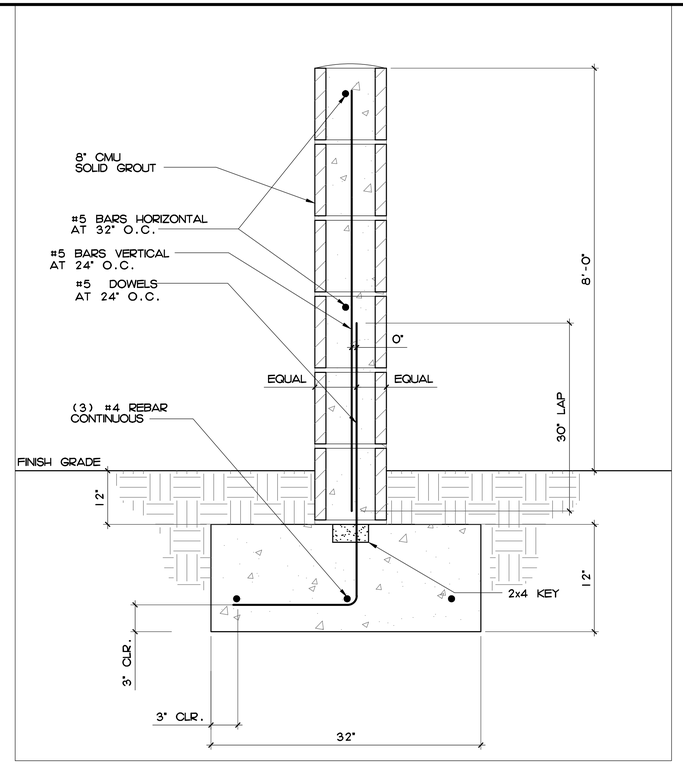
FOUNDATION PLAN

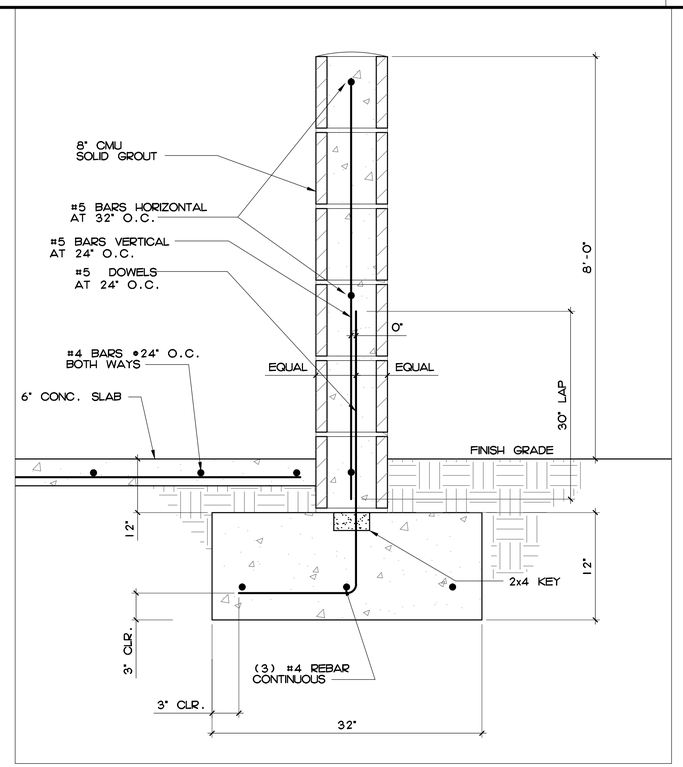
DATE: 07/31/19

PROJECT NO: 19-006

S1



BLOCK WALL / FOOTING DETAIL



BLOCK WALL AND FOOTING DETAIL WITH SLAB

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DETAILS

DATE: 07/31/19

PROJECT NO: 19-006

D1

Attachment 2

PEPE'S
Towing Service

Sound Study

Attachment 3

Barrier Modeling Results

Barrier Calculations - CMU Wall

Input Variables	
Reference Noise Level (dBA)	70
Reference Distance (ft)	25
Site Conditions *(Choice: Hard or Soft)*	Hard

Output Calculations

Distance from Barrier to Source (ft)	Distance from Barrier to Receiver (ft)	Distance from Source to Receiver (ft)	Height of Source (ft)	Height of Wall (ft)	Height of Receiver (ft)	Noise Level Reduction (dBA)	Unabated Noise Level (dBA)	Resultant Noise Level (dBA)
10	75	85	6	8	5	8.19	59	51.18

Barrier Calculations - Industrial Building

Input Variables	
Reference Noise Level (dBA)	70
Reference Distance (ft)	25
Site Conditions *(Choice: Hard or Soft)*	Hard

Output Calculations

Distance from Barrier to Source (ft)	Distance from Barrier to Receiver (ft)	Distance from Source to Receiver (ft)	Height of Source (ft)	Height of Wall (ft)	Height of Receiver (ft)	Noise Level Reduction (dBA)	Unabated Noise Level (dBA)	Resultant Noise Level (dBA)
95	75	170	6	32	5	20.00	53	33.35

Rincon Consultants, Inc.

250 East 1st Street, Suite 1400
Los Angeles, California 90012

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info@rinconconsultants.com
www.rinconconsultants.com

April 8, 2020
Project No. 20-09388

Pepe's Towing Service
Attn: Lorenzo Navarro
14351 Veterans Way
Moreno Valley, CA 92553

Subject: **Noise Assessment for Pepe's Towing Service Ontario Towing Yard Project**
550 East Belmont Street, Ontario, California 91761

Dear Mr. Navarro:

This Noise Memorandum summarizes the results of the noise analysis for the Pepe's Towing Service Ontario Towing Yard Project (herein referred to as "proposed project" or "project"). The project involves construction of a 6,600-square foot industrial building and towing yard facility on a 3.01-acre project site at 550 East Belmont Street (Assessor's Parcel Numbers 1049-491-01, -02, and -03) in the city of Ontario. The towing yard facility would include a truck wash area where employees would hand wash trucks with hoses and hand cloths; no stationary car wash equipment or drying fans are proposed. The project would also include an approximately eight-foot-high concrete masonry unit (CMU) wall that would surround the majority of the project site with the exception of access driveways, the employee and visitor parking area, and the industrial building. See Attachment 1 for the project site plans. It is our understanding that the City of Ontario (City) has requested a noise assessment for the truck wash area in accordance with the City's exterior noise standards in its project review comments dated February 18, 2020. As detailed in the analysis below, the project would be consistent with the City's exterior and interior noise standards pursuant to Ontario Municipal Code (OMC) Sections 5-29.04 and 5-29.05.

Noise Overview

Sound is a vibratory disturbance created by a moving or vibrating source, which is capable of being detected by the hearing organs (e.g., the human ear). Noise is defined as sound that is loud, unpleasant, unexpected, or undesired and may therefore be classified as a more specific group of sounds. The effects of noise on people can include general annoyance, interference with speech communication, sleep disturbance, and, in the extreme, hearing impairment.[1]

Noise levels are commonly measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound pressure levels so that they are consistent with the human hearing response, which is most sensitive to frequencies around 4,000 Hertz (Hz) and less sensitive to frequencies around and below 100 Hz.[2] Decibels are measured on a logarithmic scale that quantifies sound intensity in a manner similar to the Richter scale used to measure earthquake

1 Crocker, Malcolm J. (Editor). 2007. Handbook of Noise and Vibration Control Book, ISBN: 978-0-471-39599-7, Wiley-VCH, October.
2 Kinsler, Lawrence E., Austin R. Frey, Alan B. Coppens, and James V. Sanders. 1999. Fundamentals of Acoustics, 4th Edition. ISBN 0-471-84789-5. Wiley-VCH, December 1999.

magnitudes. A doubling of the energy of a noise source, such as a doubling of traffic volume, would increase the noise level by 3 dB; similarly, dividing the energy in half would result in a decrease of 3 dB.[3]

Human perception of noise has no simple correlation with acoustical energy. The perception of noise is not linear in terms of dBA or in terms of acoustical energy. Two equivalent noise sources combined do not sound twice as loud as one source. It is widely accepted that the average healthy ear can barely perceive changes of 3 dBA, increase or decrease; that a change of 5 dBA is readily perceptible; and that an increase (decrease) of 10 dBA sounds twice (half) as loud.[4]

The impact of noise is not a function of loudness alone. The time of day when noise occurs and the duration of the noise are also important. In addition, most noise that lasts for more than a few seconds is variable in its intensity. Consequently, a variety of noise descriptors has been developed. The noise descriptors used for this analysis are the one-hour equivalent noise level ($L_{eq[1h]}$) and the community noise equivalent level (CNEL).

- The L_{eq} is the level of a steady sound that, in a stated time period and at a stated location, has the same A-weighted sound energy as the time-varying sound. For example, $L_{eq(1h)}$ is the equivalent noise level over a 1-hour period and is a common metric for limiting nuisance noise.
- The CNEL is a 24-hour equivalent sound level. The CNEL calculation applies an additional 5 dBA penalty to noise occurring during evening hours (i.e., 7:00 p.m. to 10:00 p.m.) and an additional 10 dBA penalty is added to noise occurring during nighttime hours (i.e., 10:00 p.m. to 7:00 a.m.). These increases for certain times are intended to account for the added sensitivity of humans to noise during the evening and nighttime periods.

Sound from a small, localized source (approximating a "point" source) decreases or drops off at a rate of 6 dBA for each doubling of the distance from the source.

Existing Noise Setting

The primary sources of noise in the project site vicinity are vehicular traffic on Phillips Street and railroad operations on the Union Pacific Railroad track that runs parallel to South Monterey Avenue. Figure S-3a of the Ontario Policy Plan Safety Element *Future Roadway Noise Contours* map identifies ambient traffic noise levels at the project site and surrounding area to be between 60 and 65 CNEL.[5] In addition, Map 2-3, *Compatibility Policy Map: Noise Impact Zones*, of the Los Angeles/Ontario International Airport Land Use Compatibility Plan identifies airport noise levels at the project site and surrounding area to be between 65 and 70 CNEL.[6, 7] These noise level ranges may be a conservative underestimate of noise levels at the project site and surrounding area because they do not include noise generated by rail operations on the Union Pacific Railroad track.

[3] Crocker, Malcolm J. (Editor). 2007. Handbook of Noise and Vibration Control Book, ISBN: 978-0-471-39599-7, Wiley-VCH, October.
[4] California Department of Transportation (Caltrans). 2013a. Technical Noise Supplement to the Traffic Noise Analysis Protocol. (CT-HWANP-RT-13-069.25.2) September. http://www.dot.ca.gov/hq/env/noise/pub/TeNS_Sept_2013B.pdf (accessed August 2019).
[5] Ontario, City of. 2019. City of Ontario Policy Plan. Adopted January 27, 2010. Last amended July 16, 2019. http://www.ontarioplan.org/policy-plan/ (accessed March 2020).
[6] Ontario, City of. 2011. Ontario International Airport Land Use Compatibility Plan. Adopted April 19, 2011. http://www.ontarioplan.org/alucp-for-ontario-international-airport (accessed March 2020).
[7] Due to the Executive Order N-33-20, which was in effect at the time of this study, noise measurements were not taken at the project site because this activity does not fall under a critical infrastructure sector and therefore Rincon staff were not exempt from stay-at-home requirements.

The City of Ontario Policy Plan and OMC do not define noise-sensitive land uses. However, the most stringent noise standards in OMC Sections 5-29.05, 5-29.05, and 5-29.11 and Ontario Policy Plan Table LU-7 are applied to single-family and multi-family residential land uses, mobile home parks, schools, day care centers, hospitals and similar health care institutions, churches, libraries, museums, auditoriums, concert halls, outdoor music shells, and amphitheaters.[8] Therefore, for the purposes of this analysis, these land uses are considered to be noise-sensitive land uses. The nearest noise-sensitive land uses to the project site are single-family residences located to the west, south, and east. Other noise-sensitive land uses within 0.25 mile include Friendship Missionary Baptist Church (approximately 460 feet to the west), Delgado Family Child Care (approximately 530 feet to the northeast), Church of God of Prophecy (approximately 600 feet to the east), Love Chapel Church (approximately 760 feet to the west), De Anza Middle School (approximately 900 feet to the south), and Hope Chapel (approximately 1,200 feet to the northwest).

City of Ontario Policy Plan

The following goal and policy of the City of Ontario Policy Plan Safety Element would be applicable to the proposed project: [9]

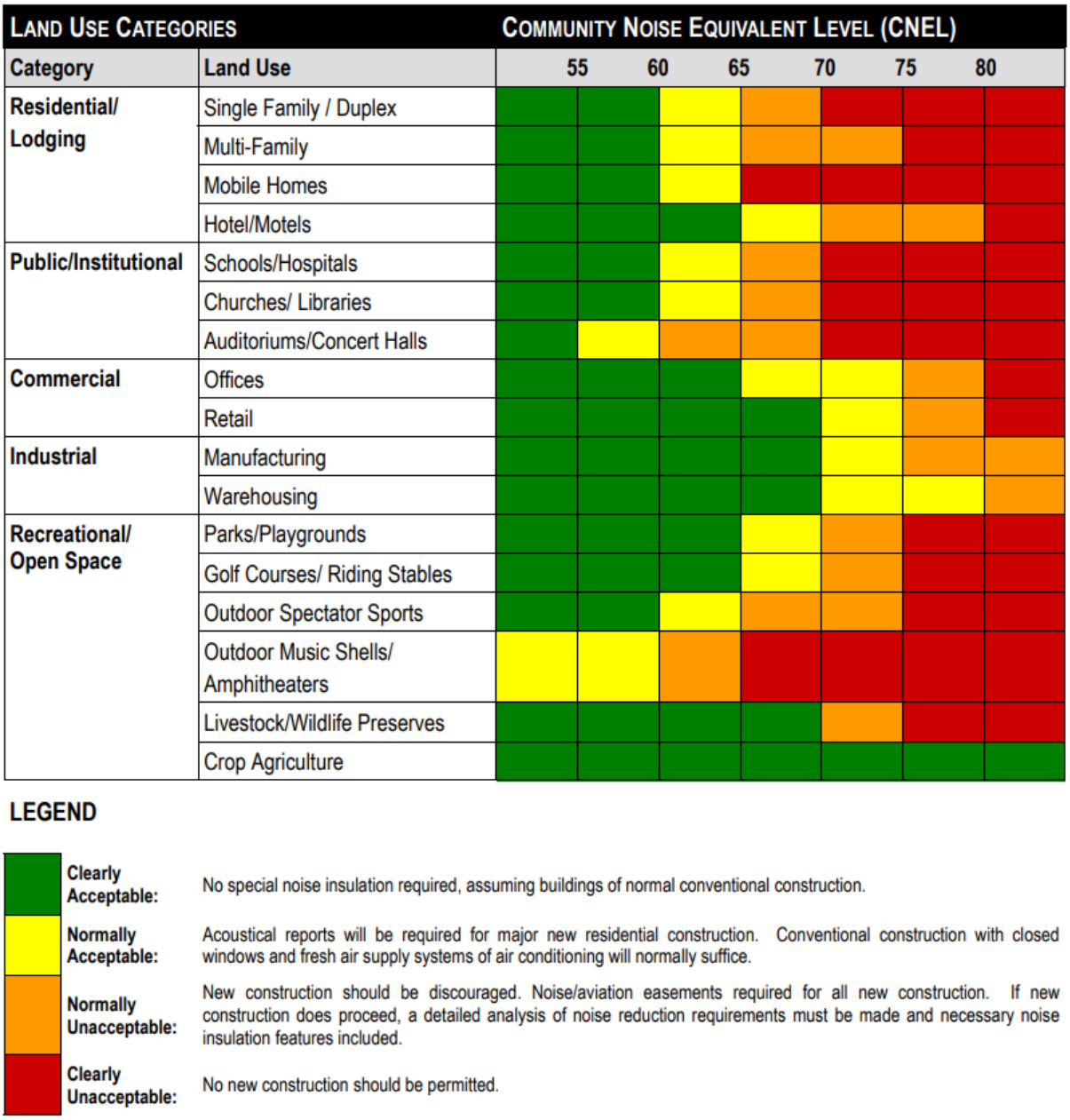
Goal S4 An environment where noise does not adversely affect the public's health, safety, and welfare.

Policy S4-1 **Noise Mitigation.** We utilize the City's Noise Ordinance, building codes and subdivision and development codes to mitigate noise impacts.

In addition, Table LU-7 of the City of Ontario Policy Plan Land Use Element includes noise/land use compatibility guidelines, which are reproduced herein as Figure 1.

[8] Ontario, City of. 2019. City of Ontario Policy Plan. Adopted January 27, 2010. Last amended July 16, 2019. http://www.ontarioplan.org/policy-plan/ (accessed March 2020).
[9] Ontario, City of. 2019. City of Ontario Policy Plan. Adopted January 27, 2010. Last amended July 16, 2019. http://www.ontarioplan.org/policy-plan/ (accessed March 2020).

Figure 1 Noise Level Exposure and Land Use Compatibility Guidelines



Source: Table LU-7 of the City of Ontario Policy Plan Land Use Element

City of Ontario Municipal Code

The City's Noise Ordinance is codified as OMC Chapter 29. OMC Section 5-29.04 states:

a. The following exterior noise standards (reproduced herein as Table 2), unless otherwise specifically indicated, shall apply to all properties within a designated noise zone.
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 15-minute period; and
    2. A maximum instantaneous (single instance) noise level equal to the value of the noise standard plus 20 dBA for any period of time (measured using A-weighted slow response).
        a. 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.
        b. The Noise Zone IV standard shall apply to that portion of residential property falling within 100 feet of a commercial property or use, if the noise originates from that commercial property or use.
        c. If the measurement location is on a boundary between two different noise zones, the lower noise level standard applicable to the noise zone shall apply.

Table 1 OMC Exterior Noise Standards[1]

		Allowable Equivalent Noise Level (dBA L_{eq})[2]	
Noise Zone	**Type of Land Use**	**7:00 a.m. – 10:00 p.m.**	**10:00 p.m. – 7:00 a.m.**
I	Single-Family Residential	65	45
II	Multi-Family Residential, Mobile Home Parks	65	50
III	Commercial Property	65	60
IV	Residential Portion of Mixed Use	70	70
V	Manufacturing and Industrial, Other Uses	70	70

[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 OMC Section 5-29.15.

dBA = A-weighted decibel; L_{eq} = equivalent noise level

Source: OMC Section 5-29.04(a)

OMC Section 5-29.05 states:

a. The following interior noise standards (reproduced herein as Table 3), unless otherwise specifically indicated, shall apply to all properties within a designated noise zone.
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 15-minute period; and
2. A maximum instantaneous (single instance) noise level equal to the value of the noise standard plus 20 dBA for any period of time (measured using A-weighted slow response).
    a. 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.
    b. The Noise Zone IV standard shall apply to that portion of residential property falling within 100 feet of a commercial property or use, if the noise originates from that commercial property or use.
    c. If the measurement location is on a boundary between two different noise zones, the lower noise level standard applicable to the noise zone shall apply.

Table 2 OMC Interior Noise Standards[1]

		Allowable Equivalent Noise Level (dBA L_{eq})[2]	
Noise Zone	**Type of Land Use**	**7:00 a.m. – 10:00 p.m.**	**10:00 p.m. – 7:00 a.m.**
I	Single-Family Residential	45	40
II	Multi-Family Residential, Mobile Home Parks	45	40
IV	Residential Portion of Mixed Use	45	40

[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 OMC Section 5-29.15.

dBA = A-weighted decibel; L_{eq} = equivalent noise level

Source: OMC Section 5-29.05(a)

OMC Section 5-29.11 states:

> "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 OMC Section 5-29.04 prescribed for the assigned Noise Zone I."

Impact Analysis

Methodology

The City of Ontario has requested a noise assessment for the proposed truck wash area to be located on the southern portion of the project site approximately 140 feet west of the intersection of Phillips Street and South Monterey Avenue. A reference noise level for the truck wash area was obtained from a noise assessment performed for a similar hand car wash in Cudworth, Barnsley, United Kingdom. The reference noise level measurement was taken for a facility comprised of two car wash bays at which vehicles are hand washed using jet sprays and hand cloths, then dried, polished, and vacuumed. Based on the noise assessment, a hand car wash generates average noise levels of up to approximately 70 dBA

L_{eq} at 25 feet.[10] Use of the reference noise level from this noise assessment provides a conservative overestimate of project-generated noise levels because the project would not include the use of jet sprays or vacuums, which generate higher levels of noise than hoses and hand cloths used by the proposed project. See Appendix B for the full noise assessment.

Exterior noise levels at the receivers nearest to the project site were calculated using standard distance attenuation for point sources of 6 dBA per doubling of distance. The noise analysis also takes into account the presence of the proposed eight-foot-high CMU wall that would surround the majority of the project site as well as the proposed 32-foot-high industrial building to be located on the eastern portion of the project site. The CMU wall would block the line-of-sight between the truck wash area and residences to the south, and the industrial building would block line-of-sight between the truck wash area and residences to the east. The proposed CMU wall is calculated to provide an approximately 8-dBA reduction in ambient noise levels at receivers to the south of the project site and the proposed industrial building is calculated to prove an approximately 20-dBA reduction in ambient noise levels at receivers to the east of the project site. Barrier modeling outputs are included in Attachment 3.

According to the Federal Highway Administration, buildings provide exterior-to-interior noise level reductions ranging from 10 dBA for buildings with open windows to 35 dBA for masonry buildings with double glazed windows.[11] Interior noise levels at the nearest receivers to the project site were calculated using the estimated exterior noise levels and conservatively assuming an exterior-to-interior reduction of 10 dBA.

Project Impacts

Table 4 and Table 5 summarize daytime hourly exterior and interior noise levels, respectively, generated by the proposed project at the nearest receivers, including residences to the west, south, and east and industrial properties to the north. Noise levels were not estimated for nighttime hours (i.e., 10:00 p.m. to 7:00 a.m.) because the truck wash area would not be in operation during those hours. As shown in Table 4 and Table 5, respectively, exterior and interior noise levels from the truck wash area would not exceed the City's daytime exterior and interior noise level standards for the surrounding land uses.

[10] Waterman Infrastructure & Environment Limited. 2016. Noise Assessment – Hand Car Wash and Valet Centre, Cudworth, Barnsley, S72 8YA. November 2016.
[11] Federal Highway Administration. 2011. Highway Traffic Noise: Analysis and Abatement Guidance. December 2011. https://www.in.gov/indot/files/FHWA-Highway-Traffic-Noise-Analysis-and-Abatement-Guidance-December-2011.pdf (accessed March 2020).

Table 3 Exterior Noise Levels at Nearest Receivers

	Noise Level (dBA L_{eq})			
	550 Phillips Street (85 feet to the south)	**1214 S. Sultana Street (460 feet to the west)**	**Industrial Properties (180 feet to the north)**	**604 S. Monterey Avenue (170 feet to the east)**
Truck Wash Area[1]	59	45	53	53
CMU Wall[2, 3]	(8)	n/a	n/a	n/a
Buildings[4]	n/a	n/a	n/a	(20)
Estimated Noise Level	**51**	**45**	**53**	**33**
Exterior Noise Standard[5]	65	65	70	65
Standard Exceeded?	**No**	**No**	**No**	**No**

[1] Based on a reference noise level of 70 dBA L_{eq} at 25 feet and a standard distance attenuation for point sources of 6 dBA per doubling of distance.

[2] See Attachment 3 for barrier modeling results.

[3] The CMU wall would only partially block the line of sight between the truck wash area and residences to the west/industrial properties to the north; therefore, noise reductions from this wall are conservatively not included in the estimate of noise levels at these properties.

[4] The proposed industrial building would block the line of sight between the truck wash area and residences to the east along South Monterey Avenue. See Attachment 3 for barrier modeling results.

[5] See Table 2.

( ) denotes a negative number.

dBA = A-weighted decibel; L_{eq} = equivalent noise level; n/a = not applicable

Table 4 Interior Noise Levels at Nearest Receivers

	Noise Level (dBA L_{eq})			
	550 Phillips Street (85 feet to the south)	**1214 S. Sultana Street (460 feet to the west)**	**Industrial Properties (180 feet to the north)**	**604 S. Monterey Avenue (170 feet to the east)**
Truck Wash Area[1]	59	45	53	53
CMU Wall[2, 3]	(8)	n/a	n/a	n/a
Buildings[4]	n/a	n/a	n/a	(20)
Interior-to-Exterior Reduction	(10)	(10)	(10)	(10)
Estimated Noise Level	**41**	**35**	**43**	**23**
Interior Noise Standard[5]	45	45	n/a	45
Standard Exceeded?	**No**	**No**	**No**	**No**

[1] Based on a reference noise level of 70 dBA L_{eq} at 25 feet and a standard distance attenuation for point sources of 6 dBA per doubling of distance.

[2] See Attachment 3 for barrier modeling results.

[3] The CMU wall would only partially block the line of sight between the truck wash area and residences to the west/industrial properties to the north; therefore, noise reductions from this wall are conservatively not included in the estimate of noise levels at these properties.

[4] The proposed industrial building would block the line of sight between the truck wash area and residences to the east along South Monterey Avenue. See Attachment 3 for barrier modeling results.

[5] See Table 3. The OMC does not establish interior noise standards for industrial properties.

( ) denotes a negative number.

dBA = A-weighted decibel; L_{eq} = equivalent noise level; n/a = not applicable

Conclusion

Noise levels generated by the project's truck wash area would not conflict with the City of Ontario's exterior and interior noise standards.

Thank you for the opportunity to assist with this assignment. Please do not hesitate to contact us if you have questions about this report.

Sincerely,
Rincon Consultants, Inc.

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Joe Power
Principal/Sr. Vice President
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Attachments

Attachment 1 Project Site Plans

Attachment 2 Barrier Modeling Results

RESOLUTION NO. PC21-042

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV18-022, A DEVELOPMENT PLAN TO CONSTRUCT A 6,870 SQUARE FOOT INDUSTRIAL BUILDING ON 3.1 ACRES OF LAND LOCATED AT 580 EAST BELMONT STREET, WITHIN THE IL (LIGHT INDUSTRIAL) ZONING DISTRICT AND MAKING FINDINGS IN SUPPORT THEREOF (APNS: 1049-491-01, 1049-491-02 & 1049-491-03).

WHEREAS, Four Sisters Enterprises, LLC ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV18-022, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 3.1 acres of land located on the southwest corner of Belmont Street and Monterey Avenue, at 580 East Belmont Street, within the IL (Light Industrial) zoning district; and

WHEREAS, on June 21, 2018, the Applicant submitted a Development Plan application requesting approval to construct a 6,870 square foot industrial building having a floor area ratio (FAR) of 0.05, in conjunction with a Conditional Use Permit (File No. PCUP18-021) to establish and operate a towing service and motor vehicle impound storage yard on the Project site; and

WHEREAS, the property to the north of the project site is within the IL (Light Industrial) zoning district and is developed with industrial buildings and a metal rebar storage yard. The properties to the east are within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/Acre) and IL (Light Industrial) zoning districts and are developed with the Southern Pacific Railroad rail line located in the Monterey Avenue right-of-way and single-family homes across Monterey Avenue. The property to the south is located within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/Acre) and is developed with single-family homes. The property to the west is within the MDR-11 (Medium Density Residential – 5.1 to 11.0 DUs/Acre) zoning district and is developed with single-family homes; and

WHEREAS, proposed building is located at the southeast corner of the Project site, fronting on to Monterey Avenue (to the east) and Phillips Street (to the south). The building is setback 48 feet from the Belmont Street (north) property line, 10 feet from the east property line, 10 feet from Phillips Street (south) property line, and approximately 540 feet from Sultana Avenue (west) property line; and

WHEREAS, the building’s office and main entrance is situated at the northeast corner of the building, fronting onto Belmont Street. The employee and visitor parking areas are located north of the building on the northeast corner of the project site and are secured by an 8-foot-tall decorative tube steel fence; and

WHEREAS, the motor vehicle impound yard is proposed on the westerly two-thirds of the Project site, covering 79,569 square feet and is designed to park 324 impounded vehicles. The yard area will be screened from public view by a decorative 8-foot-tall wall consisting of split-face masonry block with decorative pilasters and cap, located along the north, west, and south sides of the Project site; and

WHEREAS, the Project is required to provide a minimum of 16 off-street parking spaces and a total of 20 off-street parking spaces have been provided, exceeding the minimum number of required parking spaces; and

WHEREAS, primary vehicle access is provided by two driveways located along Belmont Street, immediately west of Monterey Avenue. A secondary vehicle access point is provided from Sultana Avenue, mid-block between Belmont and Phillips Streets; and

WHEREAS, the proposed building elevations illustrate the type of high-quality architecture promoted by the Ontario Development Code's development standards and design guidelines. The building will be composed of pre-painted/smooth faced sheet metal wall panels that incorporate a contemporary architectural style. The building design incorporates articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas, and articulation in the building parapet/roof line, which serves to accentuate the building's roofline; and

WHEREAS, the Project proposes 15 percent landscape coverage, which meets the minimum Development Code requirement for corner lots located within the IL (Light Industrial) zoning district. The landscape pallet for the Project incorporates a mixture of 24-inch, 36-inch, and 48-inch box accent and shade trees; and

WHEREAS, public utilities (water and sewer) are available to serve the Project. Additionally, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the Project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizing low impact development (LID) best management practices (BMPs), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes a vegetated swale designed to accept runoff from building roofs, parking lots and Project roadways, which lead to an underground stormwater infiltration system. The proposed underground infiltration system is located along the southeast portion of the site and any overflow drainage will be conveyed to the surrounding streets; and

WHEREAS, on May 26, 2020, the Planning Commission approved the proposed Project, subject to conditions. Subsequently, the project was appealed to City Council on June 5, 2020; and

WHEREAS, on July 7, 2020, the City Council held a Public Hearing to hear the appeal and recommended that the project return to Planning Commission to provide the Commission the opportunity to review new project information presented by the applicant, regarding the operation of the towing facility; and

WHEREAS, the applicant submitted updated information for the towing operation, including a Health Risk Assessment (HRA). The HRA prepared by the Ganddini Group (Dated: February 15, 2021) analyzed the potential impacts from the proposed Tow Yard Facility and concluded that the proposed Project will not impose significant health impacts on the surrounding environment; and

WHEREAS, the Applicant submitted an updated Noise Assessment prepared by Rincon Consultants (Dated: July 6, 2020) to include noise generated during typical tow-related activities. The initial Noise assessment (Rincon Consultants - Dated: April 8, 2020) only analyzed noise levels from the proposed truck wash facility. The Noise Assessment concluded that the proposed tow operations and truck wash facility will not generate noise levels beyond the City's allowed noise levels for the adjacent residential zones to the west, south and east of the Project site. Per the Ontario Municipal Code Noise Ordinance, the maximum exterior noise level allowed within residential zoning districts is 65 decibels (dBA), between the hours of 7 a.m. to 10 p.m. According to the Noise Assessment, the exterior noise level generated by the truck wash area will not exceed 59 dBA, the daytime tow operations would not exceed 55 dBA and the nighttime tow operations would not exceed 44 dBA. Therefore, the proposed outdoor truck washing and tow activities will comply with the City's maximum allowed exterior noise level for residential zoning districts and are not anticipated to adversely affect the adjacent residents; and

WHEREAS, a notice was mailed on March 18, 2021, to all property owners beyond 500-feet of the Project site, in both English and Spanish. The intent of the notification was to inform the surrounding residents and property owners of the proposed Project Area and to address questions and/or concerns they may have regarding the Project; and

WHEREAS, on March 30, 2021, the Planning Department hosted a virtual Zoom Community meeting for Pepe's Towing Project. The purpose of the community meeting was to present the community with the proposed project and the new information provided by the applicant and to gather the community's input and comments. The community meeting was held in both English and Spanish; and

WHEREAS, in order to help residents that did not have access to a computer, the Dorothy Quesada Community Center was provided as a location to view and participate in the virtual Zoom meeting. Planning Department staff were on hand to provide Spanish translation assistance and ensure that proper social distancing measures were followed. A total of 10 people attended the meeting at the Quesada Community Center and 18 people logged on to the virtual Zoom meeting; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"); and

WHEREAS, the Project is exempt from CEQA pursuant to a categorical exemption (listed in CEQA Guidelines Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission 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 May 18, 2020, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision DAB20-024, recommending the Planning Commission approve the Application; and

WHEREAS, on May 26, 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 approve Decisions PC20-023 and PC20-024; and

WHEREAS, the project was appealed to City Council on June 5, 2020; and

WHEREAS, on July 7, 2020, the City Council held a Public Hearing to hear the appeal. After the applicant and community testimony, the City Council recommended that the project return to Planning Commission to provide the Commission the opportunity to review new project information presented by the applicant, regarding the operation of the towing facility; and

WHEREAS, on May 25, 2021, the Planning Commission of the City of Ontario conducted a hearing to reconsider the Project with new project information, 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 decision-making 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 administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines and meets each of the following conditions: (a) the Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations; (b) the proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; (c) the Project site has no value as habitat for endangered, rare, or threatened species; (d) approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) the Project site can be adequately served by all required utilities and public services; and

(3) The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

(4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2: ***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 Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 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 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 development at the proposed location 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 Project is located within the Industrial land use district of the Policy Plan Land Use Map, and the IL (Light Industrial) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, 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 towing yard facility will provide

infrastructure compatibility and will be aesthetically pleasing and in context with the community character (LU2-6). Furthermore, the proposed development is consistent with City Council goals, such as: invest in the growth and evolution of the City's Economy, maintain the current high level of public safety, and focus resources in Ontario's commercial and residential neighborhoods; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the IL (Light Industrial) zoning district, as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions. In addition, the proposed 6,870 square foot industrial building will be constructed on the southeast corner of the Project site to minimize any potential impacts on the residential homes. In addition, the proposed vehicle impound yard will be screened from public views by a combination of landscaping and an 8-foot tall, decorative split face block wall; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Planning Commission has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: (a) the purposes of the IL (Light Industrial) zoning district are maintained; (b) the Project will not endanger the public health, safety or general welfare; (c) the Project will not result in any significant environmental impacts; (d) the Project will be in harmony with the area in which it is located; and (e) the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan; and

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the IL (Light Industrial) zoning district that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines. As a result of this review, the Planning Commission has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the IL (Light Industrial) zoning district.

SECTION 5: ***Planning Commission Action.*** Based on the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the Application, subject to each and every condition set forth in the Department reports included as "Attachment A" and incorporated herein by this reference.

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. The records are available for inspection by any interested person, upon request.

SECTION 8: ***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 May 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Rick Gage
Planning Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary of 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 PC No. PC21-042, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on May 25, 2021, by the following roll call vote, to wit:

AYES: DeDiemar, Gage, Gregorek, Lampkin, Ricci, Willoughby

NOES: None

ABSENT: None

ABSTAIN: None

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PDEV18-022
Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)

City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department
Land Development Division
Conditions of Approval

Meeting Date: May 25, 2021

File No: PDEV18-022

Related Files: PCUP18-021

Project Description: A Development Plan (File No. PDEV18-022) to construct a 6,870 square-foot industrial building on 3.1 acres of land located at 580 East Belmont Street, within the IL (Light Industrial) zoning district (APNs: 1049-491-01, 1049-491-02 and 1049-491-03); **submitted by Four Sisters Enterprises LLC.**

Prepared By: Denny D. Chen, Associate Planner
Phone: 909.395.2424 (direct)
Email: dchen@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 Time Limits.

(a) Development Plan approval shall become null and void two years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.3 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.5 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

(c) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(e) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

(f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2.6 Outdoor Loading and Storage Areas.

(a) Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

(c) Outdoor loading and storage areas, and loading doors, shall be screened from public view pursuant to the requirements of Development Code Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) Et Seq.

(d) Outdoor loading and storage areas shall be provided with gates that are view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or
(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

Screen Wall Height	***Minimum Gate Height***
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet
6 feet:	6 feet

2.7 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

2.8 Mechanical and Rooftop Equipment.

(a) All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

2.9 Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

2.10 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

2.11 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.12 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines and meets all of the following conditions:

(i) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;

(ii) The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;

(iii) The project site has no value as habitat for endangered, rare, or threatened species;

(iv) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and

(v) The Project site can be adequately served by all required utilities and public services.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.13 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.

2.14 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.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.15 Additional Requirements.

(a) The proposed metal canopy over the office entrance and all canopies located on the first floor (North Elevation) shall project from the face of the building a minimum of 5 feet. All other metal canopies proposed on the second floor shall project a minimum of 4 feet. The applicant shall work with staff, during the plan check process, to finalize the dimensions/projections of the metal canopies.

(b) An 8-foot tall decorative masonry block wall with decorative cap, shall be constructed along the north, west, and south sides of the property to screen the towing yard area from public view. The minimum height of the proposed tubular steel/metal fence to be constructed along the east and north sides of the property shall be 8 feet, measured from finished grade level.

(c) All walls shall be painted with anti-graffiti coating to facilitate the removal of graffiti.

(d) The maximum height of fences and walls within the project's front setback area, shall be 6 feet and shall be decorative and nonview-obstructing, such as wrought iron or tubular steel. The installation of chainlink fences around the perimeter of the project site shall be prohibited, except during Project construction. All steel/metal fencing shall be powder coated to prevent rust.

(e) Building roof projections shall have returns of a minimum length of 6 feet, to avoid a false front/unfinished appearance. The Applicant shall work with staff during the plan check process to finalize the minimum length of the roof returns along the building's north, east, south, and west elevations, and wherever roof returns are required to be provided. If the rear of towers will be visible, towers shall be enclosed on all four sides.

(f) Applicant shall work with Planning Department staff during the plan check process, to ensure that all building elevations and architectural treatments are consistent with the approved on file with the Planning Department.

(g) A minimum of 16 on-site parking spaces shall be provided and maintained.

(h) The Applicant shall work with Planning Department staff during the plan check process, to add a metal cover on the south side of the truck wash canopy, in order to screen the steel columns and the trucks utilizing the truck wash area. The metal cover and/or screen material shall match the proposed industrial building's color, texture, and architecture.

(i) Additional decorative split-face block shall be added, along the building's north elevation, below the window area. The decorative block shall match the material and color used on the building two towers.

(j) The above ground fuel tank shall be relocated to the northeast area of the site to a more appropriate location across from the exiting industrial development, subject to Planning Department review and approval.

(k) All new and proposed signage shall be reviewed and approved by the Planning Department and shall comply with the requirements of the Ontario Development Code – Sign Regulations (Division 8.1).

(l) A final site inspection shall be required from the Planning Department prior to Building Department issuance of an Occupancy Permit.

ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Information Technology & Management Services Department Conditions incorporated)

☒ DEVELOPMENT PLAN ☐ OTHER	☐ PARCEL MAP ☐ TRACT MAP ☐ FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PDEV18-022 **RELATED FILE NO(S). PCUP18-021**	
☐ ORIGINAL ☒ **REVISED:** 5/6/21	

CITY PROJECT ENGINEER & PHONE NO: Jesus Plasencia, (909) 395-2128

CITY PROJECT PLANNER & PHONE NO: Denny Chen, (909) 395-2424

DAB MEETING DATE: May 18, 2020

PROJECT NAME / DESCRIPTION: A Development Plan to construct a 6,870 square foot industrial building in conjunction with a CUP to establish and operate a towing service on 3.1 acres of land.

LOCATION: 580 East Belmont Street

APPLICANT: Four Sisters Enterprises, LLC

REVIEWED BY:
Raymond Lee
Raymond Lee, P.E.
Assistant City Engineer
5/10/21
Date

APPROVED BY:
Khoi Do, P.E.
City Engineer
5-11-21
Date

THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, APPLICANT SHALL:

			Check When Complete
☐	1.01	Dedicate to the City of Ontario, the right-of-way, described below: _____ feet on _____ Property line corner 'cut-back' required at the intersection of _____ and _____.	☐
☐	1.02	Dedicate to the City of Ontario, the following easement(s): _____ _____	☐
☐	1.03	Restrict vehicular access to the site as follows: _____	☐
☐	1.04	Vacate the following street(s) and/or easement(s): _____	☐
☐	1.05	Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.	☐
☐	1.06	Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.	☐
☐	1.07	For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at *http://tceplumecleanup.com/*), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this 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?global_id=T10000004658*.	☐
☐	1.08	File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement. (1) _____ (2) _____	☐
☐	1.09	Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.	☐

☐ 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater. ☐

☐ 1.11 Provide a preliminary title report current to within 30 days. ☐

☐ 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process. ☐

☐ 1.13 New Model Colony (NMC) Developments: ☐

☐ 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.

☐ 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).

☐ 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).

☐ 1.14 Other conditions: _____ ☐

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

A. GENERAL
(Permits includes Grading, Building, Demolition and Encroachment)

☐ 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code. ☐

☐ 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office. ☐

☐ 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per_____. ☐

☐ 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of_____. ☐

☒ **2.05 Apply for a: ☒ Conforming Grant Deed; ☒ Lot Line Adjustment** ☐

☒ Make a Dedication of Easement (see Condition 2.11)

☐ 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. ☐

☐ 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at http://tceplumecleanup.com/), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this 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?global_id=T10000004658. ☐

☒ **2.08 Submit a soils/geology report.** ☐

☒ **2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:** ☐

- ☐ State of California Department of Transportation (Caltrans)
- ☐ San Bernardino County Road Department (SBCRD)
- ☐ San Bernardino County Flood Control District (SBCFCD)
- ☐ Federal Emergency Management Agency (FEMA)
- ☐ Cucamonga Valley Water District (CVWD) for sewer/water service
- ☐ United States Army Corps of Engineers (USACE)
- ☐ California Department of Fish & Game
- ☐ Inland Empire Utilities Agency (IEUA)
- ☒ **Other: Union Pacific Railroad (UPRR): For proposed improvements in UPRR right-of-way.**

☒ **2.10 Dedicate to the City of Ontario the right-of-way described below:** ☐

1. **33 feet north of centerline on Phillips Street along the project frontage.**
2. **Property line corner 'cut-back' required at the intersection of Sultana Avenue and Belmont Street.**
3. **Property line corner 'cut-back' required at the intersection of Sultana Avenue and Phillips Street.**

☒ **2.11 Dedicate to the City of Ontario the following easement(s) only if necessary:** ☐

1. **Sidewalk easement behind the proposed drive approaches located along Sultana Avenue and Belmont Street.**

☐ 2.12 New Model Colony (NMC) Developments: ☐

☐ 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.

☐ 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.

☐ 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall.

☒ **2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.** ☐

☒ **2.14** **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.** ☐

☒ **2.15** **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately $69,139, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.** ☐

☒ **2.16** **Other conditions:** ☐

1. **The applicant/developer shall process a Lot Line Adjustment and a Conforming Grant Deed in order to consolidate the site into one (1) parcel and render the subject property as a recognized parcel in the City of Ontario. The Lot Line Adjustment and Conforming Grant Deed shall be recorded prior to issuance of a building permit.**

B. PUBLIC IMPROVEMENTS
(See attached Exhibit 'A' for plan check submittal requirements.)

☐

☒ **2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):**

Improvement	Phillips Street	Sultana Avenue	Belmont Street	Monterey Avenue
Curb and Gutter	☒ **New; 20 ft. from C/L north** ☐ Replace damaged ☐ Remove and replace	☒ **New; 18 ft. from C/L** ☐ Replace damaged ☐ Remove and replace	☒ **New; 18 ft. from C/L** ☐ Replace damaged ☐ Remove and replace	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and replace
AC Pavement (see Condition 2.19)	☒ **Replacement** ☒ **Widen 18 feet from C/L north along frontage, including pavm't Transitions**	☒ **Replacement** ☐ Widen ____ additional feet along frontage, including pavm't transitions	☒ **Replacement** ☐ Widen ____ additional feet along frontage, including pavm't transitions	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Drive Approach	☐ New ☐ Remove and replace	☒ **New** ☐ Remove and replace	☒ **New** ☒ **Remove and replace**	☐ New ☐ Remove and replace
Sidewalk	☒ **New** ☐ Remove and replace	☐ New ☒ **Remove and replace**	☐ New ☒ **Remove and replace**	☐ New ☐ Remove and replace
ADA Access Ramp	☒ **New** ☐ Remove and replace	☒ **New** ☐ Remove and replace	☒ **New** ☐ Remove and replace	☐ New ☐ Remove and replace
Parkway	☒ **Trees** ☒ **Landscaping (w/irrigation)**	☒ **Trees** ☒ **Landscaping (w/irrigation)**	☒ **Trees** ☒ Landscaping (w/irrigation)	☐ Trees ☐ Landscaping (w/irrigation)
Raised Landscaped Median	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
Fire Hydrant	☒ **New / Upgrade** ☐ Relocation	☐ New / Upgrade ☐ Relocation	☒ **New / Upgrade** ☐ Relocation	☐ New / Upgrade ☐ Relocation

Sewer (see Sec. 2.C)	☐ Main ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☒ **Lateral**	☐ Main ☐ Lateral
Water (see Sec. 2.D)	☐ Main ☐ Service	☐ Main ☐ Service	☒ **Main** ☒ **Service**	☐ Main ☐ Service
Recycled Water (see Sec. 2.E)	☐ Main ☐ Service	☐ Main ☐ Service	☐ Main ☐ Service	☐ Main ☐ Service
Traffic Signal System (see Sec. 2.F)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Traffic Signing and Striping (see Sec. 2.F)	☒ **New** ☐ Modify existing	☒ **New** ☐ Modify existing	☒ **New** ☐ Modify existing	☐ New ☐ Modify existing
Street Light (see Sec. 2.F)	☒ **New / Upgrade** ☐ Relocation	☒ **New / Upgrade** ☐ Relocation	☒ **New / Upgrade** ☐ Relocation	☐ New / Upgrade ☐ Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Storm Drain (see Sec. 2G)	☐ Main ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☐ Lateral
Fiber Optics (see Sec. 2K)	☒ **Conduit / Appurtenances**	☒ **Conduit / Appurtenances**	☒ **Conduit / Appurtenances**	☐ Conduit / Appurtenances
Overhead Utilities	☐ Underground ☐ Relocate	☐ Underground ☒ **Relocate(1)**	☒ **Underground** ☐ Relocate	☐ Underground ☐ Relocate
Removal of Improvements	**Remove existing metal poles and fences**			
Other Improvements				

Specific notes for improvements listed in item no. 2.17, above:

1. **Relocate existing power poles as needed to accommodate the construction of curb & gutter along the project frontage.**

☐ 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): ☐

☒ **2.19 Reconstruction of the full pavement structural section on Phillips Street, Sultana Avenue, and Belmont Street, per City of Ontario Standard Drawing number 1011, is required unless a grind and overly is recommended by the soils engineer based on the existing pavement conditions.** ☐

Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.

☐ 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide ☐ water service ☐ sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid. ☐

☒ **2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892).** ☐

☐ 2.22 Other conditions: _____ ☐

C. SEWER

☒ **2.23 An 8-inch sewer main is available for connection by this project in Belmont Street. (Ref: Sewer plan bar code: S12680)** ☐

☐ 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away. ☐

☐ 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer. ☐

☒ **2.26 Other conditions:** ☐

1. **The Occupant of the building shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply with all the requirements of their Wastewater Discharge Permit. Requirements of Wastewater Discharge Permit may include, but not limited to including: possibly installing a monitoring manhole, clarifier, or other sewer pretreatment equipment.**

D. WATER

☐ 2.27 A _____inch water main is available for connection by this project in _____ (Ref: Water plan bar code: _____) ☐

☐ 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away. ☐

☒ **2.29 Other conditions:** ☐

1. **Replace the existing 4" water line in Belmont, between Sultana and Monterey, with a new 12". All existing appurtenances shall be reconnected to the new 12" main via the installation of new service laterals (no coupling) from main to appurtenance. Upgrade any/all hydrants with breakaway check valve per City standards.**
2. **Install one fire hydrant on the north side of Phillips Street (south side of property), connecting off the 1074 PZ water line, fronting the property.**

E. RECYCLED WATER

☐ 2.30 A _____inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code:_____) ☐

☐ 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project. ☐

☐ 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant. ☐

☐ 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval. ☐

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.

☐ 2.34 Other conditions: _____ ☐

F. TRAFFIC / TRANSPORTATION

☐ 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer: ☐

1. On-site and off-site circulation
2. Traffic level of service (LOS) at 'build-out' and future years
3. Impact at specific intersections as selected by the City Engineer

☐ 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877. ☐

☒ **2.37 Other conditions:** ☐

1. **The applicant/developer shall be responsible to design and construct the following streets to their ultimate half-width along the project frontage:**
   - **Sultana Avenue (66'R/W, 36' C/C)**
   - **Belmont Street (66' R/W, 36' C/C)**
   - **Phillips Street (66' R/W, 40' C/C)**

   Improvements shall include, but not be limited to, concrete curb and gutter, sidewalk, LED street lights, landscaped parkways, signing & striping, and necessary pavement transitions as deemed necessary by the City Engineer.

2. **The Applicant/Developer shall be responsible to design and construct in-fill public street lights along the property frontages of Sultana Avenue, Belmont Street and Phillips Street, in accordance with the Traffic and Transportation Design Guidelines Section 1.4 Street Light Plans, City of Ontario Standard Drawing No. 5101, and to the satisfaction of the City Engineer.**

3. **Driveways shall be designed and constructed in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveway Approach.**

4. **Property frontages along Sultana Avenue, Belmont Street, Phillips Street and Monterey Avenue shall be signed "No Parking Anytime."**

5. **Proposed gates on Belmont Street shall remain open at all times during business hours.**

6. **The applicant/developer's engineer-of-record shall meet with City Engineering staff prior to starting signing/striping and/or street lighting design.**

7. **The applicant/developer shall obtain all rights-of-way necessary to construct all required improvements.**

8. **All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.**

G. DRAINAGE / HYDROLOGY

☐ 2.38 A _____inch storm drain main is available to accept flows from this project in _____. ☐
(Ref: Storm Drain plan bar code:_____)

☒ **2.39** **Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.** ☐

☒ **2.40** **An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100-year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.** ☐

☐ 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project. ☐

☐ 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program. ☐

☒ **2.43** **Other conditions:** ☐

1. **The applicant/developer shall pay an in-lieu fee for future storm drain in Sultana Avenue along project frontage valued at $75,454.**

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

☐ 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130. ☐

☒ **2.45** **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: http://www.sbcounty.gov/dpw/land/npdes.asp.** ☐

☐ 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning. ☐

☒ **2.47** **Other conditions:** ☐

1. **Activities resulting in land disturbance of one acre or more is required to obtain coverage under the Construction General Permit (CGP). The owner is the legally responsible person (LRP) of the site and shall have a Stormwater Pollution Prevention Plan (SWPPP) developed and submitted through the SMARTS website at https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.xhtml**

J. SPECIAL DISTRICTS

☐ 2.48 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Financial Services Department at (909) 395-2353 to initiate the CFD application process. ☐

☐ 2.49 Other conditions: _____ ☐

K. FIBER OPTIC

☒ **2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole if within close proximity. If there is no OntarioNet handhole, conduit infrastructure shall terminate at either end of project frontage in a handhole.** ☐

☒ **2.51 Refer to the City's Fiber Optic Master Plan and other related documents on the City website for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, for more information regarding the requirement to install fiber optic improvements.** ☐

L. Solid Waste

☐ 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: ☐

http://www.ontarioca.gov/municipal-utilities-company/solid-waste

☒ **2.53 Other conditions:** ☐

1. **Prior to approval of the any building permits, the Conceptual Solid Waste Handling Plan needs to be updated and converted into a Final Solid Waste Handling Plan Sheet and shall be submitted accompanying the Precise Grading Plan Submittal to the City/OMUC for review and approval. See "Solid Waste Handling Plan (SWHP) Requirements" document for details.**
2. **The applicant shall submit an Integrated Waste Management Report for review and approval with the Precise Grading Plan. This report shall address the management of all integrated waste (Refuse, Recycling, Organics, etc.). The IWMR shall demonstrate compliance with the "Integrated Waste Management Report Requirements" document.**

3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

☒ **3.01** **Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.** ☐

☐ 3.02 Complete all requirements for recycled water usage. ☐

☐ 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.

☐ 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.

☐ 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.

☒ **3.03** **The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.** ☐

☐ 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals. ☐

☒ **3.05** **Confirm payment of all Development Impact Fees (DIF) to the Building Department.** ☐

☒ **3.06** **Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studie and reports (i.e. hydrology, traffic, WQMP, etc.).** ☐

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

☒ **4.01** **Complete all Conditions of Approval listed under Sections 1-3 above.** ☐

☒ **4.02** **Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.** ☐

☒ **4.03** **The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall include a completed Acceptance and Bond Release Checklist, state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process** ☐

☒ **4.04** **Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.** ☐

EXHIBIT 'A'

ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist

Project Number: PDEV18-022

The following items are required to be included with the first plan check submittal:

1. ☒ **A copy of this check list**
2. ☒ **Payment of fee for Plan Checking**
3. ☒ **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. ☒ **One (1) copy of project Conditions of Approval**
5. ☒ **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6. ☐ Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
7. ☒ **Three (3) sets of Public Street improvement plan with street cross-sections**
8. ☐ Three (3) sets of Private Street improvement plan with street cross-sections
9. ☒ **Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)**
10. ☐ Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)
11. ☐ Four (4) sets of Public Sewer improvement plan
12. ☐ Five (5) sets of Public Storm Drain improvement plan
13. ☒ **Three (3) sets of Public Street Light improvement plan**
14. ☒ **Three (3) sets of Signing and Striping improvement plan**
15. ☒ **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
16. ☒ **Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)**
17. ☐ Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.
18. ☒ **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
19. ☒ **One (1) copy of Hydrology/Drainage study**
20. ☒ **One (1) copy of Soils/Geology report**
21. ☐ Payment for Final Map/Parcel Map processing fee

22. ☐ Three (3) copies of Final Map/Parcel Map

23. ☐ One (1) copy of approved Tentative Map

24. ☒ One (1) copy of Preliminary Title Report (current within 30 days)

25. ☐ One (1) copy of Traverse Closure Calculations

26. ☐ One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.

27. ☐ Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use.

28. ☒ **Other: Update the sewer improvement plan for Belmont Street to show the proposed service connection to the project site.**

CITY OF ONTARIO
LANDSCAPE PLANNING DIVISION
303 East "B" Street, Ontario, CA 91764

CONDITIONS OF APPROVAL

Sign Off

Jamie Richardson, Sr. Landscape Planner — 2/13/20 Date

Reviewer's Name: **Jamie Richardson, Sr. Landscape Planner**
Phone: **(909) 395-2615**

D.A.B. File No.: PDEV18-022 Rev 4
Case Planner: Denny Chen

Project Name and Location:
Pepe's Towing
554 E Belmont St.

Applicant/Representative:
Howard Parcell Company
4854 Main St
Yorba Linda, CA 92886

☒	**A Preliminary Landscape Plan (dated 2/13/20) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.**
☐	**A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.**

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE

PREVIOUS COMMENTS – 11/13/19

Civil/ Site Plans

1. The tree inventory identifies 48" of trunk diameter to be mitigated; Schinus mole No. 14.
   a. New 15 gallon trees min 1" diameter trunk, in addition to trees required; total of 48 trees.
   b. New 24" box trees min 1.5" diameter trunk, in addition to trees required; total of 32 trees
   c. Upsizing trees on the plan one size larger such as 15 gallon to 24" box, or 24" to 36" box size.
   d. Monetary valve of the trees removed as identified in the "Guide for Plant Appraisal", approved certified arborist plant appraiser, or may be equal to the value of the installation cost of planting, fertilizing, staking and irrigating 15 gallon trees, (100$ each) to the City of Ontario Historic Preservation Fund for city tree planting or city approved combination of the above items; total of $4,800.
2. Show transformers and backflow devices located in planter areas and set back 4' from paving; dimension on plan. Locate on level grade. Coordinate with landscape plans.
3. ~~2/13/20 Spoke with Mr. George Estrada over the counter; locate the wall at the Belmont entry of the tow yard so the landscape planter is in the public parking lot. Provide an employee break area on the inside of the tow yard adjacent to the 4 public parking spaces include a table and/or bench and 2 broad canopy shade trees such as Platanus racemosa 24" box. Provide irrigation to trees and mulch.~~ 3/12/20 updated plans received. Condition has been addressed.

Landscape Plans

4. Locate light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans

CITY OF ONTARIO
MEMORANDUM

Development Plan Review

Project: PDEV18-022 (PCUP18-021) Date: February 13th, 2020

Location: 554 East Belmont Street By: Nathan Kuan

The following shall become conditions of approval for the project.

Conditions:

1. The applicant/developer shall be responsible to design and construct the following streets to their ultimate half-width along the project frontage:
   - Sultana Avenue (66'R/W, 36' C/C)
   - Belmont Street (66' R/W, 36' C/C)
   - Phillips Street (66' R/W, 40' C/C)

   Improvements shall include, but not be limited to: concrete curb and gutter, sidewalk, LED street lights, landscaped parkways, signing & striping, and necessary pavement transitions as deemed necessary by the City Engineer.

2. The Applicant/Developer shall be responsible to design and construct in-fill public street lights and service pedestals along the property frontages of Sultana Avenue, Belmont Street and Phillips Street, in accordance with the Traffic and Transportation Design Guidelines Section 1.4 Street Light Plans, City of Ontario Standard Drawing No. 5101, and to the satisfaction of the City Engineer.

3. Driveways shall be designed and constructed in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveway Approach.

4. Property frontages along Sultana Avenue, Belmont Street, Phillips Street and Monterey Avenue shall be signed "No Parking Anytime."

5. Proposed gates on Belmont Street shall remain open at all times during business hours.

6. The applicant/developer's engineer-of-record shall meet with City Engineering staff prior to starting signing/striping and/or street lighting design.

7. The applicant/developer shall obtain all rights-of-way necessary to construct all required improvements.

8. All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.

nk;

CITY OF ONTARIO
MEMORANDUM

TO: PLANNING DEPARTMENT, Denny Chen

FROM: BUILDING DEPARTMENT, Kevin Shear

DATE: June 11, 2019

SUBJECT: PDEV18-022

☒ The plan **does** adequately address the departmental concerns at this time.

☐ No comments

☒ Report below.

Conditions of Approval

1. See previous report for Conditions.

KS:lr

CITY OF ONTARIO
MEMORANDUM

TO: PLANNING DEPARTMENT, Denny Chen

FROM: BUILDING DEPARTMENT, Kevin Shear

DATE: June 27, 2018

SUBJECT: PDEV18-022

☒ The plan **does** adequately address the departmental concerns at this time.

☐ No comments

☒ Report below.

Conditions of Approval

1. The site address for this project will be 580 E Belmont St.
2. The lot lines are to be removed.

KS:lm

CITY OF ONTARIO
MEMORANDUM

TO: **Denny Chen, Associate Planner**
Planning Department

FROM: **Paul Ehrman, Deputy Fire Chief/Fire Marshal**
Fire Department

DATE: **July 6, 2018**

SUBJECT: **PDEV18-022 - A Development Plan to construct a 6,660-square foot industrial building on 3.01 acres of land located at the southwest corner of Belmont Street and Monterey Avenue, at 554 East Belmont Street, within the IL (Light Industrial) zoning district (APNs: 1049-491-01, 1049-491-02 and 1049-491-03). Related File: PCUP18-021**

☒ The plan **does** adequately address Fire Department requirements at this time.

☒ Standard Conditions of Approval apply, as stated below.

SITE AND BUILDING FEATURES:

A. 2016 CBC Type of Construction: V

B. Type of Roof Materials: Ordinary

C. Ground Floor Area(s): 5,460 Sq. Ft.

D. Number of Stories: 2

E. Total Square Footage: 6,660 Sq. Ft.

F. 2016 CBC Occupancy Classification(s): B, S

CONDITIONS OF APPROVAL:

1.0 GENERAL

☒ 1.1 The following are the Ontario Fire Department ("Fire Department") requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards ("Standards.") It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on "Fire Department" and then on "Standards and Forms."

☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.

☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.

☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.

☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.

☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.

☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.

☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services..

3.0 WATER SUPPLY

☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 2000 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.

☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.

☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finaled) before the building is enclosed.

5.0 BUILDING CONSTRUCTION FEATURES

☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.

☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.

☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.

☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.

☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

6.0 OTHER SPECIAL USES

☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.

☒ 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.

CITY OF ONTARIO
MEMORANDUM

TO: Denny Chen, Planning Department

FROM: Douglas Sorel, Police Department

DATE: July 26, 2018

SUBJECT: PDEV18-022 & PCUP18-021: A DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT TO ESTABLISH A TOW YARD AT 554 EAST BELMONT STREET

The "Standard Conditions of Approval" contained in Resolution No. 2017-027 and Ontario Development Code Section 5.03.310 apply. The applicant shall read and be thoroughly familiar with these conditions, including but not limited to, the requirements listed below.

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the building as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.
- The indoor storage of motor vehicles shall comply with all requirements of the fire and building codes.
- All vehicles stored outdoors shall be screened from public view by a minimum 8-foot high decorative masonry block wall.
- All vehicles stored shall comply with the requirements for the base zoning district.

In addition to the Standard Conditions, the Ontario Police Department places the following conditions on the project:

- While the Applicant serves as a contracted Rotational Towing Service with the City of Ontario they shall comply with all terms of Title 4-19 of the Ontario Municipal Code and their current Professional Services Agreement with the City.

- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.
- Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated on the premises for more than 72 hours. Abatement shall take the form of removal, or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee's or management control so that it may be abated by the property owner and/or the City's graffiti team.

The Applicant is invited to contact Douglas Sorel at (909) 408-1873 with any question or concerns regarding these conditions.

AIRPORT LAND USE COMPATIBILITY PLANNING
CONSISTENCY DETERMINATION REPORT

ONTARIO AIRPORT PLANNING

Project File No.: PDEV18-022 & PCUP18-021

Address: 554 East Belmont Street

APN: 1049-491-01, 02 & 03

Existing Land Use: Vacant

Proposed Land Use: Development Plan and CUP to establish a tow yard and 6,600 SF 2-story industrial/warehouse building

Site Acreage: 3.01 ac

Proposed Structure Height: 33 FT

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Rudy Zeledon

Date: 7/30/18

CD No.: 2018-036

PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
☐ Zone 1	☐ 75+ dB CNEL	☐ High Terrain Zone	☐ Avigation Easement Dedication
☐ Zone 1A	☐ 70 - 75 dB CNEL	☑ FAA Notification Surfaces	☑ Recorded Overflight Notification
☐ Zone 2	☑ 65 - 70 dB CNEL	☑ Airspace Obstruction Surfaces	☐ Real Estate Transaction Disclosure
☐ Zone 3	☐ 60 - 65 dB CNEL	☑ Airspace Avigation Easement Area	
☐ Zone 4			
☐ Zone 5			

Allowable Height: 110 FT

The project is impacted by the following Chino ALUCP Safety Zones:

☐ Zone 1 ☐ Zone 2 ☐ Zone 3 ☐ Zone 4 ☐ Zone 5 ☐ Zone 6

Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: ☐ Exempt from the ALUCP ☐ Consistent ● Consistent with Conditions ☐ Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

See Attached Conditions

Airport Planner Signature: Lorena Mejia

CD No.: 2018-036

PALU No.: _____

PROJECT CONDITIONS

1. This project is located within Airspace Avigation Easement Area and is required to file and record an Avigation Easement with the Ontario International Airport Authority prior to obtaining a Certificate of Occupancy.

RESOLUTION NO. PC21-041

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PCUP18-021, A CONDITIONAL USE PERMIT TO OPERATE A TOWING SERVICE AND SHORT-TERM STORAGE OF AUTOMOBILES, VANS, LIGHT TRUCKS, AND TRACTOR TRUCKS ON 3.1 ACRES OF LAND LOCATED AT 580 EAST BELMONT STREET, WITHIN THE IL (LIGHT INDUSTRIAL) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF (APNS: 1049-491-01, 1049-491-02 & 1049-491-03).

WHEREAS, Four Sisters Enterprises, LLC ("Applicant") has filed an Application for the approval of a Conditional Use Permit, File No. PCUP18-021, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 3.1 acres of land located at the southwest corner of Belmont Street and Monterey Avenue, within the IL (Light Industrial) zoning district; and

WHEREAS, the property to the north of the project site is within the IL (Light Industrial) zoning district and is developed with industrial buildings and a metal rebar storage yard. The properties to the east are within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/Acre) and IL (Light Industrial) zoning districts and are developed with the Southern Pacific Transportation Company railroad right-of way and single-family homes. The properties to the south are located within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/Acre) zoning district and are developed with single-family homes. The properties to the west are within the MDR-11 (Medium Density Residential – 5.1 to 11.0 DUs/Acre) zoning district and are developed with single-family homes; and

WHEREAS, pursuant to the Ontario Development Code, Conditional Use Permit approval is required to establish an outdoor automobile storage yard (tow yard) within the IL (Light Industrial) zoning district. A Conditional Use permit is required in order adequately review the potential impacts the use might have on the surrounding properties and eliminate or mitigate those impacts; and

WHEREAS, on June 21, 2018, the applicant submitted a Conditional Use Permit (File No. PCUP18-021) to establish and operate an outdoor automobile storage yard (tow yard) in conjunction with a Development Plan (File No. PDEV18-022) to construct a 6,870 square foot industrial building on the Project site; and

WHEREAS, Pepe’s Towing currently operates another towing facility in the City, located at 810 East Main Street. The towing facility was approved with a Conditional Use Permit (File No. PCUP17-016) on February 21, 2018, by the Zoning Administrator; and

WHEREAS, the applicant is requesting to establish and operate a towing service and short-term storage of automobiles, vans, light trucks, and tractor trucks on 3.1 acres of land located at a 580 East Belmont Street, within the IL (Light Industrial) zoning district; and

WHEREAS, the proposed towing facility and vehicle impound storage yard, consists of a 79,569 square foot outdoor vehicle storage area that will accommodate up to 324 motor vehicles, including towing services and short-term storage of automobiles, vans, light trucks, and tractor trucks; and

WHEREAS, the towing service operation will also include a 6,870 square foot, two-story industrial building, and an 800 square foot outdoor truck wash area. The industrial building is comprised of an office area that includes a dispatch office, warehouse/storage area, and a vehicle evidence room. The evidence room will serve as a staging and storage area for non-operational vehicles that were involved in serious accidents that need to be secured for the Police Department inspections; and

WHEREAS, the towing service operation will have three full-time employees (dispatchers), one clerk, and two yardmen. Normal business office hours are from 8:00 a.m. to 5:00 p.m., Monday thru Friday. After hours customer services may be arranged on an appointment-only basis; and

WHEREAS, Pepe's Towing provides 24-hour roadside towing services, tire changes, fuel delivery, lock-out, and police storage services every day of the week. Vehicles from Ontario Police Department, Chino Hills Sheriff Department, Rancho Cucamonga California Highway Patrol (CHP), as well as vehicles within a 10-mile radius will also be towed to the subject location; and

WHEREAS, tow vehicles will have access to the facility on a 24 hour basis, every day of the week. Three tow vehicles will be used by the business, including flatbed and wheel-lift trucks to accommodate automobiles, vans, and light trucks, and a heavy-duty truck to accommodate tractor trucks; and

WHEREAS, the Applicant submitted an updated Noise Assessment prepared by Rincon Consultants (dated July 6, 2020) to include noise generated during typical tow-related activities. The initial Noise assessment (Rincon Consultants, dated April 8, 2020) only analyzed noise levels from the proposed truck wash facility. The Noise Assessment concluded that the proposed tow operations and truck wash facility will not generate noise levels beyond the City's allowed noise levels for the adjacent residential zones to the west, south and east of the Project site. Per the Ontario Municipal Code Noise Ordinance (Ontario Municipal Code Title 5, Chapter 29 (Noise), commencing with Section 5-29.01), the maximum exterior noise level allowed within residential zoning districts is 65 decibels (dBA), between the hours of 7:00 a.m. to 10:00 p.m. According to the Noise Assessment,

the exterior noise level generated by the truck wash area will not exceed 59 dBA, the daytime tow operations would not exceed 55 dBA and the nighttime tow operations would not exceed 44 dBA. Therefore, the proposed outdoor truck washing and tow activities will comply with the City's maximum allowed exterior noise level for residential zoning districts and are not anticipated to adversely affect the adjacent residents; and

WHEREAS, on May 26, 2020, the Planning Commission approved the proposed Project, subject to conditions. Subsequently, the project was appealed to City Council on June 5, 2020; and

WHEREAS, on July 7, 2020, the City Council held a Public Hearing to hear the appeal and recommended that the project return to Planning Commission to provide the Commission the opportunity to review new project information presented by the applicant, regarding the operation of the towing facility; and

WHEREAS, the applicant submitted updated information for the towing operation, including a Health Risk Assessment (HRA). The HRA prepared by the Ganddini Group (dated February 15, 2021) analyzed the potential impacts from the proposed Tow Yard Facility and concluded that the proposed Project will not impose significant health impacts on the surrounding environment; and

WHEREAS, a notice was mailed on March 18, 2021, to all property owners beyond 500-feet radius of the Project site, in both English and Spanish. The intent of the notification was to inform the surrounding residents and property owners of the proposed Project Area and to address questions and/or concerns they may have regarding the Project; and

WHEREAS, on March 30, 2021, the Planning Department hosted a virtual Zoom Community meeting for Pepe's Towing Project. The purpose of the community meeting was to present the community with the proposed project and the new information provided by the applicant and to gather the community's input and comments. The community meeting was held in both English and Spanish; and

WHEREAS, in order to help residents that did not have access to a computer, the Dorothy Quesada Community Center was provided as a location to view and participate in the virtual Zoom meeting. Planning Department staff were on hand to provide Spanish translation assistance and ensure that proper social distancing measures were followed. A total of 10 people attended the meeting at the Quesada Community Center and 18 people logged on to the virtual Zoom meeting; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"); and

WHEREAS, the Project is exempt from CEQA pursuant to a categorical exemption (listed in CEQA Guidelines Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission 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 May 18, 2020, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision DAB20-023, recommending the Planning Commission approve the Application; and

WHEREAS, on May 26, 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 approve Decisions PC20-023 and PC20-024; and

WHEREAS, the project was appealed to City Council on June 5, 2020; and

WHEREAS, on July 7, 2020, the City Council held a Public Hearing to hear the appeal. After the applicant and community testimony, the City Council recommended that the project return to Planning Commission to provide the Commission the opportunity to

review new project information presented by the applicant, regarding the operation of the towing facility; and

WHEREAS, on May 25, 2021, the Planning Commission of the City of Ontario conducted a hearing to reconsider the Project with new project information, 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 decision-making 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 administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines and meets each of the following conditions: (a) the Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations; (b) the proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; (c) the Project site has no value as habitat for endangered, rare, or threatened species; (d) approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) the Project site can be adequately served by all required utilities and public services; and

(3) The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

(4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2: ***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 Planning Commission finds that based on

the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 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 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 scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.*** The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the IL (Light Industrial) zoning district, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. Furthermore, the proposed outdoor automobile storage yard (tow yard) will be established and operated consistent with the objectives and purposes, and development standards and guidelines, of the IL (Light Industrial) zoning district; and

(2) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, 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 industrial building and outdoor automobile storage yard (tow yard) will be located within the industrial land use district of the Policy Plan Land Use Map, and the IL (Light Industrial) zoning district. The development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan. The proposed facility will provide infrastructure compatibility and will be aesthetically pleasing and in context with the community character (LU2-6). Furthermore, the proposed facility is consistent with City Council goals, such as: invest in the growth and evolution of the City's Economy, and focus resources in Ontario's commercial and residential neighborhoods; and

(3) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code and any applicable specific plan or planned unit development.*** The proposed outdoor automobile storage yard (tow yard) is located within the Industrial land use district, and the IL (Light Industrial) zoning district, and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use is consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code and IL (Light Industrial) zoning district. The proposed outdoor automobile storage yard (tow yard) and industrial building will be located on the southeast corner of the Project site and adjacent to the Southern Pacific Railroad. The towing yard area will be screened by 10-foot landscaping and an 8-foot tall, decorative split-face block wall, which will screen the towing yard parking area from public view; and

(4) ***The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: (a) the purposes of the Development Code are maintained; (b) the Project will not endanger the public health, safety or general welfare; (c) the Project will not result in any significant environmental impacts; and (d) the Project will be in harmony with the surrounding area in which it is proposed to be located.

SECTION 5: ***Planning Commission Action.*** Based on the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby

APPROVES the Application, subject to each and every condition set forth in the Department reports included as "Attachment A" and incorporated herein by this reference.

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. The records are available for inspection by any interested person, upon request.

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 May 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Rick Gage
Planning Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary of 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 PC No. PC21-041, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on May 25, 2021, by the following roll call vote, to wit:

AYES: DeDiemar, Gage, Gregorek, Lampkin, Ricci, Willoughby

NOES: None

ABSENT: None

ABSTAIN: None

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PCUP18-021
Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)

City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department
Land Development Division
Conditions of Approval

Meeting Date: May 25, 2021

File No: PCUP18-021

Related Files: PDEV18-022

Project Description: A Conditional Use Permit (File No. PCUP18-021) to establish and operate a towing service and short-term storage of automobiles, vans, light trucks, and tractor trucks on 3.1 acres of land located at 580 East Belmont Street, within the IL (Light Industrial) zoning district (APNs: 1049-491-01, 1049-491-02 and 1049-491-03); **submitted by Four Sisters Enterprises LLC.**

Prepared By: Denny D. Chen, Associate Planner
Phone: 909.395.2424 (direct)
Email: dchen@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 Time Limits.

(a) Conditional Use Permit approval shall become null and void two years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director, except that a Conditional Use Permit approved in conjunction with a Development Plan shall have the same time limits as said Development Plan. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.3 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.5 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

2.6 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

2.7 Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

2.8 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

2.9 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noise levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.10 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines and meets all of the following conditions:

(i) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;

(ii) The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;

(iii) The project site has no value as habitat for endangered, rare, or threatened species;

(iv) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and

(v) The Project site can be adequately served by all required utilities and public services.

2.11 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.

2.12 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Exemption ("NOE") 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 against the Project.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.13 Additional Requirements.

(a) A final site inspection shall be required from the Planning Department prior to the grant of an Occupancy Permit for the proposed building, by the Building Department.

(b) The business shall obtain and maintain an active City Business License.

(c) All applicable Conditions of Approval from other City departments shall be met and addressed by the applicant.

(d) The Conditional Use Permit is subject to all applicable provisions of the City's Rotational Towing Services Ordinance No. 3008.

(e) No access to or from the Project site shall be taken from Sultana Avenue, excepting for emergency vehicle access only. Furthermore, no access to or from the Project site shall be taken from Phillips Street.

(f) All tow trucks entering and exiting the Project site shall utilize as the primary route, Belmont Street by way of Campus Avenue. Additionally, tow trucks shall not use Sultana Avenue, Monterey Avenue, or Phillips Street to access the Project site.

(g) All tow vehicles entering and maneuvering towed vehicles on-site, shall turn-off the truck's back-up beeper/vehicle's back-up alarm and revolving safety lights after 8:00 p.m., in order to control additional noise generated by tow trucks.

(h) Normal business office hours of operation shall be from 8:00 a.m. to 5:00 p.m., Monday thru Friday. After hours customer services may be arranged on an appointment-only basis.

(i) The above ground fuel tank shall be relocated to the northeast area of the site to a more appropriate location across from the exiting industrial development, subject to Planning Department review and approval.

(j) Three types of tow-vehicles shall be used by the business, limited to flatbed and wheel-lift trucks to accommodate automobiles, vans, and light trucks, and one heavy-duty tow truck to accommodate tractor trucks.

(k) The business activities for which the Conditional Use Permit has been granted shall not commence until an Occupancy Permit has been issued by the Building Department for the proposed building and all required on-site improvements have been completed to the satisfaction of the Planning Director and Building Official, and all off-site improvements have been completed to the satisfaction of the City Engineer.

ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Information Technology & Management Services Department Conditions incorporated)

☒ DEVELOPMENT PLAN ☐ OTHER	☐ PARCEL MAP ☐ TRACT MAP ☐ FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PDEV18-022 **RELATED FILE NO(S). PCUP18-021**	
☐ ORIGINAL ☒ **REVISED: 5/6/21**	

CITY PROJECT ENGINEER & PHONE NO: Jesus Plasencia, (909) 395-2128

CITY PROJECT PLANNER & PHONE NO: Denny Chen, (909) 395-2424

DAB MEETING DATE: May 18, 2020

PROJECT NAME / DESCRIPTION: A Development Plan to construct a 6,870 square foot industrial building in conjunction with a CUP to establish and operate a towing service on 3.1 acres of land.

LOCATION: 580 East Belmont Street

APPLICANT: Four Sisters Enterprises, LLC

REVIEWED BY:

Raymond Lee — 5/10/21

Raymond Lee, P.E.
Assistant City Engineer — Date

APPROVED BY:

5-11-21

Khoi Do, P.E.
City Engineer — Date

THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, APPLICANT SHALL:

			Check When Complete
☐	1.01	Dedicate to the City of Ontario, the right-of-way, described below: _____ feet on _____ Property line corner 'cut-back' required at the intersection of _____ and _____.	☐
☐	1.02	Dedicate to the City of Ontario, the following easement(s): _____ _____	☐
☐	1.03	Restrict vehicular access to the site as follows: _____	☐
☐	1.04	Vacate the following street(s) and/or easement(s): _____	☐
☐	1.05	Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.	☐
☐	1.06	Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.	☐
☐	1.07	For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at *http://tceplumecleanup.com/*), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this 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?global_id=T10000004658*.	☐
☐	1.08	File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement. (1) _____ (2) _____	☐
☐	1.09	Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.	☐

☐ 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater. ☐

☐ 1.11 Provide a preliminary title report current to within 30 days. ☐

☐ 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process. ☐

☐ 1.13 New Model Colony (NMC) Developments: ☐

☐ 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.

☐ 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).

☐ 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).

☐ 1.14 Other conditions: _____ ☐

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

A. GENERAL
(Permits includes Grading, Building, Demolition and Encroachment)

☐ 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code. ☐

☐ 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office. ☐

☐ 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per_____. ☐

☐ 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of_____. ☐

☒ **2.05 Apply for a: ☒ Conforming Grant Deed; ☒ Lot Line Adjustment** ☐

☒ Make a Dedication of Easement (see Condition 2.11)

☐ 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. ☐

☐ 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at http://tceplumecleanup.com/), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this 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?global_id=T10000004658. ☐

☒ **2.08 Submit a soils/geology report.** ☐

☒ **2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:** ☐

- ☐ State of California Department of Transportation (Caltrans)
- ☐ San Bernardino County Road Department (SBCRD)
- ☐ San Bernardino County Flood Control District (SBCFCD)
- ☐ Federal Emergency Management Agency (FEMA)
- ☐ Cucamonga Valley Water District (CVWD) for sewer/water service
- ☐ United States Army Corps of Engineers (USACE)
- ☐ California Department of Fish & Game
- ☐ Inland Empire Utilities Agency (IEUA)
- ☒ **Other: Union Pacific Railroad (UPRR): For proposed improvements in UPRR right-of-way.**

☒ **2.10 Dedicate to the City of Ontario the right-of-way described below:** ☐

1. **33 feet north of centerline on Phillips Street along the project frontage.**
2. **Property line corner 'cut-back' required at the intersection of Sultana Avenue and Belmont Street.**
3. **Property line corner 'cut-back' required at the intersection of Sultana Avenue and Phillips Street.**

☒ **2.11 Dedicate to the City of Ontario the following easement(s) only if necessary:** ☐

1. **Sidewalk easement behind the proposed drive approaches located along Sultana Avenue and Belmont Street.**

☐ 2.12 New Model Colony (NMC) Developments: ☐

☐ 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.

☐ 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.

☐ 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall.

☒ **2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.** ☐

☒ **2.14** **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.** ☐

☒ **2.15** **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately $69,139, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.** ☐

☒ **2.16** **Other conditions:** ☐

1. **The applicant/developer shall process a Lot Line Adjustment and a Conforming Grant Deed in order to consolidate the site into one (1) parcel and render the subject property as a recognized parcel in the City of Ontario. The Lot Line Adjustment and Conforming Grant Deed shall be recorded prior to issuance of a building permit.**

B. PUBLIC IMPROVEMENTS
(See attached Exhibit 'A' for plan check submittal requirements.)

☐

☒ **2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):**

Improvement	Phillips Street	Sultana Avenue	Belmont Street	Monterey Avenue
Curb and Gutter	☒ **New; 20 ft. from C/L north** ☐ Replace damaged ☐ Remove and replace	☒ **New; 18 ft. from C/L** ☐ Replace damaged ☐ Remove and replace	☒ **New; 18 ft. from C/L** ☐ Replace damaged ☐ Remove and replace	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and replace
AC Pavement (see Condition 2.19)	☒ **Replacement** ☒ **Widen 18 feet from C/L north along frontage, including pavm't Transitions**	☒ **Replacement** ☐ Widen ____ additional feet along frontage, including pavm't transitions	☒ **Replacement** ☐ Widen ____ additional feet along frontage, including pavm't transitions	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Drive Approach	☐ New ☐ Remove and replace	☒ **New** ☐ Remove and replace	☒ **New** ☒ **Remove and replace**	☐ New ☐ Remove and replace
Sidewalk	☒ **New** ☐ Remove and replace	☐ New ☒ **Remove and replace**	☐ New ☒ **Remove and replace**	☐ New ☐ Remove and replace
ADA Access Ramp	☒ **New** ☐ Remove and replace	☒ **New** ☐ Remove and replace	☒ **New** ☐ Remove and replace	☐ New ☐ Remove and replace
Parkway	☒ **Trees** ☒ **Landscaping (w/irrigation)**	☒ **Trees** ☒ **Landscaping (w/irrigation)**	☒ **Trees** ☒ Landscaping (w/irrigation)	☐ Trees ☐ Landscaping (w/irrigation)
Raised Landscaped Median	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
Fire Hydrant	☒ **New / Upgrade** ☐ Relocation	☐ New / Upgrade ☐ Relocation	☒ **New / Upgrade** ☐ Relocation	☐ New / Upgrade ☐ Relocation

Sewer (see Sec. 2.C)	☐ Main ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☒ **Lateral**	☐ Main ☐ Lateral
Water (see Sec. 2.D)	☐ Main ☐ Service	☐ Main ☐ Service	☒ **Main** ☒ **Service**	☐ Main ☐ Service
Recycled Water (see Sec. 2.E)	☐ Main ☐ Service	☐ Main ☐ Service	☐ Main ☐ Service	☐ Main ☐ Service
Traffic Signal System (see Sec. 2.F)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Traffic Signing and Striping (see Sec. 2.F)	☒ **New** ☐ Modify existing	☒ **New** ☐ Modify existing	☒ **New** ☐ Modify existing	☐ New ☐ Modify existing
Street Light (see Sec. 2.F)	☒ **New / Upgrade** ☐ Relocation	☒ **New / Upgrade** ☐ Relocation	☒ **New / Upgrade** ☐ Relocation	☐ New / Upgrade ☐ Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Storm Drain (see Sec. 2G)	☐ Main ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☐ Lateral
Fiber Optics (see Sec. 2K)	☒ **Conduit / Appurtenances**	☒ **Conduit / Appurtenances**	☒ **Conduit / Appurtenances**	☐ Conduit / Appurtenances
Overhead Utilities	☐ Underground ☐ Relocate	☐ Underground ☒ **Relocate(1)**	☒ **Underground** ☐ Relocate	☐ Underground ☐ Relocate
Removal of Improvements	**Remove existing metal poles and fences**			
Other Improvements				

Specific notes for improvements listed in item no. 2.17, above:

1. **Relocate existing power poles as needed to accommodate the construction of curb & gutter along the project frontage.**

☐ 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): ☐

☒ **2.19 Reconstruction of the full pavement structural section on Phillips Street, Sultana Avenue, and Belmont Street, per City of Ontario Standard Drawing number 1011, is required unless a grind and overly is recommended by the soils engineer based on the existing pavement conditions.** ☐

Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.

☐ 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide ☐ water service ☐ sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid. ☐

☒ **2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892).** ☐

☐ 2.22 Other conditions: _____ ☐

C. SEWER

☒ **2.23 An 8-inch sewer main is available for connection by this project in Belmont Street. (Ref: Sewer plan bar code: S12680)** ☐

☐ 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away. ☐

☐ 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer. ☐

☒ **2.26 Other conditions:** ☐

1. **The Occupant of the building shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply with all the requirements of their Wastewater Discharge Permit. Requirements of Wastewater Discharge Permit may include, but not limited to including: possibly installing a monitoring manhole, clarifier, or other sewer pretreatment equipment.**

D. WATER

☐ 2.27 A _____inch water main is available for connection by this project in _____ (Ref: Water plan bar code: _____) ☐

☐ 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away. ☐

☒ **2.29 Other conditions:** ☐

1. **Replace the existing 4" water line in Belmont, between Sultana and Monterey, with a new 12". All existing appurtenances shall be reconnected to the new 12" main via the installation of new service laterals (no coupling) from main to appurtenance. Upgrade any/all hydrants with breakaway check valve per City standards.**
2. **Install one fire hydrant on the north side of Phillips Street (south side of property), connecting off the 1074 PZ water line, fronting the property.**

E. RECYCLED WATER

☐ 2.30 A _____inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code:_____) ☐

☐ 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project. ☐

☐ 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant. ☐

☐ 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval. ☐

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.

☐ 2.34 Other conditions: _____ ☐

F. TRAFFIC / TRANSPORTATION

☐ 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer: ☐

1. On-site and off-site circulation
2. Traffic level of service (LOS) at 'build-out' and future years
3. Impact at specific intersections as selected by the City Engineer

☐ 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877. ☐

☒ **2.37 Other conditions:** ☐

1. **The applicant/developer shall be responsible to design and construct the following streets to their ultimate half-width along the project frontage:**
   - **Sultana Avenue (66'R/W, 36' C/C)**
   - **Belmont Street (66' R/W, 36' C/C)**
   - **Phillips Street (66' R/W, 40' C/C)**

   Improvements shall include, but not be limited to, concrete curb and gutter, sidewalk, LED street lights, landscaped parkways, signing & striping, and necessary pavement transitions as deemed necessary by the City Engineer.

2. **The Applicant/Developer shall be responsible to design and construct in-fill public street lights along the property frontages of Sultana Avenue, Belmont Street and Phillips Street, in accordance with the Traffic and Transportation Design Guidelines Section 1.4 Street Light Plans, City of Ontario Standard Drawing No. 5101, and to the satisfaction of the City Engineer.**

3. **Driveways shall be designed and constructed in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveway Approach.**

4. **Property frontages along Sultana Avenue, Belmont Street, Phillips Street and Monterey Avenue shall be signed "No Parking Anytime."**

5. **Proposed gates on Belmont Street shall remain open at all times during business hours.**

6. **The applicant/developer's engineer-of-record shall meet with City Engineering staff prior to starting signing/striping and/or street lighting design.**

7. **The applicant/developer shall obtain all rights-of-way necessary to construct all required improvements.**

8. **All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.**

G. DRAINAGE / HYDROLOGY

☐ 2.38 A _____inch storm drain main is available to accept flows from this project in _____. ☐
(Ref: Storm Drain plan bar code:_____)

☒ **2.39** **Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.** ☐

☒ **2.40** **An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100-year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.** ☐

☐ 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project. ☐

☐ 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program. ☐

☒ **2.43** **Other conditions:** ☐

1. **The applicant/developer shall pay an in-lieu fee for future storm drain in Sultana Avenue along project frontage valued at $75,454.**

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

☐ 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130. ☐

☒ **2.45** **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: http://www.sbcounty.gov/dpw/land/npdes.asp.** ☐

☐ 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning. ☐

☒ **2.47** **Other conditions:** ☐

1. **Activities resulting in land disturbance of one acre or more is required to obtain coverage under the Construction General Permit (CGP). The owner is the legally responsible person (LRP) of the site and shall have a Stormwater Pollution Prevention Plan (SWPPP) developed and submitted through the SMARTS website at https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.xhtml**

J. SPECIAL DISTRICTS

☐ 2.48 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Financial Services Department at (909) 395-2353 to initiate the CFD application process. ☐

☐ 2.49 Other conditions: _____ ☐

K. FIBER OPTIC

☒ **2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole if within close proximity. If there is no OntarioNet handhole, conduit infrastructure shall terminate at either end of project frontage in a handhole.** ☐

☒ **2.51 Refer to the City's Fiber Optic Master Plan and other related documents on the City website for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, for more information regarding the requirement to install fiber optic improvements.** ☐

L. Solid Waste

☐ 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: ☐

http://www.ontarioca.gov/municipal-utilities-company/solid-waste

☒ **2.53 Other conditions:** ☐

1. **Prior to approval of the any building permits, the Conceptual Solid Waste Handling Plan needs to be updated and converted into a Final Solid Waste Handling Plan Sheet and shall be submitted accompanying the Precise Grading Plan Submittal to the City/OMUC for review and approval. See "Solid Waste Handling Plan (SWHP) Requirements" document for details.**
2. **The applicant shall submit an Integrated Waste Management Report for review and approval with the Precise Grading Plan. This report shall address the management of all integrated waste (Refuse, Recycling, Organics, etc.). The IWMR shall demonstrate compliance with the "Integrated Waste Management Report Requirements" document.**

3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

☒ **3.01** **Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.** ☐

☐ 3.02 Complete all requirements for recycled water usage. ☐

☐ 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.

☐ 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.

☐ 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.

☒ **3.03** **The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.** ☐

☐ 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals. ☐

☒ **3.05** **Confirm payment of all Development Impact Fees (DIF) to the Building Department.** ☐

☒ **3.06** **Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studie and reports (i.e. hydrology, traffic, WQMP, etc.).** ☐

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

☒ **4.01** **Complete all Conditions of Approval listed under Sections 1-3 above.** ☐

☒ **4.02** **Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.** ☐

☒ **4.03** **The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall include a completed Acceptance and Bond Release Checklist, state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process** ☐

☒ **4.04** **Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.** ☐

EXHIBIT 'A'

ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist

Project Number: PDEV18-022

The following items are required to be included with the first plan check submittal:

1. ☒ **A copy of this check list**
2. ☒ **Payment of fee for Plan Checking**
3. ☒ **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. ☒ **One (1) copy of project Conditions of Approval**
5. ☒ **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6. ☐ Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
7. ☒ **Three (3) sets of Public Street improvement plan with street cross-sections**
8. ☐ Three (3) sets of Private Street improvement plan with street cross-sections
9. ☒ **Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)**
10. ☐ Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)
11. ☐ Four (4) sets of Public Sewer improvement plan
12. ☐ Five (5) sets of Public Storm Drain improvement plan
13. ☒ **Three (3) sets of Public Street Light improvement plan**
14. ☒ **Three (3) sets of Signing and Striping improvement plan**
15. ☒ **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
16. ☒ **Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)**
17. ☐ Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.
18. ☒ **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
19. ☒ **One (1) copy of Hydrology/Drainage study**
20. ☒ **One (1) copy of Soils/Geology report**
21. ☐ Payment for Final Map/Parcel Map processing fee

22. ☐ Three (3) copies of Final Map/Parcel Map

23. ☐ One (1) copy of approved Tentative Map

24. ☒ One (1) copy of Preliminary Title Report (current within 30 days)

25. ☐ One (1) copy of Traverse Closure Calculations

26. ☐ One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.

27. ☐ Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use.

28. ☒ **Other: Update the sewer improvement plan for Belmont Street to show the proposed service connection to the project site.**

CITY OF ONTARIO
LANDSCAPE PLANNING DIVISION
303 East "B" Street, Ontario, CA 91764

CONDITIONS OF APPROVAL

Sign Off

Jamie Richardson, Sr. Landscape Planner — 2/13/20 Date

Reviewer's Name: **Jamie Richardson, Sr. Landscape Planner**
Phone: **(909) 395-2615**

D.A.B. File No.: PDEV18-022 Rev 4
Case Planner: Denny Chen

Project Name and Location:
Pepe's Towing
554 E Belmont St.

Applicant/Representative:
Howard Parcell Company
4854 Main St
Yorba Linda, CA 92886

☒	**A Preliminary Landscape Plan (dated 2/13/20) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.**
☐	**A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.**

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE

PREVIOUS COMMENTS – 11/13/19

Civil/ Site Plans

1. The tree inventory identifies 48" of trunk diameter to be mitigated; Schinus mole No. 14.
   a. New 15 gallon trees min 1" diameter trunk, in addition to trees required; total of 48 trees.
   b. New 24" box trees min 1.5" diameter trunk, in addition to trees required; total of 32 trees
   c. Upsizing trees on the plan one size larger such as 15 gallon to 24" box, or 24" to 36" box size.
   d. Monetary valve of the trees removed as identified in the "Guide for Plant Appraisal", approved certified arborist plant appraiser, or may be equal to the value of the installation cost of planting, fertilizing, staking and irrigating 15 gallon trees, (100$ each) to the City of Ontario Historic Preservation Fund for city tree planting or city approved combination of the above items; total of $4,800.
2. Show transformers and backflow devices located in planter areas and set back 4' from paving; dimension on plan. Locate on level grade. Coordinate with landscape plans.
3. ~~2/13/20 Spoke with Mr. George Estrada over the counter; locate the wall at the Belmont entry of the tow yard so the landscape planter is in the public parking lot. Provide an employee break area on the inside of the tow yard adjacent to the 4 public parking spaces include a table and/or bench and 2 broad canopy shade trees such as Platanus racemosa 24" box. Provide irrigation to trees and mulch.~~ 3/12/20 updated plans received. Condition has been addressed.

Landscape Plans

4. Locate light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans

CITY OF ONTARIO
MEMORANDUM

Development Plan Review

Project: PDEV18-022 (PCUP18-021) Date: February 13th, 2020

Location: 554 East Belmont Street By: Nathan Kuan

The following shall become conditions of approval for the project.

Conditions:

1. The applicant/developer shall be responsible to design and construct the following streets to their ultimate half-width along the project frontage:
   - Sultana Avenue (66'R/W, 36' C/C)
   - Belmont Street (66' R/W, 36' C/C)
   - Phillips Street (66' R/W, 40' C/C)

   Improvements shall include, but not be limited to: concrete curb and gutter, sidewalk, LED street lights, landscaped parkways, signing & striping, and necessary pavement transitions as deemed necessary by the City Engineer.

2. The Applicant/Developer shall be responsible to design and construct in-fill public street lights and service pedestals along the property frontages of Sultana Avenue, Belmont Street and Phillips Street, in accordance with the Traffic and Transportation Design Guidelines Section 1.4 Street Light Plans, City of Ontario Standard Drawing No. 5101, and to the satisfaction of the City Engineer.

3. Driveways shall be designed and constructed in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveway Approach.

4. Property frontages along Sultana Avenue, Belmont Street, Phillips Street and Monterey Avenue shall be signed "No Parking Anytime."

5. Proposed gates on Belmont Street shall remain open at all times during business hours.

6. The applicant/developer's engineer-of-record shall meet with City Engineering staff prior to starting signing/striping and/or street lighting design.

7. The applicant/developer shall obtain all rights-of-way necessary to construct all required improvements.

8. All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.

nk;

CITY OF ONTARIO
MEMORANDUM

TO: PLANNING DEPARTMENT, Denny Chen

FROM: BUILDING DEPARTMENT, Kevin Shear

DATE: June 11, 2019

SUBJECT: PDEV18-022

☒ The plan **does** adequately address the departmental concerns at this time.

☐ No comments

☒ Report below.

Conditions of Approval

1. See previous report for Conditions.

KS:lr

CITY OF ONTARIO
MEMORANDUM

TO: PLANNING DEPARTMENT, Denny Chen

FROM: BUILDING DEPARTMENT, Kevin Shear

DATE: June 27, 2018

SUBJECT: PDEV18-022

☒ The plan **does** adequately address the departmental concerns at this time.

- ☐ No comments
- ☒ Report below.

Conditions of Approval

1. The site address for this project will be 580 E Belmont St.
2. The lot lines are to be removed.

KS:lm

CITY OF ONTARIO
MEMORANDUM

TO: **Denny Chen, Associate Planner**
Planning Department

FROM: **Paul Ehrman, Deputy Fire Chief/Fire Marshal**
Fire Department

DATE: **July 6, 2018**

SUBJECT: **PDEV18-022 - A Development Plan to construct a 6,660-square foot industrial building on 3.01 acres of land located at the southwest corner of Belmont Street and Monterey Avenue, at 554 East Belmont Street, within the IL (Light Industrial) zoning district (APNs: 1049-491-01, 1049-491-02 and 1049-491-03). Related File: PCUP18-021**

☒ The plan **does** adequately address Fire Department requirements at this time.

☒ Standard Conditions of Approval apply, as stated below.

SITE AND BUILDING FEATURES:

A. 2016 CBC Type of Construction: V

B. Type of Roof Materials: Ordinary

C. Ground Floor Area(s): 5,460 Sq. Ft.

D. Number of Stories: 2

E. Total Square Footage: 6,660 Sq. Ft.

F. 2016 CBC Occupancy Classification(s): B, S

CONDITIONS OF APPROVAL:

1.0 GENERAL

☒ 1.1 The following are the Ontario Fire Department ("Fire Department") requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards ("Standards.") It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on "Fire Department" and then on "Standards and Forms."

☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.

☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.

☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.

☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.

☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.

☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.

☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services..

3.0 WATER SUPPLY

☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 2000 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.

☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.

☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finaled) before the building is enclosed.

5.0 BUILDING CONSTRUCTION FEATURES

☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.

☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.

☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.

☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.

☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

6.0 OTHER SPECIAL USES

☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.

☒ 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.

CITY OF ONTARIO
MEMORANDUM

TO: Denny Chen, Planning Department

FROM: Douglas Sorel, Police Department

DATE: July 26, 2018

SUBJECT: PDEV18-022 & PCUP18-021: A DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT TO ESTABLISH A TOW YARD AT 554 EAST BELMONT STREET

The "Standard Conditions of Approval" contained in Resolution No. 2017-027 and Ontario Development Code Section 5.03.310 apply. The applicant shall read and be thoroughly familiar with these conditions, including but not limited to, the requirements listed below.

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the building as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.
- The indoor storage of motor vehicles shall comply with all requirements of the fire and building codes.
- All vehicles stored outdoors shall be screened from public view by a minimum 8-foot high decorative masonry block wall.
- All vehicles stored shall comply with the requirements for the base zoning district.

In addition to the Standard Conditions, the Ontario Police Department places the following conditions on the project:

- While the Applicant serves as a contracted Rotational Towing Service with the City of Ontario they shall comply with all terms of Title 4-19 of the Ontario Municipal Code and their current Professional Services Agreement with the City.

- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.
- Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated on the premises for more than 72 hours. Abatement shall take the form of removal, or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee's or management control so that it may be abated by the property owner and/or the City's graffiti team.

The Applicant is invited to contact Douglas Sorel at (909) 408-1873 with any question or concerns regarding these conditions.

AIRPORT LAND USE COMPATIBILITY PLANNING
CONSISTENCY DETERMINATION REPORT

ONTARIO AIRPORT PLANNING

Project File No.: PDEV18-022 & PCUP18-021

Address: 554 East Belmont Street

APN: 1049-491-01, 02 & 03

Existing Land Use: Vacant

Proposed Land Use: Development Plan and CUP to establish a tow yard and 6,600 SF 2-story industrial/warehouse building

Site Acreage: 3.01 ac

Proposed Structure Height: 33 FT

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Rudy Zeledon

Date: 7/30/18

CD No.: 2018-036

PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
☐ Zone 1	☐ 75+ dB CNEL	☐ High Terrain Zone	☐ Avigation Easement Dedication
☐ Zone 1A	☐ 70 - 75 dB CNEL	☑ FAA Notification Surfaces	☑ Recorded Overflight Notification
☐ Zone 2	☑ 65 - 70 dB CNEL	☑ Airspace Obstruction Surfaces	☐ Real Estate Transaction Disclosure
☐ Zone 3	☐ 60 - 65 dB CNEL	☑ Airspace Avigation Easement Area	
☐ Zone 4			
☐ Zone 5			

Allowable Height: 110 FT

The project is impacted by the following Chino ALUCP Safety Zones:

☐ Zone 1 ☐ Zone 2 ☐ Zone 3 ☐ Zone 4 ☐ Zone 5 ☐ Zone 6

Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: ☐ Exempt from the ALUCP ☐ Consistent ● Consistent with Conditions ☐ Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

See Attached Conditions

Airport Planner Signature: Lorena Mejia

CD No.: 2018-036

PALU No.: _____

PROJECT CONDITIONS

1. This project is located within Airspace Avigation Easement Area and is required to file and record an Avigation Easement with the Ontario International Airport Authority prior to obtaining a Certificate of Occupancy.

CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING

MINUTES

May 25, 2021

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CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING

MINUTES

May 25, 2021

REGULAR MEETING: City Hall, 303 East B Street
Called to order by Chairman Gage at 6:30 PM

COMMISSIONERS Present: Chairman Gage**,** Vice-Chairman Willoughby, DeDiemar, Gregorek, Lampkin, and Ricci

Absent: None

OTHERS PRESENT: Planning Director Zeledon, City Attorney Otto, Principal Planner Mercier, Sustainability Manager Ruddins, Senior Planner Ayala, Senior Planner Mejia, Associate Planner Aguilo, Associate Planner Antuna, Associate Planner Chen, Assistant City Engineer Lee, Fire Chief Gerken, Officer Paine, and Planning Secretary Berendsen

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Ricci.

ANNOUNCEMENTS

Mr. Zeledon stated that Item A-02 received a letter from Supporters' Alliance for Environmental Responsibility ("SAFER") withdrawing their previous comments regarding this project. He also stated that Items E & F are requesting to be continued to the June 22, 2021 meeting, to give the applicant time to address CEQA comments received by Supporters' Alliance for Environmental Responsibility ("SAFER"). He explained that Items C & D would be presented together, as well as Items G & H will be presented together.

Mr. Willoughby stated he would like to open and close tonight's meeting in honor and memory of Mr. James Downs, a past Commissioner, who served on this board for many years and was an advocate for the City of Ontario, who recently passed away.

Mr. Lampkin stated this is his first in person meeting and wanted to express his appreciation of the confidence in him to take on this position. He stated he didn't have the opportunity to work with Mr. Downs, and what he has discovered is that the people on the commission are very knowledgeable and know the direction the city would like to go in and he expressed his condolences to the Downs family and his thanks for this opportunity.

Mr. Gage stated he would like to open the historic part of this meeting in remembrance of Beverly Cleary, a well-known author, who has a historic connection to the city. He stated that she came to Ontario in 1934, to attend Chaffey Jr. College which was free at that time, where she mentioned in her memoirs, was where she found her passion for writing. He stated she lived in the College Park District and when she first arrived in Ontario and drove up Euclid Ave., she could smell the oranges.

PSPA20-006, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Lampkin, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

It was moved by Ricci, seconded by Gregorek, to adopt a resolution to approve the Tentative Tract Map, File No., PMTT20-012, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Lampkin, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

I. **ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV18-022 AND PCUP18-021:** A Development Plan (File No. PDEV18-022) to construct a 6,870 square foot industrial building in conjunction with a Conditional Use Permit (File No. PCUP18-021) to establish and operate a towing service and short-term storage of automobiles, vans, light trucks, and tractor trucks on 3.1 acres of land located at 580 East Belmont Street, within the IL (Light Industrial) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1049-491-01, 1049-491-02 and 1049-491-03) **submitted by Four Sisters Enterprises LLC.**

Principal Planner Mercier presented the staff report. He described the property and the surrounding area. He described the Land Use map in the Policy plan and the timeline history of the project. He described the site plan, accesses, landscape, the fuel tank location which in the COAs is requiring the fuel tank be moved away from the existing homes, floor plan, elevations, and perspective drawings. He described the proposed operations including office hours, customers service hours and towing hours, the vehicles being used, security and the contract with Ontario Police Department, including the current contract which would require special inspection of this facility and approval by PD. He explained the healthy risk assessment that was done, the traffic assessment comparing other options and the noise assessment that was completed. He described the notifications sent to the areas in English and Spanish and the community meetings and the issues brought forth at that meeting, including reduction of property value, safety concerns, location of the fuel tank, increased traffic, and the HRA being biased, and relocation of the project. He stated that staff is recommending the Planning Commission approve the Conditional Use Permit, File No. PCUP18-021, and the Development Plan, File No. PDEV18-022, pursuant to the facts and reasons contained in the staff report.

Ms. DeDiemar wanted to know with the property having an industrial land use since 1947, how did the residential get put there.

Mr. Zeledon stated the vacant land had the land use prior to construction of the residential and that was before the airport was developed but with the expansion of the airport those areas remain industrial because it is meant as a transition buffer area.

Ms. DeDiemar wanted to know if residents when they purchased their homes, were apprised to the abutment to industrial.

Mr. Zeledon stated that it's hard to tell, but most likely no, and explained that we currently have disclosures with new development regarding these issues, but that was not the case back when these homes were developed and they were probably not notified it was zoned industrial.

Ms. DeDiemar wanted to know if the property has always been vacant.

Mr. Zeledon stated there was a commercial industrial use project to the north, and then there was a development brought forward, but was never constructed and the property has been vacant since the late eighties or nineties.

Ms. DeDiemar wanted to clarify that there industrial there before and that this would be a second use.

Mr. Zeledon stated yes.

Mr. Willoughby wanted to clarify that 2 HRAs were done.

Mr. Zeledon stated just one HRA was done.

Mr. Willoughby wanted to clarify that the Fire Department had reviewed and approved the use of the fuel tank for this project.

Mr. Zeledon stated yes that Fire had looked at the fuel tank for the project and is recommending approval of it.

Mr. Willoughby wanted to know if they thought of making Phillips the access point, or was it a conscious effort to take the access off Belmont.

Mr. Zeledon stated having residential surrounding the project it made sense to have all the traffic off Belmont across from industrial to limit the impacts to the residential.

Mr. Willoughby wanted to clarify there would be restricted access off Sultana.

Mr. Zeledon stated that the project is conditioned that they would use Campus not Sultana.

Mr. Willoughby wanted to know how often train spur was used.

Mr. Zeledon stated that he doesn't have stats but it does stop on the intersections sometimes and it provides service to some of the other industrial uses in the area.

Mr. Lampkin wanted clarity regarding the community concerns about students walking back and forth from their residents to school, and what the area looks now and what it would look like if the project is approved, in regard to safety.

Mr. Zeledon stated the project would provide frontage improvements on Phillips Street, which aren't improved now, which would include landscape and 5 foot sidewalks, which would provide pedestrian connectivity and make a safer condition, as basically there is just dirt there now. He stated they would also have to improve the frontage along Belmont and Sultana.

Mr. Lampkin wanted to know if a property value assessment was done would they have to take into consideration the zoning and potential uses.

Mr. Zeledon stated we don't really get into property values, but typically when we get calls from brokers regarding the zoning on property, they take into account the potential uses and the zoning is also disclosed, but it's not being evaluating on the project going in right now, but the potential uses for the zoning.

Mr. Lampkin wanted to know if the industrial zoning was in place since 1947, was the light industrial

overlay in the area also placed there since 1947.

Mr. Zeledon stated no that the light industrial overlay is to the west of the property, because they are in the safety impact zone of the airport, but this property is in the noise impact area only and the overlay was put in with the General Plan update in 2010.

Mr. Lampkin wanted to clarify what the landscape coverage minimum requirement was.

Mr. Zeledon stated that for corner properties it is 15 percent.

Mr. Ricci wanted to know if the east side of property would have sidewalks put in as well.

Mr. Zeledon stated the portion between the project site and Monterey would remain the same, as there is a rail easement there.

Mr. Ricci wanted to know if the north side of Belmont is currently lighted.

Mr. Zeledon stated there is lighting on the north side, but the project will be required to update the lighting to meet the spacing requirements.

Mr. Ricci wanted to clarify that lighting would be improved all the way around the property.

Mr. Zeledon stated that is correct.

Mr. Gregorek wanted to know why the fuel tank would be above ground.

Mr. Zeledon stated that is a question for the applicant, but most likely because it is cheaper to put it above ground.

Mr. Lampkin wanted to know if any data was collected regarding calls for service from PD to the property in its current state.

Mr. Zeledon stated there is code case related incidents such as homelessness and illegal dumping to the property but nothing that he knows of relating to crime, however PD may be able to answer that question.

Ms. DeDiemar wanted to know who made the estimate of the number of trips.

Mr. Zeledon stated they had the applicant look at all his facilities and do an analysis of the average trip traffic, and our own traffic division came up with 34 per day for industrial use, but the analysis was done from actual data from the applicant.

Mr. Gage wanted to know why this project needs a CUP.

Mr. Zeledon stated that this is not an outright permitted use here, because of the nature of the use which could have impacts to the surrounding residents, and that any project would require a CUP because of noise, parking, hours of operation, or alcohol, and they look at all the impacts, and mitigate the impacts, rather than an outright permitted use.

Mr. Gage stated that City Council sent this back to the Planning Commission because of new information and wanted to know what that new information is.

Mr. Zeledon stated that when the applicant came in staff was given the hours of operation and the scope of the operation but when it went to City Council, the applicant provided new information regarding towing semi-trucks to the site and 24 hour operations, so City Council wanted it to come back to staff and

give a full picture of the operation and give the public the opportunity to comment on it, so that everything would be transparent with the project.

Mr. Willoughby wanted to clarify that a CUP gives the city more oversight on the operations, because there are certain conditions assigned to them.

Mr. Zeledon stated that is correct.

PUBLIC TESTIMONY

Mr. Manny Acosta, the applicant with Pepe's towing stated he is excited about this project, to be able to service the Police Department and the citizens and he is here to answer any questions.

Ms. DeDiemar wanted to know why they were told this would be an 8-5 operation when that information was inaccurate.

Mr. Acosta stated the business hours are 8-5, for people to pick up their vehicles, but the towing service is always in service 24 hours, when working with law enforcement agencies and that it was a misunderstanding between office and towing hours.

Ms. DeDiemar wanted to how would the commission know that.

Mr. Acosta stated it was a miss-interpretation.

Mr. Willoughby wanted to know if the towing trucks would be stationed here all day or are they stationed other places around town, to get an idea of truck trips.

Mr. Acosta stated that they stage the trucks throughout the city for response time, as they pride themselves on responding quickly, so as not to keep the officers waiting.

Mr. Willoughby wanted to clarify that they would not be coming in and out of the tow yard unless they were dropping off a vehicle.

Mr. Acosta stated that is correct.

Mr. Willoughby wanted to clarify that the trip generation information supplied was based on their other tow yards.

Mr. Acosta stated yes, and that they rely on the traffic studies done, and he believes there were two risk assessment studies done and both came back favorable to low traffic in the area.

Mr. Willoughby wanted to clarify that the towing of heavy equipment was very limited.

Mr. Acosta stated yes, it is very low.

Mr. Lampkin wanted to know why the fuel tank would be above ground.

Mr. Acosta stated it is an environmental concern to have them above ground and the cost well, but the tanks are so well built and they extremely safe and solid. He stated they have never had a problem with their other sites, and the Fire Department is hands on to make sure they stay safe and clean and diesel is not a combustible liquid, it is a lot safer.

Mr. Lampkin wanted to know during off hours what protocol would be put into effect to mitigate the

noise.

Mr. Acosta stated at night keep the trucks off sight and they won't use access except on Belmont, and diesel vehicle not as loud as they use to be and trucks are quiet.

Mr. Lampkin wanted to know if he had communicated with the community regarding their input on the site plan and architecture and if there was any landscaping by the railroad track and the brick wall on the east side elevation and why only 15% landscaping.

Mr. Acosta stated that they are just following the code.

Mr. Lampkin wanted to know if they have concerns regarding graffiti on that wall.

Mr. Acosta stated they take care of it immediately, and that some of the other yards get graffiti sometimes but they take care of it, and at the other sight in the city it is not a problem, and they have a lot of wall that runs along the railroad.

Mr. Ricci wanted to clarify that for sound mitigation there was a switch to turn off the backup beepers.

Mr. Acosta stated yes.

Mr. Ricci wanted to clarify that all the vehicles are diesel.

Mr. Acosta stated yes, they are all diesel.

Mr. Ricci wanted to know if they are newer models purchased after the EPA standards had changed.

Mr. Acosta stated they are all within five years, for all the trucks.

Mr. Gage wanted to know if noise mitigation had changed with the truck washing area.

Mr. Acosta stated there was a specific study done for this and it turned out low.

Mr. Gage wanted to know if the insurance allows for backup beeping to be turned off.

Mr. Acosta stated it has never been an issue with the insurance, they do it for their own safety, not an insurance requirement.

Mr. Gage wanted to know if they would have noise from dogs.

Mr. Acosta stated there would be no dogs on the property, they would have security.

Mr. Gage asked if he agreed to all the Conditions of Approval for the project.

Mr. Acosta stated yes.

Mr. Ricci asked if he was okay with the condition to move the fuel tank.

Mr. Acosta stated yes.

Mr. Willoughby wanted to clarify the color of the building.

Mr. Zeledon stated it would be the tan color the illustration of the 3D perspective was to give an idea of

the building and it would be more of an earth tone.

Mr. Acosta stated when we first applied all agencies sat together to discuss the project and the Police Department was part of that and they had no concerns, and we are in excellent standing with PD.
Mr. Zeledon stated there was a Spanish interpreter available.

Mr. Richard Galvez stated this is a beautiful project and something that would go well in every neighborhood in the city. He stated it's about the quality of life and the mission statement that states quality of life is what's important for the citizens. He stated when he moved here 1982 on Belmont by Bonview, that is the land that has been left behind by the city, from Belmont to Phillips those areas are an eye sore. He stated we need to look at what's best for the residents and that the applicant has 3 other areas that are already established, and those neighborhoods didn't get involved or where too scared to take on city hall, but we have to look at the quality of life that we want our residents to have throughout the city, and it be the same in all areas. He stated their properties are their investment and to bring a junk yard to their neighborhood, tells these residents that they haven't been forgotten and not bring projects that will bring death.

Wayna Gomez at 908 W. Elm St., stated she came to support the community and represent those that couldn't be here or were afraid to be here because of intimidation and retaliation from project attorneys and sometimes city officials, and she wants to represent the people of the community. She stated there are 3 schools in that neighborhood and all of us want our residents to live in a healthy community and have a quality of life. She stated where she lives, she wouldn't want a tow truck operation to come in and effect the property values and add noise and this is a community that has been forgotten. She stated this is not a bad project but it is not for this community that has homes in the area. She stated that she hoped the commission would think about our communities and about their health and safety and with what happened with the fireworks and having the chemicals there, and with the recycling nearby that has fires frequently, that's scary and could be dangerous. She stated these people should be able to have the same pride of ownership as anywhere else in the city. She stated that she heard Mr. Acosta talk about the improvements that are going to be done, but has anyone seen what the property looks like lately all overgrown and unkept, and someone owns the property now and who is going to make sure the promises of these modifications are kept up and why can't the city improve this residential area. She stated this is really an area that has been forgotten.

Celina Lopez at 3045 S. Archibald, brought her three year old daughter Halina, to talk about what she likes to do at the park. She stated her daughter likes walking in our area in South Ontario and we have beautiful parks and don't have to worry about a tow yard in our neighborhood. She stated that she lived about a mile away from this area and this is where our ancestors live and how they are being pushed away by unsafe projects and caved in by industrial projects, and they are the people who have built Ontario and have lived there for 40 -50 years and they can't fight the fight of a tow yard. She stated that she received a cease and desist order form Mr. Acosta's attorneys on February 23rd regarding two items: for saying peachy and an article she posted from the Daily Bulletin on social media, which is public record. She stated Mr. Acosta uses intimidation and that on March 30th he went to the residents and said he could build whatever he wanted and he intimidated the residents, and is this how projects get pushed forward. She stated we need to consider projects that are quality of life projects and that she advocates for anyone not having a quality of life. She stated they are not against this project, just not in this area. She stated that there has been the ability to change the zoning all this time and the city never did, and they did not explore other options, and the commissioners and the city have failed this community.

Rev. Mondo Miona lives on Third Ave., and stated he doesn't agree with this project and he has lived in city for over 25 year and they are building in the heart of the city of Ontario and he is disappointed with this, and with building warehouses on the east side and more commercial buildings close to this area. He stated he has his family here and enjoys this area and it's a healthy area, but not for this project. He stated he was working around the neighborhood and talking with the people and they don't know about this meeting and he told them what is being built here and most of the people don't know.

Marcela who lives on the corner of Fern and Phillips, wanted to come and express her support for the community, in opposition of the project and that she is an Ontario resident who loves everything about Ontario, loves the employees and the community members. She stated she is excited they want to expand their business, great city to have that business, and she wants their tax money in the city, but the location needs to be reconsidered. She stated that the trip analysis compared it to other kinds of projects, but it wasn't compared to green spaces which would be less, and expressed that the city has a 294 acre deficit of green parks and that people of color are three times more likely to live in an area that is nature deprived. She stated the need to develop projects that benefit our children and the generations of people that live there and reconsider and relocate. She wanted to know why a green space area can't be a transition between residential and industrial areas. She stated that diesel engines add to the production of damaging ozone that impacts trees and vegetation and we need to have something that will impact the city in a positive way, and think of other alternatives like art walls and parks would make more of a difference. She expressed the need for the Commissioners to choose Ontario and develop stuff that will enrich all of us. She stated she wanted to be a voice for those that couldn't stay.

Xochitl who resides in the area at Euclid and Walnut, was here to advocate for communication, but after hearing the people speak and not what people who live in the community want and these are pillars of the community and their voice needs to be heard. She stated this project isn't something for a community. She also questioned the trip numbers within a 24 hours period to the yard, and stated they need to be looked, because how is it a viable business with only just short of 3 trips, which doesn't make sense and she pointed out that it states the business hours are from 8-5, unless they make an appointment after hours and who's to stop them from making those appointments. She stated that with the project the community is going to get safer sidewalks and lights, but it only comes with a business being built and why isn't this being offered to the community as a standard of living, rather than with a business. She asked why isn't a project like the low income housing project presented earlier being offered and maybe a land swap could be made for housing in that area versus a tow yard and she believes there is more to be done and the environmental issues need to be looked at, especially the chemicals used to clean the fuel tank and see what it does to the water system, as we are in a well system in Ontario that could get contaminated very easily. She stated there is still more homework to be done and they need to find an alternative, maybe more housing and not a junk lot.

The applicant declined to rebut.

As there was no one else wishing to speak, Chairman Gage closed the public testimony

Mr. Lampkin asked the city attorney if we have a legal liability for not letting the property owner develop the property when they meet all the requirements.

Ms. Otto stated the city does have an obligation to allow a property owner to build on the property with

an allowable use, and there is a CUP involved and the commission could say they are not satisfied with the findings and there is no legal obligation, if the findings cannot be met.

Mr. Lampkin stated it was mentioned about utilizing the space for green space, and he wanted to know are there parks nearby and if there was a park space here who would maintain it.

Mr. Zeledon stated the property is zoned light industrial and to rezone that to open space is highly unlikely because of the airport impacts and the same thing with residential, and the only conducive uses are light industrial. He stated Bonview park is about a ¼ mile away and when the 2010 General Plan was done, we realized it is also impacted by noise from the airport. He stated this is not a land use issue but a zoning issue, but realistically going to commercial, open space, or residential would be difficult because of the airport impacts.

Mr. Lampkin wanted to clarify that residential would not go well because of the airport impacts.

Mr. Zeledon stated that is correct, and that as projects come through it is our job to make sure that they meet code and are safe and add value to the neighborhoods, and we try to get the most out of each project to add aesthetics and value to the community.

Mr. Lampkin thanked Officer Paine for his service and stated he wanted to know if PD has had issues with the property in its current state and would having a business there change that.

Officer Paine stated that the most typical calls would be for illegal dumping or trespassing.

Mr. Lampkin wanted to know if there was illegal dumping is there a cost to the city.

Officer Paine stated they would call it in to the city yard and they roll a crew out to clean the mess up.

Mr. Ricci wanted to clarify that diesel fuel has a higher flash point.

Chief Gerken stated that is correct it has a higher flash point of about 136 degrees Fahrenheit and is extremely safe, because it doesn't just ignite, like gasoline.

Mr. Ricci thanked him for their service with the fireworks incident.

Mr. Willoughby wanted to know if there is a pollution and containment plan for the diesel fuel if it leaks out.

Chief Gerken stated that above ground fuel tanks are regulated through the city with a permitting process as well as through the county agency that inspects the above ground storage units and has standards in place for accidental release and they must adhere to those standards.

Mr. Lampkin stated these decisions are difficult, especially when you have the residents that want what they want and there is a property owner that can build and there are rules that go with that. The city of Ontario has this history of zoning and we must look at that history as to why it is the way it is. He stated that his concern is the safety of what is there now, no sidewalks, railroad tracks with no safety features and the resident's concerns that we are trying to have conditions to mitigate those or the alternative of having nothing there and it's not safe as it is and it helps mitigate crime and dumping on an empty lot, that comes at the city's expense.

Mr. Gregorek stated it's a difficult decision but with the airport it has a great effect of what we can do and we have CUP to keep them inline and if they don't tow the line, we have recourse, and if there are violations being documented and it comes back and we need to revoke the CUP, we can and with the sidewalks and safety precautions going in, he would be in favor of this.

Mr. Willoughby stated that Bonview Park, the Dorothy Quesada Community Center and De Anza park are all in the area, and we would all like to see more parks but that takes money to maintain them. He stated we also have the FAA to deal with and if we knew what the airport area would become 74 years ago, we would most likely not have any homes there and as PD has mentioned there is illegal dumping that exists now. He stated with a CUP if the conditions aren't followed, we can always revoke the CUP. He stated that we want things to be run properly and this is a difficult decision, but an industrial project was approved in 2007 that would have generated a lot more trips and issues than this, and we have to make the hard decisions based upon zoning and the other requirements and issues regarding a piece of property.

Ms. DeDiemar stated the Planning Commission has to represent the residents and the community and the Planning Department has done an excellent job meeting the requirements and she was satisfied with how they have addressed the concerns of the residents, however she would have the same concerns if she lived there. She stated that going from vacant lot to something that will impact the community and even though the land use is permitted, there are things that the residents will never like or except and this is a very old use and probably two generations from the people who moved in next to that allowed land use and she is sympathetic to the concerns of the residents. She is troubled that they feel that nobody cares about their concerns, and if that were true there wouldn't be this meeting tonight and she has seen that Pepe's towing met the minimum requirements but doesn't see any good faith effort, to go beyond the minimum requirements, to address the concerns or to extend a hand to help the residents adjust to this use. She is asking the Planning Department if they can hold another meeting to see if they can work out some of these issues and to make the Planning Commission decision easier for everyone to accept.

Mr. Gage thanked the residents and apologized for its placement on the agenda and commended the Planning Department for having community meeting to get community input and the input and meetings and the effort to mitigate every concern the residents have. He stated he has a lot of concern when this many people come out, and he really listened to a lot of you and one person asked why there can't be curbs and landscape on a city street without a development, certainly in places without the developer paying for them. He stated with noise 8-5 operation by appt goes past those time and 24 hour basis for operation and haven't mitigated all the noise and certainly 2 tows a day is questionable and over the years CUPs are hard to stop and really find evidence to turn it around. He stated that he can't vote for this project

Mr. Ricci thanked the residents of the community for staying and being engaged and we want people to be passionate about these projects. He stated that while representing the community something that stuck with him was a project that came to us in August and looked like a really good project and really nice people, then it went back and forth and the community came out and spoke out against it and the applicant ended up writing a letter and stated they felt bullied by the community and withdrew their application. He expressed that he doesn't want us to be not excepting of a business owner that wants to expand his business and the planning department has done mitigation of what can be done to make this project better. He stated that everyone would like to have a park in their neighborhood, but we have an applicant that is willing to put in the infrastructure and incur the cost and unfortunately we are limited to what can be put there and yet if we put in more residential there would be more trips a day. He stated what he doesn't want to say that this is a property that he purchased and he isn't able to build. He stated he would love to see a park but not in standing with the airport use and people need to comprehend and understand what can go in here and turning down an applicant that is willing to incur the cost of making the neighborhood safer. He stated he would be in favor of the project.

Mr. Lampkin stated that he feels for the residents that came in today and the CUP if there are violations encourage residents to do what you can to engage and see residents start to have these conversations outside of these meeting to work with the business owners and work together.

Mr. Willoughby stated he would like to add that he has heard that this commission isn't interested in

certain parts of this community and this is his 11th year on the commission, and we are a committee that is concerned for every part of the city, there was another project that came in for this area but we didn't feel this was a fit and turned it down and when you look at the land use and codes and staff has done their due diligence to make it work with mitigations and this Commission and Council and Planning Department are concerned about every area of the city.

PLANNING COMMISSION ACTION

It was moved by Lampkin, seconded by Gregorek, to adopt a resolution to approve the Conditional Use Permit, File No., PCUP18-021, and the Development Plan, File No. PDEV18-022, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gregorek, Lampkin, Ricci, and Willoughby; NOES, Gage; RECUSE, none; ABSENT, none. The motion was carried 5 to 1.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee met on May 13, 2021. Model Colony Awards and Certificate of Appropriateness for the American Legion building.

Development Code Review (Ad-hoc): This subcommittee did not meet.

Zoning General Plan Consistency (Ad-hoc): This subcommittee did not meet.

New Business

None at this time.

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Mr. Zeledon stated the Monthly Activity Reports for April are in their packets.

ADJOURNMENT

Willoughby motioned to adjourn the meeting in memory of Commissioner Downs, seconded by Gregorek. The meeting was adjourned at 10:08 PM, to the next meeting on June 22, 2021.

Secretary Pro Tempore

Chairman, Planning Commission

CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **PUBLIC HEARINGS**
Department: City Manager's Office Prepared By: Charity Hernandez Staff Member Presenting: Jennifer McLain Hiramoto, Economic Development Director Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 21

SUBJECT: A PUBLIC HEARING TO CONSIDER THE SALE OF CITY OWNED PROPERTY IN ACCORDANCE WITH GOVERNMENT CODE SECTION 52201; MAKING CERTAIN FINDINGS; AND ADOPTION OF A RESOLUTION APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF ONTARIO AND DUKE REALTY, L.P.

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 Duke Realty, L.P. ("Developer") of Irvine, California (on file in 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 the property for a purchase price of $41,421,938. The sales price is supported by, and exceeds, the current fair market value as determined by an independent certified general appraiser. The revenue from the land sale proceeds will be deposited into the City's fund.

BACKGROUND & ANALYSIS: In May 2021, the City acquired approximately 16 acres of real property located 717-825 East State Street and 235 South Campus Avenue (a location map is provided for reference as Exhibit "A") for the purpose of redeveloping the dilapidated and underutilized industrial site. In recent years, the property has encountered building code violations and public safety issues, and acquiring the property would ensure that these blighting conditions no longer plague the area.

The property is located on the northeast corner of State Street and Campus Avenue and is designated as General Industrial.

The Developer is proposing to construct a modern-day industrial building estimated to be 327,700 square feet. The Developer will be required to build all 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 elimination of blighting conditions, redevelop the site into its

highest and best use, generate property tax revenue, produce new jobs (both permanent and temporary), stimulate economic vitality, and continue to inspire additional investment within the area.

EXHIBIT “A”

717-825 East State Street and 235 Campus Avenue

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF ONTARIO AND DUKE REALTY, L.P. FOR THE PURCHASE AND SALE OF CERTAIN REAL PROPERTY LOCATED AT 717-825 EAST STATE STREET AND 235 SOUTH CAMPUS AVENUE, ONTARIO.

WHEREAS, the City of Ontario ("City"), currently owns certain real property generally located at 717-825 East State Street and 235 South Campus Avenue, Ontario (APN 1049-111-01, 04, 05, 06 and 07) and more specifically described in Exhibit A attached to this Resolution and incorporated herein by this reference ("Property"); and

WHEREAS, the City opts to sell the Property to the Purchaser under the Economic Opportunity statutes (Government Code sections 52200 *et seq.*) (the "EO Statutes"); and

WHEREAS, the City and Purchaser have negotiated a Purchase and Sale Agreement (the "Agreement"). The Agreement provides for the sale of the Property at a fair market value price of $41,421,938; and

WHEREAS, on July 6, 2021 and July 13, 2021, the City published notice of the public hearing to consider the disposition of the Property pursuant to the Agreement; and

WHEREAS, Purchaser's proposed acquisition of the Property is in the best interest of the City and of the health, safety and welfare of its residents, and is in accordance with the public purposes set forth in applicable law. Approval of the Agreement will further the goals and objectives of the City's general plan and the goals and objectives of the City by selling land that is not being used by the City for potential development and economic opportunity by Purchaser.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ONTARIO 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. Findings. The City intends to sell the Property to Purchaser and, based on the Recitals and all other information and testimony provided, the City Council finds that the sale of the Property pursuant to the Agreement will further the goals and purposes of the City, by putting land that is not being used by the City into the hands of Purchaser for potential future development and economic opportunity. The sale of the Property will create economic opportunity by assisting in the elimination of blighting conditions, encouraging private investment, increasing availability of housing stock, and expanding the community's tax base and economic vitality.

SECTION 3. Hearing. In accordance with Government Code Section 52201, a duly noticed public hearing was held by the City Council on July 20, 2021.

SECTION 4. CEQA. The City's approval of the Agreement does not constitute approval by the City of any development of the Property or of other activity on the Property that would have a direct or reasonably foreseeable indirect environmental impact pursuant to CEQA. (See 14 C.C.R. §§ 15060(c); 15378(b).) Moreover, the Agreement and Purchaser's future use or development of the Property is expressly conditioned on CEQA compliance.

SECTION 5. Approval of Agreement. The City Council hereby approves the Agreement in substantially the form presented, subject to any non-substantive revisions which do not increase the City's liability and are approved by the City Attorney, and authorizes the City Manager to sign and enter into the Agreement and perform the obligations of the City under the Agreement.

SECTION 6. 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 declares that the City would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

SECTION 7. Effective Date. This Resolution shall become effective immediately upon its adoption.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT “A”

Description of the Property

717-825 East State Street and 235 South Campus Avenue

Assessor Parcel Nos: 1049-111-01, 04, 05, 06 and 07

CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **PUBLIC HEARINGS**
Department: Housing Prepared By: Katryna Gonzalez Staff Member Presenting: Scott Murphy, Executive Director Community Development Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 22

SUBJECT: A PUBLIC HEARING TO CONSIDER APPROVAL OF A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND TIPPING DEVELOPMENT, INC. FOR THE DEVELOPMENT OF A 39-UNIT HOUSING DEVELOPMENT AT 221 NORTH MOUNTAIN AVENUE

RECOMMENDATION: That the City Council ("City"):

1. Open the public hearing and receive testimony from the public regarding the proposed sale of the property located at 221 North Mountain Avenue ("Property");
2. Close the public hearing and, if any protest was received regarding the sale of the Property, overrule the protest by a 4/5 majority vote; and
3. Adopt the attached Resolution approving the Disposition and Development Agreement ("Agreement") related to the Property between the City of Ontario and Tipping Development, Inc. ("Developer") (on file in the Records Management Department) and authorize the City Manager or his designee to sign all documents necessary to implement the Agreement.

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

FISCAL IMPACT: The DDA provides for a sale of the Property at the appraised fair market value of $833,000. The sales price is supported by an independent appraisal completed by an MAI-certified appraiser.

BACKGROUND & ANALYSIS: The Property is located along Mountain Avenue south of D Street and consists of 1.23 acres (53,579 square feet) of vacant land. The Property is currently owned by the City of Ontario. On July 6, 2021, in accordance with Government Code section 37420 et. seq., the City Council adopted a resolution that determined that public convenience and necessity require the sale of the property, declared its intent to sell the property, and affixed July 20, 2021 as the date for the public hearing to consider the Agreement and as the final action date. As required by Government Code section 37423, said resolution was properly published once in a daily newspaper prior to July 20, 2021, and posted for not less than ten days in three conspicuous places upon the Property prior to July 20, 2021.

The Agreement proposes development of the Property with 39 units of row-style townhomes. The Developer's project proposes three-story structures with 18 one-bedroom/one-bathroom units with 775 square feet each and 21 two-bedroom/two bathroom units with 1,147 square feet each. The

development would also include garages and recreational open space.

The land would be sold to the Developer based on the appraised market value and the Developer is responsible for all project financing. The Developer is progressing through the entitlements process and will be required to construct the project in accordance with City guidelines and requirements. The Agreement allows the developer 240 days to complete due diligence investigations, obtain entitlements, and pull building permits prior to the close of escrow and allows 18 months to complete the construction of the project. The Agreement may not be transferred or assigned without prior approval from the City. Subsequent to all requisite approvals, the Development is estimated to be completed by September 2023.

PROCEDURE: Pursuant to Government Code Section 37420, et. seq., the City Council must conduct the public hearing, receive any written protests and hear any oral protests to the sale of the Property. If no protests are received, the City Council may adopt the attached resolution approving the DDA ("Resolution"). If any protests are received, the City Council may still adopt the Resolution, however it must be adopted by a 4/5 vote of the City Council.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) : The City finds that its approval of the Agreement is not the approval of a "project" under CEQA, because it does commit the City to an an activity that would have direct or reasonably foreseeable indirect impacts on the environment. Nonetheless, the City expressly conditions the close of escrow for the property and any future use of the site on the completion of all required CEQA review.

CEQA review should be completed early enough in the planning process that environmental considerations can influence project design, but late enough that meaningful information is available for environmental assessment. (State CEQA Guidelines Section 15004). The Agreement does not approve the construction of any specific project, and does not commit the City to the future approval of any particular use. As such, the approval of the Agreement will not result in any reasonably foreseeable impacts on the environment.

Additionally, the timing, design, and approval (if any) of a future proposed project is dependent on future financing, and on the completion of feasibility planning and design work that has not yet been completed and which will be essential to the completion of meaningful environmental assessment under CEQA. For all the above reasons, the City finds that its approval of the Agreement is not a commitment to a project under CEQA pursuant to State CEQA Guidelines Sections 15060(c) and 15378(b). Nonetheless, the City Council expressly conditions the close of escrow as well as any future use of the site on the completion of all appropriate CEQA review when and if a specific project is brought forward, as permitted by State CEQA Guidelines Section 15004(b)(2)(A).

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND TIPPING DEVELOPMENT, INC. FOR THE DEVELOPMENT OF CERTAIN REAL PROPERTY LOCATED AT 221 NORTH MOUNTAIN AVENUE IN THE CITY OF ONTARIO (APN: 1010-521-28).

WHEREAS, the City of Ontario ("City") currently owns in fee that certain real property generally located at 221 North Mountain Avenue in the City of Ontario (APN: 1010-521-28) and legally described in Exhibit "A" attached to this Resolution and incorporated by reference herein (the "Property"); and

WHEREAS, the City desires to sell the Property by entering into a Disposition and Development Agreement ("Agreement") with Tipping Development, Inc. ("Developer"), which is on file at the offices of the City and incorporated into this Resolution by reference.

WHEREAS, the Developer proposes to construct 39 units of row-style townhomes on the Property (the "Project"). The Project, as proposed, includes three-story structures with 18 one-bedroom/one-bathroom units, each 775 square feet; 21 two-bedroom/two bathroom units, each 1,147 square feet; as well as garages and recreational open space; and

WHEREAS, the Agreement provides for the sale of the Property at fair market value, and binds Developer to construct the Project, subject to all required approvals and environmental compliance, in a timely manner, and in accordance with the terms therein; and

WHEREAS, on July 6, 2021, pursuant to Government Code section 37421, the City Council adopted a resolution making findings that public convenience and necessity require the sale of the Property. Pursuant to Government Code section 37422, the resolution affixed July 20, 2021 as the date for hearing any protests to the proposed sale of the Property, anticipated approval of the Agreement and as the final action date; and

WHEREAS, in accordance with Government Code section 37423, the above described resolution was properly published and posted; and

WHEREAS, the Developer's proposed acquisition of the Property and the Developer's anticipated construction of the Project on the Property, in accordance with the terms of the Agreement, are in the best interest of the City and of the health, safety and welfare of the residents of the City. Implementation of the Agreement will further the goals and objectives of the City's general plan and the goals and objectives of the City by: (i) strengthening the City's land use and social structure, (ii) increasing the housing supply; (iii) alleviating economic and physical blight on the Property and in the surrounding community; (iv) eliminating a vacant site that creates nuisance conditions, posing a threat to the safe and successful operation of adjacent Ontario Housing Authority affordable housing projects; and (v) creating an increase in property taxes, all of which benefit the health, safety and welfare of the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA DOES HEREBY RESOLVE 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. Findings. The City Council finds that the sale of the Property pursuant to the Agreement will further the goals and purposes of the City, and is in the best interest of the City and of the health, safety and welfare of the residents of the City.

SECTION 3. Hearing. In accordance with Government Code section 37420, et. seq., a duly noticed public hearing was held on July 20, 2021.

SECTION 4. CEQA. The City Council's approval of the Agreement does not constitute approval of any development of the Property or of other activity on the Property that would have a direct or reasonably foreseeable indirect environmental impact pursuant to CEQA. (See 14 C.C.R. §§ 15060(c); 15378(b).) Moreover, close of escrow on the Property under the Agreement, and Developer's future use or development of the Property is expressly conditioned on CEQA compliance.

SECTION 5. Approval of Agreement. The City Council hereby approves the Agreement in substantially the form presented, subject to any non-substantive revisions which do not increase the City 's liability and are approved by the City Attorney, and authorizes the City Manager to sign and enter into the Agreement and perform the obligations of the City under the Agreement.

SECTION 6. 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 City Council would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

SECTION 7. Effective Date. This Resolution shall become effective immediately upon its adoption.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT “A”

LEGAL DESCRIPTION OF PROPERTY

APN # 1010-521-28

REAL PROPERTY IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

TRACT 6740 LOT 26 TRACT NO 6740 LOT 26 EX N 100 FT 1.27 AC M/L

CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **PUBLIC HEARINGS**
Department: Investments & Revenue Resources Prepared By: Jason M Jacobsen Staff Member Presenting: Armen Harkalyan, Executive Director of Finance Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 23

SUBJECT: ANNUAL LEVY OF ASSESSMENTS WITHIN STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND 2 FOR FISCAL YEAR 2021-22

RECOMMENDATION: That the City Council conduct a combined public hearing for the districts and take the following actions pertaining to the levy of assessments within Street Lighting Maintenance Districts (SLMD) Nos. 1 and 2 and consider:

A. Adopting a resolution approving the Engineer's Reports relating to the levy of assessments for each district;
B. Adopting a resolution confirming the diagram and assessment and providing for the assessment levy within Street Lighting Maintenance District 1; and
C. Adopting a resolution confirming the diagram and assessment and providing for the assessment levy within Street Lighting Maintenance District 2.

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

FISCAL IMPACT: As proposed, special assessment revenue will be generated in the amount of $306,307 from SLMD No. 1 and $92,752 from SLMD No. 2 during Fiscal Year 2021-22. A portion of the facilities within SLMD No. 1 provide general benefit to the public at large and cannot be funded with the assessment. The general benefit amount of $8,852 will be funded by the General Fund and is included in the City's Adopted Fiscal Year 2021-22 Operating Budget.

BACKGROUND & ANALYSIS: Street Lighting Maintenance District No. 1 was formed in 1984, and Street Lighting Maintenance District No. 2 was formed in 1999, pursuant to the Landscaping and Lighting Act of 1972 (the "1972 Act"), to help minimize the continually increasing cost for maintaining and operating the City's street lighting system. A special assessment is levied annually on benefiting properties for the cost of maintenance and operation of certain street lighting facilities within the districts. The locations of the districts are shown on the provided maps.

The City's Public Works Agency establishes the annual maintenance costs and maintains the street lighting system. An Engineer's Report for each district must be prepared annually, apportioning the costs to each parcel within the districts. The districts are comprised of commercial, industrial and some multi-family residential properties. Due to varying characteristics, the districts are organized into benefit zones and/or maintenance areas. Each zone/maintenance area is assessed for only the operation and maintenance of the facilities from which it receives direct special benefit. The total assessment for each

zone/maintenance area is then apportioned to its constituent parcels. Therefore, the assessments are unique and specific to each individual parcel of property.

The total assessment during tax year 2020-21 was $300,045 in SLMD No. 1, and $92,752 in SLMD No. 2. The City's proposed Fiscal Year 2021-22 levy for the two Street Light maintenance districts is based on the previous year's actual expenses. The proposed total assessments for tax year 2021-22 are $306,037 in SLMD No. 1, and $92,752 in SLMD No. 2. A portion of the facilities within SLMD No. 1 provide general benefit to the public at large and cannot be funded with the assessment. The general benefit amount of $8,852 will be funded by the General Fund and is included in the City's Adopted Fiscal Year 2021-22 Operating Budget. The assessed tax rates for Fiscal Year 2020-21, and the maximum and proposed tax rates for Fiscal Year 2021-22, are shown in Exhibit A.

On July 06, 2021, the City Council adopted resolutions which ordered the preparation of Engineer's Reports for the annual levy of assessments within each district, preliminarily approved the Engineer's Reports, declared City Council's intention to levy and collect assessments within the districts for the referenced fiscal year, and set July 20, 2021 as the date for the public hearing for each district. Notices of the public hearings have been published, and proof of publication is on file in the Records Management Department.

The Engineer's Reports, which have been prepared for each district pursuant to the 1972 Act are on file in the Records Management Department. Each report includes plans and specifications for the improvements being operated and maintained, an estimate of costs, a diagram of the area proposed to be assessed, and an assessment of the costs to the various parcels within the districts.

EXHIBIT A

Street Lighting Maintenance Districts Proposed Levy Rates FY 21-22

		Prior Year 2020-21	Maximum 2021-22	Proposed 2021-22
SLMD No. 1, Zone 2000-1	per AU	$ 103.00	$ 158.00	$ 104.00
SLMD No. 1, Zone 2000-2	per AU	$ 60.00	$ 130.00	$ 60.00
SLMD No. 2, MA# 99-1		$ 4,242.00	$ 11,320.00	$ 4,235.00
SLMD No. 2, MA# 99-2		$ 2,261.00	$ 5,629.00	$ 2,264.00
SLMD No. 2, MA# 99-3		$ 4,523.00	$ 9,380.00	$ 4,529.00
SLMD No. 2, MA# 99-4		$ 1,508.00	$ 3,757.00	$ 1,509.00
SLMD No. 2, MA# 99-5		$ 1,247.00	$ 3,522.00	$ 1,246.00
SLMD No. 2, MA# 99-6		$ 12,213.00	$ 32,874.00	$ 12,198.00
SLMD No. 2, MA# 99-7		$ 409.00	$ 1,017.00	$ 410.00
SLMD No. 2, MA# 99-8		$ 3,016.00	$ 7,505.00	$ 3,019.00
SLMD No. 2, MA# 00-1		$ 2,755.00	$ 3,453.00	$ 2,756.00
SLMD No. 2, MA# 00-2		$ 1,507.00	$ 2,304.00	$ 1,509.00
SLMD No. 2, MA# 00-3		$ 8,292.00	$ 12,663.00	$ 8,304.00
SLMD No. 2, MA# 00-4		$ 50,781.00	$ 72,512.00	$ 50,765.00

CITY OF ONTARIO

Street Lighting Maintenance District No.1
VICINITY MAP

April 12, 2021

City of Ontario Geographic Information System

0 4,000 8,000 Feet

N W E S

Legend
- ZONE 2000-1
- Zone 2000-2

Note:
Reference is hereby made to the Maps of The Assessor of the County of San Bernardino, California, for a detailed description of the lines and dimensions of the parcels shown hereon.

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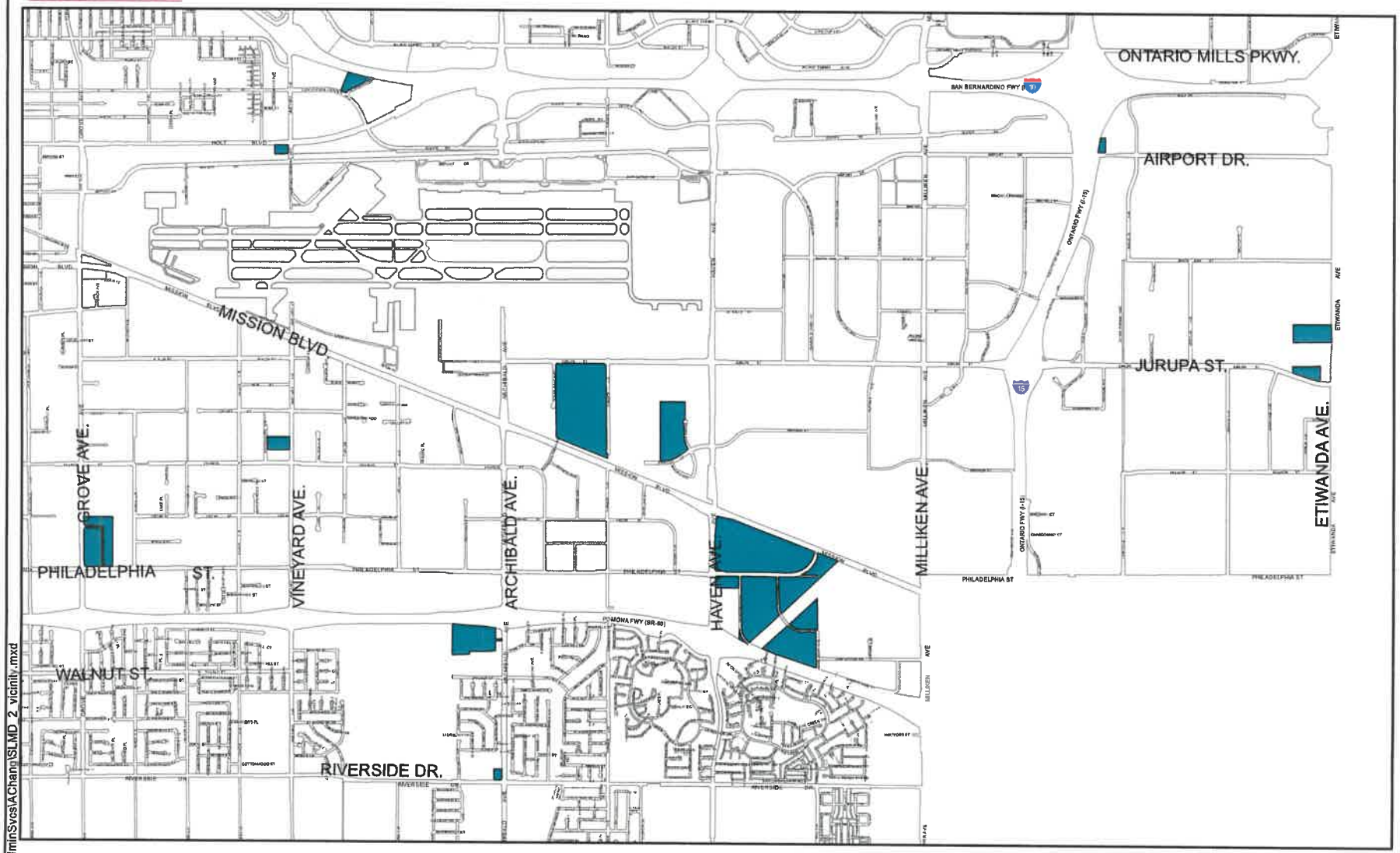
1599

Street Lighting Maintenance District No.2
VICINITY MAP



April 12, 2021

0 4,000 8,000 Feet

N W E S

Legend
Street Light Maintenance District 2

Note:
Reference is hereby made to the Maps of The Assessor of the County of San Bernardino, California, for a detailed description of the lines and dimensions of the parcels shown hereon.

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1600

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE ENGINEER'S REPORTS FOR THE ANNUAL LEVY OF ASSESSMENTS WITHIN STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND 2 FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, pursuant to the provisions of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2, of the Streets and Highways Code of the State of California, did, by previous Resolution, order the preparation of Engineer's Reports for the annual levy of assessments, consisting of plans and specifications, cost estimates, diagrams of the districts, and the assessments relating to what are now known and designated as

CITY OF ONTARIO
STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND 2

(hereinafter referred to as the Districts); and

WHEREAS, there have now been presented to this City Council the Reports as required by said Division 15 of the Streets and Highways Code and as previously directed by Resolution; and

WHEREAS, this City Council has approved on a preliminary basis the Reports by a previous Resolution, and ordered the Reports to be filed in the Records Management Department to be open to public inspection; and

WHEREAS, this City Council has now examined and reviewed the Reports as presented, and is satisfied with each and all of the items and documents as set forth therein, and is satisfied that the assessments have been spread in accordance with the benefits received from the maintenance to be performed as set forth in said Reports.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the Reports as presented, consisting of the following:

A. Plans and Specifications,
B. Estimates of cost,
C. Diagrams of the Districts, and
D. Assessment of the estimated costs

are hereby approved, and are ordered to be filed in the Records Management Department, as a permanent record and to remain open to public inspection.

SECTION 3. That the City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of the Engineer's Reports.

PASSED, APPROVED, AND ADOPTED this 20th day of July 2021.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT AND PROVIDING FOR THE ANNUAL ASSESSMENT LEVY WITHIN STREET LIGHTING MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings for the levy of the annual assessment in a street lighting maintenance district created pursuant to the terms of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California (the "Lighting Act"), Article XIIID of the Constitution of the State of California ("Article XIIID") and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the Lighting Act, Article XIIID and the Implementation Act may be referred to collectively herein as the "Assessment Law"), in a special maintenance district known and designated as

CITY OF ONTARIO
STREET LIGHTING MAINTENANCE DISTRICT NO. 1

(hereinafter referred to as the "District"); and

WHEREAS, the City Council has ordered the preparation of an Engineer's Report, and such report (the "Assessment Engineer's Report") has been prepared pursuant to the Assessment Law and filed with this City Council for its consideration, and subsequently thereto this City Council did adopt its Resolution of Intention to levy and collect assessments for the referenced fiscal year relating to the above-referenced District, and further did proceed to give notice of the time and place for the Public Hearing on all matters relating to said annual levy of the proposed assessment; and

WHEREAS, at this time this City Council has heard all testimony and evidence and is desirous of proceeding with said annual levy of assessments.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That upon the conclusion of the Public Hearing, written protests filed and not withdrawn are hereby overruled and denied.

SECTION 3. That based upon the Assessment Engineer's Report and the testimony and other evidence presented at the public hearing, the City Council hereby makes the following determinations regarding the assessments proposed to be imposed for the referenced fiscal year:

A. The proportionate special benefit derived by each individual parcel assessed has been determined in relationship to the entirety of the cost of the operations and maintenance expenses.

B. The assessments do not exceed the reasonable cost of the proportional special benefit conferred on each parcel.

C. Only the special benefits have been assessed.

D. All parcels within the District that are owned or used either by a local government, the State of California or the United States and which specially benefit from the improvements to be maintained are being assessed.

E. The assessments do not exceed the maximum annual assessments previously authorized to be levied pursuant to the Assessment Law.

The estimate of costs, the assessment diagram, the assessments and all other matters, as set forth in the Assessment Engineer's Report pursuant to the Assessment Law as submitted, are hereby approved, adopted by this City Council, and hereby confirmed.

SECTION 4. That this City Council hereby confirms and orders the annual levy of the assessments for the referenced fiscal year in the amounts as set forth in the Assessment Engineer's Report, and as referred to in the Resolution of Intention as previously adopted relating to said annual assessment levy.

SECTION 5. That the adoption of this Resolution constitutes the levy of the assessments for the fiscal year.

SECTION 6. That the maintenance work of improvements contemplated by the Resolution of Intention shall be performed pursuant to law.

SECTION 7. That the County Auditor shall enter on the County Assessment Roll the amount of the Assessment and said Assessment shall then be collected at the same time and in the same manner as the County taxes are collected. After collection by said County, the net amount of the assessment shall be paid to the City Treasurer of said City.

SECTION 8. That the City Treasurer has previously established a special fund into which the City Treasurer shall place all monies collected by the Tax Collector pursuant to the provisions of the Resolution and the law, and said transfer shall be made and accomplished as soon as said monies have been made available to said City Treasurer.

SECTION 9. That the City Manager is hereby ordered and directed to file, or cause to be filed, the assessment roll with the County Auditor, together with a certified copy of this Resolution upon its adoption.

SECTION 10. That a certified copy of the assessment and diagram shall be filed in the Office of the City Manager, with a duplicate copy on file in the Records Management Department and open for public inspection.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 2021.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT AND PROVIDING FOR THE ANNUAL ASSESSMENT LEVY WITHIN STREET LIGHTING MAINTENANCE DISTRICT NO. 2 FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings for the levy of the annual assessment in a street lighting maintenance district created pursuant to the terms of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California (the "Lighting Act"), Article XIIID of the Constitution of the State of California ("Article XIIID") and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the Lighting Act, Article XIIID and the Implementation Act may be referred to collectively herein as the "Assessment Law"), in a special maintenance district known and designated as

CITY OF ONTARIO
STREET LIGHTING MAINTENANCE DISTRICT NO. 2

(hereinafter referred to as the "District"); and

WHEREAS, the City Council has ordered the preparation of an Engineer's Report, and such report (the "Assessment Engineer's Report") has been prepared pursuant to the Assessment Law and filed with this City Council for its consideration, and subsequently thereto this City Council did adopt its Resolution of Intention to levy and collect assessments for the referenced fiscal year relating to the above-referenced District, and further did proceed to give notice of the time and place for the Public Hearing on all matters relating to said annual levy of the proposed assessment; and

WHEREAS, at this time this City Council has heard all testimony and evidence and is desirous of proceeding with said annual levy of assessments.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That upon the conclusion of the Public Hearing, written protests filed and not withdrawn are hereby overruled and denied.

SECTION 3. That based upon the Assessment Engineer's Report and the testimony and other evidence presented at the public hearing, the City Council hereby makes the following determinations regarding the assessments proposed to be imposed for the referenced fiscal year:

A. The proportionate special benefit derived by each individual parcel assessed has been determined in relationship to the entirety of the cost of the operations and maintenance expenses.

B. The assessments do not exceed the reasonable cost of the proportional special benefit conferred on each parcel.

C. Only the special benefits have been assessed.

D. All parcels within the District that are owned or used either by a local government, the State of California or the United States and which specially benefit from the improvements to be maintained are being assessed.

E. The assessments do not exceed the maximum annual assessments previously authorized to be levied pursuant to the Assessment Law.

The estimate of costs, the assessment diagram, the assessments and all other matters, as set forth in the Assessment Engineer's Report pursuant to the Assessment Law as submitted, are hereby approved, adopted by this City Council, and hereby confirmed.

SECTION 4. That this City Council hereby confirms and orders the annual levy of the assessments for the referenced fiscal year in the amounts as set forth in the Assessment Engineer's Report, and as referred to in the Resolution of Intention as previously adopted relating to said annual assessment levy.

SECTION 5. That the adoption of this Resolution constitutes the levy of the assessments for the fiscal year.

SECTION 6. That the maintenance work of improvements contemplated by the Resolution of Intention shall be performed pursuant to law.

SECTION 7. That the County Auditor shall enter on the County Assessment Roll the amount of the Assessment and said Assessment shall then be collected at the same time and in the same manner as the County taxes are collected. After collection by said County, the net amount of the assessment shall be paid to the City Treasurer of said City.

SECTION 8. That the City Treasurer has previously established a special fund into which the City Treasurer shall place all monies collected by the Tax Collector pursuant to the provisions of the Resolution and the law, and said transfer shall be made and accomplished as soon as said monies have been made available to said City Treasurer.

SECTION 9. That the City Manager is hereby ordered and directed to file, or cause to be filed, the assessment roll with the County Auditor, together with a certified copy of this Resolution upon its adoption.

SECTION 10. That a certified copy of the assessment and diagram shall be filed in the Office of the City Manager, with a duplicate copy on file in the Records Management Department and open for public inspection.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **PUBLIC HEARINGS**
Department: Investments & Revenue Resources Prepared By: Jason M Jacobsen Staff Member Presenting: Armen Harkalyan, Executive Director of Finance Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 24

SUBJECT: ANNUAL LEVY OF ASSESSMENTS WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NOS. 1, 2, 3 AND 4 FOR FISCAL YEAR 2021-22

RECOMMENDATION: That the City Council conduct a combined public hearing for the districts and take the following actions pertaining to the levy of assessments within Ontario Parkway Maintenance Assessment Districts (OPMAD) Nos. 1, 2, 3 and 4 and consider:

A. Adopting a resolution approving the Engineer's Reports relating to the levy of assessments for each district;
B. Adopting a resolution confirming the diagrams and assessments and providing for the assessment levy within Ontario Parkway Maintenance Assessment Districts Nos. 1, 2, & 3; and
C. Adopting a resolution confirming the diagram and assessment and providing for the assessment levy within Ontario Parkway Maintenance Assessment District No. 4.

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

FISCAL IMPACT: As proposed, special assessment revenue will be generated in the amount of $285,616 from OPMAD Nos. 1, 2 and 3, and $339,003 from OPMAD No. 4 during Fiscal Year 2021-22. The total cost of $659,226 for operation and maintenance within OPMAD Nos. 1, 2 and 3 will exceed the assessment revenues by $373,610. The differential of $373,610 will be funded by the General Fund. The General Fund portion is included in the City's Adopted Fiscal Year 2021-22 Operating Budget. The total proposed special assessment for OPMAD No. 4 is sufficient to pay all expenses within this service area.

BACKGROUND & ANALYSIS: The first of these districts was formed in 1976 pursuant to the Landscaping and Lighting Act of 1972 (the "1972 Act"). Additional territories are annexed to the districts from time to time as development proceeds. The districts were formed to help minimize the continually increasing cost of maintaining and operating the landscaping along public streets where the property owners do not have direct access to the landscaping. A special assessment is levied annually on benefiting properties for the cost of operation and maintenance of certain parkway landscaping facilities within the districts. The City's Public Works Agency establishes the annual operation and maintenance costs and administers the maintenance of the landscaping. Annually, an Engineer's Report for each district must be prepared which apportions these costs to each parcel within the districts. The locations of the districts are shown on the provided maps.

OPMAD Nos. 1, 2, and 3 are comprised of single-family residential developments. Due to varying characteristics, the districts are organized into benefit zones and/or maintenance areas. Each zone/maintenance area is assessed for only the operation and maintenance of the facilities from which it receives special direct benefit. The total assessment for each maintenance area is then apportioned to its constituent parcels.

Special assessment revenue will be generated in the combined amount of $285,616 from OPMAD Nos. 1, 2 and 3. The assessed tax rates for Fiscal Year 2020-21, and the maximum and proposed tax rates for Fiscal Year 2021-22 are shown in the attached Exhibit A.

OPMAD No. 4 is comprised of single-family residential tracts and the Ontario Mills development area. The district is organized into 6 Maintenance Areas (MAs). Each maintenance area is assessed for only the operation and maintenance of the facilities from which it receives direct special benefit. The total assessment for each maintenance area is then apportioned to its constituent parcels.

The assessments for OPMAD No. 4 will generate a total of $339,003. OPMAD No. 4 will generate sufficient revenue to pay all expenses within the service area. The assessed tax rates for Fiscal Year 2020-21, and the maximum and proposed tax rates for Fiscal Year 2021-22, are shown in the attached Exhibit A.

On July 06, 2021, the City Council adopted resolutions which ordered the preparation of Engineer's Reports for the annual levy of assessments within each district, preliminarily approved the Engineer's Reports, declared Council's intention to levy and collect assessments within the districts for the referenced fiscal year, and set July 20, 2021 as the date for the public hearing for each district. Notices of the public hearings have been published, and proof of publication is on file in the Records Management Department.

The Engineer’s Reports, which have been prepared for each district pursuant to the 1972 Act, are on file in the Records Management Department. Each report includes plans and specifications for the improvements and maintenance, an estimate of costs, a diagram of the area proposed to be assessed, and an assessment of the costs to the various parcels within each District

Exhibit A

Ontario Parkway Maintenance Assessment Districts 1, 2 & 3

Proposed Levy Rates FY 2021-22

	Prior Year 2020-21	Maximum 2021-22
OPMAD No. 1	$ 66.32 per Lot	$ 66.32 per Lot
OPMAD No. 2	$ 34.04 per Lot	$ 34.04 per Lot
OPMAD No. 3, Zone 2000-1	$ 41.29 per Lot	$ 41.29 per Lot
OPMAD No. 3, Zone 2000-2	$ 186.38 per Lot	$ 245.56 per Lot

Ontario Parkway Maintenance Assessment District 4

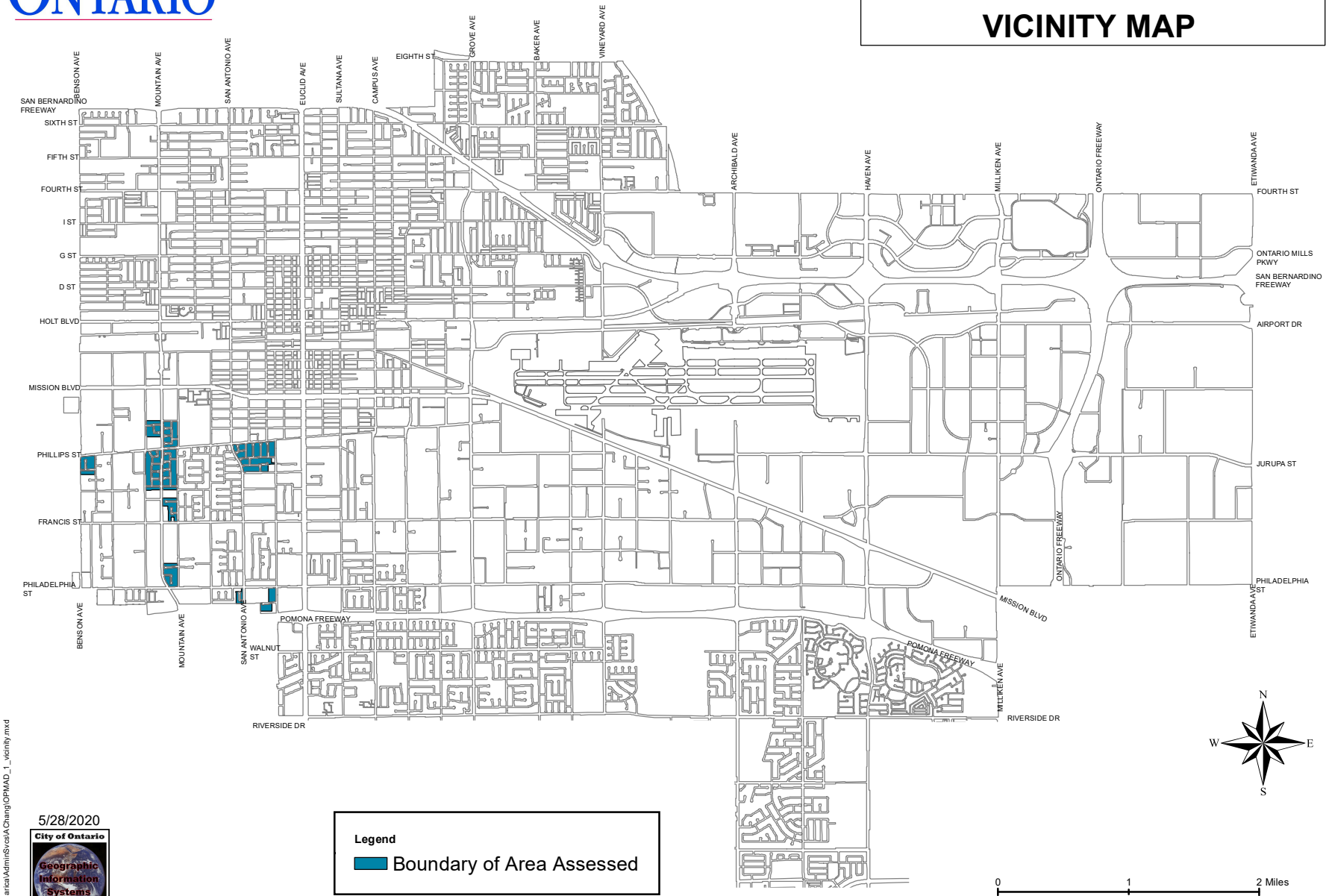
Proposed Levy Rates FY 2021-22

	Prior Year 2020-21	Maximum 2021-22
MA#99-1	$ 55.65 per Lot	$ 59.75 per Lot
MA#99-2	$ 362.55 per Lot	$ 376.90 per Lot
MA#99-3	$ 1,126.58 per Acre	$ 1,353.36 per Acre
MA#00-1	$ 264.84 per Lot	$ 371.19 per Lot
MA#04-1	$ 1,065.26 per Lot	$ 2,364.41 per Lot
MA#05-1	$ 1,463.53 per Lot	$ 2,930.81 per Lot

Proposed 2021-22
$ 66.32 per Lot
$ 34.04 per Lot
$ 41.29 per Lot
$ 186.38 per Lot

Proposed 2021-22
$ 55.65 per Lot
$ 362.55 per Lot
$1,126.58 per Acre
$ 264.84 per Lot
$ 1,065.26 per Lot
$ 1,463.53 per Lot

Ontario Parkway Maintenance Assessment District No. 1
VICINITY MAP



Legend

Boundary of Area Assessed

5/28/2020

City of Ontario Geographic Information Systems

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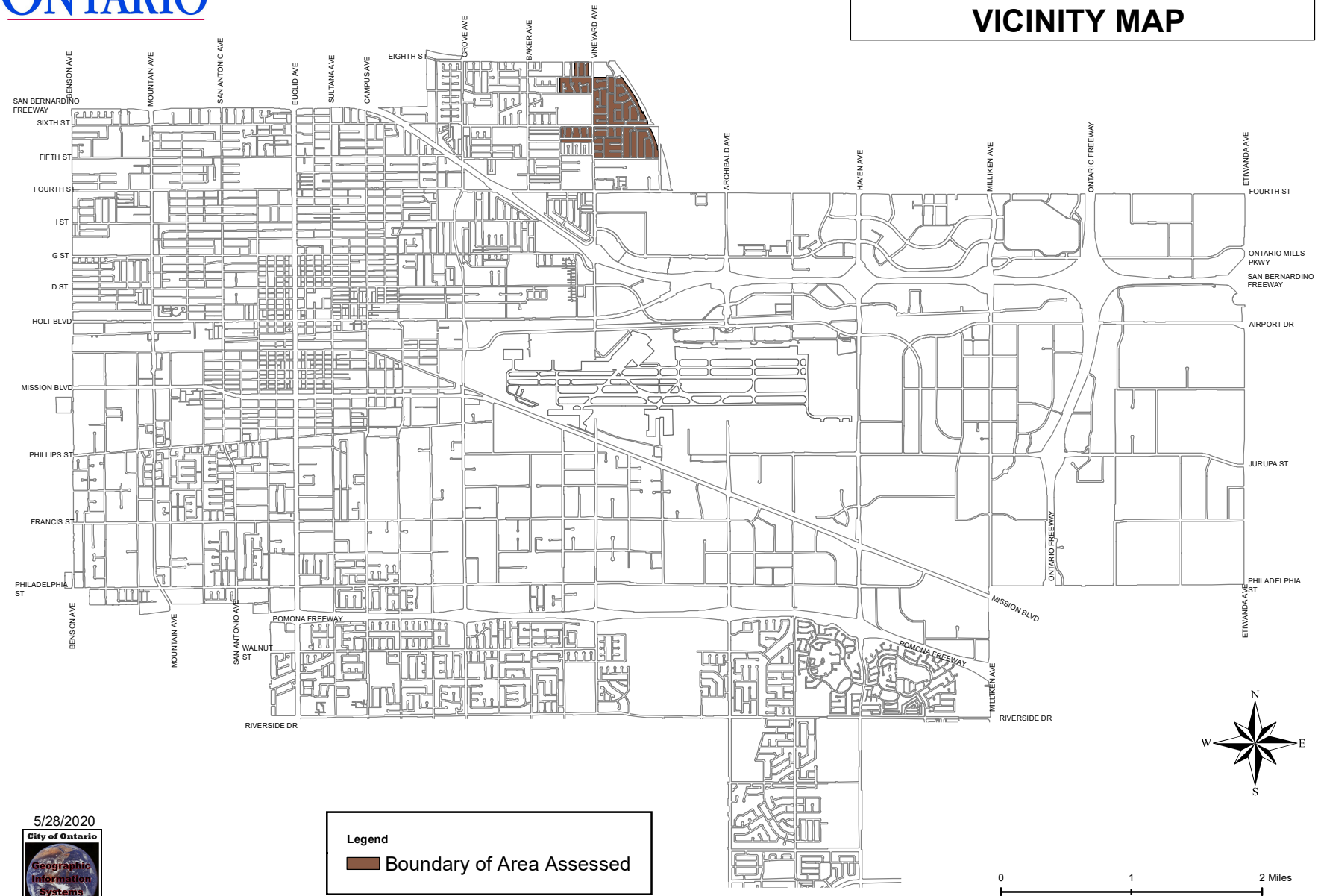
Ontario Parkway Maintenance Assessment District No. 2
VICINITY MAP



Legend

Boundary of Area Assessed

5/28/2020

City of Ontario Geographic Information Systems

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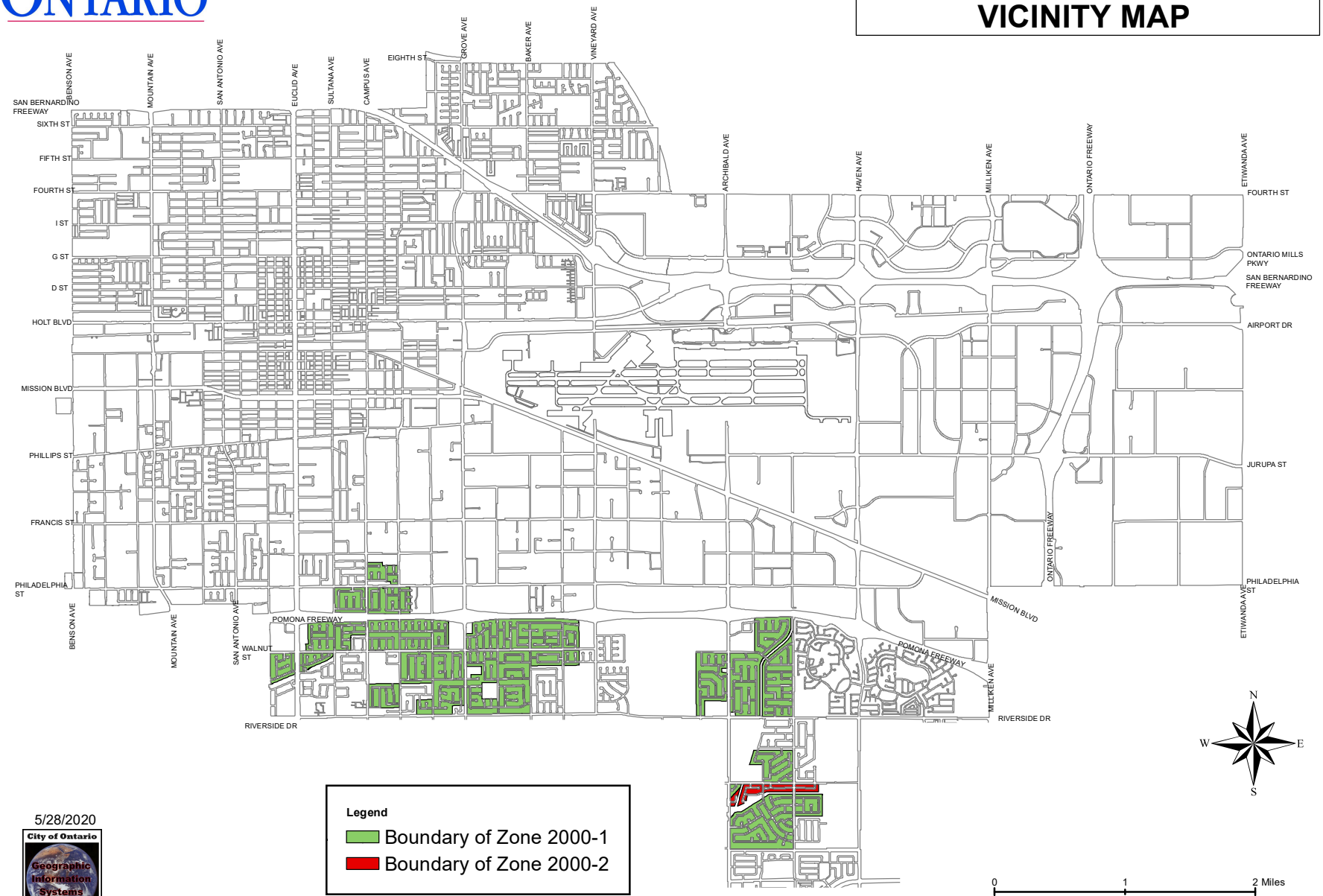
Ontario Parkway Maintenance Assessment District No. 3
VICINITY MAP



5/28/2020

City of Ontario Geographic Information Systems

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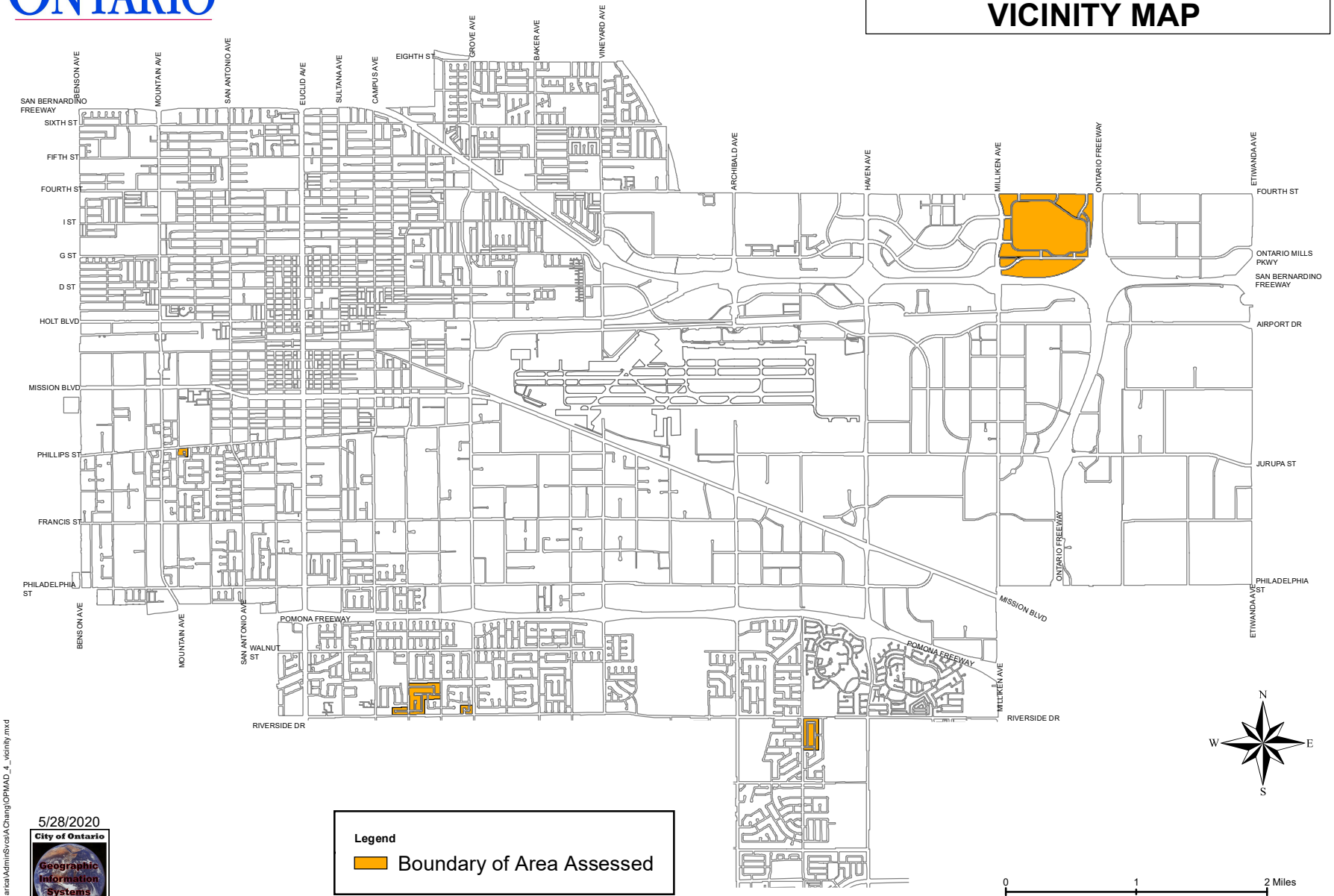
Ontario Parkway Maintenance Assessment District No. 4
VICINITY MAP



Legend

Boundary of Area Assessed

5/28/2020

City of Ontario Geographic Information Systems

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RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE ENGINEER'S REPORTS FOR THE ANNUAL LEVY OF ASSESSMENTS WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2, 3 AND 4 FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, pursuant to the provisions of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2, of the Streets and Highways Code of the State of California, did, by previous Resolution, order the preparation of Engineer's Reports for the annual levy of assessments, consisting of plans and specifications, cost estimates, diagrams of the districts, and the assessment relating to what are now known and designated as

CITY OF ONTARIO
PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2, 3 and 4

(hereinafter referred to as the Districts); and

WHEREAS, there have now been presented to this City Council the Reports as required by said Division 15 of the Streets and Highways Code and as previously directed by Resolution; and

WHEREAS, this City Council has approved on a preliminary basis the Reports by a previous Resolution, and ordered the Reports to be filed in the Records Management Department to be open to public inspection; and

WHEREAS, this City Council has now examined and reviewed the Reports as presented, and is satisfied with each and all of the items and documents as set forth therein, and is satisfied that the assessments have been spread in accordance with the benefits received from the maintenance to be performed as set forth in said Reports.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the Reports as presented, consisting of the following:

A. Plans and Specifications,
B. Estimates of cost,
C. Diagrams of the Districts, and
D. Assessment of the estimated cost

Are hereby approved and are ordered to be filed in the Records Management Department, as a permanent record and to remain open to public inspection.

SECTION 3. That the City Clerk shall certify the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of the Engineer's Reports.

PASSED, APPROVED, AND ADOPTED this 20th day of July 2021.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CONFIRMING THE DIAGRAMS AND ASSESSMENTS, AND PROVIDING FOR THE ANNUAL ASSESSMENT LEVY WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2 AND 3 FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings for the annual levy of assessments in special maintenance districts pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2, of the Streets and Highways Code of the State of California in what is known and designated as

CITY OF ONTARIO
PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2 AND 3

(hereinafter referred to as the Districts); and

WHEREAS, the City Council has ordered the preparation of the Engineer's Reports, and the Engineer's Reports have been prepared and filed with this City Council pursuant to law for its consideration, and subsequently thereto this City Council did adopt its Resolution of Intention to levy and collect assessments for the referenced fiscal year relating to the above referenced Districts, and further did proceed to give notice of the time and place for a Public Hearing on all matters relating to said annual levy of the proposed assessments; and

WHEREAS, at this time this City Council has heard all testimony and evidence and is desirous of proceeding with said annual levy of assessments.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That upon the conclusion of the Public Hearing, written protests filed and not withdrawn are hereby overruled and denied.

SECTION 3. That the estimates of costs, the assessment diagrams, the assessments and all other matters, as set forth in the Engineer's Reports pursuant to said "Landscaping and Lighting Act of 1972," as submitted, are hereby approved, adopted by this City Council, and hereby confirmed.

SECTION 4. That this City Council hereby confirms and orders the annual levy of the assessments for the referenced fiscal year in the amounts as set forth in the Engineer's Reports, and as referred to in the Resolution of Intention as previously adopted relating to said annual assessment levy.

SECTION 5. That the adoption of this Resolution constitutes the levy of the assessments for the referenced fiscal year.

SECTION 6. That the maintenance work of improvements contemplated by the Resolution of Intention shall be performed pursuant to law.

SECTION 7. That the County Auditor shall enter on the County Assessment Roll the amount of the Assessment and said Assessment shall then be collected at the same time and in the same manner as the County taxes are collected. After collection by said County, the net amount of the assessment shall be paid to the City Treasurer of said City.

SECTION 8. That the City Treasurer has previously established a special fund into which the City Treasurer shall place all monies collected by the Tax Collector pursuant to the provisions of the Resolution and the law, and said transfer shall be made and accomplished as soon as said monies have been made available to said City Treasurer.

SECTION 9. That the City Manager is hereby ordered and directed to file, or cause to be filed, the assessment roll with the County Auditor, together with a certified copy of this Resolution upon its adoption.

SECTION 10. That a certified copy of the assessments and diagrams shall be filed in the Office of the City Manager, with a duplicate copy on file in the Records Management Department and open for public inspection.

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

PASSED, APPROVED, AND ADOPTED this 20tht day of July 2021.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT AND PROVIDING FOR THE ANNUAL ASSESSMENT LEVY WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICT NO. 4 FOR FISCAL YEAR 2021-22.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings for the levy of the annual assessment in a special maintenance district created pursuant to the terms of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California (the "Landscaping Act"), Article XIIID of the Constitution of the State of California ("Article XIIID") and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the Landscaping Act, Article XIIID and the Implementation Act may be referred to collectively herein as the "Assessment Law"), in a special maintenance district known and designated as

CITY OF ONTARIO
PARKWAY MAINTENANCE ASSESSMENT DISTRICT NO. 4

(hereinafter referred to as the "District"); and

WHEREAS, the City Council has ordered the preparation of an Engineer's Report, and such a report (the "Assessment Engineer's Report") has been prepared and filed with this City Council for its consideration pursuant to Assessment Law, and subsequently thereto this City Council did adopt its Resolution of Intention to levy and collect assessments for the referenced fiscal year relating to the above-referenced District, and further did proceed to give notice of the time and place for the Public Hearing on all matters relating to said annual levy of the proposed assessment; and

WHEREAS, at this time this City Council has heard all testimony and evidence and is desirous of proceeding with said annual levy of assessments.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That upon the conclusion of the Public Hearing, written protests filed and not withdrawn are hereby overruled and denied.

SECTION 3. That based upon the Assessment Engineer's Report and the testimony and other evidence presented at the public hearing, the City Council hereby makes the following determinations regarding the assessments proposed to be imposed for the referenced Fiscal Year:

A. The proportionate special benefit derived by each individual parcel assessed has been determined in relationship to the entirety of the cost of the operations and maintenance expenses.

B. The assessments do not exceed the reasonable cost of the proportional special benefit conferred on each parcel.

C. Only the special benefits have been assessed.

D. There are no publicly owned parcels within the District.

E. The assessments do not exceed the maximum annual assessments previously authorized to be levied pursuant to the Assessment Law.

The estimates of costs, the assessment diagram, the assessments and all other matters, as set forth in the Assessment Engineer's Report pursuant to the Assessment Law as submitted, are hereby approved, adopted by this City Council, and hereby confirmed.

SECTION 4. That this City Council hereby confirms and orders the annual levy of the assessments for the referenced fiscal year in the amounts as set forth in the Assessment Engineer's Report, and as referred to in the Resolution of Intention as previously adopted relating to said annual assessment levy.

SECTION 5. That the adoption of this Resolution constitutes the levy of the assessments for the fiscal year.

SECTION 6. That the maintenance work of improvements contemplated by the Resolution of Intention shall be performed pursuant to law.

SECTION 7. That the County Auditor shall enter on the County Assessment Roll the amount of the Assessment and said Assessment shall then be collected at the same time and in the same manner as the County taxes are collected. After collection by said County, the net amount of the assessment shall be paid to the City Treasurer of said City.

SECTION 8. That the City Treasurer has previously established a special fund into which the City Treasurer shall place all monies collected by the Tax Collector pursuant to the provisions of the Resolution and the law, and said transfer shall be made and accomplished as soon as said monies have been made available to said City Treasurer.

SECTION 9. That the City Manager is hereby ordered and directed to file, or cause to be filed, the assessment roll with the County Auditor, together with a certified copy of this Resolution upon its adoption.

SECTION 10. That a certified copy of the assessment and diagram shall be filed in the Office of the City Manager, with a duplicate copy on file in the Records Management Department and open for public inspection.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 2021.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **PUBLIC HEARINGS**
Department: Planning Prepared By: Jeanie Irene T Aguilo Staff Member Presenting: Scott Murphy, Executive Director Community Development Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 25

SUBJECT: A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN, FILE NO. PSPA20-003, CHANGING THE LAND USE DESIGNATION ON 10.64 ACRES OF LAND FROM COMMERCIAL/FOOD/HOTEL TO LIGHT INDUSTRIAL TO BE CONSISTENT WITH THE ONTARIO PLAN POLICY PLAN (GENERAL PLAN) INDUSTRIAL LAND USE DESIGNATION, LOCATED AT THE NORTHEAST CORNER OF HAVEN AVENUE AND AIRPORT DRIVE (APN: 0211-222-66).

RECOMMENDATION: That the City Council consider and adopt a resolution approving the use of an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140); and a resolution approving File No. PSPA20-003 pursuant to the facts and reasons contained in this staff report and the attached resolution.

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)

FISCAL IMPACT: No fiscal impacts are anticipated with the adoption of the California Commerce Center Specific Plan Amendment. Any long-term fiscal impacts and anticipated expenditures to the City would be offset by development impact fees and property tax revenues from the future development.

BACKGROUND & ANALYSIS: The project site was originally developed in 1999 as a privately-owned, long-term parking lot to accommodate customers from Ontario International Airport. The site is presently developed with two structures totaling 1,500 square feet, including a toll booth and a modular office building. The development was considered "interim" until such time as the ultimate development of the site was desired.

On March 27, 2020, the Applicant submitted an Amendment to the California Commerce Center Specific Plan (File No. PSPA20-003) to change the land use designation of the Project site from Commercial/Food/Hotel to Light Industrial, to be consistent with The Ontario Plan Policy Plan (General Plan), which designates the subject site for Industrial (0.55 FAR) land uses.

In addition to the submittal of the California Commerce Center Specific Plan Amendment, the

Applicant submitted a Development Plan application (File No. PDEV20-008) to construct a 200,291 square foot industrial warehouse building. The Development Plan was approved by the Planning Commission on June 22, 2021; however, the approval will not be final and conclusive unless and until the subject Specific Plan Amendment is approved by the City Council.

AMENDMENT TO THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN ("SPA"): The City continues to process land use changes to achieve consistency with the Policy Plan Land Use Plan and land uses within Specific Plan areas on an as needed basis. The subject site presently has a Specific Plan land use designation of Commercial/Food/Hotel, which is inconsistent with the Industrial land use designation assigned to the property by the Policy Plan Land Use Plan. To establish consistency between the two land use plans and facilitate the proposed Development Plan application, the Specific Plan Amendment will change the land use designation from Commercial/Food/Hotel to Light Industrial.

On June 22, 2021, the Planning Commission conducted a public hearing to consider File No. PSPA20-003 and concluded the hearing on that date. After considering all public testimony on the application, the Planning Commission voted unanimously (6-0) to approve a resolution recommending that the City Council approve the SPA. In addition, the Planning Commission approved the Development Plan (File No. PDEV20-008), contingent upon City Council approval of the SPA.

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

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

ENVIRONMENTAL REVIEW: An Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) has been prepared and concluded that the amendment to the California Commerce Center Specific Plan introduces no new significant environmental impacts, and all previously adopted mitigation measures are a condition of project approval.

CITY OF ONTARIO PLANNING DEPARTMENT

PLANNING COMMISSION STAFF REPORT

June 22, 2021

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

FILE NOS: PSPA20-003 and PDEV20-008

SUBJECT: An Amendment to the California Commerce Center Specific Plan (File No. PSPA20-003), changing the land use designation on 10.64 acres of land from Commercial/Food/Hotel to Light Industrial, to be consistent with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use designation, in conjunction with a Development Plan (File No. PDEV20-008) to construct a 200,291-square foot industrial building located at the northeast corner of Haven Avenue and Airport Drive; (APN: 0211-222-66) **submitted by Vogel Properties, Inc. City Council action is required.**

PROPERTY OWNER: **Vogel Properties, Inc.**

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

[1] A resolution recommending that the City Council approve the use of an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140); and

[2] A resolution recommending that the City Council approve the amendment to the California Commerce Center Specific Plan, File No. PSPA20-003, pursuant to the facts and reasons contained in this staff report and the attached resolution; and

[3] A resolution approving the Development Plan, File No. PDEV20-008, pursuant to the facts and reasons contained in this staff report, the resolution, and subject to the conditions of approval.

Figure 1: Project Location

PROJECT SETTING: The project site is comprised of 10.64 acres of land located at the northeast corner of Haven Avenue

Case Planner:	Jeanie Irene Aguilo
Planning Director Approval:	
Submittal Date:	03/27/2020

Hearing Body	Date	Decision	Action
DAB	05/17/2021	Approval	Recommend
PC	06/22/2021	Approved	Recommend/ Final
CC	07/20/2021		Final

Light Industrial land use district of the California Commerce Center Specific Plan, and is depicted in Figure 1: Project Location, above. The project site is currently developed as a parking lot. Land uses immediately surrounding the project site include commercial to the north; industrial to the east, and vacant land to the south and west. The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the "Surrounding Zoning & Land Uses" table located in the Technical Appendix of this report.

PROJECT ANALYSIS:

(1) Background — The project site was developed in 1999 as a privately-owned long-term parking lot to accommodate customers from Ontario International Airport. The site is presently developed with two structures totaling 1,500 square feet, including a toll booth and a modular office building. The Applicant will no longer operate the site as a parking lot.

On March 27, 2020, the Applicant submitted an amendment to the California Commerce Center Specific Plan (File No. PSPA20-003) to change the land use designation of the Project site from Commercial/Food/Hotel to Light Industrial, to be consistent with The Ontario Plan Policy Plan (General Plan), which designates the subject site for Industrial (0.55 FAR) land uses, in conjunction with a Development Plan application (File No. PDEV20-008), which proposes to develop the Project site with an industrial warehouse building.

On May 17, 2021, the Development Advisory Board ("DAB") conducted a hearing to consider the Development Plan, and concluded the hearing, voting to recommend that the Planning Commission approve the Application subject to conditions of approval, which are included as attachments to the Planning Commission resolutions.

On May 25, 2021, the Planning Department received a letter (see Attachment A - Lozeau Drury SAFER Letter) from Richard Drury, of Lozeau Drury LLP, on behalf of the Supporters Alliance for Environmental Responsibility ("SAFER") with concerns and comments on the adequacy of the project's CEQA environmental determination to prepare an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140). The Project was continued to the June 22, 2021 Planning Commission Meeting to allow the applicant and staff additional time to address comments and concerns raised by "SAFER".

(2) Amendment to the California Commerce Center Specific Plan (File No. PSPA20-003) — To date, the City has been processing land use changes within Specific Plans to achieve consistency with the Policy Plan Land Use Plan on an as needed basis, when new development projects are proposed, and land use inconsistencies must be addressed. The subject site presently has a Specific Plan land use designation of Commercial/Food/Hotel, which is inconsistent with the Industrial land use designation assigned to the property by the Policy Plan Land Use Plan. To establish consistency

between the two land use plans and facilitate the proposed Development Plan application, the Specific Plan Amendment will change the land use designation from Commercial/Food/Hotel to Light Industrial, (See Exhibits B and C: Existing and Proposed California Commerce Center Specific Plan Land Use). Furthermore, the Policy Plan Land Use Map designates properties surrounding the project site (immediately to east and south) for Industrial land uses, providing further land use consistency within the immediate vicinity of the project site.

(3) Development Plan (File No. PDEV20-008)

(a) Site Design/Building Layout — The applicant is proposing to construct a 200,291-square foot industrial building with a floor area ratio ("FAR") of 0.43. The rectangular-shaped building is located along the northern portion of the site, with the front of the building and office entry located at the southwest corner of the building and oriented to the west, facing Haven Avenue. The building is setback approximately 95 feet from the north (rear) property line, approximately 140 feet from the south (Airport Drive) property line, 73 feet from the west (Haven Avenue) property line, and 3 feet from the east (interior) property line. The project will provide off-street parking along the northern, western, and southern portions of the site, in addition to a smaller parking area located at the southeast corner of the site to serve warehouse employees (see Exhibit D—Site Plan, attached).

A yard area designed for tractor-trailer parking, truck maneuvering, loading activities, and outdoor staging, is located on the south side of the proposed building. The yard area will be screened from public street views by a combination of landscaping and 14-foot high tilt-up screen walls with view-obstructing gates that have been designed to match the architecture and color scheme of the proposed building (see Exhibit E—Elevations – Industrial Warehouse Building, attached). An outdoor employee patio area has been provided on-site, located adjacent to the building's western office entry.

(b) Site Access/Circulation — The Project has two points of vehicular access along Airport Drive, including a 30-foot wide driveway located near the southwest corner of the site and a 50-foot wide driveway located near the southeast corner of the site, which will be shared by both standard vehicles and tractor-trailers accessing the yard area and parking lot. A 24-foot wide drive-aisle is proposed along the western, northern, and southern portions of the site, connecting the two points of street access and two emergency access drives located on the northeast and southeast portions of the site. The emergency access drives will be gated and will connect to the adjoining property's north-south running drive aisle. To provide access to the emergency drive aisle from the adjoining property, the project has been conditioned to provide a reciprocal access agreement between the two property owners (see Exhibit D—Site Plan, attached).

(c) Parking — The Project has provided off-street parking pursuant to the "Warehouse and Distribution" parking standards specified in the Development Code. The industrial building requires a total of 111 off-street parking spaces, and 140 spaces have

been provided. In addition, a minimum of one tractor-trailer parking space for each 4 dock-high loading spaces is required to be provided. There are 25 dock-high loading doors proposed, requiring 7 tractor-trailer parking spaces. The project is providing 22 tractor-trailer parking spaces, exceeding the minimum requirement.

(d) Traffic Impact Analysis — A focused Traffic Analysis was prepared for the project site by TJW Engineering (Dated: August 27, 2020), that compared the trip generation between the existing California Commerce Center Specific Plan Commercial/Food/Hotel land use designation (shopping center/commercial) versus the proposed Light Industrial land use at a FAR of 0.55 (warehouse/small ancillary office). The trip generation analysis utilized the Industry standard Institute of Transportation Engineers ("ITE") Trip Generation Manual (10th Edition, 2017) to determine trip generation rates for the existing and proposed land uses and represents the amount of traffic, both inbound and outbound, produced by each land use. The Traffic Analysis concluded that proposed change in land use from Commercial/Food/Hotel to Light Industrial would result in a net difference of 7,183 fewer Average Daily Trips ("ADT"), including 146 fewer A.M. peak hour trips, and 719 fewer P.M. peak hour trips (see Table 1: Net Difference in Trip Generation, below).

Table1: Net Difference in Trip Generation

Land Use[1]	Qty	Unit[2]	Daily Trips (ADTs)		AM Peak Hour					PM Peak Hour				
			Rate	Volume	Rate	In:Out Split	Volume			Rate	In:Out Split	Volume		
							In	Out	Total			In	Out	Total
Proposed Project														
Warehousing (150)	196.49	TSF	1.74	342	0.17	77:23	25	8	33	0.19	27:73	10	27	37
Small Office (712)	5.00	TSF	16.19	81	1.92	83:17	8	2	10	2.45	32:68	4	8	12
Total		TSF		423			33	10	43			14	35	49
Designated Land Use														
Shopping Center/Commercial (820)	201.49	TSF	37.75	7,606	0.94	62:38	117	72	189	3.81	48:52	369	399	768
Net Difference				**-7,183**			**-84**	**-62**	**-146**			**-355**	**-364**	**-719**

1: Rates from ITE Trip Generation (10th Edition, 2017)

2: TSF = Thousand Square Feet

(e) Architecture — The proposed industrial warehouse building will be of concrete tilt-up construction. Architecturally, the building incorporates smooth-painted concrete, horizontal reveals, color blocking, clerestory windows with clear anodized aluminum mullions and blue glazing, and steel canopies over the main office entries and first story windows (see Exhibit E—Elevations, attached). The mechanical equipment will be roof-mounted and obscured from public view by parapet walls and equipment screens, if necessary, which will be incorporated into the design of the building architecture. Staff believes that the proposed project illustrates the type of high-quality

architecture that is promoted by the Development Code. 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;
- A mix of exterior materials, finishes and fixtures;
- Base and top treatments defined by changes in color, materials, and recessed wall areas; and
- An architectural design that ensures that the building's massing, proportion, color palette, and architectural detailing are consistent throughout all four building elevations.

(f) Landscaping — The project provides landscaping along the Haven Avenue and Airport Drive frontages, around the project perimeter, and tractor-trailer yard area. The Development Code requires that the project provide a minimum 15 percent landscape coverage, which has been provided. Moreover, a combination of 24-inch, 36-inch, and 48-inch box accent and shade trees will be provided throughout the project site, in addition to a variety of shrubs and groundcovers that are low water usage and drought tolerant. The proposed on-site and off-site landscape improvements will assist towards creating a walkable, safe area for pedestrians to access the project site (see Exhibit F—Landscape Plan, attached).

(g) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes the project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes on-site run-off will be collected by a catch basin and conveyed to an underground infiltration system located within the tractor-trailer courtyard area. Any overflow drainage will be conveyed to 30-inch on-site storm drain that connects to a 60-inch storm drain located within Airport Drive.

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
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

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.

(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.

➢ LU1-6 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 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 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 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 Environmental Impact Report (State Clearinghouse No. 2008101140). The Addendum concluded that the Specific Plan Amendment and the Development Plan introduces no new significant environmental impacts.

Approval of the Development Plan is contingent upon City Council approval of the Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) and Amendment to the California Commerce Center Specific Plan (File No. PSPA20-003).

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	Parking Lot	Industrial	California Commerce Specific Plan	Proposed Light Industrial
North	Retail (Costco and Starbucks)	Office/Commercial	Ontario Gateway Specific Plan	Mixed Use and Office
South	Vacant	Industrial	California Commerce Specific Plan	Light Industrial
East	Industrial Warehouse	Industrial	California Commerce Specific Plan	Rail Industrial
West	Vacant	Airport	ONT – Ontario International Airport	N/A

General Site & Building Statistics

Item	*Proposed*	*Min./Max. Standard*	*Meets Y/N*
Project Area:	10.64 ac	N/A	Y
Lot/Parcel Size:	463,478 SF	43,560 SF (Min.)	Y
Building Area:	200,291 SF	N/A	Y
Floor Area Ratio:	0.43	0.55 (Max.)	Y
Building Height:	50 FT	120 FT (Max.)	Y

Off-Street Parking:

Type of Use	*Building Area*	*Parking Ratio*	*Spaces Required*	*Spaces Provided*
Warehouse/Distribution	200,291 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;	111	140
		One tractor-trailer parking space per 4 dock-high loading doors (25 dock-high loading doors proposed)	7	22
Office	2,500 SF + 2,500 Mezzanine	Parking required parking for "general business offices" and other associated uses, when those uses exceed 10 percent of the building GFA.	0	0
TOTAL (excludes tractor-trailer spaces)			111	140

Exhibit A—PROJECT LOCATION MAP

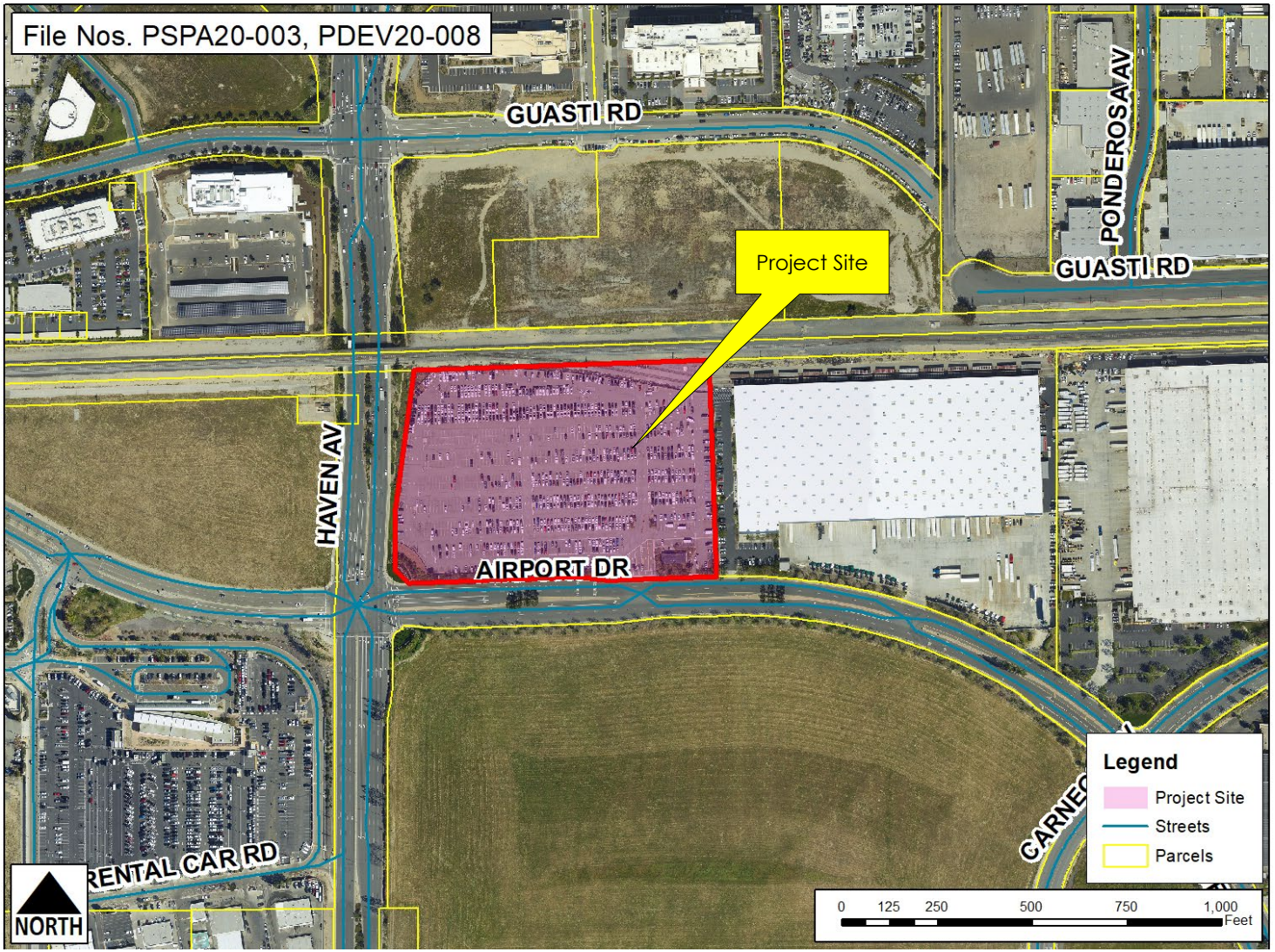


Exhibit B— Existing – California Commerce Center Specific Plan Land Use Plan

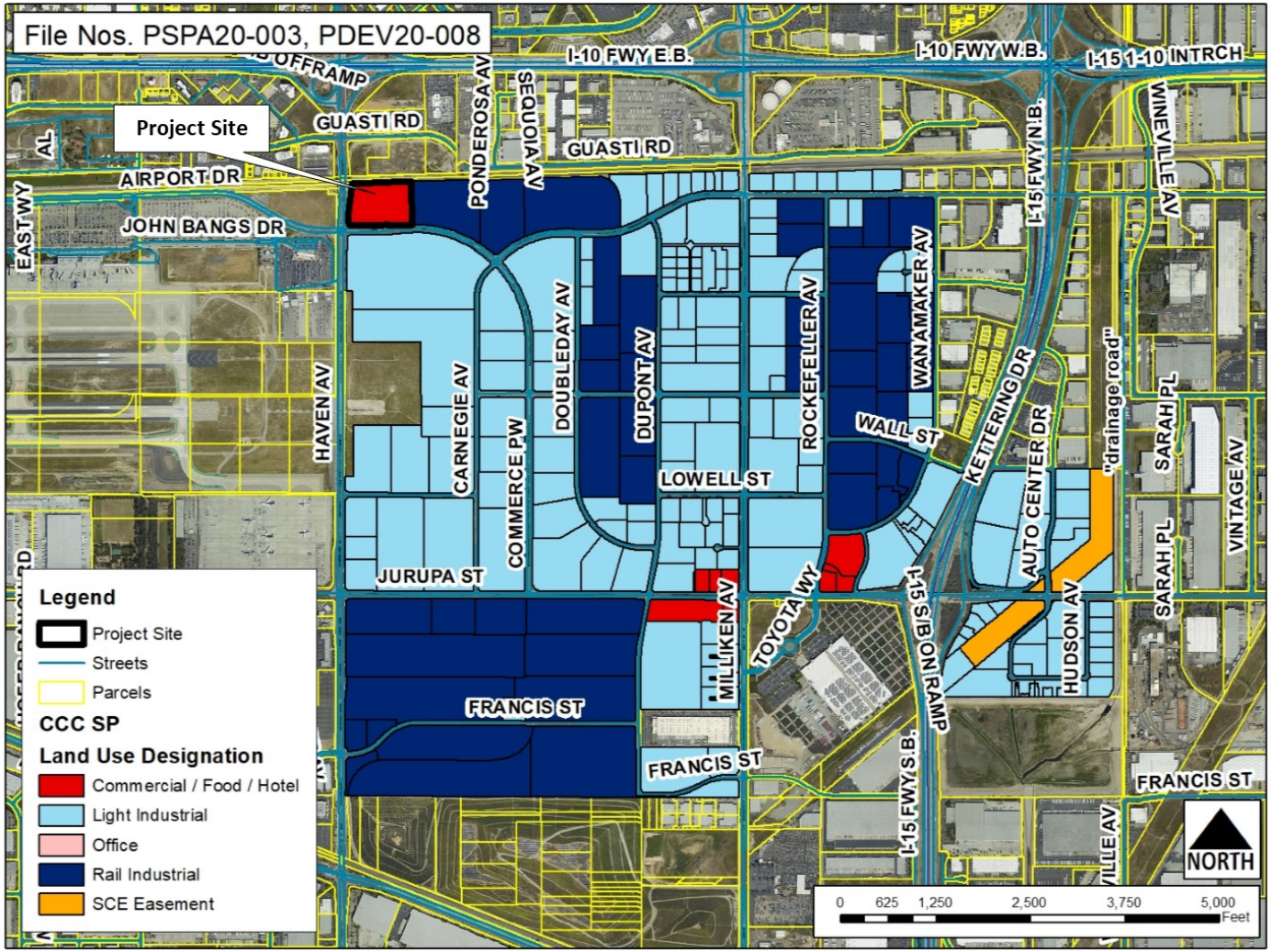


Exhibit C— Proposed – California Commerce Center Specific Plan Land Use Plan

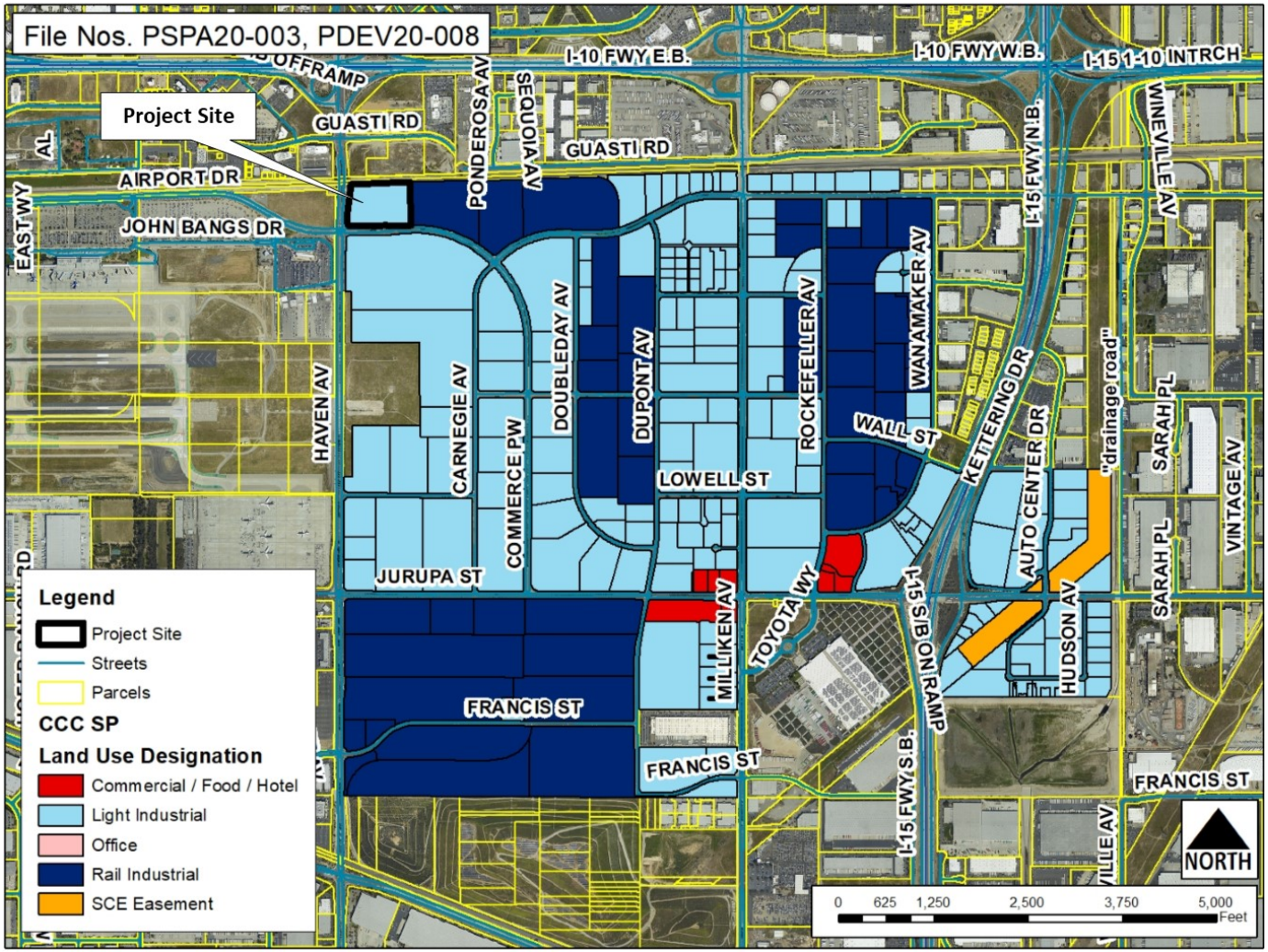


Exhibit D—SITE PLAN

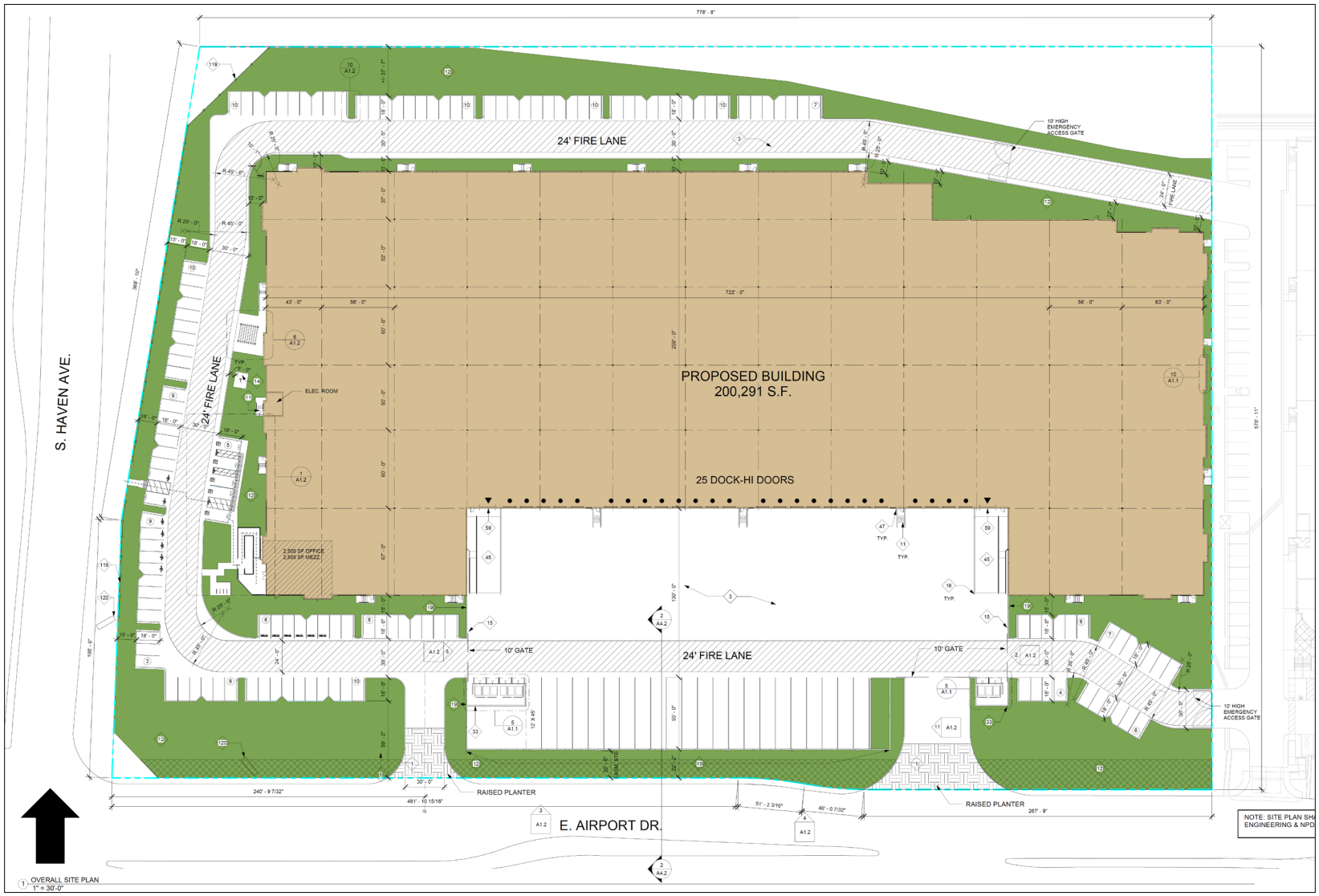
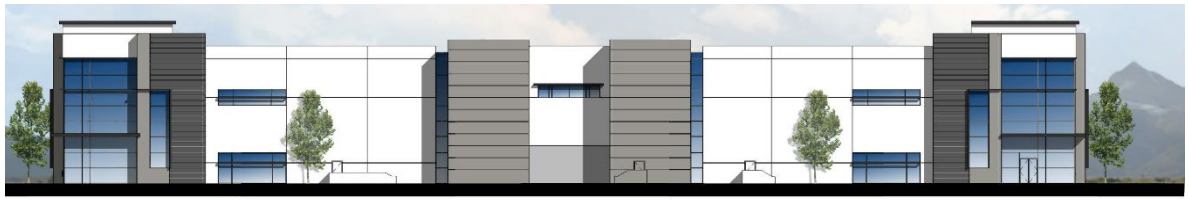


Exhibit E—EXTERIOR ELEVATIONS

North Elevation

South Elevation



East Elevation

West Elevation

Exhibit F—LANDSCAPE PLAN

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May 25, 2021

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Re: Comment on CEQA Addendum for Vogel Properties Warehouse, Planning Commission Agenda Items E and F (File No. PSPA20-003; PDEV 20-008)

Honorable Planning Commissioners, Director Zeledon and Mr. Chen,

I am writing on behalf of Supporters Alliance for Environmental Responsibility ("SAFER") regarding the 200,291 square foot warehouse project proposed to be located at the northeast corner of Haven Avenue and Airport Drive (APN 0211-222-66) ("Project") proposed by Vogel Properties, Inc., including a Specific Plan Amendment changing the land use designation from Commercial/Food/Hotel to Light Industrial (PSPA 20-003); a development plan to construct a 200,291 square foot industrial building on 10.64 acres of land (PDEV 20-008), and an Addendum under the California Environmental Quality Act ("CEQA") to The Ontario Plan environmental impact report, which was certified in 2010 ("2010 TOP EIR").

The City's proposed CEQA Addendum is inadequate because the Project was not analyzed in the 2010 TOP EIR at all. The Ontario Plan is the General Plan for the entire City of Ontario, and the 2010 TOP EIR analyzed environmental impacts at an extremely general level - not at a project-specific level. The proposed Project will generate large amounts of diesel heavy truck traffic, construction emissions, diesel yard equipment such as fork lifts, noise from truck traffic and back-up beepers, and many other impacts. None of these project-specific impacts were analyzed in the 2010 TOP

EIR. These impacts must be analyzed and mitigated in a project-level environmental impact report ("EIR").

I. LEGAL STANDARD

CEQA contains a strong presumption in favor of requiring a lead agency to prepare an EIR. This presumption is reflected in the fair argument standard. Under that standard, a lead agency must prepare an EIR whenever substantial evidence in the whole record before the agency supports a fair argument that a project may have a significant effect on the environment. (Pub. Res. Code § 21082.2; *Laurel Heights Improvement Ass'n v. Regents of the University of California* (1993) ("*Laurel Heights II*") 6 Cal.4th 1112, 1123; *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75, 82; *Quail Botanical Gardens v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1602.)

A. Preparation of an Addendum Under CEQA

The City contends that the Project was already analyzed in the 2010 TOP EIR. However, the 2010 TOP EIR does not even mention this Project. Furthermore, even if the 2010 TOP EIR analyzed this Project (which it did not), a Supplemental EIR ("SEIR") would be required pursuant to CEQA section 21166 and CEQA Guidelines section 15162. At the very least a CEQA addendum should have been prepared pursuant to CEQA Guidelines section 15164.

Section 15164(a) of the State CEQA Guidelines states that "[t]he lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." (14 CCR § 15164(a).) Pursuant to Section 15162(a) of the State CEQA Guidelines, "[w]hen an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project" unless the agency determines one or more of the following exists:

> 1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
> (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
> (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the

previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
(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 project proponents decline to adopt the mitigation measure or alternative; or
(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

(14 CCR § 15162(a).)

B. Tiering Under CEQA

CEQA permits agencies to 'tier' EIRs, in which general matters and environmental effects are considered in an EIR "prepared for a policy, plan, program or ordinance followed by narrower or site-specific [EIRs] which incorporate by reference the discussion in any prior [EIR] and which concentrate on the environmental effects which (a) are capable of being mitigated, or (b) were not analyzed as significant effects on the environment in the prior [EIR]." (Cal. Pub. Res. Code ("PRC") § 21068.5.) "[T]iering is appropriate when it helps a public agency to focus upon the issues ripe for decision at each level of environmental review and in order to exclude duplicative analysis of environmental effects examined in previous [EIRs]." (Id. § 21093.) The initial general policy-oriented EIR is called a programmatic EIR ("PEIR") and offers the advantage of allowing "the lead agency to consider broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts." (14 CCR § 15168(a).) CEQA regulations strongly promote tiering of EIRs, stating that "[EIRs] shall be tiered whenever feasible, as determined by the lead agency." (PRC § 21093.)

"Later activities in the program must be examined in light of the program EIR to determine whether an additional environmental document must be prepared." (14 CCR § 15168(c).) The first consideration is whether the activity proposed is covered by the PEIR. (Id. § 15168(c)(2).) If a later project is outside the scope of the program, then it is treated as a separate project and the PEIR may not be relied upon in further review. (See *Sierra Club v. County of Sonoma* (1992) 6 Cal.App.4th 1307, 1320-21.) The second consideration is whether the "later activity would have effects that were not examined in the program EIR." (14 CCR § 15168(c)(1).) A PEIR may only serve "to the extent that it contemplates and adequately analyzes the potential environmental

impacts of the project . . ." (*Sierra Nevada Conservation v. County of El Dorado* (2012) 202 Cal.App.4th 1156, 1171 [quoting *Citizens for Responsible Equitable Envtl. Dev. v. City of San Diego Redevelopment Agency* (2005) 134 Cal.App.4th 598, 615].) If the PEIR does not evaluate the environmental impacts of the project, a tiered EIR must be completed before the project is approved. (Id. at 1184.)

For these inquiries, the "fair argument test" applies. (*Sierra Club*, 6 Cal.App.4th at 1318; see also *Sierra Club v. County of San Diego* (2014) 231 Cal.App.4th 1152, 1164 ("when a prior EIR has been prepared and certified for a program or plan, the question for a court reviewing an agency's decision not to use a tiered EIR for a later project 'is one of law, i.e., 'the sufficiency of the evidence to support a fair argument.'" [quoting *Sierra Club*, 6 Cal.App.4th at 1318]).) Under the fair argument test, a new EIR must be prepared "whenever it can be fairly argued on the basis of substantial evidence that the project may have significant environmental impact. (*Sierra Club*, 6 Cal.App.4th at 1316 [quotations and citations omitted].) When applying the fair argument test, "deference to the agency's determination is not appropriate and its decision not to require an EIR can be upheld only when there is no credible evidence to the contrary." (*Id*. at 1318.) "[I]f there is substantial evidence in the record that the later project may arguably have a significant adverse effect on the environment which was not examined in the prior program EIR, doubts must be resolved in favor of environmental review and the agency must prepare a new tiered EIR, notwithstanding the existence of contrary evidence." (*Id*. at 1319.)

II. DISCUSSION

A. THE CITY CANNOT APPROVE THE PROJECT BECAUSE NO EIR OR NEGATIVE DECLARATION HAS BEEN ADOPTED FOR THIS PROJECT.

Most obviously, the City may not approve the Project because the proposed Project has not been subject to CEQA review and no EIR or negative declaration has ever been adopted for the project.

As the California Supreme Court explained in *San Mateo Gardens*, subsequent CEQA review provisions "can apply only if the project has been subject to initial review; they can have no application if the agency has proposed a new project that has not previously been subject to review." (*Friends of Coll. of San Mateo Gardens v. San Mateo County Cmty. Coll. Dist.* ("*San Mateo Gardens*") (2016) 1 Cal.5th 937, 950.) Agencies can prepare addenda for project modifications or revisions and avoid further environmental review, but only if the project has a previously certified EIR. (See *Save our Heritage v. City of San Diego* (2018) 28 Cal.App.5th 656, 667.) Further, the Resource Agency designed the CEQA Guideline's addendum provision as a device to "mak[e] minor corrections in EIRs without recirculating the EIR." (Id. at 664-65 [referencing Resources Agency, Amendments to the State CEQA Guidelines, Text of Adopted Amendments with Statement of Reasons (Dec. 30, 1982), 100-01].)

The City contends that the Project was analyzed in the 2010 TOP EIR. However, this Project is nowhere mentioned in the 2010 TOP EIR. CEQA Guideline section 15164 requires agencies to prepare an addendum to an EIR or negative declaration if none of the conditions in Guideline section 15162 have occurred. (14 CCR § 15164(a).) However, Guideline section 15162 only applies if an EIR or negative declaration has been adopted for a project, allowing an agency to avoid preparing a "subsequent EIR . . . for that ***project***" unless one or more of the listed conditions apply. (Id. [emphasis added].) Therefore, an agency can only prepare an addendum and avoid preparing an EIR for a project that has already undergone CEQA review, and for which an EIR has been certified or a negative declaration has been adopted for, so long as one of the conditions does not apply.

Here, the proposed Project has never undergone CEQA review. The proposed project was not mentioned or discussed in the 2010 TOP EIR and was not considered in the initial CEQA review the City points to for its use of the addendum provision. The City can therefore not rely on the 2010 TOP EIR to avoid CEQA review for the Project. Further, the proposed Project does not modify or revise the 2010 TOP EIR. In fact, the Project has no impact at all on the 2010 TOP EIR.

Since the City cannot rely on CEQA section 21166, or CEQA Guidelines sections 15162 or 15164 to avoid CEQA review for this Project, the Project must therefore undergo CEQA review and follow the tiering process.

B. CEQA REQUIRES THE CITY TO PREPARE A TIERED EIR FOR THE PROJECT.

The 2010 TOP EIR was a programmatic EIR, not a project-specific EIR, which the CEQA Guidelines define as an "EIR [which] examines the environmental impacts of a specific development project." (14 CCR § 15161.) The 2010 TOP EIR was programmatic EIR for the City's General Plan, governing zoning across the entire City. The CEQA Guidelines define a programmatic EIR as:

> . . . an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:
> (1) Geographically,
> (2) As logical parts in the chain of contemplated actions,
> (3) In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or
> (4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

(14 CCR § 15168.) Thus, instead of proceeding under the provisions of CEQA Guidelines sections 15162 or 15164, the City should have proceeded under section 15168 provisions for subsequent analysis for a Program EIR.

It has long been established that a General Plan EIR is not a project-specific EIR and does not eliminate the need to prepare project-specific EIRs for particular projects. (*Environmental Planning & Information Council v. County of El Dorado* (1982) 131 Cal.App.3d 350; *Woodward Park Homeowners Assn., Inc. v. City of Fresno* (2007) 149 Cal. App. 4th 683, 698). The General Plan EIR simply does not analyze the impacts of specific projects.

The instant Project is nowhere described in the TOP EIR or any other CEQA document. Without a clear and accurate description of the proposed Project, there is no CEQA review at all. As the Court of Appeal recently affirmed, "'[a]n accurate, stable, and [consistent] project description is the *sin[e] qua non* of an informative and legally sufficient EIR' because a shifting project description may confuse the public and public decision-makers, thus vitiating the EIR's usefulness as a vehicle for intelligent public participation. Accordingly, a project description 'should be sufficiently detailed to provide a foundation for a complete analysis of the environmental impacts,' and it should include all project components and 'apprise the parties of the true scope of the project.'" (*Stopthemillenniumhollywood.com v. City of Los Angeles*, 39 Cal. App. 5th 1, (2019) ("*Millenium*"); quoting*, County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185.) Put simply, since the instant Project is not described in any prior CEQA document, there has been no adequate CEQA review for the Project. There would have been no way for the public to intelligently comment on the Project in 2010 because the Project was not described, discussed or proposed at that time. See, *Millenium*; *Washoe Meadows Community v. Dept. of Parks & Recreation* (2017) 17 Cal.App.5th 277.

SAFER hereby requests that the City prepare an environmental impact report ("EIR") to analyze the significant environmental impacts of the Project and to propose all feasible mitigation measures and alternatives to reduce those impacts. The City may not rely on the 2010 TOP EIR for several reasons, including but not limited to the following:

- The 2010 TOP EIR did not analyze this Project. It conducted only very broad program level analysis and did not analyze Project-level impacts. A prior CEQA document may only be used for a later project that is "essentially the same project" as was analyzed in the prior document. *Sierra Club v. County of Sonoma* (1992) 6 Cal.App.4th 1307, 1320; *American Canyon Community v. American Canyon*, 145 Cal.App.4th 1062. The 2010 EIR did not analyze the Project at all.

- The 2010 TOP EIR included mitigation measures that were never implemented, including traffic mitigation measures. Since the City has failed to implement the

mitigation measures required by the 2010 EIR, it may not now rely on that document. See, *Katzeff v. Dept. of Forestry* (2010) 181 Cal.App.4th 601, 611, 614; *Lincoln Place Tenants v. City of Los Angeles* (2005) 130 Cal.App.4th 1491, 1507 n22.

- The Project will have significant environmental impacts that were not analyzed in the 2010 TOP EIR. For example, the Project will have significant air quality, traffic and noise impacts from diesel trucks and other sources that would not have existed in the former Commercial/Food/Hotel land use designation.

- CEQA was amended to require traffic analysis using vehicle miles travelled (VMT) rather than level of service (LOS). CEQA Guidelines Section 15064.3. By July 1, 2020, all CEQA lead agencies must analyze a project's transportation impacts using vehicle miles traveled (VMT). VMT measures the per capita number of car trips generated by a project and distances cars will travel to and from a project, rather than congestion levels at intersections (level of service or "LOS," graded on a scale of A – F). The 2010 TOP EIR used LOS analysis, not VMT. The Project's traffic impacts must be analyzed under the new VMT methodology consistent with Section 15064.3.

- There are many mitigation measures that are now feasible that were not feasible or did not exist in 2009, when the 2010 TOP EIR was prepared. For example, the Project could offset its air pollution and greenhouse gas emissions in part by installing solar photovoltaic panels, operating only 2010 or better diesel trucks, and many other measures that were not feasible in 2009. The Addendum recommends the use of only Tier 3 construction equipment. (Addendum 18, 49). However, Tier 4 equipment became available in 2015 and is now readily available. Tier 4 equipment is about 85% cleaner than Tier 3 equipment and would dramatically reduce the Project's air quality impacts. A new EIR is required to analyze these measures.

- The TOP EIR did not analyze energy impacts at all. (Addendum 21). The CEQA Addendum contains a short one paragraph energy analysis which fails to comply with CEQA's informational requirements. A new EIR is required to analyze the Project's energy impacts and to propose feasible mitigation measures such as solar panels, vehicle electrification, etc.

- There are numerous changed circumstances that have occurred since 2010 that require renewed environmental review. For example, traffic in the area is much heavier not than in 2009, when the area was at the height of a recession, population has grown in the area, etc.

C. EVEN IF THE 2010 TOP EIR IS STILL RELEVANT TO THE PROJECT, A TIERED EIR IS REQUIRED TO MITIGATE THE SIGNIFICANT UNAVOIDABLE IMPACTS OF THE PROGRAM IDENTIFIED IN THE 2010 TOP EIR.

The 2010 TOP EIR concluded that the program would have significant unavoidable impacts in the areas of:

- Agricultural Resources;
- Air Quality (including VOC, CO, NOx, PM-10, PM-2.5);
- Cultural Resources;
- Climate Change;
- Noise;
- Traffic.

(2010 TOP Draft EIR, pp. 1-19 through 1-36).

Since the overall program will have significant unavoidable impacts, the City must prepare a project-level supplemental EIR for the proposed Project to determine whether mitigation measures exist to reduce the significant unavoidable impacts identified in the 2010 TOP EIR.

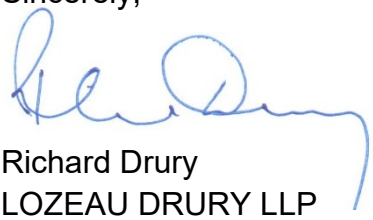
In the case of *Communities for a Better Environment v. Cal. Resources Agency* (2002) 103 Cal.App.4th 98, 122-125, the court of appeal held that when a "first tier" EIR admits a significant, unavoidable environmental impact, then the agency must prepare second tier EIRs for later phases of the project to ensure that those unmitigated impacts are "mitigated or avoided." (Id. citing CEQA Guidelines §15152(f)). The court reasoned that the unmitigated impacts were not "adequately addressed" in the first tier EIR since they were not "mitigated or avoided." (*Id*.) Thus, significant effects disclosed in first tier EIRs will trigger second tier EIRs unless such effects have been "adequately addressed," in a way that ensures the effects will be "mitigated or avoided." (Id.) Such a second tier EIR is required, even if the impact still cannot be fully mitigated and a statement of overriding considerations will be required. The court explained, "The requirement of a statement of overriding considerations is central to CEQA's role as a public accountability statute; it requires public officials, in approving environmental detrimental projects, to justify their decisions based on counterbalancing social, economic or other benefits, and to point to substantial evidence in support." (*Id*. at 124-125). The court specifically rejected a prior version of the CEQA guidelines regarding tiering that would have allowed a statement of overriding considerations for a program-level project to be used for a later specific project within that program. (*Communities for a Better Env't v. California Res. Agency* (2001) 103 Cal.App.4th 98, 124, disapproved on other grounds by *Berkeley Hillside Pres. v. City of Berkeley* (2015) 60 Cal.4th 1086.) Even though "a prior EIR's analysis of environmental effects may be subject to being incorporated in a later EIR for a later, more specific project, the responsible public

officials must still go on the record and explain specifically why they are approving the later project despite its significant unavoidable impacts." (*Id*., pp. 124-25.)

III. CONCLUSION

For the above and other reasons, the City must prepare an EIR to analyze and mitigate the impacts of the Project. The City may not rely on the decade-old 2010 TOP EIR, which did not even analyze the proposed Project.

Sincerely,



Richard Drury
LOZEAU DRURY LLP

RESOLUTION NO. PC21-044

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO RECOMMENDING CITY COUNCIL APRROVE THE USE OF AN ADDENDUM TO THE ONTARIO PLAN ENVIRONMENTAL IMPACT REPORT, PURSUANT TO THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NOS. PSPA20-003 AND PDEV20-008

WHEREAS, VOGEL PROPERTIES, INC. (hereinafter referred to as "Applicant") has filed an Application for the approval of an Amendment to the California Commerce Center Specific Plan (File No. PSPA20-003), changing the land use designation on 10.64 acres of land from Commercial/Food/Hotel to Light Industrial, to be consistent with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use designation, in conjunction with a Development Plan (File No. PDEV20-008) to construct a 200,291 square foot industrial building located at the northeast corner of Haven Avenue and Airport Drive, in the City of Ontario, California (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the property to the north of the Project site is within the Office/Commercial land use designation of the Ontario Gateway Specific Plan and is developed with retail land uses (Costco and Starbucks). The property to the east is within the Rail Industrial land use designation of the California Commerce Center Specific Plan and is developed with industrial land uses. The property to the south is within the Light Industrial land use designation of the California Commerce Center Specific Plan and is currently vacant. The property to the west is within the ONT (Ontario International Airport) zoning district and is currently vacant; and

WHEREAS, The Ontario Plan 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 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, 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 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 the Project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was certified on January 27, 2010 in conjunction with File No. PGPA06-001;

(2) The EIR Addendum and administrative record have been completed in compliance with CEQA, the CEQA Guidelines, and the City of Ontario Local CEQA Guidelines.

(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.

(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.

(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 22nd day of June 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Rick Gage
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. PC21-044, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on June 22, 2021, by the following roll call vote, to wit:

AYES: Dean, DeDiemar, Gage, Gregorek, Lampkin, Ricci

NOES: None

ABSENT: Willoughby

ABSTAIN: None

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:
Addendum to The Ontario Plan Environmental Impact Report

(Addendum to follow this page)

City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

California Environmental Quality Act

Addendum to The Ontario Plan Environmental Impact Report

Project Title/File Nos.: PSPA20-003 and PDEV20-008

Lead Agency: City of Ontario, 303 East "B" Street, Ontario, California 91764, (909) 395-2036

Contact Person: Jeanie Irene Aguilo, Associate Planner, 909-395-2418

Project Sponsor: William Vogel, Vogel Properties, Inc., 3000 Paseo Tesoro, Walnut, CA 91789

Project Location: The project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1 and 2, below, the project site is located on Assessor Parcel Number (APN): 0211-222-66, which is comprised of 10.64 acres of land located on the northeast corner of Airport Drive and Haven Avenue.

Figure 1: REGIONAL LOCATION MAP

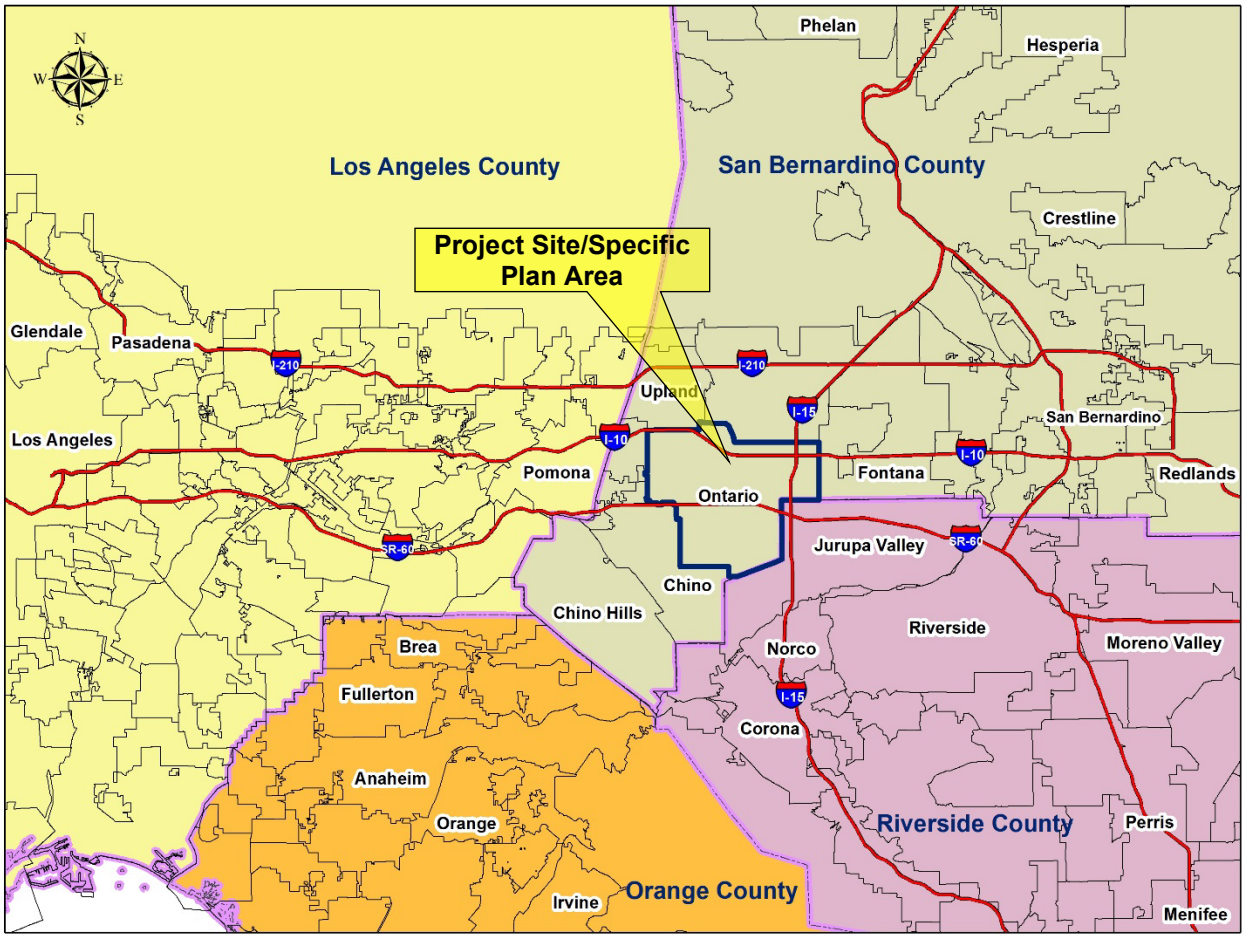
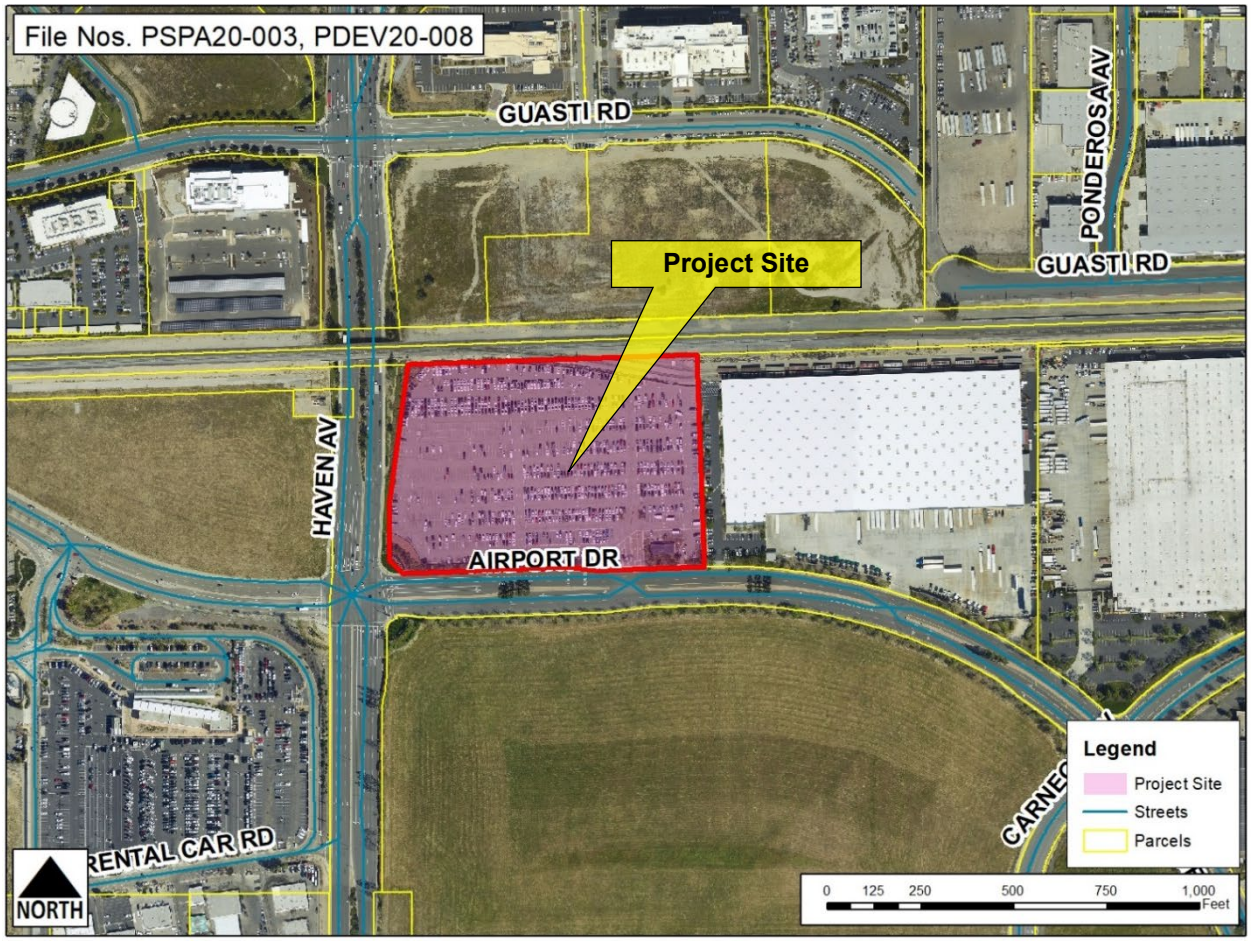


Figure 2: VICINITY MAP



General Plan Designation: Industrial (0.55 FAR)

Zoning:

1. Existing – California Commerce Center Specific Plan, Commercial/Food/Hotel land use district

2. Proposed – California Commerce Center Specific Plan, Light Industrial land use district

Description of Project: The project proposes the following entitlements:

1. An Amendment to the California Commerce Center Specific Plan, changing the land use designation on 10.64 acres of land from Commercial/Food/Hotel to Light Industrial, to be consistent with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use designation; and

2. A Development Plan to construct a 200,291-square foot industrial building on 10.64 acres of land located at the northeast corner of Haven Avenue and Airport Drive, within the proposed Light Industrial land use district of the California Commerce Center Specific Plan.

The California Commerce Center Specific Plan and Environmental Impact Report No. 81-4 (EIR) was adopted and certified by the City Council on May 17, 1984, with a Statement of Overriding Considerations. The Specific Plan encompasses approximately 1,500 acres of land generally located north of the SR-60 Pomona Freeway, South of Mission, Boulevard, east of Haven Avenue and west of Doubleday Street. The Specific Plan Amendment will include the following revisions to the Specific Plan:

- Any graphic, table, and/or text that currently identifies the Project Site of 10.64 acres of land from Commercial/Food/Hotel, will be changed to Light Industrial.

Project Setting: The project site is comprised of 10.64 acres of land located at the northeast corner of Haven Avenue and Airport Drive. The site slopes to the south and is presently developed as a parking lot with two structures totaling 1,500 square feet that consist of a toll booth and modular office building. The site is surrounded by commercial development to the north, vacant land to the south and west, and industrial warehouse to the east, as shown in the table below.

Surrounding Land Uses:

	Existing Land Use	***General Plan Designation***	***Zoning Designation***	***Specific Plan Land Use***
Site:	Parking Lot	Industrial	California Commerce Specific Plan	Proposed Light Industrial
North:	Retail (Costco and Starbucks)	Office/Commercial	Ontario Gateway Specific Plan	Mixed Use and Office
South:	Vacant	Industrial	California Commerce Specific Plan	Light Industrial
East:	Industrial Warehouse	Industrial	California Commerce Specific Plan	Rail Industrial
West:	Vacant	Airport	ONT – Ontario International Airport	N/A

Background: On January 27, 2010, the Ontario City Council adopted The Ontario Plan ("TOP"). TOP serves as the framework for the City's business plan and provides a foundation for the City to operate as a municipal corporation that consists of six (6) distinct components: 1) Vision; 2) Governance Manual; 3) Policy Plan; 4) Council Priorities; 5) Implementation; and 6) Tracking and Feedback. The Policy Plan component of TOP meets the functional and legal mandate of a General Plan and contains nine elements: Land Use, Housing, Parks and Recreation, Environmental Resources, Community Economics, Safety, Mobility, Community Design and Social Resources.

An Environmental Impact Report ("EIR") was prepared for TOP (State Clearinghouse No. 2008101140) and certified by the City Council on January 27, 2010 (hereinafter referred to as "Certified EIR"), which included Mitigation, Findings and a Statement of Overriding Considerations pursuant to the requirements of the California Environmental Quality Act, commencing with Public Resources Code Section 21000 ("CEQA"). The Certified EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land use associated with the buildout of the proposed land use plan, and in the Policy Plan and impacts resultant of population and employment growth in the City. The subject site was analyzed in the Certified EIR as Industrial (see Exhibit A: Existing – California Commerce Center Specific Plan Land Use Plan) to be consistent with the industrial uses to the south, east, and west of the subject site. The significant unavoidable adverse impacts that were identified in Certified EIR included agriculture resources, air quality, cultural resources, greenhouse gas emissions, noise, and transportation/traffic.

Analysis: According to the California Environmental Quality Act Guidelines Section 15164, an Addendum to a previously certified EIR may be used if some changes or additions are necessary, but none of the conditions described in Section 15162 requiring the preparation of a subsequent Negative Declaration or EIR have occurred. The CEQA Guidelines require that a brief explanation be provided to support the findings that no subsequent EIR or Negative Declaration are needed for further discretionary approval. These findings are described below:

1) *Required Finding: Substantial changes are not proposed for the project that will require major revisions of the previous EIR due to the involvement of new, significant environmental effects or a substantial*

increase in the severity of previously identified effects.

Substantial changes are not proposed by the project and project implementation will not require revisions to TOP EIR. TOP EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land use associated with the buildout of the proposed land use plan. The proposed California Commerce Center Specific Plan land use Amendment from Commercial/Food/Hotel to Light Industrial will bring the project site in conformance with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use designation.

A focused Traffic Analysis was prepared for the project site by TJW Engineering (Dated: August 27, 2020), that compared the trip generation between the existing California Commerce Center Specific Plan Commercial/Food/Hotel land use designation (shopping center/commercial) versus the proposed Light Industrial land use at a FAR of 0.55 (warehouse/small ancillary office). The trip generation analysis utilized the Industry standard Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition, 2017) to determine trip generation rates for the existing and proposed land uses and represents the amount of traffic, both inbound and outbound, produced by each land use. The Traffic Analysis concluded that proposed change in land use from Commercial/Food/Hotel to Light Industrial would result in a net difference of 7,183 fewer Average Daily Trips (ADT) trips, including 146 fewer AM peak hour trips, and 719 fewer PM peak hour trips, as shown in Table1: Net Difference in Trip Generation, below.

Table1: Net Difference in Trip Generation

Land Use[1]	Qty	Unit[2]	Daily Trips (ADTs)		AM Peak Hour					PM Peak Hour				
			Rate	Volume	Rate	In:Out Split	Volume			Rate	In:Out Split	Volume		
							In	Out	Total			In	Out	Total
Proposed Project														
Warehousing (150)	196.49	TSF	1.74	342	0.17	77:23	25	8	33	0.19	27:73	10	27	37
Small Office (712)	5.00	TSF	16.19	81	1.92	83:17	8	2	10	2.45	32:68	4	8	12
Total		TSF		423			33	10	43			14	35	49
Designated Land Use														
Shopping Center/Commercial (820)	201.49	TSF	37.75	7,606	0.94	62:38	117	72	189	3.81	48:52	369	399	768
Net Difference				**-7,183**			**-84**	**-62**	**-146**			**-355**	**-364**	**-719**

1: Rates from ITE Trip Generation (10th Edition, 2017)

2: TSF = Thousand Square Feet

Since the proposed Specific Plan Amendment will bring the project site in conformance with TOP and planned buildout and the proposed project will be consistent with the impacts originally analyzed in TOP EIR, no revisions to TOP EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

2) *Required Finding: Substantial changes have not occurred with respect to the circumstances under which the project is undertaken, that would require major revisions of the previous Environmental Impact Report due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.*

Substantial changes have not occurred with respect to the circumstances under which the project was undertaken, that would require major revisions to TOP EIR. The proposed California Commerce Center Specific Plan land use Amendment from Commercial/Food/Hotel to Light Industrial will bring the project site in conformance with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use

designation. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

3) *Required Finding. No new information has been provided that would indicate that the proposed project would result in one or more significant effects not discussed in the previous EIR.*

No new information has been provided that would indicate the proposed project would result in any new significant effects not previously discussed in TOP EIR. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

CEQA Requirements for an Addendum: If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency may: (1) prepare a subsequent EIR if the criteria of State CEQA Guidelines Section 15162(a) are met, (2) prepare a subsequent negative declaration, (3) prepare an addendum, or (4) prepare no further documentation. (State CEQA Guidelines Section 15162(b)). When only minor technical changes or additions to the negative declaration are necessary and none of the conditions described in section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred, CEQA allows the lead agency to prepare and adopt an addendum. (State CEQA Guidelines Section 15164(b).)

Under Section 15162, a subsequent EIR or negative declaration is required only when:

1) Substantial changes are proposed in the project which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the negative declaration due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the negative declaration was adopted, shows any of the following:

a) The project will have one or more significant effects not discussed in the previous negative declaration;

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

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 project proponents decline to adopt the mitigation measure or alternative; or

d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Thus, if the Project does not result in any of the circumstances listed in Section 15162 (i.e., no new or substantially greater significant impacts), the City may properly adopt an addendum to the Certified EIR.

Conclusion: TOP EIR, certified by City Council on January 27, 2010, was prepared as a Program EIR in accordance with CEQA, the State CEQA Guidelines, and the City's Rules for the Implementation of CEQA and in accordance with Section 15121(a) of the State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3). TOP EIR considered the direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by The Ontario Plan. Consequently, TOP EIR focused on impacts from changes to land use associated with buildout of the City's Land Use Plan, within the Policy Plan, and impacts from the resulting population and employment growth in the City. The proposed California Commerce Center Specific Plan land use Amendment from Commercial/Food/Hotel to Light Industrial will bring the project site in conformance with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use designation. As described on page 4, the amount of development anticipated at buildout will be consistent with the Certified EIR. Subsequent activities within TOP Program EIR have been evaluated to determine whether an additional CEQA document needs to be prepared.

Accordingly, and based on the findings and information contained in the Certified EIR, the analysis above, the attached Initial Study, and CEQA statute and State CEQA Guidelines, including Sections 15164 and 15162, the Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary, nor is there a need for any additional mitigation measures; therefore, pursuant to State CEQA Guidelines Section 15164, the Ontario City Council hereby adopts this Addendum to the Certified EIR.

Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement): None

Tribal Consultation: Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? ☒ Yes ☐ No

If "yes," has consultation begun? ☐ Yes ☐ No ☒ Completed

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☒ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Jeanie Irene Aguilo
Signature

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Date

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Printed Name and Title

City of Ontario – Planning Department
For

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from the "Earlier Analyses" Section may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

a) Earlier Analyses Used. Identify and state where they are available for review.

b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources. A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

a) The significance criteria or threshold, if any, used to evaluate each question; and

b) The mitigation measure identified, if any, to reduce the impact to less than significance.

Issues	***Potentially Significant Impact***	***Less Than Significant with Mitigation***	***Less Than Significant Impact***	***Impacts Previously Analyzed in TOP EIR***
1. AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
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?	☐	☐	☐	☒
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒
2. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:				

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*Impacts Previously Analyzed in TOP EIR*
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☐	☒
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
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?	☐	☐	☐	☒
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
d. Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	☐	☐	☐	☒
4. BIOLOGICAL RESOURCES. Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*Impacts Previously Analyzed in TOP EIR*
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
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?	☐	☐	☐	☒
5. CULTURAL RESOURCES. Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☐	☐	☒
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☐	☐	☒
c. Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☐	☒
6. ENERGY. Would the project:				
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☒
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒
7. GEOLOGY AND SOILS. Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:	☐	☐	☐	☒
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii. Strong seismic ground shaking?	☐	☐	☐	☒
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv. Landslides?	☐	☐	☐	☒

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*Impacts Previously Analyzed in TOP EIR*
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
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?	☐	☐	☐	☒
d. Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code, creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
8. GREENHOUSE GAS EMISSIONS. Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	☐	☐	☐	☒
9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
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?	☐	☐	☐	☒
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*Impacts Previously Analyzed in TOP EIR*
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒
10. HYDROLOGY AND WATER QUALITY. Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	☒
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
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:	☐	☐	☐	☒
i. result in substantial erosion or siltation on- or off-site;	☐	☐	☐	☒
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☐	☒
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☐	☒
iv. impede or redirect flood flows?	☐	☐	☐	☒
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒
11. LAND USE AND PLANNING. Would the project:				
a. Physically divide an established community?	☐	☐	☐	☒
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?	☐	☐	☐	☒
12. MINERAL RESOURCES. Would the project:				
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*Impacts Previously Analyzed in TOP EIR*
13. NOISE. Would the project result in:				
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 groundborne vibration or groundborne 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?	☐	☐	☐	☒
14. POPULATION AND HOUSING. Would the project:				
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 road or other infrastructure)?	☐	☐	☐	☒
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
15. PUBLIC SERVICES. Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	☐	☐	☐	☒
ii. Police protection?	☐	☐	☐	☒
iii. Schools?	☐	☐	☐	☒
iv. Parks?	☐	☐	☐	☒
v. Other public facilities?	☐	☐	☐	☒
16. RECREATION. Would the project:				
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?	☐	☐	☐	☒
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	☐	☐	☐	☒

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*Impacts Previously Analyzed in TOP EIR*
17. TRANSPORTATION. Would the project:				
a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☒
b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☐	☒
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d. Result in inadequate emergency access?	☐	☐	☐	☒
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				
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)?	☐	☐	☐	☒
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 Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒
19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*Impacts Previously Analyzed in TOP EIR*
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒
20. WILDFIRES. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
21. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project 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?	☐	☐	☐	☒
b. Does the project 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 past projects, the effects of other current project, and the effects of probable future projects.)	☐	☐	☐	☒
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

Note: Authority cited: Public Resources Code sections 21083, 21083.05, 21083.09.

Reference: Gov. Code section 65088.4; Public Resources Code sections 21073, 21074, 21080(c), 21080.1, 21080.3, 21080.3.1, 21080.3.2, 21082.3, 21083, 21083.3, 21083.5, 21084.2, 21084.3, 21093, 21094, 21095 and 21151; *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors* (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

EXPLANATION OF ISSUES

1. AESTHETICS. Would the project:

a. Have a substantial adverse effect on a scenic vista?

Discussion of Effects: The Policy Plan (General Plan) does not identify scenic vistas within the City. However, the Policy Plan (Policy CD1-5) requires all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountains. The project site is located at the northeast corner of Haven Avenue and Airport Drive, a major north-south principal arterial street and east-west arterial street, respectfully, as identified in the Functional Roadway Classification Plan (Figure M-2) of the Mobility Element within the Policy Plan. The proposed Amendment to California Commerce Center Specific Plan to change the land use designations for 10.64 acres of land, from Commercial/Food/Hotel to Light Industrial, will not result in adverse environmental impacts with regard to views of the San Gabriel Mountains. Therefore, no adverse impacts are anticipated in relation to the project.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a state scenic highway?

Discussion of Effects: The City of Ontario is served by three freeways: I-10, I-15, and SR-60. I-10 and SR-60 traverse the northern and central portion of the City, respectively, in an east to west direction. I-15 traverses the northeastern portion of the City in a north–south direction. These segments of I-10, I-15, and SR-60 have not been officially designated as scenic highways by the California Department of Transportation. In addition, there are no historic buildings, or any scenic resources identified on or in the vicinity of the project site. Therefore, it will not result in adverse environmental impacts.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Substantially degrade the existing visual character or quality of the site and its surroundings?

Discussion of Effects: The project would not degrade the existing visual character or quality of the site or its surroundings. The project site is located in an area that is characterized by Industrial and commercial development and is surrounded by urban land uses.

The proposed project will substantially improve the visual quality of the area through development of the site with an Industrial Warehouse/Distribution facility, which will be consistent with the policies of the Community Design Element of the Policy Plan (General Plan), as well as with the Industrial development in the surrounding area. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Discussion of Effects: The proposed land use change itself will not cause lighting to be installed in the Project. New lighting will be introduced to the site with the development of a proposed 200,291-square foot industrial building. Pursuant to the requirements of the City's Development Code, on-site lighting will be shielded, diffused or indirect, to avoid glare to pedestrians or motorists. In addition, lighting fixtures will be selected and located to confine the area of illumination to within the project site and minimize light spillage.

Site lighting plans will be subject to review by the Planning Department and Police Department prior to issuance of building permits (pursuant to the City's Building Security Ordinance). Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Discussion of Effects: The site is presently developed as a parking lot and does not contain any agricultural uses. Further, the site is identified as Urban and Built-up Land on the map prepared by the California Resources Agency, pursuant to the Farmland Mapping and Monitoring Program. As a result, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Discussion of Effects: The project site is not zoned for agricultural use. The proposed Development Plan to construct a 200,291-square foot industrial building is consistent with the Light Industrial development standards of California Commerce Specific Plan. Furthermore, there are no Williamson Act contracts in effect on the subject site. Therefore, no impacts to agricultural uses are anticipated, nor will there be any conflict with Williamson Act contracts.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)?

Discussion of Effects: The project proposes an Amendment to California Commerce Center Specific Plan changing the land use designation on 10.64 acres of land, from Commercial/Food/Hotel to Light Industrial. This would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production because such land use designations do not exist within the City of Ontario. Therefore, no impacts to forest or timberland are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

d. Result in the loss of forest land or conversion of forest land to non-forest use?

Discussion of Effects: There is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code section 12220(g). Neither TOP nor the City's Zoning Code provide designations for forest land. Consequently, the proposed project would not result in the loss or conversion of forest land.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

e. Involve other changes in the existing environment, which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use or conversion of forest land to non-forest use?

Discussion of Effects: The project proposes an Amendment to California Commerce Center Specific Plan changing the land use designation on 10.64 acres of land, from Commercial/Food/Hotel to Light Industrial, therefore is not designated as Farmland. The project site is presently developed as a parking lot and there are no agricultural uses occurring onsite. As a result, to the extent that the project would result in changes to the existing environment those changes would not result in loss of Farmland to non-agricultural use.

Additionally, there is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither TOP nor the City's Zoning Code provide designations for forest land. Consequently, to the extent that the proposed project would result in changes to the existing environment, those changes would not impact forest land.

Mitigation Required: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

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

a. Conflict with or obstruct implementation of the applicable air quality plan?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as Industrial and is surrounded on the north by commercial development, industrial development to the east, and vacant land to the west and south. The project will not conflict with or obstruct implementation of any air quality plan. As noted in the Certified EIR (Section 5.3), pollutant levels in the Ontario area already exceed Federal and State standards. To reduce pollutant levels, the City of Ontario is actively participating in efforts to enhance air quality by implementing Control Measures in the Air Quality Management Plan for local jurisdictions within the South Coast Air Basin.

The proposed project is consistent with The Ontario Plan, for which the EIR was prepared and impacts evaluated. Furthermore, the project is consistent with the City's participation in the Air Quality Management Plan and, because of the project's limited size and scope, will not conflict with or obstruct implementation of the plan. Mitigation (Mitigation Measure 5.3-2) has been adopted by the City that requires fugitive dust control measures pursuant to SCAQMD's Rule 403, use of Tier 3 construction equipment, proper service and maintenance of construction equipment, limiting nonessential idling of construction equipment, and use of Super-Compliant VOC paints for coating and architectural surfaces. Any future development proposals on the project site will be required to comply with Mitigation Measure 5.3-2. No new impacts beyond those identified in the Certified EIR would result from Project implementation.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment under an applicable federal or state ambient air quality because the Project will provide land use consistency with the Official Land Use Map (Exhibit LU-01) of the Policy Plan component of TOP. The proposed California Commerce Center Specific Plan land use Amendment from Commercial/Food/Hotel to Light Industrial will bring the project site in conformance with the Industrial land use designation of TOP. Mitigation (Mitigation Measure 5.3-1) has already been adopted by the City that would facilitate continued City cooperation with the SCAQMD and SCAG to achieve regional air quality improvement goals, promote energy conservation design and development techniques, encourage alternative modes of transportation, and implement transportation demand strategies. The project will comply with the air quality standards of the Certified EIR and the SCAQMD resulting in impacts that are less than significant [please refer to Sections 3(a) and 3(b)].

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Expose sensitive receptors to substantial pollutant concentrations?

Discussion of Effects: Sensitive receptors are defined as populations that are more susceptible to the effects of pollution than the population at large. The SCAQMD identifies the following as sensitive receptors: long-term health care facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, child care centers, and athletic facilities. According to the SCAQMD, projects have the potential to create significant impacts if they are located within one-quarter mile of sensitive receptors and would emit toxic air contaminants identified in SCAQMD Rule 1401.

The project will not expose sensitive receptors to any increase in pollutant concentrations because there are no sensitive receptors located within close proximity of the project site. Further, there is limited potential for sensitive receptors to be located within close proximity of the site because the project site will be zoned Light Industrial within the California Commerce Center Specific Plan at the time of project approval. The types of uses that would potentially impact sensitive receptors would not be supported on the property pursuant to the Land Use Element (Figure LU-6) of the Policy Plan (General Plan) and zoning designations on the property. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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

Discussion of Effects: The subject site was previously analyzed by TOP EIR as Industrial and is surrounded on the north by commercial development, industrial development to the east, and vacant land to the west and south. The uses proposed on the subject site, as well as those permitted within the proposed Light Industrial land use district of the California Commerce Center Specific Plan, do not create objectionable odors. Further, the project shall comply with the policies of the Ontario Municipal Code and the Policy Plan (General Plan). Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

4. BIOLOGICAL RESOURCES. Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as Industrial and is surrounded on the north by commercial development, industrial development to the east, and vacant land to the west and south. The project site is located within an area that has not been identified as containing 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 the U.S. Fish and Wildlife Service. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified analyses are necessary.

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion of Effects: The site does not contain any riparian habitat or other sensitive natural community identified by the Department of Fish & Game or Fish & Wildlife Service. Therefore, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: No wetland habitat is present on site. Therefore, project implementation would have no impact on these resources.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: The site is presently developed as a parking lot that is surrounded on the north by commercial development, industrial development to the east, and vacant land to the west and south. As a result, there are no wildlife corridors connecting this site to other areas. Therefore, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Discussion of Effects: The City of Ontario does not have any ordinances protecting biological resources. Further, the site does not contain any mature trees necessitating the need for preservation. As a result, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

f. Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan?

Discussion of Effects: The site is not part of an adopted HCP, NCCP or other approved habitat conservation plan. As a result, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

5. CULTURAL RESOURCES. Would the project:

a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

Discussion of Effects: The subject site was previously analyzed by TOP EIR as Industrial and is surrounded by commercial development to the north, industrial development to the east, and vacant land to the west and south. The subject site is presently developed as a parking lot and does not contain any buildings or structures constructed more than 50 years ago and cannot be considered for eligibility for listing in the California Register of Historic Resources. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Discussion of Effects: The Certified EIR (Section 5.5) indicates no archeological sites or resources have been recorded in the City with the Archeological Information Center at San Bernardino County Museum. Figure 5.5-2 of the Certified EIR shows that the Project site has not been surveyed for archeological resources. While no adverse impacts to archeological resources are anticipated at this site due to its urbanized nature, standard conditions have been imposed on the project that in the event of unanticipated archeological discoveries, construction activities will not continue or will moved to other parts of the project site and a qualified archaeologist shall be contacted to determine significance of these resources. If the find is discovered to be historical or unique archaeological resources, as defined in Section 15064.5 of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Disturb any human remains, including those interred outside of formal cemeteries?

Discussion of Effects: The proposed project is in an area that has been previously disturbed by human activity. No known religious or sacred sites exist within the Project area. Thus, human remains are not expected to be encountered during any construction activities. However, in the unlikely event that human remains are discovered, existing regulations, including the California Public Resources Code Section 5097.98, would afford protection for human remains discovered during development activities. Furthermore, standard conditions have been imposed on the project that in the event of unanticipated discoveries of human remains are identified during excavation, construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and/or Native American consultation has been completed, if deemed applicable.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

6. ENERGY Would the project:

a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Discussion of Effects: Energy was not analyzed in the Certified TOP EIR but has been included as part of the 2019 revisions to the State CEQA Guidelines. Implementation of the Project would not substantially increase the demand for electricity and natural gas at the Project site and gasoline consumption in the region during construction and operation. Implementation of the Project will require compliance with CALGreen Building Code (CCR Title 24, Part11). Moreover, the Project includes a sample Greenhouse Gas Reduction Measure Screening Table for Commercial and Industrial Development. The Screening Table includes measures energy efficient development, indoor space efficiency measures, building efficiency measures, renewable energy measures, and water conservation measures. Measures that would reduce electricity consumption include, but are not limited to: greatly enhanced window insulation, an enhanced cool-roof, an improved efficiency heating, ventilation, and air conditioning (“HVAC”) system, blower doors HERS verified Envelope leakage or equivalent, enhanced duct insulation, Energy Star commercial appliances, water efficient landscaping and irrigation systems, and water-efficient toilets and faucets.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts. No changes or additions to the Certified EIR analyses are necessary.

7. GEOLOGY & SOILS. Would the project:

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Certified EIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. Given that the closest fault zone is located more than ten miles from the project site, fault rupture within the project area is not likely. All development will comply with the Uniform Building Code seismic design standards to reduce geologic hazard susceptibility. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

ii. Strong seismic ground shaking?

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Certified EIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. The closest fault zone is located more than ten miles from the project site. The proximity of the site to the active faults will result in ground shaking during moderate to severe seismic events. All construction will comply with the California Building Code, the Ontario Municipal Code, The Ontario Plan and all other ordinances adopted by the City related to construction and safety. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

iii. Seismic-related ground failure, including liquefaction?

Discussion of Effects: As identified in the Certified EIR (Section 5.7), groundwater saturation of sediments is required for earthquake induced liquefaction. In general, groundwater depths shallower than 10 feet to the surface can cause the highest liquefaction susceptibility. Depth to ground water at the project site during the winter months is estimated to be between 250 to 450 feet below ground surface. Therefore, the liquefaction potential within the project area is minimal. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

iv. Landslides?

Discussion of Effects: The project would not expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving landslides because the relatively flat topography of the project site (less than 2 percent slope across the City) makes the chance of landslides remote. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal Code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Result in substantial soil erosion or the loss of topsoil?

Discussion of Effects: The project will not result in significant soil erosion or loss of topsoil because of the previously disturbed and developed nature of the project site and the limited size and scope of the

project. Grading increases the potential for erosion by removing protective vegetation, changing natural drainage patterns, and constructing slopes. However, compliance with the California Building Code and review of grading plans by the City Engineer will ensure no significant impacts will occur. In addition, the City requires an erosion/dust control plan for projects located within this area. Implementation of a NPDES program, the Environmental Resource Element of the Policy Plan (General Plan) strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: The project would not result in the location of development on a geologic unit or soil that is unstable, or that would become unstable because as previously discussed, the potential for liquefaction and landslides associated with the project is less than significant. The Ontario Plan FEIR (Section 5.7) indicates that subsidence is generally associated with large decreases or withdrawals of water from the aquifer. The project would not withdraw water from the existing aquifer. Further, implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Discussion of Effects: The majority of Ontario, including the project site, is located on alluvial and eolian soil deposits. These types of soils are not considered to be expansive. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: The area is served by the local sewer system and the use of alternative systems is not necessary. There will be no impact to the sewage system.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Discussion of Effects: The City of Ontario is underlain by deposits of Quaternary and Upper-Pleistocene sediments deposited during the Pliocene and early Pleistocene time, Quaternary Older Alluvial sediments may contain significant, nonrenewable, paleontological resources and are, therefore, considered to have high sensitivity at depths of 10 feet or more below ground surface. In addition, the Certified TOP EIR (Section 5.5) indicates that one paleontological resource has been discovered in the City. While no adverse impacts are anticipated, standard conditions have been imposed on the Project that in the event of unanticipated paleontological resources are identified during excavation, construction activities will not continue or will be moved to other parts of the Project site and a qualified paleontologist shall be contacted to determine significance of these resources. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

8. GREENHOUSE GAS EMISSIONS. Would the project:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as an industrial use. Additionally, the impact of buildout of The Ontario Plan on the environment due to the emission of greenhouse gases ("GHGs") was analyzed in the Certified EIR. According to the EIR, this impact would be significant and unavoidable (Re-circulated Portions of the Ontario Plan Draft Environmental Impact Report, p. 2-118.) This EIR was certified by the City on January 27, 2010, at which time a statement of overriding considerations was also adopted for The Ontario Plan's significant and unavoidable impacts, including that concerning the emission of greenhouse gases. The proposed Amendment to California Commerce Center Specific Plan to change the land use designations for 10.64 acres of land, from Commercial/Food/Hotel to Light Industrial will not create significantly greater impacts than were identified in the Certified EIR. The Project includes a sample GHG Reduction Measures Screening Threshold Table, which provides guidance in measuring the reduction of greenhouse gas ("GHG") emissions attributable to certain design and construction measures incorporated into development projects. The analysis, methodology, and significance determination (thresholds) are based upon the City's Climate Action Plan ("CAP"), which includes GHG emission inventories (2008 and 2020 forecasts), a year 2020 emission reduction target, the goals and policies to reach the target, together with the Addendum prepared for the CAP. The Screening Table assigns points for each option incorporated into a project as mitigation or a project design feature (collectively referred to as "feature"). The point values correspond to the minimum emissions reduction expected from each feature. The menu of features allows maximum flexibility and options for how development projects can implement the GHG reduction measures. The point levels are based upon improvements compared to 2008 emission levels of efficiency. Projects that garner at least 100 points will be consistent with the reduction quantities anticipated in the City's CAP. As such, those projects that garner a total of 100 points or greater would not require quantification of project specific GHG emissions. Consistent with CEQA Guidelines, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions. As shown in the Project GHG Reduction Measures Screening Table, the Project garners a total of 116 points, and is therefore consistent with the reduction quantities anticipated in the City's CAP. Therefore, quantification of Project-specific GHG emissions is not required.

Additionally, pursuant to Public Resources Code Section 21083.3, this impact need not be analyzed further, because (1) the proposed project would result in an impact that was previously analyzed in the Certified EIR, which was certified by the City; (2) the proposed project would not result in any greenhouse gas impacts that were not addressed in the Certified EIR; (3) the proposed project is consistent with The Ontario Plan. The proposed impacts of the project were already analyzed in the Certified EIR and the project will be built to current energy efficient standards. Potential impacts of project implementation will be less than significant with mitigation already required under the Certified EIR and current energy efficiency standards. No changes or additions to the Certified EIR analyses are necessary.

Mitigation Required: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to TOP EIR analyses are necessary. The mitigation measures adopted as part of TOP EIR adequately address any potential significant impacts and there is no need for any additional mitigation measures. The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR's MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project: energy efficient design, efficient irrigation systems, electric vehicle charging stations, and compliance with Title 24 of the California Code of Regulations.

b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as an industrial use. The proposed Project is consistent with The Ontario Plan Goal ER 4 of improving air quality by, among

other things, implementation of Policy ER4-3, regarding the reduction of greenhouse gas emissions in accordance with regional, State, and federal regulations. In addition, the proposed Project is consistent with the policies outlined in Section 5.6.4 of the Environmental Impact Report for The Ontario Plan, which aims to reduce the City's contribution of greenhouse gas emissions at build-out by fifteen (15 percent), because the project is upholding the applicable City's adopted mitigation measures as represented in 6-1 through 6-6 and energy efficient design, efficient irrigation systems, electric vehicle charging stations, and compliance with Title 24 of the California Code of Regulations. The Project is consistent with the City's Climate Action Plan. Therefore, the proposed Project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

Mitigation Required: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

9. HAZARDS & HAZARDOUS MATERIALS. Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?

Discussion of Effects: The subject site was previously analyzed by TOP EIR as an industrial use. The project is not anticipated to involve the transport, use or disposal of hazardous materials during either construction or project implementation. Therefore, no adverse impacts are anticipated. However, in the unlikely event of an accident, implementation of the strategies included in The Ontario Plan will decrease the potential for health and safety risks from hazardous materials to a less than significant impact.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as an industrial use. The proposed project does not include the use of hazardous materials or volatile fuels. In addition, there are no known stationary commercial or industrial land uses within close proximity to the subject site, which use/store hazardous materials to the extent that they would pose a significant hazard to visitors/occupants to the subject site, in the event of an upset condition resulting in the release of a hazardous material.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?

Discussion of Effects: The proposed project does not include the use, emissions or handling of hazardous or acutely hazardous materials, substances, or waste. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: The proposed project site is not listed on the hazardous materials site compiled pursuant to Government Code Section 65962.5. Therefore, the project would not create a hazard to the public or the environment and no impact is anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

e. For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?

Discussion of Effects: The Project was reviewed and found to be located within the Airport Influence Area of Ontario International Airport ("ONT") and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan ("ALUCP") for ONT. The Project will not result in a safety hazard for people working or residing in the project area because it will not obstruct aircraft maneuvering because of the project's low elevation and the architectural style of the project. Additionally, the Land Use Compatibility Guidelines for Noise Impacts (Table LU-08) shows the proposed use as normally accepted in the 65 CNEL. The proposed use will comply with standards for mitigating noise. Therefore, the project will not result in any new or substantially different hazards and hazardous materials impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

The entire City is located within the Airport Influence Area (AIA) of ONT and the location of the Safety Impact Zones are reflected in Policy Map 2-2 of the ONT ALUCP. The project site is located outside the ONT Safety Zones. The project site is also located outside of the Chino Airport Influence Area. The Project is consistent with the policies and criteria of the ONT ALUCP, and therefore, would not result in a safety hazard for people residing or working in the project area. Consequently, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Discussion of Effects: The City's Safety Element, as contained within The Ontario Plan, includes policies and procedures to be administered in the event of a disaster. The Ontario Plan seeks interdepartmental and inter-jurisdictional coordination and collaboration to be prepared for, respond to and recover from every day and disaster emergencies. In addition, the project will comply with the requirements of the Ontario Fire Department and all City requirements for fire and other emergency access. Because the project is required to comply with all applicable City codes, any impacts would be reduced to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Discussion of Effects: The project site is not located in or near wildlands. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

10. HYDROLOGY & WATER QUALITY. Would the project:

a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Discussion of Effects: The project site is served by City water and sewer service and will not affect water quality standards or waste discharge requirements. Discharge of storm water pollutants from areas of materials storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing, waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work) areas could result in a temporary increase in the amount of suspended solids, trash and debris, oil and grease, organic compounds, pesticides, nutrients, heavy metals and bacteria pathogens in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is required to comply with the statewide National Pollutant Discharge Elimination System ("NPDES") General Industrial

Activities Stormwater Permit, the San Bernardino County Area-Wide Urban Runoff Permit (MS4 permit) and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)). This would reduce any impacts to below a level of significance. Furthermore, any future applicant to develop the site would be required to submit a Preliminary Water Quality Management Plan ("PWQMP"), which would establish the site's compliance with storm water discharge and water quality management requirements. The PWQMP will include 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 would include the use of an underground stormwater infiltration system for the site. Any overflow drainage from future development of the site will be conveyed to the public street by way of parkway culverts.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as an industrial use. No increases in the current amount of water flow to the project site are anticipated, and the proposed project will not deplete groundwater supplies, nor will it interfere with recharge. The water use associated with the proposed use of the property was included in the Certified EIR analysis. The development of the site will require the grading of the site and excavation is expected to be less than three feet and would not affect the existing aquifer, estimated to be about 230 to 250 feet below the ground surface. No adverse impacts are anticipated.

Mitigation: No additional mitigation required.

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:

i. Result in substantial erosion or siltation on- or off-site?

Discussion of Effects: It is not anticipated that the Project would alter the drainage pattern of the site or area, in a manner that would result in erosion, siltation or flooding on-or-off site, nor will the proposed Project increase the erosion of the subject site or surrounding areas. The existing drainage pattern of the site will not be altered, and it will have no significant impact on downstream hydrology. Stormwater generated by the Project will be discharged in compliance with the statewide NPDES General Construction Activities Stormwater Permit and San Bernardino County MS4 permit requirements. With the full implementation of a Storm Water Pollution Prevention Plan developed in compliance with the General Construction Activities Permit requirements, the Best Management Practices included in the SWPPP, and a stormwater monitoring program would reduce any impacts to below a level of significance. No streams or streambeds are present on the site. No changes in erosion off-site are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

ii. Substantially increase the rate or amount of surface runoff water in a manner which would result in flooding on- or off-site?

Discussion of Effects: The proposed Project is not anticipated to increase the flow velocity or volume of storm water runoff to cause environmental harm from the site and will not create a burden on existing infrastructure. Furthermore, with the implementation of an approved Water Quality Management Plan developed for the site, in compliance with the San Bernardino County MS4 Permit requirements, stormwater runoff volume shall be reduced to below a level of significance.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: It is not anticipated that the project would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or create or contribute stormwater runoff pollutants during construction and/or post-construction activity. The stormwater flows will enter an existing storm pipe in Jurupa Street. Pursuant to the requirements of The Ontario Plan, the City's Development Code, and the San Bernardino County MS4 Permit's "Water Quality Management Plan" ("WQMP"), individual developments must provide site drainage and WQMP plans according to guidelines established by the City's Engineering Department. If master drainage facilities are not in place at the time of project development, then standard engineering practices for controlling post-development runoff may be required, which could include the construction of on-site storm water detention and/or retention/infiltration facilities. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

iv. Impede or redirect flood flows?

Discussion of Effects: Urbanization in the areas surrounding the project site have resulted in increased responsiveness of the basin to rainfall. The increase in impervious surfaces such as roofs, roads, and parking lots has resulted in a decrease in groundwater infiltration and larger storm surges. The project site is not impacted by offsite flows. The project site is not located in a FEMA Firm Panel designated Flood Zone Risk, and according to the United States Fish and Wildlife Service National Wetlands Inventory ("NWI") no wetlands exist on the property. The Project could lead to the conversion of permeable surfaces to impermeable surfaces such as parking areas and building foundation areas. Any future development on the Project site would discharge onsite flows into an existing storm drain facility. As such, the proposed project would not impede or redirect flood flows. With adherence to existing federal, state, and local regulation no changes to the existing flood flows would occur.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Discussion of Effects: Impacts associated with flooding are primarily related to the construction or placement of structures in areas prone to flooding including within an unprotected 100-year flood zone, and in areas susceptible to high tides, tsunamis, seiches, mudflows or sea level rise. Specifically, structures placed in flood prone areas, if flooded, would be damaged, and could subject people to injury or death. The National Flood Insurance Act of 1968 requires the identification of floodplain areas and establishment of flood-risk zones within those areas. FEMA administers the programs and coordinates with communities to establish effective floodplain management standards. According to FEMA, the Project is not located in a known floodplain. Furthermore, this area is not known to flood and is not typically subjected to flooding. The Project site is not located in a floodplain as shown in Figure S-2 of TOP. The Project site is in an urbanized area that is developed with commercial and industrial buildings. No wetlands have been mapped on the project site according to the NWI. According to the FEMA, the Project is not located in an area that is subject to flood hazard, tsunami, or seiche zones. The project site is located over 60 miles east of the Pacific Ocean and is not located in a mapped tsunami zone. Therefore, the project would not have a significant risk of flood hazard, tsunami, seiche zones, release of pollutants due to project inundation.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Discussion of Effects: The Regional Water Quality Control Board's Basin Plan is designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Specifically, the

Basin Plan (i) designates beneficial uses for surface and ground waters, (ii) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state's anti-degradation policy, and (iii) describes implementation programs to protect all waters in the region. Development allowed by the Project would be required to adhere to requirements of the water quality control plan, including all existing regulation and permitting requirements. This would include the incorporation of best management practices ("BMPs") to protect water quality during construction and operational periods. Development of the Project would be subject to all existing water quality regulations and programs, as described in the regulatory section above, including all applicable construction permits. Existing General Plan policies related to water quality would also be applicable to the Project. Implementation of these policies, in conjunction with compliance with existing regulatory programs, would ensure that water quality impacts related to the Project would be less than significant.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

11. LAND USE & PLANNING. Would the project:

a. Physically divide an established community?

Discussion of Effects: The project site is located in an area that is currently developed with urban land uses. This project will be of similar design and size to surrounding developments. No adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as an industrial use. The proposed project does not interfere with any policies for environmental protection. As such, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

12. MINERAL RESOURCES. Would the project:

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?

Discussion of Effects: The project site is located within a mostly developed area surrounded by urban land uses. There are no known mineral resources in the area; therefore, the project will not result in any new or substantially different mineral resources impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: There are no known mineral resources in the area. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

13. NOISE. Would the project result in:

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?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR an industrial use and the Project will not expose people to or generate noise levels in excess of standards as established in The Ontario Plan FEIR (Section 5.12); therefore, the project will not result in any new or substantially different noise impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Generation of excessive groundborne vibration or groundborne noise levels?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as an industrial use and the uses associated with this project normally do not induce groundborne vibrations. As such, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. For a project located within the vicinity of a private airstrip or the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?

Discussion of Effects: The proposed Amendment was reviewed and found to be located within the Airport Influence Area of Ontario International Airport ("ONT") and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan ("ALUCP") for ONT. According to the Safety Element, the project is located within the 60-70CNEL noise contour; therefore, the project will not result in any new or substantially different noise impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary. or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

14. POPULATION & HOUSING. Would the project:

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 road or other infrastructure)?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR an industrial use and is consistent with General Plan land use designations and would not induce significant population growth. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Discussion of Effects: The project site does not contain existing housing. The project site is presently developed as a parking lot. Implementation of the project will result in the development of an industrial building; therefore no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

15. PUBLIC SERVICES. Would the project:

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

i. Fire protection?

Discussion of Effects: The site is in a developed area currently served by the Ontario Fire Department. The Project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

ii. Police protection?

Discussion of Effects: The site is in a developed area, currently served by the Ontario Police Department. The Project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

iii. Schools?

Discussion of Effects: Upon development, the Project will be required to pay school fees as prescribed by state law prior to the issuance of building permits. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

iv. Parks?

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The Project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

v. Other public facilities?

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The Project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

16. RECREATION. Would the project:

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?

Discussion of Effects: This project is not proposing any new housing or large employment generator that would cause an increase in the use of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that have an adverse physical effect on the environment?

Discussion of Effects: This project is not proposing any new housing or large employment generator that would require the construction of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

17. TRANSPORTATION. Would the project:

a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as an Industrial land use and is in an area that is mostly developed with all street improvements existing. A focused Traffic Analysis was prepared for the project site that compared the trip generation between the existing California Commerce Center Specific Plan Commercial/Food/Hotel land use designation (shopping center/commercial) versus the proposed Light Industrial land use at an FAR of 0.55 (warehouse/small ancillary office). The Traffic Analysis concluded that proposed change in land use from Commercial/Food/Hotel to Light Industrial would result in a net difference of 7,183 fewer Average Daily Trips (ADT) trips, including 146 fewer AM peak hour trips, and 719 fewer PM peak hour trips.

Therefore, the traffic impacts will be consistent with and less than the traffic impacts projected and analyzed under the Certified EIR. The project will not create a substantial increase in the number of vehicle trips, traffic volume or congestion at intersections. Less than significant impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Discussion of Effects: CEQA Guidelines Section 15064.3 subdivision (b) has been included in the 2018 CEQA Guidelines as part of the implementation of SB 743 which requires local jurisdictions to use Vehicle Miles Travelled (VMT) instead of Level of Service (LOS) methodologies for the purpose of determining the significance of traffic impacts under CEQA. Also, as part of the implementation of SB 743 local jurisdiction were given until July 1, 2020 to develop and implement thresholds of significance criteria and methodologies for evaluating VMT under the new SB 743 requirements. The City of Ontario has adopted and established a VMT analysis threshold or analysis methodology based on our Policy Plan (General Plan) baseline. However, the project was submitted prior to the adoption of the threshold and therefore not subject to the adopted thresholds. Subsequently, The Ontario Plan EIR analyzed VMT, as part of the GHG analysis. The Ontario Plan (TOP) is consistent with the RTP/SCS for the Southern California region. The SBTAM model has incorporated TOP buildout which was then incorporated into the SCAG model in developing the RTP/SCS for the region. The thresholds used in these models can be found in the tool created for SBCTA that analyzes the various threshold options. TOP to establish VMT thresholds since this option has already been found to be consistent with the RTP/SCS and these land use assumptions have been incorporated into the SBTAM and SCAG's regional models. The screening tool created for use in San Bernardino County can be utilized for locations within Ontario where additional

analysis is not required, and the City thresholds be used for projects where additional analysis is required. If mitigation measures are included for the project and the VMT brought down below the established threshold (City average), then the project can be determined to have less than a significant impact on transportation (in terms of CEQA).

Subsequently, a focused Traffic Analysis was prepared for the project site that compared the trip generation between the existing California Commerce Center Specific Plan Commercial/Food/Hotel land use designation (shopping center/commercial) versus the proposed Light Industrial land use at a FAR of 0.55 (warehouse/small ancillary office). The Traffic Analysis concluded that proposed change in land use from Commercial/Food/Hotel to Light Industrial would result in a net difference of 7,183 fewer Average Daily Trips (ADT) trips, including 146 fewer AM peak hour trips, and 719 fewer PM peak hour trips. Therefore, impacts with respect to CEQA Guidelines Section 15064.3(b) are less than significant.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Discussion of Effects: The Project is in an area that is mostly developed. All street improvements are complete, and the Development Plan (File No. PDEV20-008) will be required to construct right-of -way improvements along the project frontages. The Project will, therefore, not create a substantial increase in hazards due to a design feature. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

d. Result in inadequate emergency access?

Discussion of Effects: Development of the Project will be designed to provide access for all emergency vehicles and will therefore not create an inadequate emergency access. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

e. Result in inadequate parking capacity?

Discussion of Effects: The project is required to meet parking standards established by the Ontario Development Code and will therefore not create an inadequate parking capacity. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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:

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)?

Discussion of Effects: The subject site was previously analyzed by the TOP FEIR as an industrial use and is not listed in the California Register of Historic Resources or local register of historical resources. Development of the site will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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 Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Discussion of Effects: The subject site is not listed in the California Register of Historic Resources. No consultation had been initiated and no impacts are anticipated through Project implementation.

Mitigation: No new mitigation measures are required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

19. UTILITIES AND SERVICE SYSTEMS. Would the project:

a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Discussion of Effects: The proposed project is served by the City of Ontario sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. The project is required to meet the requirements of the Ontario Engineering Department regarding wastewater. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).

Discussion of Effects: The Project site is served by the City of Ontario water system. There is currently sufficient water supply available to the City of Ontario to serve this Project as per the findings of TOP EIR. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Result in a determination by the wastewater treatment provider that 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?

Discussion of Effects: The Project site is served by the City of Ontario water system. There is currently sufficient water supply available to the City of Ontario to serve this Project as per the findings of Certified TOP EIR. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: City of Ontario serves the Project site. Currently, the City of Ontario contracts with a waste disposal company that transports trash to a landfill with sufficient capacity to handle the City's solid waste disposal needs. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to analyses are necessary.

e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Discussion of Effects: This Project complies with federal, state, and local statues and regulations regarding solid waste. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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

a. Substantially impair an adopted emergency response plan or emergency evacuation plan?

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

21. MANDATORY FINDINGS OF SIGNIFICANCE.

a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat or 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?

Discussion of Effects: The proposed Project does not have the potential to reduce wildlife habitat and threaten a wildlife species; therefore, no environmental impacts resulting from the Project are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

Discussion of Effects: The Project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Does the project 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 past projects, the effects of other current project, and the effects of probable future projects.)

Discussion of Effects: The Project does not have impacts that are cumulatively considerable.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

d. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion of Effects: The Project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

EARLIER ANALYSES

*(Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D))***:**

1) Earlier Analyses Used. Identify earlier analyses used and state where they are available for review.
   a) The Ontario Plan Final EIR
   b) The Ontario Plan
   c) California Commerce Center Specific Plan (File No. 2591-SP) Adopted May 17, 1983
   d) California Commerce Center Specific Plan EIR No. 81-4 Certified May 17, 1983
   e) City of Ontario Official Zoning Map
   f) City of Ontario Development Code
   g) Ontario International Airport Land Use Compatibility Plan
   h) Ontario International Airport Land Use Compatibility Plan Negative Declaration (SCH 2011011081)
   i) TJW Engineering, Inc. – 3555 E. Airport Drive Focused Traffic Impact Analysis – August 27, 2020, included as Attachment B, Traffic Impact Analysis, of this Addendum)

All documents listed above are on file with the City of Ontario Planning Department, 303 East "B" Street, Ontario, California 91764, (909) 395-2036.

2) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards.

MITIGATION MEASURES

(For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.)

The Mitigation Measures contained in the Certified EIR adequately mitigate the impacts of the proposed Project. These mitigation measures are contained in the Mitigation Monitoring Program, included as Attachment A of this Addendum.

No additional mitigation beyond that previously imposed is required.

Exhibit A: PSPA20-003 EXISTING – CALIFORNIA COMMERCE CENTER SPECIFIC PLAN LAND USE PLAN

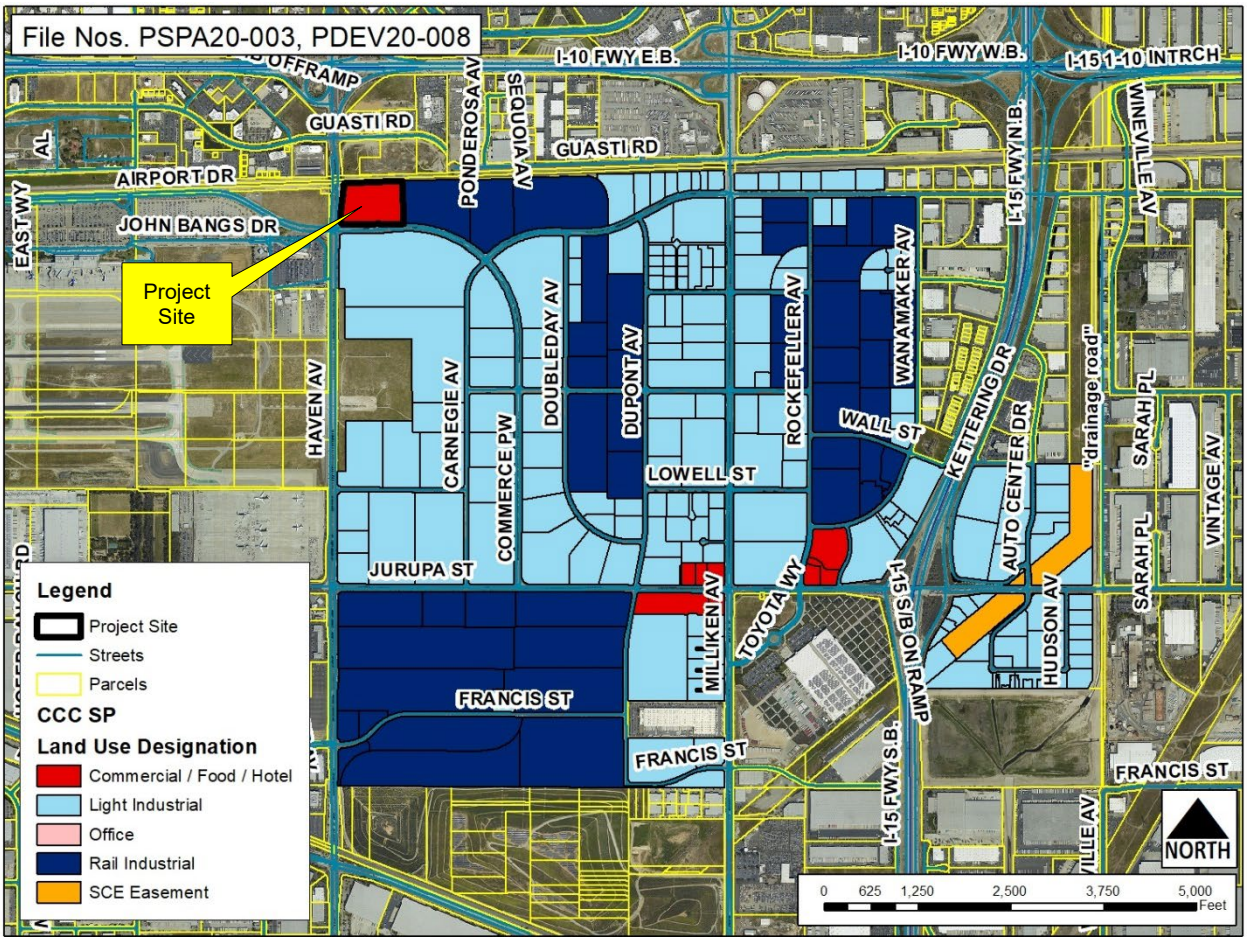
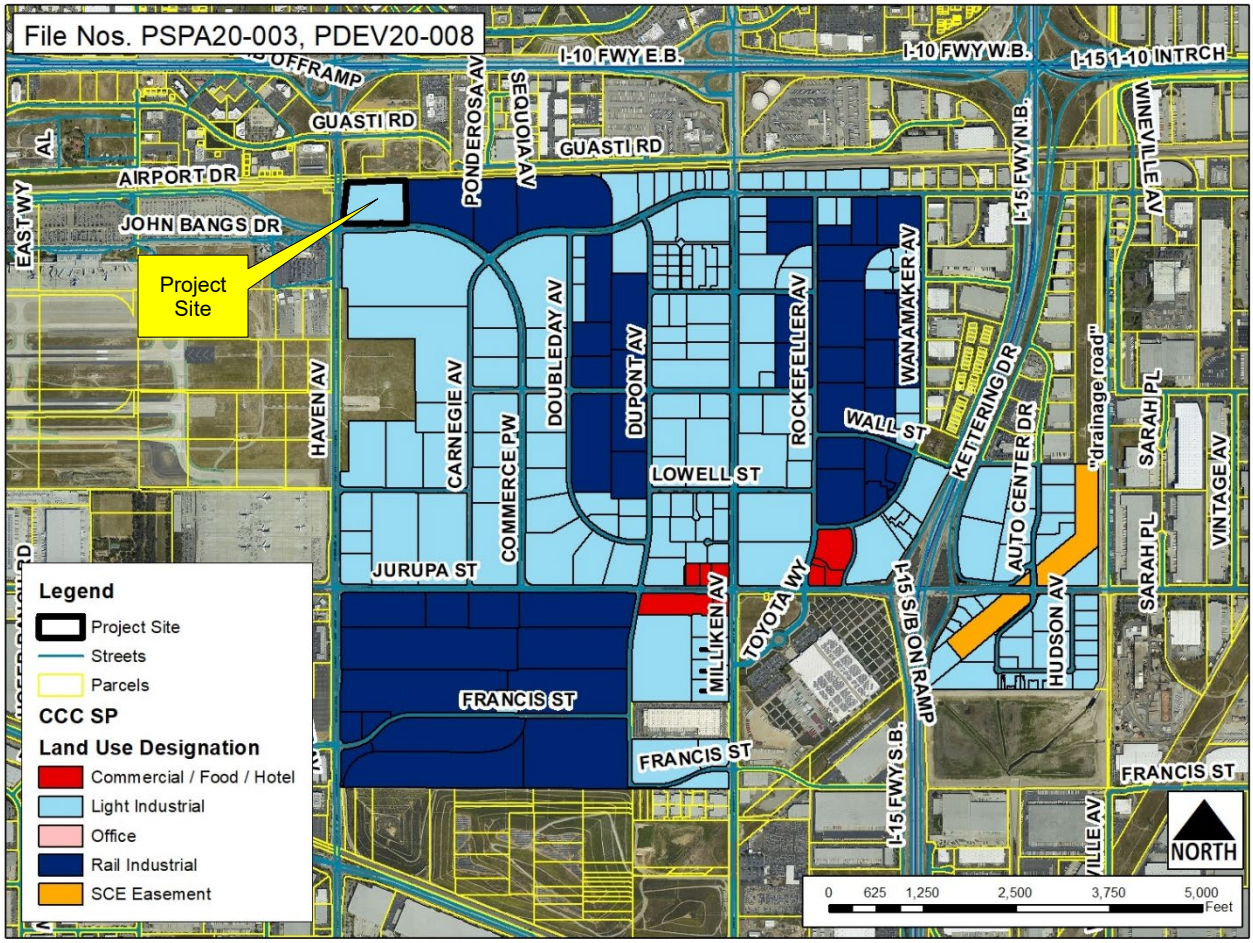


Exhibit B: PSPA20-003 PROPOSED – CALIFORNIA COMMERCE CENTER SPECIFIC PLAN LAND USE PLAN



Attachment A:
Mitigation Monitoring Program for The Ontario Plan Environmental Impact Report

1. Introduction

1.1 PURPOSE OF MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program has been developed to provide a vehicle by which to monitor mitigation measures and conditions of approval outlined in The Ontario Plan Environmental Impact Report (EIR), State Clearinghouse No. 2008101140. The Mitigation Monitoring Program has been prepared in conformance with Section 21081.6 of the Public Resources Code and City of Ontario Monitoring Requirements. Section 21081.6 states:

(a) When making the findings required by paragraph (1) of subdivision subsection (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:

(1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead agency or a responsible agency, prepare and submit a proposed reporting or monitoring program.

(2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

(b) A public agency shall provide that measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents which address required mitigation measures or, in the case of the adoption of a plan, policy, regulation, or other public project, by incorporating the mitigation measures into the plan, policy, regulation, or project design.

(c) Prior to the close of the public review period for a draft environmental impact report or mitigated negative declaration, a responsible agency, or a public agency having jurisdiction over natural resources affected by the project, shall either submit to the lead agency complete and detailed performance objectives for mitigation measures which would address the significant effects on the environment identified by the responsible agency or agency having jurisdiction over natural resources affected by the project, or refer the lead agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to a lead agency by a responsible agency or an agency having jurisdiction over natural resources affected by the project shall be limited to measures which mitigate impacts to resources which are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance by a responsible agency or agency having jurisdiction over natural resources affected by a project with that requirement shall not limit the authority of the responsible agency or agency having jurisdiction over natural resources affected by a project, or the authority of the lead agency, to approve, condition, or deny projects as provided by this division or any other provision of law.

1.2 PROJECT SUMMARY

The proposed project is the preparation of The Ontario Plan, which consists of a Vision, Governance Manual, Policy Plan, City Council Priorities, Implementation Plans, and Tracking and Feedback. The Ontario Plan integrates components of city governance documents into a single guidance system that shapes the community 20 years or more into the future.

(a) The Ontario **Vision** describes the future community of Ontario. Its basic purpose is to improve the quality of life for the people of Ontario. It is the rationale and motivation for everything the City does.

(b) The **Governance Manual** describes the foundation for conducting the public's business on behalf of the present and future people of Ontario. It explains how The Ontario Plan is a tool for decision-making and communication.

(c) **City Council Priorities** define the short-term direction in City actions and initiatives. They are the primary means for exercising leadership in carrying out The Plan and realizing the Vision.

(d) The **Policy Plan** connects intent with action through the broad range of Goals and Policies that would guide the long-term growth and development required for the City to achieve its Vision. It also satisfies the California Government Code requirement for a general plan. Figure 3-6, *Proposed Land Use Plan,* shows the proposed General Plan land use designations that guide and regulate land use patterns, distributions, densities and intensities in the City of Ontario, including residential employment, retail, recreation, and public uses.

(e) **Implementation** consists of actions taken to carry out Plan policies. This includes initiatives by the City and decisions on public and private development projects.

(f) **Tracking and Feedback** allows the City to learn from experience and redirect efforts.

Pursuant to CEQA Guidelines Section 15064(d), the EIR considers the direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by The Ontario Plan. Consequently, the EIR focuses on impacts from changes to land use associated with buildout of the Proposed Land Use Plan, within the Policy Plan, and impacts from the resultant population and employment growth in the City. The Ontario Plan Proposed Land Use Plan for the ultimate development of the City is not linked to a timeline. However, for the purpose of this environmental analysis, buildout of the Proposed Land Use Plan is forecast for the year 2035.

1.3 PROJECT LOCATION

The City of Ontario is in the southwestern corner of San Bernardino County and is surrounded by the Cities of Chino and Montclair, and unincorporated areas of San Bernardino County to the west; the Cities of Upland and Rancho Cucamonga to the north; the City of Fontana and unincorporated land in San Bernardino County to the east; and unincorporated Riverside County land to the south. The City is in the central part of the Upper Santa Ana River Valley. This portion of the valley is bounded by the San Gabriel Mountains to the north; the Chino Hills, Puente Hills, and San Jose Hills to the west; the Santa Ana River to the south; and Lytle Creek Wash on the east.

The City comprises approximately 50 square miles (31,958 acres), which includes the 8,200-acre New Model Colony (NMC) in the southern portion of the City (formerly the City's Sphere of Influence). The northern urbanized portion of the City is known as the Original Model Colony (OMC). The City is generally bounded by Benson Avenue and Euclid Avenue on the west; Interstate 10 (I-10), 8th Street, and 4th Street on the north; Etiwanda Avenue and Hamner Avenue on the east; and Merrill Avenue and the San Bernardino County/Riverside County boundary on the south. Regional circulation to and through the City is provided by I-10 and State Route 60 (SR-60) east–west, and by I-15 and SR-83 (Euclid Avenue) north–south.

1.4 ENVIRONMENTAL IMPACTS

The environmental document for this project is a "program EIR" as defined by State CEQA Guidelines (Section 15161, California Code of Regulations, Title 14, Division 6, Chapter 3). As provided in Section 15168 of the State CEQA Guidelines, a Program EIR may be prepared on a series of actions that may be characterized as one large project that are related either 1) geographically; 2) as logical parts of a chain of contemplated events; 3) in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or 4) as individual activities carried out under the same authorizing statutory or regulatory authority and have generally similar environmental effects that can be mitigated in similar ways.

Although the legally required contents of a Program EIR are the same as those of a Project EIR, Program EIRs are typically more conceptual and may contain a more general discussion of impacts, alternatives, and mitigation measures than a Project EIR. Once a Program EIR has been prepared, subsequent activities within the program must be evaluated to determine whether an additional CEQA document needs to be prepared. However, if the Program EIR addresses the program's effects as specifically and comprehensively as possible, many subsequent activities could be found to be within the Program EIR scope and additional environmental documents may not be required (Guidelines Section 15168[c]). When a Program EIR is relied on for a subsequent activity, the lead agency must incorporate feasible mitigation measures and alternatives developed in the Program EIR into the subsequent activities (Guidelines Section 15168[c][1]). If a later activity would have effects that were not examined in the Program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration. Pursuant to Sections 15126.2 and 15126.4 of the State CEQA Guidelines, the EIR should identify any potentially significant adverse impacts and recommend mitigation that would reduce or eliminate these impacts to levels of insignificance.

1.4.1 Impacts Considered Less Than Significant

Ten environmental categories are identified as having less than significant impacts that do not require mitigation. These categories are:

- Aesthetics
- Biological Resources
- Geology/Soils
- Hazards & Hazardous Materials
- Hydrology/Water Quality
- Land Use & Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation

1.4.2 Potentially Significant Adverse Impacts That Can Be Mitigated, Avoided, or Substantially Lessened

The following have been identified as potentially resulting in significant adverse impacts that can be mitigated, avoided, or substantially lessened:

- Cultural Resources: Mitigation Measures 5-2 through 5-4 would reduce archeological and prehistoric cultural resource impacts to less than significant.

- Noise: Mitigation Measure 12-3 would ensure that any new vibration-sensitive structures near the Union Pacific Railroad or Southern California Regional Rail Authority right-of-way would be constructed so that train-related vibration would not be perceptible and operational vibration impacts would be less than significant.

- Utilities and Service Systems: Mitigation Measures 17-1 through 17-4 would reduce impacts on water supply and demand from buildout of The Ontario Plan to less than significant.

1.4.3 Unavoidable Significant Adverse Impacts

There are six environmental categories considered to have impacts that would be significant and unavoidable and would not be lessened through mitigation.

Agricultural Resources

Buildout of The Ontario 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, impacts to Farmland would remain significant and unavoidable.

There are a number of Williamson Act contracts within the City that have yet to expire. Buildout of The Ontario 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 the New Model Colony, implementation of the proposed land use plan for The Ontario Plan would conflict with these contracts and cause a significant impact. Consequently, impacts to Williamson Act contracts would remain significant and unavoidable.

Development of the City in accordance with The Ontario 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 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 and impacts would remain significant and unavoidable.

Air Quality

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, this impact would remain significant and unavoidable.

Construction activities associated with buildout of The Ontario Plan would generate short-term emissions that exceed the South Coast Air Quality Management District's (SCAQMD) regional significance thresholds; cumulatively contribute to the SoCAB's nonattainment designations for ozone (O3), coarse inhalable particulate matter (PM10), and fine inhalable particulate matter (PM2.5); and potentially elevate concentrations of air pollutants at sensitive receptors. Mitigation Measure 3-1 would reduce The Ontario Plan's short-term construction-related volatile organic compounds (VOC), carbon monoxide (CO), oxides of nitrogen (NOx), PM10, and PM2.5 emissions but they would not be reduced to levels below the SCAQMD's regional thresholds and they would not reduce these impacts to less than significant. Consequently, construction air pollutant emissions generated by buildout of The Ontario Plan would remain significant and unavoidable.

Buildout of The Ontario Plan would generate long-term emissions that would exceed SCAQMD'S regional significance thresholds and cumulatively contribute to the SoCAB nonattainment designations for O3, PM10, and PM2.5. Mitigation Measure 3-2 would reduce long-term operational emissions of VOC, CO, NOx, PM10, and PM2.5 related to the buildout of The Ontario Plan but they would not reduce these emissions to levels below the SCAQMD's regional significance thresholds and impacts would not be less than significant. Consequently, operational impacts from buildout of The Ontario Plan would remain significant and unavoidable.

Approval of residential and other sensitive land uses within 500 feet of Interstate-10, Interstate-15, or State Route-60 would result in exposure of persons to substantial concentrations of diesel particulate matter. Mitigation Measure 3-3 would reduce impacts related to the exposure of sensitive receptors (residential and other sensitive land uses) to diesel particulate matter because of their placement near freeways within the City. However, it would not reduce this impact to be less than significant.

Conversion of agricultural land to nonagricultural uses would temporarily expose residents to objectionable odors and impacts would remain significant and unavoidable.

Cultural Resources

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 Measure 5-1 would require a historical evaluation for properties within historic resources in the Focus Areas under the City's ordinance. However, the ordinance does not provide a high level of protection for Tier III resources. As a result, demolition of historical resources categorized under the Ordinance as Tier III could potentially be impacted with implementation of the Proposed Land Use Plan. Consequently, Tier III historic resource impacts would remain significant and unavoidable.

Global Climate Change

Buildout of the City of Ontario would generate greenhouse gas emissions that would significantly contribute to global climate change impacts in California. Greenhouse gas (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. Mitigation Measures 6-1 through 6-6 would act to reduce the contributions of The Ontario Plan to global climate change but they would not reduce the impacts to less than significant.

Noise

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, impacts would remain significant and unavoidable.

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. Mitigation Measure 12-1 would decrease the exposure of sensitive receptors to excessive noise levels within 65 dBA CNEL contours, whether near Los Angeles/Ontario International Airport (LAONT) or other noise-producing areas such as freeways and railroads, but it would not reduce these impacts to less than significant.

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 groundborne vibration. Mitigation Measure 12-2 would reduce the impacts caused by construction-related vibrations on sensitive receptors but it would not reduce the impact to less than significant.

Impact 5.12-5. Significant. 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. Mitigation Measure 12-4 calls for the use of noise-reducing techniques during construction projects that would impact nearby sensitive receptors, such as the use of temporary sound walls and reduced unnecessary truck idling. However, these impacts would not be reduced to levels considered less than significant.

Noise-sensitive land uses within the 65 dBA CNEL contour of the Los Angeles/Ontario International Airport would be exposed to substantial levels of airport-related noise. Consequently, impacts would remain significant and unavoidable.

Transportation and Traffic

The increased development and population growth associated with the buildout of the Proposed Land Use Plan would cause deficient levels of service at 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. Mitigation Measure 16-1 would require the buildout of The Ontario Plan to be consistent with the traffic study prepared by Kimley-Horn and Associates. This traffic study indicates the appropriate lane geometry for area intersections. This would allow for intersections to have LOS values of E or above, but it would not improve the cumulative freeway LOS standards to appropriate levels. The City has no jurisdiction over Caltrans projects, such as freeway improvements. Therefore, the impacts related to cumulative LOS deficiencies on freeways would not be reduced to levels considered less than significant.

2. Mitigation Monitoring Process

2.1 MITIGATION MONITORING PROGRAM ORGANIZATION

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). The mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the Environmental Impact Report, specifications are made herein that identify the action required and the monitoring that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in the Mitigation Monitoring Program (MMP). In order to effectively track and document the status of mitigation measures, a mitigation matrix has been prepared and includes:

- Responsibility for implementation
- Timing
- Responsibility for monitoring
- Monitor

Mitigation measure timing of verification has been apportioned into several specific timing increments. Of these, the most common are:

- Prior to project approval
- Prior to issuance of grading permit(s)
- During construction

Information pertaining to compliance with mitigation measures or any necessary modifications or refinements will be documented in the comments portion of the matrix.

2.2 MITIGATION MONITORING PROCEEDURES

The City of Ontario Planning Department is the designated lead agency for the Mitigation Monitoring and Reporting Program. The City of Ontario includes the Mitigation Measures within the Special Conditions of Approval. The City is responsible for review of all monitoring reports, enforcement actions, and document disposition. The Planning Department shall designate a Project Mitigation Monitor for the proposed project.

2.2.1 In-Field Monitoring

The Responsible Monitoring Party shall exercise caution and professional practices at all times when monitoring construction. Protective wear (hard hats, glasses, etc.) shall be worn at all times in construction areas. Injuries shall be reported immediately to the Project Mitigation Monitor.

2.2.2 Coordination with Contractors

The construction manager/superintendent is responsible for coordination of contractors and for contractor completion of required measures in accordance with the provisions of this program.

2.2.3 Recognized Experts

The use of recognized experts as a component of the monitoring team is required to ensure compliance with scientific and engineering mitigation measures. While the recognized experts assess

compliance with required mitigation measures, consultation with the City of Ontario planning staff shall take place in the event of a dispute.

2.2.4 Enforcement

Agencies may enforce conditions of approval through their existing police power, using stop-work orders, fines, infraction citations, loss of entitlements, refusal to issue building permits or certificates of use and occupancy or, in some cases, notice of violation for tax purposes. Criminal misdemeanor sanctions could be available where the agency has adopted an ordinance requiring compliance with the monitoring program, similar to the provision in many zoning ordinances that affirm the enforcement power to bring suit against violators of the ordinances.

3. Mitigation Monitoring Requirements

3.1 CATEGORIZED MITIGATION MEASURES/MATRIX

Project-specific mitigation measures have been categorized in matrix format, as shown in Table 3-1. The matrix identifies the environmental factor, specific mitigation measures, schedule, and responsible monitor. The mitigation matrix will serve as the basis for scheduling the implementation of, and compliance with, all mitigation measures.

3.2 IN-FIELD MONITORING

Project monitors and technical subconsultants shall exercise caution and professional practices at all times when monitoring implementation of mitigation measures. Protective wear (e.g., hard hat, glasses) shall be worn at all times in construction areas. Injuries shall be immediately reported to the mitigation monitoring committee.

3.3 DATABASE MANAGEMENT

All mitigation monitoring reports, letters, and memos shall be prepared using Microsoft Word software on IBM-compatible PCs and processed according to the City's Environmental Compliance Program.

3.4 COORDINATION WITH CONTRACTORS

The construction manager is responsible for coordination of contractors and for contractor completion of required mitigation measures.

3.5 LONG-TERM MONITORING

Long-term monitoring related to several mitigation measures will be required, including fire safety inspections. Post-construction fire inspections are conducted on a routine basis by the Ontario Fire Department.

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
5.3 AIR QUALITY				
3-1 The City of Ontario Building Department shall require that all new construction projects incorporate 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. • 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 .	City of Ontario Building Department in coordination with the landowner/project applicant's construction contractor	During construction	City of Ontario Building and Department and Developer/Contractor	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
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).	City of Ontario Planning/Engineering Department in coordination with the landowner/project applicant	Prior to individual project approvals	City of Ontario Planning Department	
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 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.	City of Ontario Planning Department in coordination with the landowner/project applicant	Prior to individual project approvals	City of Ontario Planning Department	
5.5 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 plan or development approvals.	City of Ontario Planning Department	Prior to individual project approvals	City of Ontario Planning Department	
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:	City of Ontario Planning Department in coordination with the Landowner/Project Applicant	Prior to individual project approvals	City of Ontario Planning Department	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
• Archaeologists and/or paleontologist shall be retained for the project and will be on call during grading and other significant ground-disturbing activities. • Should any cultural resources be discovered, no further grading shall occur in the area of the discovery until the Planning Director or designee is satisfied that adequate provisions are in place to protect these resources. • 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.	City of Ontario Planning Department	Prior to individual project approvals	City of Ontario Planning Department	
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	City of Ontario Planning Department in coordination with the	Prior to issuance of grading permit(s)	City of Ontario Planning Department	

Table 3-1 Mitigation Monitoring Requirements					
	Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
	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.	Landowner/Project Applicant			
5.6 Global Climate Change					
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.	City of Ontario	Within 18 months of adopting The Ontario Plan	City of Ontario Planning Department/ Municipal Utilities Agency (MUA)	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
○ 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	City of Ontario Planning Department	Within 18 months of adopting The Ontario Plan	City of Ontario Planning Department	

Table 3-1 ***Mitigation Monitoring Requirements***				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
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.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
• 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.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***

• 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 ride-sharing 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.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
• 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: o Providing information, marketing, training, and technical assistance about green building practices. o Adopting a Green Building ordinance with guidelines for green building practices in residential and commercial development. o 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: o Standards for the installation of "cool roofs". o Standards for improved overall efficiency of lighting systems. o 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.				

Table 3-1 ***Mitigation Monitoring Requirements***				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
• 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: o Conducting energy audits. o 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. o Implementing an energy tracking and management system for its municipal facilities. o Installing energy-efficient exit signs, street signs, and traffic lighting, subject to life/safety considerations. o Installing energy-efficient lighting retrofits and occupancy sensors, and institute a "lights out at night" policy, subject to life/safety considerations. o Retrofitting heating and cooling systems to optimize efficiency (e.g., replace chillers, boilers, fans, pumps, belts, etc.). o Installing Energy Star® appliances and energy-efficient vending machines. o Improving water use efficiency, including a schedule to replace or retrofit system components				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
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				

Table 3-1 ***Mitigation Monitoring Requirements***				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
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: o Establishing a diversion target which meets or exceeds AB 939 requirements. o 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: o Maintaining and refining the City's tiered rate structure for water use. o Establishing restrictions on time of use for landscape watering, or other demand management strategies.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
○ 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 checklists 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 drop-off 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.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
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: o 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: o Increasing allowable building height or allow height limit bonuses, in appropriate areas and where safe to do so. o 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. o Allowing reduced and shared parking based on the use mix, and availability of and proximity to public transit stops.	City of Ontario Planning Department	Within 18 months of adopting The Ontario Plan	City of Ontario Planning Department	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
○ 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.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
○ 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.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
○ 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 non- motorized 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, and 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.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
○ 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.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
○ 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.				

Table 3-1 ***Mitigation Monitoring Requirements***				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
• 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 ride-sharing 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: o 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. o Encouraging new construction to include vehicle access to properly wired outdoor receptacles to accommodate ZEV and/or plug in electric hybrids (PHEV). o Encouraging transportation fleet standards to achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better fleet mixes. o 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				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
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: o Establishing guidelines for green building practices in residential and commercial development. o 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: o Standards for the installation of "cool roofs". o Standards for improved overall efficiency of lighting systems. o Requirements for the use of Energy Star appliances and fixtures in discretionary new development. o 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.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***

• 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:
  o Reviewing and revising building and development codes, design guidelines, and zoning ordinances to remove renewable energy production barriers.
  o 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.
  o 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:
  o 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.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
○ 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.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
○ 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.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
○ 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:				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
○ 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).	City of Ontario Planning Department	Prior to adoption of the Climate Action Plan	City of Ontario Planning Department	
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.	City of Ontario Planning Department	Prior to individual project approvals	City of Ontario Planning Department	
6-6 The City of Ontario shall participate in the County of San Bernardino's Green Valley Initiative.	City of Ontario Planning Department	Prior to individual project approvals	City of Ontario Planning Department	
5.12 NOISE				

Table 3-1 Mitigation Monitoring Requirements					
	Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
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).	City of Ontario Planning/Building Department in coordination with the Landowner/Project Applicant	Prior to individual project approvals	City of Ontario Planning/Building Department	
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).	City of Ontario Planning/Building/MUA Department in coordination with the Landowner/Project Applicant's construction contractor	During construction	City of Ontario Building/MUA Department	
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	City of Ontario Planning/Building Department with collaboration with the Landowner/Project Applicant	Prior to individual project approvals	City of Ontario Building Department	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
during the nighttime for residential uses, 84 VdB for office uses, and 90 VdB for workshops.				
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 non-essential 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.	City of Ontario Building/Planning/MUA Department in coordination with the Landowner/Project Applicant's construction contractor	During construction	City of Ontario Building/Planning/MUA Department	
5.16 TRANSPORTATION AND CIRCULATION				
16-1 The Mobility Element of the Ontario Plan shall be consistent with the traffic study prepared by Kimley-Horn and Associates in 2009. Table 5.16-6 in Section 5.16, *Transportation and Traffic,* shows the recommended lane geometry for the Proposed Land Use Plan.	City of Ontario Engineering/Planning Department	Ongoing	City of Ontario Engineering/Planning Department	
5.17 UTILITIES AND SERVICE SYSTEMS				
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: • Work cooperatively with all developers to incorporate conservation measures into project designs (such as those recommended by the California Urban Water Conservation Council). • Continue to develop and implement drought contingency plans to assist citizens and businesses	City of Ontario Planning/MUA Department	Ongoing	City of Ontario Planning/MUA/Engineering Department	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
reduce water use during water shortages and emergencies. • 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 1881.				
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.	City of Ontario Planning Department in coordination with City of Ontario MUA/Engineering Department	Ongoing	City of Ontario Planning/MUA/Engineering Department	
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.	City of Ontario Planning Department in coordination with City of Ontario MUA/Engineering Department	Ongoing	City of Ontario Planning/MUA/Engineering Department	

ATTACHMENT B:
Traffic Impact Analysis

(Document to follow this page)

August 27, 2020

TJW ENGINEERING, INC.
TRAFFIC ENGINEERING &
TRANSPORTATION PLANNING
CONSULTANTS

Mr. William D. Vogel
VOGEL PROPERTIES, INC.
300 Paseo Tesoro
Walnut, CA 91789

Subject: 3555 E Airport Drive Focused Traffic Analysis, City of Ontario

Dear Mr. Vogel,

TJW ENGINEERING, INC. (TJW) is pleased to present you with this focused traffic analysis for the proposed 3555 E. Airport Drive Project. The proposed project is located at the northeast corner of the intersection of Airport Drive and Haven Avenue in the City of Ontario.

This focused traffic analysis has been prepared to analyze project trip generation and assess the performance of a single westbound right turn lane compared to dual westbound right turn lanes at the intersection of Airport Drive and Haven Avenue. This report is being submitted to you for review and forwarding to the City of Ontario.

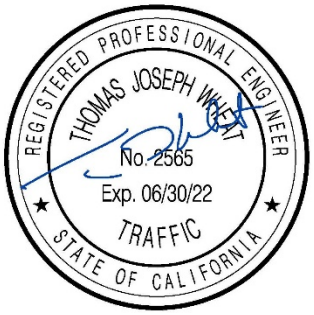
Please contact us at (949) 878-3509 if you have any questions regarding this analysis.

Sincerely,

Thomas Wheat, PE, TE
President

David Chew, PTP
Transportation Planner

Registered Civil Engineer *#69467*
Registered Traffic Engineer *#2565*



Jeffrey Chinchilla, PE
Project Engineer

1.1 PROJECT DESCRIPTION

The project is located at the northeast corner of the intersection of Airport Drive and Haven Avenue in the City of Ontario. According to the California Commerce Center Specific Plan, the site's current designated land use is Commercial/Food/Hotel. The proposed project would change the designated land use to Industrial.

The proposed project consists of 201,491 square foot building consisting of 198,991 square feet of warehouse use and 5,000 square feet of office use. Site access is planned along Airport Drive via one full-access driveway and one right-in-right-out driveway. The proposed project is anticipated to be built and generating trips in 2022. The proposed project location and project site plan are provided in the appendix.

1.2 PROJECT TRIP GENERATION ANALYSIS

Trip generation represents the amount of traffic, both inbound and outbound, produced by a development. Determining trip generation for a proposed project is based on projecting the amount of traffic that the specific land uses being proposed will produce. Industry standard *Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition, 2017)* trip generation rates were used to determine trip generation for the proposed project land uses.

Table 1 summarizes the projected AM peak hour, PM peak hour and daily trip generation of the proposed project. The proposed project is projected to generate 423 daily trips, 43 AM peak hour trips, and 49 PM peak hour trips.

According to the California Commerce Center Specific Plan, the site's current designated land use is Commercial/Food/Hotel. The proposed project would change the designated land use to Industrial. Due to the change in land use, a trip generation analysis has been prepared to determine net differences in trip generation forecasts. ***Table 2*** summarizes the projected net difference between the proposed project trip generation and the California Commerce Center Specific Plan land use designation trip generation. A projected net difference of -7,183 daily trips, -146 AM peak hour trips, and -719 PM peak hour trips is expected between designated and proposed land uses.

Table 1

Proposed Project Trip Generation

Proposed Land Use[1]	Qty	Unit[2]	Daily Trips (ADTs)		AM Peak Hour					PM Peak Hour				
			Rate	Volume	Rate	In:Out Split	Volume			Rate	In:Out Split	Volume		
							In	Out	Total			In	Out	Total
Warehousing (150)	196.49	TSF	1.74	342	0.17	77:23	25	8	33	0.19	27:73	10	27	37
Small Office (712)	5.00	TSF	16.19	81	1.92	83:17	8	2	10	2.45	32:68	4	8	12
Total	**201.49**	**TSF**		**423**			**33**	**10**	**43**			**14**	**35**	**49**

1: Rates from ITE Trip Generation (10th Edition, 2017)

2: TSF = Thousand Square Feet

Table 2

Net Difference in Trip Generation

Land Use[1]	Qty	Unit[2]	Daily Trips (ADTs)		AM Peak Hour					PM Peak Hour				
			Rate	Volume	Rate	In:Out Split	Volume			Rate	In:Out Split	Volume		
							In	Out	Total			In	Out	Total
Proposed Project														
Warehousing (150)	196.49	TSF	1.74	342	0.17	77:23	25	8	33	0.19	27:73	10	27	37
Small Office (712)	5.00	TSF	16.19	81	1.92	83:17	8	2	10	2.45	32:68	4	8	12
Total		TSF		423			33	10	43			14	35	49
Designated Land Use														
Shopping Center/Commercial (820)	201.49	TSF	37.75	7,606	0.94	62:38	117	72	189	3.81	48:52	369	399	768
Net Difference				**-7,183**			**-84**	**-62**	**-146**			**-355**	**-364**	**-719**

1: Rates from ITE Trip Generation (10th Edition, 2017)

2: TSF = Thousand Square Feet

1.2 INTERSECTION ANALYSIS METHODOLOGY

Level of Service (LOS) is commonly used to describe the quality of flow on roadways and at intersections using a range of LOS from LOS A (free flow with little congestion) to LOS F (severely congested conditions). The definitions for LOS for interruption of traffic flow differ depending on the type of traffic control (traffic signal, unsignalized intersection with side street stops, unsignalized intersection with all-way stops). The *Highway Capacity Manual (HCM) 6* (Transportation Research Board, 2016) methodology expresses the LOS of an intersection in terms of delay time for the intersection approaches. The HCM methodology utilizes different procedures for different types of intersection control.

The City of Ontario and Caltrans traffic impact study guidelines require signalized intersection operations be analyzed utilizing the HCM 6th Edition methodology. Intersection LOS for signalized intersections is based on the intersections average control delay for all movements at the intersection during the peak hour. Control delay includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay.

Table 3 describes the general characteristics of traffic flow and accompanying delay ranges at signalized intersections.

Table 3

HCM – LOS & Delay Ranges – Signalized Intersections

Level Of Service	Description	Delay (in seconds)
A	Very favorable progression; most vehicles arrive during green signal and do not stop. Short cycle lengths.	0 – 10.00
B	Good progression, short cycle lengths. More vehicles stop than for LOS A.	10.01 – 20.00
C	Fair progression; longer cycle lengths. Individual cycle failures may begin to appear. The number of vehicles stopping is significant, though many vehicles still pass through without stopping.	20.01 – 35.00
D	Progression less favorable, longer cycle length and high flow/capacity ratio. The proportion of vehicles that pass through without stopping diminishes. Individual cycle failures are obvious.	35.01 – 55.00
E	Severe congestion with some long standing queues on critical approaches. Poor progression, long cycle lengths and high flow/capacity ratio. Individual cycle failures are frequent.	55.01 – 80.00
F	Very poor progression, long cycle lengths and many individual cycle failures. Arrival flow rates exceed capacity of intersection.	> 80.01

Source: Transportation Research Board, *Highway Capacity Manual*, HCM6 Edition (Washington D.C., 2016).

Collected peak hour traffic volumes have been adjusted using a peak hour factor (PHF) to reflect peak 15-minute volumes. It is a common practice in LOS analysis to conservatively use a peak 15-minute flow rate applied to the entire hour to derive flow rates in vehicles per hour that are used in the LOS analysis. The PHF is the relationship between the peak 15-minute flow rate and the full hourly volume. PHF = [Hourly Volume]/

[4 * Peak 15-Minute Volume]. The use of a 15-minute PHF produces a more detailed and conservative analysis compared to analyzing vehicles per hour. Existing PHFs, obtained from the existing traffic counts have been used for all analysis scenarios in this study.

1.3 TRAFFIC COUNTS AND VOLUME DEVELOPMENT

Due to the ongoing effects of COVID-19, traffic volumes have been lower than average. To account for abnormal traffic volumes, a 2% growth rate was applied to historical traffic counts from November of 2019 to establish existing 2020 volumes. A growth rate of 2% was applied to existing 2020 volumes to develop project opening year and buildout year volumes.

Existing (2020) = [Historical (2019) Counts * 1.02^1]

Project Opening Year (2022) = [Existing (2020) Volumes * 1.02^2]

Buildout Year (2040) = [Existing (2020 Volumes) * 1.02^20]

Traffic volumes were converted into Passenger Car Equivalents (PCEs) utilizing the following factors:

- 2-axle trucks: 2.0 PCE
- 3-axle trucks: 2.5 PCE
- 4+ axle trucks: 3.0 PCE

1.4 PROJECT OPENING YEAR (2022) CONDITIONS LANE CONFIGURATION ANALYSIS

The *City of Ontario General Plan Update Transportation Technical Report* recommends the following westbound approach configuration for the intersection of Airport Drive and Haven Avenue:

- 2 left turn lanes, 3 through lanes, and 2 right turn lanes.

Due to the decrease in projected trip generation, a lane configuration analysis was conducted to determine the need for two right turn lanes as recommended in the *Transportation Technical Report*.

Project opening year conditions AM and PM peak hour intersection analysis is shown in ***Table 4***. Calculations are based on the lane configuration shown in ***Exhibit 1***. ***Exhibit 1*** also shows *project opening year* AM and PM peak hour volumes at the study intersection of Airport Drive and Haven Avenue. HCM analysis sheets are provided in the appendix.

Traffic operations are evaluated for the following time periods:

- Weekday AM Peak Hour occurring within 7:00 AM to 9:00 AM; and
- Weekday PM Peak Hour occurring within 4:00 PM to 6:00 PM.

Table 4

Intersection Analysis – Opening Year Conditions

Intersection			Control Type	Peak Hour	Opening Year Conditions			
					1 WBR Lanes		2 WBR Lanes	
					Delay[1]	LOS	Delay[1]	LOS
1	Airport Dr	Haven Ave	Signal	AM	32.5	C	32.1	C
				PM	53.8	D	44.2	D

1: Delay shown in seconds per vehicle. Per the Highway Capacity Manual 6th Edition, overall average delay and LOS are shown for signalized intersections.
Note: WBR = Westbound Right

Policy 12.2 of the *City of Ontario General Plan Infrastructure Element* indicates that LOS E should be maintained at intersections. As shown in ***Table 4***, the study intersection is projected to operate at an acceptable LOS during the AM and PM peak hours for *opening year* conditions for both single and dual westbound right lane configurations.

1.5 BUILDOUT YEAR (2040) CONDITIONS LANE CONFIGURATION ANALYSIS

Buildout year conditions AM and PM peak hour intersection analysis is shown in ***Table 5***. Calculations are based on the lane geometry shown in ***Exhibit 2***. ***Exhibit 2*** also shows *buildout year* AM and PM peak hour volumes at the study intersection. HCM analysis sheets are provided in the appendix.

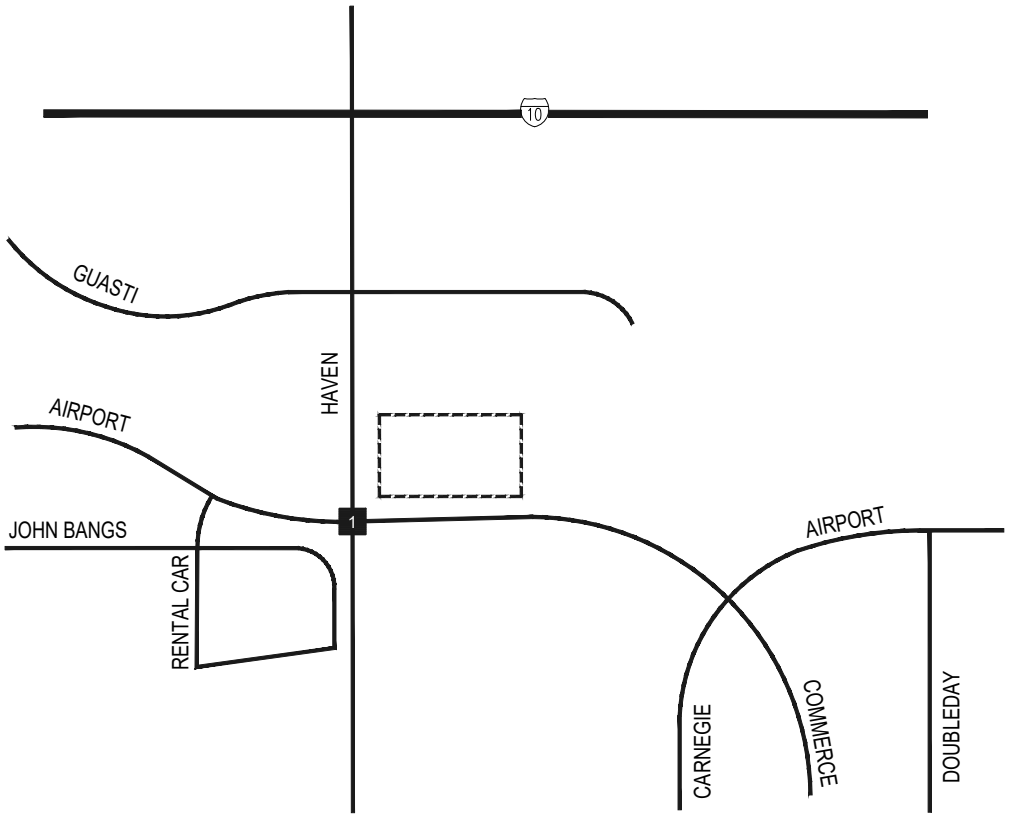
Table 5

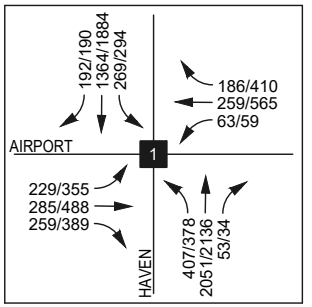
Intersection Analysis – Buildout Year Conditions

Intersection			Control Type	Peak Hour	Buildout Year Conditions			
					1 WBR Lanes		2 WBR Lanes	
					Delay[1]	LOS	Delay[1]	LOS
1	Airport Dr	Haven Ave	Signal	AM	43.9	D	40.5	D
				PM	75.8	E	67.4	E

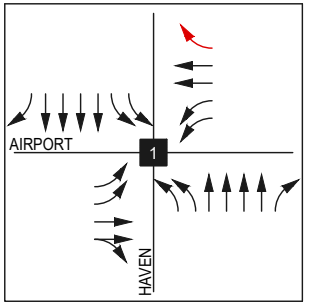
1: Delay shown in seconds per vehicle. Per the Highway Capacity Manual 6th Edition, overall average delay and LOS are shown for signalized intersections.
Note: WBR = Westbound Right

Policy 12.2 of the *City of Ontario General Plan Infrastructure Element* indicates that LOS E should be maintained at intersections. As shown in ***Table 5***, the study intersection is projected to operate at an acceptable LOS during the AM and PM peak hours for *buildout year* conditions for both single and dual westbound right lane configurations.

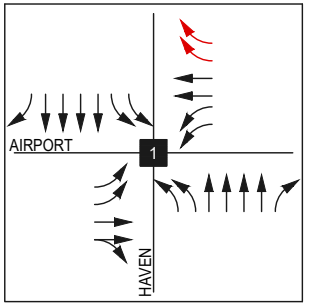




TRAFFIC VOLUMES



LANE GEOMETRY (1 WBR)



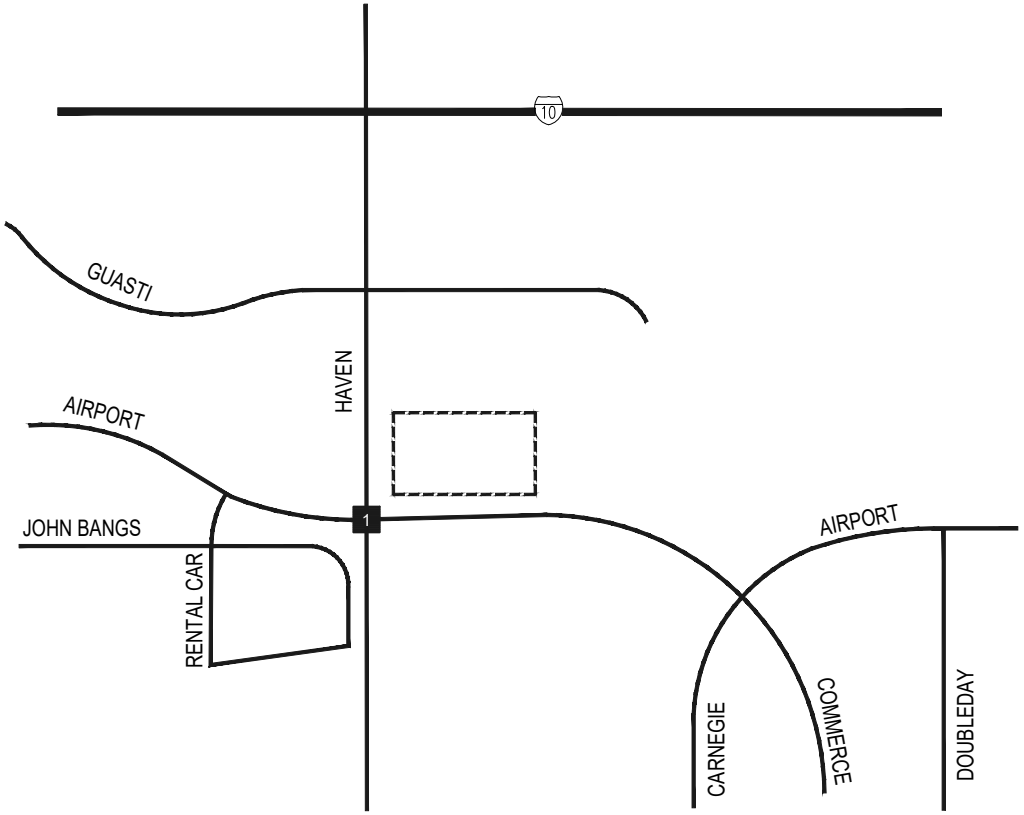
LANE GEOMETRY (2 WBR)

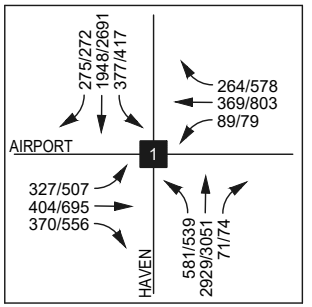
Legend:

XX/XX	AM/PM Peak Hour Volumes
←	Existing Lane
↰	Westbound Right Turn Lane
■	Signal-Controlled Intersection
----------	Project Site

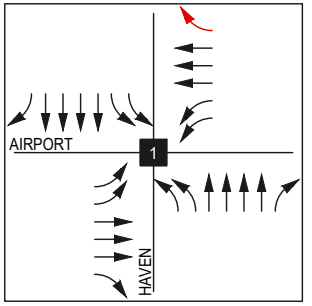
Exhibit 1: Project Opening Year (2022)AM/PM Peak Hour Volumes and Lane Geometry

Not to Scale

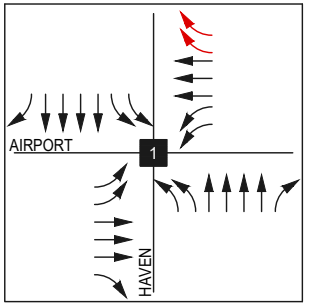




TRAFFIC VOLUMES



LANE GEOMETRY (1 WBR)



LANE GEOMETRY (2 WBR)

Legend:

XX/XX	AM/PM Peak Hour Volumes
←	Existing Lane
↰	Westbound Right Turn Lane
■	Signal-Controlled Intersection
----------	Project Site

Exhibit 2: Buildout Year (2040) AM/PM Peak Hour Volumes and Lane Geometry

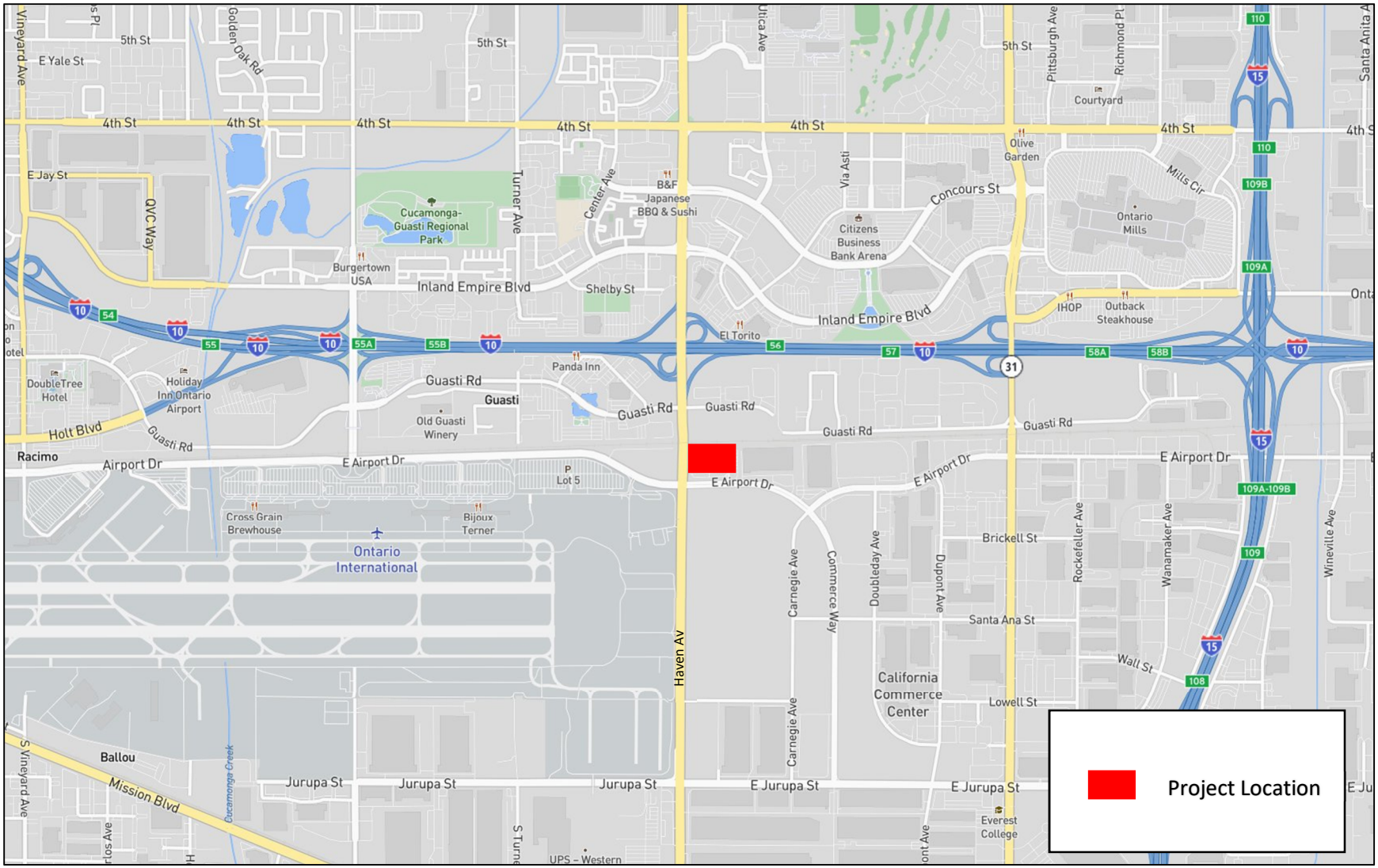
Not to Scale

1.6 CONCLUSION

The proposed project would change the designated land use from Commercial/Food/Hotel to Industrial. A projected net difference of -7,183 daily trips, -146 AM peak hour trips, and -719 PM peak hour trips is anticipated between designated and proposed land uses.

The *City of Ontario General Plan Update Transportation Technical Report* recommends westbound dual right turn lanes at the intersection of Airport Drive/Haven Avenue. To determine if the decrease in projected trip generation would continue to warrant a second right turn lane, the intersection was analyzed with single and dual westbound right turn lane configurations. Lane configurations were analyzed for *project opening year* and *buildout year* conditions. The analysis results indicate that the intersection will operate at an acceptable LOS for *project opening year* and *buildout year* conditions with either single or dual westbound right turn lanes.

APPENDIX


Project Location
Ontario International
Inland Empire Blvd
Guasti Rd
E Airport Dr
Haven Av
4th St
5th St
Jurupa St
E Jurupa St
Mission Blvd
Holt Blvd
Airport Dr
Concours St
Brickell St
Santa Ana St
Wall St
Lowell St
California Commerce Center
Ontario Mills
Citizens Business Bank Arena
Cucamonga-Guasti Regional Park
Old Guasti Winery
Cross Grain Brewhouse
Bijoux Terner
Panda Inn
El Torito
IHOP
Outback Steakhouse
Olive Garden
Courtyard
B&F Japanese BBQ & Sushi
Burgertown USA
DoubleTree Hotel
Holiday Inn Ontario Airport
Everest College
UPS – Western
Racimo
Ballou
Guasti
Shelby St
Via Asti
Mills Cir
Turner Ave
Center Ave
Carnegie Ave
Commerce Way
Doubleday Ave
Dupont Ave
Rockefeller Ave
Wanamaker Ave
Wineville Ave
Pittsburgh Ave
Richmond Pl
Utica Ave
Golden Oak Rd
Vineyard Ave
QVC Way
E Yale St
E Jay St
Cucamonga Creek
Santa Anita A
Onta
E Ju
10
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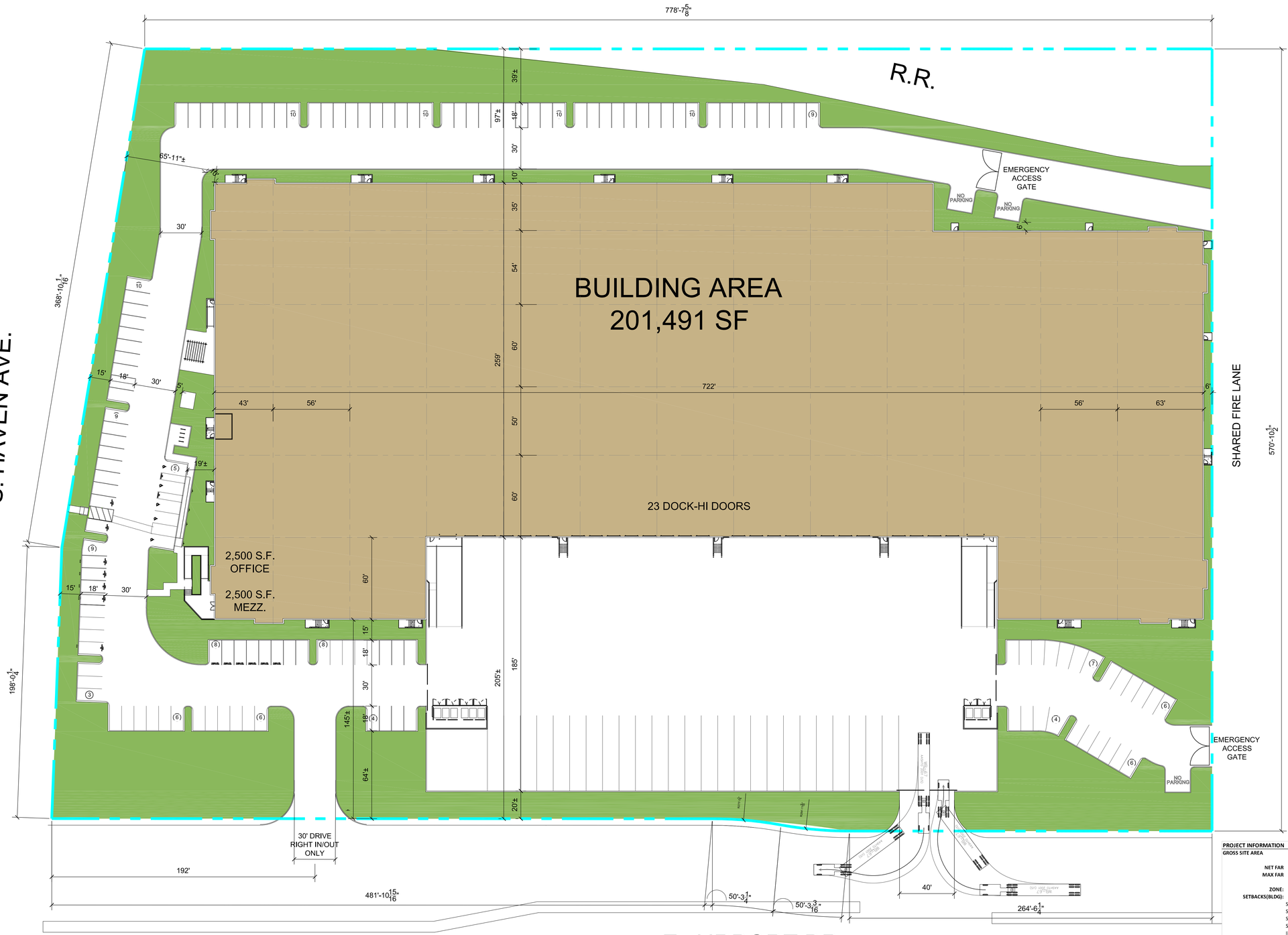
55A
55B
56
57
58A
58B
109A
109B
109A-109B
108
110



A CONCEPTUAL SITE PLAN
SCALE: 1" = 60'

PROJECT INFORMATION	SCH 2		07.13.2020
GROSS SITE AREA	10.65 AC	463,978 .	
NET FAR		43.4%	
MAX FAR		55.0%	
ZONE:		(I-L) INDUSTRIAL LIGHT	
SETBACKS(BLDG):			
	STREET FRONT BLDG. SETBACK (E. AIRPORT DR.)	35'	
	STREET SIDE BLDG. SETBACK (S. HAVEN AVE.)	45'	
	STREET FRONT LANDSCAPE SETBACK	20'	
	STREET SIDE LANDSCAP SETBACK (S.HAVEN AVE.)	15'	
	INT/REAR SETBACK	0'	
TOTAL BUILDING AREA		201,491 SF	
FOOTPRINT		198,991 SF	
	WAREHOUSE	196,491	
	OFFICE	2,500	
MEZZANINE		2,500	
	OFFICE	2,500	
TOTAL PARKING REQUIRED (9' x 18')		131	
WAREHOUSE @ 1/1,000 UP TO 20K		20	
WAREHOUSE @ 1/2,000 OVER 20K		91	
OFFICE @ 1/250 IF OVER 10%		20	
PARKING PROVIDED (9' x 18')		140	
	STANDARD	122	
	ADA	5	
	EV VAN ADA	1	
	EV ADA	1	
	EV	5	
	CLEAN AIR	6	
	TRAILER PROVIDED (12X45)	25	
LANDSCAPE	REQUIRED	15.0% 69,597 SF	
	PROVIDED	18.1% 83,752 SF	

PROJECT
VOGEL HAVEN - 3525 E AIRPORT DR
ONTARIO, CA

SCHEME 2
SITE PLAN

HERDMAN
ARCHITECTURE + DESIGN
16201 Scientific Way
Irvine, CA 92618
www.HerdmanRierson.com
714.389.2800
info@HerdmanRierson.com

A19-2147
07.13.2020

NORTH

CONCEPTUAL
SITE PLAN

1756

TRAFFIC COUNTS

Counts Unlimited
PO Box 1178
Corona, CA 92878
(951) 268-6268

City of Ontario
N/S: South Haven Avenue
E/W: East Airport Drive
Weather: Clear

File Name : 12_ONT_S Haven_Airport AM
Site Code : 99919787
Start Date : 11/7/2019
Page No : 1

Groups Printed- Passenger Vehicles - Large 2 Axle Vehicles - 3 Axle Vehicles - 4+ Axle Trucks

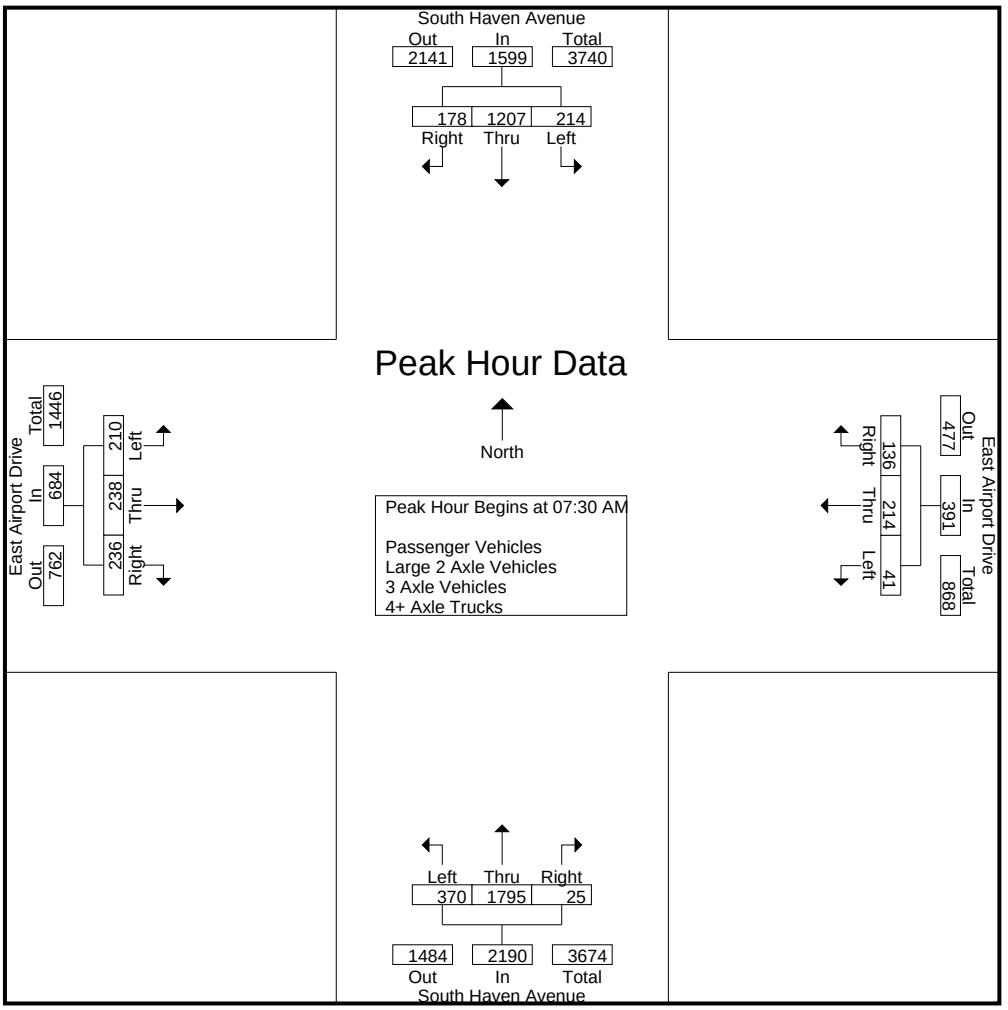
	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
06:00 AM	30	170	43	243	4	30	7	41	27	126	6	159	25	20	15	60	503
06:15 AM	24	204	34	262	3	23	14	40	42	198	2	242	30	23	25	78	622
06:30 AM	37	270	35	342	8	23	14	45	43	236	6	285	24	37	43	104	776
06:45 AM	53	271	39	363	5	46	23	74	54	281	6	341	36	46	47	129	907
Total	144	915	151	1210	20	122	58	200	166	841	20	1027	115	126	130	371	2808
07:00 AM	40	313	33	386	7	30	29	66	70	303	5	378	24	32	41	97	927
07:15 AM	35	294	44	373	3	36	19	58	60	346	4	410	35	44	49	128	969
07:30 AM	45	316	36	397	14	60	32	106	89	439	6	534	57	79	61	197	1234
07:45 AM	80	306	48	434	13	52	35	100	88	474	6	568	60	77	70	207	1309
Total	200	1229	161	1590	37	178	115	330	307	1562	21	1890	176	232	221	629	4439
08:00 AM	45	328	53	426	10	62	31	103	93	449	4	546	47	43	54	144	1219
08:15 AM	44	257	41	342	4	40	38	82	100	433	9	542	46	39	51	136	1102
08:30 AM	47	268	50	365	6	40	38	84	104	454	6	564	53	36	48	137	1150
08:45 AM	39	260	47	346	7	37	24	68	77	422	12	511	64	36	53	153	1078
Total	175	1113	191	1479	27	179	131	337	374	1758	31	2163	210	154	206	570	4549
Grand Total	519	3257	503	4279	84	479	304	867	847	4161	72	5080	501	512	557	1570	11796
Apprch %	12.1	76.1	11.8		9.7	55.2	35.1		16.7	81.9	1.4		31.9	32.6	35.5		
Total %	4.4	27.6	4.3	36.3	0.7	4.1	2.6	7.3	7.2	35.3	0.6	43.1	4.2	4.3	4.7	13.3	
Passenger Vehicles	487	3097	495	4079	63	424	251	738	832	3883	53	4768	494	464	547	1505	11090
% Passenger Vehicles	93.8	95.1	98.4	95.3	75	88.5	82.6	85.1	98.2	93.3	73.6	93.9	98.6	90.6	98.2	95.9	94
Large 2 Axle Vehicles	9	57	5	71	4	37	11	52	7	133	1	141	2	28	3	33	297
% Large 2 Axle Vehicles	1.7	1.8	1	1.7	4.8	7.7	3.6	6	0.8	3.2	1.4	2.8	0.4	5.5	0.5	2.1	2.5
3 Axle Vehicles	7	24	0	31	2	6	6	14	2	26	1	29	3	11	2	16	90
% 3 Axle Vehicles	1.3	0.7	0	0.7	2.4	1.3	2	1.6	0.2	0.6	1.4	0.6	0.6	2.1	0.4	1	0.8
4+ Axle Trucks	16	79	3	98	15	12	36	63	6	119	17	142	2	9	5	16	319
% 4+ Axle Trucks	3.1	2.4	0.6	2.3	17.9	2.5	11.8	7.3	0.7	2.9	23.6	2.8	0.4	1.8	0.9	1	2.7

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 06:00 AM to 08:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	45	316	36	397	14	60	32	106	89	439	6	534	57	79	61	197	1234
07:45 AM	80	306	48	434	13	52	35	100	88	474	6	568	60	77	70	207	1309
08:00 AM	45	328	53	426	10	62	31	103	93	449	4	546	47	43	54	144	1219
08:15 AM	44	257	41	342	4	40	38	82	100	433	9	542	46	39	51	136	1102
Total Volume	214	1207	178	1599	41	214	136	391	370	1795	25	2190	210	238	236	684	4864
% App. Total	13.4	75.5	11.1		10.5	54.7	34.8		16.9	82	1.1		30.7	34.8	34.5		
PHF	.669	.920	.840	.921	.732	.863	.895	.922	.925	.947	.694	.964	.875	.753	.843	.826	.929

Counts Unlimited
PO Box 1178
Corona, CA 92878
(951) 268-6268

City of Ontario
N/S: South Haven Avenue
E/W: East Airport Drive
Weather: Clear

File Name : 12_ONT_S Haven_Airport AM
Site Code : 99919787
Start Date : 11/7/2019
Page No : 2



Peak Hour Analysis From 06:00 AM to 08:45 AM - Peak 1 of 1
Peak Hour for Each Approach Begins at:

	07:15 AM				07:30 AM				07:45 AM				07:30 AM			
+0 mins.	35	294	44	373	14	60	32	106	88	474	6	568	57	79	61	197
+15 mins.	45	316	36	397	13	52	35	100	93	449	4	546	60	77	70	207
+30 mins.	80	306	48	434	10	62	31	103	100	433	9	542	47	43	54	144
+45 mins.	45	328	53	426	4	40	38	82	104	454	6	564	46	39	51	136
Total Volume	205	1244	181	1630	41	214	136	391	385	1810	25	2220	210	238	236	684
% App. Total	12.6	76.3	11.1		10.5	54.7	34.8		17.3	81.5	1.1		30.7	34.8	34.5	
PHF	.641	.948	.854	.939	.732	.863	.895	.922	.925	.955	.694	.977	.875	.753	.843	.826

Counts Unlimited
PO Box 1178
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City of Ontario
N/S: South Haven Avenue
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File Name : 12_ONT_S Haven_Airport AM
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Groups Printed- Passenger Vehicles

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
06:00 AM	27	159	43	229	2	28	5	35	27	110	4	141	24	17	14	55	460
06:15 AM	22	193	33	248	2	20	9	31	42	174	0	216	30	22	25	77	572
06:30 AM	37	255	34	326	6	19	11	36	41	210	5	256	23	30	43	96	714
06:45 AM	50	259	37	346	5	38	19	62	52	259	5	316	36	44	46	126	850
Total	136	866	147	1149	15	105	44	164	162	753	14	929	113	113	128	354	2596
07:00 AM	39	304	33	376	6	28	26	60	70	286	5	361	24	29	41	94	891
07:15 AM	34	281	44	359	2	34	14	50	60	326	4	390	35	42	48	125	924
07:30 AM	40	308	35	383	11	53	26	90	84	417	5	506	57	76	59	192	1171
07:45 AM	76	298	48	422	10	47	30	87	86	454	2	542	59	71	68	198	1249
Total	189	1191	160	1540	29	162	96	287	300	1483	16	1799	175	218	216	609	4235
08:00 AM	41	311	52	404	8	56	28	92	91	426	3	520	46	37	53	136	1152
08:15 AM	42	238	41	321	3	36	33	72	100	410	7	517	44	36	51	131	1041
08:30 AM	47	246	48	341	2	34	33	69	102	417	3	522	53	29	46	128	1060
08:45 AM	32	245	47	324	6	31	17	54	77	394	10	481	63	31	53	147	1006
Total	162	1040	188	1390	19	157	111	287	370	1647	23	2040	206	133	203	542	4259
Grand Total	487	3097	495	4079	63	424	251	738	832	3883	53	4768	494	464	547	1505	11090
Apprch %	11.9	75.9	12.1		8.5	57.5	34		17.4	81.4	1.1		32.8	30.8	36.3		
Total %	4.4	27.9	4.5	36.8	0.6	3.8	2.3	6.7	7.5	35	0.5	43	4.5	4.2	4.9	13.6	

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	40	308	35	383	11	53	26	90	84	417	5	506	57	76	59	192	1171
07:45 AM	76	298	48	422	10	47	30	87	86	454	2	542	59	71	68	198	1249
08:00 AM	41	311	52	404	8	56	28	92	91	426	3	520	46	37	53	136	1152
08:15 AM	42	238	41	321	3	36	33	72	100	410	7	517	44	36	51	131	1041
Total Volume	199	1155	176	1530	32	192	117	341	361	1707	17	2085	206	220	231	657	4613
% App. Total	13	75.5	11.5		9.4	56.3	34.3		17.3	81.9	0.8		31.4	33.5	35.2		
PHF	.655	.928	.846	.906	.727	.857	.886	.927	.903	.940	.607	.962	.873	.724	.849	.830	.923

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City of Ontario
N/S: South Haven Avenue
E/W: East Airport Drive
Weather: Clear

File Name : 12_ONT_S Haven_Airport AM
Site Code : 99919787
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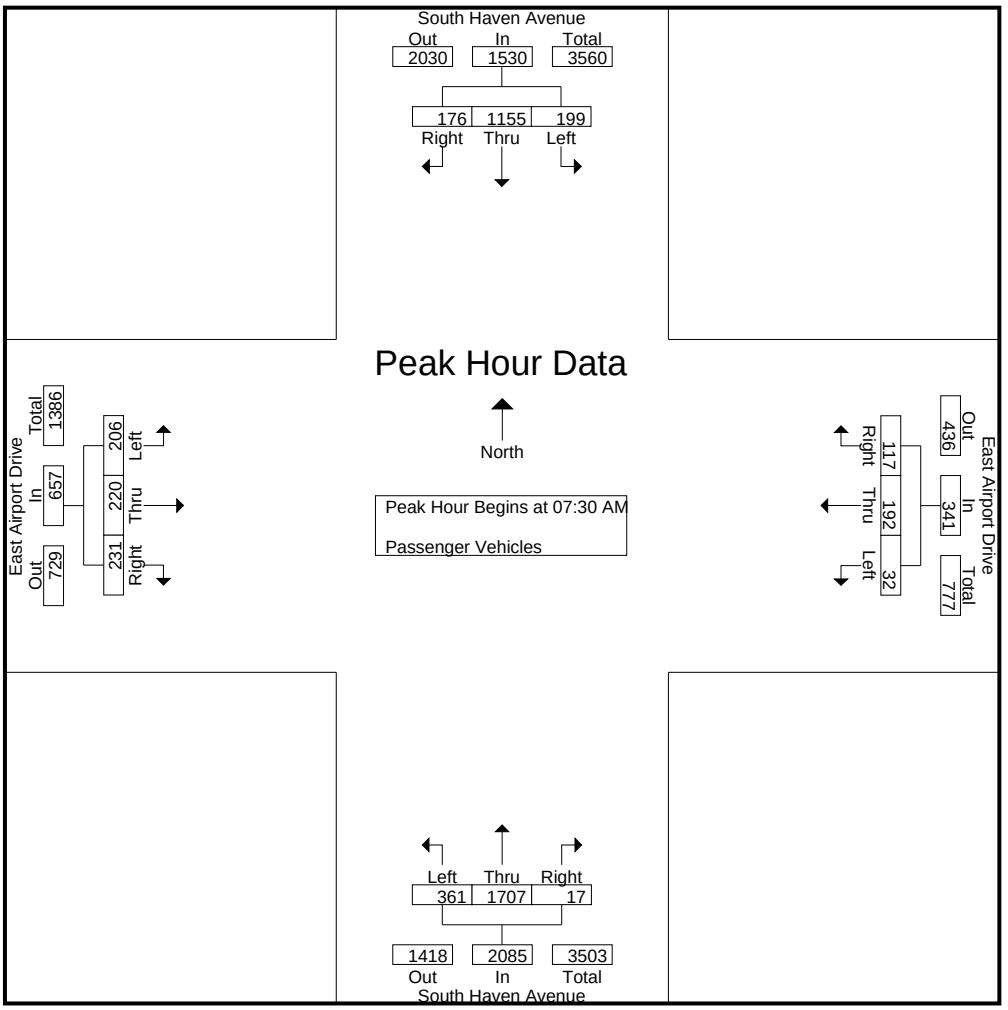

Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1
Peak Hour for Each Approach Begins at:

	07:30 AM				07:30 AM				07:30 AM				07:30 AM			
+0 mins.	40	308	35	383	11	53	26	90	84	417	5	506	57	76	59	192
+15 mins.	76	298	48	422	10	47	30	87	86	454	2	542	59	71	68	198
+30 mins.	41	311	52	404	8	56	28	92	91	426	3	520	46	37	53	136
+45 mins.	42	238	41	321	3	36	33	72	100	410	7	517	44	36	51	131
Total Volume	199	1155	176	1530	32	192	117	341	361	1707	17	2085	206	220	231	657
% App. Total	13	75.5	11.5		9.4	56.3	34.3		17.3	81.9	0.8		31.4	33.5	35.2	
PHF	.655	.928	.846	.906	.727	.857	.886	.927	.903	.940	.607	.962	.873	.724	.849	.830

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City of Ontario
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Weather: Clear

File Name : 12_ONT_S Haven_Airport AM
Site Code : 99919787
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Groups Printed- Large 2 Axle Vehicles

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
06:00 AM	1	1	0	2	0	2	0	2	0	6	0	6	0	3	0	3	13
06:15 AM	0	3	0	3	1	1	0	2	0	9	0	9	0	0	0	0	14
06:30 AM	0	4	0	4	1	4	0	5	1	13	0	14	0	3	0	3	26
06:45 AM	0	5	2	7	0	5	0	5	0	11	0	11	0	2	0	2	25
Total	1	13	2	16	2	12	0	14	1	39	0	40	0	8	0	8	78
07:00 AM	0	3	0	3	0	1	2	3	0	5	0	5	0	2	0	2	13
07:15 AM	0	7	0	7	0	1	4	5	0	10	0	10	0	2	0	2	24
07:30 AM	0	5	1	6	0	5	0	5	2	9	0	11	0	3	0	3	25
07:45 AM	1	4	0	5	0	2	0	2	1	7	1	9	0	4	2	6	22
Total	1	19	1	21	0	9	6	15	3	31	1	35	0	11	2	13	84
08:00 AM	3	3	0	6	0	5	1	6	2	11	0	13	0	2	0	2	27
08:15 AM	1	9	0	10	1	3	1	5	0	7	0	7	2	2	0	4	26
08:30 AM	0	9	2	11	1	6	1	8	1	28	0	29	0	3	1	4	52
08:45 AM	3	4	0	7	0	2	2	4	0	17	0	17	0	2	0	2	30
Total	7	25	2	34	2	16	5	23	3	63	0	66	2	9	1	12	135
Grand Total	9	57	5	71	4	37	11	52	7	133	1	141	2	28	3	33	297
Apprch %	12.7	80.3	7		7.7	71.2	21.2		5	94.3	0.7		6.1	84.8	9.1		
Total %	3	19.2	1.7	23.9	1.3	12.5	3.7	17.5	2.4	44.8	0.3	47.5	0.7	9.4	1	11.1	

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	0	5	1	6	0	5	0	5	2	9	0	11	0	3	0	3	25
07:45 AM	1	4	0	5	0	2	0	2	1	7	1	9	0	4	2	6	22
08:00 AM	3	3	0	6	0	5	1	6	2	11	0	13	0	2	0	2	27
08:15 AM	1	9	0	10	1	3	1	5	0	7	0	7	2	2	0	4	26
Total Volume	5	21	1	27	1	15	2	18	5	34	1	40	2	11	2	15	100
% App. Total	18.5	77.8	3.7		5.6	83.3	11.1		12.5	85	2.5		13.3	73.3	13.3		
PHF	.417	.583	.250	.675	.250	.750	.500	.750	.625	.773	.250	.769	.250	.688	.250	.625	.926

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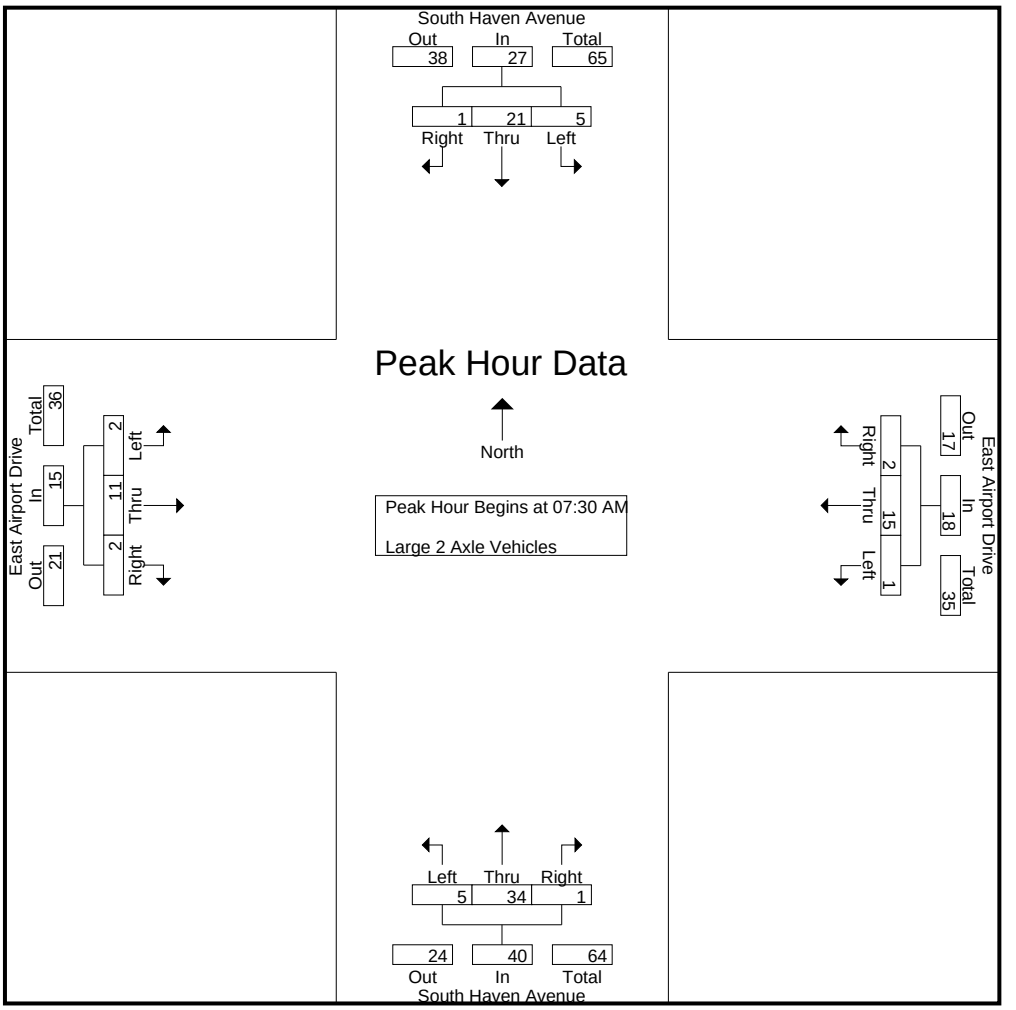

Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1
Peak Hour for Each Approach Begins at:

	07:30 AM				07:30 AM				07:30 AM				07:30 AM			
+0 mins.	0	5	1	6	0	5	0	5	2	9	0	11	0	3	0	3
+15 mins.	1	4	0	5	0	2	0	2	1	7	1	9	0	4	2	6
+30 mins.	3	3	0	6	0	5	1	6	2	11	0	13	0	2	0	2
+45 mins.	1	9	0	10	1	3	1	5	0	7	0	7	2	2	0	4
Total Volume	5	21	1	27	1	15	2	18	5	34	1	40	2	11	2	15
% App. Total	18.5	77.8	3.7		5.6	83.3	11.1		12.5	85	2.5		13.3	73.3	13.3	
PHF	.417	.583	.250	.675	.250	.750	.500	.750	.625	.773	.250	.769	.250	.688	.250	.625

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City of Ontario
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Groups Printed- 3 Axle Vehicles

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
06:00 AM	1	1	0	2	0	0	0	0	0	1	0	1	1	0	1	2	5
06:15 AM	0	2	0	2	0	1	1	2	0	2	0	2	0	0	0	0	6
06:30 AM	0	1	0	1	0	0	0	0	0	6	0	6	0	4	0	4	11
06:45 AM	0	2	0	2	0	2	1	3	2	3	1	6	0	0	0	0	11
Total	1	6	0	7	0	3	2	5	2	12	1	15	1	4	1	6	33
07:00 AM	0	1	0	1	0	0	0	0	0	1	0	1	0	1	0	1	3
07:15 AM	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	1
07:30 AM	3	1	0	4	0	0	0	0	0	0	0	0	0	0	1	1	5
07:45 AM	1	1	0	2	1	1	1	3	0	6	0	6	0	1	0	1	12
Total	4	3	0	7	1	1	1	3	0	8	0	8	0	2	1	3	21
08:00 AM	0	6	0	6	1	1	0	2	0	3	0	3	1	1	0	2	13
08:15 AM	0	3	0	3	0	1	1	2	0	2	0	2	0	1	0	1	8
08:30 AM	0	2	0	2	0	0	0	0	0	1	0	1	0	1	0	1	4
08:45 AM	2	4	0	6	0	0	2	2	0	0	0	0	1	2	0	3	11
Total	2	15	0	17	1	2	3	6	0	6	0	6	2	5	0	7	36
Grand Total	7	24	0	31	2	6	6	14	2	26	1	29	3	11	2	16	90
Apprch %	22.6	77.4	0		14.3	42.9	42.9		6.9	89.7	3.4		18.8	68.8	12.5		
Total %	7.8	26.7	0	34.4	2.2	6.7	6.7	15.6	2.2	28.9	1.1	32.2	3.3	12.2	2.2	17.8	

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	3	1	0	4	0	0	0	0	0	0	0	0	0	0	1	1	5
07:45 AM	1	1	0	2	1	1	1	3	0	6	0	6	0	1	0	1	12
08:00 AM	0	6	0	6	1	1	0	2	0	3	0	3	1	1	0	2	13
08:15 AM	0	3	0	3	0	1	1	2	0	2	0	2	0	1	0	1	8
Total Volume	4	11	0	15	2	3	2	7	0	11	0	11	1	3	1	5	38
% App. Total	26.7	73.3	0		28.6	42.9	28.6		0	100	0		20	60	20		
PHF	.333	.458	.000	.625	.500	.750	.500	.583	.000	.458	.000	.458	.250	.750	.250	.625	.731

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City of Ontario
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E/W: East Airport Drive
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Site Code : 99919787
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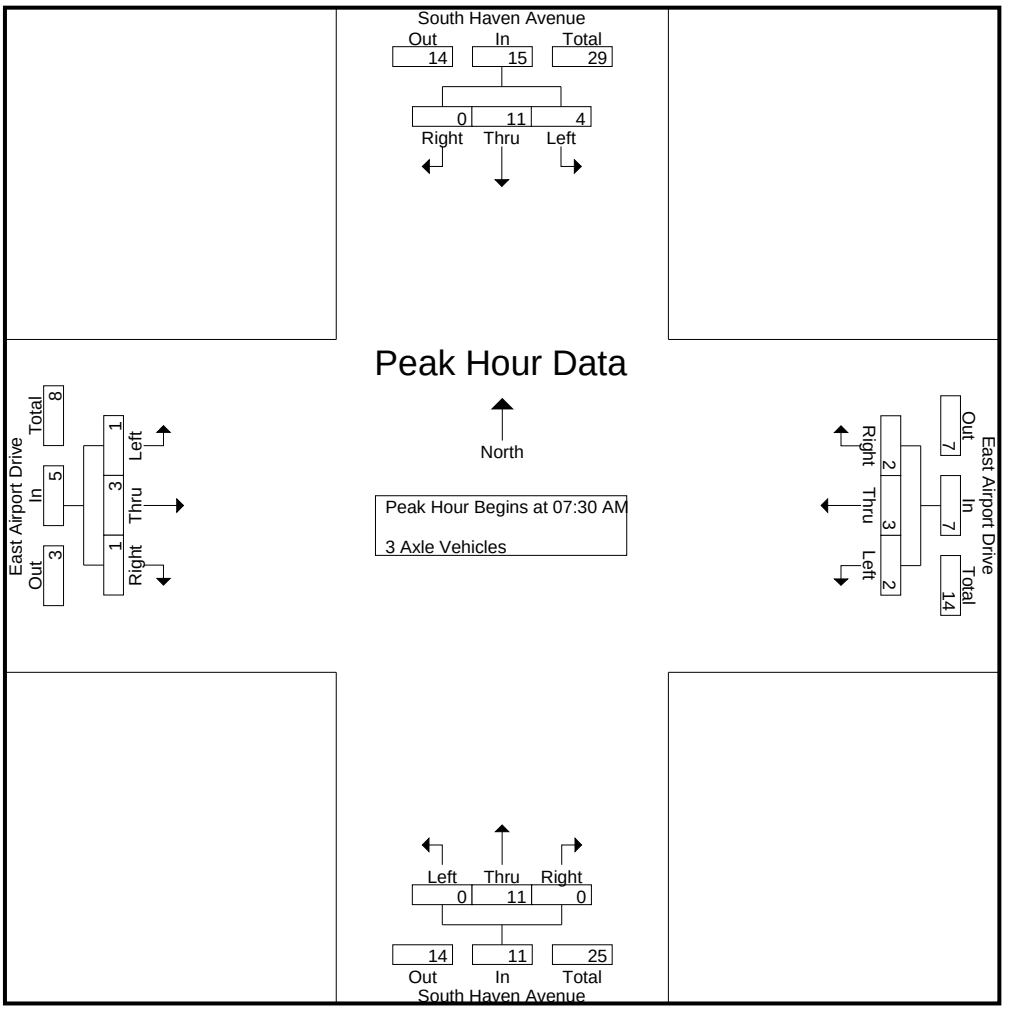

Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1
Peak Hour for Each Approach Begins at:

	07:30 AM				07:30 AM				07:30 AM				07:30 AM			
+0 mins.	3	1	0	4	0	0	0	0	0	0	0	0	0	0	1	1
+15 mins.	1	1	0	2	1	1	1	3	0	6	0	6	0	1	0	1
+30 mins.	0	6	0	6	1	1	0	2	0	3	0	3	1	1	0	2
+45 mins.	0	3	0	3	0	1	1	2	0	2	0	2	0	1	0	1
Total Volume	4	11	0	15	2	3	2	7	0	11	0	11	1	3	1	5
% App. Total	26.7	73.3	0		28.6	42.9	28.6		0	100	0		20	60	20	
PHF	.333	.458	.000	.625	.500	.750	.500	.583	.000	.458	.000	.458	.250	.750	.250	.625

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City of Ontario
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Weather: Clear

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Groups Printed- 4+ Axle Trucks

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
06:00 AM	1	9	0	10	2	0	2	4	0	9	2	11	0	0	0	0	25
06:15 AM	2	6	1	9	0	1	4	5	0	13	2	15	0	1	0	1	30
06:30 AM	0	10	1	11	1	0	3	4	1	7	1	9	1	0	0	1	25
06:45 AM	3	5	0	8	0	1	3	4	0	8	0	8	0	0	1	1	21
Total	6	30	2	38	3	2	12	17	1	37	5	43	1	1	1	3	101
07:00 AM	1	5	0	6	1	1	1	3	0	11	0	11	0	0	0	0	20
07:15 AM	1	6	0	7	1	1	1	3	0	9	0	9	0	0	1	1	20
07:30 AM	2	2	0	4	3	2	6	11	3	13	1	17	0	0	1	1	33
07:45 AM	2	3	0	5	2	2	4	8	1	7	3	11	1	1	0	2	26
Total	6	16	0	22	7	6	12	25	4	40	4	48	1	1	2	4	99
08:00 AM	1	8	1	10	1	0	2	3	0	9	1	10	0	3	1	4	27
08:15 AM	1	7	0	8	0	0	3	3	0	14	2	16	0	0	0	0	27
08:30 AM	0	11	0	11	3	0	4	7	1	8	3	12	0	3	1	4	34
08:45 AM	2	7	0	9	1	4	3	8	0	11	2	13	0	1	0	1	31
Total	4	33	1	38	5	4	12	21	1	42	8	51	0	7	2	9	119
Grand Total	16	79	3	98	15	12	36	63	6	119	17	142	2	9	5	16	319
Apprch %	16.3	80.6	3.1		23.8	19	57.1		4.2	83.8	12		12.5	56.2	31.2		
Total %	5	24.8	0.9	30.7	4.7	3.8	11.3	19.7	1.9	37.3	5.3	44.5	0.6	2.8	1.6	5	

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	2	2	0	4	3	2	6	11	3	13	1	17	0	0	1	1	33
07:45 AM	2	3	0	5	2	2	4	8	1	7	3	11	1	1	0	2	26
08:00 AM	1	8	1	10	1	0	2	3	0	9	1	10	0	3	1	4	27
08:15 AM	1	7	0	8	0	0	3	3	0	14	2	16	0	0	0	0	27
Total Volume	6	20	1	27	6	4	15	25	4	43	7	54	1	4	2	7	113
% App. Total	22.2	74.1	3.7		24	16	60		7.4	79.6	13		14.3	57.1	28.6		
PHF	.750	.625	.250	.675	.500	.500	.625	.568	.333	.768	.583	.794	.250	.333	.500	.438	.856

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City of Ontario
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E/W: East Airport Drive
Weather: Clear

File Name : 12_ONT_S Haven_Airport AM
Site Code : 99919787
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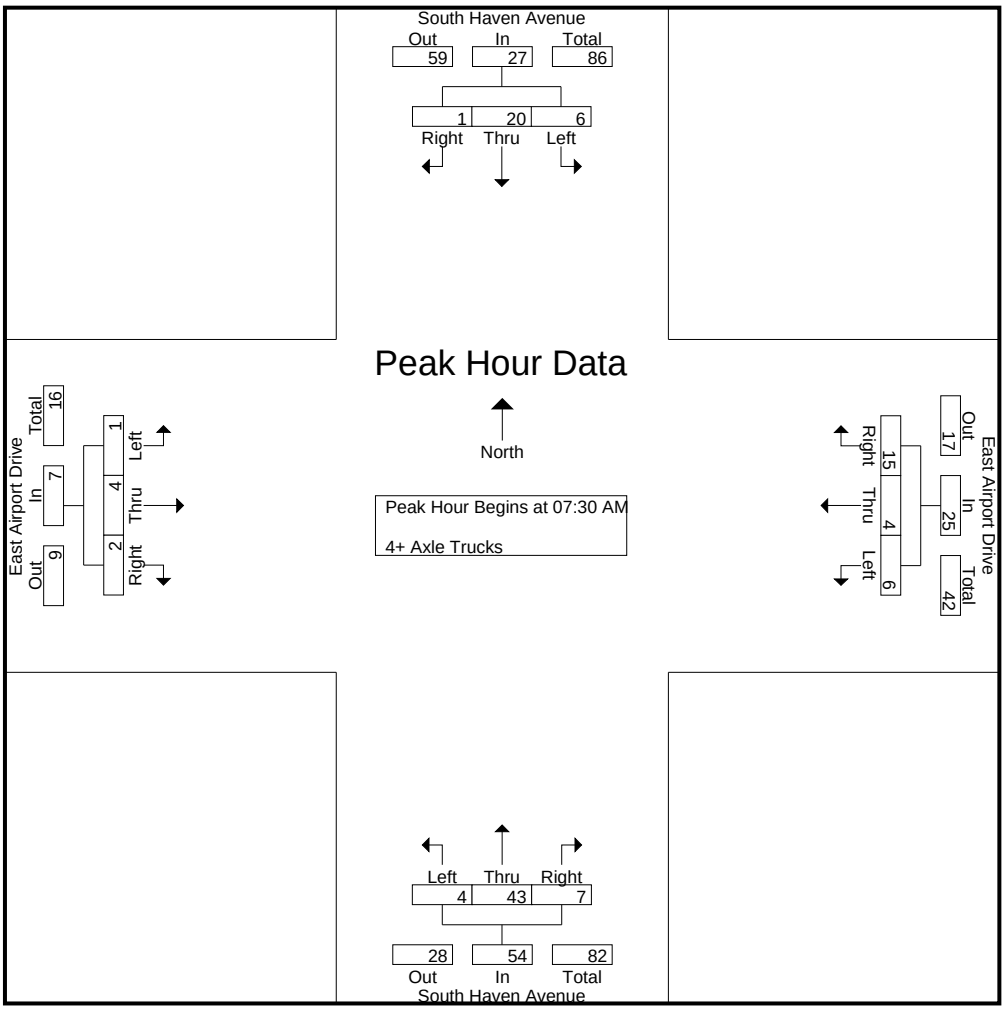

Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1
Peak Hour for Each Approach Begins at:

	07:30 AM				07:30 AM				07:30 AM				07:30 AM			
+0 mins.	2	2	0	4	3	2	6	11	3	13	1	17	0	0	1	1
+15 mins.	2	3	0	5	2	2	4	8	1	7	3	11	1	1	0	2
+30 mins.	1	8	1	10	1	0	2	3	0	9	1	10	0	3	1	4
+45 mins.	1	7	0	8	0	0	3	3	0	14	2	16	0	0	0	0
Total Volume	6	20	1	27	6	4	15	25	4	43	7	54	1	4	2	7
% App. Total	22.2	74.1	3.7		24	16	60		7.4	79.6	13		14.3	57.1	28.6	
PHF	.750	.625	.250	.675	.500	.500	.625	.568	.333	.768	.583	.794	.250	.333	.500	.438

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File Name : 12_ONT_S Haven_Airport PM
Site Code : 99919787
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Groups Printed- Passenger Vehicles - Large 2 Axle Vehicles - 3 Axle Vehicles - 4+ Axle Trucks

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
04:00 PM	40	357	37	434	24	106	95	225	88	546	10	644	76	95	52	223	1526
04:15 PM	52	339	37	428	4	99	73	176	91	508	15	614	61	88	103	252	1470
04:30 PM	55	386	45	486	8	120	97	225	77	511	2	590	79	92	63	234	1535
04:45 PM	53	413	31	497	7	121	76	204	82	497	4	583	71	98	91	260	1544
Total	200	1495	150	1845	43	446	341	830	338	2062	31	2431	287	373	309	969	6075
05:00 PM	75	389	49	513	5	125	91	221	101	452	7	560	71	87	97	255	1549
05:15 PM	65	469	50	584	15	129	85	229	87	450	9	546	101	115	99	315	1674
05:30 PM	36	355	45	436	16	115	56	187	87	522	7	616	55	126	109	290	1529
05:45 PM	42	340	42	424	18	91	63	172	65	390	1	456	84	101	63	248	1300
Total	218	1553	186	1957	54	460	295	809	340	1814	24	2178	311	429	368	1108	6052
Grand Total	418	3048	336	3802	97	906	636	1639	678	3876	55	4609	598	802	677	2077	12127
Apprch %	11	80.2	8.8		5.9	55.3	38.8		14.7	84.1	1.2		28.8	38.6	32.6		
Total %	3.4	25.1	2.8	31.4	0.8	7.5	5.2	13.5	5.6	32	0.5	38	4.9	6.6	5.6	17.1	
Passenger Vehicles	390	2878	328	3596	85	863	613	1561	658	3721	42	4421	585	722	648	1955	11533
% Passenger Vehicles	93.3	94.4	97.6	94.6	87.6	95.3	96.4	95.2	97.1	96	76.4	95.9	97.8	90	95.7	94.1	95.1
Large 2 Axle Vehicles	10	78	4	92	6	22	4	32	10	47	3	60	9	45	19	73	257
% Large 2 Axle Vehicles	2.4	2.6	1.2	2.4	6.2	2.4	0.6	2	1.5	1.2	5.5	1.3	1.5	5.6	2.8	3.5	2.1
3 Axle Vehicles	6	14	2	22	2	6	2	10	5	21	2	28	0	18	4	22	82
% 3 Axle Vehicles	1.4	0.5	0.6	0.6	2.1	0.7	0.3	0.6	0.7	0.5	3.6	0.6	0	2.2	0.6	1.1	0.7
4+ Axle Trucks	12	78	2	92	4	15	17	36	5	87	8	100	4	17	6	27	255
% 4+ Axle Trucks	2.9	2.6	0.6	2.4	4.1	1.7	2.7	2.2	0.7	2.2	14.5	2.2	0.7	2.1	0.9	1.3	2.1

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:30 PM																	
04:30 PM	55	386	45	486	8	120	97	225	77	511	2	590	79	92	63	234	1535
04:45 PM	53	413	31	497	7	121	76	204	82	497	4	583	71	98	91	260	1544
05:00 PM	75	389	49	513	5	125	91	221	101	452	7	560	71	87	97	255	1549
05:15 PM	65	469	50	584	15	129	85	229	87	450	9	546	101	115	99	315	1674
Total Volume	248	1657	175	2080	35	495	349	879	347	1910	22	2279	322	392	350	1064	6302
% App. Total	11.9	79.7	8.4		4	56.3	39.7		15.2	83.8	1		30.3	36.8	32.9		
PHF	.827	.883	.875	.890	.583	.959	.899	.960	.859	.934	.611	.966	.797	.852	.884	.844	.941

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City of Ontario
N/S: South Haven Avenue
E/W: East Airport Drive
Weather: Clear

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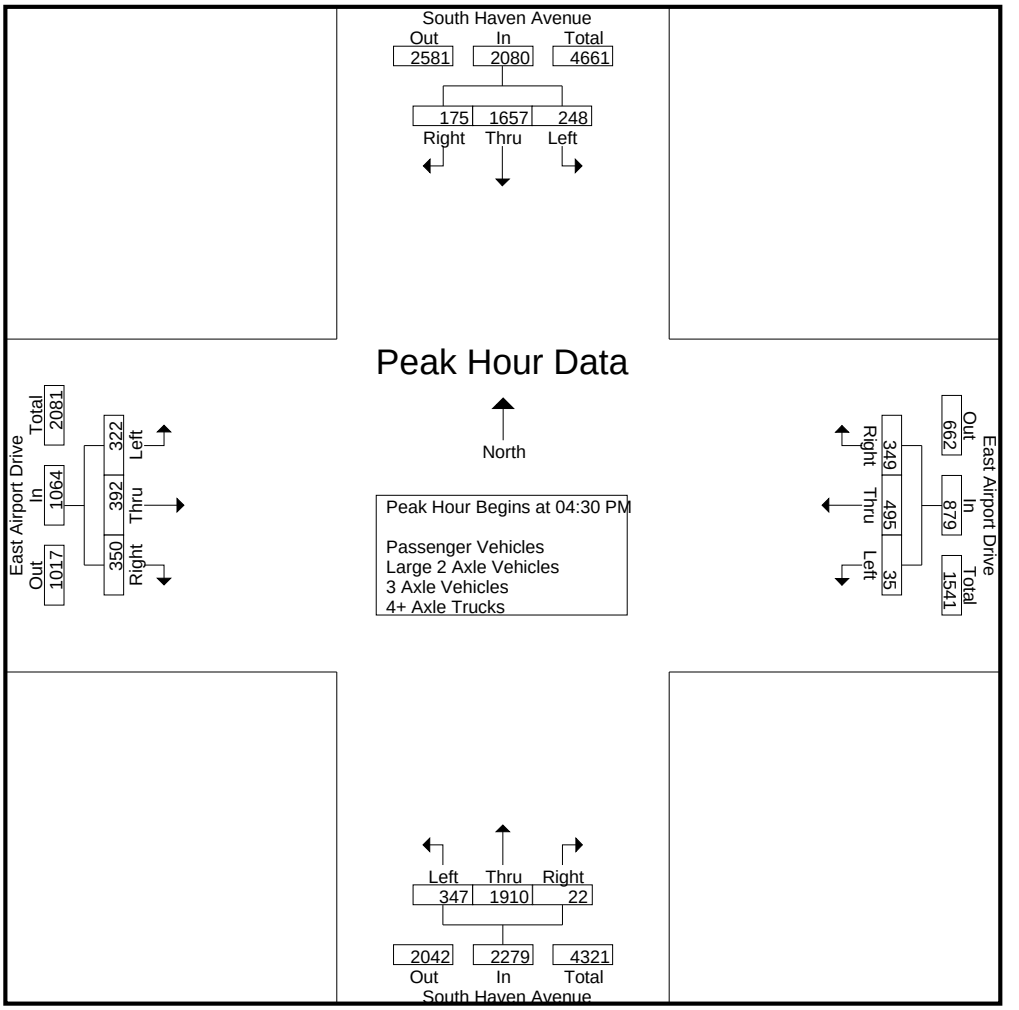

Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1
Peak Hour for Each Approach Begins at:

	04:30 PM				04:30 PM				04:00 PM				04:45 PM			
+0 mins.	55	386	45	486	8	120	97	225	88	546	10	644	71	98	91	260
+15 mins.	53	413	31	497	7	121	76	204	91	508	15	614	71	87	97	255
+30 mins.	75	389	49	513	5	125	91	221	77	511	2	590	101	115	99	315
+45 mins.	65	469	50	584	15	129	85	229	82	497	4	583	55	126	109	290
Total Volume	248	1657	175	2080	35	495	349	879	338	2062	31	2431	298	426	396	1120
% App. Total	11.9	79.7	8.4		4	56.3	39.7		13.9	84.8	1.3		26.6	38	35.4	
PHF	.827	.883	.875	.890	.583	.959	.899	.960	.929	.944	.517	.944	.738	.845	.908	.889

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Groups Printed- Passenger Vehicles

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
04:00 PM	40	341	36	417	24	100	93	217	86	520	4	610	72	87	51	210	1454
04:15 PM	45	318	35	398	4	94	71	169	83	481	12	576	61	82	100	243	1386
04:30 PM	49	369	44	462	7	114	92	213	75	496	2	573	75	83	62	220	1468
04:45 PM	50	387	30	467	5	114	73	192	80	489	4	573	71	89	88	248	1480
Total	184	1415	145	1744	40	422	329	791	324	1986	22	2332	279	341	301	921	5788
05:00 PM	73	369	48	490	5	121	89	215	100	432	5	537	68	74	93	235	1477
05:15 PM	60	451	50	561	11	124	84	219	85	430	8	523	100	98	94	292	1595
05:30 PM	35	330	44	409	15	110	51	176	84	500	6	590	54	117	103	274	1449
05:45 PM	38	313	41	392	14	86	60	160	65	373	1	439	84	92	57	233	1224
Total	206	1463	183	1852	45	441	284	770	334	1735	20	2089	306	381	347	1034	5745
Grand Total	390	2878	328	3596	85	863	613	1561	658	3721	42	4421	585	722	648	1955	11533
Apprch %	10.8	80	9.1		5.4	55.3	39.3		14.9	84.2	1		29.9	36.9	33.1		
Total %	3.4	25	2.8	31.2	0.7	7.5	5.3	13.5	5.7	32.3	0.4	38.3	5.1	6.3	5.6	17	

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 04:30 PM to 05:15 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:30 PM																	
04:30 PM	49	369	44	462	7	114	92	213	75	496	2	573	75	83	62	220	1468
04:45 PM	50	387	30	467	5	114	73	192	80	489	4	573	71	89	88	248	1480
05:00 PM	73	369	48	490	5	121	89	215	100	432	5	537	68	74	93	235	1477
05:15 PM	60	451	50	561	11	124	84	219	85	430	8	523	100	98	94	292	1595
Total Volume	232	1576	172	1980	28	473	338	839	340	1847	19	2206	314	344	337	995	6020
% App. Total	11.7	79.6	8.7		3.3	56.4	40.3		15.4	83.7	0.9		31.6	34.6	33.9		
PHF	.795	.874	.860	.882	.636	.954	.918	.958	.850	.931	.594	.962	.785	.878	.896	.852	.944

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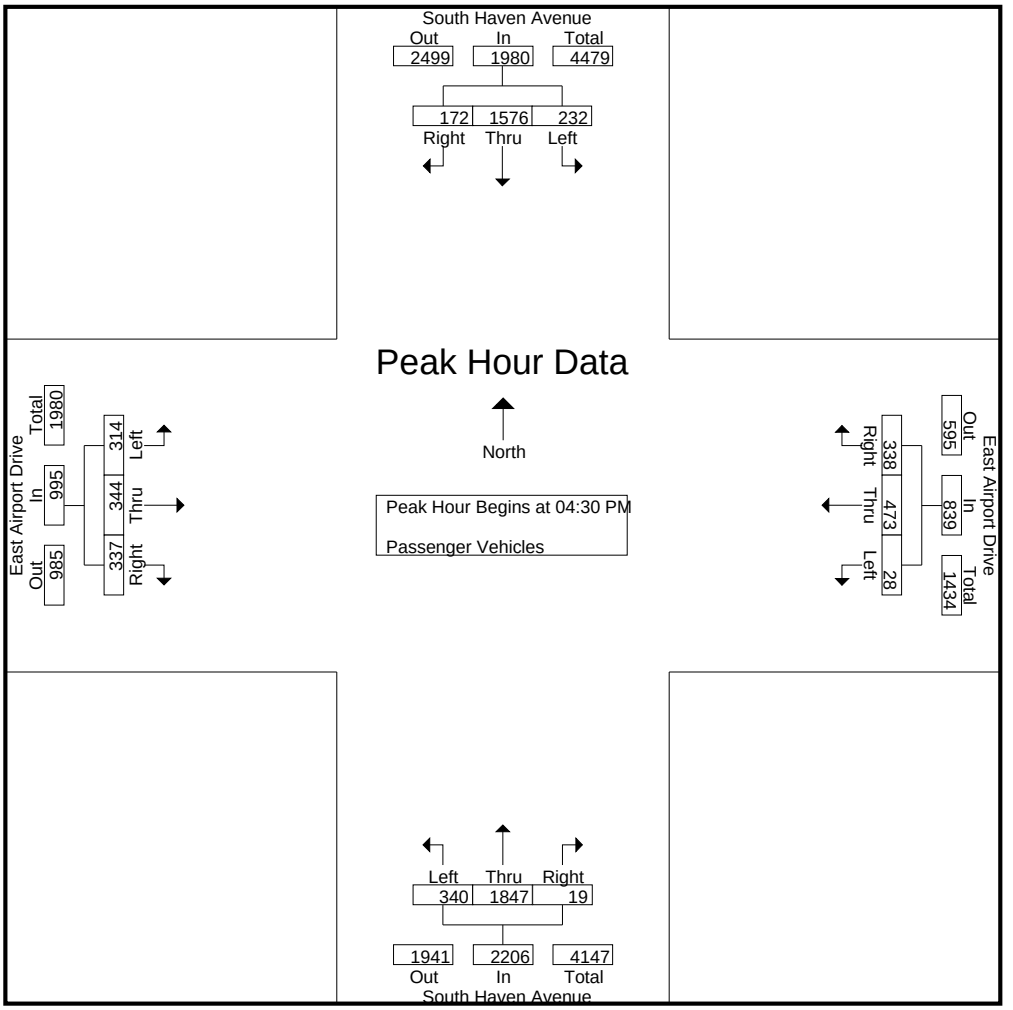

Peak Hour Analysis From 04:30 PM to 05:15 PM - Peak 1 of 1
Peak Hour for Each Approach Begins at:

	04:30 PM				04:30 PM				04:30 PM				04:30 PM			
+0 mins.	49	369	44	462	7	114	92	213	75	496	2	573	75	83	62	220
+15 mins.	50	387	30	467	5	114	73	192	80	489	4	573	71	89	88	248
+30 mins.	73	369	48	490	5	121	89	215	100	432	5	537	68	74	93	235
+45 mins.	60	451	50	561	11	124	84	219	85	430	8	523	100	98	94	292
Total Volume	232	1576	172	1980	28	473	338	839	340	1847	19	2206	314	344	337	995
% App. Total	11.7	79.6	8.7		3.3	56.4	40.3		15.4	83.7	0.9		31.6	34.6	33.9	
PHF	.795	.874	.860	.882	.636	.954	.918	.958	.850	.931	.594	.962	.785	.878	.896	.852

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Groups Printed- Large 2 Axle Vehicles

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
04:00 PM	0	4	0	4	0	2	1	3	1	8	3	12	4	5	1	10	29
04:15 PM	3	6	0	9	0	3	0	3	4	8	0	12	0	5	0	5	29
04:30 PM	3	8	1	12	1	4	0	5	1	4	0	5	1	5	0	6	28
04:45 PM	1	9	0	10	2	4	0	6	2	5	0	7	0	4	3	7	30
Total	7	27	1	35	3	13	1	17	8	25	3	36	5	19	4	28	116
05:00 PM	0	15	1	16	0	2	0	2	0	2	0	2	2	9	2	13	33
05:15 PM	3	9	0	12	1	3	0	4	1	7	0	8	1	5	4	10	34
05:30 PM	0	13	1	14	1	2	1	4	1	5	0	6	1	5	6	12	36
05:45 PM	0	14	1	15	1	2	2	5	0	8	0	8	0	7	3	10	38
Total	3	51	3	57	3	9	3	15	2	22	0	24	4	26	15	45	141
Grand Total	10	78	4	92	6	22	4	32	10	47	3	60	9	45	19	73	257
Apprch %	10.9	84.8	4.3		18.8	68.8	12.5		16.7	78.3	5		12.3	61.6	26		
Total %	3.9	30.4	1.6	35.8	2.3	8.6	1.6	12.5	3.9	18.3	1.2	23.3	3.5	17.5	7.4	28.4	

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 04:30 PM to 05:15 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:30 PM																	
04:30 PM	3	8	1	12	1	4	0	5	1	4	0	5	1	5	0	6	28
04:45 PM	1	9	0	10	2	4	0	6	2	5	0	7	0	4	3	7	30
05:00 PM	0	15	1	16	0	2	0	2	0	2	0	2	2	9	2	13	33
05:15 PM	3	9	0	12	1	3	0	4	1	7	0	8	1	5	4	10	34
Total Volume	7	41	2	50	4	13	0	17	4	18	0	22	4	23	9	36	125
% App. Total	14	82	4		23.5	76.5	0		18.2	81.8	0		11.1	63.9	25		
PHF	.583	.683	.500	.781	.500	.813	.000	.708	.500	.643	.000	.688	.500	.639	.563	.692	.919

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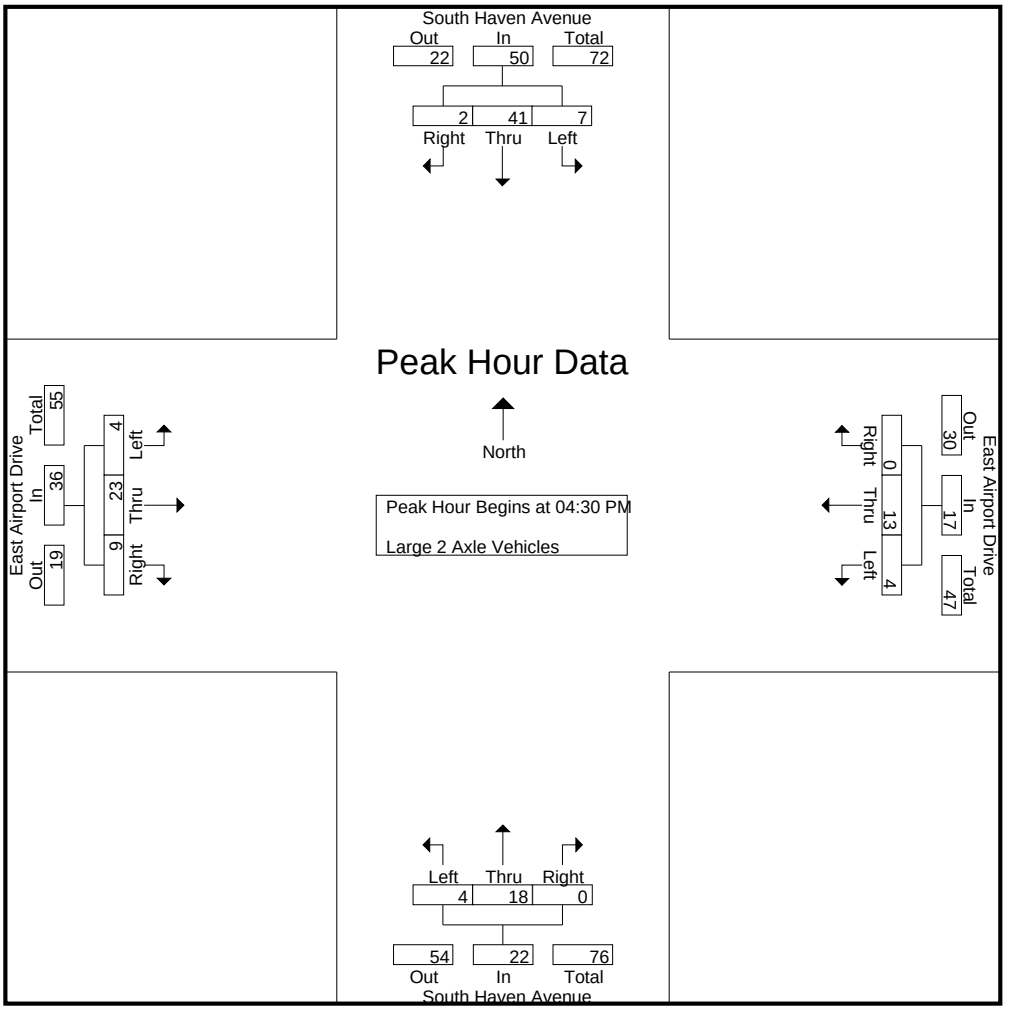

Peak Hour Analysis From 04:30 PM to 05:15 PM - Peak 1 of 1
Peak Hour for Each Approach Begins at:

	04:30 PM				04:30 PM				04:30 PM				04:30 PM			
+0 mins.	3	8	1	12	1	4	0	5	1	4	0	5	1	5	0	6
+15 mins.	1	9	0	10	2	4	0	6	2	5	0	7	0	4	3	7
+30 mins.	0	15	1	16	0	2	0	2	0	2	0	2	2	9	2	13
+45 mins.	3	9	0	12	1	3	0	4	1	7	0	8	1	5	4	10
Total Volume	7	41	2	50	4	13	0	17	4	18	0	22	4	23	9	36
% App. Total	14	82	4		23.5	76.5	0		18.2	81.8	0		11.1	63.9	25	
PHF	.583	.683	.500	.781	.500	.813	.000	.708	.500	.643	.000	.688	.500	.639	.563	.692

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Groups Printed- 3 Axle Vehicles

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
04:00 PM	0	1	0	1	0	2	0	2	1	5	0	6	0	1	0	1	10
04:15 PM	2	1	1	4	0	0	0	0	2	0	1	3	0	0	1	1	8
04:30 PM	1	2	0	3	0	2	1	3	1	3	0	4	0	2	0	2	12
04:45 PM	2	3	1	6	0	0	0	0	0	0	0	0	0	2	0	2	8
Total	5	7	2	14	0	4	1	5	4	8	1	13	0	5	1	6	38
05:00 PM	1	0	0	1	0	0	1	1	1	4	1	6	0	2	1	3	11
05:15 PM	0	2	0	2	1	1	0	2	0	3	0	3	0	11	0	11	18
05:30 PM	0	0	0	0	0	0	0	0	0	6	0	6	0	0	0	0	6
05:45 PM	0	5	0	5	1	1	0	2	0	0	0	0	0	0	2	2	9
Total	1	7	0	8	2	2	1	5	1	13	1	15	0	13	3	16	44
Grand Total	6	14	2	22	2	6	2	10	5	21	2	28	0	18	4	22	82
Apprch %	27.3	63.6	9.1		20	60	20		17.9	75	7.1		0	81.8	18.2		
Total %	7.3	17.1	2.4	26.8	2.4	7.3	2.4	12.2	6.1	25.6	2.4	34.1	0	22	4.9	26.8	

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 04:30 PM to 05:15 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:30 PM																	
04:30 PM	1	2	0	3	0	2	1	3	1	3	0	4	0	2	0	2	12
04:45 PM	2	3	1	6	0	0	0	0	0	0	0	0	0	2	0	2	8
05:00 PM	1	0	0	1	0	0	1	1	1	4	1	6	0	2	1	3	11
05:15 PM	0	2	0	2	1	1	0	2	0	3	0	3	0	11	0	11	18
Total Volume	4	7	1	12	1	3	2	6	2	10	1	13	0	17	1	18	49
% App. Total	33.3	58.3	8.3		16.7	50	33.3		15.4	76.9	7.7		0	94.4	5.6		
PHF	.500	.583	.250	.500	.250	.375	.500	.500	.500	.625	.250	.542	.000	.386	.250	.409	.681

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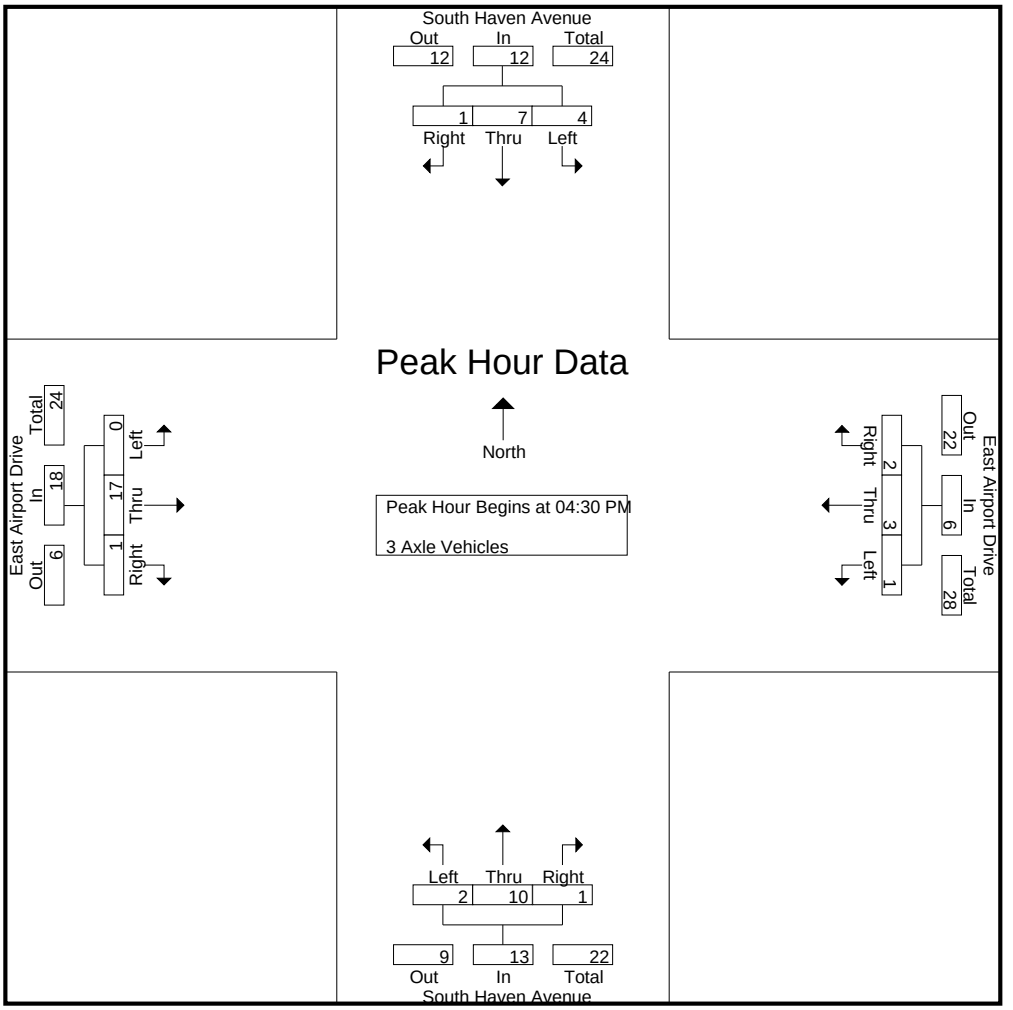

Peak Hour Analysis From 04:30 PM to 05:15 PM - Peak 1 of 1
Peak Hour for Each Approach Begins at:

	04:30 PM				04:30 PM				04:30 PM				04:30 PM			
+0 mins.	1	2	0	3	0	2	1	3	1	3	0	4	0	2	0	2
+15 mins.	2	3	1	6	0	0	0	0	0	0	0	0	0	2	0	2
+30 mins.	1	0	0	1	0	0	1	1	1	4	1	6	0	2	1	3
+45 mins.	0	2	0	2	1	1	0	2	0	3	0	3	0	11	0	11
Total Volume	4	7	1	12	1	3	2	6	2	10	1	13	0	17	1	18
% App. Total	33.3	58.3	8.3		16.7	50	33.3		15.4	76.9	7.7		0	94.4	5.6	
PHF	.500	.583	.250	.500	.250	.375	.500	.500	.500	.625	.250	.542	.000	.386	.250	.409

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Groups Printed- 4+ Axle Trucks

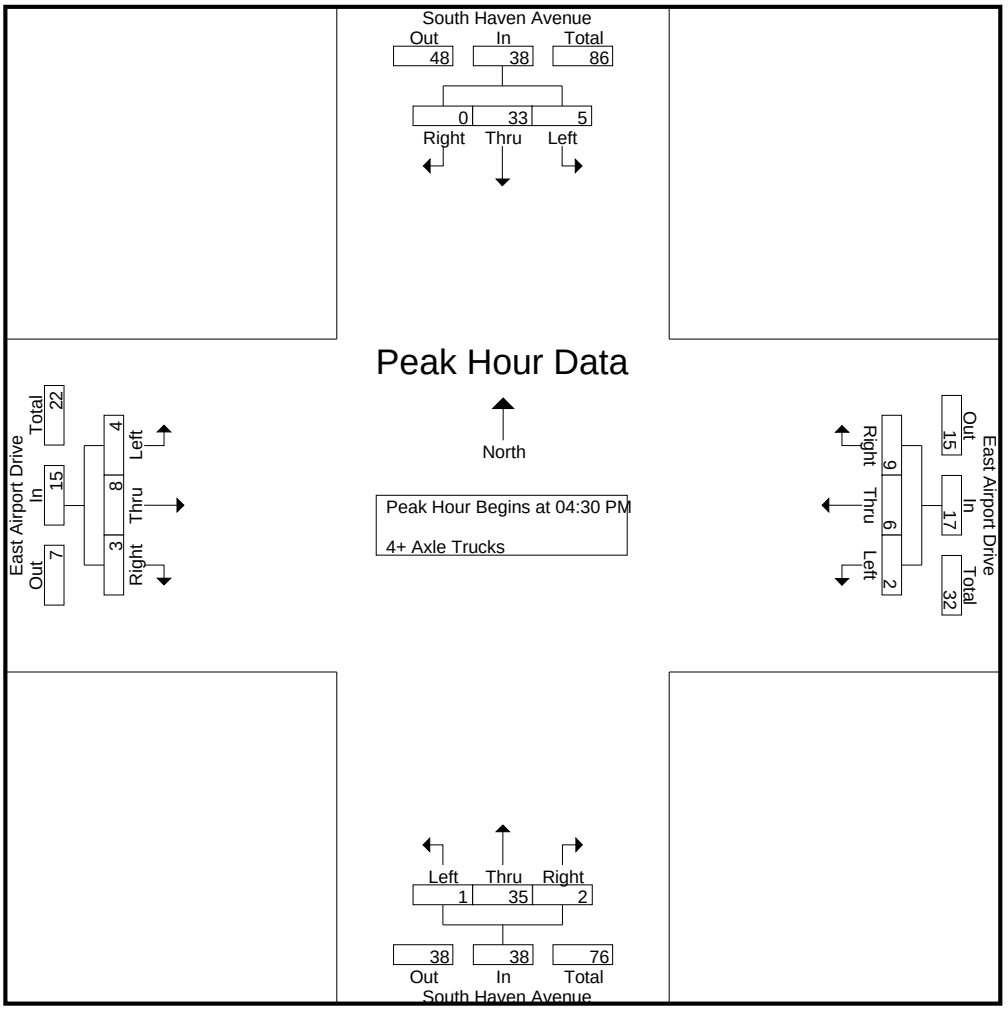
	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
04:00 PM	0	11	1	12	0	2	1	3	0	13	3	16	0	2	0	2	33
04:15 PM	2	14	1	17	0	2	2	4	2	19	2	23	0	1	2	3	47
04:30 PM	2	7	0	9	0	0	4	4	0	8	0	8	3	2	1	6	27
04:45 PM	0	14	0	14	0	3	3	6	0	3	0	3	0	3	0	3	26
Total	4	46	2	52	0	7	10	17	2	43	5	50	3	8	3	14	133
05:00 PM	1	5	0	6	0	2	1	3	0	14	1	15	1	2	1	4	28
05:15 PM	2	7	0	9	2	1	1	4	1	10	1	12	0	1	1	2	27
05:30 PM	1	12	0	13	0	3	4	7	2	11	1	14	0	4	0	4	38
05:45 PM	4	8	0	12	2	2	1	5	0	9	0	9	0	2	1	3	29
Total	8	32	0	40	4	8	7	19	3	44	3	50	1	9	3	13	122
Grand Total	12	78	2	92	4	15	17	36	5	87	8	100	4	17	6	27	255
Apprch %	13	84.8	2.2		11.1	41.7	47.2		5	87	8		14.8	63	22.2		
Total %	4.7	30.6	0.8	36.1	1.6	5.9	6.7	14.1	2	34.1	3.1	39.2	1.6	6.7	2.4	10.6	

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 04:30 PM to 05:15 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:30 PM																	
04:30 PM	2	7	0	9	0	0	4	4	0	8	0	8	3	2	1	6	27
04:45 PM	0	14	0	14	0	3	3	6	0	3	0	3	0	3	0	3	26
05:00 PM	1	5	0	6	0	2	1	3	0	14	1	15	1	2	1	4	28
05:15 PM	2	7	0	9	2	1	1	4	1	10	1	12	0	1	1	2	27
Total Volume	5	33	0	38	2	6	9	17	1	35	2	38	4	8	3	15	108
% App. Total	13.2	86.8	0		11.8	35.3	52.9		2.6	92.1	5.3		26.7	53.3	20		
PHF	.625	.589	.000	.679	.250	.500	.563	.708	.250	.625	.500	.633	.333	.667	.750	.625	.964

Counts Unlimited
PO Box 1178
Corona, CA 92878
(951) 268-6268

City of Ontario
N/S: South Haven Avenue
E/W: East Airport Drive
Weather: Clear

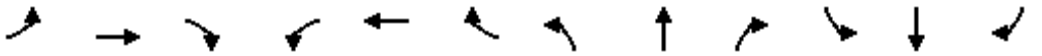
File Name : 12_ONT_S Haven_Airport PM
Site Code : 99919787
Start Date : 11/7/2019
Page No : 2



Peak Hour Analysis From 04:30 PM to 05:15 PM - Peak 1 of 1
Peak Hour for Each Approach Begins at:

	04:30 PM				04:30 PM				04:30 PM				04:30 PM			
+0 mins.	2	7	0	9	0	0	4	4	0	8	0	8	3	2	1	6
+15 mins.	0	14	0	14	0	3	3	6	0	3	0	3	0	3	0	3
+30 mins.	1	5	0	6	0	2	1	3	0	14	1	15	1	2	1	4
+45 mins.	2	7	0	9	2	1	1	4	1	10	1	12	0	1	1	2
Total Volume	5	33	0	38	2	6	9	17	1	35	2	38	4	8	3	15
% App. Total	13.2	86.8	0		11.8	35.3	52.9		2.6	92.1	5.3		26.7	53.3	20	
PHF	.625	.589	.000	.679	.250	.500	.563	.708	.250	.625	.500	.633	.333	.667	.750	.625

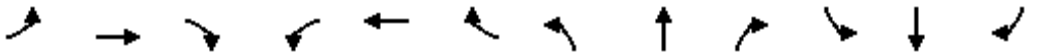
HCM ANALYSIS WORKSHEETS



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	229	285	259	63	259	186	407	2051	53	269	1364	192
Future Volume (veh/h)	229	285	259	63	259	186	407	2051	53	269	1364	192
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adj Flow Rate, veh/h	246	306	278	68	278	200	438	2205	57	289	1467	206
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Percent Heavy Veh, %	0	0	0	0	0	0	0	0	0	0	0	0
Cap, veh/h	333	403	357	164	629	281	428	2843	700	305	2616	644
Arrive On Green	0.09	0.22	0.22	0.05	0.17	0.17	0.12	0.43	0.43	0.09	0.40	0.40
Sat Flow, veh/h	3510	1811	1605	3510	3610	1610	3510	6536	1610	3510	6536	1610
Grp Volume(v), veh/h	246	305	279	68	278	200	438	2205	57	289	1467	206
Grp Sat Flow(s),veh/h/ln	1755	1805	1611	1755	1805	1610	1755	1634	1610	1755	1634	1610
Q Serve(g_s), s	5.9	13.6	14.0	1.6	5.9	10.1	10.5	24.8	1.8	7.1	15.0	7.6
Cycle Q Clear(g_c), s	5.9	13.6	14.0	1.6	5.9	10.1	10.5	24.8	1.8	7.1	15.0	7.6
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	333	402	359	164	629	281	428	2843	700	305	2616	644
V/C Ratio(X)	0.74	0.76	0.78	0.42	0.44	0.71	1.02	0.78	0.08	0.95	0.56	0.32
Avail Cap(c_a), veh/h	517	775	691	204	1227	547	428	2843	700	305	2616	644
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	38.0	31.3	31.5	40.0	31.8	33.6	37.9	20.8	14.3	39.2	20.0	17.8
Incr Delay (d2), s/veh	3.2	3.0	3.7	1.7	0.5	3.4	49.9	2.1	0.2	37.4	0.9	1.3
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.5	5.8	5.4	0.7	2.5	4.0	7.1	8.4	0.6	4.5	5.3	2.8
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	41.2	34.3	35.2	41.6	32.3	36.9	87.7	22.9	14.5	76.5	20.9	19.1
LnGrp LOS	D	C	D	D	C	D	F	C	B	E	C	B
Approach Vol, veh/h		830			546			2700			1962	
Approach Delay, s/veh		36.6			35.2			33.2			28.9	
Approach LOS		D			D			C			C	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	12.0	42.0	8.5	23.7	15.0	39.0	12.7	19.5
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
Max Green Setting (Gmax), s	7.5	37.5	5.0	37.0	10.5	34.5	12.7	29.3
Max Q Clear Time (g_c+I1), s	9.1	26.8	3.6	16.0	12.5	17.0	7.9	12.1
Green Ext Time (p_c), s	0.0	8.8	0.0	3.2	0.0	9.9	0.3	2.1

Intersection Summary	
HCM 6th Ctrl Delay	32.5
HCM 6th LOS	C



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	355	488	389	59	565	410	378	2136	34	294	1884	190
Future Volume (veh/h)	355	488	389	59	565	410	378	2136	34	294	1884	190
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adj Flow Rate, veh/h	378	519	414	63	601	436	402	2272	36	313	2004	202
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Percent Heavy Veh, %	0	0	0	0	0	0	0	0	0	0	0	0
Cap, veh/h	445	673	536	142	960	428	403	2362	582	254	2085	514
Arrive On Green	0.13	0.35	0.35	0.04	0.27	0.27	0.11	0.36	0.36	0.07	0.32	0.32
Sat Flow, veh/h	3510	1909	1522	3510	3610	1610	3510	6536	1610	3510	6536	1610
Grp Volume(v), veh/h	378	491	442	63	601	436	402	2272	36	313	2004	202
Grp Sat Flow(s),veh/h/ln	1755	1805	1626	1755	1805	1610	1755	1634	1610	1755	1634	1610
Q Serve(g_s), s	10.9	25.1	25.1	1.8	15.2	27.6	11.9	35.3	1.5	7.5	31.2	10.1
Cycle Q Clear(g_c), s	10.9	25.1	25.1	1.8	15.2	27.6	11.9	35.3	1.5	7.5	31.2	10.1
Prop In Lane	1.00		0.94	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	445	636	573	142	960	428	403	2362	582	254	2085	514
V/C Ratio(X)	0.85	0.77	0.77	0.44	0.63	1.02	1.00	0.96	0.06	1.23	0.96	0.39
Avail Cap(c_a), veh/h	487	644	580	169	960	428	403	2362	582	254	2085	514
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	44.3	29.9	29.9	48.6	33.5	38.1	45.9	32.4	21.6	48.1	34.7	27.5
Incr Delay (d2), s/veh	12.5	5.7	6.3	2.2	1.3	48.1	44.4	11.5	0.2	134.3	12.5	2.3
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.3	11.0	10.0	0.8	6.5	16.0	7.4	14.4	0.6	7.9	13.4	4.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	56.8	35.6	36.2	50.8	34.8	86.1	90.3	43.9	21.8	182.5	47.1	29.8
LnGrp LOS	E	D	D	D	C	F	F	D	C	F	D	C
Approach Vol, veh/h		1311			1100			2710			2519	
Approach Delay, s/veh		41.9			56.1			50.5			62.6	
Approach LOS		D			E			D			E	

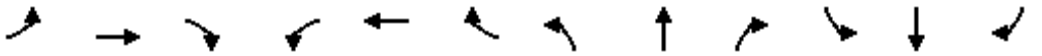
Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	12.0	42.0	8.7	41.1	16.4	37.6	17.6	32.1
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
Max Green Setting (Gmax), s	7.5	37.5	5.0	37.0	11.9	33.1	14.4	27.6
Max Q Clear Time (g_c+I1), s	9.5	37.3	3.8	27.1	13.9	33.2	12.9	29.6
Green Ext Time (p_c), s	0.0	0.2	0.0	3.9	0.0	0.0	0.2	0.0

Intersection Summary	
HCM 6th Ctrl Delay	53.8
HCM 6th LOS	D

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	229	285	259	63	259	186	407	2051	53	269	1364	192
Future Volume (veh/h)	229	285	259	63	259	186	407	2051	53	269	1364	192
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adj Flow Rate, veh/h	246	306	278	68	278	200	438	2205	57	289	1467	206
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Percent Heavy Veh, %	0	0	0	0	0	0	0	0	0	0	0	0
Cap, veh/h	333	403	357	164	629	740	428	2843	700	305	2616	644
Arrive On Green	0.09	0.22	0.22	0.05	0.17	0.17	0.12	0.43	0.43	0.09	0.40	0.40
Sat Flow, veh/h	3510	1811	1605	3510	3610	2834	3510	6536	1610	3510	6536	1610
Grp Volume(v), veh/h	246	305	279	68	278	200	438	2205	57	289	1467	206
Grp Sat Flow(s),veh/h/ln	1755	1805	1611	1755	1805	1417	1755	1634	1610	1755	1634	1610
Q Serve(g_s), s	5.9	13.6	14.0	1.6	5.9	4.8	10.5	24.8	1.8	7.1	15.0	7.6
Cycle Q Clear(g_c), s	5.9	13.6	14.0	1.6	5.9	4.8	10.5	24.8	1.8	7.1	15.0	7.6
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	333	402	359	164	629	740	428	2843	700	305	2616	644
V/C Ratio(X)	0.74	0.76	0.78	0.42	0.44	0.27	1.02	0.78	0.08	0.95	0.56	0.32
Avail Cap(c_a), veh/h	517	775	691	204	1227	1210	428	2843	700	305	2616	644
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	38.0	31.3	31.5	40.0	31.8	25.3	37.9	20.8	14.3	39.2	20.0	17.8
Incr Delay (d2), s/veh	3.2	3.0	3.7	1.7	0.5	0.2	49.9	2.1	0.2	37.4	0.9	1.3
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.5	5.8	5.4	0.7	2.5	1.5	7.1	8.4	0.6	4.5	5.3	2.8
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	41.2	34.3	35.2	41.6	32.3	25.5	87.7	22.9	14.5	76.5	20.9	19.1
LnGrp LOS	D	C	D	D	C	C	F	C	B	E	C	B
Approach Vol, veh/h		830			546			2700			1962	
Approach Delay, s/veh		36.6			31.0			33.2			28.9	
Approach LOS		D			C			C			C	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	12.0	42.0	8.5	23.7	15.0	39.0	12.7	19.5
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
Max Green Setting (Gmax), s	7.5	37.5	5.0	37.0	10.5	34.5	12.7	29.3
Max Q Clear Time (g_c+I1), s	9.1	26.8	3.6	16.0	12.5	17.0	7.9	7.9
Green Ext Time (p_c), s	0.0	8.8	0.0	3.2	0.0	9.9	0.3	2.3

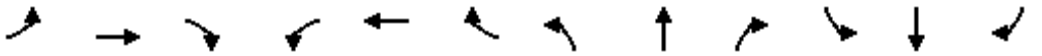
Intersection Summary	
HCM 6th Ctrl Delay	32.1
HCM 6th LOS	C



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	355	488	389	59	565	410	378	2136	34	294	1884	190
Future Volume (veh/h)	355	488	389	59	565	410	378	2136	34	294	1884	190
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adj Flow Rate, veh/h	378	519	414	63	601	436	402	2272	36	313	2004	202
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Percent Heavy Veh, %	0	0	0	0	0	0	0	0	0	0	0	0
Cap, veh/h	451	602	480	147	826	648	426	2500	616	269	2207	544
Arrive On Green	0.13	0.32	0.32	0.04	0.23	0.23	0.12	0.38	0.38	0.08	0.34	0.34
Sat Flow, veh/h	3510	1909	1522	3510	3610	2834	3510	6536	1610	3510	6536	1610
Grp Volume(v), veh/h	378	491	442	63	601	436	402	2272	36	313	2004	202
Grp Sat Flow(s),veh/h/ln	1755	1805	1626	1755	1805	1417	1755	1634	1610	1755	1634	1610
Q Serve(g_s), s	10.3	25.1	25.1	1.7	15.1	13.7	11.1	32.3	1.4	7.5	28.7	9.3
Cycle Q Clear(g_c), s	10.3	25.1	25.1	1.7	15.1	13.7	11.1	32.3	1.4	7.5	28.7	9.3
Prop In Lane	1.00		0.94	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	451	570	513	147	826	648	426	2500	616	269	2207	544
V/C Ratio(X)	0.84	0.86	0.86	0.43	0.73	0.67	0.94	0.91	0.06	1.17	0.91	0.37
Avail Cap(c_a), veh/h	516	681	614	179	1016	798	426	2500	616	269	2207	544
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	41.7	31.5	31.5	45.8	35.0	34.5	42.7	28.6	19.1	45.3	31.0	24.6
Incr Delay (d2), s/veh	10.5	9.6	10.5	2.0	2.1	1.6	29.6	6.2	0.2	107.2	6.9	1.9
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	4.9	11.5	10.5	0.8	6.5	4.6	6.3	12.2	0.5	7.1	11.5	3.6
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	52.2	41.1	42.1	47.8	37.0	36.1	72.4	34.9	19.3	152.5	37.9	26.5
LnGrp LOS	D	D	D	D	D	D	E	C	B	F	D	C
Approach Vol, veh/h		1311			1100			2710			2519	
Approach Delay, s/veh		44.6			37.3			40.2			51.2	
Approach LOS		D			D			D			D	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	12.0	42.0	8.6	35.4	16.4	37.6	17.1	26.9
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
Max Green Setting (Gmax), s	7.5	37.5	5.0	37.0	11.9	33.1	14.4	27.6
Max Q Clear Time (g_c+I1), s	9.5	34.3	3.7	27.1	13.1	30.7	12.3	17.1
Green Ext Time (p_c), s	0.0	3.0	0.0	3.9	0.0	2.2	0.3	4.0

Intersection Summary	
HCM 6th Ctrl Delay	44.2
HCM 6th LOS	D



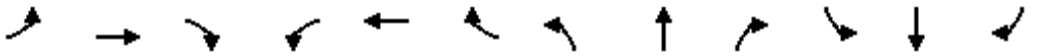
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	327	404	370	89	369	264	581	2929	71	377	1948	275
Future Volume (veh/h)	327	404	370	89	369	264	581	2929	71	377	1948	275
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adj Flow Rate, veh/h	327	404	370	89	369	264	581	2929	71	377	1948	275
Peak Hour 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
Percent Heavy Veh, %	0	0	0	0	0	0	0	0	0	0	0	0
Cap, veh/h	394	1246	684	138	868	449	648	3018	744	391	2539	625
Arrive On Green	0.11	0.24	0.24	0.04	0.17	0.17	0.18	0.46	0.46	0.11	0.39	0.39
Sat Flow, veh/h	3510	5187	1610	3510	5187	1610	3510	6536	1610	3510	6536	1610
Grp Volume(v), veh/h	327	404	370	89	369	264	581	2929	71	377	1948	275
Grp Sat Flow(s),veh/h/ln	1755	1729	1610	1755	1729	1610	1755	1634	1610	1755	1634	1610
Q Serve(g_s), s	11.1	7.8	21.0	3.1	7.8	17.3	19.8	53.4	3.0	13.1	31.7	15.4
Cycle Q Clear(g_c), s	11.1	7.8	21.0	3.1	7.8	17.3	19.8	53.4	3.0	13.1	31.7	15.4
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	394	1246	684	138	868	449	648	3018	744	391	2539	625
V/C Ratio(X)	0.83	0.32	0.54	0.64	0.42	0.59	0.90	0.97	0.10	0.96	0.77	0.44
Avail Cap(c_a), veh/h	543	1571	785	144	981	484	730	3018	744	391	2539	625
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	53.1	38.2	26.2	57.8	45.6	38.0	48.7	32.1	18.5	54.0	32.5	27.5
Incr Delay (d2), s/veh	7.7	0.1	0.7	9.0	0.3	1.6	12.8	10.8	0.3	36.2	2.3	2.2
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.2	3.2	7.8	1.5	3.3	6.8	9.4	21.2	1.1	7.6	12.3	6.1
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	60.8	38.4	26.9	66.8	45.9	39.6	61.5	42.9	18.8	90.2	34.8	29.8
LnGrp LOS	E	D	C	E	D	D	E	D	B	F	C	C
Approach Vol, veh/h		1101			722			3581			2600	
Approach Delay, s/veh		41.2			46.2			45.4			42.3	
Approach LOS		D			D			D			D	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	18.1	60.9	9.3	33.8	27.1	51.9	18.2	24.9
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
Max Green Setting (Gmax), s	13.6	56.4	5.0	37.0	25.4	44.6	18.9	23.1
Max Q Clear Time (g_c+I1), s	15.1	55.4	5.1	23.0	21.8	33.7	13.1	19.3
Green Ext Time (p_c), s	0.0	1.0	0.0	3.2	0.8	8.8	0.6	1.2

Intersection Summary	
HCM 6th Ctrl Delay	43.9
HCM 6th LOS	D

Notes

User approved changes to right turn type.



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	507	695	556	79	803	578	539	3051	47	417	2691	272
Future Volume (veh/h)	507	695	556	79	803	578	539	3051	47	417	2691	272
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adj Flow Rate, veh/h	507	695	556	79	803	578	539	3051	47	417	2691	272
Peak Hour 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
Percent Heavy Veh, %	0	0	0	0	0	0	0	0	0	0	0	0
Cap, veh/h	510	1432	682	123	861	459	517	2852	703	419	2668	657
Arrive On Green	0.15	0.28	0.28	0.04	0.17	0.17	0.15	0.44	0.44	0.12	0.41	0.41
Sat Flow, veh/h	3510	5187	1610	3510	5187	1610	3510	6536	1610	3510	6536	1610
Grp Volume(v), veh/h	507	695	556	79	803	578	539	3051	47	417	2691	272
Grp Sat Flow(s),veh/h/ln	1755	1729	1610	1755	1729	1610	1755	1634	1610	1755	1634	1610
Q Serve(g_s), s	19.5	15.1	37.3	3.0	20.6	22.4	19.9	58.9	2.3	16.0	55.1	16.2
Cycle Q Clear(g_c), s	19.5	15.1	37.3	3.0	20.6	22.4	19.9	58.9	2.3	16.0	55.1	16.2
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	510	1432	682	123	861	459	517	2852	703	419	2668	657
V/C Ratio(X)	0.99	0.49	0.82	0.64	0.93	1.26	1.04	1.07	0.07	1.00	1.01	0.41
Avail Cap(c_a), veh/h	510	1432	682	130	861	459	517	2852	703	419	2668	657
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	57.6	40.9	34.3	64.3	55.6	48.2	57.5	38.0	22.1	59.4	40.0	28.5
Incr Delay (d2), s/veh	38.4	0.3	7.6	9.5	16.8	133.1	50.8	39.2	0.2	42.9	19.6	1.9
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	11.1	6.3	16.8	1.5	10.1	31.9	12.1	29.4	0.9	9.5	24.6	6.4
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	96.1	41.1	41.9	73.8	72.3	181.4	108.4	77.3	22.3	102.3	59.5	30.4
LnGrp LOS	F	D	D	E	E	F	F	F	C	F	F	C
Approach Vol, veh/h		1758			1460			3637			3380	
Approach Delay, s/veh		57.2			115.6			81.2			62.5	
Approach LOS		E			F			F			E	

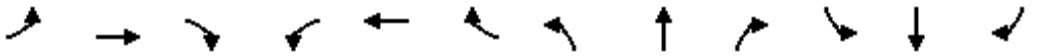
Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	20.6	63.4	9.2	41.8	24.4	59.6	24.1	26.9
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
Max Green Setting (Gmax), s	16.1	58.9	5.0	37.0	19.9	55.1	19.6	22.4
Max Q Clear Time (g_c+I1), s	18.0	60.9	5.0	39.3	21.9	57.1	21.5	24.4
Green Ext Time (p_c), s	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Intersection Summary	
HCM 6th Ctrl Delay	75.8
HCM 6th LOS	E

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	327	404	370	89	369	264	581	2929	71	377	1948	275
Future Volume (veh/h)	327	404	370	89	369	264	581	2929	71	377	1948	275
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adj Flow Rate, veh/h	327	404	370	89	369	264	581	2929	71	377	1948	275
Peak Hour 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
Percent Heavy Veh, %	0	0	0	0	0	0	0	0	0	0	0	0
Cap, veh/h	396	1143	654	140	765	742	652	3099	763	401	2632	648
Arrive On Green	0.11	0.22	0.22	0.04	0.15	0.15	0.19	0.47	0.47	0.11	0.40	0.40
Sat Flow, veh/h	3510	5187	1610	3510	5187	2834	3510	6536	1610	3510	6536	1610
Grp Volume(v), veh/h	327	404	370	89	369	264	581	2929	71	377	1948	275
Grp Sat Flow(s),veh/h/ln	1755	1729	1610	1755	1729	1417	1755	1634	1610	1755	1634	1610
Q Serve(g_s), s	10.8	7.8	21.1	3.0	7.8	9.0	19.2	50.8	2.9	12.7	30.2	14.6
Cycle Q Clear(g_c), s	10.8	7.8	21.1	3.0	7.8	9.0	19.2	50.8	2.9	12.7	30.2	14.6
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	396	1143	654	140	765	742	652	3099	763	401	2632	648
V/C Ratio(X)	0.83	0.35	0.57	0.64	0.48	0.36	0.89	0.95	0.09	0.94	0.74	0.42
Avail Cap(c_a), veh/h	558	1613	800	148	1007	874	750	3099	763	401	2632	648
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	51.6	39.2	27.2	56.3	46.5	35.7	47.3	29.8	17.2	52.3	30.2	25.6
Incr Delay (d2), s/veh	7.0	0.2	0.8	8.1	0.5	0.3	11.8	7.6	0.2	30.0	1.9	2.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.0	3.2	7.9	1.4	3.3	3.1	9.0	19.4	1.1	7.1	11.6	5.7
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	58.6	39.4	28.0	64.4	47.0	36.0	59.0	37.5	17.4	82.2	32.2	27.6
LnGrp LOS	E	D	C	E	D	D	E	D	B	F	C	C
Approach Vol, veh/h		1101			722			3581			2600	
Approach Delay, s/veh		41.3			45.1			40.6			38.9	
Approach LOS		D			D			D			D	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	18.1	60.9	9.2	30.7	26.6	52.4	17.9	22.0
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
Max Green Setting (Gmax), s	13.6	56.4	5.0	37.0	25.4	44.6	18.9	23.1
Max Q Clear Time (g_c+I1), s	14.7	52.8	5.0	23.1	21.2	32.2	12.8	11.0
Green Ext Time (p_c), s	0.0	3.5	0.0	3.1	0.9	9.8	0.6	2.6

Intersection Summary	
HCM 6th Ctrl Delay	40.5
HCM 6th LOS	D



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	507	695	556	79	803	578	539	3051	47	417	2691	272
Future Volume (veh/h)	507	695	556	79	803	578	539	3051	47	417	2691	272
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adj Flow Rate, veh/h	507	695	556	79	803	578	539	3051	47	417	2691	272
Peak Hour 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
Percent Heavy Veh, %	0	0	0	0	0	0	0	0	0	0	0	0
Cap, veh/h	510	1432	682	123	861	796	517	2881	710	403	2668	657
Arrive On Green	0.15	0.28	0.28	0.04	0.17	0.17	0.15	0.44	0.44	0.11	0.41	0.41
Sat Flow, veh/h	3510	5187	1610	3510	5187	2834	3510	6536	1610	3510	6536	1610
Grp Volume(v), veh/h	507	695	556	79	803	578	539	3051	47	417	2691	272
Grp Sat Flow(s),veh/h/ln	1755	1729	1610	1755	1729	1417	1755	1634	1610	1755	1634	1610
Q Serve(g_s), s	19.5	15.1	37.3	3.0	20.6	22.4	19.9	59.5	2.3	15.5	55.1	16.2
Cycle Q Clear(g_c), s	19.5	15.1	37.3	3.0	20.6	22.4	19.9	59.5	2.3	15.5	55.1	16.2
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	510	1432	682	123	861	796	517	2881	710	403	2668	657
V/C Ratio(X)	0.99	0.49	0.82	0.64	0.93	0.73	1.04	1.06	0.07	1.03	1.01	0.41
Avail Cap(c_a), veh/h	510	1432	682	130	861	796	517	2881	710	403	2668	657
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	57.6	40.9	34.3	64.3	55.6	43.9	57.5	37.7	21.7	59.7	40.0	28.5
Incr Delay (d2), s/veh	38.4	0.3	7.6	9.5	16.8	3.3	50.8	35.1	0.2	54.0	19.6	1.9
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	11.1	6.3	16.8	1.5	10.1	8.9	12.1	28.8	0.9	9.8	24.6	6.4
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	96.1	41.1	41.9	73.8	72.3	47.2	108.4	72.8	21.9	113.8	59.5	30.4
LnGrp LOS	F	D	D	E	E	D	F	F	C	F	F	C
Approach Vol, veh/h		1758			1460			3637			3380	
Approach Delay, s/veh		57.2			62.5			77.4			63.9	
Approach LOS		E			E			E			E	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	20.0	64.0	9.2	41.8	24.4	59.6	24.1	26.9
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
Max Green Setting (Gmax), s	15.5	59.5	5.0	37.0	19.9	55.1	19.6	22.4
Max Q Clear Time (g_c+I1), s	17.5	61.5	5.0	39.3	21.9	57.1	21.5	24.4
Green Ext Time (p_c), s	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Intersection Summary	
HCM 6th Ctrl Delay	67.4
HCM 6th LOS	E

RESOLUTION NO. PC21-045

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVE FILE NO. PSPA20-003, AN AMENDMENT TO THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN, CHANGING THE LAND USE DESIGNATION ON 10.64 ACRES OF LAND FROM COMMERCIAL/FOOD/HOTEL TO LIGHT INDUSTRIAL, TO BE CONSISTENT WITH THE ONTARIO PLAN POLICY PLAN (GENERAL PLAN) INDUSTRIAL (0.55 FAR) LAND USE DESIGNATION, LOCATED AT THE NORTHEAST CORNER OF HAVEN AVENUE AND AIRPORT DRIVE, WITHIN THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0211-222-66.

WHEREAS, VOGEL PROPERTIES, INC. (hereinafter referred to as "Applicant") has filed an Application for the approval of a Specific Plan Amendment, File No. PSPA20-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 10.64 acres of land generally located on the southeast corner of Haven Avenue and Airport Drive, within the proposed Light Industrial land use designation of the California Commerce Center Specific Plan and is developed as a parking lot; and

WHEREAS, the property to the north of the Project site is within the Office/Commercial land use designation of the Ontario Gateway Specific Plan and is developed with a retail land uses (Costco and Starbucks). The property to the east is within the Rail Industrial land use designation of the California Commerce Center Specific Plan and is developed with industrial land uses. The property to the south is within the Light Industrial land use designation of the California Commerce Center Specific Plan and is currently vacant. The property to the west is within the ONT (Ontario International Airport) zoning district and is currently vacant; and

WHEREAS, the Specific Plan Amendment will change the land use designation on the subject site from Commercial/Food/Hotel to Light Industrial within the California Commerce Center Specific Plan, to be consistent with The Ontario Plan Policy Plan (General Plan), which designates the subject site for Industrial (maximum 0.55 FAR) land uses; and

WHEREAS, a focused Traffic Impact Analysis was prepared for the project site by TJW Engineering (Dated: August 27, 2020), which compared the trip generation between the existing California Commerce Center Specific Plan Commercial/Food/Hotel land use designation (shopping center/commercial) versus the proposed Light Industrial land use

at a FAR of 0.55 (warehouse/small ancillary office). The trip generation analysis utilized the Industry standard Institute of Transportation Engineers ("ITE") Trip Generation Manual (10th Edition, 2017) to determine trip generation rates for the existing and proposed land uses and represents the amount of traffic, both inbound and outbound, produced by each land use. The Traffic Impact Analysis concluded that proposed change in land use from Commercial/Food/Hotel to Light Industrial would result in a net difference of 7,183 fewer Average Daily Trips (ADT) trips, including 146 fewer AM peak hour trips, and 719 fewer PM peak hour trips; and

WHEREAS, the Applicant submitted a Development Plan (File No. PDEV20-008) in conjunction with the Amendment to the Specific Plan Amendment to facilitate the construction of a 200,291-square foot industrial building and approval of the Development Plan would not be final and conclusive until such time that the City Council approves the subject Specific Plan Amendment and related Addendum to The Ontario Plan Environmental Impact Report; and

WHEREAS, The Ontario Plan 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 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 May 17, 2021, 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 No. DAB21-022, recommending that the Planning Commission recommend the City Council approve the Addendum and Decision No. DAB21-023, recommending the Planning Commission approve the Project (File No. PDEV20-008); and

WHEREAS, on May 25, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and continued the Project to the June 22, 2021 hearing date; and

WHEREAS, as the first action on the Project, on June 22, 2021, 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 June 22, 2021, 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 Addendum, the initial study, and the administrative record for the Project, including all written and oral evidence provided during the comment period. Based upon the facts and information contained in the Addendum, the initial study, and 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 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: ***Subsequent or Supplemental Environmental Review Not Required.*** Based on the EIR 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 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

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 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, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 4: ***Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance.*** The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as "ONT"), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

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

(1) ***The proposed Specific Plan, or amendment thereto, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed California Commerce Center Specific Plan amendment will provide consistency between the Policy Plan Land Use Plan and the California Commerce Center Specific Plan Light Industrial land use designation. The proposed amendment will accommodate the construction of industrial land uses within the Specific Plan which is 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 amendment to the California Commerce Center Specific Plan will provide consistency between the Policy Plan Land Use Plan and the California Commerce Center Specific Plan proposed Light Industrial land use designation. 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 change will provide Light Industrial uses within the California Commerce Center 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, the proposed Specific Plan, or amendment thereto, will not adversely affect the harmonious relationship with adjacent properties and land uses.*** The proposed amendment will accommodate the construction of industrial land uses. Furthermore, the properties surrounding the project site (immediately to east and south) are currently assigned the Industrial (0.55 FAR) land use designation, providing further land use consistency within the immediate vicinity of the project site which will establish a harmonious relationship between the existing surrounding land uses and planned uses within the specific plan.

(4) ***In the case of an application affecting specific property, 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 light industrial land use. The California Commerce Center Specific Plan amendment includes development standards to facilitate the proposed industrial land use, which will be developed with an adequate lot size, access, and utilities to serve the project site.

SECTION 6: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVES the herein described Application, subject to each and every condition set forth in the Department reports 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 22nd day of June 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Rick Gage
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. PC21-045, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on June 22, 2021, by the following roll call vote, to wit:

AYES: Dean, DeDiemar, Gage, Gregorek, Lampkin, Ricci

NOES: None

ABSENT: Willoughby

ABSTAIN: None

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PSPA20-003
Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)

City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department
Land Development Division
Conditions of Approval

Meeting Date: May 25, 2021

File No: PSPA20-003

Related Files: PDEV20-008

Project Description: An Amendment to the California Commerce Center Specific Plan, changing the land use designation on 10.64 acres of land from Commercial/Food/Hotel to Light Industrial, to be consistent with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use designation, located at the northeast corner of Haven Avenue and Airport Drive, within the California Commerce Center Specific Plan (APN: 0211-222-66); **submitted by Vogel Properties, Inc.**

Prepared By: Jeanie Irene Aguilo, Associate Planner
Phone: 909.395.2418 (direct)
Email: jaguilo@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/Specific Plan Amendment:

(a) Fifteen 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 Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with an **Addendum to The Ontario Plan Environmental Impact Report**, certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (City Council Resolution No. 2010-006). This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval, and are incorporated herein by this reference. All previously adopted mitigation measures shall be a condition of project approval, as they are applicable, and are incorporated herein by this reference.

2.3 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.

2.4 Tribal Consultation Conditions.

(a) Prior to the commencement of any ground disturbing activity at the project site, the project applicant shall retain a Native American Monitor approved by the Gabrieleno Band of Mission Indians-Kizh Nation – the tribe that consulted on this project pursuant to Assembly Bill A52 – SB18 (the "Tribe" or the "Consulting Tribe"). A copy of the executed contract shall be submitted to the City of Ontario Planning and Building Department prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal monitor will only be present on-site during the construction phases that involve ground-disturbing activities. Ground disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project Site are completed, or when the Tribal Representatives and Tribal Monitor have indicated that all upcoming ground-disturbing activities at the Project Site have little to no potential for impacting Tribal Cultural Resources. Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 100 feet) until the find can be assessed. All Tribal Cultural Resources unearthed by project activities shall be evaluated by the qualified archaeologist and Tribal monitor approved by the Consulting Tribe. If the resources are Native American in origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If human remains and/or grave goods are discovered or recognized at the Project Site, all ground disturbance shall immediately cease, and the county coroner shall be notified per Public Resources Code Section 5097.98, and Health & Safety Code Section 7050.5. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). Work may continue on other parts of the Project Site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]). If a non-Native American resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources.

(b) Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery

excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

2.5 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, 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, VOGEL PROPERTIES, INC. (hereinafter referred to as "Applicant") has filed an Application for the approval of an Amendment to the California Commerce Center Specific Plan (File No. PSPA20-003), changing the land use designation on 10.64 acres of land from Commercial/Food/Hotel to Light Industrial, to be consistent with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use designation, in conjunction with a Development Plan (File No. PDEV20-008) to construct a 200,291 square foot industrial building located at the northeast corner of Haven Avenue and Airport Drive, in the City of Ontario, California (hereinafter referred to as "Application" or "Project"); and

WHEREAS, The Ontario Plan 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, on May 25, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and continued the Project to the June 22, 2021 hearing date; and

WHEREAS, on June 22, 2021, 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. PC21-044 recommending that the City Council concluded that none of the conditions requiring preparation of a subsequent or supplemental EIR have occurred, and further recommending that the City Council take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, on July 20, 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 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, 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 or 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 the Project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was certified 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 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

ATTACHMENT A:

Addendum to The Ontario Plan Environmental Impact Report

(Addendum to follow this page)

City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

California Environmental Quality Act

Addendum to The Ontario Plan Environmental Impact Report

Project Title/File Nos.: PSPA20-003 and PDEV20-008

Lead Agency: City of Ontario, 303 East "B" Street, Ontario, California 91764, (909) 395-2036

Contact Person: Jeanie Irene Aguilo, Associate Planner, 909-395-2418

Project Sponsor: William Vogel, Vogel Properties, Inc., 3000 Paseo Tesoro, Walnut, CA 91789

Project Location: The project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1 and 2, below, the project site is located on Assessor Parcel Number (APN): 0211-222-66, which is comprised of 10.64 acres of land located on the northeast corner of Airport Drive and Haven Avenue.

Figure 1: REGIONAL LOCATION MAP

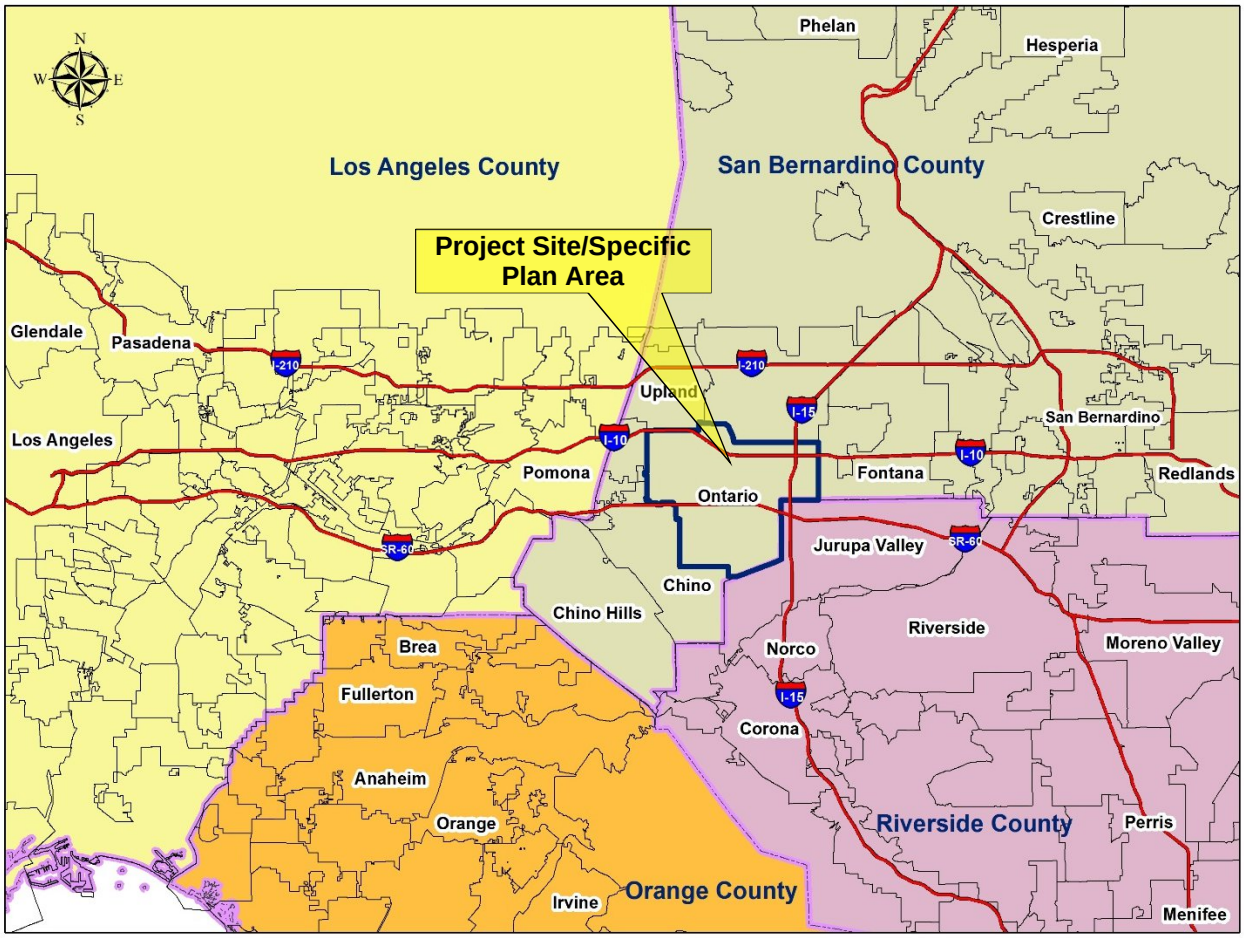
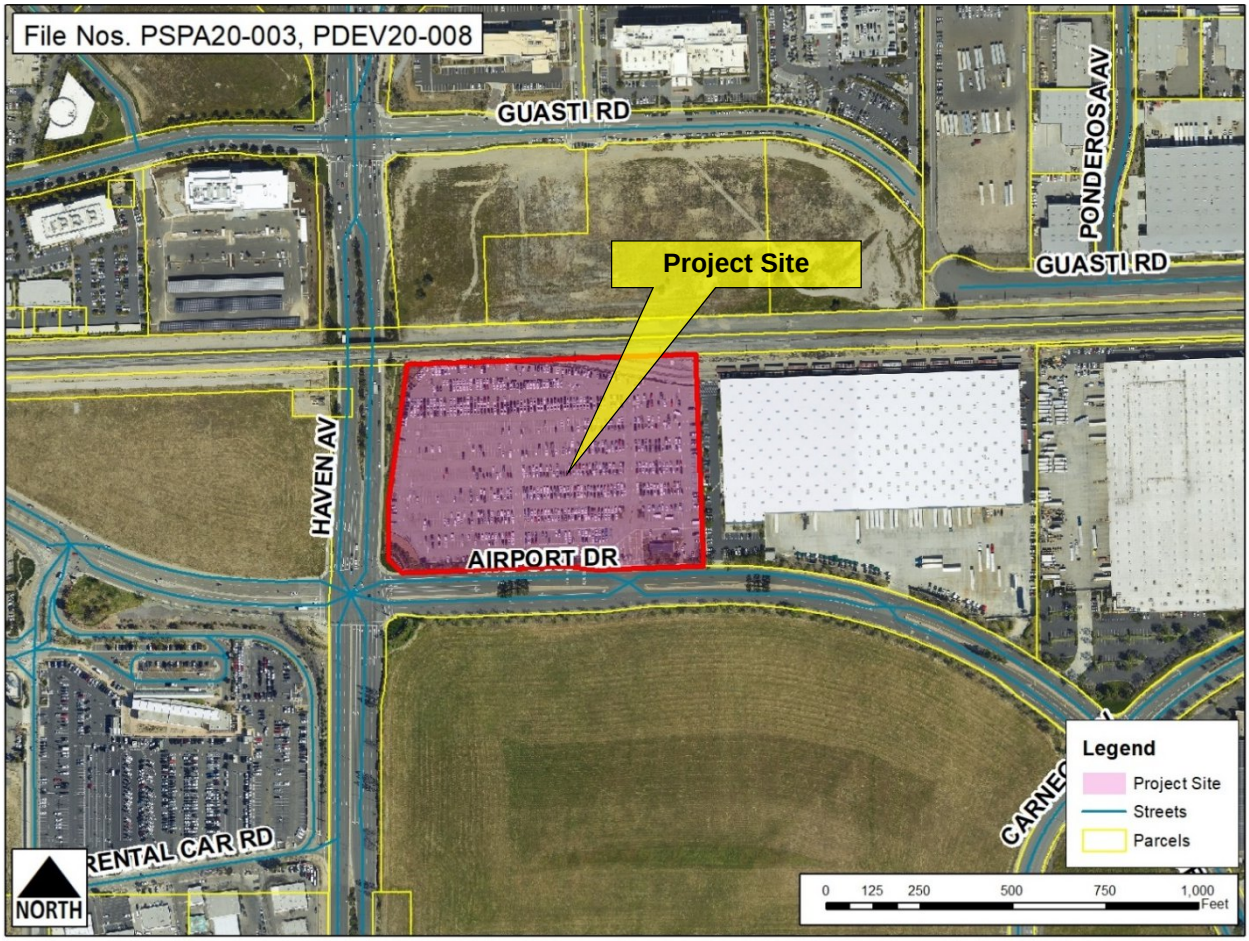


Figure 2: VICINITY MAP



General Plan Designation: Industrial (0.55 FAR)

Zoning:

1. Existing – California Commerce Center Specific Plan, Commercial/Food/Hotel land use district

2. Proposed – California Commerce Center Specific Plan, Light Industrial land use district

Description of Project: The project proposes the following entitlements:

1. An Amendment to the California Commerce Center Specific Plan, changing the land use designation on 10.64 acres of land from Commercial/Food/Hotel to Light Industrial, to be consistent with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use designation; and

2. A Development Plan to construct a 200,291-square foot industrial building on 10.64 acres of land located at the northeast corner of Haven Avenue and Airport Drive, within the proposed Light Industrial land use district of the California Commerce Center Specific Plan.

The California Commerce Center Specific Plan and Environmental Impact Report No. 81-4 (EIR) was adopted and certified by the City Council on May 17, 1984, with a Statement of Overriding Considerations. The Specific Plan encompasses approximately 1,500 acres of land generally located north of the SR-60 Pomona Freeway, South of Mission, Boulevard, east of Haven Avenue and west of Doubleday Street. The Specific Plan Amendment will include the following revisions to the Specific Plan:

- Any graphic, table, and/or text that currently identifies the Project Site of 10.64 acres of land from Commercial/Food/Hotel, will be changed to Light Industrial.

Project Setting: The project site is comprised of 10.64 acres of land located at the northeast corner of Haven Avenue and Airport Drive. The site slopes to the south and is presently developed as a parking lot with two structures totaling 1,500 square feet that consist of a toll booth and modular office building. The site is surrounded by commercial development to the north, vacant land to the south and west, and industrial warehouse to the east, as shown in the table below.

Surrounding Land Uses:

	Existing Land Use	***General Plan Designation***	***Zoning Designation***	***Specific Plan Land Use***
Site:	Parking Lot	Industrial	California Commerce Specific Plan	Proposed Light Industrial
North:	Retail (Costco and Starbucks)	Office/Commercial	Ontario Gateway Specific Plan	Mixed Use and Office
South:	Vacant	Industrial	California Commerce Specific Plan	Light Industrial
East:	Industrial Warehouse	Industrial	California Commerce Specific Plan	Rail Industrial
West:	Vacant	Airport	ONT – Ontario International Airport	N/A

Background: On January 27, 2010, the Ontario City Council adopted The Ontario Plan ("TOP"). TOP serves as the framework for the City's business plan and provides a foundation for the City to operate as a municipal corporation that consists of six (6) distinct components: 1) Vision; 2) Governance Manual; 3) Policy Plan; 4) Council Priorities; 5) Implementation; and 6) Tracking and Feedback. The Policy Plan component of TOP meets the functional and legal mandate of a General Plan and contains nine elements: Land Use, Housing, Parks and Recreation, Environmental Resources, Community Economics, Safety, Mobility, Community Design and Social Resources.

An Environmental Impact Report ("EIR") was prepared for TOP (State Clearinghouse No. 2008101140) and certified by the City Council on January 27, 2010 (hereinafter referred to as "Certified EIR"), which included Mitigation, Findings and a Statement of Overriding Considerations pursuant to the requirements of the California Environmental Quality Act, commencing with Public Resources Code Section 21000 ("CEQA"). The Certified EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land use associated with the buildout of the proposed land use plan, and in the Policy Plan and impacts resultant of population and employment growth in the City. The subject site was analyzed in the Certified EIR as Industrial (see Exhibit A: Existing – California Commerce Center Specific Plan Land Use Plan) to be consistent with the industrial uses to the south, east, and west of the subject site. The significant unavoidable adverse impacts that were identified in Certified EIR included agriculture resources, air quality, cultural resources, greenhouse gas emissions, noise, and transportation/traffic.

Analysis: According to the California Environmental Quality Act Guidelines Section 15164, an Addendum to a previously certified EIR may be used if some changes or additions are necessary, but none of the conditions described in Section 15162 requiring the preparation of a subsequent Negative Declaration or EIR have occurred. The CEQA Guidelines require that a brief explanation be provided to support the findings that no subsequent EIR or Negative Declaration are needed for further discretionary approval. These findings are described below:

1) *Required Finding: Substantial changes are not proposed for the project that will require major revisions of the previous EIR due to the involvement of new, significant environmental effects or a substantial*

increase in the severity of previously identified effects.

Substantial changes are not proposed by the project and project implementation will not require revisions to TOP EIR. TOP EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land use associated with the buildout of the proposed land use plan. The proposed California Commerce Center Specific Plan land use Amendment from Commercial/Food/Hotel to Light Industrial will bring the project site in conformance with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use designation.

A focused Traffic Analysis was prepared for the project site by TJW Engineering (Dated: August 27, 2020), that compared the trip generation between the existing California Commerce Center Specific Plan Commercial/Food/Hotel land use designation (shopping center/commercial) versus the proposed Light Industrial land use at a FAR of 0.55 (warehouse/small ancillary office). The trip generation analysis utilized the Industry standard Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition, 2017) to determine trip generation rates for the existing and proposed land uses and represents the amount of traffic, both inbound and outbound, produced by each land use. The Traffic Analysis concluded that proposed change in land use from Commercial/Food/Hotel to Light Industrial would result in a net difference of 7,183 fewer Average Daily Trips (ADT) trips, including 146 fewer AM peak hour trips, and 719 fewer PM peak hour trips, as shown in Table1: Net Difference in Trip Generation, below.

Table1: Net Difference in Trip Generation

Land Use[1]	Qty	Unit[2]	Daily Trips (ADTs)		AM Peak Hour					PM Peak Hour				
			Rate	Volume	Rate	In:Out Split	Volume			Rate	In:Out Split	Volume		
							In	Out	Total			In	Out	Total
Proposed Project														
Warehousing (150)	196.49	TSF	1.74	342	0.17	77:23	25	8	33	0.19	27:73	10	27	37
Small Office (712)	5.00	TSF	16.19	81	1.92	83:17	8	2	10	2.45	32:68	4	8	12
Total		TSF		423			33	10	43			14	35	49
Designated Land Use														
Shopping Center/Commercial (820)	201.49	TSF	37.75	7,606	0.94	62:38	117	72	189	3.81	48:52	369	399	768
Net Difference				**-7,183**			**-84**	**-62**	**-146**			**-355**	**-364**	**-719**

1: Rates from ITE Trip Generation (10th Edition, 2017)

2: TSF = Thousand Square Feet

Since the proposed Specific Plan Amendment will bring the project site in conformance with TOP and planned buildout and the proposed project will be consistent with the impacts originally analyzed in TOP EIR, no revisions to TOP EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

2) *Required Finding: Substantial changes have not occurred with respect to the circumstances under which the project is undertaken, that would require major revisions of the previous Environmental Impact Report due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.*

Substantial changes have not occurred with respect to the circumstances under which the project was undertaken, that would require major revisions to TOP EIR. The proposed California Commerce Center Specific Plan land use Amendment from Commercial/Food/Hotel to Light Industrial will bring the project site in conformance with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use

designation. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

3) *Required Finding. No new information has been provided that would indicate that the proposed project would result in one or more significant effects not discussed in the previous EIR.*

No new information has been provided that would indicate the proposed project would result in any new significant effects not previously discussed in TOP EIR. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

CEQA Requirements for an Addendum: If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency may: (1) prepare a subsequent EIR if the criteria of State CEQA Guidelines Section 15162(a) are met, (2) prepare a subsequent negative declaration, (3) prepare an addendum, or (4) prepare no further documentation. (State CEQA Guidelines Section 15162(b)). When only minor technical changes or additions to the negative declaration are necessary and none of the conditions described in section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred, CEQA allows the lead agency to prepare and adopt an addendum. (State CEQA Guidelines Section 15164(b).)

Under Section 15162, a subsequent EIR or negative declaration is required only when:

1) Substantial changes are proposed in the project which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the negative declaration due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the negative declaration was adopted, shows any of the following:

a) The project will have one or more significant effects not discussed in the previous negative declaration;

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

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 project proponents decline to adopt the mitigation measure or alternative; or

d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Thus, if the Project does not result in any of the circumstances listed in Section 15162 (i.e., no new or substantially greater significant impacts), the City may properly adopt an addendum to the Certified EIR.

Conclusion: TOP EIR, certified by City Council on January 27, 2010, was prepared as a Program EIR in accordance with CEQA, the State CEQA Guidelines, and the City's Rules for the Implementation of CEQA and in accordance with Section 15121(a) of the State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3). TOP EIR considered the direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by The Ontario Plan. Consequently, TOP EIR focused on impacts from changes to land use associated with buildout of the City's Land Use Plan, within the Policy Plan, and impacts from the resulting population and employment growth in the City. The proposed California Commerce Center Specific Plan land use Amendment from Commercial/Food/Hotel to Light Industrial will bring the project site in conformance with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use designation. As described on page 4, the amount of development anticipated at buildout will be consistent with the Certified EIR. Subsequent activities within TOP Program EIR have been evaluated to determine whether an additional CEQA document needs to be prepared.

Accordingly, and based on the findings and information contained in the Certified EIR, the analysis above, the attached Initial Study, and CEQA statute and State CEQA Guidelines, including Sections 15164 and 15162, the Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary, nor is there a need for any additional mitigation measures; therefore, pursuant to State CEQA Guidelines Section 15164, the Ontario City Council hereby adopts this Addendum to the Certified EIR.

Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement): None

Tribal Consultation: Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? ☒ Yes ☐ No

If "yes," has consultation begun? ☐ Yes ☐ No ☒ Completed

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☒ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Jeanie Irene Aguilo
Signature

May 10, 2021
Date

Jeanie Irene Aguilo, Associate Planner
Printed Name and Title

City of Ontario – Planning Department
For

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from the "Earlier Analyses" Section may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

a) Earlier Analyses Used. Identify and state where they are available for review.

b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources. A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

a) The significance criteria or threshold, if any, used to evaluate each question; and

b) The mitigation measure identified, if any, to reduce the impact to less than significance.

Issues	***Potentially Significant Impact***	***Less Than Significant with Mitigation***	***Less Than Significant Impact***	***Impacts Previously Analyzed in TOP EIR***
1. AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
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?	☐	☐	☐	☒
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒
2. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:				

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*Impacts Previously Analyzed in TOP EIR*
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☐	☒
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
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?	☐	☐	☐	☒
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
d. Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	☐	☐	☐	☒
4. BIOLOGICAL RESOURCES. Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*Impacts Previously Analyzed in TOP EIR*
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
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?	☐	☐	☐	☒
5. CULTURAL RESOURCES. Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☐	☐	☒
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☐	☐	☒
c. Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☐	☒
6. ENERGY. Would the project:				
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☒
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒
7. GEOLOGY AND SOILS. Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:	☐	☐	☐	☒
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii. Strong seismic ground shaking?	☐	☐	☐	☒
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv. Landslides?	☐	☐	☐	☒

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*Impacts Previously Analyzed in TOP EIR*
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
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?	☐	☐	☐	☒
d. Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code, creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
8. GREENHOUSE GAS EMISSIONS. Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	☐	☐	☐	☒
9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
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?	☐	☐	☐	☒
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*Impacts Previously Analyzed in TOP EIR*
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒
10. HYDROLOGY AND WATER QUALITY. Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	☒
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
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:	☐	☐	☐	☒
i. result in substantial erosion or siltation on- or off-site;	☐	☐	☐	☒
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☐	☒
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☐	☒
iv. impede or redirect flood flows?	☐	☐	☐	☒
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒
11. LAND USE AND PLANNING. Would the project:				
a. Physically divide an established community?	☐	☐	☐	☒
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?	☐	☐	☐	☒
12. MINERAL RESOURCES. Would the project:				
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*Impacts Previously Analyzed in TOP EIR*
13. NOISE. Would the project result in:				
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 groundborne vibration or groundborne 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?	☐	☐	☐	☒
14. POPULATION AND HOUSING. Would the project:				
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 road or other infrastructure)?	☐	☐	☐	☒
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
15. PUBLIC SERVICES. Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	☐	☐	☐	☒
ii. Police protection?	☐	☐	☐	☒
iii. Schools?	☐	☐	☐	☒
iv. Parks?	☐	☐	☐	☒
v. Other public facilities?	☐	☐	☐	☒
16. RECREATION. Would the project:				
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?	☐	☐	☐	☒
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	☐	☐	☐	☒

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*Impacts Previously Analyzed in TOP EIR*
17. TRANSPORTATION. Would the project:				
a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☒
b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☐	☒
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d. Result in inadequate emergency access?	☐	☐	☐	☒
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				
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)?	☐	☐	☐	☒
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 Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒
19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*Impacts Previously Analyzed in TOP EIR*
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒
20. WILDFIRES. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
21. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project 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?	☐	☐	☐	☒
b. Does the project 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 past projects, the effects of other current project, and the effects of probable future projects.)	☐	☐	☐	☒
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒
Note: Authority cited: Public Resources Code sections 21083, 21083.05, 21083.09. Reference: Gov. Code section 65088.4; Public Resources Code sections 21073, 21074, 21080(c), 21080.1, 21080.3, 21080.3.1, 21080.3.2, 21082.3, 21083, 21083.3, 21083.5, 21084.2, 21084.3, 21093, 21094, 21095 and 21151; *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors* (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.				

EXPLANATION OF ISSUES

1. AESTHETICS. Would the project:

a. Have a substantial adverse effect on a scenic vista?

Discussion of Effects: The Policy Plan (General Plan) does not identify scenic vistas within the City. However, the Policy Plan (Policy CD1-5) requires all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountains. The project site is located at the northeast corner of Haven Avenue and Airport Drive, a major north-south principal arterial street and east-west arterial street, respectfully, as identified in the Functional Roadway Classification Plan (Figure M-2) of the Mobility Element within the Policy Plan. The proposed Amendment to California Commerce Center Specific Plan to change the land use designations for 10.64 acres of land, from Commercial/Food/Hotel to Light Industrial, will not result in adverse environmental impacts with regard to views of the San Gabriel Mountains. Therefore, no adverse impacts are anticipated in relation to the project.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a state scenic highway?

Discussion of Effects: The City of Ontario is served by three freeways: I-10, I-15, and SR-60. I-10 and SR-60 traverse the northern and central portion of the City, respectively, in an east to west direction. I-15 traverses the northeastern portion of the City in a north–south direction. These segments of I-10, I-15, and SR-60 have not been officially designated as scenic highways by the California Department of Transportation. In addition, there are no historic buildings, or any scenic resources identified on or in the vicinity of the project site. Therefore, it will not result in adverse environmental impacts.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Substantially degrade the existing visual character or quality of the site and its surroundings?

Discussion of Effects: The project would not degrade the existing visual character or quality of the site or its surroundings. The project site is located in an area that is characterized by Industrial and commercial development and is surrounded by urban land uses.

The proposed project will substantially improve the visual quality of the area through development of the site with an Industrial Warehouse/Distribution facility, which will be consistent with the policies of the Community Design Element of the Policy Plan (General Plan), as well as with the Industrial development in the surrounding area. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Discussion of Effects: The proposed land use change itself will not cause lighting to be installed in the Project. New lighting will be introduced to the site with the development of a proposed 200,291-square foot industrial building. Pursuant to the requirements of the City's Development Code, on-site lighting will be shielded, diffused or indirect, to avoid glare to pedestrians or motorists. In addition, lighting fixtures will be selected and located to confine the area of illumination to within the project site and minimize light spillage.

Site lighting plans will be subject to review by the Planning Department and Police Department prior to issuance of building permits (pursuant to the City's Building Security Ordinance). Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Discussion of Effects: The site is presently developed as a parking lot and does not contain any agricultural uses. Further, the site is identified as Urban and Built-up Land on the map prepared by the California Resources Agency, pursuant to the Farmland Mapping and Monitoring Program. As a result, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Discussion of Effects: The project site is not zoned for agricultural use. The proposed Development Plan to construct a 200,291-square foot industrial building is consistent with the Light Industrial development standards of California Commerce Specific Plan. Furthermore, there are no Williamson Act contracts in effect on the subject site. Therefore, no impacts to agricultural uses are anticipated, nor will there be any conflict with Williamson Act contracts.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)?

Discussion of Effects: The project proposes an Amendment to California Commerce Center Specific Plan changing the land use designation on 10.64 acres of land, from Commercial/Food/Hotel to Light Industrial. This would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production because such land use designations do not exist within the City of Ontario. Therefore, no impacts to forest or timberland are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

d. Result in the loss of forest land or conversion of forest land to non-forest use?

Discussion of Effects: There is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code section 12220(g). Neither TOP nor the City's Zoning Code provide designations for forest land. Consequently, the proposed project would not result in the loss or conversion of forest land.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

e. Involve other changes in the existing environment, which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use or conversion of forest land to non-forest use?

Discussion of Effects: The project proposes an Amendment to California Commerce Center Specific Plan changing the land use designation on 10.64 acres of land, from Commercial/Food/Hotel to Light Industrial, therefore is not designated as Farmland. The project site is presently developed as a parking lot and there are no agricultural uses occurring onsite. As a result, to the extent that the project would result in changes to the existing environment those changes would not result in loss of Farmland to non-agricultural use.

Additionally, there is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither TOP nor the City's Zoning Code provide designations for forest land. Consequently, to the extent that the proposed project would result in changes to the existing environment, those changes would not impact forest land.

Mitigation Required: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

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

a. Conflict with or obstruct implementation of the applicable air quality plan?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as Industrial and is surrounded on the north by commercial development, industrial development to the east, and vacant land to the west and south. The project will not conflict with or obstruct implementation of any air quality plan. As noted in the Certified EIR (Section 5.3), pollutant levels in the Ontario area already exceed Federal and State standards. To reduce pollutant levels, the City of Ontario is actively participating in efforts to enhance air quality by implementing Control Measures in the Air Quality Management Plan for local jurisdictions within the South Coast Air Basin.

The proposed project is consistent with The Ontario Plan, for which the EIR was prepared and impacts evaluated. Furthermore, the project is consistent with the City's participation in the Air Quality Management Plan and, because of the project's limited size and scope, will not conflict with or obstruct implementation of the plan. Mitigation (Mitigation Measure 5.3-2) has been adopted by the City that requires fugitive dust control measures pursuant to SCAQMD's Rule 403, use of Tier 3 construction equipment, proper service and maintenance of construction equipment, limiting nonessential idling of construction equipment, and use of Super-Compliant VOC paints for coating and architectural surfaces. Any future development proposals on the project site will be required to comply with Mitigation Measure 5.3-2. No new impacts beyond those identified in the Certified EIR would result from Project implementation.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment under an applicable federal or state ambient air quality because the Project will provide land use consistency with the Official Land Use Map (Exhibit LU-01) of the Policy Plan component of TOP. The proposed California Commerce Center Specific Plan land use Amendment from Commercial/Food/Hotel to Light Industrial will bring the project site in conformance with the Industrial land use designation of TOP. Mitigation (Mitigation Measure 5.3-1) has already been adopted by the City that would facilitate continued City cooperation with the SCAQMD and SCAG to achieve regional air quality improvement goals, promote energy conservation design and development techniques, encourage alternative modes of transportation, and implement transportation demand strategies. The project will comply with the air quality standards of the Certified EIR and the SCAQMD resulting in impacts that are less than significant [please refer to Sections 3(a) and 3(b)].

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Expose sensitive receptors to substantial pollutant concentrations?

Discussion of Effects: Sensitive receptors are defined as populations that are more susceptible to the effects of pollution than the population at large. The SCAQMD identifies the following as sensitive receptors: long-term health care facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, child care centers, and athletic facilities. According to the SCAQMD, projects have the potential to create significant impacts if they are located within one-quarter mile of sensitive receptors and would emit toxic air contaminants identified in SCAQMD Rule 1401.

The project will not expose sensitive receptors to any increase in pollutant concentrations because there are no sensitive receptors located within close proximity of the project site. Further, there is limited potential for sensitive receptors to be located within close proximity of the site because the project site will be zoned Light Industrial within the California Commerce Center Specific Plan at the time of project approval. The types of uses that would potentially impact sensitive receptors would not be supported on the property pursuant to the Land Use Element (Figure LU-6) of the Policy Plan (General Plan) and zoning designations on the property. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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

Discussion of Effects: The subject site was previously analyzed by TOP EIR as Industrial and is surrounded on the north by commercial development, industrial development to the east, and vacant land to the west and south. The uses proposed on the subject site, as well as those permitted within the proposed Light Industrial land use district of the California Commerce Center Specific Plan, do not create objectionable odors. Further, the project shall comply with the policies of the Ontario Municipal Code and the Policy Plan (General Plan). Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

4. BIOLOGICAL RESOURCES. Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as Industrial and is surrounded on the north by commercial development, industrial development to the east, and vacant land to the west and south. The project site is located within an area that has not been identified as containing 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 the U.S. Fish and Wildlife Service. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified analyses are necessary.

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion of Effects: The site does not contain any riparian habitat or other sensitive natural community identified by the Department of Fish & Game or Fish & Wildlife Service. Therefore, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: No wetland habitat is present on site. Therefore, project implementation would have no impact on these resources.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: The site is presently developed as a parking lot that is surrounded on the north by commercial development, industrial development to the east, and vacant land to the west and south. As a result, there are no wildlife corridors connecting this site to other areas. Therefore, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Discussion of Effects: The City of Ontario does not have any ordinances protecting biological resources. Further, the site does not contain any mature trees necessitating the need for preservation. As a result, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

f. Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan?

Discussion of Effects: The site is not part of an adopted HCP, NCCP or other approved habitat conservation plan. As a result, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

5. CULTURAL RESOURCES. Would the project:

a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

Discussion of Effects: The subject site was previously analyzed by TOP EIR as Industrial and is surrounded by commercial development to the north, industrial development to the east, and vacant land to the west and south. The subject site is presently developed as a parking lot and does not contain any buildings or structures constructed more than 50 years ago and cannot be considered for eligibility for listing in the California Register of Historic Resources. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Discussion of Effects: The Certified EIR (Section 5.5) indicates no archeological sites or resources have been recorded in the City with the Archeological Information Center at San Bernardino County Museum. Figure 5.5-2 of the Certified EIR shows that the Project site has not been surveyed for archeological resources. While no adverse impacts to archeological resources are anticipated at this site due to its urbanized nature, standard conditions have been imposed on the project that in the event of unanticipated archeological discoveries, construction activities will not continue or will moved to other parts of the project site and a qualified archaeologist shall be contacted to determine significance of these resources. If the find is discovered to be historical or unique archaeological resources, as defined in Section 15064.5 of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Disturb any human remains, including those interred outside of formal cemeteries?

Discussion of Effects: The proposed project is in an area that has been previously disturbed by human activity. No known religious or sacred sites exist within the Project area. Thus, human remains are not expected to be encountered during any construction activities. However, in the unlikely event that human remains are discovered, existing regulations, including the California Public Resources Code Section 5097.98, would afford protection for human remains discovered during development activities. Furthermore, standard conditions have been imposed on the project that in the event of unanticipated discoveries of human remains are identified during excavation, construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and/or Native American consultation has been completed, if deemed applicable.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

6. ENERGY Would the project:

a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Discussion of Effects: Energy was not analyzed in the Certified TOP EIR but has been included as part of the 2019 revisions to the State CEQA Guidelines. Implementation of the Project would not substantially increase the demand for electricity and natural gas at the Project site and gasoline consumption in the region during construction and operation. Implementation of the Project will require compliance with CALGreen Building Code (CCR Title 24, Part11). Moreover, the Project includes a sample Greenhouse Gas Reduction Measure Screening Table for Commercial and Industrial Development. The Screening Table includes measures energy efficient development, indoor space efficiency measures, building efficiency measures, renewable energy measures, and water conservation measures. Measures that would reduce electricity consumption include, but are not limited to: greatly enhanced window insulation, an enhanced cool-roof, an improved efficiency heating, ventilation, and air conditioning ("HVAC") system, blower doors HERS verified Envelope leakage or equivalent, enhanced duct insulation, Energy Star commercial appliances, water efficient landscaping and irrigation systems, and water-efficient toilets and faucets.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts. No changes or additions to the Certified EIR analyses are necessary.

7. GEOLOGY & SOILS. Would the project:

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Certified EIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. Given that the closest fault zone is located more than ten miles from the project site, fault rupture within the project area is not likely. All development will comply with the Uniform Building Code seismic design standards to reduce geologic hazard susceptibility. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

ii. Strong seismic ground shaking?

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Certified EIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. The closest fault zone is located more than ten miles from the project site. The proximity of the site to the active faults will result in ground shaking during moderate to severe seismic events. All construction will comply with the California Building Code, the Ontario Municipal Code, The Ontario Plan and all other ordinances adopted by the City related to construction and safety. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

iii. Seismic-related ground failure, including liquefaction?

Discussion of Effects: As identified in the Certified EIR (Section 5.7), groundwater saturation of sediments is required for earthquake induced liquefaction. In general, groundwater depths shallower than 10 feet to the surface can cause the highest liquefaction susceptibility. Depth to ground water at the project site during the winter months is estimated to be between 250 to 450 feet below ground surface. Therefore, the liquefaction potential within the project area is minimal. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

iv. Landslides?

Discussion of Effects: The project would not expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving landslides because the relatively flat topography of the project site (less than 2 percent slope across the City) makes the chance of landslides remote. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal Code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Result in substantial soil erosion or the loss of topsoil?

Discussion of Effects: The project will not result in significant soil erosion or loss of topsoil because of the previously disturbed and developed nature of the project site and the limited size and scope of the

project. Grading increases the potential for erosion by removing protective vegetation, changing natural drainage patterns, and constructing slopes. However, compliance with the California Building Code and review of grading plans by the City Engineer will ensure no significant impacts will occur. In addition, the City requires an erosion/dust control plan for projects located within this area. Implementation of a NPDES program, the Environmental Resource Element of the Policy Plan (General Plan) strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: The project would not result in the location of development on a geologic unit or soil that is unstable, or that would become unstable because as previously discussed, the potential for liquefaction and landslides associated with the project is less than significant. The Ontario Plan FEIR (Section 5.7) indicates that subsidence is generally associated with large decreases or withdrawals of water from the aquifer. The project would not withdraw water from the existing aquifer. Further, implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Discussion of Effects: The majority of Ontario, including the project site, is located on alluvial and eolian soil deposits. These types of soils are not considered to be expansive. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: The area is served by the local sewer system and the use of alternative systems is not necessary. There will be no impact to the sewage system.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Discussion of Effects: The City of Ontario is underlain by deposits of Quaternary and Upper-Pleistocene sediments deposited during the Pliocene and early Pleistocene time, Quaternary Older Alluvial sediments may contain significant, nonrenewable, paleontological resources and are, therefore, considered to have high sensitivity at depths of 10 feet or more below ground surface. In addition, the Certified TOP EIR (Section 5.5) indicates that one paleontological resource has been discovered in the City. While no adverse impacts are anticipated, standard conditions have been imposed on the Project that in the event of unanticipated paleontological resources are identified during excavation, construction activities will not continue or will be moved to other parts of the Project site and a qualified paleontologist shall be contacted to determine significance of these resources. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

8. GREENHOUSE GAS EMISSIONS. Would the project:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as an industrial use. Additionally, the impact of buildout of The Ontario Plan on the environment due to the emission of greenhouse gases ("GHGs") was analyzed in the Certified EIR. According to the EIR, this impact would be significant and unavoidable (Re-circulated Portions of the Ontario Plan Draft Environmental Impact Report, p. 2-118.) This EIR was certified by the City on January 27, 2010, at which time a statement of overriding considerations was also adopted for The Ontario Plan's significant and unavoidable impacts, including that concerning the emission of greenhouse gases. The proposed Amendment to California Commerce Center Specific Plan to change the land use designations for 10.64 acres of land, from Commercial/Food/Hotel to Light Industrial will not create significantly greater impacts than were identified in the Certified EIR. The Project includes a sample GHG Reduction Measures Screening Threshold Table, which provides guidance in measuring the reduction of greenhouse gas ("GHG") emissions attributable to certain design and construction measures incorporated into development projects. The analysis, methodology, and significance determination (thresholds) are based upon the City's Climate Action Plan ("CAP"), which includes GHG emission inventories (2008 and 2020 forecasts), a year 2020 emission reduction target, the goals and policies to reach the target, together with the Addendum prepared for the CAP. The Screening Table assigns points for each option incorporated into a project as mitigation or a project design feature (collectively referred to as "feature"). The point values correspond to the minimum emissions reduction expected from each feature. The menu of features allows maximum flexibility and options for how development projects can implement the GHG reduction measures. The point levels are based upon improvements compared to 2008 emission levels of efficiency. Projects that garner at least 100 points will be consistent with the reduction quantities anticipated in the City's CAP. As such, those projects that garner a total of 100 points or greater would not require quantification of project specific GHG emissions. Consistent with CEQA Guidelines, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions. As shown in the Project GHG Reduction Measures Screening Table, the Project garners a total of 116 points, and is therefore consistent with the reduction quantities anticipated in the City's CAP. Therefore, quantification of Project-specific GHG emissions is not required.

Additionally, pursuant to Public Resources Code Section 21083.3, this impact need not be analyzed further, because (1) the proposed project would result in an impact that was previously analyzed in the Certified EIR, which was certified by the City; (2) the proposed project would not result in any greenhouse gas impacts that were not addressed in the Certified EIR; (3) the proposed project is consistent with The Ontario Plan. The proposed impacts of the project were already analyzed in the Certified EIR and the project will be built to current energy efficient standards. Potential impacts of project implementation will be less than significant with mitigation already required under the Certified EIR and current energy efficiency standards. No changes or additions to the Certified EIR analyses are necessary.

Mitigation Required: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to TOP EIR analyses are necessary. The mitigation measures adopted as part of TOP EIR adequately address any potential significant impacts and there is no need for any additional mitigation measures. The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR's MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project: energy efficient design, efficient irrigation systems, electric vehicle charging stations, and compliance with Title 24 of the California Code of Regulations.

b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as an industrial use. The proposed Project is consistent with The Ontario Plan Goal ER 4 of improving air quality by, among

other things, implementation of Policy ER4-3, regarding the reduction of greenhouse gas emissions in accordance with regional, State, and federal regulations. In addition, the proposed Project is consistent with the policies outlined in Section 5.6.4 of the Environmental Impact Report for The Ontario Plan, which aims to reduce the City's contribution of greenhouse gas emissions at build-out by fifteen (15 percent), because the project is upholding the applicable City's adopted mitigation measures as represented in 6-1 through 6-6 and energy efficient design, efficient irrigation systems, electric vehicle charging stations, and compliance with Title 24 of the California Code of Regulations. The Project is consistent with the City's Climate Action Plan. Therefore, the proposed Project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

Mitigation Required: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

9. HAZARDS & HAZARDOUS MATERIALS. Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?

Discussion of Effects: The subject site was previously analyzed by TOP EIR as an industrial use. The project is not anticipated to involve the transport, use or disposal of hazardous materials during either construction or project implementation. Therefore, no adverse impacts are anticipated. However, in the unlikely event of an accident, implementation of the strategies included in The Ontario Plan will decrease the potential for health and safety risks from hazardous materials to a less than significant impact.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as an industrial use. The proposed project does not include the use of hazardous materials or volatile fuels. In addition, there are no known stationary commercial or industrial land uses within close proximity to the subject site, which use/store hazardous materials to the extent that they would pose a significant hazard to visitors/occupants to the subject site, in the event of an upset condition resulting in the release of a hazardous material.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?

Discussion of Effects: The proposed project does not include the use, emissions or handling of hazardous or acutely hazardous materials, substances, or waste. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: The proposed project site is not listed on the hazardous materials site compiled pursuant to Government Code Section 65962.5. Therefore, the project would not create a hazard to the public or the environment and no impact is anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

e. For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?

Discussion of Effects: The Project was reviewed and found to be located within the Airport Influence Area of Ontario International Airport ("ONT") and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan ("ALUCP") for ONT. The Project will not result in a safety hazard for people working or residing in the project area because it will not obstruct aircraft maneuvering because of the project's low elevation and the architectural style of the project. Additionally, the Land Use Compatibility Guidelines for Noise Impacts (Table LU-08) shows the proposed use as normally accepted in the 65 CNEL. The proposed use will comply with standards for mitigating noise. Therefore, the project will not result in any new or substantially different hazards and hazardous materials impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

The entire City is located within the Airport Influence Area (AIA) of ONT and the location of the Safety Impact Zones are reflected in Policy Map 2-2 of the ONT ALUCP. The project site is located outside the ONT Safety Zones. The project site is also located outside of the Chino Airport Influence Area. The Project is consistent with the policies and criteria of the ONT ALUCP, and therefore, would not result in a safety hazard for people residing or working in the project area. Consequently, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Discussion of Effects: The City's Safety Element, as contained within The Ontario Plan, includes policies and procedures to be administered in the event of a disaster. The Ontario Plan seeks interdepartmental and inter-jurisdictional coordination and collaboration to be prepared for, respond to and recover from every day and disaster emergencies. In addition, the project will comply with the requirements of the Ontario Fire Department and all City requirements for fire and other emergency access. Because the project is required to comply with all applicable City codes, any impacts would be reduced to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Discussion of Effects: The project site is not located in or near wildlands. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

10. HYDROLOGY & WATER QUALITY. Would the project:

a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Discussion of Effects: The project site is served by City water and sewer service and will not affect water quality standards or waste discharge requirements. Discharge of storm water pollutants from areas of materials storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing, waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work) areas could result in a temporary increase in the amount of suspended solids, trash and debris, oil and grease, organic compounds, pesticides, nutrients, heavy metals and bacteria pathogens in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is required to comply with the statewide National Pollutant Discharge Elimination System ("NPDES") General Industrial

Activities Stormwater Permit, the San Bernardino County Area-Wide Urban Runoff Permit (MS4 permit) and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)). This would reduce any impacts to below a level of significance. Furthermore, any future applicant to develop the site would be required to submit a Preliminary Water Quality Management Plan ("PWQMP"), which would establish the site's compliance with storm water discharge and water quality management requirements. The PWQMP will include 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 would include the use of an underground stormwater infiltration system for the site. Any overflow drainage from future development of the site will be conveyed to the public street by way of parkway culverts.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as an industrial use. No increases in the current amount of water flow to the project site are anticipated, and the proposed project will not deplete groundwater supplies, nor will it interfere with recharge. The water use associated with the proposed use of the property was included in the Certified EIR analysis. The development of the site will require the grading of the site and excavation is expected to be less than three feet and would not affect the existing aquifer, estimated to be about 230 to 250 feet below the ground surface. No adverse impacts are anticipated.

Mitigation: No additional mitigation required.

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:

i. Result in substantial erosion or siltation on- or off-site?

Discussion of Effects: It is not anticipated that the Project would alter the drainage pattern of the site or area, in a manner that would result in erosion, siltation or flooding on-or-off site, nor will the proposed Project increase the erosion of the subject site or surrounding areas. The existing drainage pattern of the site will not be altered, and it will have no significant impact on downstream hydrology. Stormwater generated by the Project will be discharged in compliance with the statewide NPDES General Construction Activities Stormwater Permit and San Bernardino County MS4 permit requirements. With the full implementation of a Storm Water Pollution Prevention Plan developed in compliance with the General Construction Activities Permit requirements, the Best Management Practices included in the SWPPP, and a stormwater monitoring program would reduce any impacts to below a level of significance. No streams or streambeds are present on the site. No changes in erosion off-site are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

ii. Substantially increase the rate or amount of surface runoff water in a manner which would result in flooding on- or off-site?

Discussion of Effects: The proposed Project is not anticipated to increase the flow velocity or volume of storm water runoff to cause environmental harm from the site and will not create a burden on existing infrastructure. Furthermore, with the implementation of an approved Water Quality Management Plan developed for the site, in compliance with the San Bernardino County MS4 Permit requirements, stormwater runoff volume shall be reduced to below a level of significance.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: It is not anticipated that the project would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or create or contribute stormwater runoff pollutants during construction and/or post-construction activity. The stormwater flows will enter an existing storm pipe in Jurupa Street. Pursuant to the requirements of The Ontario Plan, the City's Development Code, and the San Bernardino County MS4 Permit's "Water Quality Management Plan" ("WQMP"), individual developments must provide site drainage and WQMP plans according to guidelines established by the City's Engineering Department. If master drainage facilities are not in place at the time of project development, then standard engineering practices for controlling post-development runoff may be required, which could include the construction of on-site storm water detention and/or retention/infiltration facilities. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

iv. Impede or redirect flood flows?

Discussion of Effects: Urbanization in the areas surrounding the project site have resulted in increased responsiveness of the basin to rainfall. The increase in impervious surfaces such as roofs, roads, and parking lots has resulted in a decrease in groundwater infiltration and larger storm surges. The project site is not impacted by offsite flows. The project site is not located in a FEMA Firm Panel designated Flood Zone Risk, and according to the United States Fish and Wildlife Service National Wetlands Inventory ("NWI") no wetlands exist on the property. The Project could lead to the conversion of permeable surfaces to impermeable surfaces such as parking areas and building foundation areas. Any future development on the Project site would discharge onsite flows into an existing storm drain facility. As such, the proposed project would not impede or redirect flood flows. With adherence to existing federal, state, and local regulation no changes to the existing flood flows would occur.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Discussion of Effects: Impacts associated with flooding are primarily related to the construction or placement of structures in areas prone to flooding including within an unprotected 100-year flood zone, and in areas susceptible to high tides, tsunamis, seiches, mudflows or sea level rise. Specifically, structures placed in flood prone areas, if flooded, would be damaged, and could subject people to injury or death. The National Flood Insurance Act of 1968 requires the identification of floodplain areas and establishment of flood-risk zones within those areas. FEMA administers the programs and coordinates with communities to establish effective floodplain management standards. According to FEMA, the Project is not located in a known floodplain. Furthermore, this area is not known to flood and is not typically subjected to flooding. The Project site is not located in a floodplain as shown in Figure S-2 of TOP. The Project site is in an urbanized area that is developed with commercial and industrial buildings. No wetlands have been mapped on the project site according to the NWI. According to the FEMA, the Project is not located in an area that is subject to flood hazard, tsunami, or seiche zones. The project site is located over 60 miles east of the Pacific Ocean and is not located in a mapped tsunami zone. Therefore, the project would not have a significant risk of flood hazard, tsunami, seiche zones, release of pollutants due to project inundation.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Discussion of Effects: The Regional Water Quality Control Board's Basin Plan is designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Specifically, the

Basin Plan (i) designates beneficial uses for surface and ground waters, (ii) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state's anti-degradation policy, and (iii) describes implementation programs to protect all waters in the region. Development allowed by the Project would be required to adhere to requirements of the water quality control plan, including all existing regulation and permitting requirements. This would include the incorporation of best management practices ("BMPs") to protect water quality during construction and operational periods. Development of the Project would be subject to all existing water quality regulations and programs, as described in the regulatory section above, including all applicable construction permits. Existing General Plan policies related to water quality would also be applicable to the Project. Implementation of these policies, in conjunction with compliance with existing regulatory programs, would ensure that water quality impacts related to the Project would be less than significant.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

11. LAND USE & PLANNING. Would the project:

a. Physically divide an established community?

Discussion of Effects: The project site is located in an area that is currently developed with urban land uses. This project will be of similar design and size to surrounding developments. No adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as an industrial use. The proposed project does not interfere with any policies for environmental protection. As such, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

12. MINERAL RESOURCES. Would the project:

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?

Discussion of Effects: The project site is located within a mostly developed area surrounded by urban land uses. There are no known mineral resources in the area; therefore, the project will not result in any new or substantially different mineral resources impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: There are no known mineral resources in the area. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

13. NOISE. Would the project result in:

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?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR an industrial use and the Project will not expose people to or generate noise levels in excess of standards as established in The Ontario Plan FEIR (Section 5.12); therefore, the project will not result in any new or substantially different noise impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Generation of excessive groundborne vibration or groundborne noise levels?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as an industrial use and the uses associated with this project normally do not induce groundborne vibrations. As such, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. For a project located within the vicinity of a private airstrip or the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?

Discussion of Effects: The proposed Amendment was reviewed and found to be located within the Airport Influence Area of Ontario International Airport ("ONT") and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan ("ALUCP") for ONT. According to the Safety Element, the project is located within the 60-70CNEL noise contour; therefore, the project will not result in any new or substantially different noise impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary. or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

14. POPULATION & HOUSING. Would the project:

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 road or other infrastructure)?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR an industrial use and is consistent with General Plan land use designations and would not induce significant population growth. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Discussion of Effects: The project site does not contain existing housing. The project site is presently developed as a parking lot. Implementation of the project will result in the development of an industrial building; therefore no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

15. PUBLIC SERVICES. Would the project:

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

i. Fire protection?

Discussion of Effects: The site is in a developed area currently served by the Ontario Fire Department. The Project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

ii. Police protection?

Discussion of Effects: The site is in a developed area, currently served by the Ontario Police Department. The Project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

iii. Schools?

Discussion of Effects: Upon development, the Project will be required to pay school fees as prescribed by state law prior to the issuance of building permits. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

iv. Parks?

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The Project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

v. Other public facilities?

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The Project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

16. RECREATION. Would the project:

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?

Discussion of Effects: This project is not proposing any new housing or large employment generator that would cause an increase in the use of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that have an adverse physical effect on the environment?

Discussion of Effects: This project is not proposing any new housing or large employment generator that would require the construction of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

17. TRANSPORTATION. Would the project:

a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as an Industrial land use and is in an area that is mostly developed with all street improvements existing. A focused Traffic Analysis was prepared for the project site that compared the trip generation between the existing California Commerce Center Specific Plan Commercial/Food/Hotel land use designation (shopping center/commercial) versus the proposed Light Industrial land use at an FAR of 0.55 (warehouse/small ancillary office). The Traffic Analysis concluded that proposed change in land use from Commercial/Food/Hotel to Light Industrial would result in a net difference of 7,183 fewer Average Daily Trips (ADT) trips, including 146 fewer AM peak hour trips, and 719 fewer PM peak hour trips.

Therefore, the traffic impacts will be consistent with and less than the traffic impacts projected and analyzed under the Certified EIR. The project will not create a substantial increase in the number of vehicle trips, traffic volume or congestion at intersections. Less than significant impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Discussion of Effects: CEQA Guidelines Section 15064.3 subdivision (b) has been included in the 2018 CEQA Guidelines as part of the implementation of SB 743 which requires local jurisdictions to use Vehicle Miles Travelled (VMT) instead of Level of Service (LOS) methodologies for the purpose of determining the significance of traffic impacts under CEQA. Also, as part of the implementation of SB 743 local jurisdiction were given until July 1, 2020 to develop and implement thresholds of significance criteria and methodologies for evaluating VMT under the new SB 743 requirements. The City of Ontario has adopted and established a VMT analysis threshold or analysis methodology based on our Policy Plan (General Plan) baseline. However, the project was submitted prior to the adoption of the threshold and therefore not subject to the adopted thresholds. Subsequently, The Ontario Plan EIR analyzed VMT, as part of the GHG analysis. The Ontario Plan (TOP) is consistent with the RTP/SCS for the Southern California region. The SBTAM model has incorporated TOP buildout which was then incorporated into the SCAG model in developing the RTP/SCS for the region. The thresholds used in these models can be found in the tool created for SBCTA that analyzes the various threshold options. TOP to establish VMT thresholds since this option has already been found to be consistent with the RTP/SCS and these land use assumptions have been incorporated into the SBTAM and SCAG's regional models. The screening tool created for use in San Bernardino County can be utilized for locations within Ontario where additional

analysis is not required, and the City thresholds be used for projects where additional analysis is required. If mitigation measures are included for the project and the VMT brought down below the established threshold (City average), then the project can be determined to have less than a significant impact on transportation (in terms of CEQA).

Subsequently, a focused Traffic Analysis was prepared for the project site that compared the trip generation between the existing California Commerce Center Specific Plan Commercial/Food/Hotel land use designation (shopping center/commercial) versus the proposed Light Industrial land use at a FAR of 0.55 (warehouse/small ancillary office). The Traffic Analysis concluded that proposed change in land use from Commercial/Food/Hotel to Light Industrial would result in a net difference of 7,183 fewer Average Daily Trips (ADT) trips, including 146 fewer AM peak hour trips, and 719 fewer PM peak hour trips. Therefore, impacts with respect to CEQA Guidelines Section 15064.3(b) are less than significant.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Discussion of Effects: The Project is in an area that is mostly developed. All street improvements are complete, and the Development Plan (File No. PDEV20-008) will be required to construct right-of -way improvements along the project frontages. The Project will, therefore, not create a substantial increase in hazards due to a design feature. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

d. Result in inadequate emergency access?

Discussion of Effects: Development of the Project will be designed to provide access for all emergency vehicles and will therefore not create an inadequate emergency access. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

e. Result in inadequate parking capacity?

Discussion of Effects: The project is required to meet parking standards established by the Ontario Development Code and will therefore not create an inadequate parking capacity. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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:

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)?

Discussion of Effects: The subject site was previously analyzed by the TOP FEIR as an industrial use and is not listed in the California Register of Historic Resources or local register of historical resources. Development of the site will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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 Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Discussion of Effects: The subject site is not listed in the California Register of Historic Resources. No consultation had been initiated and no impacts are anticipated through Project implementation.

Mitigation: No new mitigation measures are required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

19. UTILITIES AND SERVICE SYSTEMS. Would the project:

a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Discussion of Effects: The proposed project is served by the City of Ontario sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. The project is required to meet the requirements of the Ontario Engineering Department regarding wastewater. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).

Discussion of Effects: The Project site is served by the City of Ontario water system. There is currently sufficient water supply available to the City of Ontario to serve this Project as per the findings of TOP EIR. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Result in a determination by the wastewater treatment provider that 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?

Discussion of Effects: The Project site is served by the City of Ontario water system. There is currently sufficient water supply available to the City of Ontario to serve this Project as per the findings of Certified TOP EIR. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: City of Ontario serves the Project site. Currently, the City of Ontario contracts with a waste disposal company that transports trash to a landfill with sufficient capacity to handle the City's solid waste disposal needs. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to analyses are necessary.

e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Discussion of Effects: This Project complies with federal, state, and local statues and regulations regarding solid waste. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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

a. Substantially impair an adopted emergency response plan or emergency evacuation plan?

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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?

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

21. MANDATORY FINDINGS OF SIGNIFICANCE.

a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat or 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?

Discussion of Effects: The proposed Project does not have the potential to reduce wildlife habitat and threaten a wildlife species; therefore, no environmental impacts resulting from the Project are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

Discussion of Effects: The Project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Does the project 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 past projects, the effects of other current project, and the effects of probable future projects.)

Discussion of Effects: The Project does not have impacts that are cumulatively considerable.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

d. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion of Effects: The Project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

EARLIER ANALYSES

*(Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D))***:**

1) Earlier Analyses Used. Identify earlier analyses used and state where they are available for review.
   a) The Ontario Plan Final EIR
   b) The Ontario Plan
   c) California Commerce Center Specific Plan (File No. 2591-SP) Adopted May 17, 1983
   d) California Commerce Center Specific Plan EIR No. 81-4 Certified May 17, 1983
   e) City of Ontario Official Zoning Map
   f) City of Ontario Development Code
   g) Ontario International Airport Land Use Compatibility Plan
   h) Ontario International Airport Land Use Compatibility Plan Negative Declaration (SCH 2011011081)
   i) TJW Engineering, Inc. – 3555 E. Airport Drive Focused Traffic Impact Analysis – August 27, 2020, included as Attachment B, Traffic Impact Analysis, of this Addendum)

All documents listed above are on file with the City of Ontario Planning Department, 303 East "B" Street, Ontario, California 91764, (909) 395-2036.

2) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards.

MITIGATION MEASURES

(For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.)

The Mitigation Measures contained in the Certified EIR adequately mitigate the impacts of the proposed Project. These mitigation measures are contained in the Mitigation Monitoring Program, included as Attachment A of this Addendum.

No additional mitigation beyond that previously imposed is required.

Exhibit A: PSPA20-003 EXISTING – CALIFORNIA COMMERCE CENTER SPECIFIC PLAN LAND USE PLAN

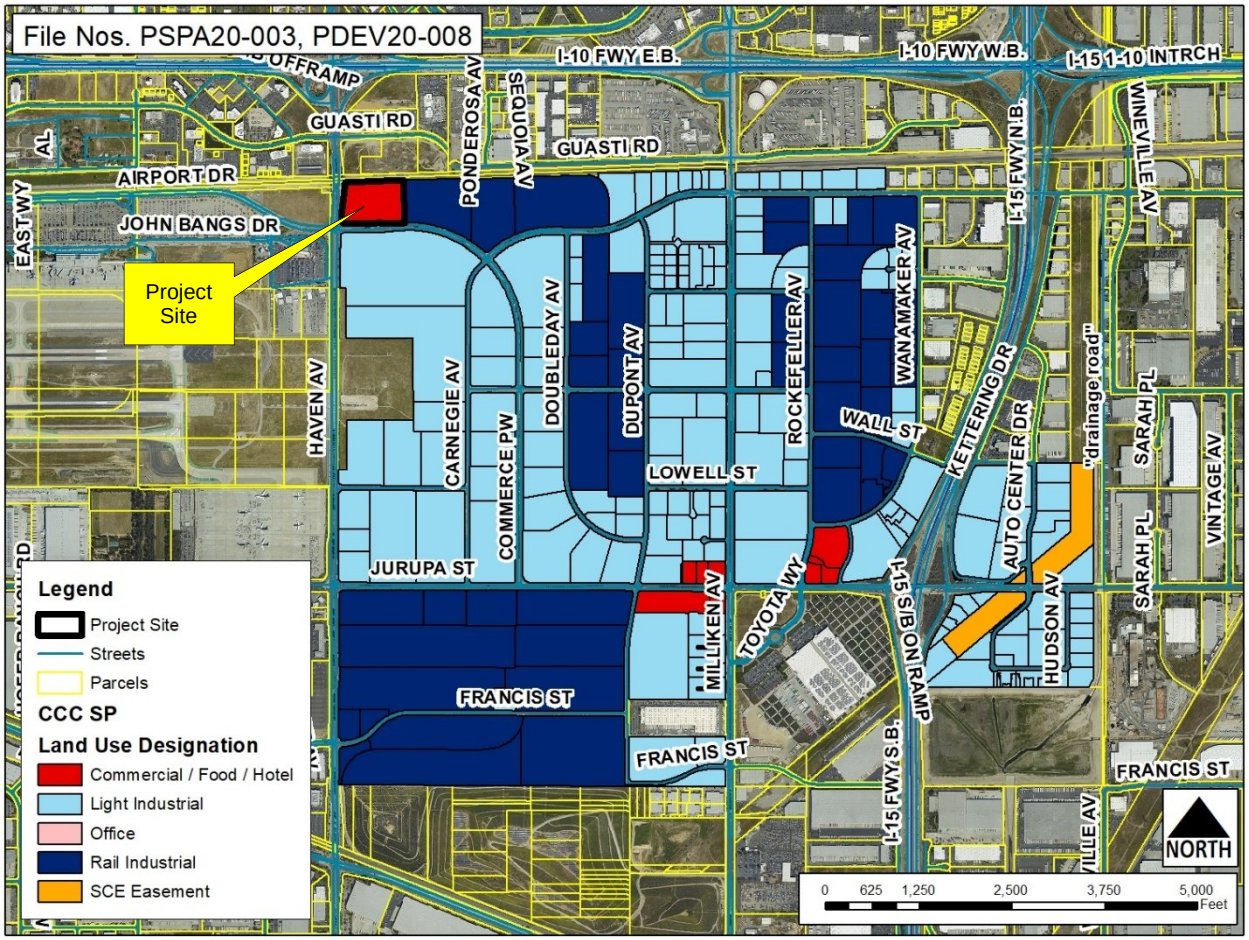
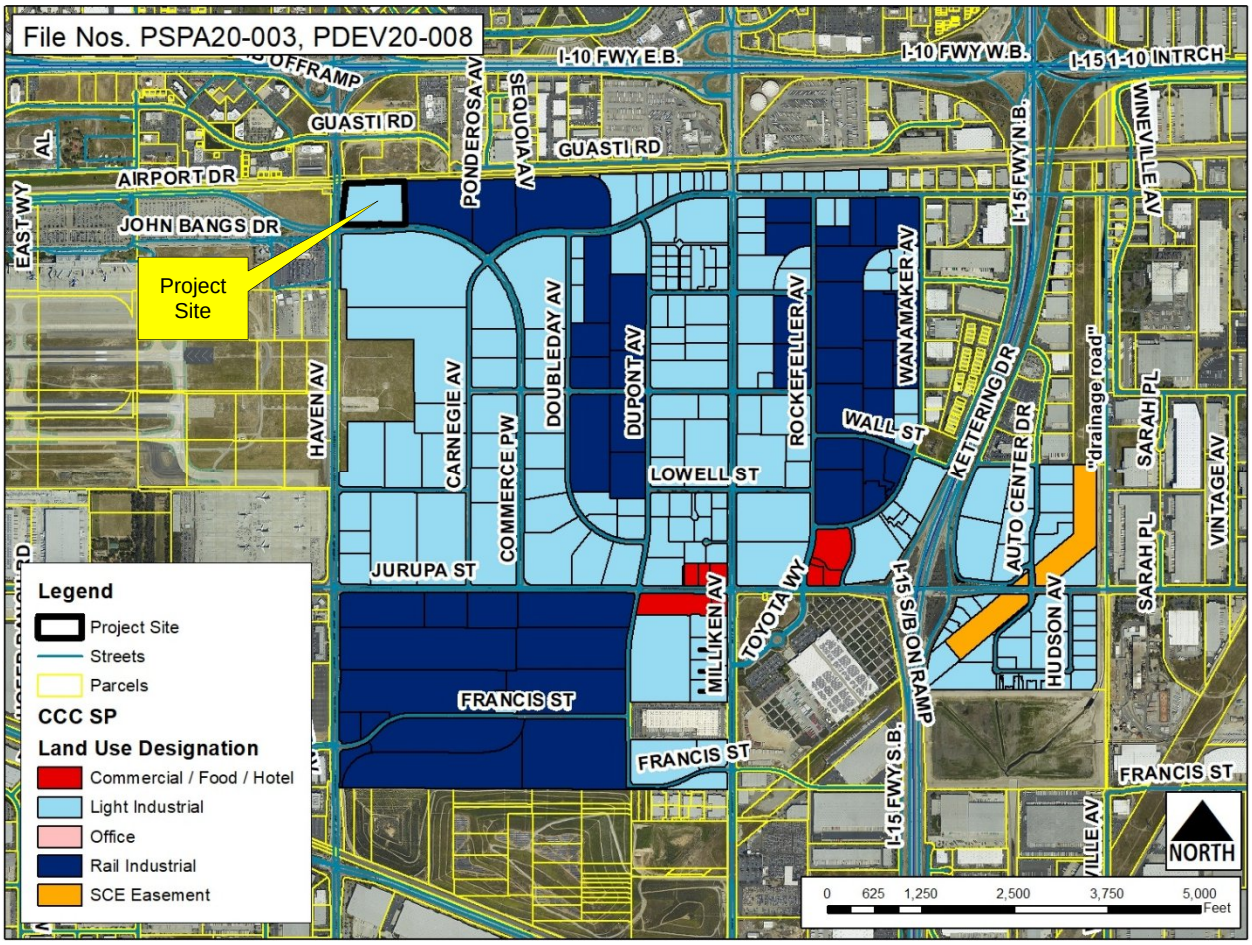


Exhibit B: PSPA20-003 PROPOSED – CALIFORNIA COMMERCE CENTER SPECIFIC PLAN LAND USE PLAN



Attachment A:
Mitigation Monitoring Program for The Ontario Plan Environmental Impact Report

1. Introduction

1.1 PURPOSE OF MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program has been developed to provide a vehicle by which to monitor mitigation measures and conditions of approval outlined in The Ontario Plan Environmental Impact Report (EIR), State Clearinghouse No. 2008101140. The Mitigation Monitoring Program has been prepared in conformance with Section 21081.6 of the Public Resources Code and City of Ontario Monitoring Requirements. Section 21081.6 states:

(a) When making the findings required by paragraph (1) of subdivision subsection (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:

(1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead agency or a responsible agency, prepare and submit a proposed reporting or monitoring program.

(2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

(b) A public agency shall provide that measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents which address required mitigation measures or, in the case of the adoption of a plan, policy, regulation, or other public project, by incorporating the mitigation measures into the plan, policy, regulation, or project design.

(c) Prior to the close of the public review period for a draft environmental impact report or mitigated negative declaration, a responsible agency, or a public agency having jurisdiction over natural resources affected by the project, shall either submit to the lead agency complete and detailed performance objectives for mitigation measures which would address the significant effects on the environment identified by the responsible agency or agency having jurisdiction over natural resources affected by the project, or refer the lead agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to a lead agency by a responsible agency or an agency having jurisdiction over natural resources affected by the project shall be limited to measures which mitigate impacts to resources which are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance by a responsible agency or agency having jurisdiction over natural resources affected by a project with that requirement shall not limit the authority of the responsible agency or agency having jurisdiction over natural resources affected by a project, or the authority of the lead agency, to approve, condition, or deny projects as provided by this division or any other provision of law.

1.2 PROJECT SUMMARY

The proposed project is the preparation of The Ontario Plan, which consists of a Vision, Governance Manual, Policy Plan, City Council Priorities, Implementation Plans, and Tracking and Feedback. The Ontario Plan integrates components of city governance documents into a single guidance system that shapes the community 20 years or more into the future.

(a) The Ontario **Vision** describes the future community of Ontario. Its basic purpose is to improve the quality of life for the people of Ontario. It is the rationale and motivation for everything the City does.

(b) The **Governance Manual** describes the foundation for conducting the public's business on behalf of the present and future people of Ontario. It explains how The Ontario Plan is a tool for decision-making and communication.

(c) **City Council Priorities** define the short-term direction in City actions and initiatives. They are the primary means for exercising leadership in carrying out The Plan and realizing the Vision.

(d) The **Policy Plan** connects intent with action through the broad range of Goals and Policies that would guide the long-term growth and development required for the City to achieve its Vision. It also satisfies the California Government Code requirement for a general plan. Figure 3-6, *Proposed Land Use Plan,* shows the proposed General Plan land use designations that guide and regulate land use patterns, distributions, densities and intensities in the City of Ontario, including residential employment, retail, recreation, and public uses.

(e) **Implementation** consists of actions taken to carry out Plan policies. This includes initiatives by the City and decisions on public and private development projects.

(f) **Tracking and Feedback** allows the City to learn from experience and redirect efforts.

Pursuant to CEQA Guidelines Section 15064(d), the EIR considers the direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by The Ontario Plan. Consequently, the EIR focuses on impacts from changes to land use associated with buildout of the Proposed Land Use Plan, within the Policy Plan, and impacts from the resultant population and employment growth in the City. The Ontario Plan Proposed Land Use Plan for the ultimate development of the City is not linked to a timeline. However, for the purpose of this environmental analysis, buildout of the Proposed Land Use Plan is forecast for the year 2035.

1.3 PROJECT LOCATION

The City of Ontario is in the southwestern corner of San Bernardino County and is surrounded by the Cities of Chino and Montclair, and unincorporated areas of San Bernardino County to the west; the Cities of Upland and Rancho Cucamonga to the north; the City of Fontana and unincorporated land in San Bernardino County to the east; and unincorporated Riverside County land to the south. The City is in the central part of the Upper Santa Ana River Valley. This portion of the valley is bounded by the San Gabriel Mountains to the north; the Chino Hills, Puente Hills, and San Jose Hills to the west; the Santa Ana River to the south; and Lytle Creek Wash on the east.

The City comprises approximately 50 square miles (31,958 acres), which includes the 8,200-acre New Model Colony (NMC) in the southern portion of the City (formerly the City's Sphere of Influence). The northern urbanized portion of the City is known as the Original Model Colony (OMC). The City is generally bounded by Benson Avenue and Euclid Avenue on the west; Interstate 10 (I-10), 8th Street, and 4th Street on the north; Etiwanda Avenue and Hamner Avenue on the east; and Merrill Avenue and the San Bernardino County/Riverside County boundary on the south. Regional circulation to and through the City is provided by I-10 and State Route 60 (SR-60) east–west, and by I-15 and SR-83 (Euclid Avenue) north–south.

1.4 ENVIRONMENTAL IMPACTS

The environmental document for this project is a "program EIR" as defined by State CEQA Guidelines (Section 15161, California Code of Regulations, Title 14, Division 6, Chapter 3). As provided in Section 15168 of the State CEQA Guidelines, a Program EIR may be prepared on a series of actions that may be characterized as one large project that are related either 1) geographically; 2) as logical parts of a chain of contemplated events; 3) in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or 4) as individual activities carried out under the same authorizing statutory or regulatory authority and have generally similar environmental effects that can be mitigated in similar ways.

Although the legally required contents of a Program EIR are the same as those of a Project EIR, Program EIRs are typically more conceptual and may contain a more general discussion of impacts, alternatives, and mitigation measures than a Project EIR. Once a Program EIR has been prepared, subsequent activities within the program must be evaluated to determine whether an additional CEQA document needs to be prepared. However, if the Program EIR addresses the program's effects as specifically and comprehensively as possible, many subsequent activities could be found to be within the Program EIR scope and additional environmental documents may not be required (Guidelines Section 15168[c]). When a Program EIR is relied on for a subsequent activity, the lead agency must incorporate feasible mitigation measures and alternatives developed in the Program EIR into the subsequent activities (Guidelines Section 15168[c][1]). If a later activity would have effects that were not examined in the Program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration. Pursuant to Sections 15126.2 and 15126.4 of the State CEQA Guidelines, the EIR should identify any potentially significant adverse impacts and recommend mitigation that would reduce or eliminate these impacts to levels of insignificance.

1.4.1 Impacts Considered Less Than Significant

Ten environmental categories are identified as having less than significant impacts that do not require mitigation. These categories are:

- Aesthetics
- Biological Resources
- Geology/Soils
- Hazards & Hazardous Materials
- Hydrology/Water Quality
- Land Use & Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation

1.4.2 Potentially Significant Adverse Impacts That Can Be Mitigated, Avoided, or Substantially Lessened

The following have been identified as potentially resulting in significant adverse impacts that can be mitigated, avoided, or substantially lessened:

- Cultural Resources: Mitigation Measures 5-2 through 5-4 would reduce archeological and prehistoric cultural resource impacts to less than significant.

- Noise: Mitigation Measure 12-3 would ensure that any new vibration-sensitive structures near the Union Pacific Railroad or Southern California Regional Rail Authority right-of-way would be constructed so that train-related vibration would not be perceptible and operational vibration impacts would be less than significant.

- Utilities and Service Systems: Mitigation Measures 17-1 through 17-4 would reduce impacts on water supply and demand from buildout of The Ontario Plan to less than significant.

1.4.3 Unavoidable Significant Adverse Impacts

There are six environmental categories considered to have impacts that would be significant and unavoidable and would not be lessened through mitigation.

Agricultural Resources

Buildout of The Ontario 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, impacts to Farmland would remain significant and unavoidable.

There are a number of Williamson Act contracts within the City that have yet to expire. Buildout of The Ontario 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 the New Model Colony, implementation of the proposed land use plan for The Ontario Plan would conflict with these contracts and cause a significant impact. Consequently, impacts to Williamson Act contracts would remain significant and unavoidable.

Development of the City in accordance with The Ontario 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 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 and impacts would remain significant and unavoidable.

Air Quality

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, this impact would remain significant and unavoidable.

Construction activities associated with buildout of The Ontario Plan would generate short-term emissions that exceed the South Coast Air Quality Management District's (SCAQMD) regional significance thresholds; cumulatively contribute to the SoCAB's nonattainment designations for ozone (O3), coarse inhalable particulate matter (PM10), and fine inhalable particulate matter (PM2.5); and potentially elevate concentrations of air pollutants at sensitive receptors. Mitigation Measure 3-1 would reduce The Ontario Plan's short-term construction-related volatile organic compounds (VOC), carbon monoxide (CO), oxides of nitrogen (NOx), PM10, and PM2.5 emissions but they would not be reduced to levels below the SCAQMD's regional thresholds and they would not reduce these impacts to less than significant. Consequently, construction air pollutant emissions generated by buildout of The Ontario Plan would remain significant and unavoidable.

Buildout of The Ontario Plan would generate long-term emissions that would exceed SCAQMD'S regional significance thresholds and cumulatively contribute to the SoCAB nonattainment designations for O3, PM10, and PM2.5. Mitigation Measure 3-2 would reduce long-term operational emissions of VOC, CO, NOx, PM10, and PM2.5 related to the buildout of The Ontario Plan but they would not reduce these emissions to levels below the SCAQMD's regional significance thresholds and impacts would not be less than significant. Consequently, operational impacts from buildout of The Ontario Plan would remain significant and unavoidable.

Approval of residential and other sensitive land uses within 500 feet of Interstate-10, Interstate-15, or State Route-60 would result in exposure of persons to substantial concentrations of diesel particulate matter. Mitigation Measure 3-3 would reduce impacts related to the exposure of sensitive receptors (residential and other sensitive land uses) to diesel particulate matter because of their placement near freeways within the City. However, it would not reduce this impact to be less than significant.

Conversion of agricultural land to nonagricultural uses would temporarily expose residents to objectionable odors and impacts would remain significant and unavoidable.

Cultural Resources

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 Measure 5-1 would require a historical evaluation for properties within historic resources in the Focus Areas under the City's ordinance. However, the ordinance does not provide a high level of protection for Tier III resources. As a result, demolition of historical resources categorized under the Ordinance as Tier III could potentially be impacted with implementation of the Proposed Land Use Plan. Consequently, Tier III historic resource impacts would remain significant and unavoidable.

Global Climate Change

Buildout of the City of Ontario would generate greenhouse gas emissions that would significantly contribute to global climate change impacts in California. Greenhouse gas (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. Mitigation Measures 6-1 through 6-6 would act to reduce the contributions of The Ontario Plan to global climate change but they would not reduce the impacts to less than significant.

Noise

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, impacts would remain significant and unavoidable.

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. Mitigation Measure 12-1 would decrease the exposure of sensitive receptors to excessive noise levels within 65 dBA CNEL contours, whether near Los Angeles/Ontario International Airport (LAONT) or other noise-producing areas such as freeways and railroads, but it would not reduce these impacts to less than significant.

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 groundborne vibration. Mitigation Measure 12-2 would reduce the impacts caused by construction-related vibrations on sensitive receptors but it would not reduce the impact to less than significant.

Impact 5.12-5. Significant. 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. Mitigation Measure 12-4 calls for the use of noise-reducing techniques during construction projects that would impact nearby sensitive receptors, such as the use of temporary sound walls and reduced unnecessary truck idling. However, these impacts would not be reduced to levels considered less than significant.

Noise-sensitive land uses within the 65 dBA CNEL contour of the Los Angeles/Ontario International Airport would be exposed to substantial levels of airport-related noise. Consequently, impacts would remain significant and unavoidable.

Transportation and Traffic

The increased development and population growth associated with the buildout of the Proposed Land Use Plan would cause deficient levels of service at 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. Mitigation Measure 16-1 would require the buildout of The Ontario Plan to be consistent with the traffic study prepared by Kimley-Horn and Associates. This traffic study indicates the appropriate lane geometry for area intersections. This would allow for intersections to have LOS values of E or above, but it would not improve the cumulative freeway LOS standards to appropriate levels. The City has no jurisdiction over Caltrans projects, such as freeway improvements. Therefore, the impacts related to cumulative LOS deficiencies on freeways would not be reduced to levels considered less than significant.

2. Mitigation Monitoring Process

2.1 MITIGATION MONITORING PROGRAM ORGANIZATION

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). The mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the Environmental Impact Report, specifications are made herein that identify the action required and the monitoring that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in the Mitigation Monitoring Program (MMP). In order to effectively track and document the status of mitigation measures, a mitigation matrix has been prepared and includes:

- Responsibility for implementation
- Timing
- Responsibility for monitoring
- Monitor

Mitigation measure timing of verification has been apportioned into several specific timing increments. Of these, the most common are:

- Prior to project approval
- Prior to issuance of grading permit(s)
- During construction

Information pertaining to compliance with mitigation measures or any necessary modifications or refinements will be documented in the comments portion of the matrix.

2.2 MITIGATION MONITORING PROCEEDURES

The City of Ontario Planning Department is the designated lead agency for the Mitigation Monitoring and Reporting Program. The City of Ontario includes the Mitigation Measures within the Special Conditions of Approval. The City is responsible for review of all monitoring reports, enforcement actions, and document disposition. The Planning Department shall designate a Project Mitigation Monitor for the proposed project.

2.2.1 In-Field Monitoring

The Responsible Monitoring Party shall exercise caution and professional practices at all times when monitoring construction. Protective wear (hard hats, glasses, etc.) shall be worn at all times in construction areas. Injuries shall be reported immediately to the Project Mitigation Monitor.

2.2.2 Coordination with Contractors

The construction manager/superintendent is responsible for coordination of contractors and for contractor completion of required measures in accordance with the provisions of this program.

2.2.3 Recognized Experts

The use of recognized experts as a component of the monitoring team is required to ensure compliance with scientific and engineering mitigation measures. While the recognized experts assess

compliance with required mitigation measures, consultation with the City of Ontario planning staff shall take place in the event of a dispute.

2.2.4 Enforcement

Agencies may enforce conditions of approval through their existing police power, using stop-work orders, fines, infraction citations, loss of entitlements, refusal to issue building permits or certificates of use and occupancy or, in some cases, notice of violation for tax purposes. Criminal misdemeanor sanctions could be available where the agency has adopted an ordinance requiring compliance with the monitoring program, similar to the provision in many zoning ordinances that affirm the enforcement power to bring suit against violators of the ordinances.

3. Mitigation Monitoring Requirements

3.1 CATEGORIZED MITIGATION MEASURES/MATRIX

Project-specific mitigation measures have been categorized in matrix format, as shown in Table 3-1. The matrix identifies the environmental factor, specific mitigation measures, schedule, and responsible monitor. The mitigation matrix will serve as the basis for scheduling the implementation of, and compliance with, all mitigation measures.

3.2 IN-FIELD MONITORING

Project monitors and technical subconsultants shall exercise caution and professional practices at all times when monitoring implementation of mitigation measures. Protective wear (e.g., hard hat, glasses) shall be worn at all times in construction areas. Injuries shall be immediately reported to the mitigation monitoring committee.

3.3 DATABASE MANAGEMENT

All mitigation monitoring reports, letters, and memos shall be prepared using Microsoft Word software on IBM-compatible PCs and processed according to the City's Environmental Compliance Program.

3.4 COORDINATION WITH CONTRACTORS

The construction manager is responsible for coordination of contractors and for contractor completion of required mitigation measures.

3.5 LONG-TERM MONITORING

Long-term monitoring related to several mitigation measures will be required, including fire safety inspections. Post-construction fire inspections are conducted on a routine basis by the Ontario Fire Department.

Table 3-1 ***Mitigation Monitoring Requirements***				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
5.3 AIR QUALITY				
3-1 The City of Ontario Building Department shall require that all new construction projects incorporate 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. • 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 .	City of Ontario Building Department in coordination with the landowner/project applicant's construction contractor	During construction	City of Ontario Building and Department and Developer/Contractor	

Table 3-1 Mitigation Monitoring Requirements					
	Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
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).	City of Ontario Planning/Engineering Department in coordination with the landowner/project applicant	Prior to individual project approvals	City of Ontario Planning Department	
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 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.	City of Ontario Planning Department in coordination with the landowner/project applicant	Prior to individual project approvals	City of Ontario Planning Department	
5.5 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 plan or development approvals.	City of Ontario Planning Department	Prior to individual project approvals	City of Ontario Planning Department	
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:	City of Ontario Planning Department in coordination with the Landowner/Project Applicant	Prior to individual project approvals	City of Ontario Planning Department	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
• Archaeologists and/or paleontologist shall be retained for the project and will be on call during grading and other significant ground-disturbing activities. • Should any cultural resources be discovered, no further grading shall occur in the area of the discovery until the Planning Director or designee is satisfied that adequate provisions are in place to protect these resources. • 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.	City of Ontario Planning Department	Prior to individual project approvals	City of Ontario Planning Department	
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	City of Ontario Planning Department in coordination with the	Prior to issuance of grading permit(s)	City of Ontario Planning Department	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
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.	Landowner/Project Applicant			
5.6 Global Climate Change				
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.	City of Ontario	Within 18 months of adopting The Ontario Plan	City of Ontario Planning Department/ Municipal Utilities Agency (MUA)	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
o The City shall establish a baseline inventory of GHG emissions including municipal emissions, and emissions from all business sectors and the community. o 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: o 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. o 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. o 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	City of Ontario Planning Department	Within 18 months of adopting The Ontario Plan	City of Ontario Planning Department	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
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.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
• 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.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
• Facilitate employment opportunities that minimize the need for private vehicle trips, by: o Amending zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations. o 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 ride-sharing and public transit at large events. • Support and promote the use of low-and zero-emission vehicles, by: o 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. o Encouraging new construction to include vehicle access to properly wired outdoor receptacles to accommodate ZEV and/or plug in electric hybrids (PHEV). o Encouraging transportation fleet standards to achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better fleet mixes. o 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.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
• 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: o Providing information, marketing, training, and technical assistance about green building practices. o Adopting a Green Building ordinance with guidelines for green building practices in residential and commercial development. o 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: o Standards for the installation of "cool roofs". o Standards for improved overall efficiency of lighting systems. o 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.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
• 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: o Conducting energy audits. o 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. o Implementing an energy tracking and management system for its municipal facilities. o Installing energy-efficient exit signs, street signs, and traffic lighting, subject to life/safety considerations. o Installing energy-efficient lighting retrofits and occupancy sensors, and institute a "lights out at night" policy, subject to life/safety considerations. o Retrofitting heating and cooling systems to optimize efficiency (e.g., replace chillers, boilers, fans, pumps, belts, etc.). o Installing Energy Star® appliances and energy-efficient vending machines. o Improving water use efficiency, including a schedule to replace or retrofit system components				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
with high- efficiency units (i.e., ultra-low-flow toilets, fixtures, etc.). o Installing irrigation control systems which maximize water use efficiency and minimize off- peak use. o 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: o Providing energy efficiency training to design, engineering, building operations, and maintenance staff. o 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. o 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				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
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: o Establishing a diversion target which meets or exceeds AB 939 requirements. o 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: o Maintaining and refining the City's tiered rate structure for water use. o Establishing restrictions on time of use for landscape watering, or other demand management strategies.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
o 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: o 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: o 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). o Establishing menus and checklists 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 drop-off 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.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
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: o 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: o Increasing allowable building height or allow height limit bonuses, in appropriate areas and where safe to do so. o 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. o Allowing reduced and shared parking based on the use mix, and availability of and proximity to public transit stops.	City of Ontario Planning Department	Within 18 months of adopting The Ontario Plan	City of Ontario Planning Department	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
o 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: o Providing maximum parking standards and flexible building height limitations. o Providing density bonus programs.				

Table 3-1 ***Mitigation Monitoring Requirements***				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
o Establishing guidelines for private and public spaces for transit-oriented and mixed-use development. o Discouraging auto-oriented development. • Ensure new development is designed to make public transit a viable choice for residents, including: o Locating medium to high density development near activity centers that can be served efficiently by public transit and alternative transportation modes. o Locating medium to high density development near streets served by public transit whenever feasible. o 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: o Designing or maintaining neighborhoods where the neighborhood amenities can be reached in approximately five minutes of walking. o Encouraging pedestrian-only streets and/or plazas within developments, and destinations that may be reached conveniently by public transportation, walking, or bicycling.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
o Allowing flexible parking strategies in neighborhood activity centers to foster a pedestrian-oriented streetscape. o Providing continuous sidewalks with shade trees and landscape strips to separate pedestrians from traffic. o 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 non- motorized travel. • Ensure pedestrian access to activities and services, especially within, but not limited to, mixed-use and transit- oriented development areas, by: o Ensuring new development that provides pedestrian connections in as many locations as possible to adjacent development, arterial streets, and thoroughfares. o Ensuring a balanced mix of housing, workplaces, shopping, recreational opportunities, and institutional uses, including mixed-use structures. o Locating schools in neighborhoods, within safe and easy walking distances of residences served. o Encouraging new development in which primary entrances are pedestrian entrances, with automobile entrances and parking located to the rear. o Supporting development where automobile access to buildings does not impede pedestrian access, by consolidating driveways between buildings or developing alley access.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
o Utilizing street parking as a buffer between sidewalk pedestrian traffic and the automobile portion of the roadway. o 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: o Including low-water landscaping in place of hardscaping around transportation infrastructure and in parking areas. o Establishing standards that provide for pervious pavement options. o 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: o 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: o Ensuring transit stops and bus lanes are safe, convenient, clean and efficient.				

Table 3-1 ***Mitigation Monitoring Requirements***				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
o Ensuring transit stops have clearly marked street-level designation and are accessible. o Ensuring transit stops are safe, sheltered, benches are clean, and lighting is adequate. o 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: o Amending zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations. o 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: o 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. o 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.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
• 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 ride-sharing 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: o 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. o Encouraging new construction to include vehicle access to properly wired outdoor receptacles to accommodate ZEV and/or plug in electric hybrids (PHEV). o Encouraging transportation fleet standards to achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better fleet mixes. o 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				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
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: o Establishing guidelines for green building practices in residential and commercial development. o 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: o Standards for the installation of "cool roofs". o Standards for improved overall efficiency of lighting systems. o Requirements for the use of Energy Star appliances and fixtures in discretionary new development. o 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.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
• 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: o Reviewing and revising building and development codes, design guidelines, and zoning ordinances to remove renewable energy production barriers. o 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. o 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: o 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.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
o Clear access without obstructions (chimneys, heating and plumbing vents, etc.) on the south sloped roof. o Roof framing that will support the addition of solar panels. o Installation of electrical conduit to accept solar electric system wiring. o 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: o Conducting energy audits. o 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. o Implementing an energy tracking and management system for its municipal facilities. o Installing energy-efficient exit signs, street signs, and traffic lighting, subject to life/safety considerations. o Installing energy-efficient lighting retrofits and occupancy sensors, and institute a "lights out at night" policy, subject to life/safety considerations.				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
o Retrofitting heating and cooling systems to optimize efficiency (e.g., replace chillers, boilers, fans, pumps, belts, etc.). o Installing Energy Star® appliances and energy-efficient vending machines. o 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.). o Installing irrigation control systems maximizing water use efficiency and minimizing off- peak use. o 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: o The Energy Star® New Homes Program established by U.S. EPA. o 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: o Maintaining and refining the City's tiered rate structure for water use. o Establishing restrictions on time of use for landscape watering, or other demand management strategies.				

Table 3-1 ***Mitigation Monitoring Requirements***				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
o 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: o 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: o 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). o 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: o Requiring planting drought-tolerant and native species and covering exposed dirt with moisture-retaining mulch or other materials such as decomposed granite. o 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:				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
o Establishing guidelines for tree planting based on the land use (residential, commercial, parking lots, etc.). o Establishing guidelines for tree types based on species size, branching patterns, whether deciduous or evergreen, whether roots are invasive, etc. o 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: o 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).	City of Ontario Planning Department	Prior to adoption of the Climate Action Plan	City of Ontario Planning Department	
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.	City of Ontario Planning Department	Prior to individual project approvals	City of Ontario Planning Department	
6-6 The City of Ontario shall participate in the County of San Bernardino's Green Valley Initiative.	City of Ontario Planning Department	Prior to individual project approvals	City of Ontario Planning Department	
5.12 NOISE				

Table 3-1 Mitigation Monitoring Requirements					
	Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
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).	City of Ontario Planning/Building Department in coordination with the Landowner/Project Applicant	Prior to individual project approvals	City of Ontario Planning/Building Department	
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).	City of Ontario Planning/Building/MUA Department in coordination with the Landowner/Project Applicant's construction contractor	During construction	City of Ontario Building/MUA Department	
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	City of Ontario Planning/Building Department with collaboration with the Landowner/Project Applicant	Prior to individual project approvals	City of Ontario Building Department	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
during the nighttime for residential uses, 84 VdB for office uses, and 90 VdB for workshops.				
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 non-essential 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.	City of Ontario Building/Planning/MUA Department in coordination with the Landowner/Project Applicant's construction contractor	During construction	City of Ontario Building/Planning/MUA Department	
5.16 TRANSPORTATION AND CIRCULATION				
16-1 The Mobility Element of the Ontario Plan shall be consistent with the traffic study prepared by Kimley-Horn and Associates in 2009. Table 5.16-6 in Section 5.16, *Transportation and Traffic,* shows the recommended lane geometry for the Proposed Land Use Plan.	City of Ontario Engineering/Planning Department	Ongoing	City of Ontario Engineering/Planning Department	
5.17 UTILITIES AND SERVICE SYSTEMS				
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: • Work cooperatively with all developers to incorporate conservation measures into project designs (such as those recommended by the California Urban Water Conservation Council). • Continue to develop and implement drought contingency plans to assist citizens and businesses	City of Ontario Planning/MUA Department	Ongoing	City of Ontario Planning/MUA/Engineering Department	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	***Responsibility for Implementation***	***Timing***	***Responsibility for Monitoring***	***Monitor (Signature Required) (Date of Compliance)***
reduce water use during water shortages and emergencies. • 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 1881.				
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.	City of Ontario Planning Department in coordination with City of Ontario MUA/Engineering Department	Ongoing	City of Ontario Planning/MUA/Engineering Department	
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.	City of Ontario Planning Department in coordination with City of Ontario MUA/Engineering Department	Ongoing	City of Ontario Planning/MUA/Engineering Department	

ATTACHMENT B:
Traffic Impact Analysis

(Document to follow this page)

August 27, 2020

TJW ENGINEERING, INC.
TRAFFIC ENGINEERING &
TRANSPORTATION PLANNING
CONSULTANTS

Mr. William D. Vogel
VOGEL PROPERTIES, INC.
300 Paseo Tesoro
Walnut, CA 91789

Subject: 3555 E Airport Drive Focused Traffic Analysis, City of Ontario

Dear Mr. Vogel,

TJW ENGINEERING, INC. (TJW) is pleased to present you with this focused traffic analysis for the proposed 3555 E. Airport Drive Project. The proposed project is located at the northeast corner of the intersection of Airport Drive and Haven Avenue in the City of Ontario.

This focused traffic analysis has been prepared to analyze project trip generation and assess the performance of a single westbound right turn lane compared to dual westbound right turn lanes at the intersection of Airport Drive and Haven Avenue. This report is being submitted to you for review and forwarding to the City of Ontario.

Please contact us at (949) 878-3509 if you have any questions regarding this analysis.

Sincerely,

Thomas Wheat, PE, TE
President

David Chew, PTP
Transportation Planner

Registered Civil Engineer *#69467*
Registered Traffic Engineer *#2565*

Jeffrey Chinchilla, PE
Project Engineer

1.1 PROJECT DESCRIPTION

The project is located at the northeast corner of the intersection of Airport Drive and Haven Avenue in the City of Ontario. According to the California Commerce Center Specific Plan, the site's current designated land use is Commercial/Food/Hotel. The proposed project would change the designated land use to Industrial.

The proposed project consists of 201,491 square foot building consisting of 198,991 square feet of warehouse use and 5,000 square feet of office use. Site access is planned along Airport Drive via one full-access driveway and one right-in-right-out driveway. The proposed project is anticipated to be built and generating trips in 2022. The proposed project location and project site plan are provided in the appendix.

1.2 PROJECT TRIP GENERATION ANALYSIS

Trip generation represents the amount of traffic, both inbound and outbound, produced by a development. Determining trip generation for a proposed project is based on projecting the amount of traffic that the specific land uses being proposed will produce. Industry standard *Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition, 2017)* trip generation rates were used to determine trip generation for the proposed project land uses.

Table 1 summarizes the projected AM peak hour, PM peak hour and daily trip generation of the proposed project. The proposed project is projected to generate 423 daily trips, 43 AM peak hour trips, and 49 PM peak hour trips.

According to the California Commerce Center Specific Plan, the site's current designated land use is Commercial/Food/Hotel. The proposed project would change the designated land use to Industrial. Due to the change in land use, a trip generation analysis has been prepared to determine net differences in trip generation forecasts. ***Table 2*** summarizes the projected net difference between the proposed project trip generation and the California Commerce Center Specific Plan land use designation trip generation. A projected net difference of -7,183 daily trips, -146 AM peak hour trips, and -719 PM peak hour trips is expected between designated and proposed land uses.

Table 1

Proposed Project Trip Generation

Proposed Land Use[1]	Qty	Unit[2]	Daily Trips (ADTs)		AM Peak Hour					PM Peak Hour				
			Rate	Volume	Rate	In:Out Split	Volume			Rate	In:Out Split	Volume		
							In	Out	Total			In	Out	Total
Warehousing (150)	196.49	TSF	1.74	342	0.17	77:23	25	8	33	0.19	27:73	10	27	37
Small Office (712)	5.00	TSF	16.19	81	1.92	83:17	8	2	10	2.45	32:68	4	8	12
Total	**201.49**	**TSF**		**423**			**33**	**10**	**43**			**14**	**35**	**49**

1: Rates from ITE Trip Generation (10th Edition, 2017)

2: TSF = Thousand Square Feet

Table 2

Net Difference in Trip Generation

Land Use[1]	Qty	Unit[2]	Daily Trips (ADTs)		AM Peak Hour					PM Peak Hour				
			Rate	Volume	Rate	In:Out Split	Volume			Rate	In:Out Split	Volume		
							In	Out	Total			In	Out	Total
Proposed Project														
Warehousing (150)	196.49	TSF	1.74	342	0.17	77:23	25	8	33	0.19	27:73	10	27	37
Small Office (712)	5.00	TSF	16.19	81	1.92	83:17	8	2	10	2.45	32:68	4	8	12
Total		TSF		423			33	10	43			14	35	49
Designated Land Use														
Shopping Center/Commercial (820)	201.49	TSF	37.75	7,606	0.94	62:38	117	72	189	3.81	48:52	369	399	768
Net Difference				**-7,183**			**-84**	**-62**	**-146**			**-355**	**-364**	**-719**

1: Rates from ITE Trip Generation (10th Edition, 2017)

2: TSF = Thousand Square Feet

1.2 INTERSECTION ANALYSIS METHODOLOGY

Level of Service (LOS) is commonly used to describe the quality of flow on roadways and at intersections using a range of LOS from LOS A (free flow with little congestion) to LOS F (severely congested conditions). The definitions for LOS for interruption of traffic flow differ depending on the type of traffic control (traffic signal, unsignalized intersection with side street stops, unsignalized intersection with all-way stops). The *Highway Capacity Manual (HCM) 6* (Transportation Research Board, 2016) methodology expresses the LOS of an intersection in terms of delay time for the intersection approaches. The HCM methodology utilizes different procedures for different types of intersection control.

The City of Ontario and Caltrans traffic impact study guidelines require signalized intersection operations be analyzed utilizing the HCM 6th Edition methodology. Intersection LOS for signalized intersections is based on the intersections average control delay for all movements at the intersection during the peak hour. Control delay includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay.

Table 3 describes the general characteristics of traffic flow and accompanying delay ranges at signalized intersections.

Table 3

HCM – LOS & Delay Ranges – Signalized Intersections

Level Of Service	Description	Delay (in seconds)
A	Very favorable progression; most vehicles arrive during green signal and do not stop. Short cycle lengths.	0 – 10.00
B	Good progression, short cycle lengths. More vehicles stop than for LOS A.	10.01 – 20.00
C	Fair progression; longer cycle lengths. Individual cycle failures may begin to appear. The number of vehicles stopping is significant, though many vehicles still pass through without stopping.	20.01 – 35.00
D	Progression less favorable, longer cycle length and high flow/capacity ratio. The proportion of vehicles that pass through without stopping diminishes. Individual cycle failures are obvious.	35.01 – 55.00
E	Severe congestion with some long standing queues on critical approaches. Poor progression, long cycle lengths and high flow/capacity ratio. Individual cycle failures are frequent.	55.01 – 80.00
F	Very poor progression, long cycle lengths and many individual cycle failures. Arrival flow rates exceed capacity of intersection.	> 80.01

Source: Transportation Research Board, *Highway Capacity Manual*, HCM6 Edition (Washington D.C., 2016).

Collected peak hour traffic volumes have been adjusted using a peak hour factor (PHF) to reflect peak 15-minute volumes. It is a common practice in LOS analysis to conservatively use a peak 15-minute flow rate applied to the entire hour to derive flow rates in vehicles per hour that are used in the LOS analysis. The PHF is the relationship between the peak 15-minute flow rate and the full hourly volume. PHF = [Hourly Volume]/

[4 * Peak 15-Minute Volume]. The use of a 15-minute PHF produces a more detailed and conservative analysis compared to analyzing vehicles per hour. Existing PHFs, obtained from the existing traffic counts have been used for all analysis scenarios in this study.

1.3 TRAFFIC COUNTS AND VOLUME DEVELOPMENT

Due to the ongoing effects of COVID-19, traffic volumes have been lower than average. To account for abnormal traffic volumes, a 2% growth rate was applied to historical traffic counts from November of 2019 to establish existing 2020 volumes. A growth rate of 2% was applied to existing 2020 volumes to develop project opening year and buildout year volumes.

Existing (2020) = [Historical (2019) Counts * 1.02^1]

Project Opening Year (2022) = [Existing (2020) Volumes * 1.02^2]

Buildout Year (2040) = [Existing (2020 Volumes) * 1.02^20]

Traffic volumes were converted into Passenger Car Equivalents (PCEs) utilizing the following factors:

- 2-axle trucks: 2.0 PCE
- 3-axle trucks: 2.5 PCE
- 4+ axle trucks: 3.0 PCE

1.4 PROJECT OPENING YEAR (2022) CONDITIONS LANE CONFIGURATION ANALYSIS

The *City of Ontario General Plan Update Transportation Technical Report* recommends the following westbound approach configuration for the intersection of Airport Drive and Haven Avenue:

- 2 left turn lanes, 3 through lanes, and 2 right turn lanes.

Due to the decrease in projected trip generation, a lane configuration analysis was conducted to determine the need for two right turn lanes as recommended in the *Transportation Technical Report*.

Project opening year conditions AM and PM peak hour intersection analysis is shown in ***Table 4***. Calculations are based on the lane configuration shown in ***Exhibit 1***. ***Exhibit 1*** also shows *project opening year* AM and PM peak hour volumes at the study intersection of Airport Drive and Haven Avenue. HCM analysis sheets are provided in the appendix.

Traffic operations are evaluated for the following time periods:

- Weekday AM Peak Hour occurring within 7:00 AM to 9:00 AM; and
- Weekday PM Peak Hour occurring within 4:00 PM to 6:00 PM.

Table 4

Intersection Analysis – Opening Year Conditions

Intersection			Control Type	Peak Hour	Opening Year Conditions			
					1 WBR Lanes		2 WBR Lanes	
					Delay[1]	LOS	Delay[1]	LOS
1	Airport Dr	Haven Ave	Signal	AM	32.5	C	32.1	C
				PM	53.8	D	44.2	D

1: Delay shown in seconds per vehicle. Per the Highway Capacity Manual 6th Edition, overall average delay and LOS are shown for signalized intersections.
Note: WBR = Westbound Right

Policy 12.2 of the *City of Ontario General Plan Infrastructure Element* indicates that LOS E should be maintained at intersections. As shown in ***Table 4***, the study intersection is projected to operate at an acceptable LOS during the AM and PM peak hours for *opening year* conditions for both single and dual westbound right lane configurations.

1.5 BUILDOUT YEAR (2040) CONDITIONS LANE CONFIGURATION ANALYSIS

Buildout year conditions AM and PM peak hour intersection analysis is shown in ***Table 5***. Calculations are based on the lane geometry shown in ***Exhibit 2***. ***Exhibit 2*** also shows *buildout year* AM and PM peak hour volumes at the study intersection. HCM analysis sheets are provided in the appendix.

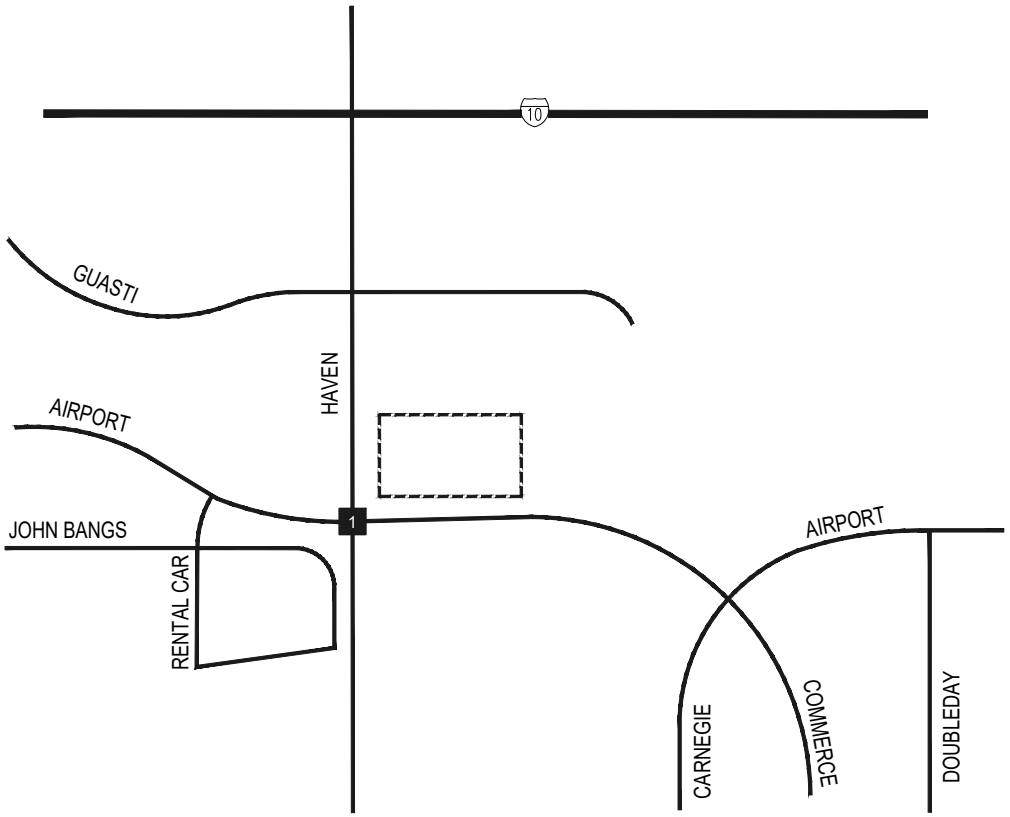
Table 5

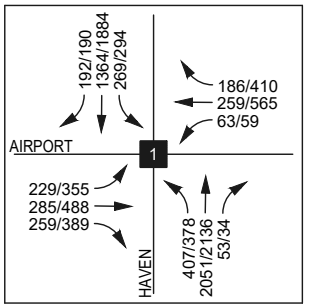
Intersection Analysis – Buildout Year Conditions

Intersection			Control Type	Peak Hour	Buildout Year Conditions			
					1 WBR Lanes		2 WBR Lanes	
					Delay[1]	LOS	Delay[1]	LOS
1	Airport Dr	Haven Ave	Signal	AM	43.9	D	40.5	D
				PM	75.8	E	67.4	E

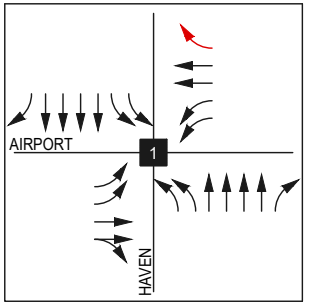
1: Delay shown in seconds per vehicle. Per the Highway Capacity Manual 6th Edition, overall average delay and LOS are shown for signalized intersections.
Note: WBR = Westbound Right

Policy 12.2 of the *City of Ontario General Plan Infrastructure Element* indicates that LOS E should be maintained at intersections. As shown in ***Table 5***, the study intersection is projected to operate at an acceptable LOS during the AM and PM peak hours for *buildout year* conditions for both single and dual westbound right lane configurations.

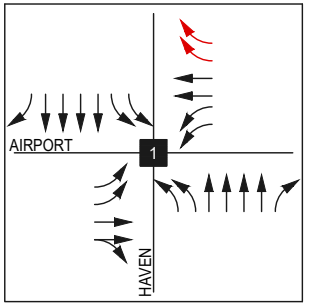




TRAFFIC VOLUMES



LANE GEOMETRY (1 WBR)



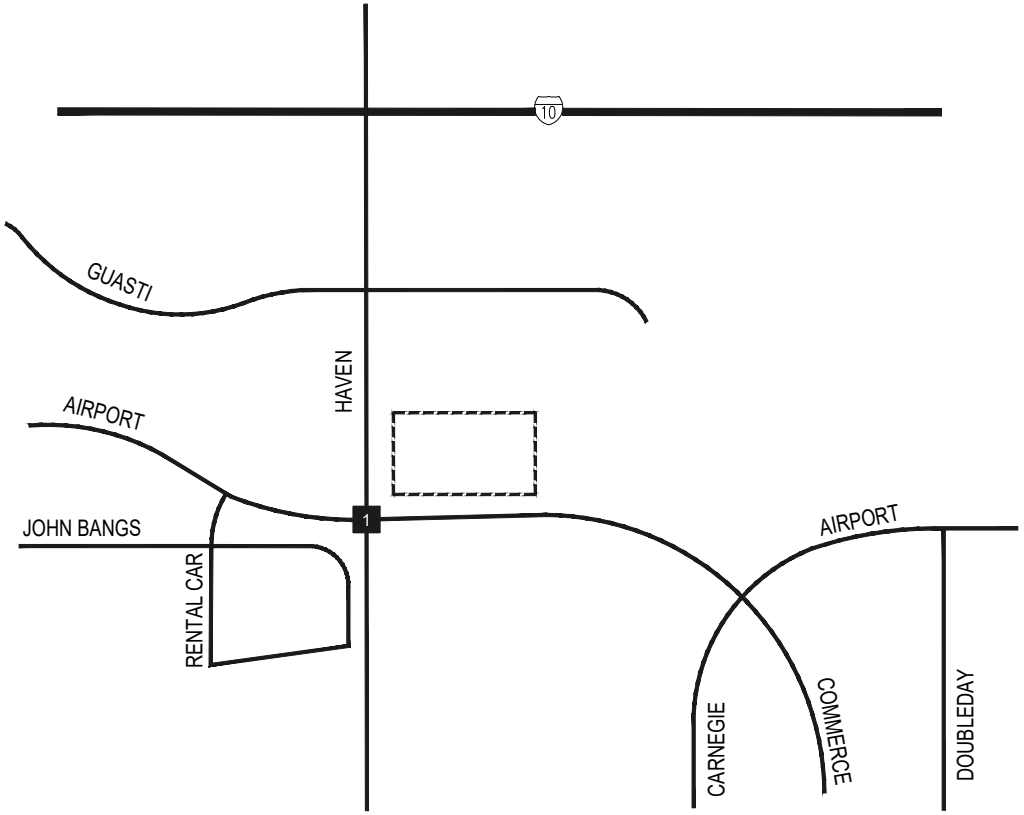
LANE GEOMETRY (2 WBR)

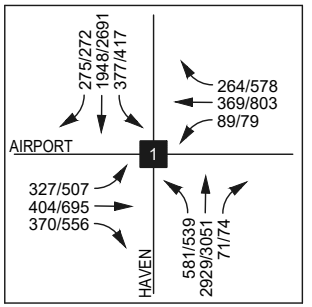
Legend:

XX/XX	AM/PM Peak Hour Volumes
←	Existing Lane
↖	Westbound Right Turn Lane
■	Signal-Controlled Intersection
----------	Project Site

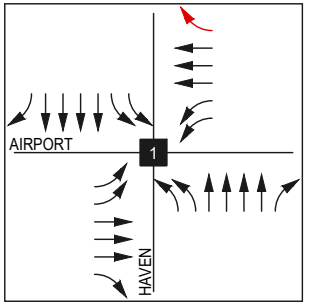
Exhibit 1: Project Opening Year (2022)AM/PM Peak Hour Volumes and Lane Geometry

Not to Scale

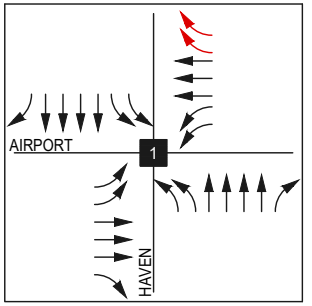




TRAFFIC VOLUMES



LANE GEOMETRY (1 WBR)



LANE GEOMETRY (2 WBR)

Legend:

XX/XX	AM/PM Peak Hour Volumes
←	Existing Lane
↰	Westbound Right Turn Lane
■	Signal-Controlled Intersection
----------	Project Site

Exhibit 2: Buildout Year (2040) AM/PM Peak Hour Volumes and Lane Geometry

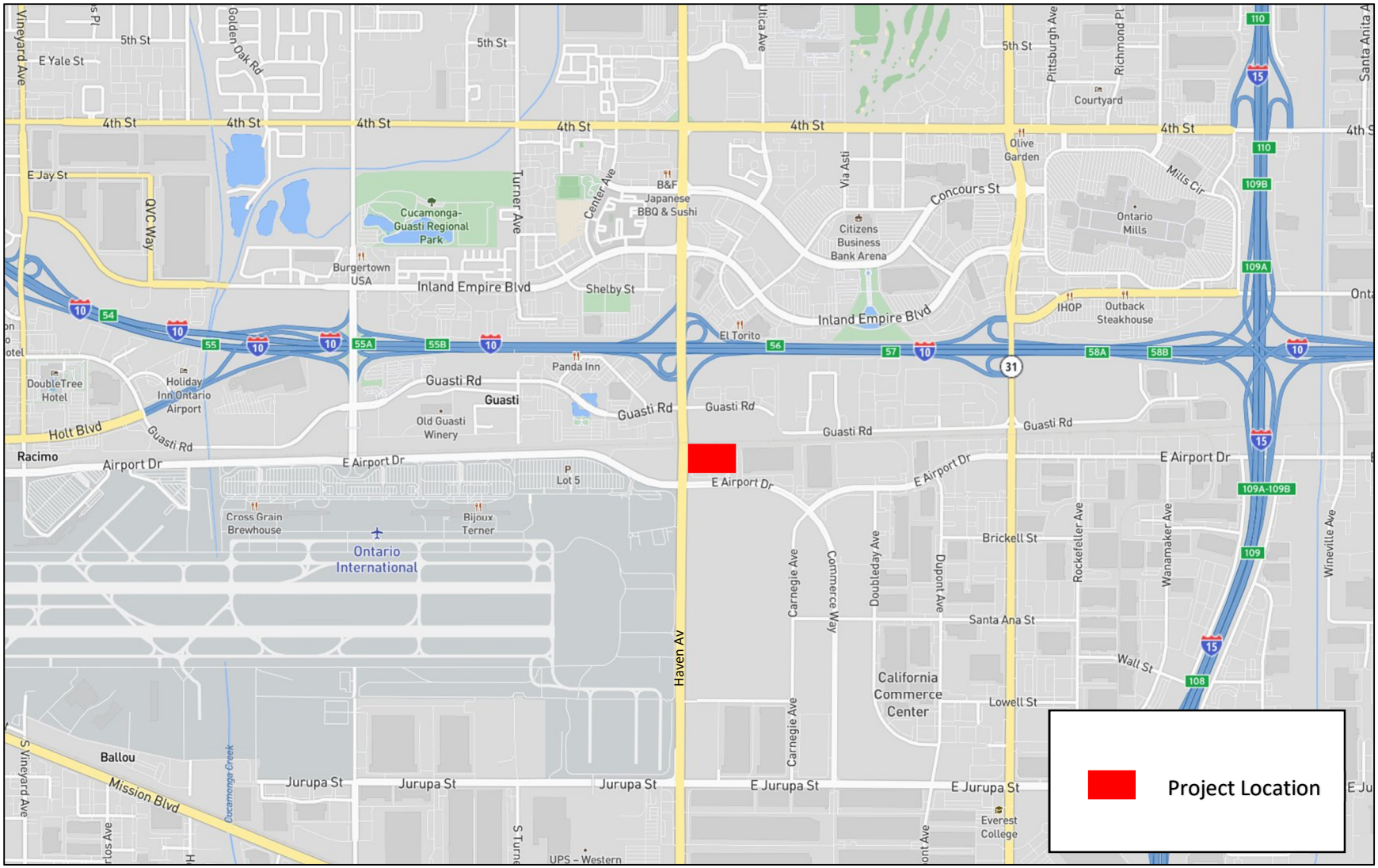
Not to Scale

1.6 CONCLUSION

The proposed project would change the designated land use from Commercial/Food/Hotel to Industrial. A projected net difference of -7,183 daily trips, -146 AM peak hour trips, and -719 PM peak hour trips is anticipated between designated and proposed land uses.

The *City of Ontario General Plan Update Transportation Technical Report* recommends westbound dual right turn lanes at the intersection of Airport Drive/Haven Avenue. To determine if the decrease in projected trip generation would continue to warrant a second right turn lane, the intersection was analyzed with single and dual westbound right turn lane configurations. Lane configurations were analyzed for *project opening year* and *buildout year* conditions. The analysis results indicate that the intersection will operate at an acceptable LOS for *project opening year* and *buildout year* conditions with either single or dual westbound right turn lanes.

APPENDIX


Project Location
Ontario International
Guasti
Racimo
Ballou
California Commerce Center
Haven Av
Guasti Rd
Airport Dr
E Airport Dr
Holt Blvd
Mission Blvd
Jurupa St
E Jurupa St
Inland Empire Blvd
4th St
5th St
Concours St
Brickell St
Santa Ana St
Wall St
Lowell St
Carnegie Ave
Commerce Way
Doubleday Ave
Dupont Ave
Rockefeller Ave
Wanamaker Ave
Wineville Ave
Turner Ave
Center Ave
Via Asti
Shelby St
Cucamonga-Guasti Regional Park
Old Guasti Winery
Cross Grain Brewhouse
Bijoux Terner
Panda Inn
El Torito
Olive Garden
Citizens Business Bank Arena
Ontario Mills
Courtyard
IHOP
Outback Steakhouse
B&F Japanese BBQ & Sushi
Burgertown USA
DoubleTree Hotel
Holiday Inn Ontario Airport
Everest College
UPS – Western
P Lot 5
Cucamonga Creek
Golden Oak Rd
Vineyard Ave
QVC Way
E Yale St
E Jay St
Utica Ave
Pittsburgh Ave
Richmond Pl
Mills Cir
Santa Anita Ave
10
15
31
54
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55A
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58A
58B
109A-109B
109A
109B
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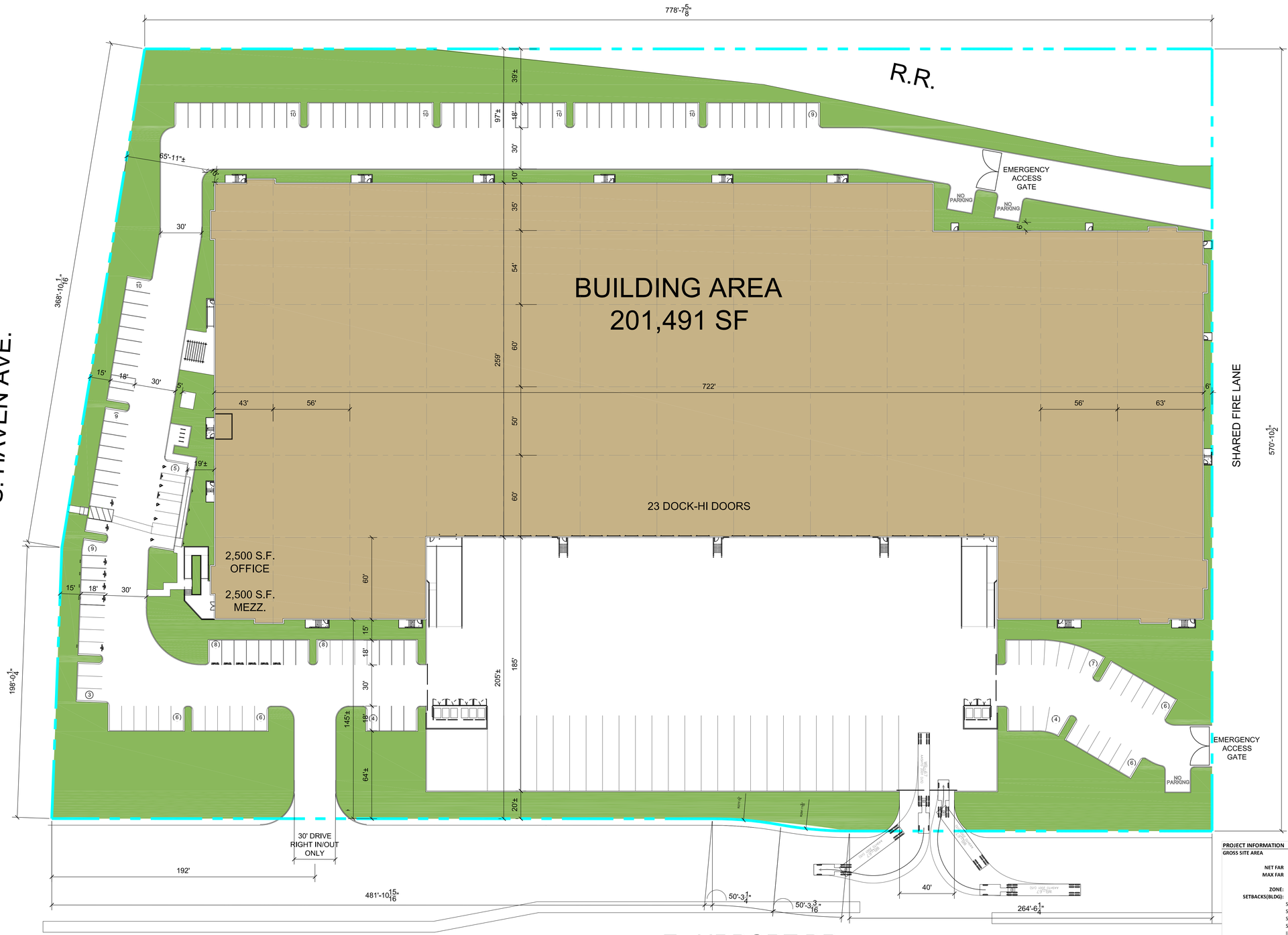

A CONCEPTUAL SITE PLAN
SCALE: 1" = 60'

PROJECT INFORMATION	SCH 2		07.13.2020
GROSS SITE AREA	10.65 AC	463,978 .	
NET FAR		43.4%	
MAX FAR		55.0%	
ZONE:		(I-L) INDUSTRIAL LIGHT	
SETBACKS(BLDG):			
	STREET FRONT BLDG. SETBACK (E. AIRPORT DR.)	35'	
	STREET SIDE BLDG. SETBACK (S. HAVEN AVE.)	45'	
	STREET FRONT LANDSCAPE SETBACK	20'	
	STREET SIDE LANDSCAP SETBACK (S.HAVEN AVE.)	15'	
	INT/REAR SETBACK	0'	
TOTAL BUILDING AREA		201,491 SF	
FOOTPRINT		198,991 SF	
	WAREHOUSE	196,491	
	OFFICE	2,500	
MEZZANINE		2,500	
	OFFICE	2,500	
TOTAL PARKING REQUIRED (9' x 18')		131	
WAREHOUSE @ 1/1,000 UP TO 20K		20	
WAREHOUSE @ 1/2,000 OVER 20K		91	
OFFICE @ 1/250 IF OVER 10%		20	
PARKING PROVIDED (9' x 18')		140	
	STANDARD	122	
	ADA	5	
	EV VAN ADA	1	
	EV ADA	1	
	EV	5	
	CLEAN AIR	6	
	TRAILER PROVIDED (12X45)	25	
LANDSCAPE	REQUIRED	15.0% 69,597 SF	
	PROVIDED	18.1% 83,752 SF	

PROJECT
VOGEL HAVEN - 3525 E AIRPORT DR
ONTARIO, CA

SCHEME 2
SITE PLAN

HERDMAN
ARCHITECTURE + DESIGN
16201 Scientific Way
Irvine, CA 92618
www.HerdmanRierson.com
714.389.2800
info@HerdmanRierson.com

A19-2147
07.13.2020

NORTH

CONCEPTUAL
SITE PLAN

1896

TRAFFIC COUNTS

Counts Unlimited
PO Box 1178
Corona, CA 92878
(951) 268-6268

City of Ontario
N/S: South Haven Avenue
E/W: East Airport Drive
Weather: Clear

File Name : 12_ONT_S Haven_Airport AM
Site Code : 99919787
Start Date : 11/7/2019
Page No : 1

Groups Printed- Passenger Vehicles - Large 2 Axle Vehicles - 3 Axle Vehicles - 4+ Axle Trucks

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
06:00 AM	30	170	43	243	4	30	7	41	27	126	6	159	25	20	15	60	503
06:15 AM	24	204	34	262	3	23	14	40	42	198	2	242	30	23	25	78	622
06:30 AM	37	270	35	342	8	23	14	45	43	236	6	285	24	37	43	104	776
06:45 AM	53	271	39	363	5	46	23	74	54	281	6	341	36	46	47	129	907
Total	144	915	151	1210	20	122	58	200	166	841	20	1027	115	126	130	371	2808
07:00 AM	40	313	33	386	7	30	29	66	70	303	5	378	24	32	41	97	927
07:15 AM	35	294	44	373	3	36	19	58	60	346	4	410	35	44	49	128	969
07:30 AM	45	316	36	397	14	60	32	106	89	439	6	534	57	79	61	197	1234
07:45 AM	80	306	48	434	13	52	35	100	88	474	6	568	60	77	70	207	1309
Total	200	1229	161	1590	37	178	115	330	307	1562	21	1890	176	232	221	629	4439
08:00 AM	45	328	53	426	10	62	31	103	93	449	4	546	47	43	54	144	1219
08:15 AM	44	257	41	342	4	40	38	82	100	433	9	542	46	39	51	136	1102
08:30 AM	47	268	50	365	6	40	38	84	104	454	6	564	53	36	48	137	1150
08:45 AM	39	260	47	346	7	37	24	68	77	422	12	511	64	36	53	153	1078
Total	175	1113	191	1479	27	179	131	337	374	1758	31	2163	210	154	206	570	4549
Grand Total	519	3257	503	4279	84	479	304	867	847	4161	72	5080	501	512	557	1570	11796
Apprch %	12.1	76.1	11.8		9.7	55.2	35.1		16.7	81.9	1.4		31.9	32.6	35.5		
Total %	4.4	27.6	4.3	36.3	0.7	4.1	2.6	7.3	7.2	35.3	0.6	43.1	4.2	4.3	4.7	13.3	
Passenger Vehicles	487	3097	495	4079	63	424	251	738	832	3883	53	4768	494	464	547	1505	11090
% Passenger Vehicles	93.8	95.1	98.4	95.3	75	88.5	82.6	85.1	98.2	93.3	73.6	93.9	98.6	90.6	98.2	95.9	94
Large 2 Axle Vehicles	9	57	5	71	4	37	11	52	7	133	1	141	2	28	3	33	297
% Large 2 Axle Vehicles	1.7	1.8	1	1.7	4.8	7.7	3.6	6	0.8	3.2	1.4	2.8	0.4	5.5	0.5	2.1	2.5
3 Axle Vehicles	7	24	0	31	2	6	6	14	2	26	1	29	3	11	2	16	90
% 3 Axle Vehicles	1.3	0.7	0	0.7	2.4	1.3	2	1.6	0.2	0.6	1.4	0.6	0.6	2.1	0.4	1	0.8
4+ Axle Trucks	16	79	3	98	15	12	36	63	6	119	17	142	2	9	5	16	319
% 4+ Axle Trucks	3.1	2.4	0.6	2.3	17.9	2.5	11.8	7.3	0.7	2.9	23.6	2.8	0.4	1.8	0.9	1	2.7

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 06:00 AM to 08:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	45	316	36	397	14	60	32	106	89	439	6	534	57	79	61	197	1234
07:45 AM	80	306	48	434	13	52	35	100	88	474	6	568	60	77	70	207	1309
08:00 AM	45	328	53	426	10	62	31	103	93	449	4	546	47	43	54	144	1219
08:15 AM	44	257	41	342	4	40	38	82	100	433	9	542	46	39	51	136	1102
Total Volume	214	1207	178	1599	41	214	136	391	370	1795	25	2190	210	238	236	684	4864
% App. Total	13.4	75.5	11.1		10.5	54.7	34.8		16.9	82	1.1		30.7	34.8	34.5		
PHF	.669	.920	.840	.921	.732	.863	.895	.922	.925	.947	.694	.964	.875	.753	.843	.826	.929

Counts Unlimited
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Site Code : 99919787
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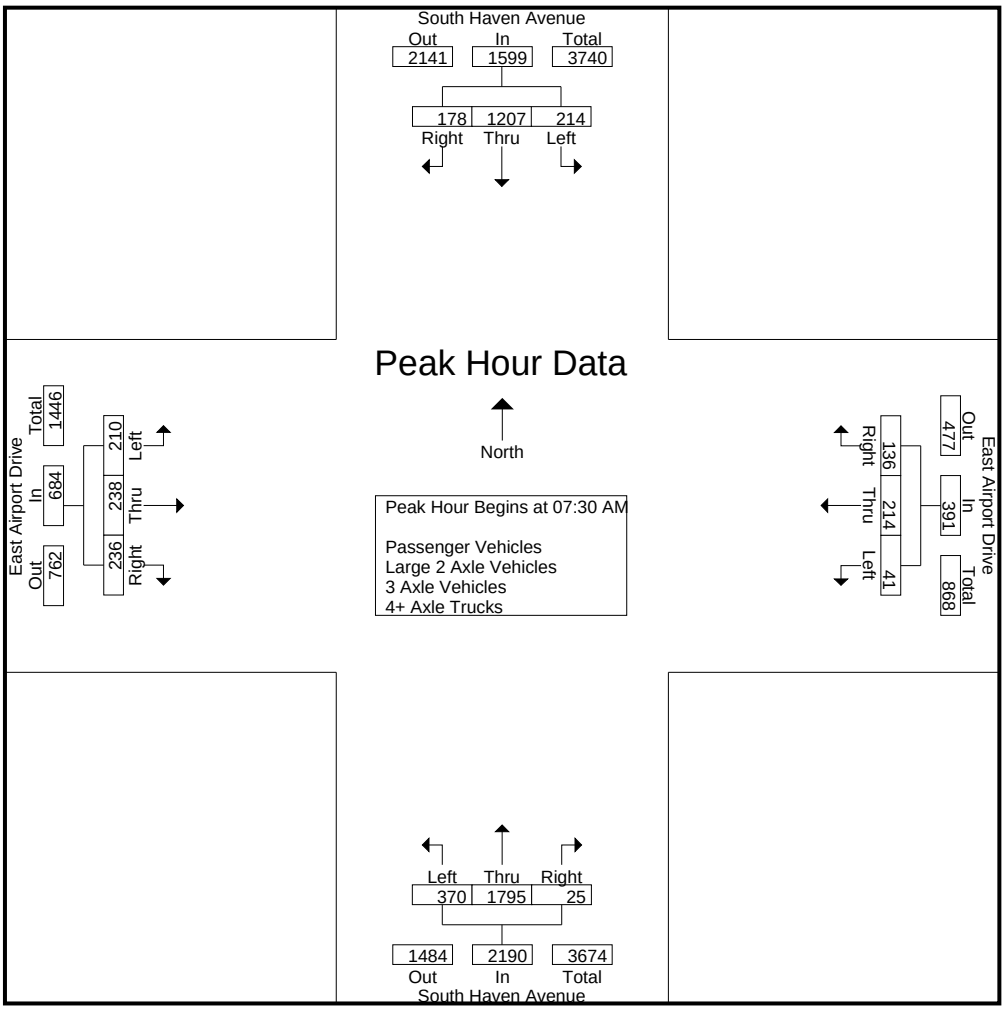
Page No : 2



Peak Hour Analysis From 06:00 AM to 08:45 AM - Peak 1 of 1
Peak Hour for Each Approach Begins at:

	07:15 AM				07:30 AM				07:45 AM				07:30 AM			
+0 mins.	35	294	44	373	14	60	32	106	88	474	6	568	57	79	61	197
+15 mins.	45	316	36	397	13	52	35	100	93	449	4	546	60	77	70	207
+30 mins.	80	306	48	434	10	62	31	103	100	433	9	542	47	43	54	144
+45 mins.	45	328	53	426	4	40	38	82	104	454	6	564	46	39	51	136
Total Volume	205	1244	181	1630	41	214	136	391	385	1810	25	2220	210	238	236	684
% App. Total	12.6	76.3	11.1		10.5	54.7	34.8		17.3	81.5	1.1		30.7	34.8	34.5	
PHF	.641	.948	.854	.939	.732	.863	.895	.922	.925	.955	.694	.977	.875	.753	.843	.826

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File Name : 12_ONT_S Haven_Airport AM
Site Code : 99919787
Start Date : 11/7/2019
Page No : 1

Groups Printed- Passenger Vehicles

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
06:00 AM	27	159	43	229	2	28	5	35	27	110	4	141	24	17	14	55	460
06:15 AM	22	193	33	248	2	20	9	31	42	174	0	216	30	22	25	77	572
06:30 AM	37	255	34	326	6	19	11	36	41	210	5	256	23	30	43	96	714
06:45 AM	50	259	37	346	5	38	19	62	52	259	5	316	36	44	46	126	850
Total	136	866	147	1149	15	105	44	164	162	753	14	929	113	113	128	354	2596
07:00 AM	39	304	33	376	6	28	26	60	70	286	5	361	24	29	41	94	891
07:15 AM	34	281	44	359	2	34	14	50	60	326	4	390	35	42	48	125	924
07:30 AM	40	308	35	383	11	53	26	90	84	417	5	506	57	76	59	192	1171
07:45 AM	76	298	48	422	10	47	30	87	86	454	2	542	59	71	68	198	1249
Total	189	1191	160	1540	29	162	96	287	300	1483	16	1799	175	218	216	609	4235
08:00 AM	41	311	52	404	8	56	28	92	91	426	3	520	46	37	53	136	1152
08:15 AM	42	238	41	321	3	36	33	72	100	410	7	517	44	36	51	131	1041
08:30 AM	47	246	48	341	2	34	33	69	102	417	3	522	53	29	46	128	1060
08:45 AM	32	245	47	324	6	31	17	54	77	394	10	481	63	31	53	147	1006
Total	162	1040	188	1390	19	157	111	287	370	1647	23	2040	206	133	203	542	4259
Grand Total	487	3097	495	4079	63	424	251	738	832	3883	53	4768	494	464	547	1505	11090
Apprch %	11.9	75.9	12.1		8.5	57.5	34		17.4	81.4	1.1		32.8	30.8	36.3		
Total %	4.4	27.9	4.5	36.8	0.6	3.8	2.3	6.7	7.5	35	0.5	43	4.5	4.2	4.9	13.6	

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	40	308	35	383	11	53	26	90	84	417	5	506	57	76	59	192	1171
07:45 AM	76	298	48	422	10	47	30	87	86	454	2	542	59	71	68	198	1249
08:00 AM	41	311	52	404	8	56	28	92	91	426	3	520	46	37	53	136	1152
08:15 AM	42	238	41	321	3	36	33	72	100	410	7	517	44	36	51	131	1041
Total Volume	199	1155	176	1530	32	192	117	341	361	1707	17	2085	206	220	231	657	4613
% App. Total	13	75.5	11.5		9.4	56.3	34.3		17.3	81.9	0.8		31.4	33.5	35.2		
PHF	.655	.928	.846	.906	.727	.857	.886	.927	.903	.940	.607	.962	.873	.724	.849	.830	.923

Counts Unlimited
PO Box 1178
Corona, CA 92878
(951) 268-6268

City of Ontario
N/S: South Haven Avenue
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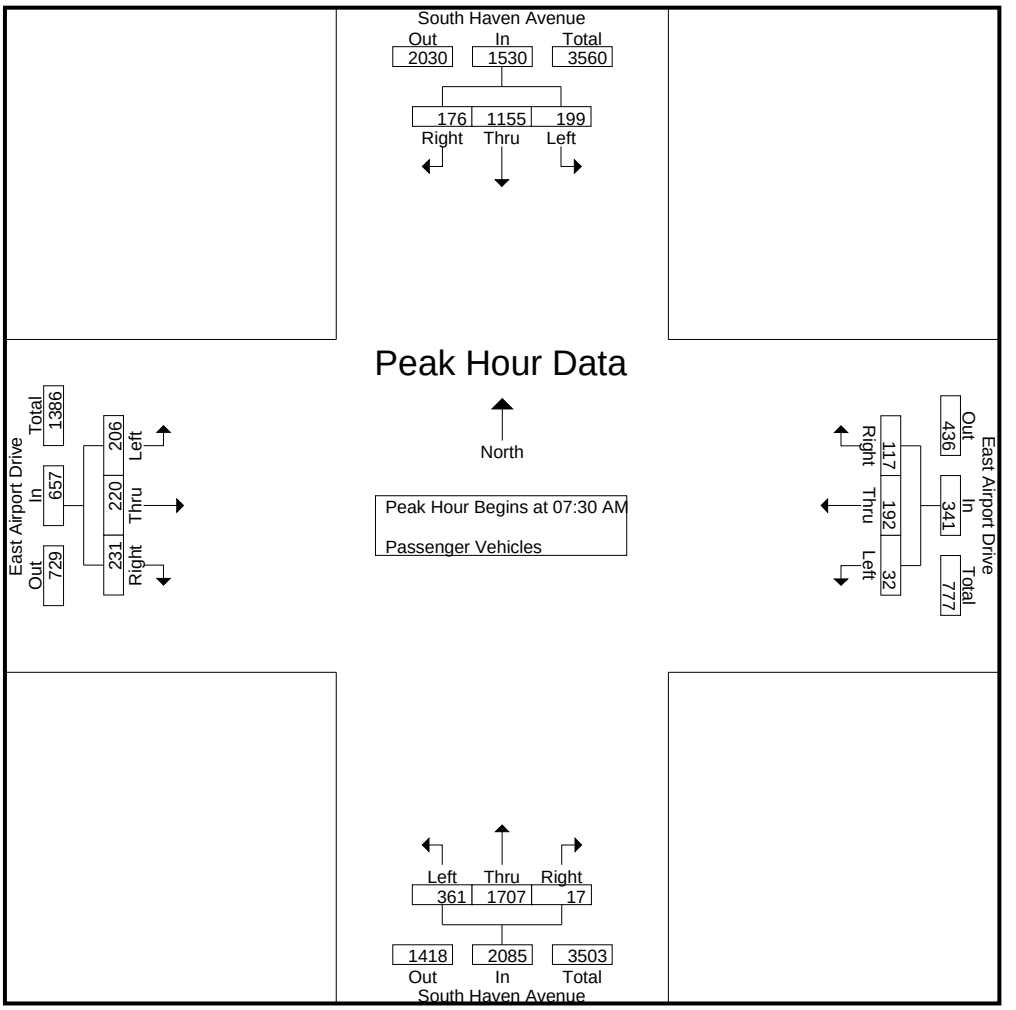
Weather: Clear

File Name : 12_ONT_S Haven_Airport AM
Site Code : 99919787
Start Date : 11/7/2019
Page No : 2



Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1
Peak Hour for Each Approach Begins at:

	07:30 AM				07:30 AM				07:30 AM				07:30 AM			
+0 mins.	40	308	35	383	11	53	26	90	84	417	5	506	57	76	59	192
+15 mins.	76	298	48	422	10	47	30	87	86	454	2	542	59	71	68	198
+30 mins.	41	311	52	404	8	56	28	92	91	426	3	520	46	37	53	136
+45 mins.	42	238	41	321	3	36	33	72	100	410	7	517	44	36	51	131
Total Volume	199	1155	176	1530	32	192	117	341	361	1707	17	2085	206	220	231	657
% App. Total	13	75.5	11.5		9.4	56.3	34.3		17.3	81.9	0.8		31.4	33.5	35.2	
PHF	.655	.928	.846	.906	.727	.857	.886	.927	.903	.940	.607	.962	.873	.724	.849	.830

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Start Date : 11/7/2019
Page No : 1

Groups Printed- Large 2 Axle Vehicles

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
06:00 AM	1	1	0	2	0	2	0	2	0	6	0	6	0	3	0	3	13
06:15 AM	0	3	0	3	1	1	0	2	0	9	0	9	0	0	0	0	14
06:30 AM	0	4	0	4	1	4	0	5	1	13	0	14	0	3	0	3	26
06:45 AM	0	5	2	7	0	5	0	5	0	11	0	11	0	2	0	2	25
Total	1	13	2	16	2	12	0	14	1	39	0	40	0	8	0	8	78
07:00 AM	0	3	0	3	0	1	2	3	0	5	0	5	0	2	0	2	13
07:15 AM	0	7	0	7	0	1	4	5	0	10	0	10	0	2	0	2	24
07:30 AM	0	5	1	6	0	5	0	5	2	9	0	11	0	3	0	3	25
07:45 AM	1	4	0	5	0	2	0	2	1	7	1	9	0	4	2	6	22
Total	1	19	1	21	0	9	6	15	3	31	1	35	0	11	2	13	84
08:00 AM	3	3	0	6	0	5	1	6	2	11	0	13	0	2	0	2	27
08:15 AM	1	9	0	10	1	3	1	5	0	7	0	7	2	2	0	4	26
08:30 AM	0	9	2	11	1	6	1	8	1	28	0	29	0	3	1	4	52
08:45 AM	3	4	0	7	0	2	2	4	0	17	0	17	0	2	0	2	30
Total	7	25	2	34	2	16	5	23	3	63	0	66	2	9	1	12	135
Grand Total	9	57	5	71	4	37	11	52	7	133	1	141	2	28	3	33	297
Apprch %	12.7	80.3	7		7.7	71.2	21.2		5	94.3	0.7		6.1	84.8	9.1		
Total %	3	19.2	1.7	23.9	1.3	12.5	3.7	17.5	2.4	44.8	0.3	47.5	0.7	9.4	1	11.1	

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	0	5	1	6	0	5	0	5	2	9	0	11	0	3	0	3	25
07:45 AM	1	4	0	5	0	2	0	2	1	7	1	9	0	4	2	6	22
08:00 AM	3	3	0	6	0	5	1	6	2	11	0	13	0	2	0	2	27
08:15 AM	1	9	0	10	1	3	1	5	0	7	0	7	2	2	0	4	26
Total Volume	5	21	1	27	1	15	2	18	5	34	1	40	2	11	2	15	100
% App. Total	18.5	77.8	3.7		5.6	83.3	11.1		12.5	85	2.5		13.3	73.3	13.3		
PHF	.417	.583	.250	.675	.250	.750	.500	.750	.625	.773	.250	.769	.250	.688	.250	.625	.926

Counts Unlimited
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City of Ontario
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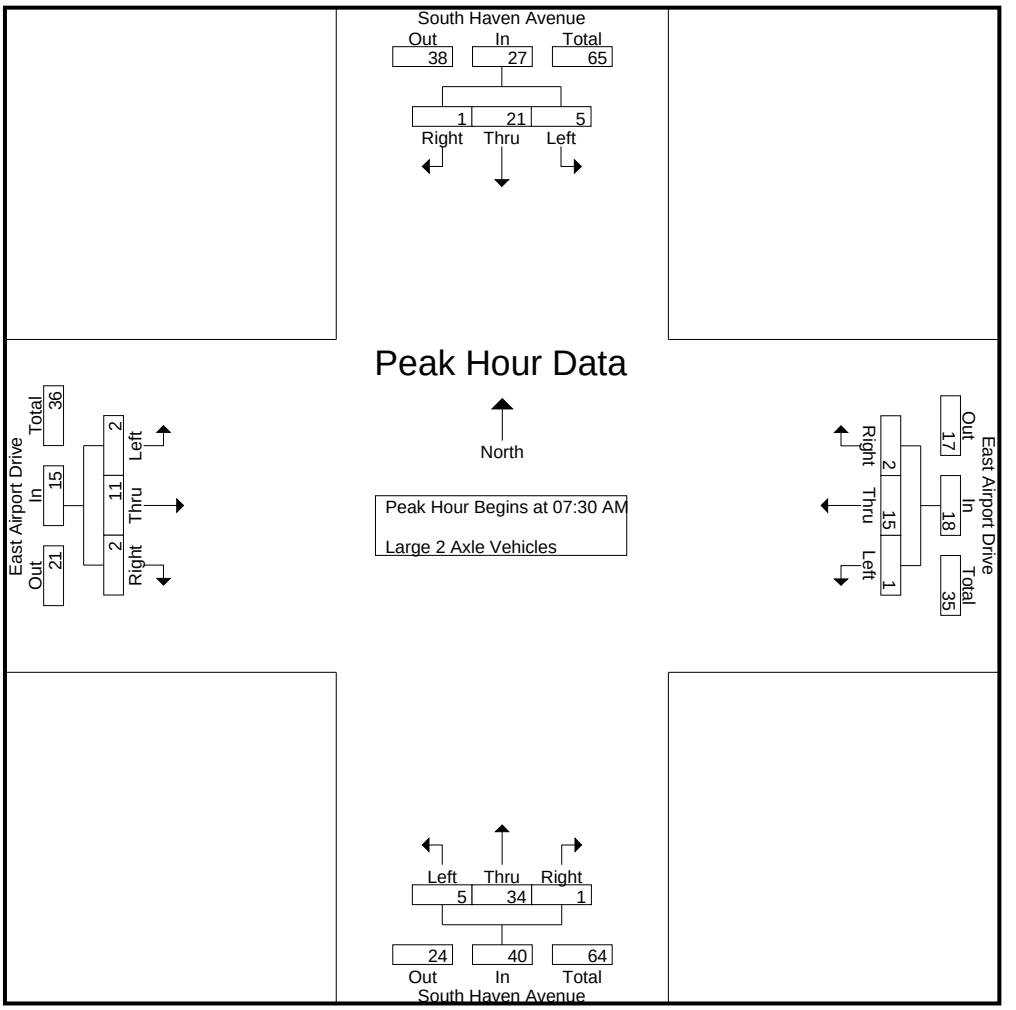

Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1
Peak Hour for Each Approach Begins at:

	07:30 AM				07:30 AM				07:30 AM				07:30 AM			
+0 mins.	0	5	1	6	0	5	0	5	2	9	0	11	0	3	0	3
+15 mins.	1	4	0	5	0	2	0	2	1	7	1	9	0	4	2	6
+30 mins.	3	3	0	6	0	5	1	6	2	11	0	13	0	2	0	2
+45 mins.	1	9	0	10	1	3	1	5	0	7	0	7	2	2	0	4
Total Volume	5	21	1	27	1	15	2	18	5	34	1	40	2	11	2	15
% App. Total	18.5	77.8	3.7		5.6	83.3	11.1		12.5	85	2.5		13.3	73.3	13.3	
PHF	.417	.583	.250	.675	.250	.750	.500	.750	.625	.773	.250	.769	.250	.688	.250	.625

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Page No : 1

Groups Printed- 3 Axle Vehicles

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
06:00 AM	1	1	0	2	0	0	0	0	0	1	0	1	1	0	1	2	5
06:15 AM	0	2	0	2	0	1	1	2	0	2	0	2	0	0	0	0	6
06:30 AM	0	1	0	1	0	0	0	0	0	6	0	6	0	4	0	4	11
06:45 AM	0	2	0	2	0	2	1	3	2	3	1	6	0	0	0	0	11
Total	1	6	0	7	0	3	2	5	2	12	1	15	1	4	1	6	33
07:00 AM	0	1	0	1	0	0	0	0	0	1	0	1	0	1	0	1	3
07:15 AM	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	1
07:30 AM	3	1	0	4	0	0	0	0	0	0	0	0	0	0	1	1	5
07:45 AM	1	1	0	2	1	1	1	3	0	6	0	6	0	1	0	1	12
Total	4	3	0	7	1	1	1	3	0	8	0	8	0	2	1	3	21
08:00 AM	0	6	0	6	1	1	0	2	0	3	0	3	1	1	0	2	13
08:15 AM	0	3	0	3	0	1	1	2	0	2	0	2	0	1	0	1	8
08:30 AM	0	2	0	2	0	0	0	0	0	1	0	1	0	1	0	1	4
08:45 AM	2	4	0	6	0	0	2	2	0	0	0	0	1	2	0	3	11
Total	2	15	0	17	1	2	3	6	0	6	0	6	2	5	0	7	36
Grand Total	7	24	0	31	2	6	6	14	2	26	1	29	3	11	2	16	90
Apprch %	22.6	77.4	0		14.3	42.9	42.9		6.9	89.7	3.4		18.8	68.8	12.5		
Total %	7.8	26.7	0	34.4	2.2	6.7	6.7	15.6	2.2	28.9	1.1	32.2	3.3	12.2	2.2	17.8	

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	3	1	0	4	0	0	0	0	0	0	0	0	0	0	1	1	5
07:45 AM	1	1	0	2	1	1	1	3	0	6	0	6	0	1	0	1	12
08:00 AM	0	6	0	6	1	1	0	2	0	3	0	3	1	1	0	2	13
08:15 AM	0	3	0	3	0	1	1	2	0	2	0	2	0	1	0	1	8
Total Volume	4	11	0	15	2	3	2	7	0	11	0	11	1	3	1	5	38
% App. Total	26.7	73.3	0		28.6	42.9	28.6		0	100	0		20	60	20		
PHF	.333	.458	.000	.625	.500	.750	.500	.583	.000	.458	.000	.458	.250	.750	.250	.625	.731

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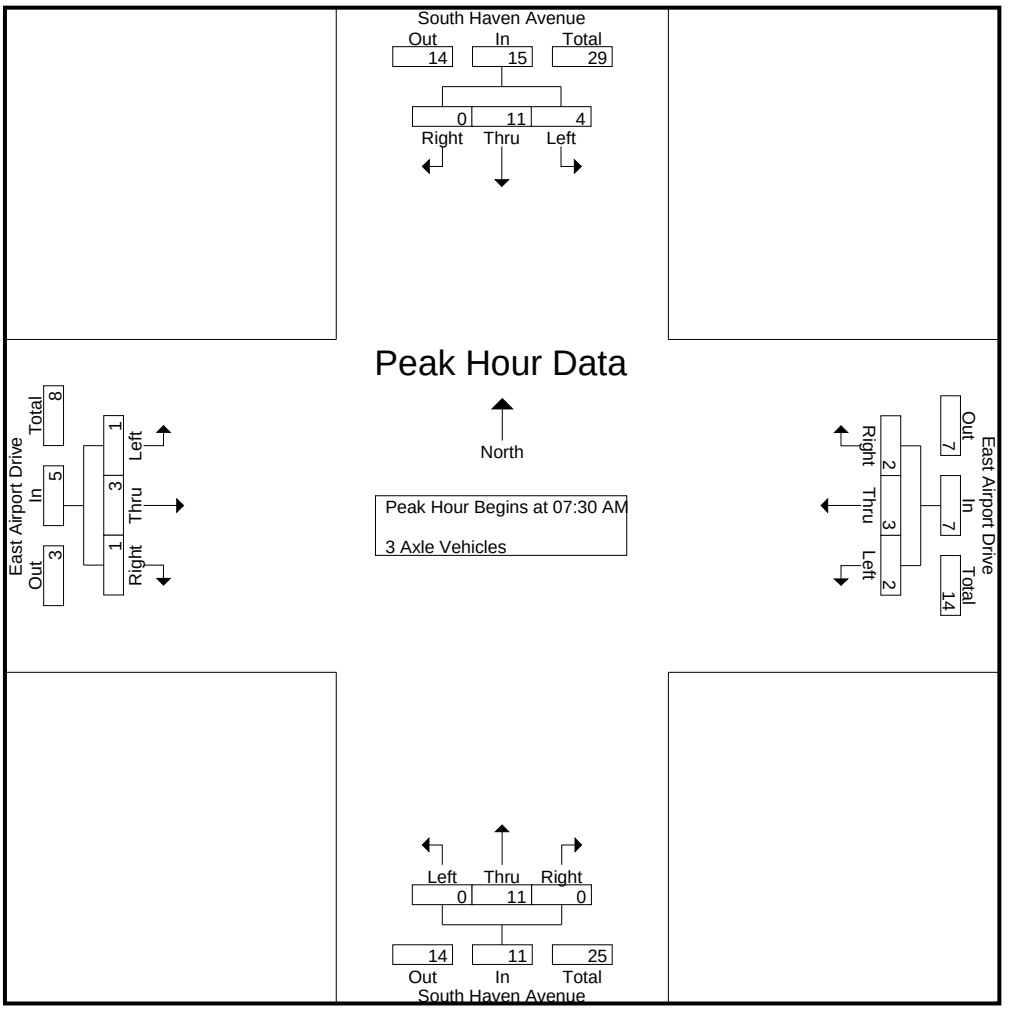

Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1
Peak Hour for Each Approach Begins at:

	07:30 AM				07:30 AM				07:30 AM				07:30 AM			
+0 mins.	3	1	0	4	0	0	0	0	0	0	0	0	0	0	1	1
+15 mins.	1	1	0	2	1	1	1	3	0	6	0	6	0	1	0	1
+30 mins.	0	6	0	6	1	1	0	2	0	3	0	3	1	1	0	2
+45 mins.	0	3	0	3	0	1	1	2	0	2	0	2	0	1	0	1
Total Volume	4	11	0	15	2	3	2	7	0	11	0	11	1	3	1	5
% App. Total	26.7	73.3	0		28.6	42.9	28.6		0	100	0		20	60	20	
PHF	.333	.458	.000	.625	.500	.750	.500	.583	.000	.458	.000	.458	.250	.750	.250	.625

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Groups Printed- 4+ Axle Trucks

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
06:00 AM	1	9	0	10	2	0	2	4	0	9	2	11	0	0	0	0	25
06:15 AM	2	6	1	9	0	1	4	5	0	13	2	15	0	1	0	1	30
06:30 AM	0	10	1	11	1	0	3	4	1	7	1	9	1	0	0	1	25
06:45 AM	3	5	0	8	0	1	3	4	0	8	0	8	0	0	1	1	21
Total	6	30	2	38	3	2	12	17	1	37	5	43	1	1	1	3	101
07:00 AM	1	5	0	6	1	1	1	3	0	11	0	11	0	0	0	0	20
07:15 AM	1	6	0	7	1	1	1	3	0	9	0	9	0	0	1	1	20
07:30 AM	2	2	0	4	3	2	6	11	3	13	1	17	0	0	1	1	33
07:45 AM	2	3	0	5	2	2	4	8	1	7	3	11	1	1	0	2	26
Total	6	16	0	22	7	6	12	25	4	40	4	48	1	1	2	4	99
08:00 AM	1	8	1	10	1	0	2	3	0	9	1	10	0	3	1	4	27
08:15 AM	1	7	0	8	0	0	3	3	0	14	2	16	0	0	0	0	27
08:30 AM	0	11	0	11	3	0	4	7	1	8	3	12	0	3	1	4	34
08:45 AM	2	7	0	9	1	4	3	8	0	11	2	13	0	1	0	1	31
Total	4	33	1	38	5	4	12	21	1	42	8	51	0	7	2	9	119
Grand Total	16	79	3	98	15	12	36	63	6	119	17	142	2	9	5	16	319
Apprch %	16.3	80.6	3.1		23.8	19	57.1		4.2	83.8	12		12.5	56.2	31.2		
Total %	5	24.8	0.9	30.7	4.7	3.8	11.3	19.7	1.9	37.3	5.3	44.5	0.6	2.8	1.6	5	

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	2	2	0	4	3	2	6	11	3	13	1	17	0	0	1	1	33
07:45 AM	2	3	0	5	2	2	4	8	1	7	3	11	1	1	0	2	26
08:00 AM	1	8	1	10	1	0	2	3	0	9	1	10	0	3	1	4	27
08:15 AM	1	7	0	8	0	0	3	3	0	14	2	16	0	0	0	0	27
Total Volume	6	20	1	27	6	4	15	25	4	43	7	54	1	4	2	7	113
% App. Total	22.2	74.1	3.7		24	16	60		7.4	79.6	13		14.3	57.1	28.6		
PHF	.750	.625	.250	.675	.500	.500	.625	.568	.333	.768	.583	.794	.250	.333	.500	.438	.856

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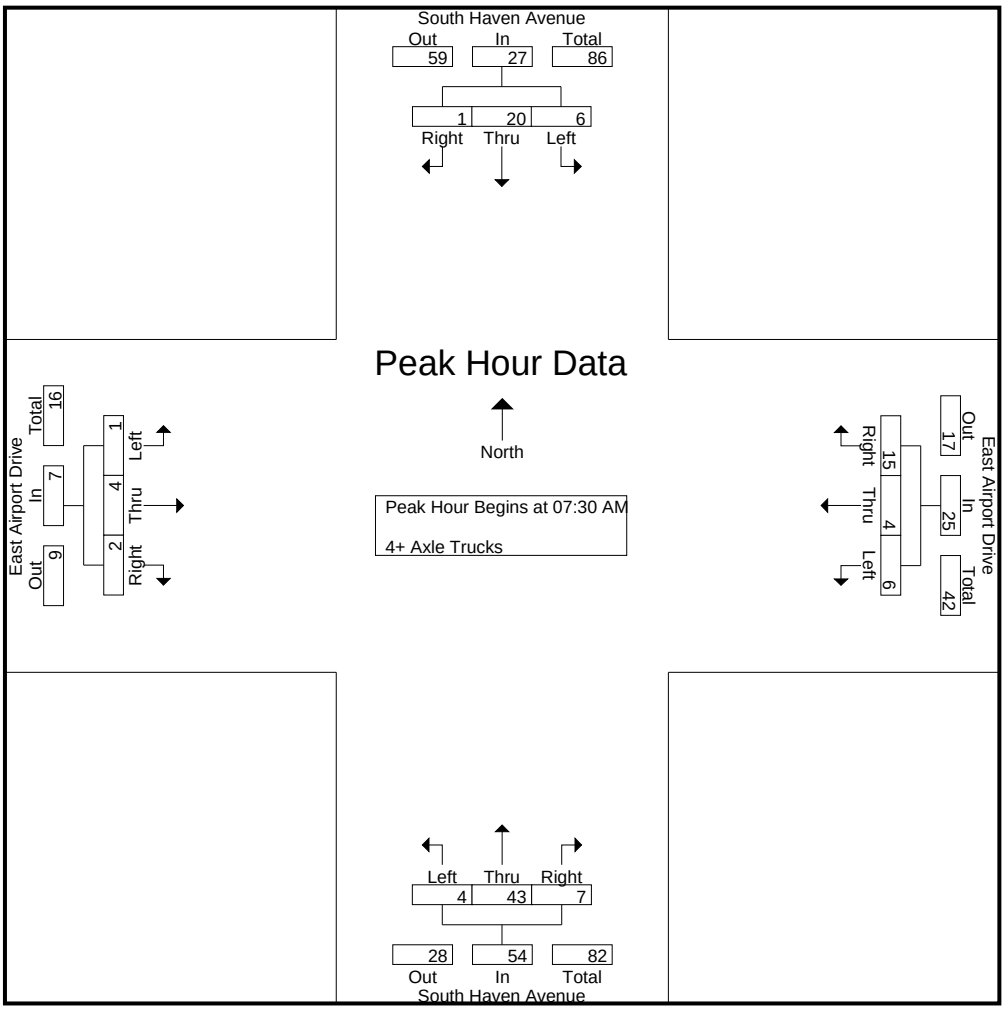

Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1
Peak Hour for Each Approach Begins at:

	07:30 AM				07:30 AM				07:30 AM				07:30 AM			
+0 mins.	2	2	0	4	3	2	6	11	3	13	1	17	0	0	1	1
+15 mins.	2	3	0	5	2	2	4	8	1	7	3	11	1	1	0	2
+30 mins.	1	8	1	10	1	0	2	3	0	9	1	10	0	3	1	4
+45 mins.	1	7	0	8	0	0	3	3	0	14	2	16	0	0	0	0
Total Volume	6	20	1	27	6	4	15	25	4	43	7	54	1	4	2	7
% App. Total	22.2	74.1	3.7		24	16	60		7.4	79.6	13		14.3	57.1	28.6	
PHF	.750	.625	.250	.675	.500	.500	.625	.568	.333	.768	.583	.794	.250	.333	.500	.438

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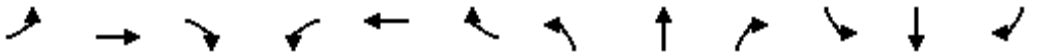
Groups Printed- Passenger Vehicles - Large 2 Axle Vehicles - 3 Axle Vehicles - 4+ Axle Trucks

	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
04:00 PM	40	357	37	434	24	106	95	225	88	546	10	644	76	95	52	223	1526
04:15 PM	52	339	37	428	4	99	73	176	91	508	15	614	61	88	103	252	1470
04:30 PM	55	386	45	486	8	120	97	225	77	511	2	590	79	92	63	234	1535
04:45 PM	53	413	31	497	7	121	76	204	82	497	4	583	71	98	91	260	1544
Total	200	1495	150	1845	43	446	341	830	338	2062	31	2431	287	373	309	969	6075
05:00 PM	75	389	49	513	5	125	91	221	101	452	7	560	71	87	97	255	1549
05:15 PM	65	469	50	584	15	129	85	229	87	450	9	546	101	115	99	315	1674
05:30 PM	36	355	45	436	16	115	56	187	87	522	7	616	55	126	109	290	1529
05:45 PM	42	340	42	424	18	91	63	172	65	390	1	456	84	101	63	248	1300
Total	218	1553	186	1957	54	460	295	809	340	1814	24	2178	311	429	368	1108	6052
Grand Total	418	3048	336	3802	97	906	636	1639	678	3876	55	4609	598	802	677	2077	12127
Apprch %	11	80.2	8.8		5.9	55.3	38.8		14.7	84.1	1.2		28.8	38.6	32.6		
Total %	3.4	25.1	2.8	31.4	0.8	7.5	5.2	13.5	5.6	32	0.5	38	4.9	6.6	5.6	17.1	
Passenger Vehicles	390	2878	328	3596	85	863	613	1561	658	3721	42	4421	585	722	648	1955	11533
% Passenger Vehicles	93.3	94.4	97.6	94.6	87.6	95.3	96.4	95.2	97.1	96	76.4	95.9	97.8	90	95.7	94.1	95.1
Large 2 Axle Vehicles	10	78	4	92	6	22	4	32	10	47	3	60	9	45	19	73	257
% Large 2 Axle Vehicles	2.4	2.6	1.2	2.4	6.2	2.4	0.6	2	1.5	1.2	5.5	1.3	1.5	5.6	2.8	3.5	2.1
3 Axle Vehicles	6	14	2	22	2	6	2	10	5	21	2	28	0	18	4	22	82
% 3 Axle Vehicles	1.4	0.5	0.6	0.6	2.1	0.7	0.3	0.6	0.7	0.5	3.6	0.6	0	2.2	0.6	1.1	0.7
4+ Axle Trucks	12	78	2	92	4	15	17	36	5	87	8	100	4	17	6	27	255
% 4+ Axle Trucks	2.9	2.6	0.6	2.4	4.1	1.7	2.7	2.2	0.7	2.2	14.5	2.2	0.7	2.1	0.9	1.3	2.1

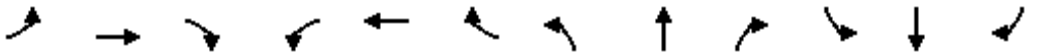
	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:30 PM																	
04:30 PM	55	386	45	486	8	120	97	225	77	511	2	590	79	92	63	234	1535
04:45 PM	53	413	31	497	7	121	76	204	82	497	4	583	71	98	91	260	1544
05:00 PM	75	389	49	513	5	125	91	221	101	452	7	560	71	87	97	255	1549
05:15 PM	65	469	50	584	15	129	85	229	87	450	9	546	101	115	99	315	1674
Total Volume	248	1657	175	2080	35	495	349	879	347	1910	22	2279	322	392	350	1064	6302
% App. Total	11.9	79.7	8.4		4	56.3	39.7		15.2	83.8	1		30.3	36.8	32.9		
PHF	.827	.883	.875	.890	.583	.959	.899	.960	.859	.934	.611	.966	.797	.852	.884	.844	.941



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	355	488	389	59	565	410	378	2136	34	294	1884	190
Future Volume (veh/h)	355	488	389	59	565	410	378	2136	34	294	1884	190
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adj Flow Rate, veh/h	378	519	414	63	601	436	402	2272	36	313	2004	202
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Percent Heavy Veh, %	0	0	0	0	0	0	0	0	0	0	0	0
Cap, veh/h	451	602	480	147	826	648	426	2500	616	269	2207	544
Arrive On Green	0.13	0.32	0.32	0.04	0.23	0.23	0.12	0.38	0.38	0.08	0.34	0.34
Sat Flow, veh/h	3510	1909	1522	3510	3610	2834	3510	6536	1610	3510	6536	1610
Grp Volume(v), veh/h	378	491	442	63	601	436	402	2272	36	313	2004	202
Grp Sat Flow(s),veh/h/ln	1755	1805	1626	1755	1805	1417	1755	1634	1610	1755	1634	1610
Q Serve(g_s), s	10.3	25.1	25.1	1.7	15.1	13.7	11.1	32.3	1.4	7.5	28.7	9.3
Cycle Q Clear(g_c), s	10.3	25.1	25.1	1.7	15.1	13.7	11.1	32.3	1.4	7.5	28.7	9.3
Prop In Lane	1.00		0.94	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	451	570	513	147	826	648	426	2500	616	269	2207	544
V/C Ratio(X)	0.84	0.86	0.86	0.43	0.73	0.67	0.94	0.91	0.06	1.17	0.91	0.37
Avail Cap(c_a), veh/h	516	681	614	179	1016	798	426	2500	616	269	2207	544
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	41.7	31.5	31.5	45.8	35.0	34.5	42.7	28.6	19.1	45.3	31.0	24.6
Incr Delay (d2), s/veh	10.5	9.6	10.5	2.0	2.1	1.6	29.6	6.2	0.2	107.2	6.9	1.9
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	4.9	11.5	10.5	0.8	6.5	4.6	6.3	12.2	0.5	7.1	11.5	3.6
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	52.2	41.1	42.1	47.8	37.0	36.1	72.4	34.9	19.3	152.5	37.9	26.5
LnGrp LOS	D	D	D	D	D	D	E	C	B	F	D	C
Approach Vol, veh/h		1311			1100			2710			2519	
Approach Delay, s/veh		44.6			37.3			40.2			51.2	
Approach LOS		D			D			D			D	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	12.0	42.0	8.6	35.4	16.4	37.6	17.1	26.9
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
Max Green Setting (Gmax), s	7.5	37.5	5.0	37.0	11.9	33.1	14.4	27.6
Max Q Clear Time (g_c+I1), s	9.5	34.3	3.7	27.1	13.1	30.7	12.3	17.1
Green Ext Time (p_c), s	0.0	3.0	0.0	3.9	0.0	2.2	0.3	4.0

Intersection Summary	
HCM 6th Ctrl Delay	44.2
HCM 6th LOS	D



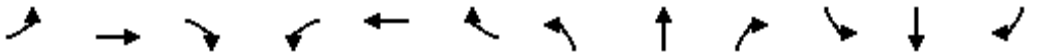
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	327	404	370	89	369	264	581	2929	71	377	1948	275
Future Volume (veh/h)	327	404	370	89	369	264	581	2929	71	377	1948	275
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adj Flow Rate, veh/h	327	404	370	89	369	264	581	2929	71	377	1948	275
Peak Hour 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
Percent Heavy Veh, %	0	0	0	0	0	0	0	0	0	0	0	0
Cap, veh/h	394	1246	684	138	868	449	648	3018	744	391	2539	625
Arrive On Green	0.11	0.24	0.24	0.04	0.17	0.17	0.18	0.46	0.46	0.11	0.39	0.39
Sat Flow, veh/h	3510	5187	1610	3510	5187	1610	3510	6536	1610	3510	6536	1610
Grp Volume(v), veh/h	327	404	370	89	369	264	581	2929	71	377	1948	275
Grp Sat Flow(s),veh/h/ln	1755	1729	1610	1755	1729	1610	1755	1634	1610	1755	1634	1610
Q Serve(g_s), s	11.1	7.8	21.0	3.1	7.8	17.3	19.8	53.4	3.0	13.1	31.7	15.4
Cycle Q Clear(g_c), s	11.1	7.8	21.0	3.1	7.8	17.3	19.8	53.4	3.0	13.1	31.7	15.4
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	394	1246	684	138	868	449	648	3018	744	391	2539	625
V/C Ratio(X)	0.83	0.32	0.54	0.64	0.42	0.59	0.90	0.97	0.10	0.96	0.77	0.44
Avail Cap(c_a), veh/h	543	1571	785	144	981	484	730	3018	744	391	2539	625
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	53.1	38.2	26.2	57.8	45.6	38.0	48.7	32.1	18.5	54.0	32.5	27.5
Incr Delay (d2), s/veh	7.7	0.1	0.7	9.0	0.3	1.6	12.8	10.8	0.3	36.2	2.3	2.2
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.2	3.2	7.8	1.5	3.3	6.8	9.4	21.2	1.1	7.6	12.3	6.1
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	60.8	38.4	26.9	66.8	45.9	39.6	61.5	42.9	18.8	90.2	34.8	29.8
LnGrp LOS	E	D	C	E	D	D	E	D	B	F	C	C
Approach Vol, veh/h		1101			722			3581			2600	
Approach Delay, s/veh		41.2			46.2			45.4			42.3	
Approach LOS		D			D			D			D	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	18.1	60.9	9.3	33.8	27.1	51.9	18.2	24.9
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
Max Green Setting (Gmax), s	13.6	56.4	5.0	37.0	25.4	44.6	18.9	23.1
Max Q Clear Time (g_c+I1), s	15.1	55.4	5.1	23.0	21.8	33.7	13.1	19.3
Green Ext Time (p_c), s	0.0	1.0	0.0	3.2	0.8	8.8	0.6	1.2

Intersection Summary	
HCM 6th Ctrl Delay	43.9
HCM 6th LOS	D

Notes

User approved changes to right turn type.



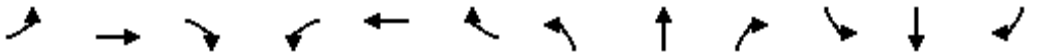
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	507	695	556	79	803	578	539	3051	47	417	2691	272
Future Volume (veh/h)	507	695	556	79	803	578	539	3051	47	417	2691	272
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adj Flow Rate, veh/h	507	695	556	79	803	578	539	3051	47	417	2691	272
Peak Hour 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
Percent Heavy Veh, %	0	0	0	0	0	0	0	0	0	0	0	0
Cap, veh/h	510	1432	682	123	861	459	517	2852	703	419	2668	657
Arrive On Green	0.15	0.28	0.28	0.04	0.17	0.17	0.15	0.44	0.44	0.12	0.41	0.41
Sat Flow, veh/h	3510	5187	1610	3510	5187	1610	3510	6536	1610	3510	6536	1610
Grp Volume(v), veh/h	507	695	556	79	803	578	539	3051	47	417	2691	272
Grp Sat Flow(s),veh/h/ln	1755	1729	1610	1755	1729	1610	1755	1634	1610	1755	1634	1610
Q Serve(g_s), s	19.5	15.1	37.3	3.0	20.6	22.4	19.9	58.9	2.3	16.0	55.1	16.2
Cycle Q Clear(g_c), s	19.5	15.1	37.3	3.0	20.6	22.4	19.9	58.9	2.3	16.0	55.1	16.2
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	510	1432	682	123	861	459	517	2852	703	419	2668	657
V/C Ratio(X)	0.99	0.49	0.82	0.64	0.93	1.26	1.04	1.07	0.07	1.00	1.01	0.41
Avail Cap(c_a), veh/h	510	1432	682	130	861	459	517	2852	703	419	2668	657
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	57.6	40.9	34.3	64.3	55.6	48.2	57.5	38.0	22.1	59.4	40.0	28.5
Incr Delay (d2), s/veh	38.4	0.3	7.6	9.5	16.8	133.1	50.8	39.2	0.2	42.9	19.6	1.9
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	11.1	6.3	16.8	1.5	10.1	31.9	12.1	29.4	0.9	9.5	24.6	6.4
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	96.1	41.1	41.9	73.8	72.3	181.4	108.4	77.3	22.3	102.3	59.5	30.4
LnGrp LOS	F	D	D	E	E	F	F	F	C	F	F	C
Approach Vol, veh/h		1758			1460			3637			3380	
Approach Delay, s/veh		57.2			115.6			81.2			62.5	
Approach LOS		E			F			F			E	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	20.6	63.4	9.2	41.8	24.4	59.6	24.1	26.9
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
Max Green Setting (Gmax), s	16.1	58.9	5.0	37.0	19.9	55.1	19.6	22.4
Max Q Clear Time (g_c+I1), s	18.0	60.9	5.0	39.3	21.9	57.1	21.5	24.4
Green Ext Time (p_c), s	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Intersection Summary	
HCM 6th Ctrl Delay	75.8
HCM 6th LOS	E

HCM 6th Signalized Intersection Summary

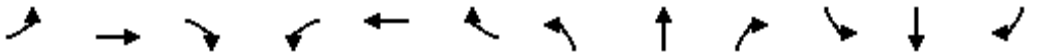
Buildout Year AM Peak Hour Conditions (2 WBR)



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	327	404	370	89	369	264	581	2929	71	377	1948	275
Future Volume (veh/h)	327	404	370	89	369	264	581	2929	71	377	1948	275
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adj Flow Rate, veh/h	327	404	370	89	369	264	581	2929	71	377	1948	275
Peak Hour 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
Percent Heavy Veh, %	0	0	0	0	0	0	0	0	0	0	0	0
Cap, veh/h	396	1143	654	140	765	742	652	3099	763	401	2632	648
Arrive On Green	0.11	0.22	0.22	0.04	0.15	0.15	0.19	0.47	0.47	0.11	0.40	0.40
Sat Flow, veh/h	3510	5187	1610	3510	5187	2834	3510	6536	1610	3510	6536	1610
Grp Volume(v), veh/h	327	404	370	89	369	264	581	2929	71	377	1948	275
Grp Sat Flow(s),veh/h/ln	1755	1729	1610	1755	1729	1417	1755	1634	1610	1755	1634	1610
Q Serve(g_s), s	10.8	7.8	21.1	3.0	7.8	9.0	19.2	50.8	2.9	12.7	30.2	14.6
Cycle Q Clear(g_c), s	10.8	7.8	21.1	3.0	7.8	9.0	19.2	50.8	2.9	12.7	30.2	14.6
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	396	1143	654	140	765	742	652	3099	763	401	2632	648
V/C Ratio(X)	0.83	0.35	0.57	0.64	0.48	0.36	0.89	0.95	0.09	0.94	0.74	0.42
Avail Cap(c_a), veh/h	558	1613	800	148	1007	874	750	3099	763	401	2632	648
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	51.6	39.2	27.2	56.3	46.5	35.7	47.3	29.8	17.2	52.3	30.2	25.6
Incr Delay (d2), s/veh	7.0	0.2	0.8	8.1	0.5	0.3	11.8	7.6	0.2	30.0	1.9	2.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.0	3.2	7.9	1.4	3.3	3.1	9.0	19.4	1.1	7.1	11.6	5.7
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	58.6	39.4	28.0	64.4	47.0	36.0	59.0	37.5	17.4	82.2	32.2	27.6
LnGrp LOS	E	D	C	E	D	D	E	D	B	F	C	C
Approach Vol, veh/h		1101			722			3581			2600	
Approach Delay, s/veh		41.3			45.1			40.6			38.9	
Approach LOS		D			D			D			D	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	18.1	60.9	9.2	30.7	26.6	52.4	17.9	22.0
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
Max Green Setting (Gmax), s	13.6	56.4	5.0	37.0	25.4	44.6	18.9	23.1
Max Q Clear Time (g_c+I1), s	14.7	52.8	5.0	23.1	21.2	32.2	12.8	11.0
Green Ext Time (p_c), s	0.0	3.5	0.0	3.1	0.9	9.8	0.6	2.6

Intersection Summary	
HCM 6th Ctrl Delay	40.5
HCM 6th LOS	D



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	507	695	556	79	803	578	539	3051	47	417	2691	272
Future Volume (veh/h)	507	695	556	79	803	578	539	3051	47	417	2691	272
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adj Flow Rate, veh/h	507	695	556	79	803	578	539	3051	47	417	2691	272
Peak Hour 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
Percent Heavy Veh, %	0	0	0	0	0	0	0	0	0	0	0	0
Cap, veh/h	510	1432	682	123	861	796	517	2881	710	403	2668	657
Arrive On Green	0.15	0.28	0.28	0.04	0.17	0.17	0.15	0.44	0.44	0.11	0.41	0.41
Sat Flow, veh/h	3510	5187	1610	3510	5187	2834	3510	6536	1610	3510	6536	1610
Grp Volume(v), veh/h	507	695	556	79	803	578	539	3051	47	417	2691	272
Grp Sat Flow(s),veh/h/ln	1755	1729	1610	1755	1729	1417	1755	1634	1610	1755	1634	1610
Q Serve(g_s), s	19.5	15.1	37.3	3.0	20.6	22.4	19.9	59.5	2.3	15.5	55.1	16.2
Cycle Q Clear(g_c), s	19.5	15.1	37.3	3.0	20.6	22.4	19.9	59.5	2.3	15.5	55.1	16.2
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	510	1432	682	123	861	796	517	2881	710	403	2668	657
V/C Ratio(X)	0.99	0.49	0.82	0.64	0.93	0.73	1.04	1.06	0.07	1.03	1.01	0.41
Avail Cap(c_a), veh/h	510	1432	682	130	861	796	517	2881	710	403	2668	657
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	57.6	40.9	34.3	64.3	55.6	43.9	57.5	37.7	21.7	59.7	40.0	28.5
Incr Delay (d2), s/veh	38.4	0.3	7.6	9.5	16.8	3.3	50.8	35.1	0.2	54.0	19.6	1.9
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	11.1	6.3	16.8	1.5	10.1	8.9	12.1	28.8	0.9	9.8	24.6	6.4
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	96.1	41.1	41.9	73.8	72.3	47.2	108.4	72.8	21.9	113.8	59.5	30.4
LnGrp LOS	F	D	D	E	E	D	F	F	C	F	F	C
Approach Vol, veh/h		1758			1460			3637			3380	
Approach Delay, s/veh		57.2			62.5			77.4			63.9	
Approach LOS		E			E			E			E	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	20.0	64.0	9.2	41.8	24.4	59.6	24.1	26.9
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
Max Green Setting (Gmax), s	15.5	59.5	5.0	37.0	19.9	55.1	19.6	22.4
Max Q Clear Time (g_c+I1), s	17.5	61.5	5.0	39.3	21.9	57.1	21.5	24.4
Green Ext Time (p_c), s	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Intersection Summary	
HCM 6th Ctrl Delay	67.4
HCM 6th LOS	E

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA20-003, AN AMENDMENT TO THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN, CHANGING THE LAND USE DESIGNATION ON 10.64 ACRES OF LAND FROM COMMERCIAL/FOOD/HOTEL TO LIGHT INDUSTRIAL, TO BE CONSISTENT WITH THE ONTARIO PLAN POLICY PLAN (GENERAL PLAN) INDUSTRIAL (0.55 FAR) LAND USE DESIGNATION, LOCATED AT THE NORTHEAST CORNER OF HAVEN AVENUE AND AIRPORT DRIVE, WITHIN THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0211-222-66.

WHEREAS, VOGEL PROPERTIES, INC. (hereinafter referred to as "Applicant") has filed an Application for the approval of a Specific Plan Amendment, File No. PSPA20-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 10.64 acres of land generally located on the southeast corner of Haven Avenue and Airport Drive, within the proposed Light Industrial land use designation of the California Commerce Center Specific Plan and is developed as a parking lot; and

WHEREAS, the property to the north of the Project site is within the Office/Commercial land use designation of the Ontario Gateway Specific Plan and is developed with a retail land uses (Costco and Starbucks). The property to the east is within the Rail Industrial land use designation of the California Commerce Center Specific Plan and is developed with industrial land uses. The property to the south is within the Light Industrial land use designation of the California Commerce Center Specific Plan and is currently vacant. The property to the west is within the ONT (Ontario International Airport) zoning district and is currently vacant; and

WHEREAS, the Specific Plan Amendment will change the land use designation on the subject site from Commercial/Food/Hotel to Light Industrial within the California Commerce Center Specific Plan, to be consistent with The Ontario Plan Policy Plan (General Plan), which designates the subject site for Industrial (maximum 0.55 FAR) land uses; and

WHEREAS, a focused Traffic Impact Analysis was prepared for the project site by TJW Engineering (Dated: August 27, 2020), which compared the trip generation between the existing California Commerce Center Specific Plan Commercial/Food/Hotel land use designation (shopping center/commercial) versus the proposed Light Industrial land use at a FAR of 0.55 (warehouse/small ancillary office). The trip generation analysis utilized the Industry standard Institute of Transportation Engineers (“ITE”) Trip Generation Manual (10th Edition, 2017) to determine trip generation rates for the existing and proposed land uses and represents the amount of traffic, both inbound and outbound,

produced by each land use. The Traffic Impact Analysis concluded that proposed change in land use from Commercial/Food/Hotel to Light Industrial would result in a net difference of 7,183 fewer Average Daily Trips (ADT) trips, including 146 fewer a.m. peak hour trips, and 719 fewer p.m. peak hour trips; and

WHEREAS, The Ontario Plan 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 May 17, 2021, 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 No. DAB21-022, recommending that the Planning Commission recommend the City Council approve the Addendum and Decision No. DAB21-023, recommending the Planning Commission approve the Project (File No. PDEV20-008); and

WHEREAS, on May 25, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and continued the Project to the June 22, 2021 hearing date; and

WHEREAS, on June 22, 2021, 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 Nos. PC21-044, recommending the City Council adopt the EIR Addendum, and voting to issue Resolution No. PC21-045, recommending the City Council approve the Application; and

WHEREAS, as the first action on the Project, on July 20, 2021, the City Council issued a Resolution adopting 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 July 20, 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 Addendum, the initial study, and the administrative record for the Project, including all written and oral evidence provided during the comment period. Based upon the facts and information contained in the Addendum, the initial study, and 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 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. ***Subsequent or Supplemental Environmental Review Not Required.*** Based on the EIR 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 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:

1. The Project will have one or more significant effects not discussed in the Certified EIR; or

2. Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

3. 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

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

SECTION 3. ***Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the City Council finds that based 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, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 4. ***Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance.*** The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport ("ONT"), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the City Council has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the City Council, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

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

(1) ***The proposed Specific Plan, or amendment thereto, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed California Commerce Center Specific Plan amendment will provide consistency between the Policy Plan Land Use Plan and the California Commerce Center Specific Plan Light Industrial land use designation. The proposed amendment will accommodate the construction of industrial land uses within the Specific Plan which is 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 amendment to the California Commerce Center Specific Plan will provide consistency between the Policy Plan Land Use Plan and the California Commerce Center Specific Plan proposed Light Industrial land use designation. 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 change will provide Light Industrial uses within the California Commerce Center 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, the proposed Specific Plan, or amendment thereto, will not adversely affect the harmonious relationship with adjacent properties and land uses.*** The proposed amendment will accommodate the construction of industrial land uses. Furthermore, the properties surrounding the project site (immediately to east and south) are currently assigned the Industrial (0.55 FAR) land use designation, providing further land use consistency within the immediate vicinity of the project site which will establish a harmonious relationship between the existing surrounding land uses and planned uses within the specific plan.

(4) ***In the case of an application affecting specific property, 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 light industrial land use. The California Commerce Center Specific Plan amendment includes development standards to facilitate the proposed industrial land use, which will be developed with an adequate lot size, access, and utilities to serve the project site.

SECTION 6. ***City Council Action.*** Based upon the findings and conclusions set forth in Sections 1 through 5, above, the City Council hereby APPROVES the herein described 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 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.

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

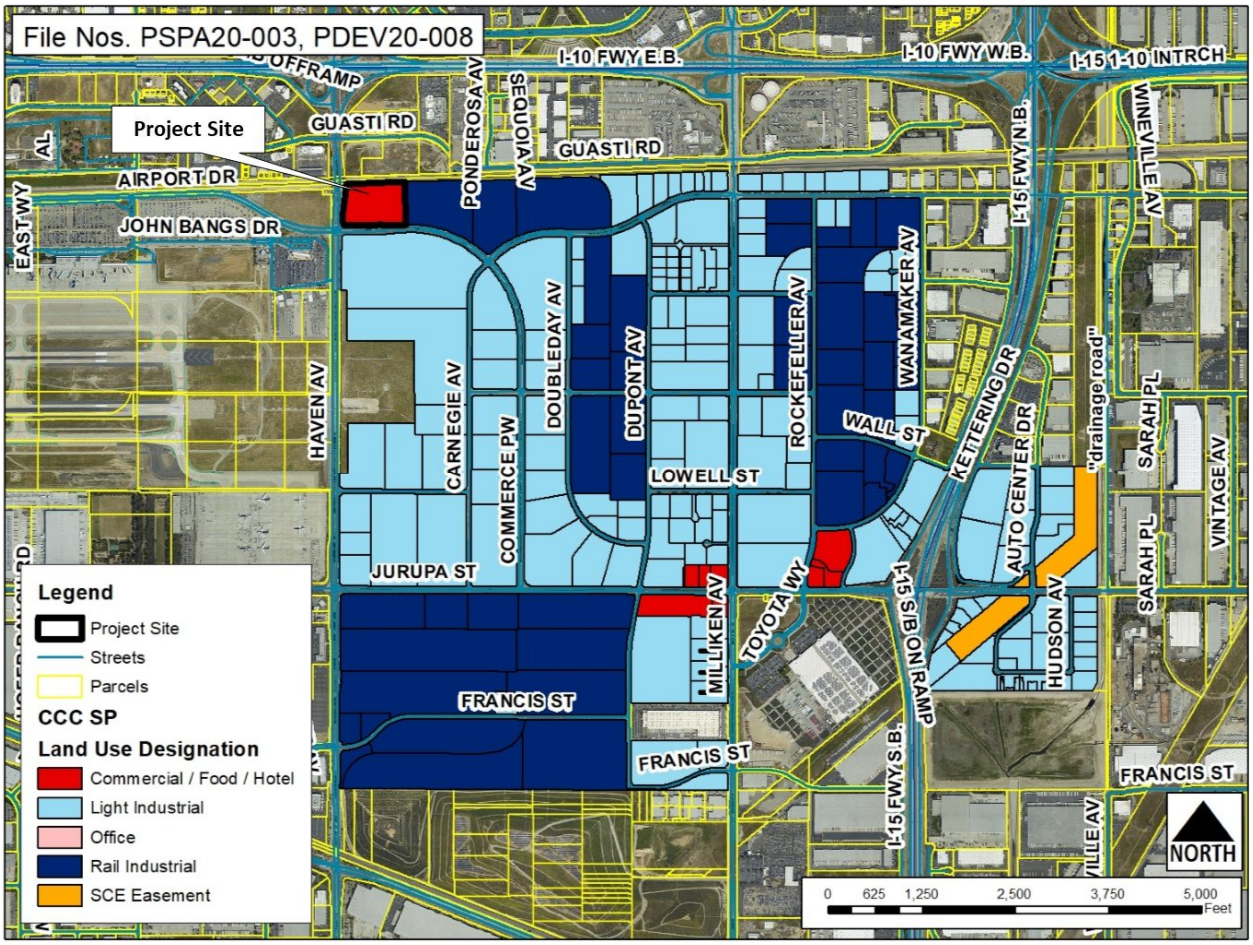
ATTACHMENT A:

File No. PSPA20-003;
California Commerce Center Specific Plan Land Use Plan

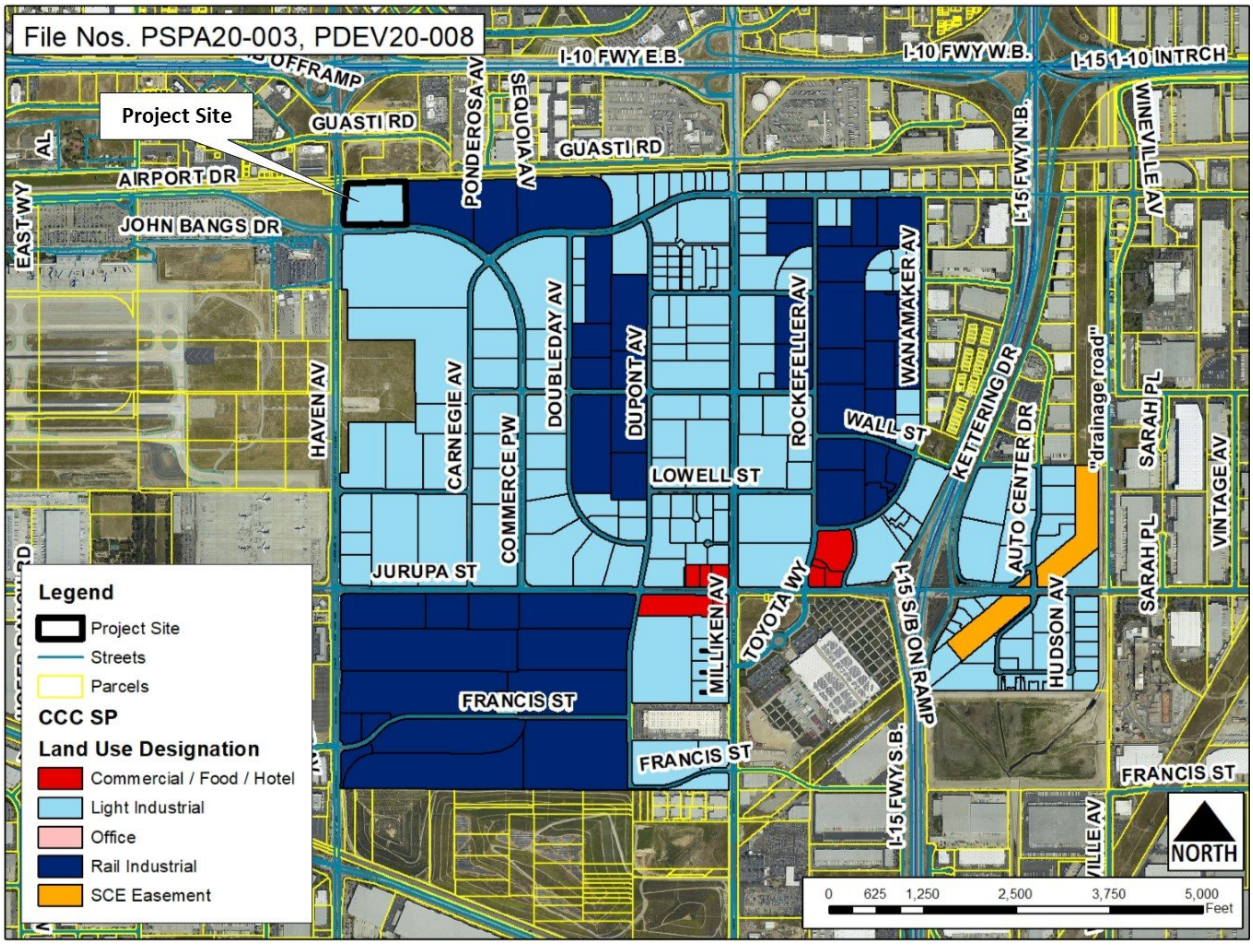
(Document follows this page)

ATTACHMENT A

EXISTING - CALIFORNIA COMMERCE CENTER SPECIFIC PLAN LAND USE PLAN



PROPOSED - CALIFORNIA COMMERCE CENTER SPECIFIC PLAN LAND USE PLAN



CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **ADMINISTRATIVE REPORTS/DISCUSSION/ACTION**
Department: Investments & Revenue Resources Prepared By: Jason M Jacobsen Staff Member Presenting: Armen Harkalyan, Executive Director of Finance Reviewed By: Jason M Jacobsen, Armen Harkalyan Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 26

SUBJECT: A RESOLUTION AUTHORIZING THE ISSUANCE OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 53 (TEVELDE FACILITIES) SPECIAL TAX BONDS, SERIES 2021, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $25,000,000 AND RELATED MATTERS

RECOMMENDATION: That the City Council consider and adopt a resolution authorizing the issuance of City of Ontario Community Facilities District No. 53 (Tevelde Facilities) Special Tax Bonds, Series 2021.

A. Authorizes the issuance of special tax bonds for public improvements required to facilitate the development of the Tevelde Facilities project and the Ontario Ranch development;
B. Approves the forms of the Indenture, the Bond Purchase Agreement, the Continuing Disclosure Agreement, and the Preliminary Official Statement;
C. Authorizes a negotiated sale of the special tax bonds to Stifel, Nicolaus & Company, Incorporated (the "Underwriter") in accordance with the terms of the Bond Purchase Agreement; and
D. Authorizes the execution of the Indenture, the Bond Purchase Agreement, the Continuing Disclosure Agreement, a deemed final certification in connection with the Preliminary Official Statement, a final Official Statement and other documents in connection with the issuance of the bonds by the City Manager or the other specified authorized officers.

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

FISCAL IMPACT: The use of Mello-Roos financing for public facilities in the residential development of the Tevelde Facilities project in the Ontario Ranch development is estimated to generate approximately $25 million, based on current market interest rates, which will be used to help fund a portion of the public infrastructure improvements that will serve the project. The resolution authorizing the issuance of City of Ontario Community Facilities District No. 53 (Tevelde Facilities) Special Tax Bonds, Series 2021, and related matters, limits the principal amount of the bonds to $25 million. The City currently expects the bonds to be sold no later than August 2021; however, such schedule could change based on market volatility and market conditions. Since Mello-Roos bonds are

not a direct obligation of the City and are paid from special taxes levied on each taxable parcel in the applicable community facilities district, there is no General Fund impact from the issuance of Mello-Roos bonds.

Annual approval by the City Council will be required to process the special tax levies necessary to fund the ongoing debt service obligations of Ontario Community Facilities District No. 53 (Tevelde Facilities).

BACKGROUND & ANALYSIS: The Mello-Roos Community Facilities Act of 1982 provides local government, with the requisite consent and approval from the property owners, the authority to establish community facilities districts for the purpose of levying special taxes to fund governmental services and to finance various kinds of public infrastructure facilities. Under the Mello-Roos Act, the initial steps in the formation of a community facilities district to finance public improvements are adopting a resolution declaring the City's intention to establish a community facilities district and levy special taxes, and a resolution to issue bonds. On February 4, 2020, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of City of Ontario Community Facilities District No. 53 (Tevelde Facilities) (the "District") with the adoption of Resolution No. 2020-011, declaring the City's intention to establish the District and to authorize the levy of special taxes. On March 17, 2020, the City Council adopted Resolution No. 2020-021 forming the District, and Resolution No. 2020-022 deeming it necessary for the District to incur bonded indebtedness. Based on a successful property owner election held on March 17, 2020, the City Council adopted Ordinance No. 3158 on April 7, 2020, authorizing the levy of special taxes within the District to finance public improvements related to the Tevelde Facilities project. The public improvements to be financed by the District are as follows:

- Fiber Optic System Distribution Network;
- Water and Recycled Water System Facilities
- Street and Traffic Circulation System Facilities
- Storm Drain System Facilities
- Ontario Ranch Road & Parkway Improvements; and
- Other Regional Backbone Infrastructure.

The Tevelde Facilities project addresses the residential development of approximately 82 gross acres located generally east of Cucamonga Channel, generally west of Archibald Avenue, south of Eucalyptus Avenue, and north of Merrill Avenue. At build out, the development is projected to include 432 detached units and will generate approximately $1.48 million for debt service.

The proposed resolution references several bond documents and other matters related to the proposed issuance of bonds by City of Ontario Community Facilities District No. 53 (Tevelde Facilities). These documents are listed below and are on file with the Records Management Department:

- Indenture;
- Bond Purchase Agreement;
- Continuing Disclosure Agreement; and
- Preliminary Official Statement.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE ISSUANCE OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 53 (TEVELDE FACILITIES) SPECIAL TAX BONDS, SERIES 2021, IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED $25,000,000, AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDENTURE, A BOND PURCHASE AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT, AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION THEREWITH AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS.

WHEREAS, the City Council (the "City Council") of the City of Ontario (the "City") has formed the City of Ontario Community Facilities District No. 53 (Tevelde Facilities) (the "Community Facilities District") under the provisions of the Mello-Roos Community Facilities Act of 1982 (the "Act"); and

WHEREAS, the Community Facilities District is authorized under the Act to levy special taxes (the "Special Taxes") to pay for the costs of certain public facilities (the "Facilities") and to issue bonds payable from the Special Taxes; and

WHEREAS, in order to provide funds to finance certain of the Facilities, the Community Facilities District proposes to issue its City of Ontario Community Facilities District No. 53 (Tevelde Facilities) Special Tax Bonds, Series 2021 (the "Series 2021 Bonds"), in the aggregate principal amount of not to exceed $25,000,000; and

WHEREAS, in order to provide for the authentication and delivery of the Series 2021 Bonds, to establish and declare the terms and conditions upon which the Series 2021 Bonds are to be issued and secured and to secure the payment of the principal thereof, premium, if any, and interest thereon, the Community Facilities District proposes to enter into an Indenture with Zions Bancorporation, National Association, as trustee (the "Trustee") (such Indenture, in the form presented to this meeting, with such changes, insertions and omissions as are made pursuant to this Resolution, being referred to herein as the "Indenture"); and

WHEREAS, Stifel, Nicolaus & Company, Incorporated (the "Underwriter"), has presented the Community Facilities District with a proposal, in the form of a Bond Purchase Agreement, to purchase the Series 2021 Bonds from the Community Facilities District (such Bond Purchase Agreement, in the form presented to this meeting, with such changes, insertions and omissions as are made pursuant to this Resolution, being referred to herein as the "Purchase Agreement"); and

WHEREAS, Rule 15c2-12 promulgated under the Securities Exchange Act of 1934 ("Rule 15c2-12") requires that, in order to be able to purchase or sell the Series 2021 Bonds, the underwriter thereof must have reasonably determined that the Community Facilities District has, or one or more appropriate obligated persons have, undertaken in

a written agreement or contract for the benefit of the holders of the Series 2021 Bonds to provide disclosure of certain financial information and certain listed events on an ongoing basis; and

WHEREAS, in order to cause such requirement to be satisfied, the Community Facilities District desires to enter into a Continuing Disclosure Agreement with the Trustee (such Continuing Disclosure Agreement, in the form presented to this meeting, with such changes, insertions and omissions as are made pursuant to this Resolution, being referred to herein as the "Continuing Disclosure Agreement"); and

WHEREAS, a form of the Preliminary Official Statement to be distributed in connection with the public offering of the Series 2021 Bonds has been prepared (such Preliminary Official Statement, in the form presented to this meeting, with such changes, insertions and omissions as are made pursuant to this Resolution, being referred to herein as the "Preliminary Official Statement"); and

WHEREAS, there have been prepared and submitted to this meeting forms of:

(a) the Indenture;

(b) the Purchase Agreement;

(c) the Continuing Disclosure Agreement; and

(d) the Preliminary Official Statement;

WHEREAS, Kitty Siino & Associates, Inc. has prepared and provided to the Community Facilities District an appraisal report, dated June 21, 2021 (the "Appraisal"), providing an opinion of value of the property in the Community Facilities District, which has been submitted to this meeting; and

WHEREAS, Section 5852.1 of the California Government Code requires that the City Council obtain from an underwriter, financial advisor or private lender and disclose, in a meeting open to the public, prior to authorization of the issuance of the Series 2021 Bonds, good faith estimates of (a) the true interest cost of the Series 2021 Bonds, (b) the sum of all fees and charges paid to third parties with respect to the Series 2021 Bonds, (c) the amount of proceeds of the Series 2021 Bonds expected to be received net of the fees and charges paid to third parties and any reserves or capitalized interest paid or funded with proceeds of the Series 2021 Bonds, and (d) the sum total of all debt service payments on the Series 2021 Bonds calculated to the final maturity of the Series 2021 Bonds plus the fees and charges paid to third parties not paid with the proceeds of the Series 2021 Bonds; and

WHEREAS, in compliance with Section 5852.1 of the California Government Code, the City Council has obtained from CSG Advisors Incorporated, as the Community Facilities District's Municipal Advisor, the required good faith estimates, which the Municipal Advisor has prepared in consultation with the Underwriter, and such estimates are disclosed and set forth in Exhibit A attached hereto;

WHEREAS, the Community Facilities District desires to proceed to issue and sell the Series 2021 Bonds and to authorize the execution of such documents and the performance of such acts as may be necessary or desirable to effect the offering, sale and issuance of the Series 2021 Bonds; and

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

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

SECTION 1. The foregoing recitals are true and correct.

SECTION 2. Subject to the provisions of Section 3 hereof, the issuance of the Series 2021 Bonds, in an aggregate principal amount of not to exceed $25,000,000, on the terms and conditions set forth in, and subject to the limitations specified in, the Indenture, be and the same is hereby authorized and approved. The Series 2021 Bonds shall be dated, shall bear interest at the rates, shall mature on the dates, shall be subject to call and redemption, shall be issued in the form and shall be as otherwise provided in the Indenture, as the same shall be completed as provided in this Resolution.

SECTION 3. The Indenture, in substantially the form submitted to this meeting and made a part hereof as though set forth herein, be and the same is hereby approved. Each of the Mayor of the City, and such other member of the City Council as the Mayor may designate, the City Manager of the City, the Assistant City Manager of the City, the Executive Director of Finance of the City, the Deputy City Treasurer of the City, and such other officer or employee of the City as the City Manager may designate (the "Authorized Officers") is hereby authorized, and any one of the Authorized Officers is hereby directed, for and in the name of the Community Facilities District, to execute and deliver the Indenture in the form submitted to this meeting, with such changes, insertions and omissions as the Authorized Officer executing the same may require or approve, such requirement or approval to be conclusively evidenced by the execution of the Indenture by such Authorized Officer; provided, however, that such changes, insertions and omissions shall not authorize an aggregate principal amount of Series 2021 Bonds in excess of $25,000,000, shall not result in a final maturity date of the Series 2021 Bonds later than September 1, 2052, and shall not result in a true interest cost for the Series 2021 Bonds in excess of 6.00%.

SECTION 4. The Purchase Agreement, in substantially the form submitted to this meeting and made a part hereof as though set forth in full herein, be and the same is hereby approved. Each of the Authorized Officers is hereby authorized, and any one of the Authorized Officers is hereby directed, for and in the name of the Community Facilities District, to execute and deliver the Purchase Agreement in the form presented to this meeting, with such changes, insertions and omissions as the Authorized Officer executing the same may require or approve, such requirement or approval to be conclusively evidenced by the execution of the Purchase Agreement by such Authorized Officer; provided, however, that such changes, insertions and omissions shall not result in an aggregate underwriter's discount (not including any original issue discount) from the principal amount of the Series 2021 Bonds in excess of 1.50% of the aggregate principal

amount of the Series 2021 Bonds. The City Council hereby finds and determines that the sale of the Series 2021 Bonds at negotiated sale as contemplated by the Purchase Agreement will result in a lower overall cost.

SECTION 5. The Continuing Disclosure Agreement, in substantially the form submitted to this meeting and made a part hereof as though set forth in full herein, be and the same is hereby approved. Each of the Authorized Officers is hereby authorized, and any one of the Authorized Officers is hereby directed, for and in the name of the Community Facilities District, to execute and deliver the Continuing Disclosure Agreement in the form presented to this meeting, with such changes, insertions and omissions as the Authorized Officer executing the same may require or approve, such requirement or approval to be conclusively evidenced by the execution of the Continuing Disclosure Agreement by such Authorized Officer.

SECTION 6. The Preliminary Official Statement, in substantially the form presented to this meeting and made a part hereof as though set forth in full herein, with such changes, insertions and omissions therein as may be approved by an Authorized Officer, be and the same is hereby approved, and the use of the Preliminary Official Statement in connection with the offering and sale of the Series 2021 Bonds is hereby authorized and approved. Each of the Authorized Officers is hereby authorized, and any one of the Authorized Officers is hereby directed, to certify on behalf of the Community Facilities District that the Preliminary Official Statement is deemed final as of its date, within the meaning of Rule 15c2-12 (except for the omission of certain final pricing, rating and related information as permitted by Rule 15c2-12).

SECTION 7. The preparation and delivery of a final Official Statement (the "Official Statement"), and its use in connection with the offering and sale of the Series 2021 Bonds, be and the same is hereby authorized and approved. The Official Statement shall be in substantially the form of the Preliminary Official Statement, with such changes, insertions and omissions as may be approved by an Authorized Officer, such approval to be conclusively evidenced by the execution and delivery thereof. Each of the Authorized Officers is hereby authorized, and any one of the Authorized Officers is hereby directed, for and in the name of the Community Facilities District, to execute the final Official Statement and any amendment or supplement thereto.

SECTION 8. Based upon the property values within the Community Facilities District reported in the Appraisal and the value-to-lien information set forth in the Preliminary Official Statement, the City Council, for purposes of Section 53345.8 of the Act, hereby finds and determines that the value of the real property that would be subject to the Special Tax to pay debt service on the Series 2021 Bonds will be at least three times the principal amount of the Series 2021 Bonds to be sold and the principal amount of all other bonds outstanding that are secured by a special tax levied pursuant to the Act on property within the Community Facilities District or a special assessment levied on property within the Community Facilities District.

SECTION 9. If and to the extent that any feature or aspect of the Series 2021 Bond structure, the rate and method of apportionment of the Special Taxes, the method of financing the Facilities, the appraisal, the absorption study or other components of the Series 2021 Bond issue approved and authorized hereby is inconsistent or in conflict with

any requirement, standard, measure or procedure set forth in the City's Mello-Roos Community Facilities Act of 1982 Local Goals and Policies, such requirement, standard, measure or procedure is, to the extent necessary to eliminate such inconsistency or conflict, hereby waived, and the City Council hereby finds and determines that benefit inures to the ultimate property owners, the Community Facilities District and the City as a result of such waiver.

SECTION 10. The City Council hereby approves the execution and delivery of all agreements, documents, certificates and instruments referred to herein with electronic signatures as may be permitted under the California Uniform Electronic Transactions Act and digital signatures as may be permitted under Section 16.5 of the California Government Code using DocuSign.

SECTION 11. All actions heretofore taken by the officers, employees and agents of the City with respect to the issuance and sale of the Series 2021 Bonds, or in connection with or related to any of the agreements or documents referred to herein, are hereby approved, confirmed and ratified.

SECTION 12. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

SECTION 13. This Resolution shall take effect immediately upon its adoption.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A

GOOD FAITH ESTIMATES

The good faith estimates set forth herein are provided with respect to the Series 2021 Bonds in accordance with Section 5852.1 of the California Government Code. Such good faith estimates have been provided to the Community Facilities District by CSG Advisors Incorporated, the Community Facilities District's municipal advisor (the "Municipal Advisor"), which the Municipal Advisor has prepared in consultation with Stifel, Nicolaus & Company, Incorporated, the Underwriter.

Principal Amount. The Municipal Advisor has informed the Community Facilities District that, based on the Community Facilities District's financing plan and current market conditions, its good faith estimate of the aggregate principal amount of the Series 2021 Bonds to be issued and sold is $21,455,000 (the "Estimated Principal Amount"), which does not include approximately $2,414,000 of net premium estimated to be generated based on current market conditions. Net premium is generated when, on a net aggregate basis for a single issuance of bonds, the price paid for such bonds is higher than the face value of such bonds. Such Estimated Principal Amount and such estimated net premium amount would produce approximately $23,869,000 of gross proceeds.

True Interest Cost of the Series 2021 Bonds. The Municipal Advisor has informed the Community Facilities District that, assuming that the Estimated Principal Amount of the Series 2021 Bonds is issued and sold, and based on market interest rates prevailing at the time of preparation of such estimate, its good faith estimate of the true interest cost of the Series 2021 Bonds, which means the rate necessary to discount the amounts payable on the respective principal and interest payment dates to the purchase price received for the Series 2021 Bonds, is 3.24%.

Finance Charge of the Series 2021 Bonds. The Municipal Advisor has informed the Community Facilities District that, assuming that the Estimated Principal Amount of the Series 2021 Bonds is issued and sold, and based on market interest rates prevailing at the time of preparation of such estimate, its good faith estimate of the finance charge for the Series 2021 Bonds, which means the sum of all fees and charges paid to third parties (or costs associated with the Series 2021 Bonds), is $554,000.

Amount of Proceeds to be Received. The Municipal Advisor has informed the Community Facilities District that, assuming that the Estimated Principal Amount of the Series 2021 Bonds is issued and sold, and based on market interest rates prevailing at the time of preparation of such estimate, its good faith estimate of the amount of proceeds expected to be received by the Community Facilities District for sale of the Series 2021 Bonds, less the finance charge of the Series 2021 Bonds, as estimated above, and any reserves or capitalized interest paid or funded with proceeds of the Series 2021 Bonds, is $22,049,000.

Total Payment Amount. The Municipal Advisor has informed the Community Facilities District that, assuming that the Estimated Principal Amount of the Series 2021 Bonds is sold, and based on market interest rates prevailing at the time of preparation of such estimate, its good faith estimate of the total payment amount, which means the sum total of all payments the Community Facilities District will make to pay debt service on the Series 2021 Bonds, plus the finance charge for the Series 2021 Bonds, as described above, not paid with the proceeds of the Series 2021 Bonds, calculated to the final maturity of the Series 2021 Bonds, is $37,510,000, which excludes any reserves or capitalized interest funded or paid with proceeds of the Series 2021 Bonds (which may offset such total payment amount).

The foregoing estimates constitute good faith estimates only and are based on market conditions prevailing at the time of preparation of such estimates. The actual principal amount of the Series 2021 Bonds issued and sold, the true interest cost thereof, the finance charges thereof, the amount of proceeds received therefrom and total payment amount with respect thereto may differ from such good faith estimates due to (a) the actual date of the sale of the Series 2021 Bonds being different than the date assumed for purposes of such estimates, (b) the actual principal amount of Series 2021 Bonds issued and sold being different from the Estimated Principal Amount, (c) the actual amortization of the Series 2021 Bonds being different than the amortization assumed for purposes of such estimates, (d) the actual market interest rates at the time of sale of the Series 2021 Bonds being different than those estimated for purposes of such estimates, (e) other market conditions, or (f) alterations in the Community Facilities District's financing plan, or a combination of such factors. The actual date of sale of the Series 2021 Bonds and the actual principal amount of Series 2021 Bonds issued and sold will be determined by the Community Facilities District based on the timing of the need for proceeds of the Series 2021 Bonds and other factors. The actual interest rates borne by the Series 2021 Bonds will depend on market interest rates at the time of sale thereof. The actual amortization of the Series 2021 Bonds will also depend, in part, on market interest rates at the time of sale thereof. Market interest rates are affected by economic and other factors beyond the control of the Community Facilities District.

CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **ADMINISTRATIVE REPORTS/DISCUSSION/ACTION**
Department: Innovation, Performance and Audit Prepared By: Jimmy Chang Department: Financial Services Prepared By: Armen Harkalyan Staff Member Presenting: Jimmy Chang, Innovation Performance and Audit Director Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 27

SUBJECT: RESOLUTION APPROVING AN EQUIPMENT LEASE AND A TAXABLE EQUIPMENT LEASE/PURCHASE AGREEMENT TO FINANCE THE EXPANSION OF THE CITY'S BROADBAND/FIBER OPTIC NETWORK

RECOMMENDATION: That the City Council adopt a resolution approving the Equipment Lease and Taxable Equipment Lease/Purchase Agreement with respect to financing improvements to the City's Broadband/Fiber Optic Network in an amount not to exceed $18,250,000, and authorizing the City Manager and the Executive Director of Finance to execute such agreements.

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

FISCAL IMPACT: The estimated amount of the Equipment Lease and Taxable Equipment Lease Purchase Agreement (collectively the "Lease Agreement") is $18,250,000 (subject to refinement for closing costs), which will be used to fund (i) a portion of the total estimated cost of the proposed improvements estimated at $17,945,000; and (ii) fund legal and municipal advisory costs directly related to the Lease Agreement. The term of the Lease Agreement is 21 years, with interest only due after 1 year for construction draws, converting to a fully amortized 20-year loan thereafter, with a fixed interest rate of 3.55%. The projected annual payment of the estimated loan amount is $1,285,306. Pursuant to the requirements of Section 5852.1 of the California Government Code, the Resolution sets forth the good faith estimates provided to the City by its Municipal Financial Advisor, CSG Advisors Incorporated. Under the terms of the Lease Agreement, the Lease Payments will be paid from the Broadband/Fiber Fund. Any advanced funds by the City would be repaid by broadband/Fiber Fund when available.

BACKGROUND & ANALYSIS: In December 2015, the City became one of California's first municipal broadband fiber optic networks in delivering gigabit internet service to its community through the development of the OntarioNet network. This milestone is attributed to the City Council's visionary leadership and collaborative public-private partnerships that began in the early 2000's. As a result of its strategic alliance with broadband design, engineering, and planning partners through the years, and with its partnership with Inyo Networks for service delivery, this concerted effort has

connected over 1400+ residential subscribers, 120+ business/commercial customers, 12 City facilities, and over 80+ traffic signal cabinets to date. The approach has resulted in 160+ miles of fiber optic cable installed throughout the City, providing the infrastructure to support alternative fiber internet service for communities in Ontario Ranch and newly developed areas of Old Model Colony (OMC). Additionally, the infrastructure serves as a platform for developing "Smart Ontario," a City initiative that supports innovative activities centered around digital inclusion programming, public safety operations, community sustainability efforts, and multimodal traffic management. To continue leading the City with transformative infrastructure and services, OntarioNet is pursuing expansion opportunities with a broadband fiber and wireless plan to cover the entire City with affordable, fast, and high-capacity internet service.

The expansion is a multi-phased strategy. Phase 1would utilize funds from the Lease Agreement to commence project sampling of a wide range of services through the installation of fiber to the home/business, high-density housing installation, and wide-area mobile Wi-Fi service offerings. Once complete, Phase 1 will be capable of providing 20% of the City's area with wireless coverage (1,194 multi-dwelling units, 7,514 single-family homes), serve up to 1,932 single-family homes and 5,926 multi-dwelling units with fiber optic connectivity directly to residents' homes, and serve up to 38 commercial business properties. Lastly, a "wholesale" or "dark fiber" business strategy will be tested as well. The Broadband Department will analyze the performance through Phase 1 to review milestone metrics, design efficiencies, construction methodologies, operation effectiveness, and customer acquisition. Assuming these targets are met with Phase 1, subsequent phases would be considered to deliver municipal broadband service offerings throughout the City. In total, the full expansion of OntarioNet into OMC will require nearly six phases over several years and will cost approximately $180+ million.

As part of the expansion initiative, the Broadband Department will augment its Staff with key personnel and contractors to carry out the project plan and future approved phases. These positions will supplement the existing operations (three staff members) that oversee construction, installation, and customer services. The proposed personnel changes include adding a Broadband General Manager (to oversee the expansion), a Broadband Principal Analyst (design, engineering, GIS support), and a Broadband Analyst (field, contractor, customer service support). As Phase 1 progresses, additional positions that are proposed include a Broadband Coordinator (marketing, outreach, branding programming) and an Administrative Assistant (contracts, procurement, admin support) to further develop the operations. These additional positions (to be brought forward for City Council consideration at mid-year budget), along with the experienced contractors and consultants, are prepared to execute Phase 1 and subsequent phases in OMC and the continued build-out in Ontario Ranch.

Infrastructure such as OntarioNet is a foundational component to the "Smart City" vision of Ontario. A "Smart Ontario" uses technology, applications, and real-time data to enhance the community's quality of life and continually improve the City's operational efficacy, public safety, and economic development efforts. Municipal broadband services like fiber and Wi-Fi are critical for the 21st century as part of a more extensive infrastructure portfolio. The City understands investing in municipal broadband allows Ontario to be more competitive today and in the future. Over the coming years, OntarioNet will be a crucial factor, cementing the City's position as the premier community of the Inland Empire.

Financing Plan: To secure the funding and to begin the design and construction of the expansion of the broadband/fiber optic network, it is recommended that the City enter into the Lease Agreement with Citizen's Business Bank (the "Bank"). The Lease Agreement sets forth the terms and conditions under which the Bank will finance the improvements. Pursuant to the Lease Agreement, the City is required

to lease and pledge City facilities with value equal to or greater than the principal amount of the lease as security. It is recommended that the City use OntarioNet the existing broadband and fiber optic network as well as the improvements to be constructed as security for the Lease Agreement. Key features of the Lease Agreement include utilizing the financing on a draw down basis at the discretion of the City for a twelve-month period. This allows the City to incrementally finance the improvements and only pay interest on that portion of the total financing amount which has been drawn. Additionally, the Lease Agreement is subject to abatement. If, for any reason, all or a portion of the property is damaged, destroyed or taken by eminent domain, the amount of the payments required pursuant the Lease Agreement will be reduced to reflect such abatement.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN EQUIPMENT LEASE AND A TAXABLE EQUIPMENT LEASE/PURCHASE AGREEMENT WITH RESPECT TO FINANCING IMPROVEMENTS TO THE CITY'S FIBER OPTIC NETWORK IN AN AMOUNT NOT TO EXCEED $18,250,000 AND OTHER MATTERS PERTAINING THERETO.

WHEREAS, the City of Ontario (the "City") is authorized by the laws of the State of California to acquire, design, and construct additional improvements ("Project") to the City's fiber optic network (the "Fiber Network"); and

WHEREAS, Citizens Business Bank (the "Bank") will assist the City with financing the acquisition, design and construction of the Project for the City; and

WHEREAS, the City has determined that it would be in its best interest to provide for the financing (the "Financing") of the Project by entering into that certain Equipment Lease (the "Equipment Lease") whereby the City leases to the Bank certain portions of the Ontario Fibernet gigabit and high speed wireless network equipment (the "Existing Equipment") and the Taxable Equipment/Lease Purchase Agreement dated August 1, 2021 by and between the City and the Bank (the "Agreement" and together with the Equipment Lease, the "Agreements") whereby the City leases back such Equipment from the Bank; and

WHEREAS, the City has determined that the Financing should be offered for private placement and has received a term sheet from the Bank and that such Financing will bear interest at a fixed rate; and

WHEREAS, Section 5852.1 of the Government Code of the State of California ("Section 5852.1") provides that the City obtain from an underwriter, municipal advisor or private lender and disclose, in a meeting open to the public, prior to authorization of the Financing, good faith estimates of: (a) the true interest cost of the rental payments made pursuant to the Agreement (the "Rental Payments"), (b) the finance charge of the Agreement, meaning the sum of all fees and charges paid to third parties, (c) the amount of proceeds of the Agreement received less the finance charge described above and any reserves or capitalized interest paid or funded with proceeds of the Agreement and (d) the sum total of all Rental Payments calculated to the final Rental Payment Date (as defined in the Agreement) plus the fees and charges paid to third parties not paid with the proceeds of the Agreement; and

WHEREAS, in accordance with Section 5852.1, the City has obtained such good faith estimates from its municipal advisor and such estimates are attached hereto as Exhibit A; and

WHEREAS, all acts, conditions and things required by law to exist, to have happened and to have been performed precedent to and in connection with the execution and delivery of the Agreement do exist, have happened and have been performed in regular and due time, form and manner as required by law, and the City is now duly authorized to execute, enter into and perform the Agreement.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE CITY OF ONTARIO AS FOLLOWS:

SECTION 1. Approval of the Agreements. The Agreements, which provide generally for (i) the lease of certain components of the Fiber Network (the "Existing Equipment") and the Project by the Bank to the City, (ii) the sublease by the City from the Bank of the Existing Equipment and the lease by the City from the Bank of the Project, and (ii) the payment by the City to the Bank of rental payments in amounts which will be sufficient to pay the principal of and interest owing to the Bank, are hereby approved. The City Manager and Executive Director of Finance (together, the "Authorized Officers") are each individually authorized to execute, acknowledge and deliver the Agreements on behalf of the City in substantially the form hereby approved with such changes therein as the officer executing the same may approve, such approval to be conclusively evidenced by the execution and delivery thereof.

SECTION 2. Financing Terms. The Financing terms presented to the City by the Bank are approved as follows: maximum principal amount of the Financing is $18,250,000; maximum interest rate with respect to the Financing is 3.55%, except in the event of default, in which case such rate may increase as agreed upon in the Agreement; provided, however, such interest rate shall not exceed the maximum rate permitted by law, and maximum term for the Financing is 21 years from the initial disbursement date.

SECTION 3. Requisitions. The Authorized Officers, or any one of them, are hereby authorized and directed to execute one or more requisitions authorizing the payment of costs of preparing and delivering the Financing from the proceeds of payment by the Bank.

SECTION 4. Appointment of Professionals. The City hereby authorizes and approves the following professionals to provide services in connection with the Financing: CSG Advisors Inc., as municipal advisor, and Best Best & Krieger LLP, as bond counsel, and the Authorized Officers are hereby authorized to enter into agreements with said firms in connection with their providing services with respect to the Financing.

SECTION 5. Other Acts. The Authorized Officers are hereby authorized and directed, jointly and severally, to do any and all things, to execute and deliver any and all documents, agreements and certificates which in consultation with the staff and the City's legal counsel they may deem necessary or advisable in order to consummate the Financing, or otherwise to effectuate the purposes of this Resolution, and any such actions previously taken by such officers are hereby ratified and confirmed.

SECTION 6. 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 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A

SB 450 SUMMARY

Set forth below are good faith estimates of CSG, Advisors Inc., as municipal advisor, as required under Section 5852.1 of the California Government Code (the "Code") for the Taxable Equipment Lease Purchase Agreement to finance the acquisition, design and construction of certain improvements to City of Ontario's fiber optic network.

a) The interest rate is 3.55% and the true interest cost of the installment payments is at 3.50% calculated as provided in Section 5852.1(a)(1)(A) of the Code.

b) The finance charge of the Taxable Equipment Lease Purchase Agreement, including all fees and charges paid to third parties, is estimated at $157,000.

c) Proceeds of the Taxable Equipment Lease Purchase Agreement received by the City of less the finance charges set forth in (b) above, is equal to $17,943,000.

d) The total payment amount calculated as provided in Section 5852.1(a)(1)(D) of the Code is estimated at $25,994,221.

The foregoing are estimates and the final costs can vary from the estimated amounts set forth above.

Jimmy Chang & Ron Ivie
Broadband Operations

July 20, 2021

CITY OF ONTARIO 1944

What is OntarioNet?

- **The City and its strategic partners are building a fiber optic and high-speed wireless network; OntarioNet, to provide low-cost, high-quality broadband service for the community.**
- **OntarioNet is a Revenue Based Consumer Utility Service that Owns & Operates a Broadband Network.**
- **OntarioNet is a Critical Utility Service like Water, Sewer & Waste.**
- **OntarioNet is Crucial in Enabling:**
  - Telework, Distance Learning & Digital Inclusion
  - Affordable Access to Broadband Services
  - Growth in Economic Development
  - Infrastructure for Advanced and Future Technologies
  - Smart City Integration
  - Public Safety Improvements (PD, Traffic Management, Incident Dispatch)
  - The Transformation into The Premiere Community of the Inland Empire

CITY OF ONTARIO

OntarioNet Staff: Own & Operate Broadband Infrastructure, Project Management & Development

OntarioNet **Inyo Networks**

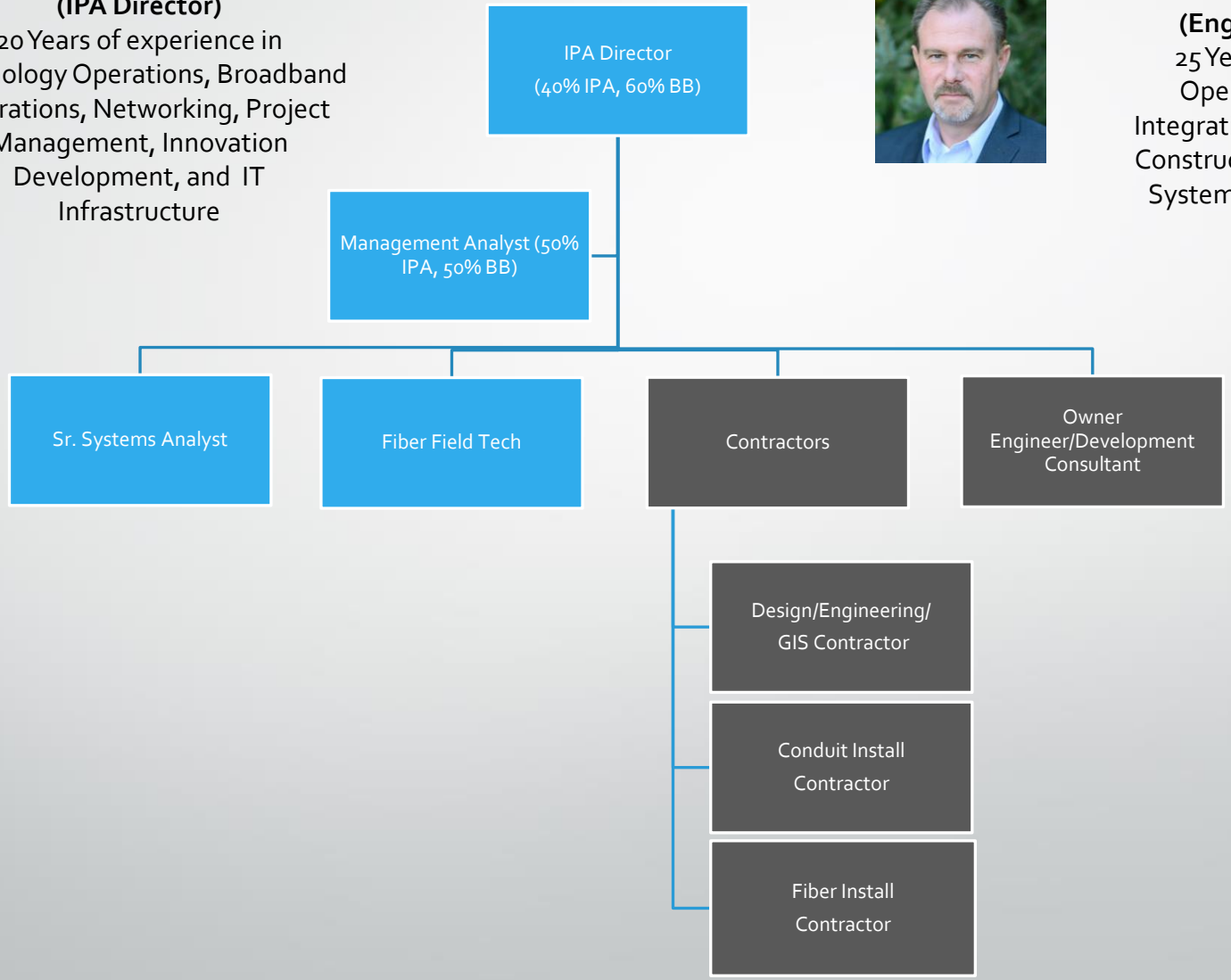
Inyo Networks
Powered by OntarioNet

Inyo Networks Staff: Leases City Fiber for Home & Business Internet, Phone, & TV Services & Markets Services

Current Broadband Team

Jimmy Chang
(IPA Director)
20 Years of experience in Technology Operations, Broadband Operations, Networking, Project Management, Innovation Development, and IT Infrastructure

Ronald Ivie
(Eng./Dev. Consultant)
25 Years of experience in Operations, Broadband Integration, Financial Planning, Construction Services, Wireless Systems & Fiber Engineering



Inyo Networks

- **Offers Services along 3,000+ Miles of Network**
- **Operates (5) FTTx (Fiber-to-the-Home) networks in California**
- **Licensed as ILEC and CLEC**
- **Currently Serving 2800+ FTTx Residential and 420+ Business Customers**
  - Military, Telecommunications, Retail Distribution, Airports
- **Operates 583 Mile Long-haul Network**
  - Offering Services to 36 Communities, Seven Tribal Reservation, 2 Military Bases
  - Passing 26,000 Households and 2,500 Businesses
- **Partnered with Large Telecom Carrier to Offer Services**
  - Wholesale Internet Services, LAN Extension & Point-to-Point Services
- **Services Provided**
  - Residential Services : 300Mbps, 1Gbps, 2 Gbps, Voice, Wi-Fi Management, Security Monitoring
  - Business Services : 50Mbps, 100Mbps, 100+ Gbps Burst, 1Gbps, 2 Gbps & 10Gbps
  - Offer Private LAN Extensions, Hosted PBX, VoIP, Site Co-locations, SIP Trunking
- **Five Year Partner, Since 2015**

Background & Deployment

- City Advancements
- OntarioNet History
- OntarioNet System Overview
- Current OntarioNet Network
- Key City Benefits
- Smart Ontario
- Advanced Smart City Integration

City Advancements

Model Colony

City of Ontario has always been a Smart City. Since its founding as a model colony, the City of Ontario has time and again embraced new technology to improve quality of life for its citizens.

Telephone

Ontario was among the first to be wired with long distance telephone lines.

Water

The San Antonio Water Co. in Ontario used a new, innovative method to drive a tunnel into the head of the canyon to tap the underground flow of water.

Transit

In 1887, a new transportation invention, the mule car, began transporting residents up and down Euclid Avenue.

Electricity

The need for electric power to lift water from deep wells led to the establishment of the Ontario Power Co.

Internet

OntarioNet brings California's fastest fiber Internet to residents, businesses, and community institutions.

1950

OntarioNet History

1999–2002

First Fiber Study Conducted by Hewlett-Packard

2003

Telecommunications Master Plan Based on FTTX was Adopted by Council, DIF Created Based on Projected Cost Model, Structure Wiring Ordinance Drafted, Conditional Conduit Requirements Drafted

2004–2007

New Model Colony (Ontario Ranch) Developers Install Telecom Conduit per Specific Plans, Engineering Conditions, Fiber NMC DIF $1,338

2008–2011

Economic Recession / Housing Slowdown. Changes to housing density 42-47K units.Fiber NMC DIF $1,029

2012-2014

Ontario Fiber Vision Relaunched, New Master Plan Collaboration by Engineering & Information Technology DIF adjusted. Fiber DIF adjusted to $663

2015-2020

First customer connected 12/2015. FTTx Active Customers at 1400+, Business Customers at 120+. Fiber DIF modified to $1,943 in 2020

2021-2027

Launch OMC Broadband Plan. City-wide Fiber & Wireless Solution. FTTx Build-out. Continue Development in Ontario Ranch

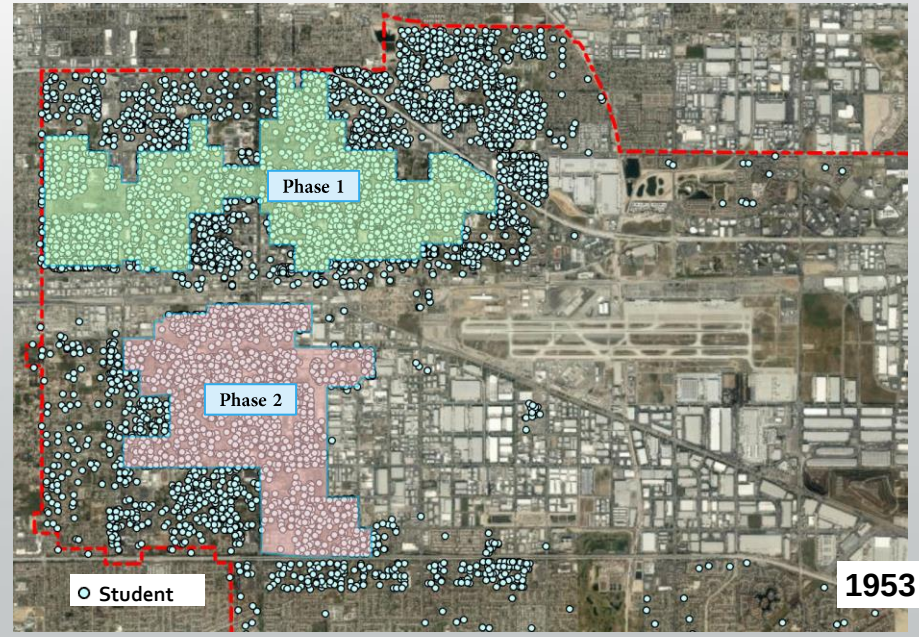
OntarioNet System Overview

- **164+ Miles Network -** Conduit & Fiber Installed
- **12+ City Facilities Connected -** City Hall, Toyota Arena, Convention Center, Museum, OMUC, Public Works, Police, Fire Stations 3/6/8/9, DAQ, HNP
- **80+ Traffic Cabinets Connected** with OntarioNet Fiber, Resulting in $605,000+ Telecom Savings
- **3 Carrier Telecom/Internet Grade Facilities**- Toyota Arena, OMUC & Creekside (Centralized Feed/Interconnect Locations for the Fiber System)
- **Key Community Tenants** - Ontario International Airport and Tenants, Prominent Commercial Buildings, Large Club Warehouse, Global Shoe Warehouse
- **Current Customer Base** - 1400+ Residential & 120+ Business Customers
  - 60-70% Customer Take Rate in Ontario Ranch
- **High-speed Internet Services** – 10 Gbps, 2 Gbps, 1Gbps, 300Mbps & 100Mbps Capacity

Key City Benefits

- Combined Services Model – Fiber & Wireless Broadband
- Future Proof for New Technologies, Access & Connectivity
- Lower Cost City Services with Higher Capacity
- Leverage Mobility for Operational Departments
- Wireless Includes Advanced Sensors (Traffic Management/Environmental Data)
- Public Safety Wireless Offload (PD/Fire)
- Emergency Services with Dedicated Private Links
- Municipal Utility Services (Water/Sewer/Waste)
- High-Capacity Transport for Camera Services
- Traffic Light Communication
- Local Public Benefits (Schools/Libraries)
- Local Customer Support

School Student Example



What is Smart Ontario?

Using Technology to Improve the Community

1

Street Lighting Upgrade

2

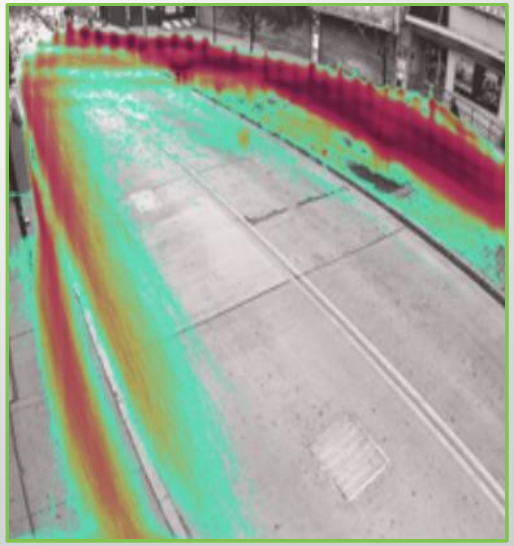
Wireless Edge Device Management

3

Intelligent Traffic Management

4

Vehicle / Pedestrian Management



Improving the Community, Public Safety and Connectivity

Advanced Smart City Integration

- Public safety real-time monitoring
  - LPR – License Plate Readers
  - Audible Detection
  - Smoke Detection
  - Camera System Edge Recording & Video Recall
  - Incident Management Automation & Dispatch
- Future AMI (currently AMR) Services to Remotely Turn On and Off Water
- Water Meter Reading without Central Wireless Collectors
- Integrated Waste Bin Monitoring
- Real-time Parking Management
- Vehicular, Pedestrian, Micro-mobility management
- Cellular Carrier Wi-Fi Off-loading
- Sustainable Environmental Sensors
- City Services / Utility Services Mobility, Connectivity
- Mass Public Messaging and Notification
- Autonomous Vehicle Communications, Connectivity
- V2X Proximity Communications, Connectivity

1955

Overbuild Investment & Strategy

- **Investment Overview**
- **Business Strategy**
- **Competitive Advantage**
- **Proposed Broadband Team**

Investment Overview

- **Broadband/Fiber Fund**
  - Operating using DIF (Developer Impact Fees for Ontario Ranch)
  - Established Broadband/Fiber Fund for Metro Fiber Build & Operations
  - City Investment of $15.5M (Seed Money – 2015 & 2017)
- **Broadband Assets**
  - Currently Own & Operate 164 Miles of Plant (Est. Constructed Value $28M)
  - 3 Network Facilities ($2M) – Arena, OMUC & Creekside
  - 1,400+ Residential & 120+ Business Customers
- **Broadband Services**
  - Fiber and Wireless Infrastructure and Services that support City Operations, Local Internet Prescence, & the Framework for Smart City Development.
  - Scalable Fiber Optic Network, 10 Gigabit, 2 Gigabit, 1Gigabit, 300 Mbps &100 Mbps Services
  - Advanced High-Speed Wi-Fi, Fixed & Mobile,100Mbps+ speeds or more

Business Strategy

- **1) A Multi-Phase Build-out Plan** - Using a combination of both wireless and fiber optic services (2021 – 2027)
  - **Coverage Area** - 20% City-wide Fiber & Wireless Coverage
  - **Lower Cost Services** - Use wireless for lower services models below 100Meg combined with low-cost service to the community.
- **2) Value-Added Services** - Wireless would provide both mobility and fixed services, IoT connectivity.
- **3) Phased Approach** - Build-out Fiber & Wireless Network based on the phased plan and perform fiber optic service drops for higher bandwidth customers.
- **4) Risk Mitigation** – Metric driven, per phase success driven with triggers for future phases. 10% Single Family Units (SFU) & 25% Multi-dwelling Unit (MDU) take-rates.
- **5) Continued Growth** – Extensive Marketing Efforts and City Economic Development Engagement to achieve a 30-35% customer take rate within 5 years.

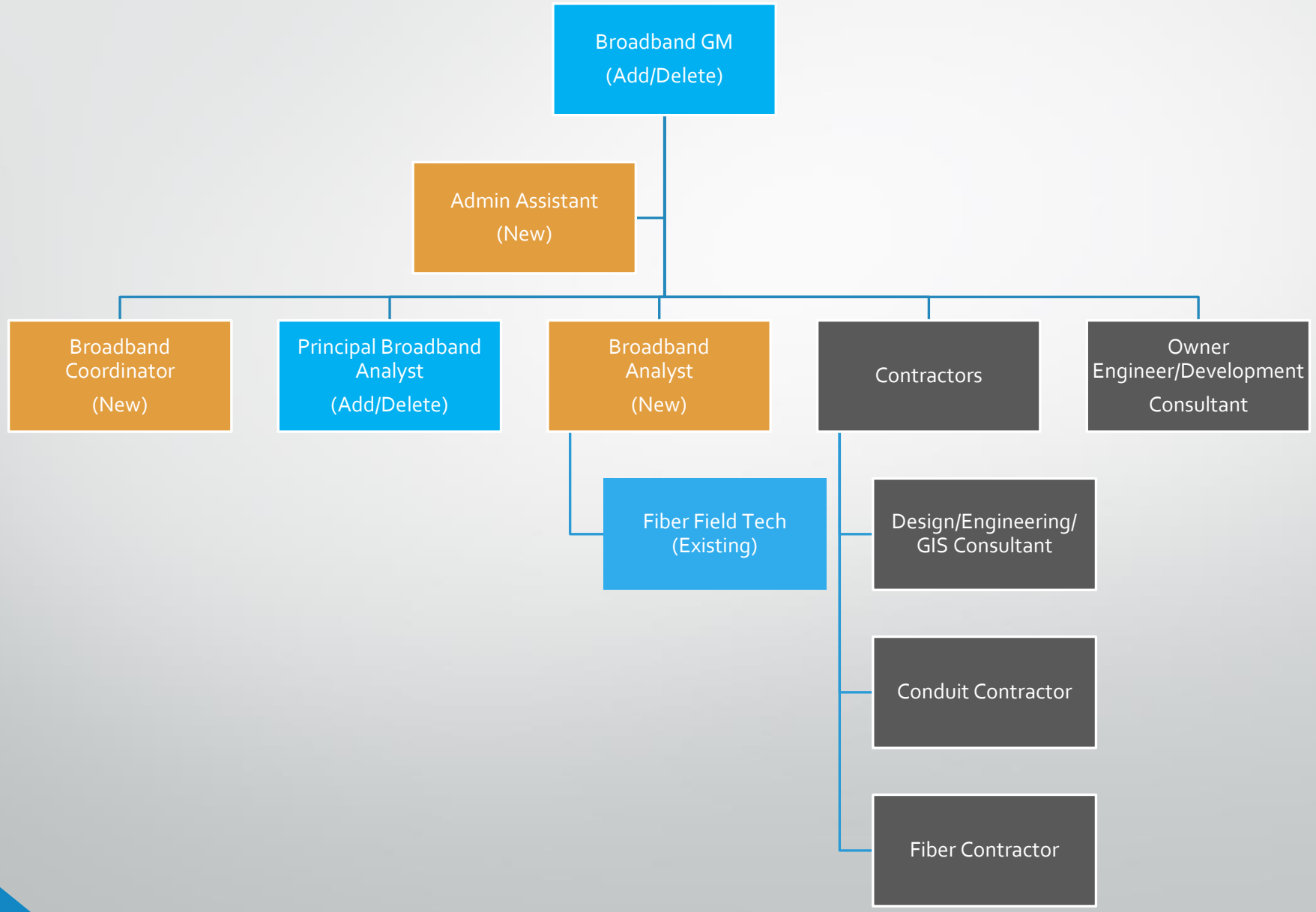
Capital Funding Phase 1

- **Capital Use** – Installation of Fiber and Wireless Network in defined areas to prepare for marketing and customer activation of internet services.
- **Defined Areas** – Select Geographical Areas with three different internet delivery approaches, defining future phases based on success.
  1) Fiber to the Home Infrastructure (FTTx)
  2) Wireless/5G Infrastructure
  3) Multi-dwelling, High-density residential units
- **Expansion in Old Model Colony**
  - 9,446 Residential Unit Passing
  - 7,120 Multi-dwelling Unit Passing

OntarioNet Competitive Advantage

- Fully transparent billing with no hidden fees, no router fees or surprise increases beyond signup.
- Offer lower fees for services in comparison, focus on local community price points rather than national fee structure.
- Offer low-income rate structures using approved Universal Services Fund customers
- Offer lower services model using Wireless with higher capacity using Fiber Based services
- Higher capacity & lower cost services to City facilities
- Local control with local customer support

Proposed Broadband Team



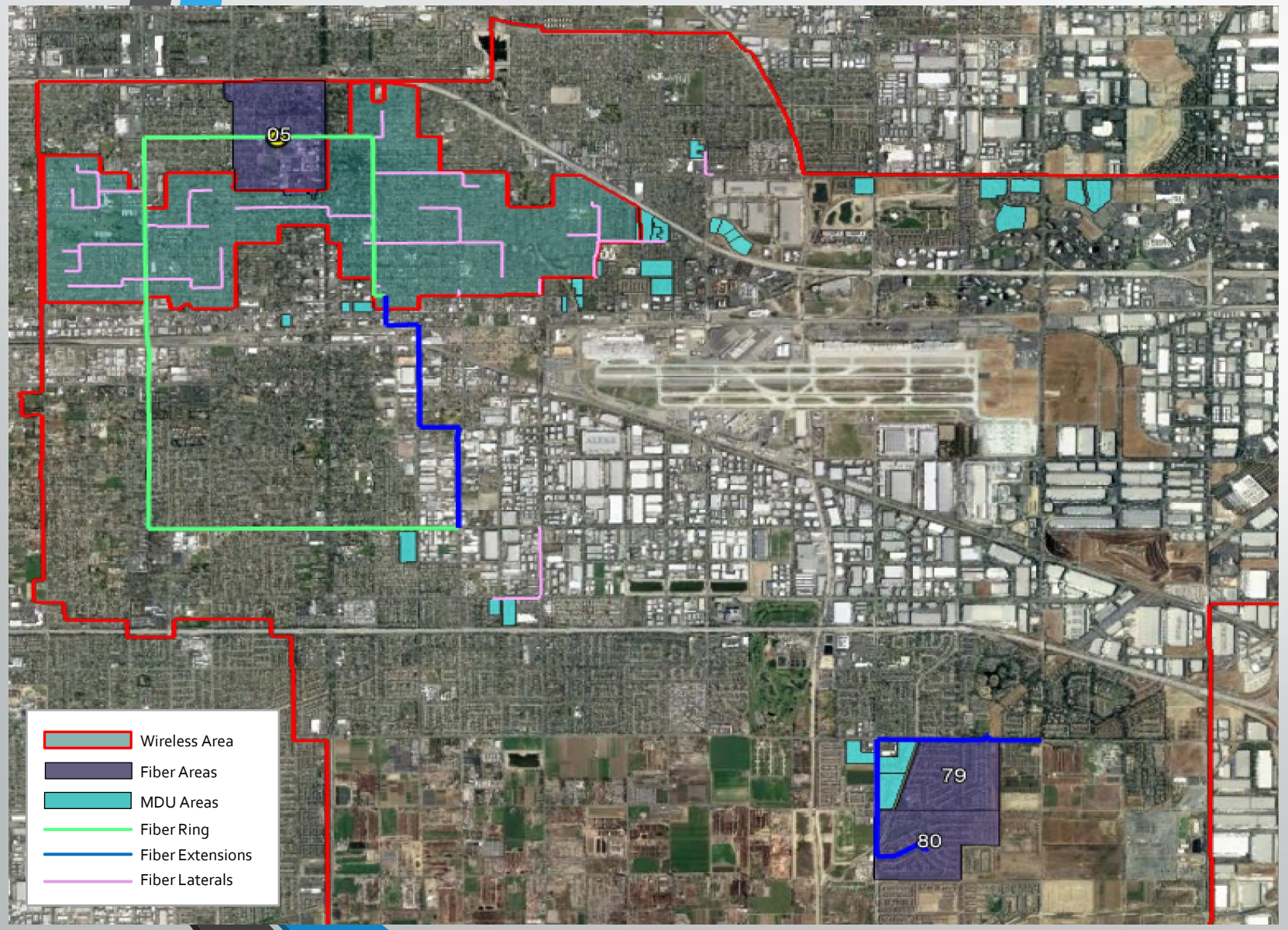
Deployment Strategy

- City-wide Fiber Overview Map
- Phase 1 Plan – Fiber & Wireless
- Broadband Delivery
- Broadband Services
- Capital Phasing & Total Budget
- Revenue Projections
- Financial Projections
- Risk Factors
- Success & Outcomes/Objectives

Phasing Overview

- **Phasing was developed based on access to the existing network elements (Conduit/Fiber/Facilities) then broken down by logical areas known as footprints that feed back to centralized fiber cabinets creating an average of 800 customer connections per cabinet.**
- **Each Phase would require installation of a fiber backbone or lateral extension, focused on the installation of each type:**
  - Fiber to the Home (FTTx)
  - Multi-dwelling Units – High Density Housing (MDU)
  - Wireless/5G – Mobility Coverage/Cameras/IoT
- **What is the Phase 1 plan?**
  - Complete the West Ring
  - Select (3) planned FTTx areas – Complete the existing area south of Riverside Dr. & (1) in north Ontario
  - Deploy a large Wireless/5G area in the northwest, prepare FTTx for future phases
  - Target MDU sites close to the existing backbone (minimal fiber build)
  - Monitor the success of the (3) deployments types through marketing, feedback, revenue

Phase 1 – Fiber & Wireless Plan



A. 20% City-wide Wireless Coverage

- 1,194 Multi-dwelling Units
- 7,514 Single Family Units
- 8,708 Total Units
- 1,770 Gig Wireless Routers
- Fiber Laterals for Future FTTx

B. 4.5% Fiber Build-out

- 3 Serving Areas (05, 79, 80)
- 1,932 Homes Passing
- 38 Commercial Passing
- Additional 291 Gig Wireless

C. MDU Property Build-out

- 26 Targeted Properties
- 5,926 Multi-dwelling Units
- Large Owner Land Parcels

Phase 1 Totals

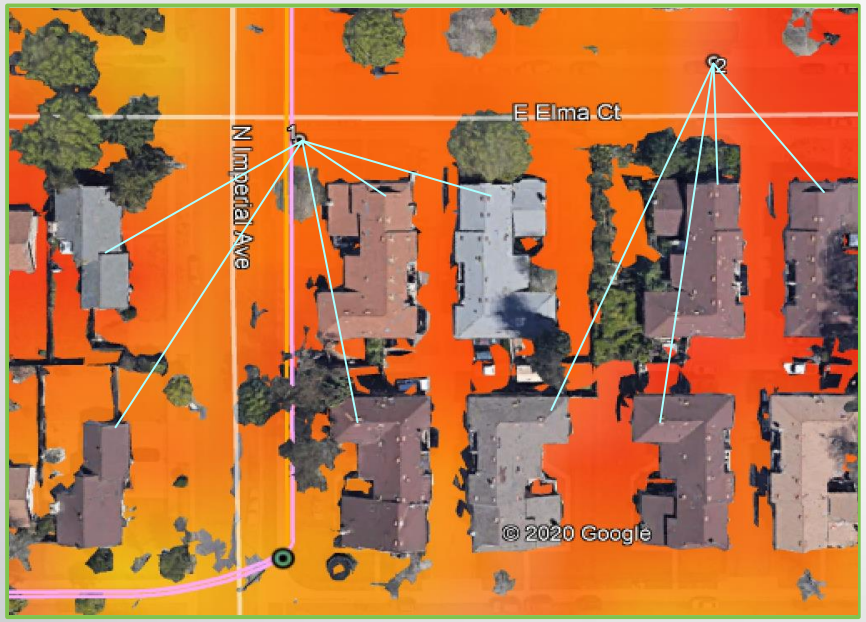
- 9,446 Residential Unit Passing
- 7,120 Multi-dwelling Unit Passing

Broadband Delivery

A combination of high-speed wireless and fiber optic services

1

Wireless Services



- Wireless Broadband Services
- City Services (Mobility – Operations)
- Advanced Sensors (Traffic/Environmental)
- Public Safety Offload (PD/Fire)
- Municipal Utility Services (Water/Sewer/Waste)
- Camera Services

2

Fiber to the Home Services

- Fiber Broadband Services (Internet)
- High Speed Capacity
- City-wide Transport

Providing a combination of broadband solutions to accommodate both low cost and bandwidth

Broadband Services

- **Single Family Residential FTTx**
  - 1 Gbps Services
  - Managed Wi-Fi Services
- **Multi-Family Residential FTTx**
  - 300 Mbps Services
  - 1 Gbps Services
  - Managed Wi-Fi Services
- **Wireless Services**
  - 50 Mbps Services
  - 100 Mbps Services
- **Commercial Services**
  - 100 Mbps Services
  - 1 Gbps Services
  - VoIP Services – Based on Lines
- **City Services**
  - Internal Cost Allocation Accounts
  - IT Transport Services
  - Traffic Management/Interconnection
  - City Facilities
  - Smart/Real-time Public Safety Services

Capital Phasing Budget

ITEM	Phase 1
AD1 - OntarioNet, Operations & MarCom (Internal Staff)	$ 87,075.97
AD1.1 - Additional MarCom	$ 150,000.00
AD2 - Project Management, Inspection & Construction Coordination (Contracted)	$ 504,021.10
AD3 - Engineering Services, Fielding, Permitting, Final Design, Asbuilt & GIS Input (Contracted)	$ 603,831.38
AD4 - FTTx Construction and Material Costs (Contracted)	$ 10,186,023.06
AD4.1 - Backbone Construction and Material Costs (Contracted)	$ 566,995.74
AD5 - Facilities Systems (Contracted)	$ 777,202.50
AD6 - Splicing & Testing (Contracted)	$ 1,475,782.27
AD7 - Core System Costs	$ 133,971.06
AD8 - Streetlight Integration (Contracted)	$ 3,341,366.52
Customer Installation Services (Contracted)	$ 116,754.38
Contingency Budget	$ -
OMC Build-out Capital Cost	$ 17,943,023.96

Phase	Serving Areas	Centerline Footage	Streetlights	Commercial	Common Area	MDU	Single Family	VAC	FLEX	Utility	AIRPORT	Crop/ Grazing	Total Parcel Count	Total Cost
Backbone Build		38,969												$ 566,995.74
Ontario Ranch FTTx														
Equipment														$ 35,836.23
Marcom - Year 1														$ 150,000.00
Area 1 Wireless														$ 7,726,274.88
MDU Targets						4926								$ 3,653,374.86
Phase 1	SA 05	46,861	127	38		47	619	31		5			740	$ 1,938,694.91
Phase 1	SA 79	40,099	223				588						588	$ 1,721,872.34
Phase 1	SA 80	48,125	232				678						678	$ 2,033,220.63
Customer Drops (150)														$ 116,754.38
Phase 1		**135,085**	**582**	**38**	**0**	**4,973**	**1,885**	**31**	**0**	**5**	**0**	**0**	**2,006**	**$ 17,943,023.96**

OntarioNet Revenue Projection

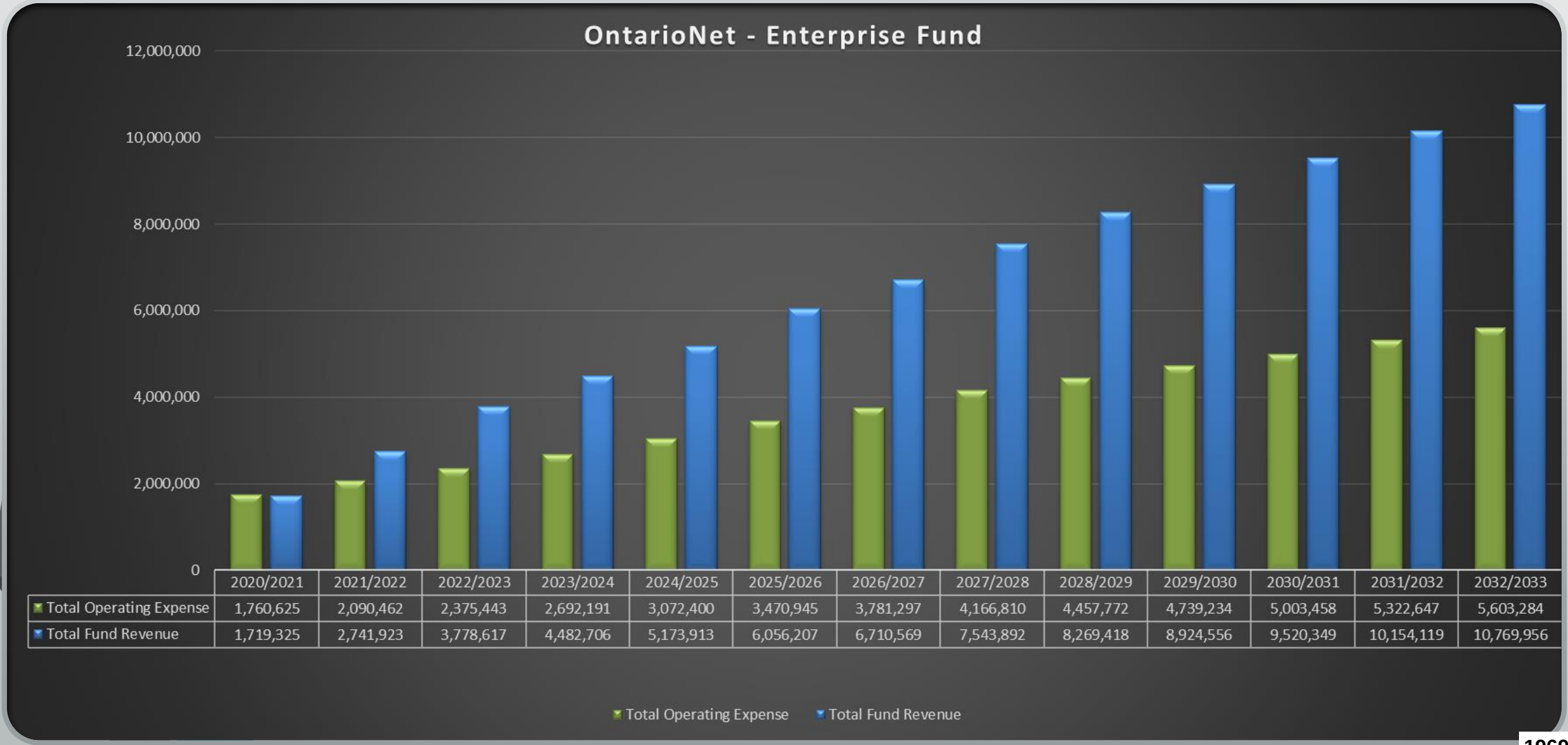
		Phase 1 Build-out											
Total ONT Ranch Customers	1,420	1,774	2,207	2,705	3,186	3,763	4,368	5,147	5,822	6,351	6,880	7,415	7,958
Total MDU Customers	72	971	1,640	1,817	2,190	2,712	2,862	3,017	3,175	3,338	3,504	3,675	3,849
Total OMC Customers	0	63	209	293	314	377	418	523	565	648	669	690	690
Total Commercial Customers	110	120	130	141	153	166	180	195	211	228	247	267	289
Total Wireless Customers	0	262	436	697	784	958	1,045	1,133	1,307	1,481	1,568	1,742	1,829
Total Customer Base	1,602	3,190	4,622	5,653	6,627	7,976	8,873	10,015	11,080	12,046	12,868	13,789	14,615

Broadband/Fiber Fund	**2020/2021**	**2021/2022**	**2022/2023**	**2023/2024**	**2024/2025**	**2025/2026**	**2026/2027**	**2027/2028**	**2028/2029**	**2029/2030**	**2030/2031**	**2031/2032**	**2032/2033**
Revenues:													
ONT Ranch Revenues	1,022,230	1,284,796	1,597,416	1,986,412	2,363,926	2,819,009	3,294,250	3,894,677	4,420,308	4,840,910	5,261,511	5,693,335	6,137,022
MDU Revenues	30,231	407,494	688,351	762,712	919,222	1,138,337	1,201,550	1,266,442	1,333,014	1,401,266	1,471,197	1,542,807	1,616,097
OMC Revenue	191,400	254,152	376,655	456,265	492,262	560,235	614,110	715,797	773,872	863,202	911,380	961,297	999,577
Wireless Revenue	0	62,849	104,588	167,196	188,066	229,805	250,675	271,784	313,523	355,262	376,132	417,871	438,741
City Services Revenue*	91,464	308,649	575,973	653,712	696,274	734,414	769,032	807,393	833,034	860,061	888,474	918,273	949,458
CAP to DIF Revenue	300,000	333,000	336,000	345,000	396,750	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000
Commercial Aid of Construction	84,000	89,892	97,817	108,504	114,147	120,416	126,599	133,078	140,221	147,685	155,123	163,278	171,441
Wireless Aid of Installation	0	1,092	1,817	2,904	3,267	3,992	4,354	4,721	5,446	6,171	6,533	7,258	7,621
Total Fund Revenue	1,719,325	2,741,923	3,778,617	4,482,706	5,173,913	6,056,207	6,710,569	7,543,892	8,269,418	8,924,556	9,520,349	10,154,119	10,769,956
Operating Expenses:													
Operating Expenses	632,454	635,000	646,400	768,408	877,334	991,745	1,020,800	1,053,718	1,091,032	1,133,355	1,181,381	1,235,907	1,297,842
IP Transport / Internet Expense	240,814	250,000	250,000	250,000	250,000	250,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000
Reserve Capital (Aid + Refresh)	0	193,050	205,575	198,525	211,050	210,525	216,600	229,050	235,050	240,525	253,050	258,525	266,281
Software & Hardware Expense	240,265	150,000	165,000	165,000	165,000	181,500	181,500	181,500	181,500	199,650	199,650	199,650	199,650
Inyo Provider Revenue Adjustments	497,544	712,412	958,468	1,160,258	1,369,016	1,637,175	1,862,398	2,152,542	2,400,189	2,615,704	2,819,377	3,028,565	3,239,511
Maintenance, Locates & Repairs	149,548	150,000	150,000	150,000	200,000	200,000	200,000	250,000	250,000	250,000	250,000	300,000	300,000
Total Operating Expense	**1,760,625**	**2,090,462**	**2,375,443**	**2,692,191**	**3,072,400**	**3,470,945**	**3,781,297**	**4,166,810**	**4,457,772**	**4,739,234**	**5,003,458**	**5,322,647**	**5,603,284**
Annual Debt Service:	1,221,781												
FY 2021 Capital Purchased by City	-	(288,097)	(1,285,306)	(1,285,306)	(1,285,306)	(1,285,306)	(1,285,306)	(1,285,306)	(1,285,306)	(1,285,306)	(1,285,306)	(1,285,306)	(1,285,306)
City Net Revenue	**-41,300**	**363,364**	**117,867**	**505,209**	**816,207**	**1,299,956**	**1,643,966**	**2,091,776**	**2,526,341**	**2,900,016**	**3,231,585**	**3,546,166**	**3,881,366**
City Net Accumalative Revenue	**-41,300**	**322,064**	**439,931**	**945,140**	**1,761,347**	**3,061,303**	**4,705,269**	**6,797,045**	**9,323,385**	**12,223,401**	**15,454,986**	**19,001,152**	**22,882,518**

**Updated Allocation for City Services, Traffic Lights, City Buildings & IT Circuits*

Note: Build-out Years for City-wide WAN was 2019-2021

Revenue Projection Chart



	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027	2027/2028	2028/2029	2029/2030	2030/2031	2031/2032	2032/2033
Total Operating Expense	1,760,625	2,090,462	2,375,443	2,692,191	3,072,400	3,470,945	3,781,297	4,166,810	4,457,772	4,739,234	5,003,458	5,322,647	5,603,284
Total Fund Revenue	1,719,325	2,741,923	3,778,617	4,482,706	5,173,913	6,056,207	6,710,569	7,543,892	8,269,418	8,924,556	9,520,349	10,154,119	10,769,956

Risk Factors – Exit Strategy

- **Slower Market Penetration – Gap of Revenue to Support the Debt Service**
  - Over budget due to market condition, construction & material increases
- **Traditional Competition – Frontier, Spectrum**
  - Regional pricing, marketing advantage, brand recognition, on-going legal consultation
- **Untraditional Competition – StarLink, 5G, Dish Network, UIA, WISP**
  - Disruptive technologies, small-market penetration, selective cherry-picking
  - Federal pre-exemption to balance competition
- **Complete Infrastructure Lease – Lease all Functions/Operations of the Network**
  - Wholesale infrastructure lease, asset use in form of an Indefeasible Rights of Use (IRU)
- **Complete Exit Strategy**
  - Sell assets to a local, regional, national, or non-traditional provider (Google Fiber, SiFi, T-Mobile, etc.)

Success Overview

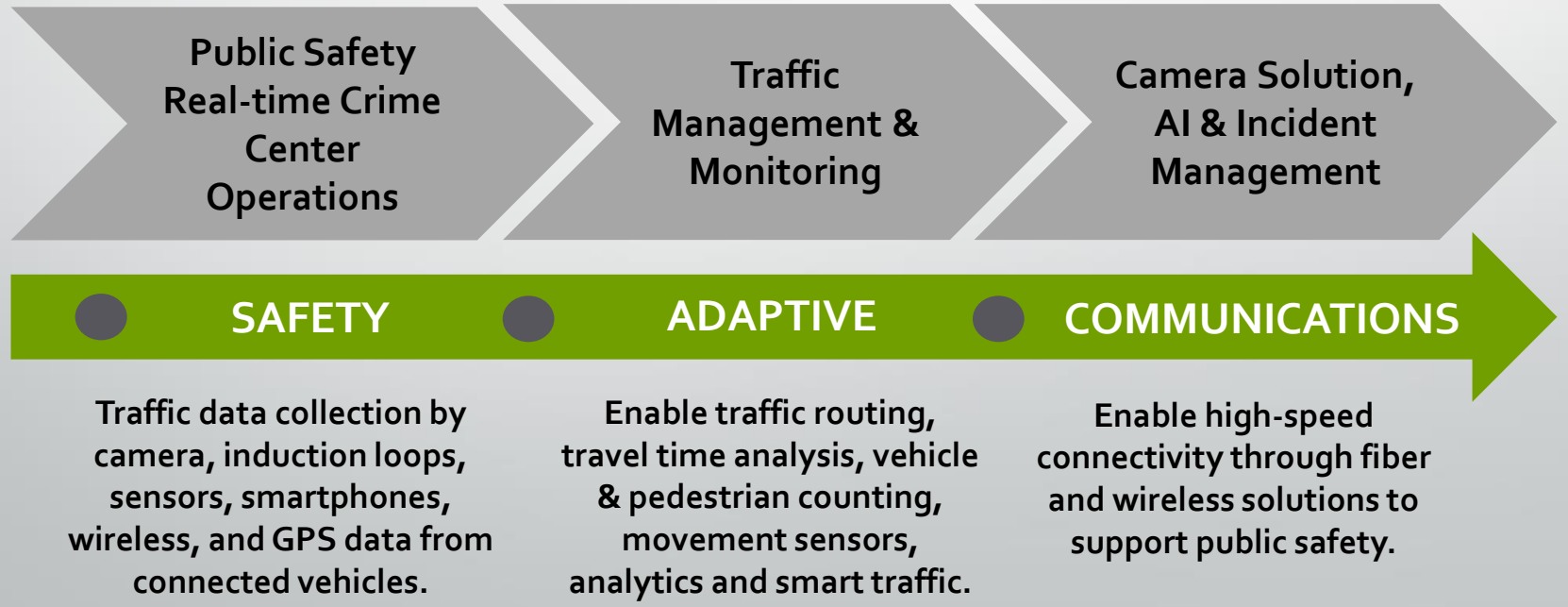
- **What does success look like for phase 1?**
  - Residential Single-Family Unit (SFU) take rate 10% - 15%
  - Multi-Dwelling Unit (MDU) take rate 20-25%
  - Commercial take rate 15-20%
  - Construction schedule on target & under budget
  - Growth in marketing/branding efforts
  - School, library & community collaboration
  - City facilities and departments gain benefits of fiber and capacity
  - Technology infrastructure improves the quality of life and operational effectiveness of city government
  - Customer Review, Feedback & Service Impact (Customer Services)
  - Revenue growth review, expect 25-30% take rate within 5 years
  - Upon Phase 1 success, review Phase 2-6, prepare full deployment approach

Outcome – Objective

- **Establish an Internet Service Provider (ISP) Operations Team (OntarioNet):**
  - Internalize Billing & Network Management
  - Expand Marketing Efforts & Customer Penetration Rates
  - Improve Customer Experience & Customer Feedback
  - Add New Customer Services, Additional Revenue Streams
  - Increase Broadband/Fiber Fund Revenues
  - Continue to Expand Throughout the City (OMC & Ontario Ranch)
- **Expand Operational Unit** providing critical City services to all departments and Public broadband connectivity all while continuing to generate revenues for expansion, repayment of debt and surplus revenue to further innovation.
- **Fundamental Platform** for city-wide IoT & smart city initiatives. A foundational element for data-driven decision-making for the community. In-depth dashboard for internal department use and external public access based on Application Protocol Interface (API) plug-ins .
- **Development of an Extensive Archive/Data Lake of Services (Data Sharing Marketplace)** for other governmental agencies and private companies at define fee structures.

Outcome – Objective

- **Aid for Public Safety Initiatives & Traffic Management Operations**
  - Infrastructure for Public Safety Real-time Crime Center Operations
  - Support Traffic Management Center for Monitoring, Communications & Incident Management
  - Communications to Camera Solution supporting Live Streaming, Edge Playback Video Storage
  - Network for City's Video Management System (VMS) Integration, Incident Management Support



CITY OF ONTARIO

Information Compiled by:

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CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **ADMINISTRATIVE** **REPORTS/DISCUSSION/ACTION**
Department: Financial Services Prepared By: Michelle Nguyen Staff Member Presenting: Armen Harkalyan, Executive Director of Finance Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 28

SUBJECT: FISCAL YEAR 2021-22 POST ADOPTION BUDGET UPDATE REPORT

RECOMMENDATION: That the City Council approve the budget adjustments and recommendations as listed in the Fiscal Year 2021-22 Post Adoption Budget Update Report (Exhibit A) for the Citywide Full-Time Equivalent (FTE) Position Count, the Community Life & Culture's Fee Schedule in relation with the City's Empowerment Scholarships program, and the AmeriCorps State Formula Grant for Ontario Promise Corps program; and adopt the resolution to incorporate the Fiscal Year 2021-22 Community Life & Culture Proposed Fee Schedule (Exhibit B) into the City of Ontario Fiscal Year 2021-22 Adopted Citywide Fee Schedule.

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

FISCAL IMPACT: The recommended actions will affect various fund budgets as outlined in the Fiscal Year 2021-22 Post Adoption Budget Update Report Exhibit A and the Citywide Fee Schedule Exhibit B. The Fiscal Year 2021-22 Adopted Operating Budget was adopted with a total count of 1,219 authorized full-time equivalent positions. The updated Citywide FTE will be 1,232 with all the recommended personnel changes.

Total budget appropriations recommended are to be included in the Fiscal Year 2021-22 First Quarter Budget Update as followed: $1,892,183 for personnel changes; $20,000 for the Empowerment Scholarships program; and $555,334 for AmeriCorps State Formula Grant for Ontario Promise Corps program.

BACKGROUND & ANALYSIS: The primary purposes of this report are to:

- Revise the City's budget to reflect the City Council's actions taken since Budget Adoption;
- Recommend personnel and organizational changes to enhance program operations and efficiency; and
- Recommend financial and budget adjustments that are consistent with City Council goals and objectives.

On June 21, 2021 Council adopted the Fiscal Year 2021-22 Adopted Operating Budget with a total count of 1,219 authorized full-time equivalent (FTE) positions. The updated Citywide FTE will be 1,232 with all the recommended personnel changes from this Post Adoption Budget Update Report. This represents a net increase of 13 positions Citywide and $1,892,183 in new personnel budget

appropriations.

On June 21, 2021 Council also took action to adopt the Citywide Fee Schedule with the exception of those proposed for Community Life & Culture (CLC). The intent was to reduce their recreational fees, however staff recommends to instead increase the Empowerment Scholarships that the City currently has in place for those who cannot afford these programs. The CLC fees are now presented to be incorporated into the Fiscal Year 2021-22 Adopted Citywide Fee Schedule. All of these CLC fees are unchanged from Fiscal Year 2020-21. The appropriations recommended for the Empowerment Scholarships program will be $20,000. In addition, the Anthony Munoz Foundation has donated $25,000 to the Anthony Muñoz Community Center. The donation will serve as a resource for the Empowerment Scholarships. This scholarship provides youth from low-income backgrounds the opportunity to participate in recreation activities, classes and programs that will enrich their lives and in turn, positively impact their families, schools and community.

Ontario Promise Corps: During Fiscal Year 2020-21 the Community Life & Culture Agency was awarded an AmeriCorps State formula funding grant to kickstart the Ontario Promise Corps programming for economically disadvantaged youth in the community. This year the Agency has been awarded a $325,999 AmeriCorps State competitive grant to continue implementing the programs, and the granting agency has committed to continue providing the same level of funding for the next three years based upon the successful completion of the program's goals at the end of each program year. After the allocation of administrative fees paid to the granting agency, the City will receive a total of $319,483. Furthermore, the City is responsible for a cash match of $235,851, of which a portion of these funds will come from outside partner support. The grant will cover cost related to one full-time Administrative Specialist position at a total cost of $88,895 per program year. Additionally, the City will provide in-kind services related to some existing personnel costs associated with the grant and administrative costs.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING THE FY 2021-22 COMMUNITY LIFE & CULTURE FEE SCHEDULE ESTABLISHING CERTAIN FEES FOR CITY SERVICES, AND REPEALING PREVIOUS ACTIONS IN CONFLICT HEREWITH.

WHEREAS, pursuant to the provisions of the California Constitution, the laws of the State of California, and City ordinances, the City of Ontario is authorized to adopt and implement fees and charges for certain municipal services, provided the same do not exceed the estimated reasonable cost of providing such services; and

WHEREAS, the City Council of the City of Ontario (the "City Council") previously adopted Resolution No. 2020-083 approving an updated and modified schedule of citywide fees for FY 2020-21, inclusive of fees administered by the Community Life & Culture Agency for its programs and services; and

WHEREAS, the Community Life & Culture fee categories and amounts proposed for adoption were excluded, pending further review, from Resolution No. 2021-062 which established the citywide fees and charges for FY 2021-22.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ONTARIO DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The “City of Ontario FY 2021-22 Community Life & Culture Proposed Fee Schedule” attached as Exhibit “B” is hereby adopted by reference and shall be incorporated into the “City of Ontario FY 2021-22 Adopted Citywide Fee Schedule”.

SECTION 2. The fee categories and fee amounts contained in Exhibit “B” shall supersede any and all other fees previously set by resolution.

SECTION 3. Other previous City Council actions are hereby repealed to the extent that they are inconsistent herewith.

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

PASSED, APPROVED, AND ADOPTED this 20th day of July 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 July 20, 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 July 20, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT “B”

City of Ontario FY 2021-22 Community Life & Culture Proposed Fee Schedule

[Attached]

Fiscal Year 2021-22
Post Adoption Budget Update
CITY HALL
July 20, 2021

City of Ontario
Recommended Personnel Changes
Fiscal Year 2021-22
Post Adoption Budget Update

Agency	Department	Proposed Change General Fund	Other Fund	Total	Position	Action	Salary Range
Financial Services							
	Fiscal Services	(0.35)	(0.65)	(1.00)	Fiscal Services Director	Deletion	$ 10,804 - $ 13,130
	Fiscal Services	0.35	0.65	1.00	Assistant Finance Director	Addition	$ 11,835 - $ 15,080
	Assessment Services Admin / IRR	(0.50)	(0.50)	(1.00)	Departmental Administrator	Deletion	$ 10,478 - $ 12,733
	Assessment Services Admin / IRR	0.50	0.50	1.00	Deputy Finance Director	Addition	$ 11,272 - $ 13,700
		-	-	-			
Human Resources							
	Human Resources	(0.30)	(0.70)	(1.00)	Human Resources Coordinator	Correction	$ 5,623 - $ 6,838
	Human Resources	0.70	0.30	1.00	Human Resources Coordinator	Correction	$ 5,623 - $ 6,838
		0.40	(0.40)	-			
Management Services							
	Broadband	-	(1.00)	(1.00)	Senior Systems Analyst	Deletion	$ 7,954 - $ 9,669
	Broadband	-	1.00	1.00	Broadband General Manager	Addition	$ 13,029 - $ 15,837
	Broadband	-	(1.00)	(1.00)	Senior Systems Analyst	Deletion	$ 7,954 - $ 9,669
	Broadband	-	1.00	1.00	Principal Broadband Analyst	Addition	$ 8,741 - $ 10,625
	Broadband	-	1.00	1.00	Broadband Coordinator	Addition	$ 7,197 - $ 8,746
	Innovation, Performance & Audit	(1.00)	-	(1.00)	Internal Auditor	Deletion	$ 6,448 - $ 7,835
	Innovation, Performance & Audit	1.00	-	1.00	Internal Audit Manager	Addition	$ 8,055 - $ 9,790
	Innovation, Performance & Audit	1.00	-	1.00	Internal Auditor	Addition	$ 6,448 - $ 7,835
		1.00	1.00	2.00			
Ontario Fire Department							
	Personnel Training & Development	1.00	-	1.00	Deputy Fire Chief	Addition	$ 15,241 - $ 18,522
	Personnel Training & Development	1.00	-	1.00	Fire Captain	Addition	$ 9,675 - $ 11,759
	Airport Fire Operations	(1.00)	-	(1.00)	Fire Engineer	Deletion	$ 8,649 - $ 10,510
	Airport Fire Operations	1.00	-	1.00	Firefighter	Addition	$ 7,261 - $ 8,823
	Airport Fire Operations	2.00	-	2.00	Firefighter	Addition	$ 7,261 - $ 8,823
		4.00	-	4.00			
Ontario Police Department							
	Airport Operations	1.00	-	1.00	Police Corporal	Addition	$ 7,511 - $ 9,129
	Airport Operations	5.00	-	5.00	Police Officer	Addition	$ 6,796 - $ 8,263
	Airport Operations	1.00	-	1.00	Police Captain	Addition	$ 13,705 - $ 16,661
		7.00	-	7.00			
Total Additions/(Deletions)		**12.40**	**0.60**	**13.00**			

Net Change By Fund	Annual Cost	Post Budget Adjustments	Net FTE Change
001 General Fund	$ 136,396	$ 136,396	3.40
022 Ontario Airport	$ 1,516,641	$ 1,516,641	9.00
035 Broadband	$ 239,146	$ 239,146	1.00
037 Workers Compensation	$ -	$ -	(0.40)
	$ 1,892,183	**$ 1,892,183**	**13.00**

City of Ontario
Detail of Recommended Budget Adjustments by Fund
Fiscal Year 2021-22
Post Adoption Budget Update

Description	Appropriation Adjustments	Revenue Adjustments	Operating Transfers-In	Operating Transfers-Out	Fund Balance Impact
GENERAL FUND					
Fund 001 - General Fund					
AmeriCorps State Formula Grant (FY 2021-22)	-	-	-	235,851	(235,851)
Empowerment Scholarships	20,000	-	-	-	(20,000)
Recommended Personnel Changes (Fund 001)	136,396	-	-	-	(136,396)
Recommended Personnel Changes (Fund 022-Ontario Airport)	1,516,641	1,516,641	-	-	-
GENERAL FUND TOTAL	**1,673,037**	**1,516,641**	**-**	**235,851**	**(392,247)**
SPECIAL REVENUE FUNDS					
Fund 015 - General Fund Grants					
AmeriCorps State Formula Grant (FY 2021-22)	555,334	319,483	235,851	-	-
SPECIAL REVENUE FUNDS TOTAL	**555,334**	**319,483**	**235,851**	**-**	**-**
ENTERPRISE FUNDS					
Fund 035 - Broadband					
Recommended Personnel Changes	239,146	-	-	-	(239,146)
ENTERPRISE FUNDS TOTAL	**239,146**	**-**	**-**	**-**	**(239,146)**
TOTAL ALL FUNDS BUDGET ADJUSTMENTS	**2,467,517**	**1,836,124**	**235,851**	**235,851**	**(631,393)**

FY 2021-22
Proposed Fee Schedule

Community Life & Culture Agency

Total Fees, Fines & Charges	No Change	New	Deletions	Increases/ Revisions	CPI Adj.	Decreases	Total Proposed FY 2021-22	Revenue Change
Community Life & Culture	236	0	0	0	0	0	236	$0

City of Ontario
FY 2021-22 Proposed Citywide Fee Schedule - *Fees, Fines & Charges*

II. - Community Life & Culture
Section 1. Library Fees

Comments	Fee #	Fee Description	Unit/Notes	FY 2020-21 Fee	Proposed FY 2021-22 Fee	Effective Date
No Change	1	Library Card	Per Card	No Charge	No Charge	7/21/2021
No Change	2	Interlibrary Loans	Per Item	$2.00	$2.00	7/21/2021
		Robert E. Ellingwood Model Colony History Room				
No Change	3	Photo Collection Scanned Copy	Per Page	$5.00	$5.00	7/21/2021
No Change	4	Print/Copy	Per Page	$0.15	$0.15	7/21/2021
		Ovitt Family Community Library Meeting Room Reservation				
No Change	5	Resident	Per Hour	$60.00	$60.00	7/21/2021
No Change	6	Non-Resident	Per Hour	$90.00	$90.00	7/21/2021

Resolution No. 2020-009
Resolution No. 2020-083

City of Ontario
FY 2021-22 Proposed Citywide Fee Schedule - *Fees, Fines & Charges*

II. - Community Life & Culture
Section 2. Library Fines

Comments	Fine #	Fee Description	Unit/Notes	FY 2020-21 Fee	Proposed FY 2021-22 Fee	Effective Date
Fines: Damaged, Lost or Stolen Materials						
No Change	1	Damaged Book Cover	Each	$4.00	$4.00	7/21/2021
No Change	2	Damaged Plastic Book Cover	Each	$2.00	$2.00	7/21/2021
No Change	3	Damaged Bar Code	Each	$1.00	$1.00	7/21/2021
No Change	4	Damaged RFID Tag	Each	$1.00	$1.00	7/21/2021
No Change	5	Pages Cut/Torn	Each Item	Full Cost of Item + $5.00	Full Cost of Item + $5.00	7/21/2021
No Change	6	Lost or stolen library cards	Each	$1.00	$1.00	7/21/2021
No Change	7	Lost or stolen items	Each	Full Cost of Item + $5.00	Full Cost of Item + $5.00	7/21/2021
No Change	8	Damage Beyond Repair	Each	Full Cost of Item + $5.00	Full Cost of Item + $5.00	7/21/2021
No Change	9	Blu-Ray/DVD Storage Case (Holds 1-2)	Each	$3.00	$3.00	7/21/2021
No Change	10	Books CD/Multi Media Storage Case	Each	$5.00	$5.00	7/21/2021
No Change	11	Music CD Case (Holds 1-2)	Each	$1.50	$1.50	7/21/2021
No Change	12	Liner Notes/Libretto	Each	$5.00	$5.00	7/21/2021

City of Ontario
FY 2021-22 Proposed Citywide Fee Schedule - *Fees, Fines & Charges*

II. - Community Life & Culture
Section 2. Library Fines

Comments	Fine #	Fee Description	Unit/Notes	FY 2020-21 Fee	Proposed FY 2021-22 Fee	Effective Date
No Change	13	Replacement CD (Books on CD)	Each	$9.00	$9.00	7/21/2021
No Change	14	Kit Bag	Each	$0.50	$0.50	7/21/2021

Fines: Overdue Materials

NOTE: Overdue fines are assessed from the first day past due on a per day/per item basis. The following fees apply:

No Change	15	Overdue Material above $25 in value: Collection Agency Fee Charged for Delinquencies After 14 days	Each Item/Per Day	$9.00	$9.00	7/21/2021
No Change	16	Audiobooks, Media Kits (CD and MP3s), Books, CDs, CD-ROMs, and Magazines	Each Item/Per Day	$0.15	$0.15	7/21/2021
No Change	17	DVDs or Blu-Rays	Each Item/Per Day	$1.00	$1.00	7/21/2021

Resolution No. 2020-009
Resolution No. 2020-083

City of Ontario
FY 2021-22 Proposed Citywide Fee Schedule - *Fees, Fines & Charges*

II. - Community Life & Culture
Section 3. Recreation Fees

Comments	Fee #	Fee Description	Unit/Notes	FY 2020-21 Fee	Proposed FY 2021-22 Fee	Effective Date
		***Ontario Youth Sports Organizations may have their fees waived with City Council approval. For additional information, contact the Recreation & Community Services Department at (909) 395-2020.**				
		Picnic Shelter Rentals (Resident)				
No Change	1	Small (All Day)	Per Day	$ 35.00	$ 35.00	7/21/2021
No Change	2	Large (All Day)	Per Day	$ 60.00	$ 60.00	7/21/2021
No Change	3	Electricity	Per Rental	$ 10.00	$ 10.00	7/21/2021
		Picnic Shelter Rentals (Non-Resident)				
No Change	4	Small (All Day)	Per Day	$ 45.00	$ 45.00	7/21/2021
No Change	5	Large (All Day)	Per Day	$ 80.00	$ 80.00	7/21/2021
No Change	6	Electricity	Per Rental	$ 10.00	$ 10.00	7/21/2021
		R. Jack Mercer Community Bandstand (Resident)				
No Change	7	Band Stand	Per Hour	$ 100.00	$ 100.00	7/21/2021
No Change	8	Electricity	Per Rental	$ 10.00	$ 10.00	7/21/2021
		R. Jack Mercer Community Bandstand (Non-Resident)				
No Change	9	Band Stand	Per Hour	$ 150 Per Hour	$ 150 Per Hour	7/21/2021
No Change	10	Electricity	Per Rental	$ 10 Per Rental	$ 10 Per Rental	7/21/2021
		Fields (Resident)				
No Change	11	Soccer & Football Fields (2 hr. min.)	Each	$ 15 Per Hour	$ 15 Per Hour	7/21/2021
No Change	12	Deposit (Sports fields)	Each	$ 100.00	$ 100.00	7/21/2021
No Change	13	Jay Littleton Ball Park (4 hr. min.)	Each	$ 45 Per Hour	$ 45 Per Hour	7/21/2021
No Change	14	Deposit (Jay Littleton)	Each	$ 200.00	$ 200.00	7/21/2021
No Change	15	Concession Stand	Per Rental	$ 85.00	$ 85.00	7/21/2021
No Change	16	Field Prep	Each	Based on Contractor	Based on Contractor	7/21/2021
No Change	17	Base Rental	Each	$ 20.00 Per Rental	$ 20.00 Per Rental	7/21/2021

II. - Community Life & Culture

Section 3. Recreation Fees

Comments	Fee #	Fee Description	Unit/Notes	FY 2020-21 Fee	Proposed FY 2021-22 Fee	Effective Date
No Change	18	Scoreboard/PA System	Per Rental	$ 50.00	$ 50.00	7/21/2021
No Change	19	Staffing	Per Person, Per Hour	$ 20.00	$ 20.00	7/21/2021
No Change	20	Field Lights (2 hr. min.)	Per Hour	$ 22.00	$ 22.00	7/21/2021
		Fields (Non-Resident)				
No Change	21	Soccer & Football Fields (2 hr. min.)	Each	$ 50 Per Hour	$ 50 Per Hour	7/21/2021
No Change	22	Deposit (Sports fields)	Each	$ 100.00	$ 100.00	7/21/2021
No Change	23	Jay Littleton Ball Park (4 hr. min.)	Each	$ 75 Per Hour	$ 75 Per Hour	7/21/2021
No Change	24	Deposit (Jay Littleton)	Each	$ 250.00	$ 250.00	7/21/2021
No Change	25	Concession Stand	Per Rental	$ 135.00	$ 135.00	7/21/2021
No Change	26	Field Prep	Each	Based on Contractor	Based on Contractor	7/21/2021
No Change	27	Base Rental	Each	$ 40.00 Per Rental	$ 40.00 Per Rental	7/21/2021
No Change	28	Scoreboard/PA System	Per Rental	$ 70.00	$ 70.00	7/21/2021
No Change	29	Staffing	Per Person, Per Hour	$ 20.00	$ 20.00	7/21/2021
No Change	30	Field Lights (2 hr. min.)	Per Hour	$ 25.00	$ 25.00	7/21/2021
		Sports (Resident)				
No Change	31	Adult Basketball	Each : Returning / New	$ 250.00/$265.00	$ 250.00/$265.00	7/21/2021
No Change	32	Adult Volleyball	Each : Returning / New	$ 140.00/$130.00	$ 140.00/$130.00	7/21/2021
No Change	33	Adult Soccer	Each : Returning / New	$ 240.00/$230.00	$ 240.00/$230.00	7/21/2021
No Change	34	Forfeit Bond	Per Team	$ 40.00	$ 40.00	7/21/2021
No Change	35	Early Registration Discount	Per Team	$ 25.00	$ 25.00	7/21/2021
No Change	36	Youth Sports	Per Participant	$ 50.00	$ 50.00	7/21/2021
No Change	37	Sibling discount	Each Additional Child	$ (2.00)	$ (2.00)	7/21/2021
No Change	38	Adult Open Gym	Each	No Charge	No Charge	7/21/2021

II. - Community Life & Culture

Section 3. Recreation Fees

Comments	Fee #	Fee Description	Unit/Notes	FY 2020-21 Fee	Proposed FY 2021-22 Fee	Effective Date
		Sports (Non-Resident)				
No Change	39	Adult Basketball	Each : Returning / New	$ 275.00/$290.00	$ 275.00/$290.00	7/21/2021
No Change	40	Adult Volleyball	Each : Returning / New	$ 175.00/$165.00	$ 175.00/$165.00	7/21/2021
No Change	41	Adult Soccer	Each : Returning / New	$ 275.00/$265.00	$ 275.00/$265.00	7/21/2021
No Change	42	Forfeit Bond	Per Team	$ 40.00	$ 40.00	7/21/2021
No Change	43	Early Registration Discount	Each	$ 25.00	$ 25.00	7/21/2021
No Change	44	Youth Sports	Per Participant	$ 65.00	$ 65.00	7/21/2021
No Change	45	Sibling discount	Each Additional Child	$ (2.00)	$ (2.00)	7/21/2021
No Change	46	Adult Open Gym	Each	No Charge	No Charge	7/21/2021
		Ontario Soccer Park (Resident)				
		Field 1				
No Change	47	Full	Per Hour	$ 35.00	$ 35.00	7/21/2021
		Field 2				
No Change	48	Full	Per Hour	$ 85.00	$ 85.00	7/21/2021
No Change	49	Half	Per Hour	$ 42.50	$ 42.50	7/21/2021
		Field 3				
No Change	50	Full	Per Hour	$ 85.00	$ 85.00	7/21/2021
No Change	51	Half	Per Hour	$ 42.50	$ 42.50	7/21/2021
		Field 4				
No Change	52	Full	Per Hour	$ 85.00	$ 85.00	7/21/2021
No Change	53	Half	Per Hour	$ 42.50	$ 42.50	7/21/2021
		Field 5				
No Change	54	Full	Per Hour	$ 50.00	$ 50.00	7/21/2021
		Field 6				
No Change	55	Full	Per Hour	$ 50.00	$ 50.00	7/21/2021
		Field 7				
No Change	56	Full	Per Hour	$ 35.00	$ 35.00	7/21/2021

II. - Community Life & Culture

Section 3. Recreation Fees

Comments	Fee #	Fee Description	Unit/Notes	FY 2020-21 Fee	Proposed FY 2021-22 Fee	Effective Date
		Concession Rental				
No Change	57	Full Day	Per Day	$ 350.00	$ 350.00	7/21/2021
No Change	58	Half Day	Per Half Day	$ 175.00	$ 175.00	7/21/2021
No Change	59	Hourly	Per Hour	$ 30.00	$ 30.00	7/21/2021
		Deposits (refundable)				
No Change	60	Facility/Security	Per Field	$ 350.00/$50.00	$ 350.00/$50.00	7/21/2021
No Change	61	Concession Rental	Each	$ 100.00	$ 100.00	7/21/2021
No Change	62	Processing Fee (non-refundable)	Each	$ 25.00	$ 25.00	7/21/2021
No Change	63	Cancellation Fee	Percent of Field/Facility Fee	25.00%	25.00%	7/21/2021
No Change	64	Vendor Permit	Each	$ 40.00	$ 40.00	7/21/2021
		Ontario Soccer Park (Non-Resident)				
		Field 1				
No Change	65	Full	Per Hour	$ 45.00	$ 45.00	7/21/2021
		Field 2				
No Change	66	Full	Per Hour	$ 115.00	$ 115.00	7/21/2021
No Change	67	Half	Per Hour	$ 57.50	$ 57.50	7/21/2021
		Field 3				
No Change	68	Full	Per Hour	$ 115.00	$ 115.00	7/21/2021
No Change	69	Half	Per Hour	$ 57.50	$ 57.50	7/21/2021
		Field 4				
No Change	70	Full	Per Hour	$ 115.00	$ 115.00	7/21/2021
No Change	71	Half	Per Hour	$ 57.50	$ 57.50	7/21/2021
		Field 5				
No Change	72	Full	Per Hour	$ 70.00	$ 70.00	7/21/2021

II. - Community Life & Culture
Section 3. Recreation Fees

Comments	Fee #	Fee Description	Unit/Notes	FY 2020-21 Fee	Proposed FY 2021-22 Fee	Effective Date
		Field 6				
No Change	73	Full	Per Hour	$ 70.00	$ 70.00	7/21/2021
		Field 7				
No Change	74	Full	Per Hour	$ 45.00	$ 45.00	7/21/2021
		Concession Rental				
No Change	75	Full Day	Per Day	$ 350.00	$ 350.00	7/21/2021
No Change	76	Half Day	Per Half Day	$ 175.00	$ 175.00	7/21/2021
No Change	77	Hourly	Per Hour	$ 30.00	$ 30.00	7/21/2021
		Deposits (refundable)				
No Change	78	Facility/Security	Per Field	$ 350.00/$50.00	$ 350.00/$50.00	7/21/2021
No Change	79	Concession Rental	Each	$ 100.00	$ 100.00	7/21/2021
No Change	80	Processing Fee (non-refundable)	Each	$ 25.00	$ 25.00	7/21/2021
No Change	81	Cancellation Fee	Percent of Field/Facility Fee	25.00%	25.00%	7/21/2021
No Change	82	Vendor Permit	Each	$ 40.00	$ 40.00	7/21/2021
		Community Center Rentals (Resident)				
No Change	83	Multi Purpose Room (DA, DAQ, WW)	Each	$ 60 Per Hour	$ 60 Per Hour	7/21/2021
No Change	84	Multi Purpose Room (Mun, OSC)	Each	$ 75 Per Hour	$ 75 Per Hour	7/21/2021
No Change	85	Kitchen Usage incl. in MPR rental	Per Rental	No Charge	No Charge	7/21/2021
No Change	86	Meeting Room	Each	$ 50 Per Hour	$ 50 Per Hour	7/21/2021
		Gymnasium				
No Change	87	DA or 1/2 of WW	Each	$ 65 Per Hour	$ 65 Per Hour	7/21/2021
No Change	88	All of WW	Each	$ 105 Per Hour	$ 105 Per Hour	7/21/2021
No Change	89	Scoreboard/PA System	Per Rental	$ 50.00	$ 50.00	7/21/2021
No Change	90	Volleyball Equipment	Per Rental	$ 50.00	$ 50.00	7/21/2021
No Change	91	Security Deposit Per Room	Each	$ 200.00	$ 200.00	7/21/2021
No Change	92	Patio	Per Hour	$ 50.00	$ 50.00	7/21/2021

II. - Community Life & Culture

Section 3. Recreation Fees

Comments	Fee #	Fee Description	Unit/Notes	FY 2020-21 Fee	Proposed FY 2021-22 Fee	Effective Date
No Change	93	Change/withdrawal participant fee if done by city staff	Per Transaction	$ 5.00	$ 5.00	7/21/2021
No Change	94	Staffing	Per Person, Per Hour	$ 20.00	$ 20.00	7/21/2021
No Change	95	Processing Fee (non-refundable)	Each	$ 25.00	$ 25.00	7/21/2021
No Change	96	Cancellation Fee	Percent of Fee	25.00%	25.00%	7/21/2021
No Change	97	Custodial Fee	Per Hour	$ 20.00	$ 20.00	7/21/2021
		Community Center Rentals (Non-Resident)				
No Change	98	Multi Purpose Room (DA, DAQ, WW)	Each	$ 90 Per Hour	$ 90 Per Hour	7/21/2021
No Change	99	Multi Purpose Room (Mun, OSC)	Each	$ 105 Per Hour	$ 105 Per Hour	7/21/2021
No Change	100	Kitchen Usage incl. in MPR rental	Per Rental	No Charge	No Charge	7/21/2021
No Change	101	Meeting Room	Each	$ 70 Per Hour	$ 70 Per Hour	7/21/2021
		Gymnasium				
No Change	102	DA or 1/2 of WW	Each	$ 95 Per Hour	$ 95 Per Hour	7/21/2021
No Change	103	All of WW	Each	$ 135 Per Hour	$ 135 Per Hour	7/21/2021
No Change	104	Scoreboard/PA System	Per Rental	$ 70.00	$ 70.00	7/21/2021
No Change	105	Volleyball Equipment	Per Rental	$ 70.00	$ 70.00	7/21/2021
No Change	106	Security Deposit Per Room	Each	$ 250.00	$ 250.00	7/21/2021
No Change	107	Patio	Per Hour	$ 70.00	$ 70.00	7/21/2021
No Change	108	Change/withdrawal participant fee if done by city staff	Per Transaction	$ 5.00	$ 5.00	7/21/2021
No Change	109	Staffing Per Person	Per Person, Per Hour	$ 20.00	$ 20.00	7/21/2021
No Change	110	Processing Fee (non-refundable)	Each	$ 25.00	$ 25.00	7/21/2021
No Change	111	Cancellation Fee	Percent of Fee	25.00%	25.00%	7/21/2021
No Change	112	Custodial Fee	Per Hour	$ 20.00	$ 20.00	7/21/2021
		Community Center Programs (Resident)				
		Camps				
No Change	113	Day Camp	Per Week	$ 125.00	$ 125.00	7/21/2021

City of Ontario
FY 2021-22 Proposed Citywide Fee Schedule - *Fees, Fines & Charges*

II. - Community Life & Culture
Section 3. Recreation Fees

Comments	Fee #	Fee Description	Unit/Notes	FY 2020-21 Fee	Proposed FY 2021-22 Fee	Effective Date
No Change	114	Tot Camp	Per Session	$ 80.00	$ 80.00	7/21/2021
No Change	115	Youth Camp	Per Week	$ 65.00	$ 65.00	7/21/2021
No Change	116	Sibling discount	Each Additional Child	$ (2.00)	$ (2.00)	7/21/2021
No Change	117	Excursions/Trips	Per Person	$ 5.00 - $150.00	$ 5.00 - $150.00	7/21/2021
No Change	118	Center Activities	Per Person	$ 1.00 - $50.00	$ 1.00 - $50.00	7/21/2021
No Change	119	Senior Dance	Per Person	$ 1.00 - $50.00	$ 1.00 - $50.00	7/21/2021
No Change	120	Youth Events	Per Person	$ 5.00 - $150.00	$ 5.00 - $150.00	7/21/2021
		Community Center Programs (Non-Resident)				
		Camps				
No Change	121	Day Camp	Per Week	$ 190.00	$ 190.00	7/21/2021
No Change	122	Tot Camp	Per Session	$ 145.00	$ 145.00	7/21/2021
No Change	123	Youth Camp	Per Week	$ 130.00	$ 130.00	7/21/2021
No Change	124	Sibling discount	Each Additional Child	$ (2.00)	$ (2.00)	7/21/2021
No Change	125	Excursions/Trips	Per Person	$ 5.00 - $150 .00	$ 5.00 - $150 .00	7/21/2021
No Change	126	Center Activities	Per Person	$ 1.00 - $50.00	$ 1.00 - $50.00	7/21/2021
No Change	127	Senior Dance	Per Person	$ 1.00 - $50.00	$ 1.00 - $50.00	7/21/2021
No Change	128	Youth Events	Per Person	$ 5.00 - $150.00	$ 5.00 - $150.00	7/21/2021
		Contract Classes & Miscellaneous Community Center Programs (Resident)				
No Change	129	Tiny Tots (2 days a week)	Per Session	$ 140.00	$ 140.00	7/21/2021
No Change	130	Tiny Tots (3 days a week)	Per Session	$ 210.00	$ 210.00	7/21/2021
No Change	131	Sibling discount	Each Additional Child	$ (2.00)	$ (2.00)	7/21/2021
No Change	132	Recreation Classes	Each Class	% of gross revenues to cover facilities, registration, advertising and program coordination	% of gross revenues to cover facilities, registration, advertising and program coordination	7/21/2021

II. - Community Life & Culture

Section 3. Recreation Fees

Comments	Fee #	Fee Description	Unit/Notes	FY 2020-21 Fee	Proposed FY 2021-22 Fee	Effective Date
No Change	133	Change/withdrawal participant fee if done by city staff	Per Transaction	$ 5.00	$ 5.00	7/21/2021
No Change	134	Staffing	Per Person, Per Hour	$ 20.00	$ 20.00	7/21/2021
No Change	135	Processing Fee (non-refundable)	Each	$ 25.00	$ 25.00	7/21/2021
No Change	136	Cancellation Fee	Percent of Fee	25.00%	25.00%	7/21/2021
No Change	137	Custodial Fee	Per Hour	$ 20.00	$ 20.00	7/21/2021
No Change	138	Social Club	Per Person	No Charge	No Charge	7/21/2021
No Change	139	Adventure Night	Per Person	No Charge	No Charge	7/21/2021
No Change	140	Night Out	Per Person	No Charge	No Charge	7/21/2021
No Change	141	Movies	Per Person	No Charge	No Charge	7/21/2021
No Change	142	Special Events	Per Person	No Charge	No Charge	7/21/2021
No Change	143	Special Events	Per Person	$ 5.00 - $300.00	$ 5.00 - $300.00	7/21/2021
No Change	144	All other activities/events/excursions	Per Person	$ 4.00 - $30.00	$ 4.00 - $30.00	7/21/2021
		Contract Classes & Miscellaneous Community Center Programs (Non-Resident)				
No Change	145	Tiny Tots (2 days a week)	Per Session	$ 160.00	$ 160.00	7/21/2021
No Change	146	Tiny Tots (3 days a week)	Per Session	$ 240.00	$ 240.00	7/21/2021
No Change	147	Sibling discount	Each Additional Child	$ (2.00)	$ (2.00)	7/21/2021

City of Ontario
FY 2021-22 Proposed Citywide Fee Schedule - *Fees, Fines & Charges*

II. - Community Life & Culture
Section 3. Recreation Fees

Comments	Fee #	Fee Description	Unit/Notes	FY 2020-21 Fee	Proposed FY 2021-22 Fee	Effective Date
No Change	148	Recreation Classes	Each Class	% of gross revenues to cover facilities, registration, advertising and program coordination. *Non-resident will pay an additional 25%, not to exceed $10. All non-resident fees will be rounded to the nearest $1.00 increment	% of gross revenues to cover facilities, registration, advertising and program coordination. *Non-resident will pay an additional 25%, not to exceed $10. All non-resident fees will be rounded to the nearest $1.00 increment	7/21/2021
No Change	149	Change/withdrawal participant fee if done by city staff	Per Transaction	$5 Per Transaction	$5 Per Transaction	7/21/2021
No Change	150	Staffing	Per Person, Per Hour	$ 20.00	$ 20.00	7/21/2021
No Change	151	Processing Fee (non-refundable)	Each	$ 25.00	$ 25.00	7/21/2021
No Change	152	Cancellation Fee	Percent of Fee	25.00%	25.00%	7/21/2021
No Change	153	Custodial Fee	Per Hour	$20.00	$20.00	7/21/2021
No Change	154	Social Club	Per Person	No Charge	No Charge	7/21/2021
No Change	155	Adventure Night	Per Person	No Charge	No Charge	7/21/2021
No Change	156	Night Out	Per Person	No Charge	No Charge	7/21/2021
No Change	157	Movies	Per Person	No Charge	No Charge	7/21/2021
No Change	158	Special Events	Per Person	No Charge	No Charge	7/21/2021
No Change	159	Non-Resident	Per Person	No Charge	No Charge	7/21/2021
No Change	160	Special Events	Per Person	$ 5.00 - $300.00	$ 5.00 - $300.00	7/21/2021
No Change	161	All other activities/events/excursions		$2 more than Ontario Resident	$2 more than Ontario Resident	7/21/2021

II. - Community Life & Culture
Section 3. Recreation Fees

Comments	Fee #	Fee Description	Unit/Notes	FY 2020-21 Fee	Proposed FY 2021-22 Fee	Effective Date
		Aquatics (Resident)				
No Change	162	Swim lessons	Per Person	$ 40.00	$ 40.00	7/21/2021
No Change	163	All Aquarobics	Per Person	$ 40.00	$ 40.00	7/21/2021
No Change	164	Jr. Lifeguard	Per Person	$ 70.00	$ 70.00	7/21/2021
No Change	165	Lifeguard Training Classes	Per Person	$ 150.00	$ 150.00	7/21/2021
No Change	166	Water Safety Instructor Class	Per Person	$ 200.00	$ 200.00	7/21/2021
No Change	167	Aquatic Sports	Per Person/Per Season	$ 40.00 - $60.00	$ 40.00 - $60.00	7/21/2021
No Change	168	Sibling discount	Each Additional Child	$ (2.00)	$ (2.00)	7/21/2021
No Change	169	Recreation Swim	Per Hour	$ 1.00	$ 1.00	7/21/2021
No Change	170	Semi-Private	Per Person	$ 75.00	$ 75.00	7/21/2021
No Change	171	Swim Pass	Per Person	$ 20.00	$ 20.00	7/21/2021
No Change	172	Pool Rental (WW, Mun)	Per Rental	$ 300.00	$ 300.00	7/21/2021
No Change	173	Pool Rental (DAQ, Vet)	Per Rental	$ 200.00	$ 200.00	7/21/2021
		Aquatics (Non-Resident)				
No Change	174	Swim lessons	Per Person	$ 55.00	$ 55.00	7/21/2021
No Change	175	All Aquarobics	Per Person	$ 55.00	$ 55.00	7/21/2021
No Change	176	Jr. Lifeguard	Per Person	$ 85.00	$ 85.00	7/21/2021
No Change	177	Lifeguard Training Classes	Per Person	$ 160.00	$ 160.00	7/21/2021
No Change	178	Water Safety Instructor Class	Per Person	$ 210.00	$ 210.00	7/21/2021
No Change	179	Aquatic Sports	Per Person/Per Season	$ 55.00 - $75.00	$ 55.00 - $75.00	7/21/2021
No Change	180	Sibling discount	Each Additional Child	$ (2.00)	$ (2.00)	7/21/2021
No Change	181	Recreation Swim	Per Hour	$ 1.00	$ 1.00	7/21/2021
No Change	182	Semi-Private	Per Person	$ 90.00	$ 90.00	7/21/2021
No Change	183	Swim Pass	Per Person	$ 35.00	$ 35.00	7/21/2021
No Change	184	Pool Rental (WW, Mun)	Per Rental	$ 400.00	$ 400.00	7/21/2021
No Change	185	Pool Rental (DAQ, Vet)	Per Rental	$ 300.00	$ 300.00	7/21/2021

II. - Community Life & Culture
Section 3. Recreation Fees

Comments	Fee #	Fee Description	Unit/Notes	FY 2020-21 Fee	Proposed FY 2021-22 Fee	Effective Date
Whispering Lakes Golf Course: Third-Party Fees						
No Change	186	18 Hole Regular (Walking) - Weekday Rate	Per Person	$ 23.00	$ 23.00	7/21/2021
No Change	187	18 Hole Resident (Walking) - Weekday Rate	Per Person	$ 20.00	$ 20.00	7/21/2021
No Change	188	18 Hole Senior 50 Years+ (Walking) - Weekday Rate	Per Person	$ 16.00	$ 16.00	7/21/2021
No Change	189	18 Hole Regular (Walking) - Weekend/Holiday Rate	Per Person	$ 27.00	$ 27.00	7/21/2021
No Change	190	18 Hole Resident (Walking) - Weekend/Holiday Rate	Per Person	$ 23.00	$ 23.00	7/21/2021
No Change	191	18 Hole Senior 50 Years+ (Walking) - Weekend/Holiday Rate	Per Person	$ 22.00	$ 22.00	7/21/2021
No Change	192	9 Hole Regular (Walking) - Weekday Rate	Per Person	$ 14.00	$ 14.00	7/21/2021
No Change	193	9 Hole Resident (Walking) - Weekday Rate	Per Person	$ 13.00	$ 13.00	7/21/2021
No Change	194	9 Hole Senior 50 Years+ (Walking) - Weekday Rate	Per Person	$ 11.00	$ 11.00	7/21/2021
No Change	195	9 Hole Regular (Walking) - Weekend/Holiday Rate	Per Person	$ 17.00	$ 17.00	7/21/2021
No Change	196	9 Hole Resident (Walking) - Weekend/Holiday Rate	Per Person	$ 16.00	$ 16.00	7/21/2021
No Change	197	9 Hole Senior 50 Years+ (Walking) - Weekend/Holiday Rate	Per Person	$ 15.00	$ 15.00	7/21/2021
No Change	198	Twilight (Walking) - Weekday Rate	Per Person	$ 14.00	$ 14.00	7/21/2021
No Change	199	Twilight (Walking) - Weekend/Holiday Rate	Per Person	$ 17.00	$ 17.00	7/21/2021

II. - Community Life & Culture

Section 3. Recreation Fees

Comments	Fee #	Fee Description	Unit/Notes	FY 2020-21 Fee	Proposed FY 2021-22 Fee	Effective Date
No Change	200	Cart Fee - 18 Hole - Weekday Rate	Per Person	$ 11.00	$ 11.00	7/21/2021
No Change	201	Cart Fee - 18 Hole - Weekend/Holiday Rate	Per Person	$ 12.00	$ 12.00	7/21/2021
No Change	202	Cart Fee - 9 Hole - Weekday Rate	Per Person	$ 8.00	$ 8.00	7/21/2021
No Change	203	Cart Fee - 9 Hole - Weekend/Holiday Rate	Per Person	$ 8.00	$ 8.00	7/21/2021

Resolution No. 2020-009
Resolution No. 2020-083

City of Ontario
FY 2021-22 Proposed Citywide Fee Schedule - *Fees, Fines & Charges*

II. - Community Life & Culture
Section 4. Museum, Arts & Culture Fees

Comments	Fee #	Fee Description	Unit/Notes	FY 2020-21 Fee	Proposed FY 2021-22 Fee	Effective Date
No Change	1	Great Adventure Children's Camp	Per Participant	$ 60.00	$ 60.00	7/21/2021
No Change	2	Ontario Arts & Culture Awards	Per Participant	$ 75.00	$ 75.00	7/21/2021
No Change	3	Ontario Festival of the Arts	Per Participant	$ 75.00	$ 75.00	7/21/2021
No Change	4	Miscellaneous Artist Application Fees	Per Participant	$25.00 - $50.00	$25.00 - $50.00	7/21/2021
No Change	5	Materials Fee	Each	$5.00 - $10.00	$5.00 - $10.00	7/21/2021

Resolution No. 2020-009
Resolution No. 2020-083

City of Ontario
FY 2021-22 Proposed Citywide Fee Schedule - *Fees, Fines & Charges*

II. - Community Life & Culture
Section 5. Housing Fees

Comments	Fee #	Fee Description	Unit/Notes	Total Cost to Provide Services	FY 2020-21 Fee	Proposed FY 2021-22 Fee	Effective Date
Housing Fees							
No Change	1	Base Affordable Housing Monitoring Fee*	Base	$ 747.68	$ 747.00	$ 747.00	7/21/2021
No Change	2	Per Unit Affordable Housing Monitoring Fee*	Per unit	$ 107.94	$ 107.00	$ 107.00	7/21/2021
No Change	3	Loan Payoff Process Fee - without equity share	Each	$ 251.11	$ 251.00	$ 251.00	7/21/2021
No Change	4	Loan Payoff Process Fee - with equity share	Each	$ 400.39	$ 400.00	$ 400.00	7/21/2021
No Change	5	Preparation of Full Reconveyance	Each	$ 248.13	$ 248.00	$ 248.00	7/21/2021

** Affordable Housing Monitoring Fee does not apply to bond-funded projects.*

Note: Loan Payoff and Reconveyance fees may be waived if individuals are under financial hardship.

Resolution No. 2020-009
Resolution No. 2020-083

CITY OF ONTARIO *Agenda Report* **July 20, 2021**	**SECTION:** **ADMINISTRATIVE REPORTS/DISCUSSION/ACTION**
Department: Human Resources Prepared By: Jeannette F Chavez Staff Member Presenting: Angela C. Lopez, Executive Director Human Resources Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 29

SUBJECT: APPROVAL OF AMENDMENTS TO THE COMPENSATION AND BENEFITS PROFILE FOR EXECUTIVE MANAGEMENT

RECOMMENDATION: That the City Council approve amendments to the Compensation and Benefits Profile for Executive Management, (on file in the Records Management Department), regarding wages, hours and other terms and conditions of employment.

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

FISCAL IMPACT: The estimated budgetary impact for the proposed Management Incentive Pay is approximately $18,768 for FY 2020-21 and $37,535 for FY 2021-22. Prospective compensation will be included in future fiscal years' budgets.

BACKGROUND & ANALYSIS: As a result of a recent reduction in the workforce due to the offering of a retirement incentive program in the Fall of 2020, a review of the Compensation and Benefits Profile for Executive Management ("Profile") was completed to ensure it accurately reflected the employment provisions related to the organizational changes that occurred.

The Profile, which is a comprehensive document, defines and describes the forms and amounts of compensation and benefits provided to executive management as authorized by the City Council. Employees in this group are not formally organized and, as such, are not represented by a union or association.

The proposed amendments to the Profile include non-substantive changes such as deleting the classification of Deputy Police Chief since the classification was moved under the Department Head Profile in May 2018, and removing compensation adjustments that occurred in 2017, 2018 and 2019. Additionally, in further reviewing the Profile, it is recommended that Management Incentive Pay ("MIP") be provided to the sub classifications of Public Safety, due to the unique nature and responsibilities of their jobs.

The proposed MIP would be provided to the Executive Management classifications of Fire Chief and Police Chief at the rate of five (5) hours per pay period, for a total of one hundred and thirty hours (130) per calendar year, for recognition of their full-time duties performed during normal working hours retroactively effective January 1, 2021.

The MIP would help ensure the uniqueness of these positions are provided a competitive compensation and benefits package to its employees to attract and retain a highly qualified and productive workforce committed to serving our community while maintaining a high level of public safety.

Compensation and Benefits Profile

For

City of Ontario

Executive Management

July 20, 2021

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Article I. ADMINISTRATION

Section 1.01 Introduction

The Executive Management Compensation/Benefit Profile is a summary of benefits and compensation practices adopted by the City Council over several years to be applied on an ongoing basis. The provisions of this document apply to all employees appointed to Executive Management positions (hereinafter known as employee); and all elected officials to the extent the provisions are not in conflict with governing statutes.

This document sets forth policies and procedures to follow in implementing and administering this Executive Management Compensation/Benefit program. The various sections and provisions of the Government Code, Municipal Code, Personnel Rules and Regulations, and the "Employment Policies" in the City's Online Policy Center in effect and applicable to the above mentioned positions will remain in effect unless expressly superseded by provisions within this document.

The terms and conditions of employment for the City Manager and other Executive Management employees may also be addressed in individual employment contracts. Such contracts are considered to be supplemental to this document to address terms and conditions of employment that may not be addressed in this document. However, if an individual's employment agreement is in conflict with this document, then the provisions of the agreement will supersede the provisions of this document.

Employees in Executive Management positions are considered to serve at the will and pleasure of the City Manager. The appointment of a person to a position in the Executive Management Group will not require the establishment of an eligibility list. Appointment and termination actions relating to the Police Chief and Fire Chief positions are subject to confirmation by the City Council.

Section 1.02 Purpose

Persons employed in Executive Management positions are not represented by an employee organization.

This Executive Management Compensation/Benefit Profile is intended as a comprehensive document to define and describe the forms and amounts of compensation and benefits for Executive Management employees and elected officials. This comprehensive document is intended to reflect all City Council actions in effect relating to the Executive Management Compensation Program.

The various forms of compensation and benefits described in this comprehensive document recognize that employees in Executive Management positions should be compensated appropriately for exhibiting accountability, cost effectiveness, application of new technologies and maximizing the utilization of human, physical and fiscal resources; for exerting leadership to enhance the mission and future of the City; and for stimulating the development of people and methods which will facilitate the meeting of program goals and objectives.

Section 1.03 Objectives of the Plan Relative to Executive Management

A. Recruit and retain well-qualified Executive Managers and enhance their management capabilities in areas such as leadership and accountability.

B. Facilitate and enhance effectiveness and productive efforts of Executive Managers through evaluations of performance and the recognition of merit in determining compensation.

C. Enable the City Manager, who is in the best position to judge merit and value to the City of an Executive Management employee's performance, to appropriately compensate Executive Management employees in recognition of such value.

Article II. COMPENSATION

Section 2.01 Pay Plan and Benefit Review

Salary and benefit levels will be reviewed on a periodic basis. Such review will contain comparisons with other similar agencies within the appropriate job market. Such comparisons will be utilized to recommend competitive salary and benefit levels for Executive Management positions. Salary and benefit levels for individual positions may be adjusted from time-to-time, with the approval of the City Council (or City Manager, if appointed as its designee).

Section 2.02 Compensation Adjustment

A. Compensation and benefit levels for positions in this group may be modified from time to time by the City Council by amendment to this document, or by the City Manager as authorized by the City Council.

B. The Executive Management Salary Range Table (Appendix A) is established to provide the minimum and maximum monthly salary levels for Executive Management positions.

C. The City Manager is responsible for determination of each individual employee's salary rate within the assigned salary range. Such determination will be based on job performance and/or other competitive and economic factors.

D. Salary compensation for elected officials of the City is determined in accordance with Ontario Municipal Code provisions and State law. Elected officials may also receive compensation for attendance at meetings of the Ontario Housing Authority and other applicable boards as authorized. Such compensation is determined by the City Council by resolution or ordinance and may be reviewed on a periodic basis.

Section 2.03 Management Incentive Pay

A. Effective the pay period including January 1, 2021, Public Safety Executive Management classifications, Police Chief and Fire Chief, shall receive Management Incentive Pay at the rate of five (5) hours per pay period, for a total of one hundred and thirty hours (130) per calendar year in recognition of their full-time duties performed during normal working hours that pertain to the unique nature of their job. Such hours shall not be used as time off and shall be paid as salary compensation at the employee's base rate of pay.

Article III. BENEFITS

Section 3.01 Health Insurance Contribution

Active and retired employees and elected officials are eligible to participate in the City health insurance program. The City contributes up to a maximum of $563 per month toward health insurance premiums for active and retired employees and elected officials. This amount is inclusive of the minimum statutory employer contribution under CalPERS medical (PEMHCA) for

active employees and elected officials who choose to enroll in the City's medical plan. The contribution rate is provided to cover actual premium costs based upon the enrolment of the employee or elected official and eligible dependents. In addition, retirees from the position of Fire Chief hired into a regular position prior to July 1, 2012, shall receive a reimbursement from the City that will provide the same amount of retiree medical contributions as for retirees from the Fire Management Group hired prior to July 1, 2012. Retirees from the position of Police Chief hired into a regular position prior to July 1, 2012, shall receive a reimbursement from the City that will provide the same amount of retiree medical contribution as for retirees from the Police Management Group hired prior to July 1, 2012.

Section 3.02 City Contributions to Cafeteria Plan Benefits

The City will maintain an IRS Code Section 125 qualifying Cafeteria Plan to allow employees and elected officials to pay for pre-tax medical, dental and vision benefits.

Employees or elected officials must enroll in a City offered medical insurance plan unless the employee or elected official satisfies conditions of the eligible opt out arrangement below. The City's lowest cost employee-only plan satisfies the Federal Poverty Line Safe Harbor under the Patient Protection and Affordable Care Act.

City Contributions: Active employees and elected officials, except the Fire Chief and Police Chief, will receive a Cafeteria Plan Contribution of $1,300 per month, inclusive of the Health Insurance Contribution set forth in Section 3.01.

After enrolling in selected coverage, eligible employees may take the remainder of the City's contribution as cash. For elected officials, any unapplied amounts will be directed to the deferred compensation 401(a) plan.

Beginning, January 1, 2018, for eligible employees and elected officials who enroll in coverage, the monthly City Contribution, inclusive of the Health Insurance Contribution set forth in Section 3.01, shall be equal to the corresponding Kaiser plan premium for the region in which the employee or elected official is enrolled and as reflected on the CalPERS monthly billing statement and shall not be less than $1,300 per month.

Beginning January 1, 2018, only those eligible employees enrolled in coverage with a monthly City contribution of $1,300 per month may take the remainder of the City's Contribution as cash. For elected officials, any unapplied amounts will be directed to the deferred compensation 401(a) plan.

For purposed of the Affordable Care Act's employer mandate, the amount of the lowest cost plan offered to the Eligible Employee and Elected Officials is considered a Health Flex Contribution. A Health Flex Contribution cannot be cashed out or applied to other benefits.

If payments for the individual employee or elected official's selected benefits exceed the City Contribution, the balance will be paid by salary deductions from the pay of the individual employee or elected official.

Cash-in-Lieu Option: An Eligible Employee or Elected Official will be eligible to receive cash-in-lieu of $1,300 per month instead of enrolling in a City offered medical insurance plan only if the following conditions are satisfied:

1. The employee or elected official signs a form attesting that the employee or elected official and the employee or elected official's Tax Family have the Alternative Required Coverage for the Opt-Out Period.

a. Tax Family means all individuals for whom the employee or elected official intends to claim a personal exemption deduction for the taxable year or years that begin or end in or with the City's plan year to which the opt out applies.

b. Alternative Required Coverage required means minimum essential coverage through another source (other than coverage in the individual market, whether or not obtained through Covered California).

c. Opt-Out Period means the plan year to which the opt-out arrangement applies.

2. An employee or elected official must provide the attestation every plan year at open enrollment or within 30 days after the start of the plan year for each plan year the employee or elected official would like to receive cash in lieu.

3. The cash in lieu payment cannot be made and the City will not in fact make payment if the City knows or has reason to know that the employee, elected official or a Tax Family member does not have such alternative coverage, or if the conditions in this Section) are not otherwise satisfied.

The active Fire Chief shall receive the same contribution toward medical insurance premiums as active employees in the Fire Management Group, but not less than the amount provided to other Executive Group employees. The active Police Chief shall receive the same contribution toward medical insurance premiums as active employees in the Police Management Group, but not less than the amount provided to other Executive Group employees.

Section 3.03 Dental Insurance

The City will contribute the full premium amount toward the cost of coverage the individual and eligible dependents in the City's basic dental insurance programs for active employees and elected officials. Employees or elected officials who do not enroll in the City dental plan will not receive employer contribution for dental premiums.

Section 3.04 Vision Care Insurance

The City will contribute the full premium amount toward the cost of coverage for the individual and eligible dependents in the City's Executive Vision Program for active employees and elected officials. Employees and elected officials who do not enroll in the Executive City Vision Plan will not receive employer contributions for vision premiums.

Section 3.05 Short-Term and Long-Term Disability

The City will contribute the full premium amount toward the cost of coverage for the individuals in the City designated short-term and long-term disability programs for active employees.

Section 3.06 Life Insurance

The City will contribute the full premium amount toward the cost of group term life insurance coverage in the amount of $106,000 for basic life and $109,000 for accidental death or dismemberment for active employees and elected officials.

Section 3.07 Employee Assistance Program

The City maintains an employee assistance program for active employees and elected officials. Confidentiality regarding employee and elected official use of this program will be maintained in full compliance with State and Federal Regulations.

Section 3.08 Deferred Compensation

A. Active employees and elected officials may voluntarily contribute to the City's 457(b) deferred compensation plan in accordance with plan provisions.

B. The City has established a 401(a) money purchase plan for employer deferred compensation contributions. The City will make the following contributions to the extent permitted by law:

1. For active employees, The City will contribute 7.5% of the employee's base salary, up to the maximum amount established by the relevant sections of the tax codes.

2. For elected officials, any excess fringe benefit contributions not used for medical or dental premiums shall be contributed to the 401(a) plan.

3. For elected officials who do not elect to become a member of the CalPERS retirement plan pursuant to Government Code Section 20322, any eligible contribution amount that the City's pays on the elected official's behalf shall be contributed to the 401(a) plan.

Section 3.09 Vehicle Expense Reimbursement Allowance

A. From time-to-time the City Manager may assign a City-owned vehicle to an individual employee in an Executive Management position. Positions in this group not assigned a vehicle may receive a monthly stipend of $500 as reimbursement for use of the individual's private vehicle for City business. The City Manager may adjust such stipend in accordance with levels of activity and operational necessity by group or individual position.

B. The City Manager may be assigned a City-owned vehicle. Alternatively, the City Manager may receive a monthly stipend as reimbursement for use of the individual's private vehicle for City business in accordance with the employee's employment contract. The Mayor shall be eligible to receive the same monthly stipend as reimbursement for the use of the Mayor's private vehicle as is available to the City Manager.

Section 3.10 Expense Reimbursement

A. In situations where expenses are incurred on a frequent or regular basis, the City Manager may designate a monthly reimbursement amount to cover such ongoing

expenses. It is the individual's responsibility to maintain appropriate records of such expenses.

B. Elected officials are eligible to receive designated allowance amounts in recognition of expenses incurred on a regular basis. Elected officials are eligible for reimbursement of expenses incurred on City business in accordance with the City's Travel Policy.

C. Elected officials are eligible to receive electronic communication devices provided by the City, including cellular phones, facsimile machines, pagers, personal digital assistants (PDA), portable personal computers, and other wireless communications devices. City-provided devices shall remain the property of the City. The City shall be responsible for the initial connection fees and on-going fixed-rate basic service costs related to such devices. The City will also provide fixed-rate internet access, including telephone service costs, for elected officials for the purpose of sending and receiving electronic mail messages related to City business and to provide access to City computer networks. Elected officials shall incur any other variable service charges related to City and personal use of such devices and shall receive an allowance of $175 per month, as reimbursement for the charges incurred for City business.

D. Active Executive Management employees and elected officials shall be eligible for City reimbursement of medical, dental or vision care expenses that are not covered by the City's group plans incurred for themselves and their dependents. To be eligible, such expenses must have been incurred for medical, dental, or vision care expenses for the employee or elected official and the employee's dependents who are currently enrolled in any of the City's group plans. Such expenses may include plan premiums, deductibles, co-payments and other related expenses, including the expenses related to an annual physical examination. Payments shall not cover transportation expenses related to medical, dental or vision care. Each active Executive Management employee and elected official may receive a maximum amount of $2,500 each calendar year. Reimbursements or direct payments shall be made based on submitted invoices, bills, receipts or other documentation that shows proof of payment.

Section 3.11 Flexible Spending Account

Active employees and elected officials shall be eligible to participate in the City's Flexible Spending Account (FSA) plan. An FSA allows an employee or elected official to make pre-tax deduction for qualifying medical, dental and vision expenses or dependent care expenses. The plan is established and administered in accordance with Section 125 of the Internal Revenue Service Code.

Section 3.12 Uniform Allowance

Safety employees of the group who wear their uniforms in public ceremonies or for operational necessity are entitled to a uniform allowance equal to that received by comparable safety management employees. Specifically, the Fire Chief shall receive $2600 annually in the second paycheck in July for the purchase and maintenance of uniforms. The Police Chief shall receive $950 annually in the first paycheck in November for the maintenance, cleaning and normal repair of uniforms.

Section 3.13 Service Weapon Upon Retirement or Honorable Resignation

Upon retirement or honorable resignation, the Police Chief has the option to purchase the employee's service weapon under the same conditions and procedures in effect for all other police safety personnel.

Article IV. RETIREMENT/END OF SERVICE

Section 4.01 CalPERS Contribution

A. Classic Member

1. A classic member is defined as an individual who meets the definition of "classic" member for purposes of retirement pension benefits in accordance with the Public Employees Pension Reform Act of 2013. Generally, this includes individuals that were hired before January 1, 2013 in the California Public Employees Retirement System (CalPERS) or a reciprocal retirement system with no break in service longer than six months. CalPERS ultimately determines who is a classic member in compliance with the law.

2. Classic miscellaneous CalPERS members shall be eligible for the 2.5% @ 55 Full and Modified Formula of Local Miscellaneous Members including integration with Social Security. This also includes the optional benefit of Government Code Section 20042, Highest Single Year.

3. All miscellaneous classic members shall pay the employee's contribution of eight (8%) percent as a pre-tax deduction to CalPERS.

4. Classic safety CalPERS members shall be eligible for the 3% @ 50 Full and Modified Formula of Local Safety Members. This also includes the optional benefit of Government Code Section 20042, Highest Single Year.

5. The Fire Chief and Police Chief, safety classic members, shall pay the same employee contribution as employees in the Police Management Group as a pre-tax deduction to CalPERS.

B. New Member

1. A new member is defined as an individual who meets the definition of "new" member for purposes of retirement pension benefits pursuant to the Public Employees Pension Reform Act of 2013. Generally, this includes individuals that were hired into a regular position on or after January 1, 2013 or former members who have more than a six-month break in service. CalPERS ultimately determines who is a new member in compliance with the law.

2. New miscellaneous members shall be eligible for the 2% @ 62 Formula for Local Miscellaneous Members including integration with Social Security.

3. The employee contribution for new miscellaneous members shall be one-half the normal cost, as determined by CalPERS. As of July 2013, the required employee contribution of new miscellaneous members is 6.25%. This amount will be adjusted periodically by CalPERS.

4. New safety members shall be eligible for the 2.7% @ 57 Formula for Local Safety Members.

5. The employee contribution of new safety members shall be one-half the normal cost, as determined by CalPERS. As of July 2013, the required employee contribution of new fire safety members is 11.25%. The required employee contribution of the new police safety members is 12.75%. This amount will be adjusted periodically by CalPERS.

C. Elected Officials

1. Elected officials are eligible for membership in CalPERS under the City's Miscellaneous Employees Group contract with CalPERS. CalPERS membership is optional for elected officials per Government Code Section 20322.

2. The City will pay the 8% (of salary) employee's contribution on behalf of elected officials who elect CalPERS membership. If membership is declined, the City will contribute an equal amount into a 401(a) money purchase plan.

Section 4.02 Post-Termination Compensation

In recognition that appointed Executive Management employees serve at the will and pleasure of the City Manager, the City Manager may extend the compensation and benefits of employees whom are terminated from City employment. The period of such post-termination compensation shall be determined by the City Manager and may be included in the terms of a contractual agreement between the employee and the City made at the time the individual is hired or promoted.

Section 4.03 Continuation of Health Benefits/Life Benefits

Only certain specified employees hired prior to November 10, 1995, and whose rights were vested pursuant to authorization granted to the City Manager by Resolution No. 95-122, are eligible for this benefit. For such specified Executive Management employees, continuation of insurance coverage shall be subject to the following conditions. Additionally, the provisions of Government Code Sections 53201 and 53208.5 shall apply and shall supersede these conditions to the extent there are any conflicts.

"Upon termination of City service, the City will upon request, continue health benefits or life insurance for individuals covered by this document. Such coverage may be in the form of PERS Health if applicable, or any other available equivalent health or life insurance plan. Eligibility is determined by no less than five years of executive level City service or one consecutive full four-year term in office.

This provision does not preclude individuals from participating in the PERS Health Plan, if eligible. The continuation of this program will be reviewed on an on-going basis relative to cost and levels of participation."

Article V. LEAVES

Section 5.01 Holidays

The following paid holidays will be observed on the day specified.

New Year's Day	January 1st
Martin Luther King's Birthday	3rd Monday in January
Presidents' Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	1st Monday in September
Columbus Day	2nd Monday in October
Veteran's Day	November 11th
Thanksgiving Day	4th Thursday in November
Day After Thanksgiving Day	Day after 4th Thursday in November
Christmas Eve	December 24th
Christmas Day	December 25th
New Year's Eve	December 31st

A. Any holiday listed in provision 5.01 which falls on Sunday will be observed on the following Monday.

B. Employees will receive holiday hours in accordance with their regular workday not to exceed 10 hours per holiday.

C. If a holiday falls on the employee's normal day off, the employee will receive annual leave equal to the employee's regular workday, not to exceed 10 hours per holiday.

D. At the City Manager's discretion, City Hall may be closed between and including Christmas Eve through New Year's Day. During this time, employees shall use accrued annual leave or management leave to cover this period of closure.

Section 5.02 Management Leave

Employees receive 48 hours at the first pay period ending in January to be used at their discretion. Employees hired or promoted after that date shall receive a pro-rated amount of such leave. All such leave must be utilized as time-off during the calendar year and will not carry over to the succeeding calendar year. Such leave will not be converted to compensation upon separation from employment.

Section 5.03 Bereavement Leave

Employees receive three (3) working days of paid leave for bereavement purposes upon the death of a member of the employee's immediate family. Immediate family for this provision is defined as the following relationships relative to the employee: child, including biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis; biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child; spouse; registered domestic partner; grandparent; grandchild;

sibling; or any other relationship included in the definition of "family member" in California labor code section 245.5 (4)(c) or successor legislation. Employees may receive an additional two (2) working days of paid leave if the deceased family member resided outside the state boundaries or in excess of 250 miles from the employee's home.

Section 5.04 Annual Leave

A. Accruals

1. The purpose of this leave is to provide employees in the Executive Management Group the ability to accrue time for vacation, sick leave and personal leave situations. Annual leave accrual rates are based on year of service as follows:

Year of Service	Annual Leave Hours Earned Per Year
1 – 3	192
4	200
5 – 8	216
9 – 10	224
11	232
12	240
13	248
14	256
15	264
16+	272

2. One 26th (1/26) of such annual leave amount shall accrue each pay period.

3. The City Manager may authorize a higher accrual rate, not to exceed the maximum accrual rate, as needed for recruitment, retention or other business needs. The higher accrual rate will be authorized in terms of additional years of service and, once set, the accrual rate will continue to adjust with additional service credit in accordance with the accrual rate schedule above.

4. The maximum annual leave balance shall be 800 hours. Employees shall not accrue annual leave above 800 hours.

B. Leave Conversions

1. Employees may convert up to 240 hours of accrued Annual Leave to salary compensation per calendar year as follows:

Request Due Date	Payment Date
2nd Friday in May	1st Payday in June
2nd Friday in November	1st Payday in December

2. Employees may convert a minimum of 8 hours and a maximum of 240 hours at each opportunity, but the total number of hours converted per calendar year shall not exceed 240 total hours.

3. Employees who are promoted to an Executive Management position must convert all accumulated Vacation Leave and Sick Leave to Annual Leave at the time of promotion. Also, employees in the Executive Management Group with retained Sick Leave and Vacation Leave balances that were accumulated under previous City policies may convert such balances to Annual Leave hours subject to approval of the City Manager.

4. Vacation Leave and Sick Leave accrual balances will be converted at the following rates:

   a. Each accumulated hour of Sick Leave will be converted to .6 hours of Annual Leave. After the conversion, there will be no Sick Leave balance.

   b. Each accumulated hour of Vacation Leave will be converted to 1 hour of Annual Leave.

Section 5.05 Other Leaves - Paid and Unpaid

Executive Management employees are eligible for catastrophic leave and paid leave benefits for jury duty as provided for in the Department Head Profile. Executive Management employees may also be eligible for unpaid leaves of absence as described in the California Rights Act and the Family Medical Leave Act.

Article VI. FINAL SIGNATURE

All terms and conditions set forth in this Profile are hereby effective the 20th day of July 2021.

_____ _____

Scott Ochoa
City Manager

Date

APPENDIX A -- SALARY GRADE TABLE
2020 – 2021 EXECUTIVE COMPENSATION AND BENEFITS PROFILE

Classification		Approximate Salaries* July 1, 2021 Monthly Rate
Assistant City Manager	Min	$14,638.00
	Max	$19,612.67
City Manager	Min	$27,409.20
	Max	$29,615.73
Executive Director Community Development	Min	$16,102.67
	Max	$21,574.80
Executive Director Community Life and Culture	Min	$13,046.80
	Max	$17,478.93
Executive Director Economic Development	Min	$13,046.80
	Max	$17,478.93
Executive Director Finance	Min	$14,638.00
	Max	$19,612.67
Executive Director Human Resources	Min	$13,046.80
	Max	$17,478.93
Executive Director Information Technology	Min	$13,046.80
	Max	$17,478.93
Executive Director Public Works	Min	$13,046.80
	Max	$17,478.93
Fire Chief	Min	$20,949.07
	Max	$27,298.27
Police Chief	Min	$21,597.33
	Max	$28,938.00
Utilities General Manager	Min	$16,102.67
	Max	$21,574.80

*Actual rates will be calculated by the City's payroll system and may vary by a fraction of a cent.