Draft Subsequent Environmental Impact Report

SCH No. 2004011009

Subarea 29 Specific Plan Amendment

City of Ontario, California

Lead Agency:

City of Ontario

303 East B Street

Ontario, CA 91764

July 2023

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1.0 EXECUTIVE SUMMARY

1.1 INTRODUCTION

The California Environmental Quality Act (CEQA) as codified in Public Resources Code Section 21000, et seq. requires that before a public agency makes a decision to approve a project that could have one or more adverse effects on the physical environment, the agency must inform itself about the project's potential environmental impacts, give the public an opportunity to comment on the environmental issues, and take feasible measures to avoid or reduce potential harm to the physical environment.

This Subsequent Environmental Impact Report (SEIR) to the *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* certified by the City of Ontario (City) in 2006 (2006 EIR) (California State Clearinghouse [SCH] No. 2004011009) was prepared in accordance with CEQA and the CEQA Guidelines Article 9, Sections 15120-15132 to evaluate the potential environmental impacts associated with planning, constructing, and operating the proposed Subarea 29 Specific Plan Amendment Project (Project). This SEIR does not recommend approval or denial of the Project; rather, this SEIR is a source of factual information regarding potential impacts to the physical environment that may result from the Project's implementation. The Draft SEIR will be available for public review for 45 days. After consideration of public comment, the City of Ontario (City) will consider certifying the Final SEIR and adopting required findings.

The City's preliminary analysis determined that implementation of the Project would have the potential to result in significant environmental impacts under 20 environmental topic areas. This determination was based in consideration of public comment received by the City in response to this SEIR's Notice of Preparation (NOP). The NOP and written comments received by the City in response to the NOP, are attached to this SEIR as Technical Appendix A. The 20 environmental topic areas that have the potential to be significantly affected by planning, constructing, and/or operating the Project and that are analyzed in detail herein include:

1. Aesthetics
2. Agriculture and Forestry Resources
3. Air Quality
4. Biological Resources
5. Cultural Resources
6. Energy
7. Geology and Soils
8. Greenhouse Gas Emissions
9. Hazards and Hazardous Materials
10. Hydrology and Water Quality
11. Land Use and Planning
12. Mineral Resources
13. Noise
14. Population and Housing
15. Public Services
16. Recreation
17. Transportation
18. Tribal Cultural Resources
19. Utilities and Service Systems
20. Wildfire

Refer to Section 5.0, Environmental Analysis, for the analysis of the subject matters listed above. For each of the subject areas, this SEIR describes: 1) the physical conditions that existed at the approximate time this EIR's NOP was published (December 6, 2021); 2) discloses the type and magnitude of potential environmental impacts resulting from Project planning, construction, and operation; and 3) if warranted, recommends feasible mitigation measures that would reduce or avoid significant adverse environmental impacts that may result from the Project. A summary of the Project's significant environmental impacts and the mitigation measures imposed by the City to lessen or avoid these impacts is included in this Executive Summary as Table 1-1, Summary of Environmental Impacts, Mitigation Measures and Level of Significance After Mitigation. The City applies mitigation measures that it determines 1) are feasible and practical for project applicants to implement, 2) are feasible and practical for the City to monitor and enforce, 3) are legal for the City to impose, 4) have an essential nexus to the Project's impacts, and 4) would result in a benefit to the physical environment. CEQA does not require the Lead Agency to impose mitigation measures that are duplicative of mandatory regulatory requirements.

1.2 PROJECT OVERVIEW

1.2.1 LOCATION AND SETTING

The Project site is located in the City of Ontario, which is located in the southwestern portion of San Bernardino County and is surrounded by the cities of Chino and Montclair and unincorporated San Bernardino County to the west; the cities of Upland and Rancho Cucamonga to the north; the City of Fontana, and unincorporated San Bernardino County to the east; and the cities of Eastvale and Jurupa Valley to the south. Regional circulation to and through the City is provided by Interstate (I)-10 and State Route (SR)-60 east-west, and by I-15, SR-73, and SR-83 (Euclid Avenue) north-south.

The Project evaluated in this SEIR includes a Specific Plan Amendment and associated approvals described below for development within existing Subarea 29 Specific Plan Planning Areas (PAs) 30 and 31 (approximately 37.9 acres) and within proposed PAs 32, 33, and 34 ("Expansion Area"; approximately 113.2 acres); collectively PAs 30 through 34 are referred to as the "Amendment Area," which encompasses 151.1 acres. Existing PAs 30 and 31 are bound by Eucalyptus Avenue to the north, Haven Avenue to the east, Parkview Street to the south, and existing residential development in Subarea 29 Specific Plan PAs 22 and 23 to the west. The proposed Expansion Area is bound by Eucalyptus Avenue to the north, Haven Avenue/Sumner Avenue to the west, Mill Creek Boulevard to the east, and Bellegrave Avenue to the south. Bellegrave Avenue also forms the jurisdictional boundary between the City/San Bernardino County and City of Eastvale/Riverside County.

The Project also includes off-site improvement areas associated with the Southern California Edison (SCE) easement between PAs 30 and 31 (approximately 8.5 acres), and site adjacent roadway right-of-way (ROW) (approximately 11.7 acres) surrounding the proposed Expansion Area.

Existing uses within PAs 30 and 31 include dairy farming and agriculture uses, and farm structures that supported previous agricultural activities. The entire area was disturbed, and the vegetation

communities are limited to agricultural and ruderal. The southwest corner of the Expansion Area includes a disturbed lot formerly occupied by a trucking company. The western portion of the Expansion Area is used for agriculture production and the eastern portion of the Expansion Area is disturbed and undeveloped. Existing land uses surrounding the Amendment Area include: agricultural uses such as dairies, stockyards, row crops, and nurseries to the north; land that is currently being developed with residential uses per the Esperanza Specific Plan to the east; existing and planned residential uses to the south, including in the Subarea 29 Specific Plan Area, and in the City of Eastvale (south of Bellegrave Avenue); and, existing and planned residential uses within the Subarea 29 Specific Plan Area to the west.

1.2.2 PROJECT SUMMARY

For purposes of this SEIR, the term "Project" refers to the discretionary actions required to implement the proposed Subarea 29 Specific Plan Amendment Project and all the activities associated with its implementation (including planning, construction, and ongoing operation). The principal discretionary action currently requested by the Project Applicant is the Subarea 29 Specific Plan Amendment, which includes the following components:

- Expand the Subarea 29 Specific Plan area to include approximately 113.2 gross acres located to the east and modify text and exhibits throughout the Specific Plan, as appropriate, to reflect the expansion area and proposed uses, as summarized below.
- Revise Subarea 29 Specific Plan Land Use Plan to add new PAs 32, 33 and 34, and change the land use designations for PAs 30 and 31 as follows:
    - PA 30 – change the land use designation from Conventional Large Lot (3-6 du/acre) to Mixed Residential (11.1-25 du/ac). A maximum of 180 units would be allowed in this PA.
    - PA 31 – change the land use designation from Conventional Medium Lot (4-6 du/acre) to Mixed Residential (11.1-25 du/ac). A maximum of 172 units would be allowed in this PA.
    - PA 32 – add new PA with a land use designation of Mixed Residential (11.1-25 du/ac). A maximum of 671 units would be allowed in this PA.
    - PA 33 – add new PA with a land use designation of Mixed Residential (11.1-25 du/ac). A maximum of 644 units would be allowed in this PA.
    - PA 34 – add new PA with a land use designation of School. It is anticipated a middle school would be developed with an anticipated capacity of 1,200 students.
- Revise the Subarea 29 Specific Plan Land Summary Table to include new PAs 32, 33, and 34 and revise the land use information for PAs 30 and 31. The proposed changes are shown on Table 3-1 in SEIR Section 3.0, Project Description. As shown, there would be a net increase of 1,470 units allowed within the amended Specific Plan Area (an increase from 2,418 units to 3,888 units). It should be noted that the number of units allowed by the proposed Subarea 29

Specific Plan Amendment would be consistent with The Ontario Plan (TOP) 2050 (adopted by the City of Ontario in August 2022), which allows for up to 11.0 dwelling units per gross acre for low-medium density residential uses and 25 dwelling units per gross acre for medium density residential uses, and up to 3,888 units within the Subarea 29 Specific Plan area, as amended.

- Introduce new home types and architectural styles to support the goals of the Subarea 29 Specific Plan. This would include the introduction of Row Townhomes (PAs 30, 31, 32 and 33), and adding PAs 32 and 33 to the list of PAs to include Cluster Homes.
- Revise text and exhibits in Subarea 29 Specific Plan Chapter 5, Infrastructure and Services, to include the Expansion Area. This includes the identification of circulation and utility infrastructure information for the new PAs, as applicable, and for Mill Creek Avenue, Bellegrave Avenue and Eucalyptus Avenue adjacent to the expansion area.
- Revise text and exhibits in Subarea 29 Specific Plan Chapter 7, Residential Design Guidelines, to identify existing architectural styles applicable to the new PAs, and to identify landscape and wall/fence requirements for the expansion area.

Based on the proposed increase of 1,470 residential units, it is estimated for purposes of analysis in this SEIR that the proposed Specific Plan Amendment could generate up to 5,880 residents, and the middle school could generate approximately 56 employment opportunities.

Subsequent discretionary actions by the City of Ontario that this SEIR will include, but are not limited to: a development agreement, tentative subdivision maps, and development plans. Other agencies/entities that may be required to use the Project's SEIR during their consultation and review of the Project and its implementing actions include but are not limited to: Santa Ana Regional Water Quality Control Board (RWQCB), San Bernardino County Department of Health, and SCE.

1.3 EIR Process

The City published a NOP and filed a copy with the California Office of Planning and Research (OPR) State Clearinghouse (SCH) to inform the general public, trustee and responsible agencies and other interested parties that an SEIR would be prepared for the Project. The NOP was distributed for a 30-day public review period, which began on December 1, 2021 and ended on December 31, 2021. The City received written comments on the scope of the SEIR during those 30 days, which were considered by the City during the preparation of this SEIR. The City also held an SEIR scoping meeting open to the interested public agencies and members of the general public on December 9, 2021 at the Park Place House, located at 4955 S. Parkplace Avenue, within the Subarea 29 Specific Plan area in the City of Ontario. No public agencies or individuals attended the SEIR Scoping Meeting.

This SEIR will be circulated for review and comment by the public and other interested parties, agencies, and organizations for a 45-day review period. Prior to the 45-day public review period, public notices announcing availability of the Draft SEIR will be mailed to public agencies and interested

organizations and individuals; an advertisement will be published in the Daily Bulletin (a newspaper of general circulation in the City); and copies of the Draft SEIR will be available for review at the locations indicated in the public notices.

After the close of the 45-day Draft SEIR public comment period, the City will prepare and publish responses to written comments it received on the environmental effects of the Project. Thereafter, the Final SEIR will be considered for certification by the Ontario City Council. Certification of the Final SEIR would be accompanied by the adoption of written findings and a "Statement of Overriding Considerations" for any significant and unavoidable environmental impacts identified in the Final SEIR. In addition, pursuant to Public Resources Code Section 21081.6, because the Project will include mitigation measures, the City, as Lead Agency, must adopt a Mitigation, Monitoring, and Reporting Program (MMRP), which describes the process to ensure implementation of the mitigation measures identified in the Final SEIR during Project construction and operation.

1.4 Areas of Controversy and Issues to be Resolved

CEQA Guidelines Section 15123(b)(2) requires the Lead Agency (City of Ontario) to identify any known issues of controversy in the Executive Summary. The City has not identified any environmental issues of controversy associated with the Project. Notwithstanding, this EIR addresses all environmental issues that are known by the City and that were identified in the comment letters that the City received in response to the NOP (refer to Technical Appendix A). Items raised in written comment to the NOP are summarized in Table 2-1, Summary of NOP Comments, in SEIR Section 2.0, Introduction.

Section 15123(b)(3) of the CEQA Guidelines requires that an EIR contain a discussion of issues to be resolved, including the choice among alternatives and whether or how to mitigate significant impacts. With respect to the Project, the key issues to be resolved include decisions by the City as lead agency, as to:

- Whether this environmental document adequately describes the potential environmental impacts of the Project.
- Whether the recommended mitigation measures should be modified and/or adopted.
- Whether the Project benefits override those environmental impacts that cannot be feasibly avoided or mitigated to a less than significant level.
- Whether there are other mitigation measures that should be applied to the Project besides those identified in this SEIR.
- Whether there are any alternatives to the Project that would substantially lessen any of its significant impacts while achieving most of the basic Project objectives.

1.5 ALTERNATIVES

In accordance with Section 15126.6 of the State CEQA Guidelines, Section 7.0 of this SEIR addresses alternatives that can eliminate or reduce the potentially significant impacts of the Project. Section 7.0 provides descriptions of each alternative, a comparative analysis of the potential environmental effects of each alternative to those associated with the Project, and a discussion of each alternative's ability to meet the Project objectives. Following is a summary description of the alternatives evaluated in this SEIR. For a more detailed discussion of these alternatives and the relative impacts associated with each alternative compared to the Project, refer to SEIR Section 7.0, *Alternatives*. As required by CEQA, Section 7.0 also identifies alternatives considered but eliminated from detailed analysis, and the environmentally superior alternative.

1.5.1 NO PROJECT/NO DEVELOPMENT ALTERNATIVE

Under the No Project/No Development Alternative, the Amendment Area (PAs 30 through PA 34) would remain in its current condition. Existing uses within PAs 30 and 31 include dairy farming and agriculture uses, and farm structures that supported previous agricultural activities; no agricultural activities currently occur, and the structures have been vacated. The entire area was disturbed, and the vegetation communities are limited to agricultural and ruderal. The southwest corner of the Expansion Area includes a disturbed lot formerly occupied by a trucking company. The western portion of the Expansion Area is used for agriculture production and the eastern portion of the Expansion Area is disturbed and undeveloped.

1.5.2 REDUCED DENSITY/EXPANSION AREA ONLY ALTERNATIVE

The Reduced Density/Expansion Area Only Alternative would reduce the number of residential units compared to the Project by retaining the existing Specific Plan development assumptions for PAs 30 and 31 (not implementing the proposed Specific Plan Amendment for these PAs), and proceeding with the proposed Specific Plan Amendment associated with the Expansion Area (PAs 32, 33, and 34). This Alternative would involve the development of 1,512 dwelling units within PAs 30 through 33 and would result in an overall reduction of 155 dwelling units in PAs 30 through 33 compared to the Project (1,667 units) (a reduction of approximately 9%). The proposed school in PA 34, and roadway and infrastructure improvements to be implemented with the Project would also be implemented under this Alternative.

The Project would result in a net increase of 1,470 units within the Specific Plan area compared to the approved Specific Plan (an increase from 2,418 units to 3,888 units), and this would be reduced to a net increase of 1,315 units with this Alternative. Further, this Alternative would not involve the incorporation of new home types allowed in PAs 30 and 31, which is included with the Project to promote higher density and more choice in floorplans, and to provide more attainable options for a greater range of residents.

1.5.3 Reduced Density

Pursuant to the existing TOP 2050 Policy Plan land use designations, the Amendment Area includes land designated for Low Density Residential (2.1-5 du/ac), Low-Medium Density Residential (5.1-11), and Medium Density Residential. The Reduced Density Alternative would involve the same proposed Subarea 29 Specific Plan Amendment as the Project for PAs 30 through 34, which would be consistent with the TOP 2050 Policy Plan; however, the PAs would be built out at the lower end of the allowed density range for each TOP 2050 Policy Plan land use designation. This Alternative would involve the development of 794 dwelling units within PAs 30 through 33 and would result in an overall reduction of 873 dwelling units in PAs 30 through 33 compared to the Project (1,667 units) (a reduction of approximately 53%). The Project would result in a net increase of 1,470 units within the Specific Plan area, and this would be reduced to net increase of 597 units with the Alternative. The proposed school in PA 34, and roadway and infrastructure improvements to be implemented with the Project would also be implemented under this Alternative.

1.6 Summary of Impacts, Mitigation Measures, and Conclusions

1.6.1 Effects Found not to be Significant

CEQA Guidelines Section 15128 requires that an EIR "…*contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR.*" As discussed in SEIR Section 2.0, Introduction, and as identified in the NOP for this SEIR included in Technical Appendix A, the City determined that each of the 20 topical issues identified in Appendix G of the CEQA Guidelines should be evaluated in the Draft SEIR. There were no issues for which the City found that impacts would be less than significant and no further analysis in the Draft SEIR was warranted.

1.6.2 Impacts of the Proposed Project

Table 1-1, Summary of Environmental Impacts, Mitigation Measures and Level of Significance After Mitigation, provides a summary of the Project's environmental impacts, as required by CEQA Guidelines Section 15123(a). Also presented are the mitigation measures recommended by the Lead Agency to further avoid adverse environmental impacts or to reduce their level of significance. Identified mitigation measures include applicable mitigation measures from the 2006 EIR and TOP 2050 SEIR, and Project-specific mitigation measures. Changes in the text to the 2006 EIR mitigation measures are signified by strikeouts (~~strikeouts~~) where text has been removed and by bold and underline (**bold and underline**) where text has been added, as appropriate. After the application of all feasible mitigation measures, the Project would result in the following significant and unavoidable environmental effects:

- **Loss of Prime Farmland (Project and Cumulative Impact).** The southwest portion of existing PA 30 includes land mapped as Prime Farmland. Although the proposed conversion of agricultural land in the City is consistent with the projected decline in agricultural productivity of the region, and is anticipated in TOP 2050, development of PA 30 and the

associated off-site improvement area would result in the loss of Prime Farmland consistent with the determination identified in the 2006 EIR and TOP 2010 EIR.

- **Air Quality Management Plan [AQMP] Conflict.** The Project's operational-source emissions would exceed the regional thresholds of significance for volatile organic compounds (VOC), nitrogen oxides (NO_X), and carbon monoxide (CO) emissions. VOC and NO_X are precursors for ozone (O_3); thus, Project operational activities would contribute a substantial volume of pollutants to the South Coast Air Basin (SoCAB) that could delay the attainment of federal and State ozone standards. Consequently, the Project is conservatively assumed to generate operational-source emissions not reflected within the current 2022 AQMP regional emissions inventory for the SoCAB. As such, the Project is considered to have the potential to conflict with the 2022 AQMP. Project impacts due to a conflict with the 2022 AQMP would be significant and unavoidable.

- **Cumulatively Considerable Increase in Criteria Pollutant During Operation.** After the application of mandatory regulatory requirements, and feasible mitigation measures, maximum daily emissions from Project operations would exceed the SCAQMD CEQA significance thresholds for NOx, VOC, and CO, and cannot be effectively reduced to a level below the SCAQMD thresholds of significance. Because NO_X and VOC are O_3 precursors, this could also result in additional violations of the State and federal O_3 standards. O_3 is a nonattainment pollutant. There are no additional feasible mitigation measures beyond those identified in SEIR Section 5.3, Air Quality, that would reduce the Project's NO_X, VOC, and CO emissions to a less than significant level. Therefore, the Project's operational air quality impacts are significant and unavoidable, and the Project would result in a cumulatively considerable net increase in a criteria pollutant for which the Project region is in non-attainment, which is a significant and unavoidable impact.

- **Off-site Traffic Noise Impacts (Project and Cumulative Impact).** The Project would result in increased traffic noise levels along Eucalyptus Ave west of Hamner Ave, which would exceed the City's established threshold of significance (allowable increase of 5 dBA) under the Existing Plus Project and Opening Year 2025 traffic scenarios. The use of rubberized open graded asphalt hot mix can provide the noise attenuation needed to reduce this impact to a less than significant level, however, the City of Ontario pavement standards require the use of rubberized gap graded asphalt, which would not result a sufficient noise reduction. Since the City does not allow for the use of rubberized open graded asphalt, the mitigation is not considered feasible, and this impact is considered significant and unavoidable under the Existing Plus Project and Opening Year 2025 traffic scenarios; the Opening Year 2025 traffic scenario considers cumulative traffic.

Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Level of Significance After Mitigation

THRESHOLD	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES (MM)	LEVEL OF SIGNIFICANCE AFTER MITIGATION
5.1 AESTHETICS			
Threshold a: The Project does not involve any development within or adjacent to any scenic resources that define a scenic vista. Additionally, new east-west and north-south roadways would be constructed adjacent to and within the Amendment Area. These linear corridors would provide opportunities for views of distant mountains from vantage points within the Amendment Area.	Less than Significant Impact.	No mitigation is required.	Less than Significant Impact.
Threshold b: The Amendment Area is not within or in proximity to a State designated scenic highway. The Project would not damage scenic resources within a State scenic highway.	No Impact.	No mitigation is required.	No Impact.
Threshold c: Future development within the Amendment Area implementing the Subarea 29 Specific Plan would adhere to the established Development Regulations and Design Guidelines included in the Specific Plan. Therefore, the implementing projects would not conflict with goals and policies outlined in TOP 2050 or the Ontario Development Code requirements.	Less than Significant Impact.	No mitigation is required.	Less than Significant Impact.
Threshold d: Construction security lighting may cause a significant impact in the form of a nuisance to surrounding uses residents, resulting in a potentially significant impact. With adherence to the lighting design requirements outlined in the Subarea 29 Specific Plan and Ontario Development Code, proposed lighting would not create a new source of substantial light or glare during operation. Exterior building materials that are anticipated to be used for the proposed development would be low- and non-reflective and would not result in substantial glare impacts.	Significant Impact	**Project-specific Mitigation** MM 5.1-1 Prior to the issuance of grading permits, the Property Owner/Developer shall provide evidence to the City that the contractor specifications require temporary nighttime lighting installed during construction for security or any other purpose shall be downward-facing and hooded or shielded to prevent light from spilling outside the staging area and from directly broadcasting security light into the sky or onto adjacent residential properties. Compliance with this measure shall be verified by the City during inspections of the construction site.	Less than Significant Impact.

THRESHOLD	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES (MM)	LEVEL OF SIGNIFICANCE AFTER MITIGATION
5.2 AGRICULTURAL AND FORESTRY RESOURCES			
Threshold a: The Project would result in the removal of approximately 4.7 acres of Prime Farmland within PA 30 and the associated offsite improvement area. The direct and cumulative loss of Prime Farmland associated with the development of the adopted Subarea 29 Specific Plan, which includes PA 30, was previously evaluated in the 2006 EIR and the TOP 2010 EIR, and this impact was determined to be significant and unavoidable. As such, the Project's impact on Prime Farmland within PA 30 remains significant and unavoidable, consistent with the findings in the 2006 EIR.	Significant Impact Project and Cumulative Impacts	There are no feasible mitigation measures.	Significant and Unavoidable Project and Cumulative Impacts
Threshold b: The Amendment Area is not subject to an existing Williamson Act Contract; therefore, no conflicts with a Williamson Act Contract would occur. Additionally, the Amendment Area does not include areas zoned for agricultural use. Notwithstanding, 2006 EIR MM Ag 1 and MM Ag 2 remain applicable to development in PAs 30 ad 31 to minimize conflicts between urban and agricultural land uses.	Less than Significant Impact	**2006 EIR Mitigation Measures** MM Ag 1 In order to minimize conflicts between urban and agricultural land uses, each Specific Plan developed for properties within the NMC must comply with the Agricultural Overlay District requirements for urban development in proximity to existing agricultural operations. The proposed project shall establish a minimum 100-foot separation between active agricultural operations and new, non-agricultural development, or an equivalent easement that is approved by the City of Ontario. MM Ag 2 In order to minimize conflicts between urban and agricultural land uses, all residential units in the Subarea 29 Specific Plan shall be provided with a deed disclosure, or similar notice, approved by the City Attorney, regarding the proximity and nature, including odors, of neighboring agricultural uses.	No Impact.
Threshold c: There are no land use designations or zoning for forest land, timberland, or timberland zoned Timberland Production in the City.	No Impact	No mitigation is required.	No Impact
Threshold d: There is no forestland located within the Amendment Area.	No Impact	No mitigation is required.	No Impact
Threshold e: The Project would not involve the installation of any roadways, or infrastructure beyond that necessary to serve the proposed uses and would not result in the conversion of Farmland to non-agricultural uses,	No Impact	No mitigation is required.	No Impact

THRESHOLD	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES (MM)	LEVEL OF SIGNIFICANCE AFTER MITIGATION
beyond the direct conversion of Farmland within the Amendment Area. The City does not have any land designated as forest land. Thus, the Project would not result in the conversion of forest land to non-forest use.			
5.3 Air Quality			
Threshold a: The Project has the potential to result in or cause NAAQS or CAAQS violations because operational-source emissions would exceed the applicable SCAQMD regional thresholds for VOC, NO_X, and CO. As such, the Project is considered to have the potential to conflict with the AQMP.	Significant Impact (Project and Cumulative)	**2006 EIR Mitigation Measures** MM Air 1 During construction, mobile construction equipment will be properly maintained at an offsite location, which includes proper tuning and timing of engines. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction. MM Air 2 During construction of the proposed improvements, all contractors will be advised not to idle construction equipment on site for more than ten minutes. MM Air 3 Configure construction parking to minimize traffic interference. MM Air 4 Local transit agencies shall be contacted to determine bus routing in the project area that can accommodate bus stops at the project access points and the project shall provide bus passenger benches and shelters at these project access points. **TOP 2050 SEIR Mitigation Measure** MM 3-1 Prior to discretionary approval by the City of Ontario for development projects subject to CEQA (California Environmental Quality Act) review (i.e., nonexempt projects), project applicants shall prepare and submit a technical assessment evaluating potential project construction-related air quality impacts to the City of Ontario Planning Department for review and approval. The evaluation shall be prepared in conformance with South Coast Air Quality Management District (South Coast AQMD) methodology for assessing air quality impacts. If construction-related criteria air pollutants are determined to have the potential to exceed the South Coast AQMD–adopted thresholds of significance, the City of Ontario	Significant and Unavoidable Impact (Project and Cumulative)

Threshold	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
		Building Department shall require feasible mitigation measures to reduce air quality emissions. Potential measures shall be incorporated as conditions of approval for a project and shall include: • Require 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. • Use construction equipment rated by the United States Environmental Protection Agency as having Tier 4 interim or higher exhaust emission limits. • Ensure construction equipment is properly serviced and maintained to the manufacturer's standards. • Limit nonessential idling of construction equipment shall be limited to no more than five consecutive minutes. • Use Super-Compliant VOC paints for coating of architectural surfaces shall be used whenever possible. The identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City's Planning Department.	
		MM AQ-1 Prior to discretionary approval by the City of Ontario for development projects subject to CEQA (California Environmental Quality Act) review (i.e., nonexempt projects), project applicants shall prepare and submit a technical assessment evaluating potential project operation-phase-related air quality impacts to the City of Ontario Planning Department for review and approval. The evaluation shall be prepared in conformance with South Coast Air Quality Management District (South Coast AQMD) methodology in assessing air quality impacts. If operation-related air pollutants are	

Threshold	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
		determined to have the potential to exceed the South Coast AQMD–adopted thresholds of significance, the City of Ontario Planning Department shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during operational activities. The identified measures shall be included as part of the conditions of approval. Possible mitigation measures to reduce long-term emissions could include, but are not limited to the following: • For site-specific development that requires refrigerated vehicles, the construction documents shall demonstrate an adequate number of electrical service connections at loading docks for plug-in of the anticipated number of refrigerated trailers to reduce idling time and emissions. • Applicants for manufacturing and light industrial uses shall consider energy storage and combined heat and power in appropriate applications to optimize renewable energy generation systems and avoid peak energy use. • Site-specific developments with truck delivery and loading areas and truck parking spaces shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with California Air Resources Board Rule 2845 (13CCR Chapter 10 sec. 2485). • Provide changing/shower facilities as specified in Section A5.106.4.3 of CALGreen (Nonresidential Voluntary Measures). • Provide bicycle parking facilities per Section A4.106.9 of CALGreen (Residential Voluntary Measures). • Provide preferential parking spaces for low-emitting, fuel-efficient, and carpool/van vehicles per Section A5.106.5.1 of CALGreen (Nonresidential Voluntary Measures). • Provide facilities to support electric charging stations per Section A5.106.5.3 and Section A5.106.8.2 of CALGreen (Nonresidential Voluntary Measures; Residential Voluntary Measures). • Applicant-provided appliances shall be Energy Star–certified appliances or appliances of equivalent energy efficiency (e.g., dishwashers, refrigerators, clothes	

THRESHOLD	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES (MM)	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		washers, and dryers). Installation of Energy Star–certified or equivalent appliances shall be verified by the City during plan check.	
Threshold b: Prior to mitigation, construction emissions would exceed SCAQMD thresholds for VOC and NO_X. The Project's operational-source VOC, NO_X, and CO emissions would exceed the applicable SCAQMD regional thresholds. VOC and NO_X are precursors for ozone; thus, the Project would result in a cumulatively-considerable net increase of criteria pollutant for which the Project region is in non-attainment.	Significant Impact (Project and Cumulative)	2006 EIR MM Air 1 through MM Air 4 and TOP EIR MM 3-1 and MM AQ-1 shall apply.	Construction: Less than Significant (Project and Cumulative) Operation: Significant and Unavoidable Impact (Project and Cumulative)
Threshold c: The Project would not result in emissions exceeding SCAQMD's localized significance thresholds (LSTs), would not produce the volume of traffic required to generate a CO "hot spot."	Less than Significant Impact	2006 EIR MM Air 1 through MM Air 3 and TOP EIR MM 3-1 shall apply.	Less than Significant Impact
Threshold d: The Project does not include any uses identified by SCAQMD as being associated with emitting objectionable odors.	Less than Significant Impact	No mitigation is required.	Less than Significant Impact
5.4 BIOLOGICAL RESOURCES			
Threshold a: Project construction activities may impact special status bird species (burrowing owl and Cooper's hawk), if construction occurs during the nesting bird season. The Amendment Area and off-site improvement areas do not contain any sensitive vegetation communities, and do not support any special status plant species. Therefore, no impact to sensitive plant species would occur. Potential impacts to other special status wildlife species observed within the Amendment Area (Bell's sage sparrow, grasshopper sparrow, and the San Diego Black-tailed jackrabbit) would be less than significant.	Significant Impact	**2006 EIR Mitigation Measures** MM Bio 1 There may be a probability of owl colonization within the project site considering the presence of foraging habitat and previous records of presence. To ensure that no direct loss of individuals occurs, mitigation shall be completed prior to initiation of on-site grading activities for each development phase. A pre- construction survey for resident burrowing owls will be conducted by a qualified biologist. The survey will be conducted 30 days prior to construction activities **including vegetation clearing, grubbing, tree removal, or site watering.** If ground-disturbing activities are delayed or suspended for more than 30 days after the preconstruction survey, the site should be resurveyed for owls. If owls are determined to be present within the construction footprint, they will be captured and relocated. If non-breeding owls must be moved away from the disturbance area, passive relocation techniques will be used. The pre-construction survey and any relocation activity will be conducted in accordance with the CDFG	Less than Significant Impact.

Threshold	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
		Report on Burrowing Owl Mitigation, 1995. According to CDFG guidelines, mitigation actions will be conducted from September 1 to January 31, which is prior to the nesting season. However, burrowing owl nesting activity is variable, and as such the time frame will be adjusted accordingly. Should eggs or fledglings be discovered in any owl burrow, the burrow cannot be disturbed (pursuant to CDFG guidelines) until the young have hatched and fledged (matured to a stage that they can leave the nest on their own). Occupied burrows will not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by the Department of Fish and Game verifies through non-invasive methods that either: a) the adult birds have not begun egg-laying and incubation; or b) the juveniles from the occupied burrows are foraging independently and are capable of independent survival. If a biologist is unable to verify one of the above conditions, then no disturbance shall occur within 300 feet of the burrowing owl nest during the breeding season to avoid abandonment of the young. Passive relocation can be used to exclude owls from their burrows (outside the breeding season or once the young are able to leave the nest and fly) by installing one-way doors in burrow entrances. These one-way doors allow the owl to exit the burrow, but not enter it. These doors should be left in place 48 hours to ensure owls have left the burrow. Artificial burrows should be provided nearby. The project area should be monitored daily for one week to confirm owl use of burrows before excavating burrows in the impact area. Burrows should be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible pipe should be inserted into the tunnels during excavation to maintain an escape route for any animals inside the burrow. MM Bio 2 To mitigate for potential impacts to loss of nesting and foraging habitat, the project proponent shall be required to pay City of Ontario open space mitigation fees. Fees collected will be used “to acquire and restore mitigation lands to offset impacts to species now living in the New Model Colony and impacts to existing open	

Threshold	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
		space," according to the City of Ontario Development Impacts Fee Calculation Report and the Settlement and general Release Agreement. Development is currently required to pay $4,320 per acre. Therefore, the proposed project will pay approximately $1,080,000 for open space acquisition based upon the current fee. MM Bio 3 While project impacts to individual raptor species were considered to be not significant, the following mitigation measure will also be incorporated in order to eliminate or reduce any potential impacts to raptors and/or migratory birds. Construction and/or removal of windrow trees will occur outside of the nesting season **(the nesting season for songbirds is** February 1st through August 31st, and the **nesting season for raptors is January 15th to August 31st)**. If tree removal activities must occur during the breeding season, the mitigation measure in MM Bio 4 shall be implemented. MM Bio 4 If project construction activities involving heavy equipment and/or windrow tree removal are to occur during the nesting/breeding season (between February 1st and August 31st for **songbirds; and between January 15th and to August 31st for raptors**) of potentially occurring sensitive bird species, a pre-construction field survey shall be conducted by a qualified biologist to determine if active nests of species protected by MBTA or CDFG are present in the construction zone or within a buffer of 500 feet. Pre-construction nesting/breeding surveys shall be conducted in all CDFG jurisdictional areas and within windrow trees. If no active nests are found during the survey, construction activities may proceed. If active nests are located during the pre-construction surveys, no grading, heavy equipment or tree removal activities shall take place within at least 500 feet of an active listed species or raptor nest, 300 feet of other sensitive bird nests (non-listed), and 100 feet of most common songbird nests. **The buffer may be modified and/or other recommendations proposed as determined appropriate by the biological monitor to minimize impacts**.	

THRESHOLD	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES (MM)	LEVEL OF SIGNIFICANCE AFTER MITIGATION
Threshold b: The Amendment Area and off-site improvement areas do not contain riparian habitat or other sensitive natural communities identified in local or regional plans. Vegetation communities and land cover type include disturbed/developed, agricultural – row crops, dairy farm, herbaceous non-native forbs and grasses, tamarisk thickets, and tree tobacco stands.	No Impact	No mitigation is required.	No Impact.
Threshold c: The Amendment Area and off-site improvement areas do not contain any federally protected wetlands.	No Impact	No mitigation is required.	No Impact
Threshold d: Project construction activities would result in potential impacts to nesting birds. The Project has the potential to function in a local wildlife dispersal and foraging however, due to the disturbed nature of the Amendment Area and off-site improvement areas, and degraded habits, the loss of foraging habitat and/or effect on local wildlife movement would be less than significant. No native resident or migratory fish species or native wildlife nursery sites are located within the Amendment Area or off-site improvement areas.	Significant Impact	2006 EIR MM Bio 2 through MM Bio 4 shall apply	Less than Significant Impact
Threshold e: The Amendment Area and off-site improvement areas do not contain any heritage trees; therefore, the preservation or protection of existing trees is not required for the Project pursuant to Ontario Development Code Section 6.05.020.	No Impact	No mitigation is required	No Impact
Threshold f: The Amendment Area and off-site improvement areas are not within a Natural Community Conservation Plan or Habitat Conservation Plan.	No Impact	No mitigation is required.	No Impact
5.5 CULTURAL RESOURCES			
Threshold a: There are no historic resources, defined by CEQA Guidelines Section 15064.5, present with the Amendment Area; therefore, no historic resources would be impacted.	No Impact	No mitigation is required.	No Impact.

THRESHOLD	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES (MM)	LEVEL OF SIGNIFICANCE AFTER MITIGATION
Threshold b: Construction activities would not adversely affect any existing known significant archaeological resources. However, there is a remote potential for archaeological resources to be present beneath the surface, and to be disturbed during construction.	Significant Impact	**2006 EIR Mitigation Measure** MM Cultural 1 Should any cultural and/or archaeological resources be accidentally discovered during construction, construction activities shall be moved to other parts of the project site and a qualified archaeologist shall be contacted to determine the significance of these resources. If the find is determined to be an historical or unique archaeological resource, as defined in Section 15064.5 of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.	Less than Significant Impact
Threshold c: In the unlikely event that human remains are discovered during Project ground-disturbing activities, the Project would be required to comply with the applicable provisions of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097 et seq. Mandatory compliance with State law would ensure that impacts to human remains would be less than significant.	Less than Significant Impact	**2006 EIR Mitigation Measure** MM Cultural 2 If human remains are uncovered at any time, all activities in the area of the find shall be halted by the developer or its contractor and the County Coroner shall be notified immediately pursuant to CA Health & Safety Code Section 7050.5 and CA PRC Section 5097.98. If the Coroner determines that the remains are of Native American origin, the Coroner shall proceed as directed in Section 15064.5(e) of the CEQA Guidelines.	Less than Significant Impact
5.6 ENERGY			
Threshold a: Project construction and operational energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary. Notwithstanding, MM Util 5 from the 2006 EIR is applicable and would reduce energy consumption.	Less than Significant Impact	**2006 EIR Mitigation Measure** MM Util 5 To reduce the quantity of energy used and to conserve water resources, the project developer and City of Ontario should work to include sustainable systems for use of water and energy within the project design.	Less than Significant Impact
Threshold b: The Project would not conflict with any State or local plans for renewable energy or energy efficiency, including TOP 2050 Policy Plan Environmental Resources Element.	Less than Significant Impact	No mitigation is required.	Less than Significant Impact
5.7 GEOLOGY AND SOILS			
Threshold a: The Amendment Area is not within an Alquist-Priolo Earthquake Fault Zone and the Project would not expose people or structures to substantial adverse effects related to fault rupture. The Amendment Area is in a seismically active area and is anticipated to experience moderate to severe ground	Less than Significant Impact	**2006 EIR Mitigation Measure** MM Geo 4 Prior to the issuance of building permits, a project-specific geotechnical investigation for the site must be prepared and submitted to the City for approval. All recommendations contained within the geotechnical investigation must be incorporated during project design and construction. Examples of recommendations	Less than Significant Impact

THRESHOLD	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES (MM)	LEVEL OF SIGNIFICANCE AFTER MITIGATION
shaking during the lifetime of the Project. The Project is not within an area subject to liquefaction. However, as required, the Project would be constructed in accordance with CBC and City Building Code, and recommendations from site-specific geotechnical investigations (2006 EIR MM Geo 4) ensuring impact related to seismic groundshaking and liquefaction are less than significant. The Amendment Area is relatively flat and is not in proximity to any natural or manmade steep slopes. Therefore, no impacts related to seismically induced landslides would occur.		include, but are not limited to, specific seismic design parameters and subgrade preparation parameters specifying the amount of over-excavation and re-compaction of specific soils in building pad and pavement areas.	
Threshold b: Implementation of the Project would not result in substantial soil erosion or loss of topsoil. Construction activities would be conducted in compliance with local and state regulations addressing erosion during construction (e.g., NPDES permit, reparation of a SWPPP, and Ontario Municipal Code [refer to 2006 EIR MM Geo 1). Following completion of development, implementation of a water quality management plan (WQMP) during operation is required, which would preclude substantial long-term erosion impacts.	Less than Significant Impact	**2006 EIR Mitigation Measure** MM Geo 1 To reduce impacts associated with erosion due to high winds, prior to construction, all tentative tracts and other construction activities will apply for and adhere to the permit given by the City of Ontario and enforced by the Building Official found in Title 6, Chapter 12, sections 6-12.01 – 6-12.07. The permit lasts for one (1) year, therefore all construction lasting for a period of more than one calendar year from the date of issue will reapply for the permit and pay appropriate annual fees. At a minimum, the permit prohibits the disturbance of the surface or subsurface of more than one (1) acre of land without meeting permit requirements which can include such things as the application of soil stabilizers and limitations on grading activities during wind events.	Less than Significant Impact
Threshold c: The Amendment Area is relatively flat and would not be subject to landslides. Based on the depth to groundwater (approximately 120 feet below the surface), the Amendment Area would not be subject to lateral spreading or liquefaction. The Amendment Area would be subject to shrinkage and subsidence; however, compliance with the ground preparation and construction recommendations contained in the site-specific Geotechnical Investigation required by	Significant Impact	**2006 EIR Mitigation Measures** MM Geo 2 To properly assess and address the suitability of on-site soils to be used as fill, a geotechnical evaluation shall be performed by a qualified professional prior to the approval of the Tentative Tract map or site plan for a given phase of development. This evaluation will include an analysis of the organic matter content of soils on the site. If the organic matter content of the soils is greater than 2 percent when mixed with subsurface soils and/or imported fill, then manure will be removed from the site prior to grading operations.	Less than Significant Impact.

THRESHOLD	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES (MM)	LEVEL OF SIGNIFICANCE AFTER MITIGATION
2006 EIR MM Geo 4, and incorporation of 2006 EIR MM Geo 3, would ensure impacts are less than significant. Due to previous dairy farm operations, the Amendment Area contains soil with organic content, which may not be suitable for fill material. With implementation of 2006 EIR MM Geo 2 and compliance with the site-specific ground preparation and construction recommendations contained in the site-specific geotechnical investigations required by the OCM and 2006 EIR MM Geo 4, potential impacts related to organic soils would be less than significant. The soils underlying the Amendment Area are extremely corrosive to ferrous metals. With adherence to the site-specific recommendations contained in the site-specific geotechnical investigations required by the Ontario Municipal Code and 2006 EIR MM Geo 4, potential impacts related to corrosive soils would be less than significant.		MM Geo 3 Site materials should be continuously tested and excavated to a minimum of 4 feet where soils generally become denser. Actual removal depths will be determined during grading when subsurface conditions are exposed. 2006 EIR MM Geo 4 shall also apply.	
Threshold d: The Amendment Area includes soils with very low to medium expansion potential. As required by 2006 EIR MM Geo 3, soils would be subject to additional testing and the expansion potential would be verified. With incorporation of recommendations from the Geotechnical Investigation (refer to 2006 EIR MM Geo 4), impacts related to expansive soils would be less than significant.	Significant Impact	2006 EIR MM Geo 3 and MM Geo 4 shall apply.	Less than Significant Impact.
Threshold e: The Project does not propose the use of septic tanks or alternative wastewater disposal systems.	No Impact	No mitigation is required.	No Impact
Threshold f: The Amendment Area does not contain any known unique geologic features and no paleontological resources or localities are located onsite. However, the Project's construction activities have the potential to unearth unknown paleontological resources. Grading activities would be subject to Paleontological Resources Monitoring and Treatment Plans (PRMTP) as required by	Significant Impact	**2006 EIR Mitigation Measure** MM Cultural 3 Since grading plans have not yet been prepared to establish how deep excavation is needed, prior to the issuance of grading permits, and as recommended in the Phase I Cultural and Paleontological Resources Assessment for this site, a qualified paleontologist shall be retained to develop a Paleontological Resources Monitoring and Treatment Plan (PRMTP) for	Less than Significant Impact

Threshold	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
2006 EIR MM Cultural 3, which would reduce impacts to a less than significant level.		approval by the City. Following City approval of the PRMTP, grading and construction activities may proceed in compliance with the provisions of the approved PRMTP. The PRMTP shall include the following measures: a. Identification of those locations within the project site where paleontological resources are likely to be uncovered during grading. b. A monitoring program specifying the procedures for the monitoring of grading activities by a qualified paleontologist or qualified designee. c. If fossil remains large enough to be seen are uncovered by earth-moving activities, a qualified paleontologist or qualified designee shall temporarily divert earth- moving activities around the fossil site until the remains have been evaluated for significance and, if appropriate, have been recovered; and the paleontologist or qualified designee allows earth-moving activities to proceed through the site. If potentially significant resources are encountered, a letter of notification shall be provided in a timely manner to the City, in addition to the report (described below) that is filed at completion of grading. d. If a qualified paleontologist or qualified designee is not present when fossil remains are uncovered by earth-moving activities, these activities shall be stopped, and a qualified paleontologist or qualified designee shall be called to the site immediately to evaluate the significance of the fossil remains. e. At a qualified paleontologist or qualified designee's discretion and to reduce any construction delay, a construction worker shall assist in removing fossiliferous rock samples to an adjacent location for temporary stockpiling pending eventual transport to a laboratory facility for processing. f. A qualified paleontologist or qualified designee shall collect all significant identifiable fossil remains. All fossil sites shall be plotted on a topographic map of the project site.	

THRESHOLD	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES (MM)	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		g. If the qualified paleontologist or qualified designee determines that insufficient fossil remains have been found after fifty percent of earthmoving activities have been completed, monitoring can be reduced or discontinued. h. Any significant fossil remains recovered in the field as a result of monitoring or by processing rock samples shall be prepared, identified, catalogued, curated, and accessioned into the fossil collections of the San Bernardino County Museum, or another museum repository complying with the Society of Vertebrate Paleontology standard guidelines. Accompanying specimen and site data, notes, maps, and photographs also shall be archived at the repository. i. Within 6 months following completion of the above tasks, a qualified paleontologist or qualified designee shall prepare a final report summarizing the results of the mitigation program and presenting an inventory and describing the scientific significance of any fossil remains accessioned into the museum repository. The report shall be submitted to the City Planning Department and the museum repository. The report shall comply with the Society of Vertebrate Paleontology standard guidelines for assessing and mitigating impacts on paleontological resources.	
5.8 GREENHOUSE GAS EMISSIONS			
Threshold a and b: Because the Ontario 2022 Community Climate Action Plan (CCAP) Update addresses GHG emissions reductions and is consistent with the requirements of AB 32, SB 32, and international efforts to reduce GHG emissions, compliance with the CCAP Update fulfills the description of mitigation for impacts related to GHG impacts found in the State CEQA Guidelines. As required by Project-level MM 8-1, future residential development within the Amendment Area would implement Screening Table Measures providing for the required points pursuant to the City Screening	Significant Impact	**Project-specific Mitigation Measure** MM 8-1 Project development proposals shall implement Screening Table Measures that achieve the requisite points per the City's Community Climate Action Plan (CCAP) Screening Tables. The City shall verify that Screening Table Measures achieving the requisite points are incorporated in development plans prior to the issuance of building permit(s) and/or site plans (as applicable). The City shall verify implementation of the selected Screening Table Measures prior to the issuance of Certificate(s) of Occupancy. At the discretion of the City, measures that provide GHG reductions equivalent to GHG emissions	Less than Significant Impact

THRESHOLD	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES (MM)	LEVEL OF SIGNIFICANCE AFTER MITIGATION
Tables. As such, the Project would be consistent with the GHG Development Review Process requirement to achieve the requisite amount of points and thus the Project is considered to have a less than significant individual and cumulatively considerable impact on GHG emissions.		reductions achieved via the Screening Table Measures may be implemented. Alternatively, the Project shall demonstrate that annual GHG emissions would not exceed the target thresholds or other alternative compliance mechanisms in the CCAP or subsequent updates.	
5.9 HAZARDS AND HAZARDOUS MATERIALS			
Threshold a: Construction contractors would be required to comply with all applicable regulations regarding the transport, use and storage of hazardous construction-related materials; therefore, the Project would not create significant hazards to the public or the environment during construction. During operation, the Project would not utilize, store, or generate hazardous materials or waste in quantities that may pose a significant hazard to the public. With mandatory regulatory compliance, Project operations would not pose a significant hazard to the public or the environment.	Less than Significant	No mitigation is required.	Less than Significant Impact
Threshold b: Existing and prior uses within the Amendment Area have resulted in potential hazards including the presence of septic tanks and water wells, potential methane gas, and hazardous building materials (asbestos and lead). With adherence to applicable regulatory requirements and 2006 EIR MM Haz 1, and MM Haz 3 through MM Haz 7, the potential to 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 would be less than significant.	Significant	**2006 EIR Mitigation Measures** MM Haz 1 To the extent not previously prepared and to properly assess and address potential hazardous materials, including pesticide residue, within the specific plan area, a Phase I Environmental Site Assessment (ESA) shall be performed by a registered environmental assessor (REA) prior to the approval of the Tentative Tract map, site plan or other discretionary approval for a given phase of development. If potential hazardous materials or conditions are identified in the Phase I report, the recommendations of the ESA shall be implemented. Such recommendations could include surficial sampling and chemical analysis within agricultural areas or where soil staining was observed. The Phase I ESA shall be provided to the City of Ontario and shall be included in any CEQA analysis prepared in connection with the consideration of the discretionary approval for development. MM Haz 3 All septic tanks on the project site will be properly removed and disposed of prior to site development. All water wells on the project site which are proposed to be abandoned will be properly destroyed	Less than Significant Impact

THRESHOLD	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES (MM)	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		prior to site development in accordance with City requirements. These activities will occur subject to City of Ontario Building Safety requirements. *MM Haz 3 is applicable to PAs 30 and 31 only with respect to septic tanks; there are no septic tanks within PAs 32 through 34. With respect to water wells, MM Haz 3 is applicable to PAs 30, 33, and potentially 34; there are no wells within PAs 31 and 32.* MM Haz 4 If, while performing any excavation as part of project construction, material that is believed to be hazardous waste is discovered, as defined in Section 25117 of the California Health & Safety Code, the developer shall contact the City of Ontario Fire Department and the County of San Bernardino Fire Department Hazardous Materials Division. Excavation shall be stopped until the material has been tested and the presence of hazardous waste has been confirmed. If no hazardous waste is present, excavation may continue. If hazardous waste is determined to be present, the California Department of Toxic Substances Control shall be contacted, and the material shall be removed and disposed of pursuant to applicable provisions of California law. MM Haz 5 Prior to demolition, all onsite buildings and remaining foundations that were built before 1976 shall be evaluated for the presence of asbestos and lead-based paint and those materials shall be removed according to applicable regulations and guidelines established by the South Coast Management District, Department of Toxic Substances Control, and the United States Environmental Protection Agency. *MM Haz 5 is applicable to PAs 30 and 31 only; there are no structures within PAs 32 through 34.* MM Haz 6 ~~Pursuant to the City of Ontario Municipal Code Section 9 2.0435 (L),~~ A methane gas assessment shall be prepared by a licensed professional with expertise in soil gas assessments for subdivisions proposed on former dairies, poultry ranches, hog ranches, livestock feed operations and similar facilities to determine the presence of methane gas within the project boundary. The methane gas assessment shall identify monitoring and mitigation strategies and	

THRESHOLD	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES (MM)	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		approaches. All mitigation measures/plans and specifications shall be reviewed and approved by the City of Ontario. Such an "assessment" may take two steps. A preliminary assessment should be done prior to grading to determine exactly where dairies have existed in the past so that the post grading assessment/mitigation measures can be focused on the portions of the specific plan area that have included dairies. The second step may include actual testing of graded pads no sooner than 30 days after construction to determine if methane is detected above 5,000 ppm. If so, the types of mitigation measures described below **in MM Haz 7**, or those approved by the City, shall be implemented in the areas exceeding this limit. MM Haz 7 To reduce the risk of ground cracking, manure shall be removed from the site, such that the organic matter content of on-site soils shall not exceed 2 percent (a 2 percent total organic content is allowed, of which no more than 1 percent can be manure) in the building foundation areas when mixed with underlying clean soils and imported fill.	
Threshold c: Park View Elementary School within the Specific Plan Area is located 0.3 mile west of the Amendment Area. The Project also includes a proposed middle school in PA 34. The proposed residential and school uses would not involve emissions or handling of hazards materials that may pose a significant hazard to school uses.	Less than Significant Impact	No mitigation is required.	Less than Significant Impact
Threshold d: the Amendment Area is not located on or near a listed hazardous materials site that would create a significant hazard to the public or the environment.	Less than Significant Impact	No mitigation is required.	Less than Significant Impact
Threshold e: The Amendment Area is approximately 2.4 miles northeast of the Chino Airport but not within a designated safety zone. The Amendment Area is more than four miles south of the Ontario International Airport (ONT), and is located outside of the Safety, Noise Impact and Airspace Protection Zones identified in the ONT ALUCP. However, the Amendment Area is within the	Less than Significant Impact	**2006 EIR Mitigation Measure** MM Haz 9 To disclose to the buyer or lessee of subdivided lands within the Subarea 29 project of the proximity of this site to the Chino Airport **and the Ontario International Airport** as required by AB 2776, the City shall disclose, and ensure that the developer makes disclosures, as required by law, to all future buyers.	Less than Significant Impact

THRESHOLD	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES (MM)	LEVEL OF SIGNIFICANCE AFTER MITIGATION
airport influence area (AIA), and disclosure of this is a regulatory requirement (refer to 2006 EIR MM Haz 9).			
Threshold f: The Project site does not contain any emergency facilities. During construction and long-term operation, adequate emergency vehicle access is required to be provided. The Project involves the construction of roadway improvements along site-adjacent roadways, which would be constructed in compliance with the City's roadway standards and would enhance emergency access. The Project would not impair implementation of or physically interfere with an adopted emergency response or emergency evacuation plan.	Less than Significant Impact	No mitigation is required.	Less than Significant Impact
Threshold g: The Project site is not within or near a designated very high fire hazard severity zone (VHFHSZ).	No Impact	No mitigation is required.	No Impact.
5.10 HYDROLOGY AND WATER QUALITY			
Threshold a: The Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Adherence to applicable NPDES permits and other regulatory requirements addressing water quality, and compliance with operational WQMPs is required as part of the Project's implementation to address construction- and operational-related water quality and ensure that water quality impacts are less than significant (refer to 2006 EIR MM Hydro 1 through MM Hydro 3 and MM Hydro 6).	Less than Significant Impact	**2006 EIR Mitigation Measures** MM Hydro 1 In order to ensure that construction activities associated with the Subarea 29 Specific Plan will not cause a violation of any water quality standard or waste discharge requirements and to assure no substantial degradation of water quality occurs, and to implement the intent of mitigation measures included in the Final Environmental Impact Report for the NMC, developments within the project area shall comply with all applicable provisions of the State's General Permit for Construction Activities (Order No. 99-08-DWQ, or most recent version) during all phases of construction. A copy of evidence of the receipt of a Waste Discharge Identification Number from the State Regional Water Quality Control Board shall be filed with the City Engineer along with a copy of the Storm Water Pollution Prevention Plan (SWPPP) maps and BMPs. The City Engineer shall review and approve the provisions of the SWPPP prior to implementation of any SWPPP provision or starting any construction activity. MM Hydro 2 In order to ensure that development within the Specific Plan will not cause or contribute to violations of any water quality	Less than Significant Impact

THRESHOLD	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES (MM)	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		standard or waste discharge requirements, and to assure no substantial degradation of water quality occurs, the project will complete a **Preliminary Water Quality Management Plan (PWQMP) and** Water Quality Management Plan (WQMP) pursuant to the MS4 permit (Order No. 2002-0012) adopted by the City of Ontario **and the Trash Mandate adopted by the SARWQCB**. The project shall incorporate Site Design BMPs and Source Control BMPs, and potentially Treatment Control BMPs. Table III-7-F and G of the 2006 EIR**, which are included in Technical Appendix I2 of this SEIR,** provide guidelines and BMPs that shall be incorporated as appropriate into project design (on construction drawings) and/or project specifications and implemented in the field to reduce the expected pollutants from various types of development. Prior to acceptance of the WQMP, the City shall assure that maintenance responsibilities of BMPs approved for the project are identified and enforceable. Table III-7-G correlates each BMP to the pollutants of concern which it removes/reduces and/or meets the design objectives for the BMP. MM Hydro 3 To assure that development within the Specific Plan will not cause a violation of any water quality standard or waste discharge requirements, including San Bernardino County's MS4 permit issued by the SARWQCB, and to assure that no substantial degradation to water quality occurs after construction, any loading docks present within the academic or retail areas designated in the Specific Plan will be designed with devices to trap oil and grease, such that these pollutants are not discharged from the site in storm water or non-storm water discharges. MM Hydro 6 In order to reduce pollutants in post construction run-off and to implement mitigation measures included in the Final Environmental Impact Report for the NMC, the individual project owners and operators (e.g., homeowner associations, retail center owners, school district, parks department, etc.) shall ensure that all pest control, herbicide, insecticide and other similar substances used as part of maintenance of project features are handled, stored, applied and disposed of by those	

THRESHOLD	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES (MM)	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		conducting facility maintenance in a manner consistent with all applicable federal, state and local regulations. According to Title 6, Chapter 6, Section 6 of the City's code, the City Engineer shall monitor and enforce this provision.	
Threshold b: The Project does not propose the installation or use of groundwater wells and would result in the closure and removal of existing groundwater wells in the Amendment Area. Direct additions or withdrawals of groundwater are not proposed. Additionally, the Amendment Area is not a designated groundwater recharge area. Notwithstanding the Project's less than significant impact to groundwater resources, 2005 EIR MM Hydro 5 would be incorporated into the Project to conserve water and ensure that groundwater recharge is not impeded.	Less than Significant Impact	**2006 EIR Mitigation Measure** MM Hydro 5 In order to conserve water and to mitigate for any potential unforeseen adverse impacts to a reduction in ground water recharge, the following measure has been recommended by the Chino Basin Water Conservation District. Landscaping within individual development projects will retain and percolate both applied irrigation water and storm water in vegetated areas of parking lots and other areas, where appropriate; "depressed" planted areas bordered by shrubbery screens will be implemented rather than "mounded" grass and shrubbery planted screens.	Less than Significant Impact
Threshold c: The Project would not result in on- or off-site flooding and would not result in exceeding the capacity of the existing stormwater drainage system. Impacts would be less than significant. Notwithstanding the Project's less than significant impact, as required, the San Bernardino County Flood Control District would review the storm drain system during final design (refer to 2006 EIR MM Hydro 4). As discussed above, the Project would not result in substantial erosion or siltation on or off site during both construction and operation or provide substantial additional sources of polluted runoff. The Amendment Area is not within a 100-year flood hazard area; therefore, the Project would not redirect or impede flood flows.	Less than Significant Impact	**2006 EIR Mitigation Measure** MM Hydro 4 In order to reduce the risk of flooding and to implement mitigation measures included in the GPA for the NMC Final Environmental Impact Report, prior to issuance of grading permits, the City of Ontario shall coordinate with the San Bernardino County Flood Control District to ensure that the project meets County flood control requirements.	Less than Significant Impact
Threshold d: The Amendment Area is not subject to inundation from a tsunami or seiche, or flooding. However, the Amendment is within the potential	Less than Significant Impact	No mitigation is required.	Less than Significant Impact

THRESHOLD	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES (MM)	LEVEL OF SIGNIFICANCE AFTER MITIGATION
inundation zone for the San Antonio Dam. The probability of dam failure is very low.			
Threshold e: The Project would not conflict with or obstruct the implementation of a water quality control plan or sustainable groundwater management plan.	Less than Significant Impact	No mitigation is required.	Less than Significant Impact
5.11 LAND USE AND PLANNING			
Threshold a: The Project would expand the existing Subarea 29 Specific Plan Area consistent with TOP 2050 development assumptions and similar to existing and planned surrounding uses. The Project would not involve the construction of any new utility infrastructure or roadways that would physically divide an established community.	No Impact	No mitigation is required.	No Impact
Threshold b: Implementation of the Project would not conflict with the TOP 2050, the Ontario Municipal Code, or Southern California Association of Governments' Connect SoCal, and specifically would not conflict with applicable environmental plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect. Impacts would be less than significant. The Project's proposed residential and school use are consistent with the uses currently allowed by the existing Subarea 29 Specific Plan and would be implemented in accordance with the Development Standards and Design Guidelines outlined in the Subarea 29 Specific Plan, as amended with the Project.	Less than Significant Impact	No mitigation is required.	Less than Significant Impact
5.12 MINERAL RESOURCES			
Threshold a: Implementation of the Project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the State.	No Impact	No mitigation is required.	No Impact
Threshold b: The TOP does not identify the Amendment Area as a mineral resource recovery site. Therefore, the Project would not result in the loss of availability of a locally-important mineral resource recovery site.	No Impact	No mitigation is required.	No Impact

THRESHOLD	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES (MM)	LEVEL OF SIGNIFICANCE AFTER MITIGATION
5.13 NOISE			
Threshold a: The Project's construction noise levels would be less than significant. Notwithstanding, 2006 EIR MM Noi 1 and MM Noi 2 are incorporated into the Project. Noise generated from onsite operations at the proposed residential and school uses would be less than significant. Although not a CEQA requirement, 2006 EIR MM Noi 7 and Project-specific MM 5.13-1would be implemented to ensure interior noise levels meet the City's interior noise standards. The Project-related increase in off-site traffic noise levels along Eucalyptus Ave west of Hamner Ave (Segment 46) would exceed the City's threshold of significance under the Existing Plus Project and Opening Year 2025 traffic conditions. Under the Future Year 2040 traffic analysis scenario this impact would be less than significant. There is no feasible mitigation for this impact.	Significant (Project and cumulative offsite traffic noise)	**2006 EIR Mitigation Measures** MM Noi 1 The construction activities of the proposed project shall comply with the City of Ontario Noise Ordinance **Section 5-29.09(a)** that prohibits construction activities **on any weekday except between the hours of 7:00 a.m. and 6:00 p.m. or on Saturday or Sunday between the hours of 9:00 a.m. and 6:00 p.m.** ~~on Sundays, federal holidays, and other days between the hours of 7:00 PM and 7:00 AM.~~ MM Noi 2 Construction staging areas shall not be located within 150 feet of existing sensitive receptors and construction equipment shall be fitted with properly operating and maintained mufflers. MM Noi 7 Architectural plans shall be submitted to the City of Ontario for an acoustical plan check prior to the issuance of building permits to assure that the proper windows and/or doors are upgraded for sound reduction and proper ventilation systems are incorporated in order to meet the interior noise level requirement. **Project-specific Mitigation Measures** MM 5.13-1 Prior to the issuance of a building permit for residential development, the Property Owner/Developer shall prepare an acoustical study(ies) of proposed plans, which shall identify all noise-generating areas and associated equipment, predict noise levels at property lines from all identified areas, and noise attenuation features required to be implemented (e.g., enclosures, barriers, site orientation), as necessary, to comply with the City Municipal Code Section 5-29.04.	Significant and Unavoidable (Project and cumulative offsite traffic noise)
Threshold b: Vibration impacts from Project construction would be less than significant, and the operational activities associated with the proposed residential and school uses would not include or require equipment, facilities or activities that would result in perceptible ground-borne vibration.	Less than Significant Impact	No mitigation is required.	Less than Significant Impact

THRESHOLD	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES (MM)	LEVEL OF SIGNIFICANCE AFTER MITIGATION
Threshold c: The Amendment Area is located outside the noise contours for Chino Airport and ONT. Therefore, people would not be exposed to excessive noise levels from airport operations.	Less than Significant Impact	No mitigation is required.	Less than Significant Impact
5.14 POPULATION AND HOUSING			
Threshold a: Project construction activities would not result in a long-term increase in employment which would induce substantial unplanned population growth. Employment opportunities generated by the proposed school (approximately 56 jobs) would not indirectly induce substantial unplanned population growth in the area. The increase in housing and population resulting from the Project would be consistent with TOP 2050, would not result in substantial unplanned population growth beyond that anticipated in the region, would assist the City in meeting its Regional Housing Needs Assessment requirements and reducing the jobs-housing ratio. The Project's proposed infrastructure improvements would serve the Project and also would not result in indirect substantial unplanned population growth.	Less than Significant Impact	No mitigation is required.	Less than Significant Impact
Threshold b: The existing uses within the Amendment Area have been vacated; therefore, the Project would not result in the displacement of housing or people necessitating the construction of replacement housing.	No Impact	No mitigation is required.	No Impact
5.15 PUBLIC SERVICES AND RECREATION			
Threshold a.i, a.ii, a.iii, and a.v: The Project would result in an increase in demand for fire protection services, police protection services, school services, and library services. The Project would not require the construction of new or expanded fire, police, or library facilities; therefore, no physical impacts would occur and Project impacts related to fire, police school and park facilities would be less than significant. The Project would result in the construction of a middle school within the proposed Expansion Area and the physical environmental impacts	Less than Significant Impact	**2006 EIR Mitigation Measures** MM Serv 1 To reduce fire hazards, wood-shingled and shake-shingled roofs are prohibited. MM Serv 2 To reduce fire hazards, fire hydrant locations and water main sizes shall meet standards established by the City Fire Department and reviewed and implemented by the Engineering Department.	Less than Significant Impact

THRESHOLD	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES (MM)	LEVEL OF SIGNIFICANCE AFTER MITIGATION
resulting from construction and operation of the school have been evaluated in this SEIR. Notwithstanding the less than significant impact related to these public services, the Project would incorporate 2006 EIR MM Serv 1 though MM Serv 6, MM Serv 8, and MM Serv 9.		MM Serv 3 To reduce fire hazards when water is provided to the site, adequate fire flow pressure shall be provided for residential areas and non-residential projects in accordance with currently adopted standards. MM Serv 4 To reduce fire hazards, adequate water supply shall be provided as approved by the Fire Department prior to the framing stages of construction. MM Serv 5 To reduce fire hazards, houses located on cul-de-sacs longer than 300 feet shall be constructed with residential fire sprinklers. MM Serv 6 To reduce fire hazards, access roadways designed in accordance with Fire Department standard to within 150' of all structures, shall be provided prior to the framing stages of construction. This access is to be maintained in an unobstructed manner throughout construction. MM Serv 8 The developer shall pay library, police, and fire service development impact fees. MM Serv 9 The developer shall pay school fees or otherwise, in lieu of fees, meet project obligations to schools, as approved by Mountain View and Chaffey Joint Union High School Districts.	
Threshold a.iv, b, c: The Project's future residents would increase the demand for park and recreational facilities. The Project would implement 2006 EIR MM Serv 10, which identifies standard requirements for provision of park land, resulting in a less than significant impact. Any onsite parks constructed within the Amendment Area would be within the physical impact area addressed throughout this SEIR under appropriate issue areas. Where impacts due to construction activities associated with the Project are identified, mitigation measures are imposed to reduce impacts to the maximum feasible extent, incompliance with CEQA. The Project would not result in substantial physical environmental impacts associated with the construction or expansion of parkland	Less than Significant Impact	**2006 EIR Mitigation Measure** MM Serv 10 Park development impact fees, Quimby fees, and/or developed parkland shall be provided to the City commensurate with the requirements of the General Plan ~~equivalent to 24 acres~~.	Less than Significant Impact

THRESHOLD	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES (MM)	LEVEL OF SIGNIFICANCE AFTER MITIGATION
or recreational facilities beyond that addressed in this SEIR.			
5.16 TRANSPORTATION			
Threshold a: The Project, which includes roadway improvements, and features to encourage non-vehicular travel and use of transit, would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including SCAG's *Connect SoCal*, TOP 2050 Policy Plan Mobility Element, and the Ontario Municipal. Notwithstanding this less than significant impact, the Project would incorporate 2006 EIR MM Trans 1 through MM Trans 4a, and MM Trans 7, which require compliance with standard City requirements.	Less than Significant	**2006 EIR Mitigation Measures** MM Trans 1 Construction of full width of internal roadways and ½ width adjacent roadways not implemented as specified in the Design Considerations of the project such that they shall comply with City of Ontario standards. MM Trans 2 Sight distance at the project entrance roadways should be reviewed with respect to the City of Ontario sight distance standards at the time of preparation of final grading, landscape and street improvement plans. MM Trans 3 Signing/striping should be implemented in conjunction with detailed construction plans for the project site. MM Trans 4a Intersection, median opening, and traffic signal spacing shall be in accordance with the City of Ontario **Engineering Department Traffic and Transportation Division, Traffic and Transportation Guidelines** ~~New Model Colony Access Guidelines~~. MM Trans 7 The project shall participate in the cost of offsite improvements through the payment of "fair-share" development impact fees. These fees should be collected and utilized as needed by the City of Ontario to maintain acceptable levels of service.	Less than Significant Impact
Threshold b: Less than Significant Impact. The Origin/Destination (O/D) VMT per service population (VMT/SP) for the Amendment Area (PAs 30 through 34; 23.85 VMT/SP) and for the total Specific Plan Area with implementation of the Project (26.4 VMT/SP) is lower than the Citywide threshold (29.42 VMT/SP) resulting in s less than significant impact.	Less than Significant Impact	No mitigation is required.	Less than Significant Impact
Threshold c: The Project would not involve the construction of incompatible uses, and would involve the construction of roadways within and adjacent to the Amendment Area. As required by 2006 EIR MM Trans 1	Less than Significant Impact	2006 EIR MM Trans 1 through MM Trans 4a shall apply.	Less than Significant Impact

THRESHOLD	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES (MM)	LEVEL OF SIGNIFICANCE AFTER MITIGATION
through Trans 4a, roadway improvements and driveways would be constructed in conformance with City design standards for roadways, sight distance, etc. The Project would not substantially increase hazards.			
Threshold d: During construction and long-term operation, the Project would be required to maintain adequate emergency access for emergency vehicles. Further, the Project involves the completion of roadways adjacent to and within the Amendment Area, which would enhance and not impede emergency access. The Project would not substantially impede emergency response in the local area.	Less than Significant Impact	No mitigation is required.	Less than Significant Impact
5.17 TRIBAL CULTURAL RESOURCES			
Threshold a.i: No tribal cultural resources listed or eligible for listing in the CRHR or in a local register of historical resources are located within the Amendment Area.	No impact	No mitigation is required.	No Impact
Threshold a.ii: Although no tribal cultural resources are known to exist within the Amendment Area or offsite improvement areas, Project construction activities have the potential to encounter such resources that may be buried, which would result in a significant impact.	Significant Impact	**Project-specific Mitigation Measures** MM 5.17-1 Prior to the commencement of any ground disturbing activity at the Amendment Area or off-site improvement areas (Project site), the Project Applicant shall request a Native American Monitor approved by the Gabrieleño 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"). If a monitoring contract is declined by the Gabrieleño Band of Mission Indians-Kizh Nation, a qualified tribal monitor shall be retained. A copy of the executed monitoring 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	Less than Significant Impact

Threshold	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
		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. MM 5.17-2 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	

THRESHOLD	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES (MM)	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		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.	
5.18 UTILITIES AND SERVICE SYSTEMS			
Threshold a: The physical environmental effects associated with installing the Project's water, wastewater, stormwater drainage, natural gas, electric power, and telecommunications infrastructure are evaluated throughout this SEIR and no significant impacts specific to the provision utilities services have been identified. Additionally, the utility infrastructure would be installed in compliance with requirements of the respective utility providers, as identified in 2006 EIR MM Util 1, MM Util 3, MM Util 4.	Less than Significant Impact	**2006 EIR Mitigation Measures** MM Util 1 All water and sewer pipelines within and adjacent to the project boundaries shall be constructed based on the NMC Infrastructure Master Plans and to the satisfaction of the City. MM Util 3 Off-site water lines, tanks, interconnectors, and other facilities required in the Water Master Plan to provide water to the site shall be in place and operational prior to issuance of the first certificate of occupancy. The applicant shall participate on a fair share basis in the development of these off-site facilities. MM Util 4 Prior to obtaining grading permit(s), the project proponent shall coordinate with the applicable natural gas, electrical, and telephone utility providers for the project site to ensure that all existing underground and overhead lines are not damaged during project construction.	Less than Significant Impact
Threshold b: The Project is within the service area of the Ontario Municipal Utilities Company (OMUC), which has the ability to provide adequate water service to its customers during normal, dry, and multiple dry years. A Project-specific Water Supply Assessment was prepared and concluded that the Project's water demands fall within the level of demand considered in the OMUC 2020 Urban Water Management Plan. Impacts would be less than significant. Notwithstanding this less than significant impact, in accordance with 2006 EIR MM Util 5, water conserving features would be incorporated into the Project.	Less than Significant Impact	2006 EIR MM Util 5 shall apply	Less than Significant Impact
Threshold c: The Inland Empire Utilities Agency (IEUA) water recycling plant RP-5 has sufficient existing excess capacity to treat wastewater generated by the Project.	Less than Significant Impact	No mitigation is required.	Less than Significant Impact

THRESHOLD	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES (MM)	LEVEL OF SIGNIFICANCE AFTER MITIGATION
Threshold d: There is adequate capacity available at the Badlands Landfill and El Sobrante Landfill to accept the Project's solid waste during both construction and long-term operation. The Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure to handle the solid waste.	Less than Significant Impact	No mitigation is required.	Less than Significant Impact
Threshold e: Future residents within the Amendment Area, and school operations, would comply applicable statues and regulations related to the management and reduction of solid waste and pertaining to waste disposal, reduction, and recycling.	Less than Significant Impact	No mitigation is required.	Less than Significant Impact
5.18 WILDFIRE			
Threshold a, b, c, d: The Amendment Area and surrounding areas are not within an SRA or within lands classified as being within a VHFHSZ. As such, the Project would not expose people or structures to wildfire hazards, impair emergency plans, or exacerbate the spread of wildfires.	No Impact	No mitigation is required.	No Impact

2.0 INTRODUCTION

2.1 PURPOSE OF THIS SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

This Subsequent Environmental Impact Report (SEIR) is an informational document that represents the independent judgment of the City of Ontario ("City"), acting as the Lead Agency pursuant to the California Environmental Quality Act ("CEQA"), and evaluates the physical environmental effects that could result from constructing and operating the development allowed by the proposed Subarea 29 Specific Plan Amendment Project (hereafter, the "Project").

The City has prepared this Draft SEIR for the following purposes:

- To satisfy the requirements of CEQA (*California Public Resources Code* (PRC), Sections 21000–21178), and the State CEQA Guidelines (Title 14, *Code of California Regulations* (CCR), Chapter 14, Sections 15000–15387).
- To inform the general public, the local community, responsible and interested public agencies, and the decision makers of the scope of the Project and to communicate the potential environmental effects, measures to mitigate those effects, and alternatives to the Project.
- To enable the decision makers to consider environmental consequences when deciding whether to approve the proposed Project.
- To serve as a source document for responsible agencies to issue permits and approvals, as required, for implementation of the Project.

2.2 PREVIOUS ENVIRONMENTAL DOCUMENTATION

The City of Ontario approved the Subarea 29 Specific Plan and certified the associated *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009) in October 2006 (2006 EIR). The Subarea 29 Specific Plan establishes the land use designations, infrastructure and services, development regulations, and design guidelines for the Subarea 29 Specific Plan area. The original Subarea 29 Specific Plan, approved in 2006, allowed for the development of 2,239 dwelling units in 31 planning areas (PAs), commercial uses, parks and recreational uses, and schools. The Subarea 29 Specific Plan has been subsequently amended through June 2021, and summarized below.

- May 2007 – a Specific Plan Amendment to reduce the minimum lot width for the Single-Family Detached Conventional (4,000 sf to 5,000 sf) lots in PA 31 from 50 feet to 45 feet (interior lots) and 55 feet to 50 feet (corner lots) was approved by the Ontario City Council. The City determined that the environmental impacts associated with this Specific Plan Amendment were previously reviewed in conjunction with the 2006 EIR.
- March 2008 – a Specific Plan Amendment to (1) change the land use designation for PA 29 from Lane Loaded (3,150 sf minimum lot size) to Lane Loaded (3,150 sf minimum lot size)

and Conventional Single-Family (4,000 to 5,000 sf minimum lot size); (2) modify the development standards for the Conventional Single-Family land use designation as it pertains to garage setbacks, lot widths, and (3) correct minor text and graphic errors, was approved by the Ontario City Council. The City determined that the environmental impacts associated with this Specific Plan Amendment were previously reviewed in conjunction with the 2006 EIR.

- April 2015 – a Specific Plan Amendment to reallocate a variety of residential home types in the Specific Plan area resulting in 2,392 dwelling units, which implemented The Ontario Plan (TOP) adopted by the City in 2010, was approved by the Ontario City Council. The City prepared an Addendum to the 2006 EIR for this Specific Plan Amendment (2015 Addendum).
- June 2021 – a Specific Plan Amendment to allow for an increase of 26 dwelling units within PA 27 and to provide additional housing typology. The City prepared an Addendum to the 2006 EIR for this Specific Plan Amendment (2021 Addendum).

Therefore, the current Subarea 29 Specific Plan, amended through June 2021, allows for a total of 2,418 dwelling units within the 539.7 gross acres Specific Plan area. The 2006 EIR, 2015 Addendum, and 2021 Addendum were prepared in accordance with CEQA and the State CEQA Guidelines and analyze the direct and indirect impacts resulting from implementation of the allowed development under the current Subarea 29 Specific Plan, including the physical impacts associated with development within PAs 30 and 31, which are part of the currently proposed SPA.

2.3 TYPE OF ENVIRONMENTAL DOCUMENTATION

Section 15162(a) of the State CEQA Guidelines provides that a Subsequent EIR is required if one or more of the following occurs:

1. Substantial changes are proposed in the project which 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 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 due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
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 Final EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

As further described in SEIR Section 3.0, Project Description, the Project would add approximately 113.2 gross acres of land to the Subarea 29 Specific Plan area to create new PAs 32, 33 and 34 (referred to herein as the "Expansion Area"), and would increase the total number of allowed units in the Subarea 29 Specific Plan from 2,418 units to 3,888 units (an increase of 1,470 units within existing PA 30 and 31 and new PA 32, 33, and 34).

As discussed in Section 2.4, Scope of this Subsequent EIR, the City determined that based on review of the Project, a Subsequent EIR to the 2006 will be required for the Project. This SEIR has been prepared in conformance with CEQA (California *Public Resources Code* [PRC], Section 21000 et seq.), the State CEQA Guidelines (Title 14, *California Code of Regulations,* Chapter 3, Section 15000 et seq.). The City, as the Lead Agency, will review and consider this SEIR in its decision to approve, revise, or deny the Project. This SEIR is intended to serve as the primary environmental document for all future entitlements associated with implementation of the proposed development within PAs 30 through 34, including all discretionary approvals requested or required to implement the Project. Thus, this SEIR has been prepared to evaluate the potential environmental impacts associated with the construction and operation of the Project, and to determine if there would be any significant impacts not addressed in the 2006 EIR, 2015 Addendum, 2021 Addendum, and/or if additional mitigation measures beyond those adopted in the Mitigation Monitoring and Reporting Program (MMRP) for the 2006 EIR would be required to reduce identified impacts to a less than significant level.

The 2006 EIR will continue to serve as the primary environmental document for previously approved but unbuilt development in the remainder of the Subarea 29 Specific Plan area (PA 1 through PA 29). Subsequent actions for developments within the Subarea 29 Specific Plan area will be reviewed based on the analysis in the 2006 EIR and this SEIR, as applicable, and as required by CEQA and the CEQA Guidelines.

2.4 SCOPE OF THIS SUBSEQUENT EIR

2.4.1 SEIR SCOPE

The City filed a Notice of Preparation (NOP) with the State Clearinghouse of the California Office of Planning and Research. Pursuant to CEQA Guidelines Section 15082, the Lead Agency must send a copy of a NOP to the SCH and State Responsible and Trustee agencies; the SCH has responsibility for ensuring that the State Responsible and Trustee agencies reply to the Lead Agency within the required time. The NOP was filed with the SCH and distributed to approximately 50 potential Responsible

Agencies, Trustee Agencies, and other interested parties on December 1, 2021, for a 30-day public review period. The NOP was distributed for public review to solicit responses that would help the City identify the full scope and range of potential environmental concerns associated with the Project so that these issues could be fully examined in this SEIR.

In addition, a publicly-noticed SEIR Scoping Meeting was held on December 9, 2021 at 6:00 p.m. The City hosted the SEIR Scoping Meeting at the Park Place Park House, located at 4955 S. Park Place Avenue, within the Subarea 29 Specific Plan area in the City of Ontario. The SEIR Scoping Meeting provided public agencies, interested parties, and members of the general public an additional opportunity to learn about the Project, the CEQA review process, and how to submit comments on the scope and range of potential environmental concerns be addressed in this SEIR. No public agencies or individual attended the SEIR Scoping Meeting.

The NOP and written comments received by the City during the NOP public review period are provided in *Technical Appendix A* to this SEIR. A summary of environmental issues raised in response to the NOP are summarized below in Table 2-1, Summary of NOP Comments. The purpose of Table 1-1 is to present a summary of the environmental topics that were identified by public agencies, interested parties, and members of the general public to be of primary interest. Table 1-1 does not list every comment received by the City during the NOP review period. Regardless of whether or not an environmental or CEQA-related comment is listed in Table 1-1, all relevant comments received in response to the NOP are addressed in this SEIR.

Table 2-1 Summary of NOP Comments

Agency	Date	Comments	Addressed in Section(s)
State Agencies			
California Native American Heritage Commission (NAHC)	December 7, 2021	• Outlines requirements for Native American consultation pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18. • Provides standard guidance on the scope of the analysis of potential impacts to tribal cultural resources. • Recommends Native American tribal consultation with tribes that are traditionally and culturally affiliated with the geographic area of the Project site. • In areas with archaeological sensitivity, monitoring of ground-disturbing activities should be required as part of the mitigation monitoring and reporting program, along with provisions for actions to take if cultural items or human remains are discovered.	Section 4.17

Agency	Date	Comments	Addressed in Section(s)
Regional Agencies			
Southern California Association of Governments (SCAG)	December 30, 2021	• Local agencies have the discretion in determining a local project's consistent with Connect SoCal. • Land use and transportation strategies are included in Connect SoCal and its accompanying technical reports and provide guidance for local lead agencies. • A formative step in projecting future population, households, and employment through 2045 for Connect SoCal was the generation of a forecast of regional and county level growth. Adopted forecasts for Ontario are provided. • The Connect SoCal Final Program EIR provides project-level performance standards-based mitigation measures that may be considered for adoption and implementation by lead, responsible, or trustee agencies in the region, as applicable and feasible.	Section 4.11
South Coast Air Quality Management District (SCAQMD)	May 17, 2022	• Provides recommendations on the scope of the air quality, greenhouse gas emissions, and health risk analysis for the Project, including modeling. • Identifies that Project-related air quality impacts should be identified and quantified against the SCAQMD regional and localized significance thresholds. • If a permit from SCAQMD is required, SCAQMD should be identified as a responsible agency. • Identifies the requirement for feasible mitigation measures be identified for significant impact and identifies sources to assist with identifying potential mitigation measures.	Section 3.0 Section 4.1 Section 4.8

SEIR Section 5.0, Environmental Analysis, provides an analysis of the Project's potential to cause adverse effects under the following topic areas:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

2.5 SUBSEQUENT EIR FORMAT AND CONTENT

This SEIR contains the information required to be included in an EIR as specified CEQA (California Public Resources Code, Section 21000 et. seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 5). CEQA requires that an EIR contain, at a minimum, certain specified content. Table 1-2, Location of CEQA Required Topics, provides a quick reference guide for locating the CEQA-required sections within this document.

Table 2-2 Location of CEQA Required Topics

CEQA Required Topic	CEQA Guidelines Section Reference	Location in this SEIR
Table of Contents	15122	Table of Contents
Summary	15123	Section 1.0
Environmental Setting	15125	Section 4.0
Project Description	15124	Section 3.0
Significant Environmental Effects of the Project	15126.2(a)	Section 5.0
Energy Impacts	15126.2(b) & Appendix F	Subsection 5.6
Significant Environmental Effects Which Cannot be Avoided if the Project is Implemented	15126.2(c)	Section 5.0 & Section 6.2
Significant Irreversible Environmental Changes Which Would be Caused by the Project Should it be Implemented	15126.2(d)	Section 6.3
Growth-Inducing Impact of the Project	15126.2(e)	Section 6.4
Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects	15126.4	Section 5.0 & Table 1-1
Consideration and Discussion of Alternatives to the Project	15126.6	Section 7.0
Effects Not Found to be Significant	15128	Section 6.1
Organizations and Persons Consulted	15129	Section 8.0 & Technical Appendices
Discussion of Cumulative Impacts	15130	Section 5.0

In summary, the content and format of this SEIR are as follows:

- **Section 1.0, Executive Summary** provides an overview of the SEIR and CEQA process and provides a brief Project Description, the location and regional setting of the Project site, and potential alternatives to the Project as required by CEQA. The Executive Summary also provides a summary of the Project's impacts, mitigation measures, and conclusions, in a table that forms the basis of the Project's MMRP.
- **Section 2.0, Introduction** provides introductory information about the CEQA process and the responsibilities of the City in its role as Lead Agency, a summary of the previous environmental documentation, the type and purpose of the SEIR, information regarding the scope of the SEIR, and an overview of the SEIR's format.
- **Section 3.0, Project Description**, pursuant to CEQA Guidelines Section 15124, includes a detailed Project Description that identifies the precise location and boundaries of the Project, a map showing the Project's location in a regional perspective, a statement of the Project's objectives, a general description of the Project's technical, economic, and environmental

characteristics, and a statement describing the intended uses of the SEIR, including a list of agencies expected to use the SEIR, and a list of approvals for which the SEIR will be used. The purpose of the detailed Project Description is to identify the Project's main features and other information needed for an assessment of the Project's environmental impacts.

- **Section 2.0, Environmental Setting** describes the environmental setting, including descriptions of the Project site's physical conditions and surrounding context used as the baseline for analysis in the SEIR.
- **Section 5.0, Environmental Analysis** provides a summary of the impact conclusions from the 2006 EIR, and an analysis of potential impacts that may occur with implementation of the Project. A determination concerning the significance of each impact is addressed and mitigation measures are presented when warranted. The environmental changes identified in Section 5.0 and throughout this SEIR are referred to as "effects" or "impacts" interchangeably. CEQA Guidelines Section 15358 describe the terms "effects" and "impacts" as being synonymous.

  In each subsection of Section 5.0, the existing conditions pertaining to the subject area being analyzed are discussed accompanied by a specific analysis of physical impacts that may be caused by implementing the Project. Impacts are evaluated on a direct, indirect, and cumulative basis. Direct impacts are those that would occur directly as a result of the Project. Indirect impacts represent secondary effects that would result from Project implementation. Cumulative effects are defined in CEQA Guidelines Section 15355 as "…two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts."

  The analyses in Section 5.0 are based in part upon technical reports that are included in this SEIR. Information also is drawn from other sources of analytical materials that directly or indirectly relate to the Project and are cited in the references section of each subsection in Section 5.0.

  Where the analysis identifies a potentially significant environmental effect even with incorporation of mitigation measures from the 2006 EIR MMRP or TOP 2050 SEIR MMRP, feasible additional mitigation measures are recommended. Pursuant to CEQA and the CEQA Guidelines, an EIR must propose and describe mitigation measures to minimize the significant environmental effects identified in the EIR. The identified mitigation measures are analyzed to determine whether they would effectively reduce or avoid any significant environmental effects. In most cases, implementation of the mitigation measures would reduce an identified significant environmental effect to below a level of significance. If mitigation measures are not available or feasible to reduce an identified impact to below a level of significance, the environmental effect is identified as a significant and unavoidable adverse impact, for which a Statement of Overriding Considerations would need to be adopted by the Lead Agency pursuant to CEQA Guidelines Section 15093.

- **Section 6.0, Other CEQA Considerations** includes specific topics that are required by CEQA. These include a summary of the Project's significant and unavoidable environmental effects, a discussion of the significant and irreversible environmental changes that would occur should the Project be implemented, as well as potential growth-inducing impacts of the Project. Section 6.0 also includes a discussion of the potential environmental effects that were found not to be significant during preparation of this SEIR.
- **Section 7.0, Project Alternatives** describes and evaluates alternatives to the Project that could reduce or avoid the Project's adverse environmental effects. CEQA does not require an EIR to consider every conceivable alternative to the Project but rather to consider a reasonable range of alternatives, including a "No Project" alternative, that will foster informed decision making and public participation.
- **Section 8.0, List of SEIR Preparers** lists the persons who authored or participated in preparing this SEIR.

2.6 INCORPORATION BY REFERENCE

CEQA Guidelines Section 15147 states that the "information contained in an EIR shall include summarized…information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public," and that the "[p]lacement of highly technical and specialized analysis and data in the body of an EIR shall be avoided through the inclusion of supporting information and analyses as appendices to the main body of the EIR." CEQA Guidelines Section 15150 allows for the incorporation "by reference all or portions of another document… [and is] most appropriate for including long, descriptive, or technical materials that provide general background but do not contribute directly to the analysis of a problem at hand." Where this SEIR incorporates a document by reference, the document is identified in the body of the SEIR. In most cases, documents or websites not included in the SEIR's Technical Appendices are cited by a link to the online location where the document/website can be viewed.

In accordance with Section 15150 of the CEQA Guidelines, the following documents are hereby incorporated by reference into this SEIR and are made available for public review on the City's website.

- **2006 Subarea 29 Specific Plan Final EIR, 2015 Addendum, and 2021 Addendum.** As discussed in Section 2.2 above, the City of Ontario approved the Subarea 29 Specific Plan and certified the associated *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009) in October 2006; prepared an Addendum to the 2006 EIR in 2015 to reallocate a variety of residential home types in the Specific Plan area resulting in 2,392 dwelling units, consistent with TOP 2010; and prepared an Addendum to the 2006 EIR in 2021 for Planning Area 27 of the Subarea 29 Specific Plan. The 2006 EIR, 2015 Addendum, and 2021 Addendum collectively address the short and long-term effects of build out of the current Subarea 29 Specific Plan, which includes development within PA 30 and PA 31. Mitigation measures were imposed for impacts determined to be significant or

potentially significant. Significant and unavoidable impacts were identified for agricultural resources (project and cumulative impacts associated with the loss of Prime Farmland), air quality (project and cumulative impacts during construction and operation), water quality (project and cumulative), noise (cumulative), and utilities (cumulative impacts related to solid waste generation). The Subarea 29 Specific Plan Final EIR is available at: https://www.ontarioca.gov/Planning/Reports/EnvironmentalImpact

Additionally, the following documents are hereby incorporated by reference into this SEIR and are made available for public review on the City's website at https://www.ontarioca.gov/planning; and http://www.ontarioplan.org/environmental-impact-report/.

- **City of Ontario General Plan and The Ontario Plan.** The City approved TOP, including the City's Policy Plan, which serves as the City's General Plan, on January 27, 2010. TOP was comprehensively updated (TOP 2050) and approved in August 2022. TOP 2050 is the City's current comprehensive business plan and serves as the major blueprint for directing growth in Ontario. TOP 2050 identifies existing conditions in the City, including physical, social, cultural, and environmental resources and opportunities; looks at trends, issues, and concerns that affect the region; and includes City goals and objectives, and provides policies to guide development and change. TOP consists of a six-part Component Framework: 1) Vision, 2) Governance Manual, 3) Policy Plan (General Plan), 4) City Council Priorities, 5) Implementation, and 6) Tracking and Feedback.

- **City of Ontario General Plan Supplemental EIR.** *The Ontario Plan 2050 Final Supplemental Environmental Impact Report* (SCH No. 2021070364) (TOP 2050 SEIR) was certified in August 2022. The TOP 2050 SEIR is a Supplemental EIR to the TOP EIR certified in the 2010, and analyzes the environmental impacts that would result from implementation of TOP 2050, focusing on changes to land use associated with the buildout of the Land Use Plan in the Policy Plan and impacts resultant of population and employment growth in the City, including the anticipated increase in trip generation (e.g., air quality emissions, energy, GHG emissions, traffic-related noise, vehicle miles traveled [VMT], etc.). Specifically, TOP 2050 SEIR include evaluation of development within the Subarea 29 Specific Plan area and proposed Expansion Area, as anticipated by the proposed Subarea 29 Specific Plan Amendment. Mitigation measures were imposed for impacts determined to be significant or potentially significant. Significant and unavoidable impacts were identified in the TOP 2010 Certified EIR for agricultural resources, air quality, cultural resources, greenhouse gas emissions, noise, and transportation. The TOP 2050 SIER identifies significant and unavoidable environmental impacts related to consistency with the current Air Quality Management Plan, construction-related and operational criteria pollutant emissions, exposure of sensitive receptors to toxic air contaminant concentrations from industrial and warehousing land uses, historical resources, construction noise and vibration, exposure to airport noise, and VMT. The General Plan policies that are related to the proposed Project are cited in various sections throughout this SEIR.

- **Ontario Development Code.** This Development Code is enacted to assist in the implementation of Federal and State planning, zoning, development, subdivision, and environmental laws, and TOP 2050, and guide the orderly development of the City in a manner that promotes and protects the public health, safety, comfort, convenience, prosperity, and welfare of its inhabitants. The Development Code is referenced throughout this document as regulations governing development and land use activities within the City. Regulatory information from the Development Code is cited in various sections of this SEIR.

This SEIR also relies on a number of Project-specific technical appendices that are bound separately as Technical Appendices. The Technical Appendices, along with references relied upon for preparation of this SEIR, are available for review at the City of Ontario Planning Department, 303 East B Street, Ontario, California, 91764, during the City's regular business hours or can be accessed on the City's website at https://www.ontarioca.gov/Planning/Reports/EnvironmentalImpact. The individual technical studies, reports, and supporting documentation that comprise the Technical Appendices are as follows:

A: Notice of Preparation (NOP) and NOP Comments
B1: Air Quality Impact Analysis
B2: Construction Health Risk Assessment
C1: Biological Technical Report
C2: Burrowing Owl Survey Report
D: Cultural Resources Assessment
E: Energy Analysis
F: Geotechnical Investigation
G: Greenhouse Gas Analysis
H1: 2021 Phase I Environmental Site Assessment
H2: 2021 Phase II Environmental Site Assessment
H3: 2022 Phase I Environmental Site Assessment
I1: Water Quality Technical Memorandum
I2: Water Quality BMP Tables
J: Hydrology and Hydraulics Report
K: Noise Impact Analysis
L: Vehicle Miles Traveled Assessment
M: Transportation Study
N: Water Supply Assessment
O: Sewer Analysis

2.7 PUBLIC REVIEW OF THIS SUBSEQUENT EIR

In accordance with Section 15163 of the State CEQA Guidelines, this SEIR "shall be given the same kind of notice and public review as is given to a draft EIR under Section 15087" of the State CEQA Guidelines. Also, the SEIR may be circulated by itself without recirculating the previous 2006 EIR and 2021 Addendum.

This Draft SEIR is being circulated for review and comment to the public and other interested parties, agencies, and organizations. The comment period will begin on July 17, 2023 and end on August 31, 2023. During the review period, the Draft SEIR will be available for review at the Planning Department, City Clerk, and Ovitt Family Community Library, the locations of which are presented below. The Draft SEIR will also be available on the City's website at https://www.ontarioca.gov/Planning/Reports/EnvironmentalImpact.

City of Ontario	City of Ontario	Ovitt Family Community
Planning Department	City Clerk	Library
303 East B Street	303 East B Street	215 East C Street
Ontario, CA 91764	Ontario, CA 91764	Ontario, CA 91764

Written comments on the Draft SEIR should be addressed to:

City of Ontario Planning Division
c/o Jeanie Irene Aguilo, Associate Planner
303 East B Street
Ontario, California 91764

Email: JAguilo@ontarioca.gov
Telephone: (909) 395-2148

Following the Draft SEIR's public review period, responses to written comments received will be prepared and published in a Final SEIR. The Final SEIR—which will consist of the Draft SEIR (and revision of the Draft SEIR, if required), a list of commenters, comments received on the Draft SEIR, and written responses to comments that raise significant environmental issues—will be considered for certification by the City, consistent with Section 15090 of the State CEQA Guidelines. The City will also consider whether to approve the Project. All responses to agencies' comments submitted for this Draft SEIR will be provided to those agencies at least ten days prior to final action on the Project. The City must consider the Final SEIR prior to any decision to approve or reject the Project. These actions can only be approved if the Final SEIR is certified.

3.0 PROJECT DESCRIPTION

This section provides the information required of an Environmental Impact Report (EIR) Project Description pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15124, including a description of the Project's precise location and boundaries; a statement of the Project's objectives; a description of the Project's characteristics; and a description of the intended uses of this Subsequent EIR (SEIR) (including a list of the government agencies that are expected to use this SEIR in their decision-making processes); and a list of the permits and approvals that are required to implement the Project. Project background information is also provided for informational purposes.

3.1 PROJECT BACKGROUND AND OVERVIEW

The City of Ontario approved the Subarea 29 Specific Plan and certified the associated *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009) in October 2006 (2006 EIR). The Subarea 29 Specific Plan has been subsequently amended through June 2021. The Subarea 29 Specific Plan establishes the land use designations, infrastructure and services, development regulations, and design guidelines for the existing approximately 539.7 gross acre[1] Subarea 29 Specific Plan Area (referred to herein as the Specific Plan Area). The proposed Subarea 29 Specific Plan Amendment (SPA) (File No. PSPA21-005) Project (referred to herein as the "Project") would add approximately 113.2 gross acres of land to the Specific Plan Area to create new Planning Areas (PA) 32, 33 and 34 (referred to herein as the "Expansion Area").

The adopted Subarea 29 Specific Plan allows for the development of 2,418 dwelling units, commercial uses (12.1 net acres/87,000 square feet [sf]), neighborhood parks (13.9 net acres), a recreation center (3.1 gross acres), and two schools (elementary and middle schools) within 31 existing PAs. With the exception of the planned uses in PA 2 (commercial), and PAs 30 and 31 (197 residential units), the previously approved Subarea 29 Specific Plan uses are constructed/occupied or under construction. Approved units in PA 1, PA 27, PA 28, and PA 29 (734 units) are under construction. The Park View Elementary School opened in August 2022. As described below, a change to the allowed number and type of residential units in PAs 30 and 31 is part of the currently proposed Specific Plan Amendment.

The City of Ontario adopted *The Ontario Plan 2050* (TOP 2050) in August 2022. TOP 2050, is intended to guide the City's development and conservation for the next 30 years through 2050. *The Ontario Plan 2050 Final Supplemental Environmental Impact Report* (TOP 2050 SEIR) (SCH No. 2021070364) was also certified in August 2022. Relevant to the preparation of this SEIR, proposed TOP 2050 anticipated the proposed Subarea 29 Specific Plan Amendment, as described in this Section, including the increase to 3,888 units in the Specific Plan Area, as amended (an overall increase of 1,470 units). The proposed Subarea 29 Specific Plan Amendment is consistent with the recently

[1] The existing Subarea 29 Specific Plan is approximately 449.9 net acres and excludes street rights-of-way, Southern California Edison (SCE) easement area, and County Line (storm drain channel) easements.

approved TOP 2050 land use designations, which are described in SEIR Section 5.11, Land Use and Planning.[2]

3.2 PROJECT LOCATION

The Project is located in the City of Ontario, in San Bernardino County. The currently proposed Amendment Area encompasses approximately 151.1 acres and includes existing PAs 30 and 31 (approximately 37.9 acres)[3], and the proposed Expansion Area (new PAs 32, 33, and 34[4]; approximately 113.2 acres). Existing PAs 30 and 31 are bound by Eucalyptus Avenue to the north, Haven Avenue to the east, Parkview Street to the south, and existing residential development in PAs 22 and 23 to the west. The proposed Expansion Area is bound by Eucalyptus Avenue to the north, Haven Avenue to the west, Mill Creek Boulevard to the east, and Bellegrave Avenue to the south. Bellegrave Avenue also forms the jurisdictional boundary between the City of Ontario/San Bernardino County and City of Eastvale/Riverside County. Refer to Figure 3-1, Regional Location Map, and Figure 3-2, Vicinity Map.

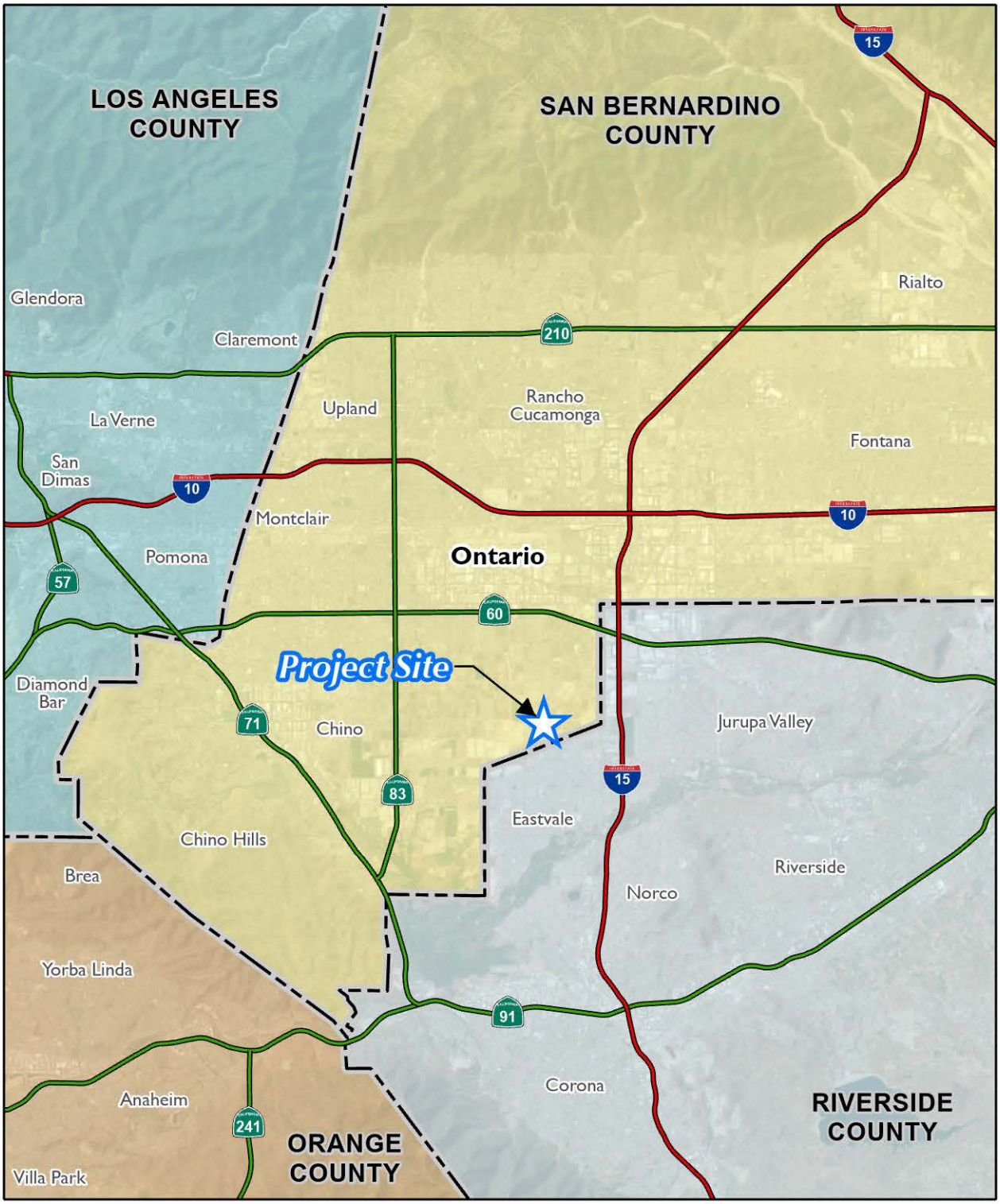
The Amendment Area consists of the following Assessor Parcel Numbers (APNs): 107-317-101, -102, -103, -104, -105, -106, -107, -108, -109, and -110. Refer to SEIR Section 4.0, Environmental Setting, for a description of existing land uses within and surrounding the Amendment Area. The Project also includes off-site improvement areas associated with the Southern California Edison (SCE) easement between PAs 30 and 31 (approximately 8.5 acres), and site adjacent roadway right-of-way (ROW) (approximately 11.7 acres) surrounding the proposed Expansion Area.

3.3 STATEMENT OF OBJECTIVES

Section 15124 of the State CEQA Guidelines establishes the requirement to address project objectives in an EIR project description. In addition to addressing the underlying project purpose, the objectives are also relevant to the development of the alternatives that are considered in the EIR and in the preparation of Findings of Fact and a Statement of Overriding Considerations, if necessary, in support of the decision-making action by the City. The objectives that have been established for the Project are consistent with those presented in the 2006 EIR, that are applicable to the Project, including:

1. Develop a project consistent with the vision for Ontario Ranch.
2. Develop a specific plan that incorporates General Plan land use principles; standards and distribution of land uses relative to residential, open space, recreation, and public uses.
3. Provide adequate school sites to serve Subarea 29 and adjoining Subareas.

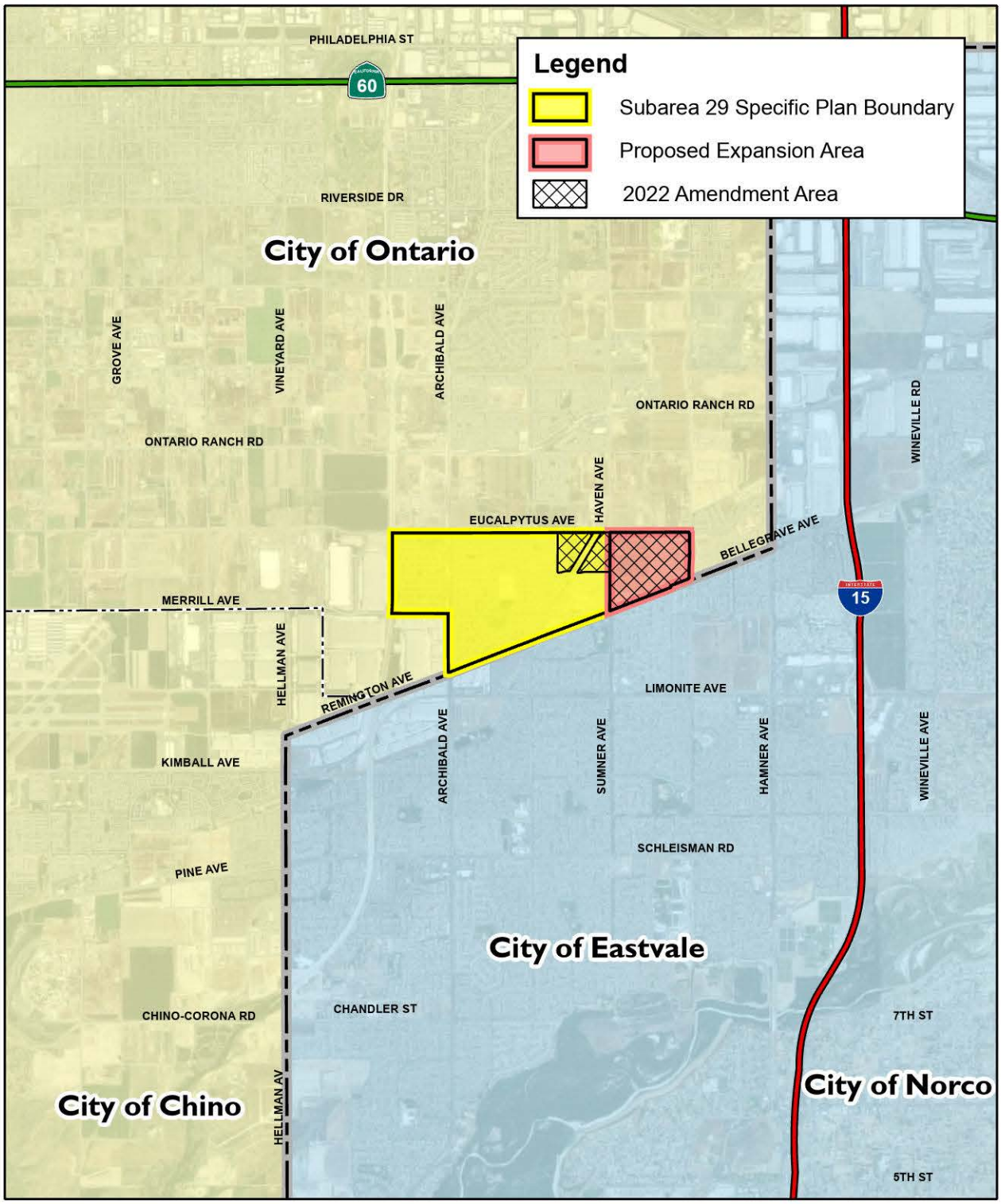
[2] The Notice of Preparation for this Draft SEIR identified a General Plan Amendment as one of the approvals to be considered by the City. However, because the proposed Subarea 29 Specific Plan Amendment is consistent with TOP 2050 approved by the City in August 2022, a General Plan Amendment is no longer required.
[3] Existing PAs 30 and 31 are controlled by Richland Communities.
[4] Proposed PAs 32 and 34 are controlled by SL Ontario Development Company and proposed PA 33 is controlled by Richland Communities.



Source(s): ESRI, RCTLMA (2021), SCAG (2021), SB County (2020)

Figure 3-1

Regional Location Map



Source(s): ESRI, RCTLMA (2021), SCAG (2021), SB County (2020)

Figure 3-2

0 1,250 2,500 5,000 Feet

Vicinity Map

4. Maximize housing opportunities to assist in meeting City of Ontario regional housing allocation requirements.
5. Provide neighborhoods which are identifiable from each other, with public and private amenities, linked by a network of pedestrian trails.
6. Create a community with a sense of place, walkability, and livability. Include pedestrian and bicycle trails to link neighborhoods and districts; short blocks to promote ease of access and neighborhood activity; use variable setbacks and reduced garage emphasis; and curb-separated landscaped parkways.
7. Create small neighborhoods with a wide range of lot sizes and street frontages among the various neighborhoods (not within neighborhoods).
8. Establish clearly defined "edges" and "entries" that contribute to a district neighborhood identity.
9. Develop a project that responds well to market demand and meets a range of housing types and affordability.
10. Develop a project with good regional access.
11. Minimize the use of walls as sound barriers along arterials and high traffic roadways through the use of landscaped setbacks and structures designed to attenuate sound, or a combination thereof, to promote visual quality and sound attenuation.

3.4 PROJECT COMPONENTS

The Project evaluated in this SEIR includes a Specific Plan Amendment (File No. PSPA21-005). The Subarea 29 Specific Plan, as amended, would serve as the regulatory document governing the orderly growth and development of the Amendment Area, which includes the proposed Expansion Area, and is described below.

In summary, the proposed Specific Plan Amendment would add approximately 113.2 gross acres of land to the Subarea 29 Specific Plan area to create new PAs 32, 33 and 34, and allow for the development of a middle school and up to 1,315 detached and attached homes in this area. In addition, the Project involves changes to the Subarea 29 Specific Plan and the City's Policy Plan land use designations for existing PAs 30 and 31 to allow for the development of an additional 155 dwelling units (an increase from 197 units to 352 units). Collectively, these actions would increase the total number of allowed units in the Subarea 29 Specific Plan from 2,418 units to 3,888 units (an increase of 1,470 units). The proposed land use designations allow for development consistent with that anticipated in the recently adopted TOP 2050.

3.4.1 SUBAREA 29 SPECIFIC PLAN AMENDMENT

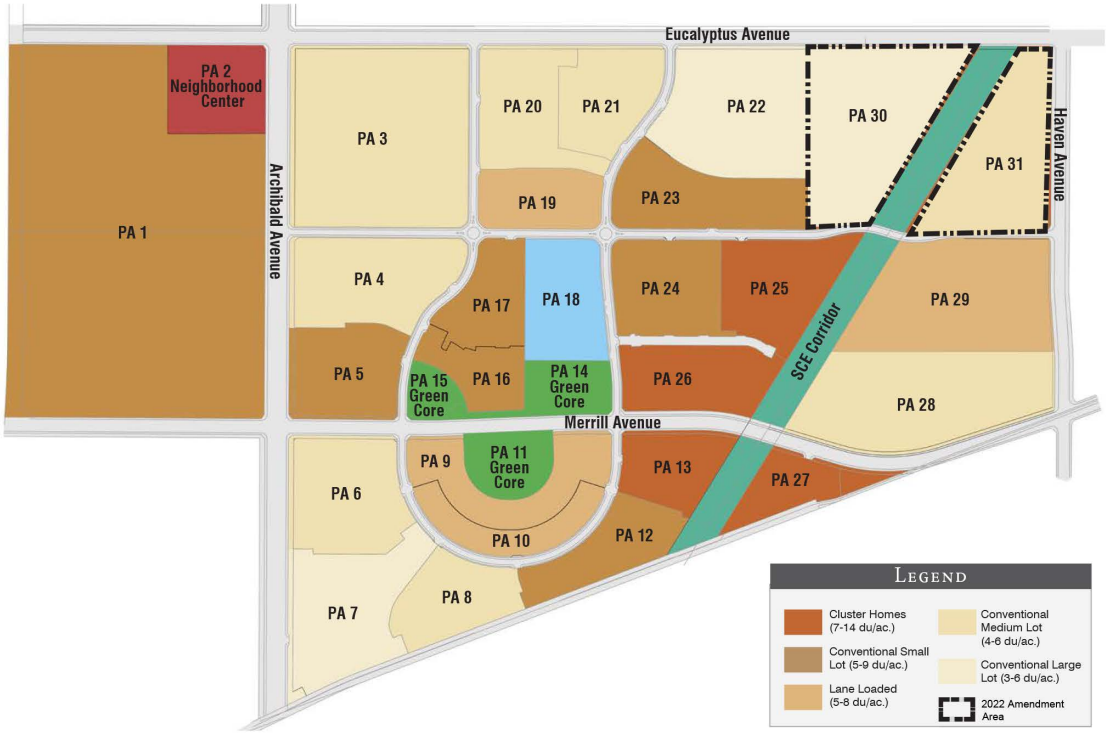
California Government Code Sections 65450 to 65553 permit the adoption and administration of specific plans as an implementation tool for elements contained within the local general plan. Section

65451 mandates that specific plans demonstrate consistency regarding proposed regulations, guidelines and programs that are set forth in the general plan.

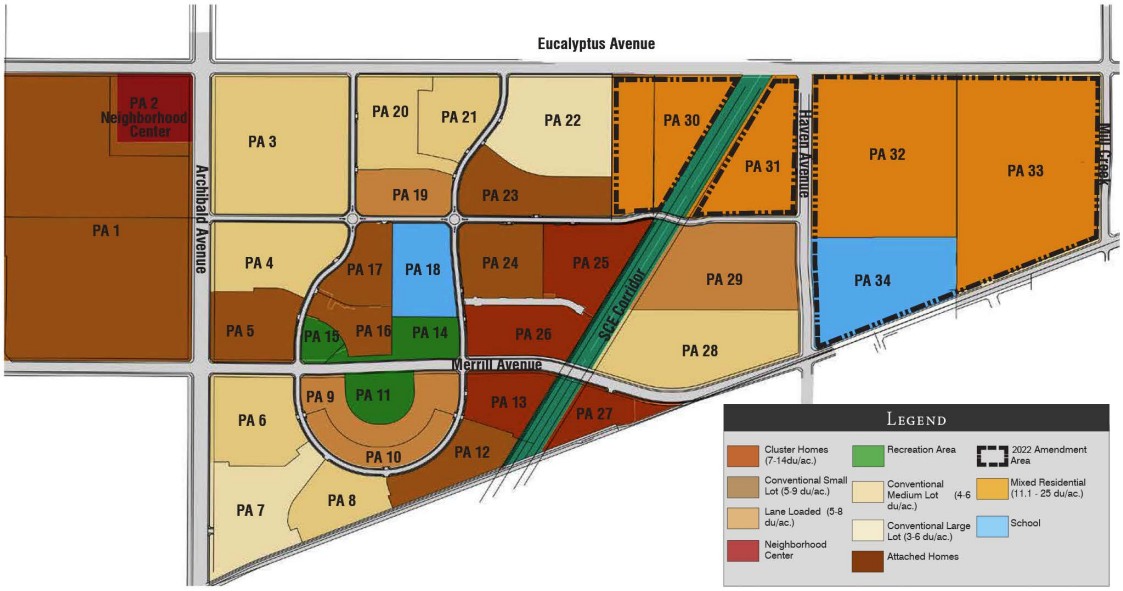
The proposed Subarea 29 Specific Plan Amendment would involve the following key components evaluated in this SEIR and described below:

- Expand the Subarea 29 Specific Plan area to include approximately 113.2 acres located to the east (refer to Figure 3-2, Vicinity Map) and modify text and exhibits throughout the Subarea 29 Specific Plan, as appropriate, to reflect the Expansion Area and proposed land uses, as summarized below.
- Revise the Subarea 29 Specific Plan Land Use Plan to add new PAs 32, 33 and 34, and change the land use designations for PAs 30 and 31 as shown on Figure 3-3, Existing and Proposed Subarea 29 Specific Plan Land Use Plan, and summarized below:
    - PA 30 – change the land use designation from Conventional Large Lot (3-6 du/acre) to Mixed Residential (11.1-25 du/ac).
    - PA 31 – change the land use designation from Conventional Medium Lot (4-6 du/acre) to Mixed Residential (11.1-25 du/ac).
    - PA 32 – add new PA with a land use designation of Mixed Residential (11.1-25 du/ac).
    - PA 33 – add new PA with a land use designation of Mixed Residential (11.1-25 du/ac).
    - PA 34 – add new PA with a land use designation of School. A school site was previously planned in the Expansion Area; the 2022 Amendment moves the school site to the south.
- Revise the Subarea 29 Specific Plan Land Summary Table to include new PAs 32, 33, and 34 and revise the land use information for PAs 30 and 31. The proposed changes are shown on Table 3-1, Proposed Revisions to the Subarea 29 Specific Plan Land Use Summary. As shown, there would be a net increase of 1,470 units allowed within the amended Specific Plan Area (an increase from 2,418 units to 3,888 units). It should be noted that the number of units allowed by the proposed Subarea 29 Specific Plan Amendment would be consistent with the TOP 2050 approved in August 2022 by the City of Ontario, which allows for up to 11.0 dwelling units per gross acre for low-medium density residential uses and 25 dwelling units per gross acre for medium density residential uses, and up to 3,888 units within the Specific Plan Area, as amended.

EXISTING



PROPOSED



Source(s): William Hezmalhalch Architects, Inc. (June 2022)

Figure 3-3

Existing and Proposed Subarea 29 Specific Plan Land Use Plan

Not to Scale

Table 3-1 Proposed Revisions to the Subarea 29 Specific Plan Land Use Summary

Planning Area	Land Use	Minimum Lot Size (S.F)	Planned Dwelling Units[3,4,5]	Net Acre[1]	Planned Net Density (Du/Ac.)[3,5]	Gross Acres[2]	Planned Gross Density (Du/Ac.)[3,5]
1*	Conventional Small Lot	3,500	432	83.1	5.2	89.8	4.8
2*	Commercial	N / A	0	12.1	0.0	14.5	0.0
3*	Conventional Medium Lot	4,500	186	34.5	5.4	40.2	4.6
4**	Conventional Medium Lot	4,250	88	10.1	8.7	17.8	4.9
5**	Conventional Small Lot	3,825	68	7.2	9.4	13.7	5.0
6**	Conventional Medium Lot	5,000	67	13.0	5.2	17.0	4.0
7**	Conventional Large Lot	6,300	65	15.3	4.2	18.3	3.6
8**	Conventional Medium Lot	4,250	46	9.1	5.1	9.6	4.8
9**	Lane Loaded	3,150	69	9.9	7.0	11.9	5.8
10**	Lane Loaded	3,600	57	6.6	8.7	7.8	7.3
11**	Neighborhood Park 2	N / A	0	5.7	0.0	6.2	0.0
12**	Conventional Small Lot	3,825	53	9.5	5.6	9.5	5.6
13**	Cluster Homes	2,100[A]	75	7.8	9.6	7.8	9.6
14**	Neighborhood Park 1	N / A	0	6.3	0.0	7.7	0.0
15**	Recreation Center	N / A	0	2.7	0.0	3.1	0.0
16**	Conventional Small Lot	3,015	41	5.9	7.0	6.1	6.8
17**	Conventional Small Lot	3,015	56	5.3	10.6	8.4	6.7
18**	School	N / A	0	10.0	N / A	11.2	N / A
19**	Lane Loaded	3,150	61	7.8	7.9	9.0	6.8
20**	Conventional Medium Lot	4,250	67	11.8	5.7	13.3	5.0
21**	Conventional Medium Lot	5,000	48	10.1	4.8	11.5	4.2
22**	Conventional Large Lot	6,300	79	19.7	4.0	21.3	3.7
23**	Conventional Small Lot	3,825	82	12.9	6.3	14.4	5.7
24**	Conventional Small Lot	3,400	75	8.1	9.3	12.8	5.8
25**	Cluster Homes	2,100[A]	102	8.6	11.8	12.9	7.9
26**	Cluster Homes	2,100[A]	102	8.7	11.7	13.2	7.7
27**	Cluster Homes	1,750[A]	73	7.6	9.7	7.6	9.6
28*	Conventional Medium Lot	4,050	121	23.0	5.3	25.8	4.7
29***	Lane Loaded or Conventional Medium Lot	3,150 or 4,000	108	21.4	5.0	27.2	4.0
30*	~~Conventional Large Lot~~ Mixed Residential	~~5,040~~ 1,750	~~110~~ 180	~~21.2~~ 21.1	~~5.0~~ 8.5	~~28.3~~ 21.8	~~3.9~~ 8.3
31*	~~Conventional Medium Lot~~ Mixed Residential	~~4,050~~ 1,750	~~87~~ 172	~~16.0~~ 15.5	~~5.4~~ 11.1	~~23.1~~ 16.1	~~3.8~~ 10.7
32**	Mixed Residential	1,750	671	42.5	15.8	43.6	15.4
33*	Mixed Residential	1,750	644	47.6	13.5	49.6	13.0
34**	School	N/A	0	19.0	0.0	20.0	0.0
Flood Control Channel	Flood Control Channel	N / A	0	7.2	0.0	7.2	0.0
Pump Station	Pump Station	N / A	0	0.2	0.0	0.4	0.0
SCE Corridor	Park Place SCE Easement	N / A	0	11.2	0.0	11.2	0.0
Amendment ROW	City	N/A	0	11.7	0.0	11.7	0.0
		Sub Area 29 Total	~~***2418***~~ ***3,888***	~~***449.9***~~ ***570.8***	~~***5.3***~~ ***6.8***	~~***539.7***~~ ***651.2***	~~***4.4***~~ ***6.0***

A) Minimum square footage identified is for exclusive use area on a per home basis, recorded lot size may differ.
1) Net Acres exclude street rights-of-way and SCE easements.
2) Gross Acres are calculated to centerline of Master Planned streets minus SCE easements.
3) Actual total units and gross/net density and acreage will be dependent on final lotting.
4) Target unit count based on submitted Tentative "B" Maps
5) A density transfer of 15.0 percent may occur between planning areas.
*) Indicates planning areas as controlled/owned by Richland Communities, Inc.
**) Indicates "Park Place" planning areas as controlled/owned by SLOntario Development Company
***) Indicates planning areas as controlled/owned by Brookfield Homes

- Introduce new home types and architectural styles to support the goals of the Subarea 29 Specific Plan, as further described below.

- Revise text and exhibits in Subarea 29 Specific Plan Chapter 7, Residential Design Guidelines, to identify existing architectural styles applicable to the new PAs, and to identify landscape and wall/fence requirements for the Expansion Area, as described below.

- Revise text and exhibits in Subarea 29 Specific Plan Chapter 5, Infrastructure and Services, to include the Expansion Area. This includes the identification of circulation and utility infrastructure information for the new PAs, as applicable, and for Mill Creek Avenue, Bellegrave Avenue and Eucalyptus Avenue adjacent to the expansion area. Refer to the description below.

B. Land Uses

1. Residential

❑ Land Use Designations

The proposed Specific Plan Amendment applies a new "Mixed Residential" land use designation to existing PAs 30 and 31 and new PAs 32 and 33 and adds approximately 93.2 residential acres to the Subarea 29 Specific Plan. This "Mixed Residential" land use designation permits a variety of housing types that promote higher density and more choice in floorplans. "Mixed Residential" has been created to provide more attainable options for a greater range of residents as well as options for different household compositions. Permitted housing typologies within this new Subarea 29 Specific Plan land use designation would include:

- **Row Townhomes (PAs 30, 31, 32 and 33).** This is a proposed new housing typology in the Subarea 29 Specific Plan, and includes attached homes that share two common walls, except for the end units. These homes have direct garage access. Front doors may be accessed from a street-side sidewalk, paseo, or from a private alley. Front door access depends on the design of the homes. Residential areas that utilize this housing typology will be developed at an approximate net density of 11-25 dwelling units per acre.

- **Cluster Homes.** This is a housing typology already included in the Subarea 29 Specific Plan that would be applied to new PAs 32 and 33. Cluster Homes are single-family detached residential development with vehicular access from lanes (private alleys or motorcourts) via interior streets, with direct access garages. These residential areas would be developed at an approximate net density of 7-14 dwelling units per acre with a minimum lot size of 1,750 square feet.

❑ Residential Design Guidelines

Section 7, Residential Design Guidelines, of the Subarea 29 Specific Plan, are proposed to be amended to add the following architectural styles for attached dwelling units to be allowed in PAs 30, 31, 32, and 33. Representative architecture and associated development standards are presented in Figure 3-4 through Figure 3-10. The maximum building heights for the new architectural styles are 35-feet and 45-feet, which is similar to the maximum building heights for existing architectural styles (35-feet with an additional 10-feet for architectural projections). New buildings would be required to achieve compliance with 2022 Building and Energy Efficiency Standards and the 2022 California Green Building Standards requirements, or the applicable standards in place at the time building permits are issued.

- Motorcourt Single Family Detached (refer to Figure 3-4)
- Greencourts (refer to Figure 3-5)
- Attached Motorcourt (refer to Figure 3-6)
- 3-Story Townhomes (refer to Figure 3-7)
- 3-Story Triplex (refer to Figure 3-8)
- 3-Story Tandem Townhomes (refer to Figure 3-9)
- Flats (refer to Figure 3-10)

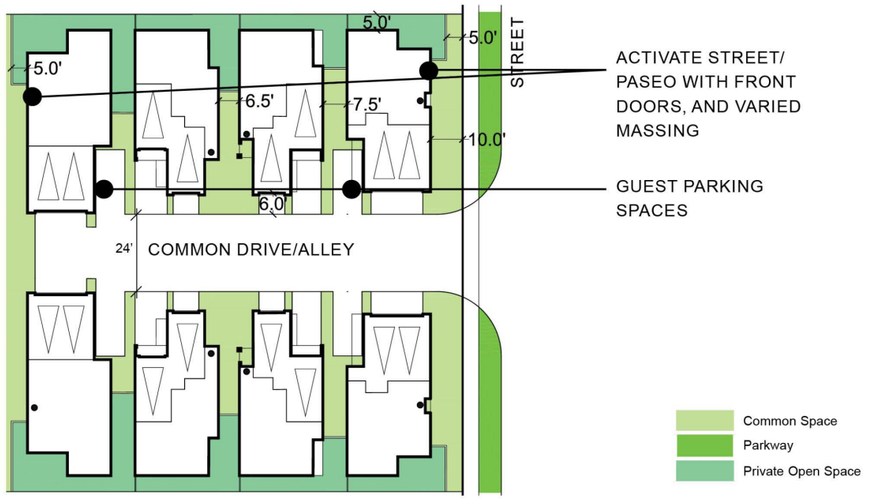
2. School

The proposed Specific Plan Amendment includes a new 20 net-acre middle school in proposed PA 34, located at the southeast corner of Haven and Eucalyptus Avenue.[5] This school would serve the 6th through 8th grade school needs in the Mountain View School District generated by development of both the Amendment Area and the original Specific Plan area. The developers within the Amendment Area would be required to pay school fees or construct school facilities, as required by the State of California.

C. Circulation and Parking

Section 5.1, Circulation, of the Subarea 29 Specific Plan describes the circulation plan for the Specific Plan area, which provides efficient movement of vehicular traffic throughout the area as well as an environment for pedestrian circulation and bicycle traffic, reducing the reliance on the automobile as a means of travel. Figure 3-11, Master Circulation Plan, identifies the roadways and bikeways/trails to be implemented within the Specific Plan area, including the proposed Amendment Area.

[5] In the event that the Mountain View School District elects to construct a middle school at an alternate location outside the Subarea 29 Specific Plan, the designated school site (PA 34) would be developed with residential uses. Should this site be developed with residential uses, in lieu of a school, it would be developed with a blended average of Low-Medium and Medium Density similar to the other parcels. If that occurs, PA 34 would have a density of 17.0 dwelling units per acre and a development target of 340 dwelling units, subject to the approval of a Specific Plan Amendment increasing the total number of dwelling units in the Subarea 29 Specific Plan and subject to further environmental review pursuant to CEQA.



Notes:

1. The minimum depth of a porch shall be 6 feet with a minimum area of 60 sq.ft.
2. Setbacks are measured from back of sidewalk and property lines unless noted otherwise.
3. Actual acreages, lot sizes, unit counts and densities may vary based on final plans.
4. Refer to Section 6-Development Regulations for more specific criteria regarding building plotting and design standards.
5. Refer to other areas of Section 7 –Residential Design Guidelines for more specific criteria regarding building design and plotting, styles, materials and details and implementation.
6. Refer to other areas of Section 7 – Landscape Design for specific criteria regarding all landscape design and implementation.

Minimum Standards

Minimum Lot Size	
Lot area	1,850 s.f.
Lot width	30'
Lot depth	62'
Building Separation (Minimum)	**6'-6"**
Front Setbacks - To Back of Sidewalk - Street Facing	
Living space	10'
Porch/balcony	5'
Living from common drive	7'
Garage from common drive	5'
Side Setbacks	
To porch/balcony/fence	5'
To living	5'
Corner to living	10'
Rear Setbacks	
Living space	5'
To garage	5'

Garage Setbacks	
Garage face to garage face	30'
Garage face to driveway (apron)	5'*
Note: Lane width may be increased to 24' when the lane length exceeds 150'.	
Maximum Encroachments into Building Setbacks	
Fireplace, media niche (8' max length), bay windows (cantilevered), potshelves, brackets, etc.	2'
Second floor cantilever over garage	2'
Private Open Space Per Unit	
Minimum dimension	6'
Total per unit	100 s.f.
Parking	
2 Garage Spaces	(10' x 20' Clear)
Building Height	**45' Max**
2 or 3-Story Product Permitted	

* Measurement is to be taken from inside of the curb

Source(s): William Hezmalhalch Architects, Inc. (September 2022)

Figure 3-4

Not to Scale

Motorcourt SFD Architecture and Development Standards (PAs 30, 31, 32 & 33)

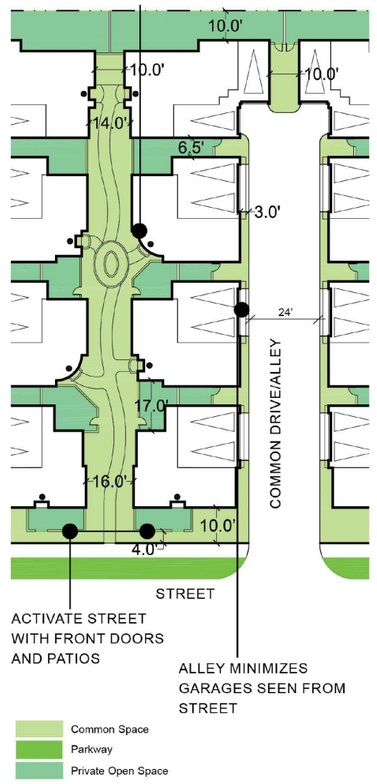
6 and 8-Pack Greencourt (PA 30, 31, 32, & 33)

Minimum Standards

Minimum Lot Size	
Maximum Number of Units per Cluster	12
Lot width	N/A
Lot depth	N/A
Building Separation (Minimum)	**6'-6"**
Front Setbacks - To Back of Sidewalk - Street Facing	
Living space	10'
Porch/balcony	4'
Living from common drive	3'
Garage from common drive	3'
Side Setbacks	
To porch/balcony/fence	4'
To living	5'
Corner to living	10'
To garage from property line	10'
Rear Setbacks	
To living from common drive	3'
To living from property line	5'
To garage from common drive	3'
To garage from property line	10'

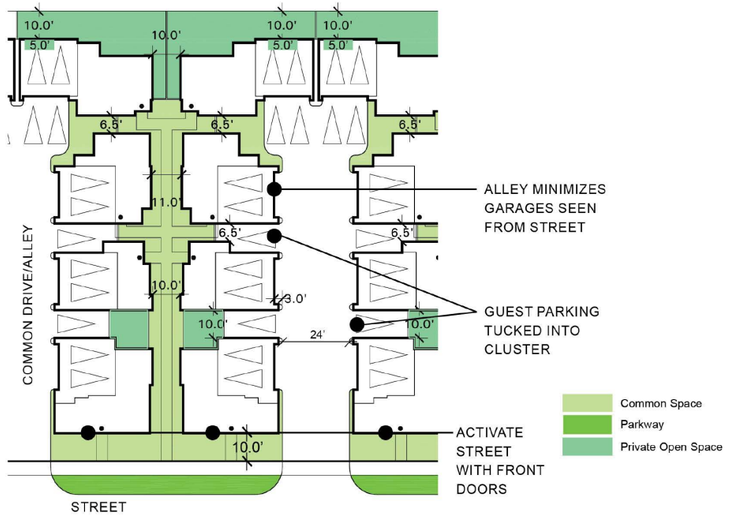
Garage Setbacks	
Garage face to garage face	30'
Garage face to driveway (apron)	3'*
Note: Lane width may be increased to 24' when the lane length exceeds 150'.	
Maximum Encroachments into Building Setbacks	
Fireplace, media niche (8' max length), bay windows (cantilevered), potshelves, brackets, etc.	2'
Second floor cantilever over garage	2'
Private Open Space Per Unit	
Minimum dimension	6'
Total per unit	45 s.f.
Parking	
2 Garage Spaces	(20' x 20' Clear)
Building Height	**45' Max**
2 or 3-Story Product Permitted	

* Measurement is to be taken from inside of the curb



Notes:

1. The minimum depth of a porch shall be 6 feet with a minimum area of 60 sq.ft.
2. Setbacks are measured from back of sidewalk and property lines unless noted otherwise.
3. Actual acreages, lot sizes, unit counts and densities may vary based on final plans.
4. Refer to Section 6-Development Regulations for more specific criteria regarding building plotting and design standards.
5. Refer to other areas of Section 7 –Residential Design Guidelines for more specific criteria regarding building design and plotting, styles, materials and details and implementation.
6. Refer to other areas of Section 7 – Landscape Design for specific criteria regarding all landscape design and implementation.
7. Greencourt can be configured with up to 12 units.

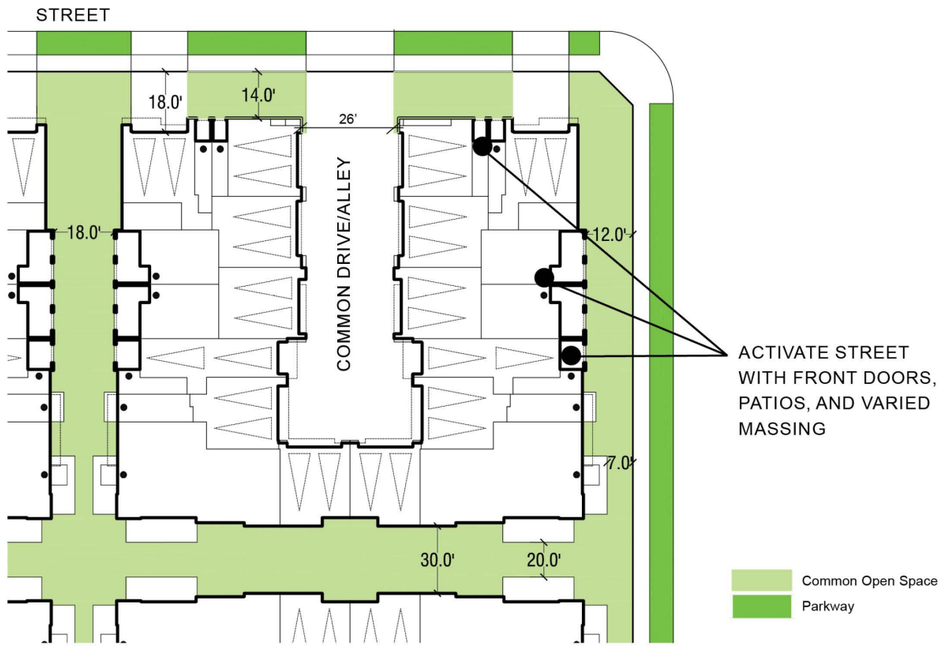


Source(s): William Hezmalhalch Architects, Inc. (September 2022)

Figure 3-5

Not to Scale

Greencourts Architecture and Development Standards (PAs 30, 31, 32 & 33)



Notes:

1. The minimum depth of a porch shall be 6 feet with a minimum area of 60 sq.ft.
2. Setbacks are measured from back of sidewalk and property lines unless noted otherwise.
3. Actual acreages, lot sizes, unit counts and densities may vary based on final plans.
4. Refer to Section 6-Development Regulations for more specific criteria regarding building plotting and design standards.
5. Refer to other areas of Section 7 –Residential Design Guidelines for more specific criteria regarding building design and plotting, styles, materials and details and implementation.
6. Refer to other areas of Section 7 – Landscape Design for specific criteria regarding all landscape design and implementation.

Minimum Standards

Minimum Lot Size	
Lot area	N/A
Lot width	N/A
Lot depth	N/A
Building Separation (Minimum)	
Living to living	18’
Front Setbacks - To Back of Sidewalk - Street Facing	
Living space	10’
Porch/balcony	7’
To garage	18’
Side Setbacks	
To living	12’
Corner to porch or balcony	7’
Corner to living	10’

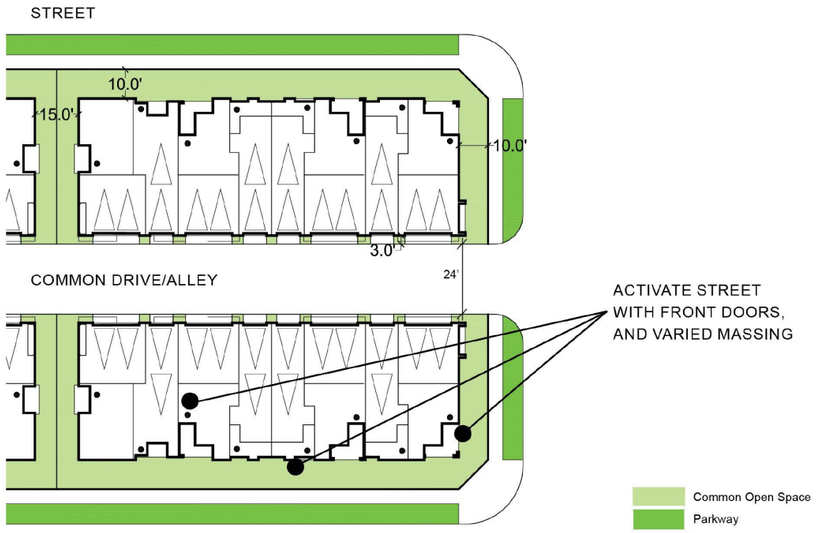
Maximum Encroachments into Building Setbacks	
Fireplace, media niche (8’ max length),bay windows (cantilevered), potshelves, brackets, utility cabinets, etc.	3’
Lot Coverage	60% Max
Minimum Porch Depth	4’
Parking	
2 Garage Spaces	(20’ x 20’ Clear)
Tandem Permitted	(10’ x 40’ Clear)
Building Height	**45’ Max**
2 or 3-Story Product Permitted	

Source(s): William Hezmalhalch Architects, Inc. (September 2022)

Figure 3-6

Not to Scale

Attached Motorcourt Architecture and Development Standards (PAs 30, 31, 32 & 33)



Notes:

1. The minimum depth of a porch shall be 6 feet with a minimum area of 60 sq.ft.
2. Setbacks are measured from back of sidewalk and property lines unless noted otherwise.
3. Actual acreages, lot sizes, unit counts and densities may vary based on final plans.
4. Refer to Section 6-Development Regulations for more specific criteria regarding building plotting and design standards.
5. Refer to other areas of Section 7 –Residential Design Guidelines for more specific criteria regarding building design and plotting, styles, materials and details and implementation.
6. Refer to other areas of Section 7 – Landscape Design for specific criteria regarding all landscape design and implementation.

Minimum Standards

Minimum Lot Size	
Lot area	N/A
Lot width	N/A
Lot depth	N/A
Building Separation (Minimum)	
Living to living	15'
Front Setbacks - To Back of Sidewalk - Street Facing	
Living space	10'
Porch/balcony	7'
Side Setbacks	
To living	10'
Corner to porch or balcony	7'
Corner to living	10'

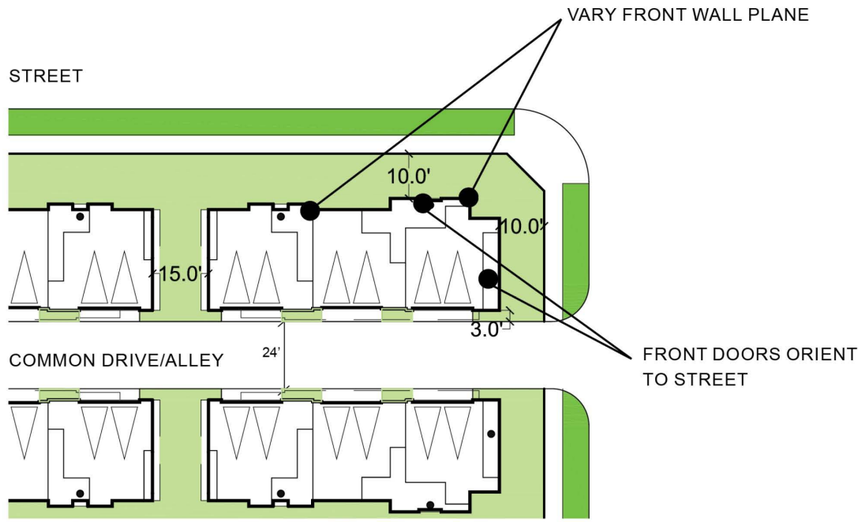
Maximum Encroachments into Building Setbacks	
Fireplace, media niche (8' max length),bay windows (cantilevered), potshelves, brackets, utility cabinets, etc.	3'
Lot Coverage	60% Max
Minimum Building Setback to Shared Driveway	3'
Minimum Porch Depth	4'
Parking	
2 Garage Spaces	(20' x 20' Clear)
Tandem Permitted	(10' x 40' Clear)
Building Height	**45' Max**
2 or 3-Story Product Permitted	

Source(s): William Hezmalhalch Architects, Inc. (September 2022)

Figure 3-7

Not to Scale

3-Story Townhomes Architecture and Development Standards (PAs 30, 31, 32 & 33)



Notes:

1. The minimum depth of a porch shall be 6 feet with a minimum area of 60 sq.ft.
2. Setbacks are measured from back of sidewalk and property lines unless noted otherwise.
3. Actual acreages, lot sizes, unit counts and densities may vary based on final plans.
4. Refer to Section 6-Development Regulations for more specific criteria regarding building plotting and design standards.
5. Refer to other areas of Section 7 –Residential Design Guidelines for more specific criteria regarding building design and plotting, styles, materials and details and implementation.
6. Refer to other areas of Section 7 – Landscape Design for specific criteria regarding all landscape design and implementation.

Minimum Standards

Minimum Lot Size	
Lot area	N/A
Lot width	N/A
Lot depth	N/A
Building Separation (Minimum)	
Living to living	15’
Front Setbacks - To Back of Sidewalk - Street Facing	
Living space	10’
Porch/balcony	6’
Side Setbacks	
To living	10’
Corner to porch or balcony	6’
Corner to living	10’

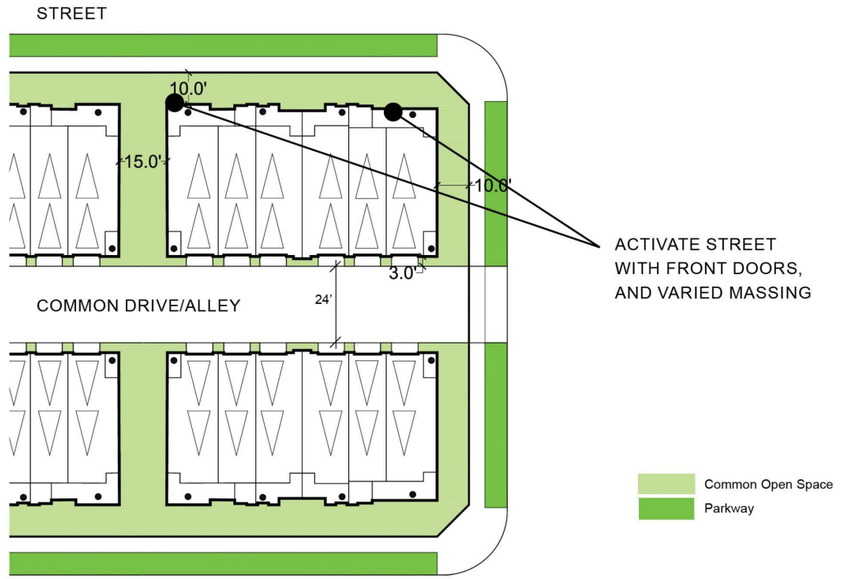
Maximum Encroachments into Building Setbacks	
Fireplace, media niche (8’ max length),bay windows (cantilevered), potshelves, brackets, utility cabinets, etc.	3’
Lot Coverage	60% Max
Minimum Building Setback to Shared Driveway	3’
Minimum Porch Depth	4’
Parking	
2 Garage Spaces	(20’ x 20’ Clear)
Building Height	**45’ Max**
2 or 3-Story Product Permitted	

Source(s): William Hezmalhalch Architects, Inc. (September 2022)

Figure 3-8

Not to Scale

3-Story Triplex Architecture and Development Standards (PAs 30, 31, 32 & 33)



Notes:

1. The minimum depth of a porch shall be 6 feet with a minimum area of 60 sq.ft.
2. Setbacks are measured from back of sidewalk and property lines unless noted otherwise.
3. Actual acreages, lot sizes, unit counts and densities may vary based on final plans.
4. Refer to Section 6-Development Regulations for more specific criteria regarding building plotting and design standards.
5. Refer to other areas of Section 7 –Residential Design Guidelines for more specific criteria regarding building design and plotting, styles, materials and details and implementation.
6. Refer to other areas of Section 7 – Landscape Design for specific criteria regarding all landscape design and implementation.

Minimum Standards

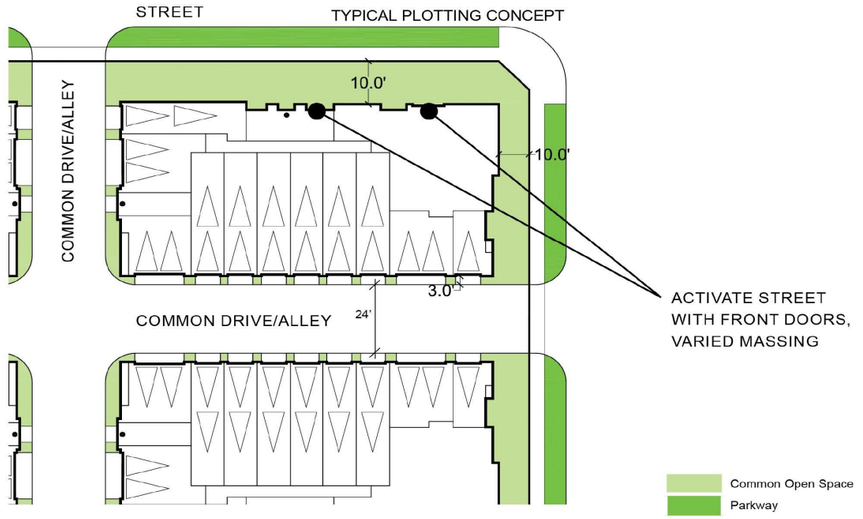
Minimum Lot Size	
Lot area	N/A
Lot width	N/A
Lot depth	N/A
Building Separation (Minimum)	
Living to living	15’
Front Setbacks - To Back of Sidewalk - Street Facing	
Living space	10’
Porch/balcony	6’
Side Setbacks	
To living	10’
Corner to porch or balcony	6’
Corner to living	10’
Rear Setbacks	
To garage	3’
Minimum Building Setback to Shared Driveway	3’
Maximum Encroachments into Building Setbacks	
Fireplace, media niche (8’ max length),bay windows (cantilevered), potshelves, brackets, utility cabinets, etc.	3’
Lot Coverage	60% (Max.)
Minimum Porch Depth	4’
Parking	
2 Garage Spaces	(10’ x 40’ Clear)
Building Height	**45’ Max**
2 or 3-Story Product Permitted	

Source(s): William Hezmalhalch Architects, Inc. (September 2022)

Figure 3-9

Not to Scale

3-Story Tandem Townhomes Architecture and Development Standards (PAs 30, 31, 32 and 33)



Notes:

1. The minimum depth of a porch shall be 6 feet with a minimum area of 60 sq.ft.
2. Setbacks are measured from back of sidewalk and property lines unless noted otherwise.
3. Actual acreages, lot sizes, unit counts and densities may vary based on final plans.
4. Refer to Section 6-Development Regulations for more specific criteria regarding building plotting and design standards.
5. Refer to other areas of Section 7 –Residential Design Guidelines for more specific criteria regarding building design and plotting, styles, materials and details and implementation.
6. Refer to other areas of Section 7 – Landscape Design for specific criteria regarding all landscape design and implementation.

Minimum Standards

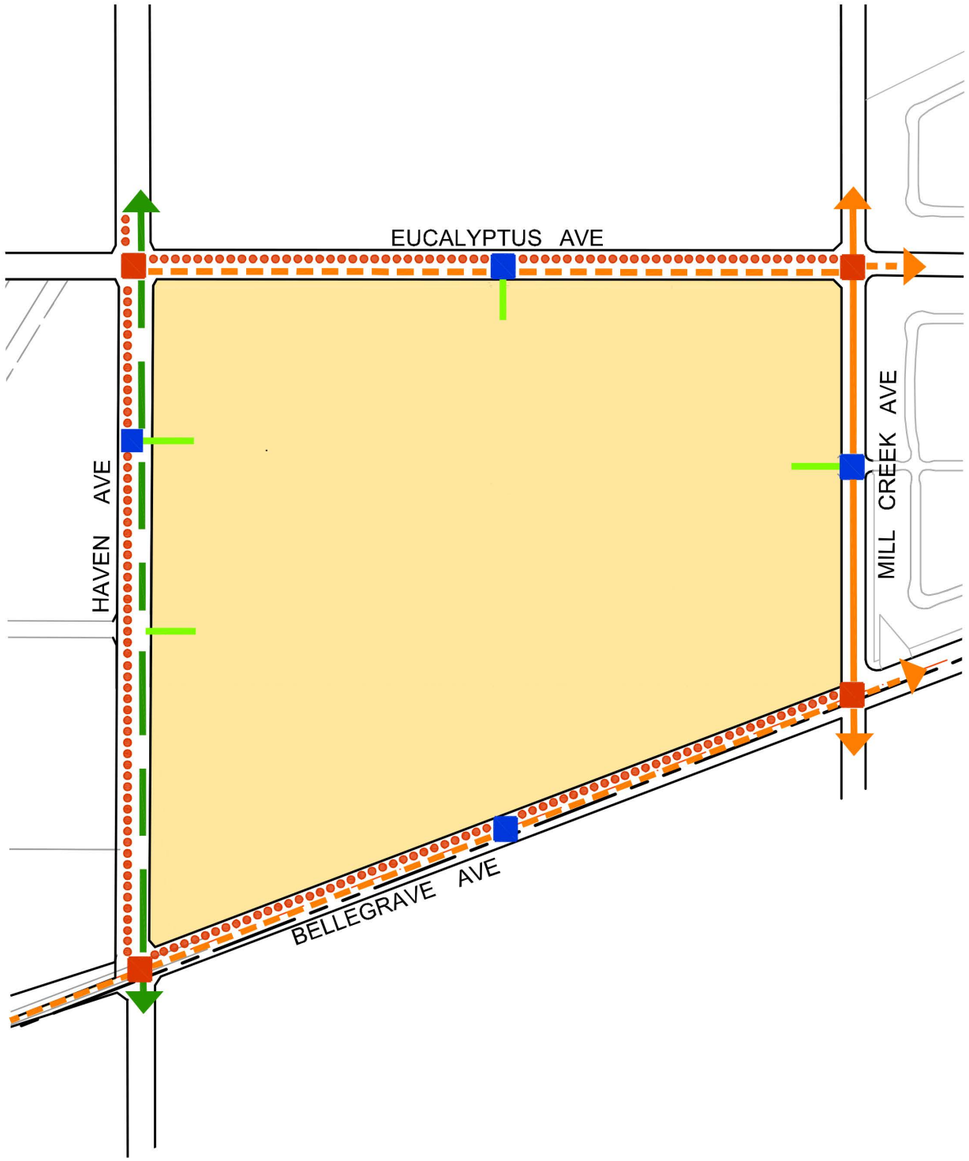
Minimum Lot Size	
Lot area	N/A
Lot width	N/A
Lot depth	N/A
Building Separation (Minimum)	
Living to living	15'
Front Setbacks - To Back of Sidewalk - Street Facing	
Living space	10'
Porch/balcony	6'
Side Setbacks	
To living	10'
Corner to porch or balcony	6'
Corner to living	10'
Minimum Building Setback to Shared Driveway	3'
Maximum Encroachments into Building Setbacks	
Fireplace, media niche (8' max length),bay windows (cantilevered), potshelves, brackets, utility cabinets, etc.	3'
Lot Coverage	60% Max
Minimum Porch Depth	4'
Parking	
1 Car	(10' x 20' Clear)
2 Car Side-by-Side	(20' x 20' Clear)
Tandem Permitted	(10' x 40' Clear)
Building Height	**45' Max**
2 or 3-Story Product Permitted	

Source(s): William Hezmalhalch Architects, Inc. (September 2022)

Figure 3-10

Not to Scale

Flats Architecture and Development Standards (PAs 30, 31, 32 & 33)



NOTE:

ADDITIONAL TRAFFIC SIGNALS MAY BE REQUIRED ON MILL CREEK AVE BETWEEN BELLEGRAVE AVE AND EUCALYPTUS AVE, ON BELLEGRAVE AVE BETWEEN HAVEN AVE AND EUCALYPTUS AVE, AND ON EUCALYPTUS AVE BETWEEN HAVEN AVE AND MILL CREEK AVE BASED ON THE LOCATIONS OF FUTURE TRACT ENTRIES.

REFER TO THE TIA FOR ADDITIONAL INFORMATION

LEGEND

- SPECIFIC PLAN AREA
- HAVEN: 124' R/W, 16' MED. + 28' PAVEMENT EXISTING WEST HALF IMPROVEMENTS WITH MEDIAN AND ONE LANE ON THE EAST FROM BELLEGRAVE TO PARKVIEW STREET
- EUCALYPTUS: 108' R/W, 84' C-C
- BELLEGRAVE: 108' R/W, 84' C-C EXISTING SOUTH HALF IMPROVEMENTS PLUS ONE LANE ON THE NORTH
- MILL CREEK: 88' R/W, 64' C-C EXISTING EAST HALF IMPROVEMENTS PLUS ONE LANE ON THE WEST
- PRIMARY LOCAL STREET (60 R/W WITH 7' ADDITIONAL NEIGHBORHOOD EDGE)
- CLASS 2 BIKEWAY AND MULTI PURPOSE TRAIL
- MASTER PLANNED TRAFFIC SIGNAL
- PROPOSED TRAFFIC SIGNAL
- CONCEPTUAL ROUNDABOUT LOCATION

Source(s): L.D. King Inc. (11-03-2022)

Figure 3-11

Not to Scale

2. *Vehicular Circulation*

The Project site would be accessed by the following roadways adjacent to the Amendment Area: Eucalyptus Avenue, Mill Creek Avenue, Bellegrave Avenue, and Haven Avenue. The following street improvements would be implemented as part of the Project, and would be designed in compliance with the City's standards and street sections presented on Figure 3-12, Street Sections:

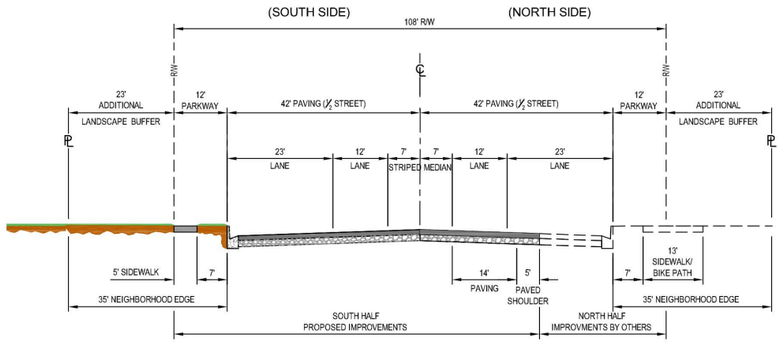
- **Mill Creek Avenue** is a Collector Street with a design speed of 40 miles per hour (mph) with an 88-foot right-of-way. The street is currently partially improved with east-half improvements and one lane on the west-half completed from Eucalyptus Avenue to Bellegrave Avenue. The remaining west-half improvements would be constructed as part of the Project. Mill Creek Avenue would provide north/ south access along the eastern boundary of the Amendment Area. Access to the street via driveways from residential units and on-site street parking would be prohibited.

- **Eucalyptus Avenue** is a 4-lane Collector Street with a design speed of 40 miles per hour (mph) with a 108-foot right-of-way. South-half improvements, a 7-foot striped median, a 14-foot travel lane, and a 5-foot shoulder would be constructed as part of the Project. Eucalyptus Avenue would provide east/west access along the northern boundary of the Amendment Area. Access to the street via driveways from residential units and on-site street parking would be prohibited.

- **Bellegrave Avenue** is a Minor Arterial east of Haven Avenue/Sumner Avenue with a design speed of 45 mph and is currently improved with approximately 55 feet of paved area from Haven Avenue to approximately ¼ mile east of Haven Avenue and from Mill Creek Avenue to approximately ⅛ of a mile west of Mill Creek Avenue. Improvements proposed by the adopted Subarea 29 Specific Plan would be extended to the portion of Bellegrave Avenue located within the Amendment Area and would be implemented as part of the Project. Access to this street via driveways from residential units and on-street parking would be prohibited.

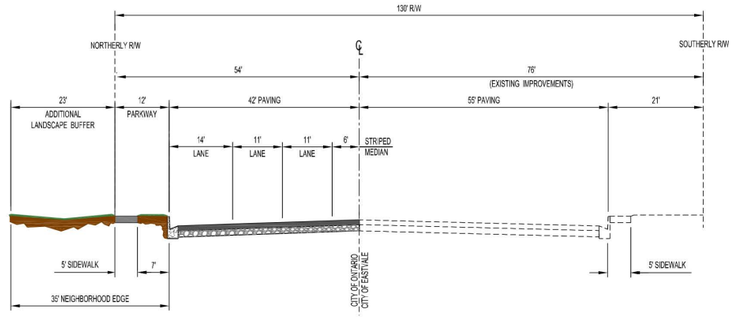
- **Private Streets** would be constructed within the proposed residential development and would include a public utility easement within the paved section. Private street would have a 32-foot minimum paved section, with 4-foot minimum (measurement taken from inside of curb) landscaping and 5-foot sidewalks on each side.

On-site traffic signing and striping would be defined in conjunction with detailed construction plans for the Project site and would adhere to the provisions of the California Manual on Uniform Traffic Control Devices (CA MUTCD). Sight distance at each project access point would adhere to City of Ontario sight distance standards at the time of preparation of final grading, landscape, and street improvement plans. The proposed circulation systems would also be constructed in compliance with the Fire Department access requirements.



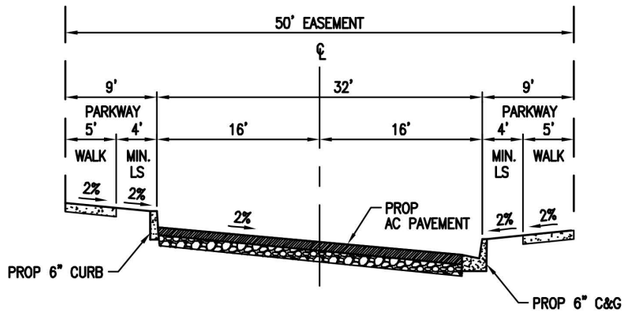
Eucalyptus Ave. (South Side)

Collector
(On-Street Parking is Prohibited)
N.T.S.
Landscape Buffer may be reduced to 14' if homes front Eucalyptus Avenue



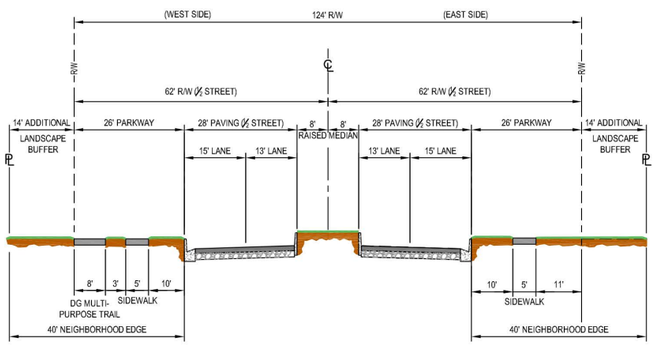
Bellegrave Ave. (East) Street Sections

Minor Arterial
(On-Street Parking Prohibited)
N.T.S.



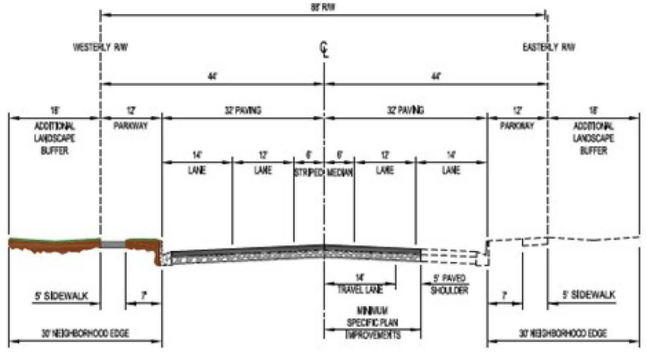
Private Street B

(52' Utility Easement)
On-Street Parking is Allowed on One Side of Street
N.T.S.



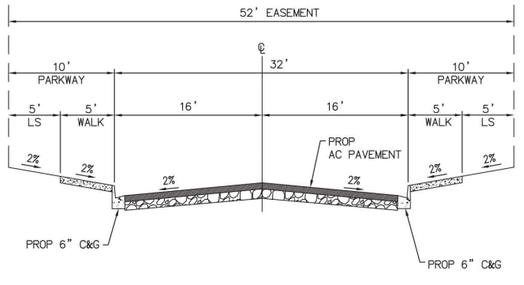
Haven Ave.

Other Principal Arterial
(On-Street Parking is Prohibited)
N.T.S.
Landscape Buffer may be reduced to 5' if homes front Haven Avenue



Mill Creek Ave. Street Sections

Collector
(On-Street Parking Prohibited)
N.T.S.



Private Street A

(52' Utility Easement)
On-Street Parking is Allowed on One Side of Street
N.T.S.

Source(s): William Hezmalhalch Architects, Inc. (June 2022)

Figure 3-12

Not to Scale

Street Sections

3. *Pedestrian/ Bicycle Circulation and Transit*

The Subarea 29 Specific Plan provides a multi-modal circulation system (refer to Figure 3-13, Pedestrian and Bicycle Circulation Plan, which depicts the existing Specific Plan Area and the proposed Expansion Area). An off-street pedestrian circulation would be available throughout the Specific Plan area, including the proposed Amendment Area, with an interconnected paved sidewalk system within the roadway right-of-way separated from vehicular travel lanes by a landscaped parkway. As part of the Project, Class II (on-street striped) bike lanes would be constructed along Eucalyptus Avenue and Bellegrave Avenue, adjacent to the proposed Amendment Area.

The Subarea 29 Specific Plan includes a multi-purpose pedestrian and bicycle trail within the SCE corridor/easement extending between Eucalyptus Avenue and the County Line Channel. This multi-purpose trail would provide a link within the City´s Master Planned trail system proposed for SCE easements and corridors throughout the City. The conceptual trail plan is shown on Figure 3-14, Conceptual SCE Corridor Trail Plan. The segment of the trail between PAs 30 and 31 would be constructed as part of the Project.

A bus turnout would be installed along Haven Avenue in the northbound direction, north of Bellegrave Avenue, and bus stop amenities such as a bench and shade cover would be provided, as determined necessary by the City and Omnitrans.

4. *Vehicle Parking*

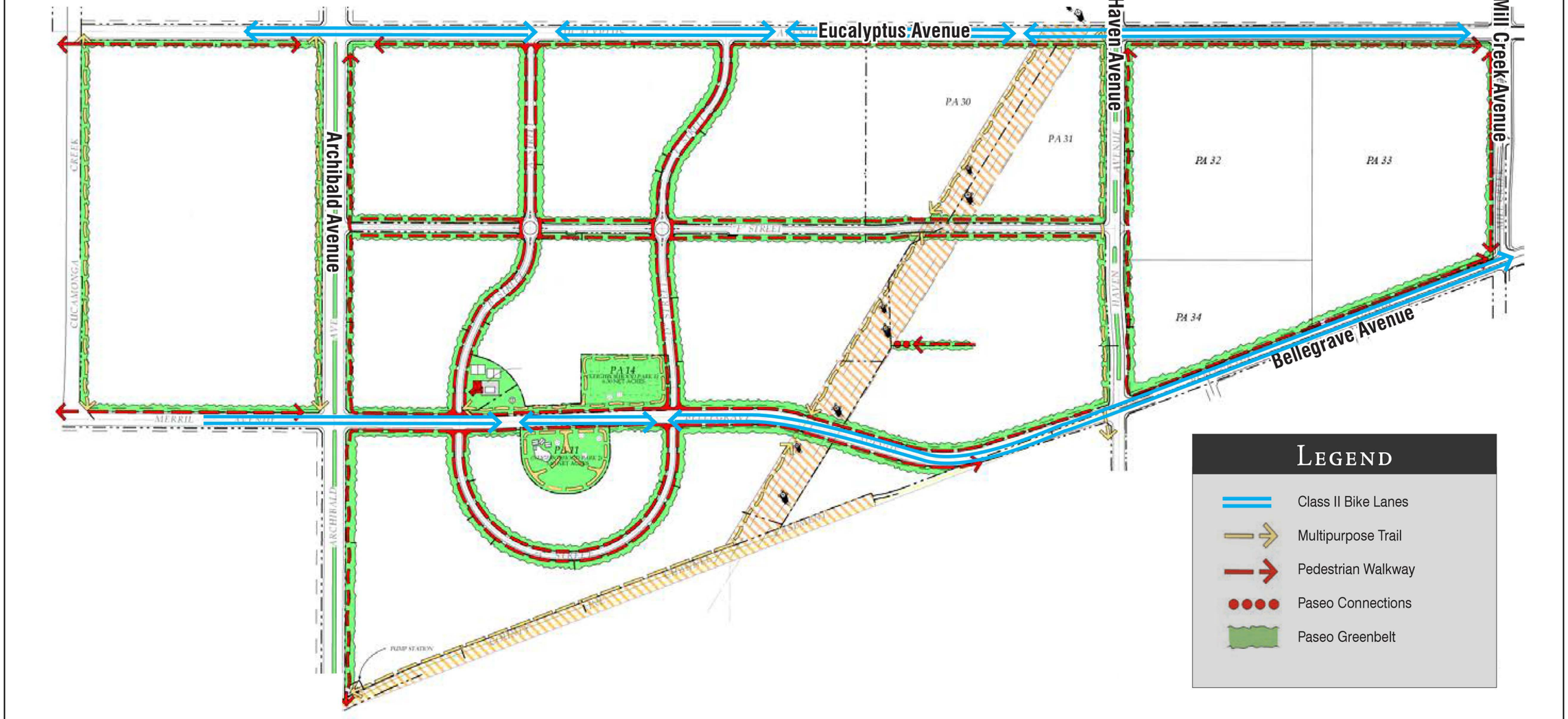
As identified above, parking is prohibited along public streets. However, on-street parking is allowed on one-side of private streets. Parking requirements for the proposed residential uses are outlined in the development standards for each housing typology included on Figure 3-4 through Figure 3-10.

D. Park and Recreation Facilities

The park requirements for the proposed residential uses (2 acres per 1,000 residents) would be fulfilled through the implementation of pocket parks at the Tentative Map level and payment of in-lieu fees for park dedication. Pocket parks would be transferred to a homeowners association for ownership and maintenance. Based on the estimated population associated with the proposed unit increase, and assuming the development occurs at the maximum density, there would be a requirement for the construction of approximately 10.3 acres of parks within the Amendment Area.

E. Landscape/Walls and Fences/Lighting

The community landscape character for the Amendment Area would be complementary to the character established in the adopted Subarea 29 Specific Plan. Landscaping would be subject to the same landscaping guidelines, with the addition of more drought tolerant planting options to meet current code requirements. Figure 3-15 and Figure 3-16 a-e depict the conceptual landscape master plan with the Amendment Area, and conceptual streetscape/paseo sections relevant to the Amendment Area, respectively.

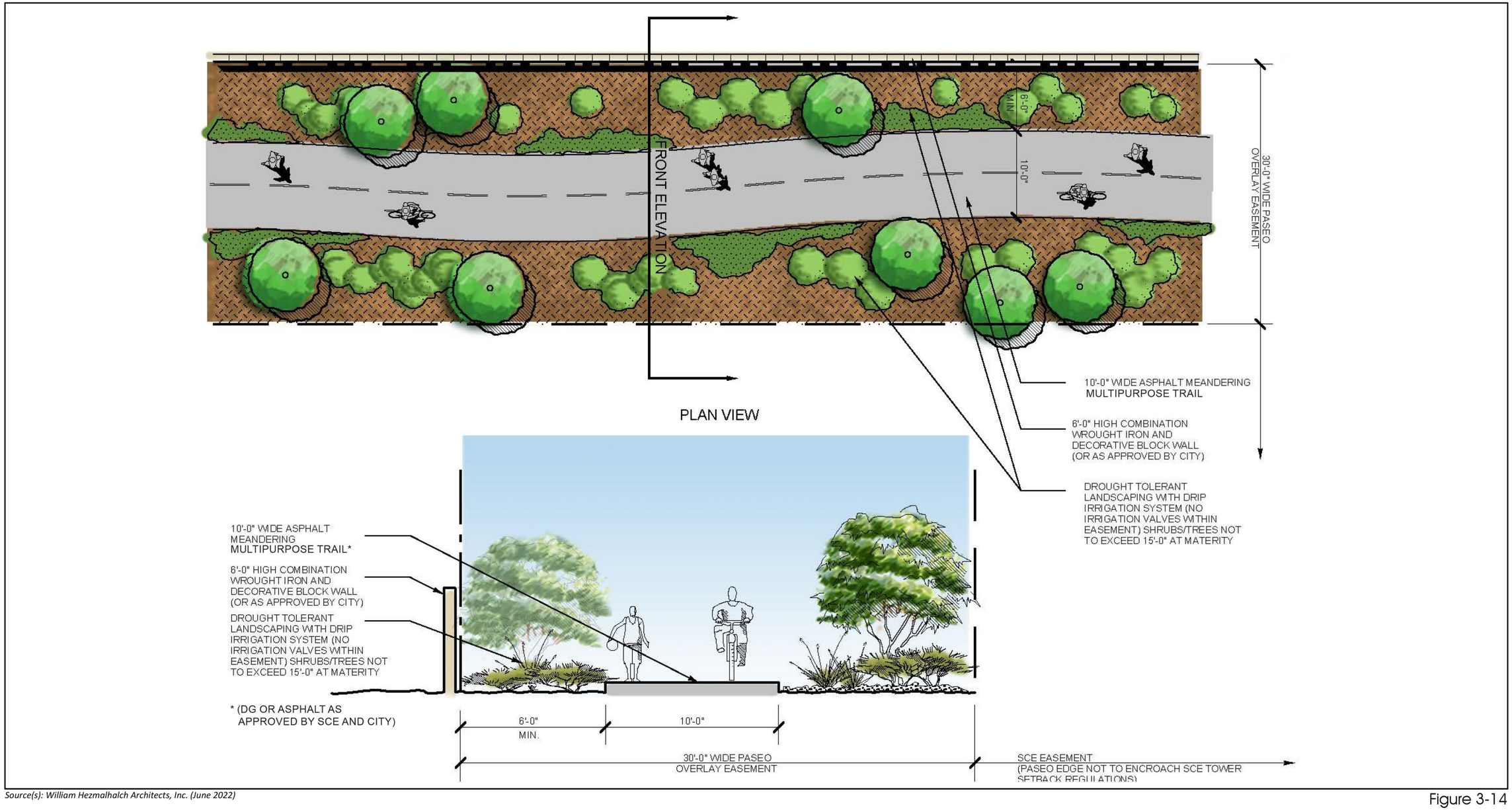


Source(s): William Hezmalhalch Architects, Inc. (09-14-2022)

Figure 3-13

Not to Scale

Pedestrian and Bicycle Circulation Plan

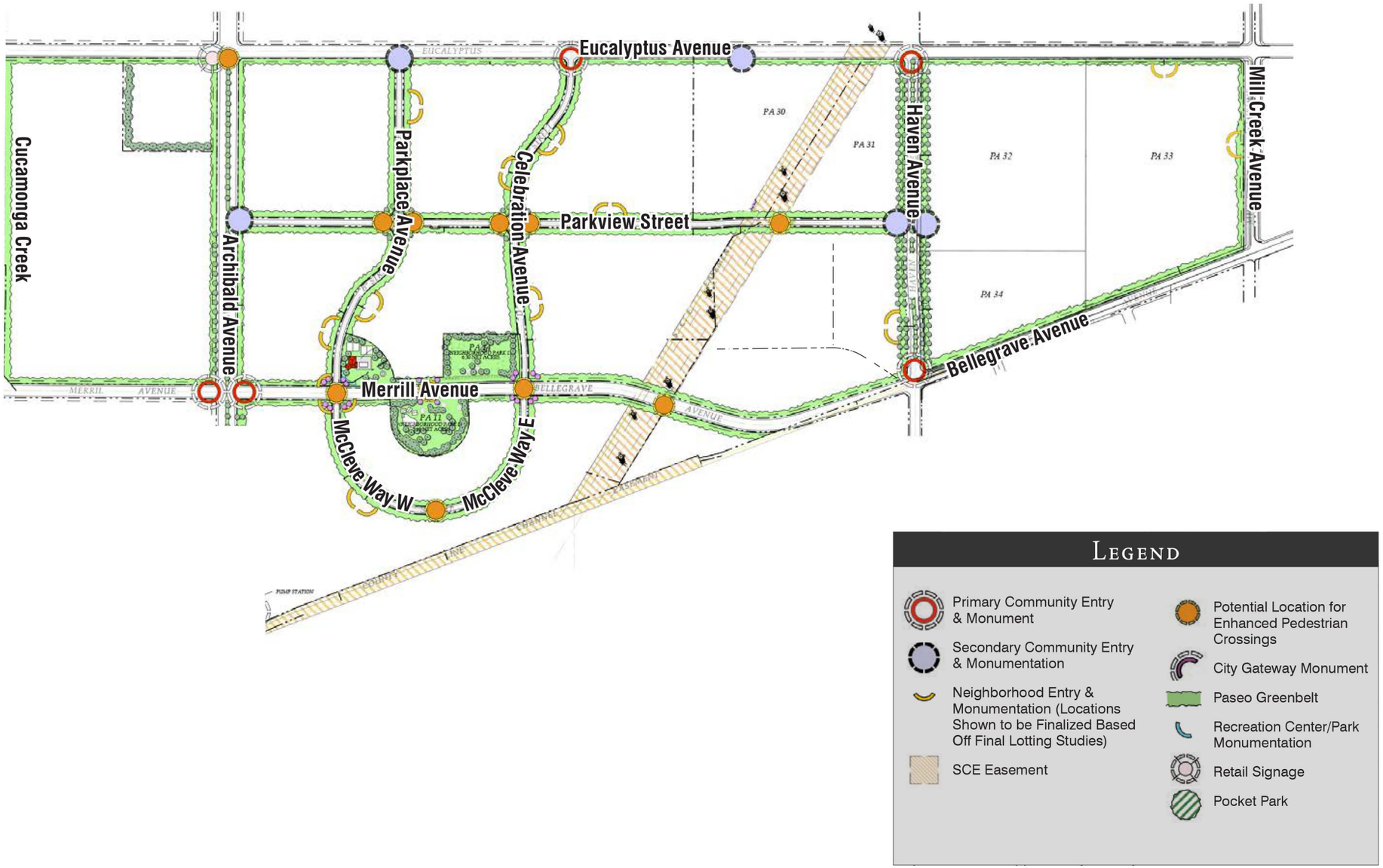


Source(s): William Hezmalhalch Architects, Inc. (June 2022)

Figure 3-14

Not to Scale

Conceptual SCE Corridor Trail Plan



Source(s): William Hezmalhalch Architects, Inc. (June 2022)

Figure 3-15

Not to Scale

Conceptual Landscape Master Plan

Section Reference		
Section	Description	Exhibit
A-A	Archibald Ave. (South of Merrill Ave.)	22
B-B	Archibald Ave. (North of Merrill Ave.)	22A
C-C	Merrill Ave. (From Archibald to Rec. Center & from SCE Easement to Haven Ave.)	23
D-D	Merrill Ave. (From Rec Center to SCE Easement)	23A
E-E	Haven Ave.	24
F-F	Mill Creek Ave.	25
G-G	Eucalyptus Ave.	26

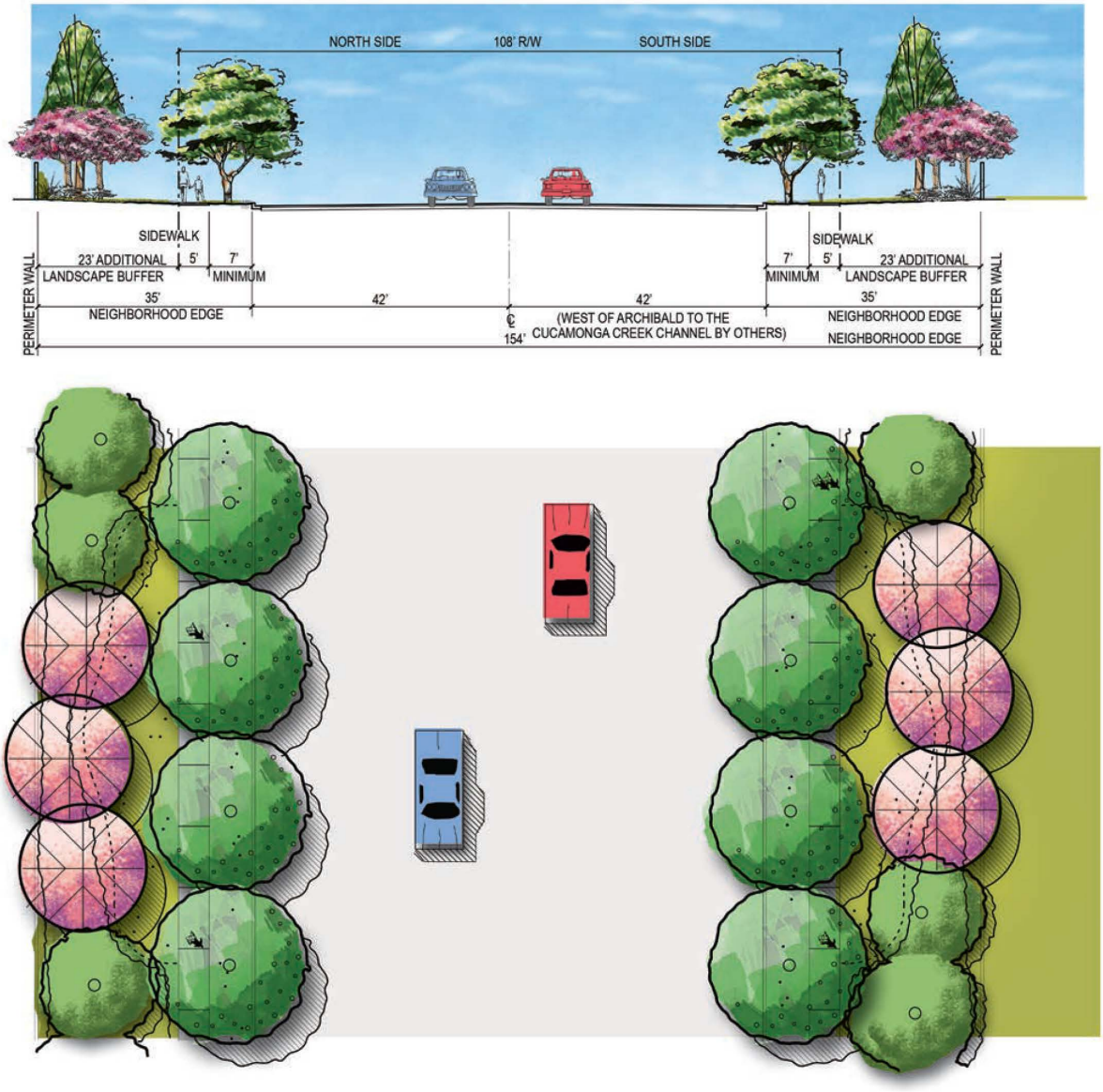
Section Reference		
Section	Description	Exhibit
H-H	Primary Local Streets (60'R/W with 14' Total Landscape Buffer)	27
I-I	Primary Local Streets (60'R/W with 7' Total Landscape Buffer)	27A
J-J	Primary Local Streets (60'R/W)	27B
K-K	Lanes (Private Alleys)	28
L-L	Internal Paseo Easement	29
M-M	SCE Easement Paseo System	30
N-N	County Line Channel Paseo System	31

Source(s): William Hezmalhalch Architects, Inc. (September 2022)

Figure 3-16A

Not to Scale

Streetscape/Paseo Sections



Section C-C

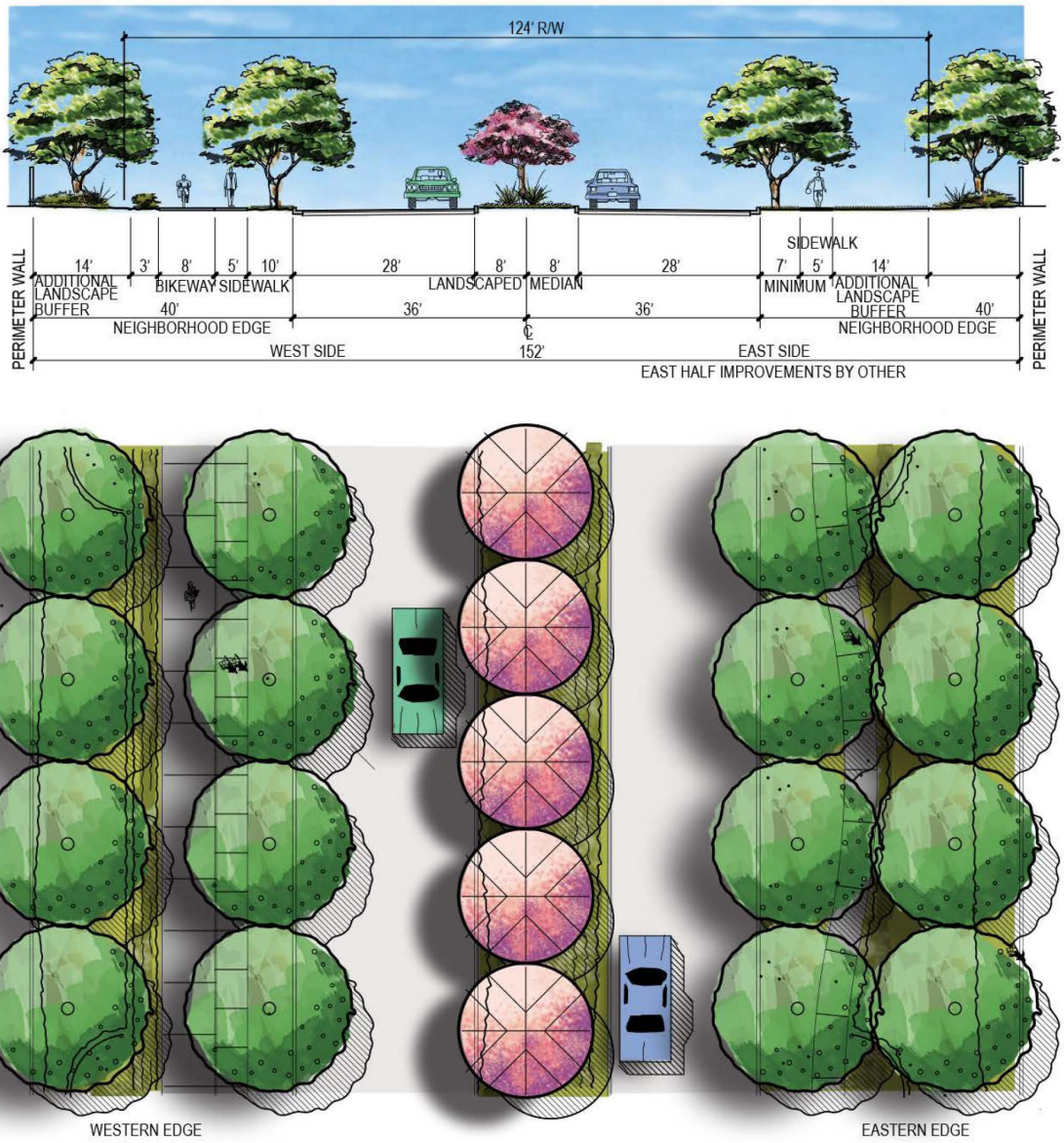
MERRILL AVE & BELLEGRADE AVE.
(MERRILL AVE. FROM ARCHIBALD TO REC CENTER & FROM SCE EASEMENT TO HAVEN AND BELLEGRAVE AVE. FROM HAVEN AVE. TO MILL CREEK AVE.)

Source(s): William Hezmalhalch Architects, Inc. (September 2022)

Figure 3-16B

Not to Scale

Streetscape/Paseo Sections



Section E-E

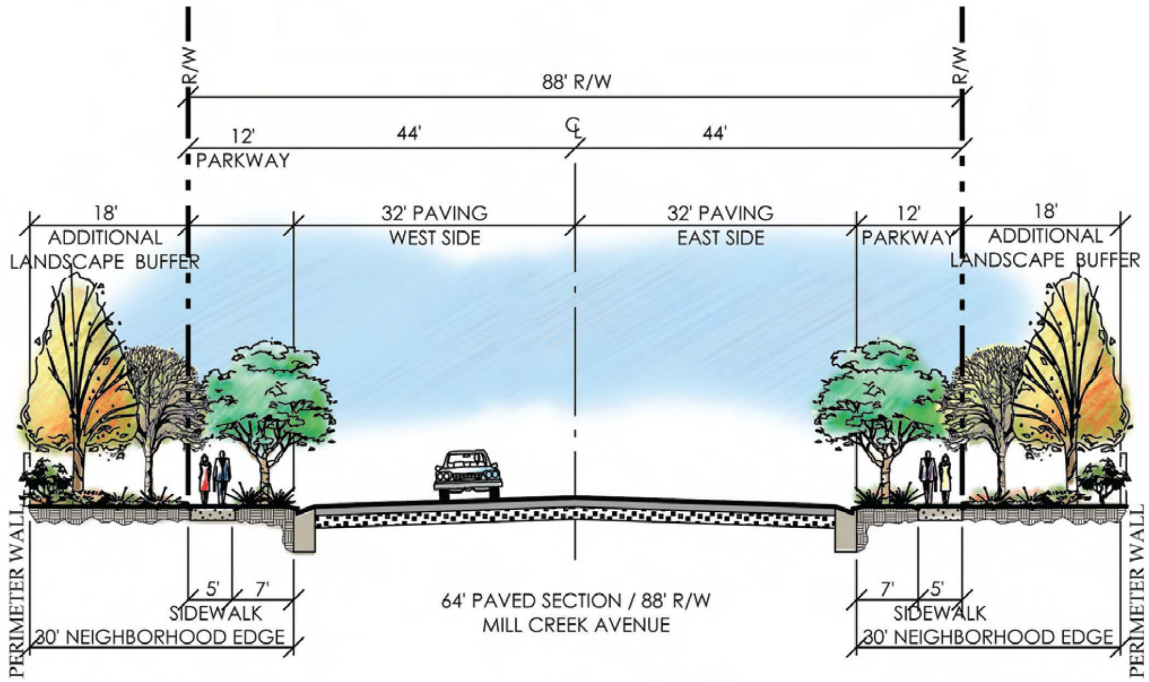
HAVEN AVENUE

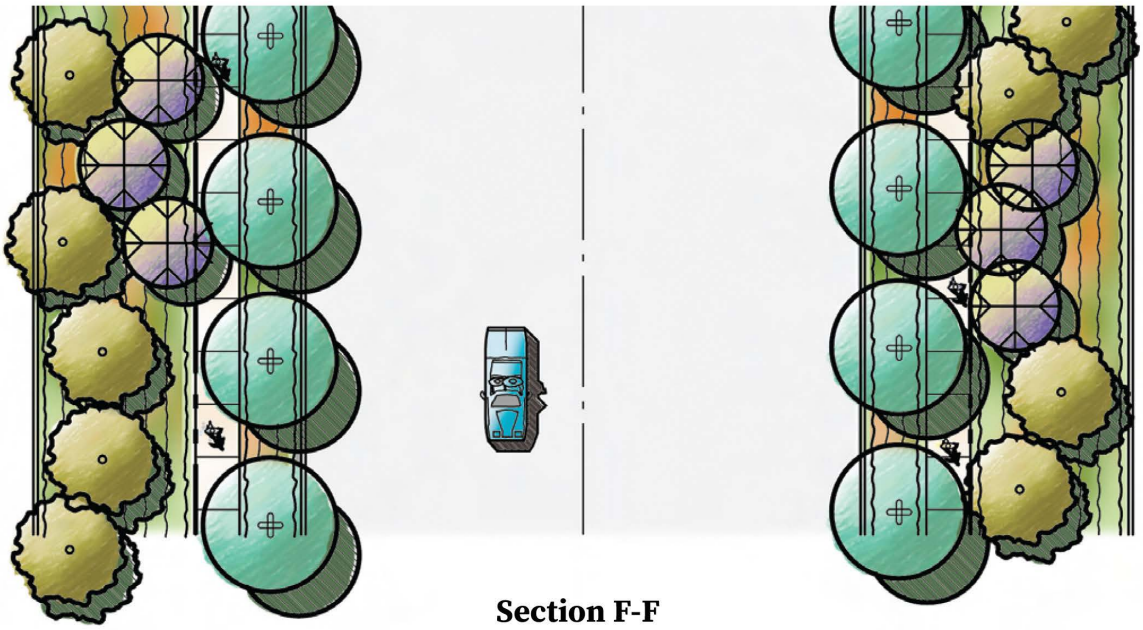
Source(s): William Hezmalhalch Architects, Inc. (September 2022)

Figure 3-16C

Not to Scale

Streetscape/Paseo Sections





Section F-F

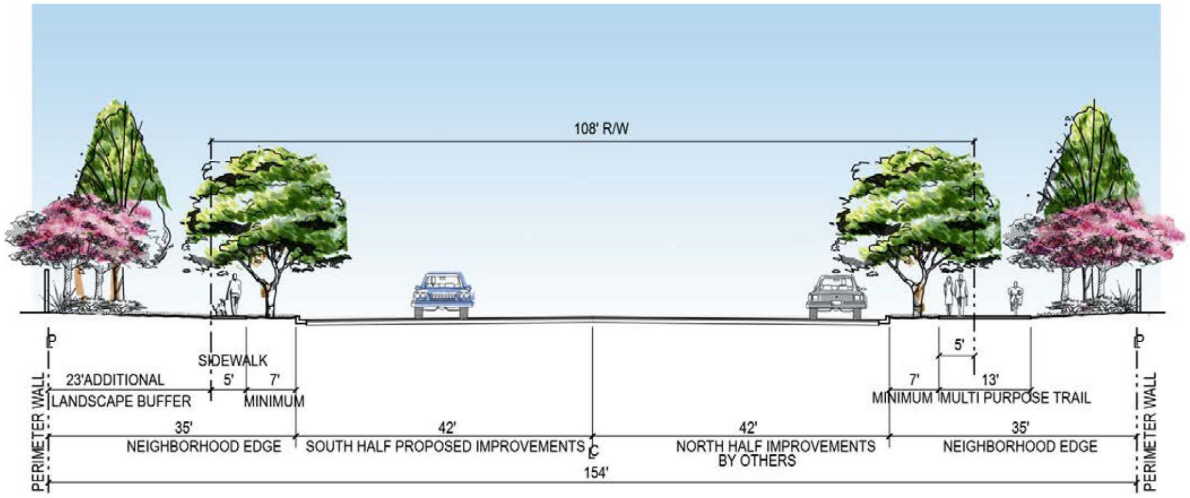
MILL CREEK AVENUE

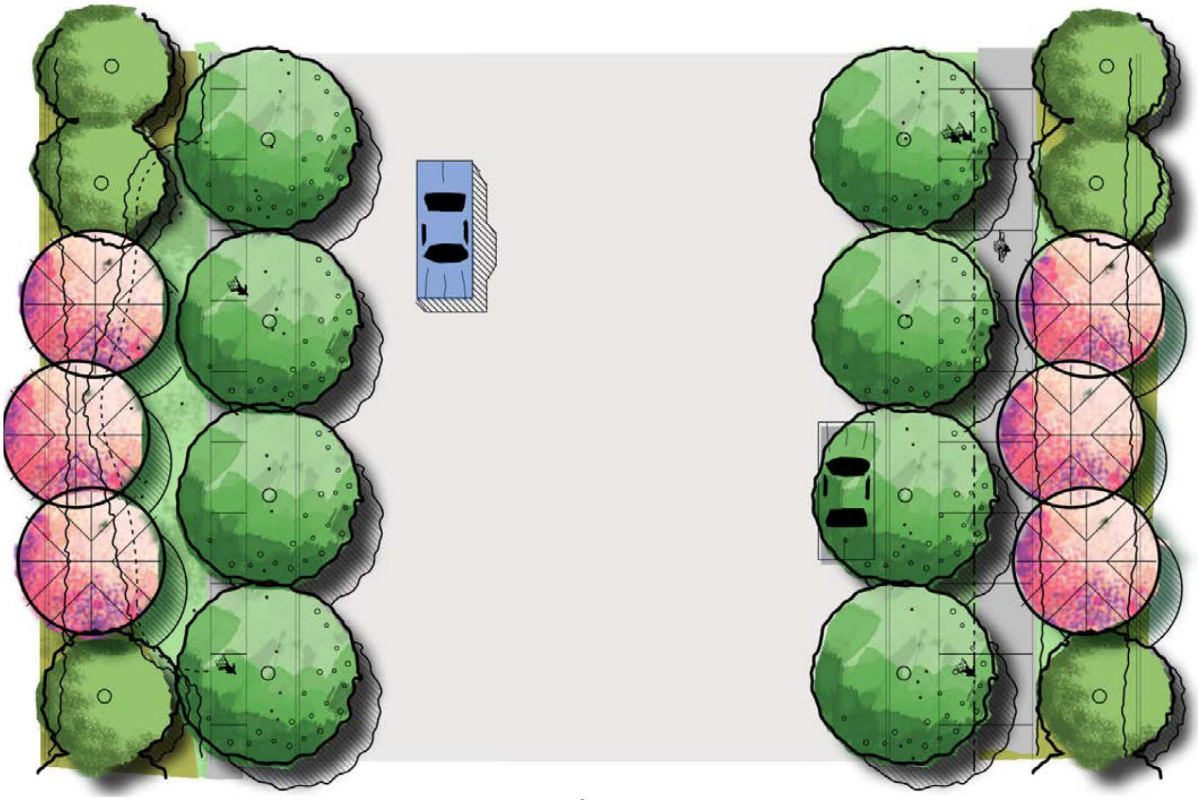
Source(s): William Hezmalhalch Architects, Inc. (September 2022)

Figure 3-16D

Not to Scale

Streetscape/Paseo Sections





Section G-G

EUCALYPTUS AVE

Source(s): William Hezmalhalch Architects, Inc. (September 2022)

Figure 3-16E

Not to Scale

Streetscape/Paseo Sections

Community walls and fences, outdoor lighting, mailboxes, and similar community-wide landscape elements would also be subject to the same requirements as the adopted Subarea 29 Specific Plan to ensure a consistent character. However, wall and fencing materials may include modified designs, such as precision block walls and caps, "wood plank" stone veneers and steel gates, to capture a more contemporary aesthetic. Figure 3-17, Amendment Area Wall and Fence Plan, identifies the location of community walls and fences in the Amendment Area.

F. Utility Infrastructure Improvements

The municipal and private utility infrastructure necessary to serve the proposed development are currently available within or adjacent to the Amendment Area. On-site utility infrastructure necessary to serve the proposed development—including domestic water, sanitary sewer, drainage, water quality treatment, and dry utilities (e.g., electricity, natural gas, cable, telephone)—would be installed with the proposed development and would connect to the existing utility lines adjacent to the Amendment Area. The final sizing and design of on-site facilities would occur during final design. Following is a description of existing and proposed infrastructure.

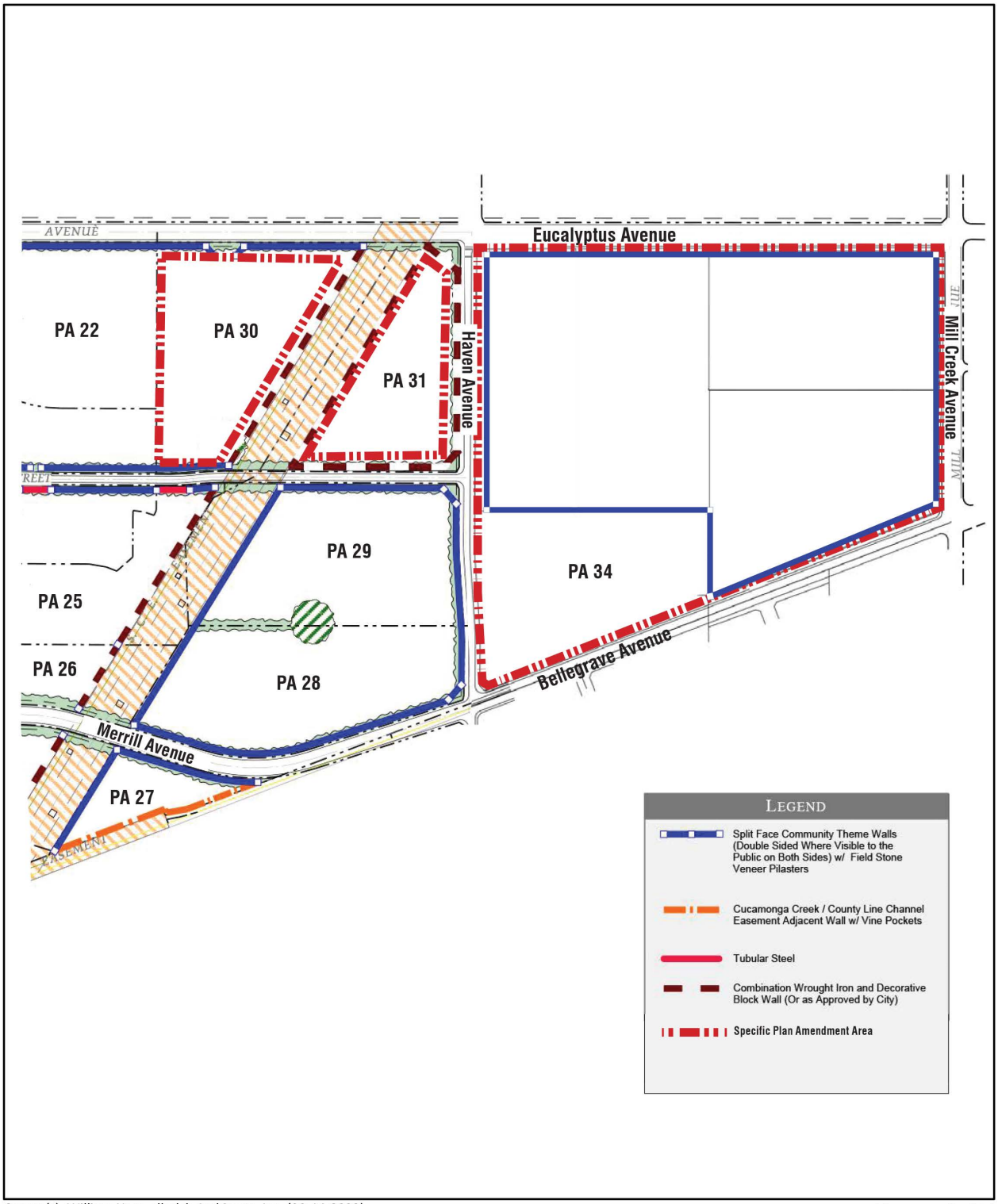
1. Domestic and Recycled Water

The Ontario Municipal Utilities Company (OMUC) provides domestic (potable) water and recycled water facilities to the City. The Project would implement on- and off-site domestic and recycled water infrastructure identified in the New Model Colony Water Master Plan (Phase 1a-1e) (2012) for the Amendment Area as shown on Figure 3-18, Conceptual Domestic Water Master Plan, and Figure 3-19, Conceptual Recycled Water Master Plan. In summary, the water system for the adopted Specific Plan area would be extended easterly to serve the Expansion Area, as follows:

- **Domestic Water.** A 12-inch water main would be installed in Bellegrave Avenue and Haven Avenue. Within the Amendment Area, a network of 8-inch water mains would be installed and connected to existing and proposed mains within Eucalyptus Avenue, Haven Avenue, Millcreek Avenue and Bellegrave Avenue.
- **Recycled Water.** Within the Amendment Area, a network of 8-inch recycled water lines would be installed and would connect to 8-inch recycled water lines that would be installed in Haven Avenue and Bellegrave Avenue.

2. Sewer

OMUC also provides sanitary sewer services to the Specific Plan Area; pipes, improvements, sizing, and alignments to serve the Amendment Area would follow the most current approved version of the Sewer Master Plan (2012). The existing 15-inch sewer line in Haven Avenue, existing 18-inch sewer line in Mill Creek Avenue, and existing 24-inch sewer line in Bellegrave Avenue are adequately sized to support the Project. No new or expanded backbone sewer lines would be needed. Within the Amendment Area, a network of 8-inch sewer lines would be installed. Refer to Figure 3-20, Conceptual Sewer Master Plan.

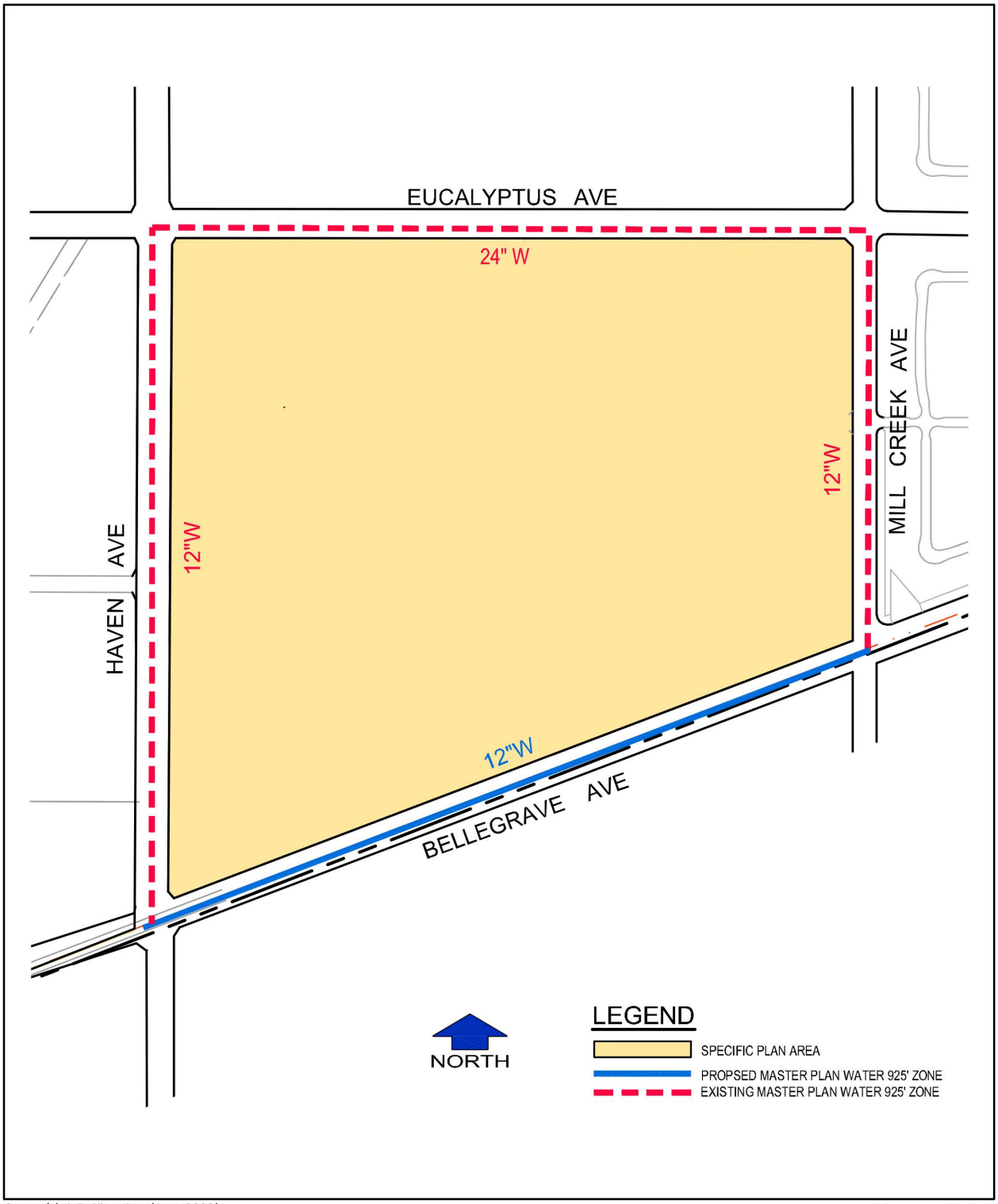


Source(s): William Hezmalhalch Architects, Inc. (09-14-2022)

Figure 3-17

Not to Scale

Amendment Area Wall and Fence Plan

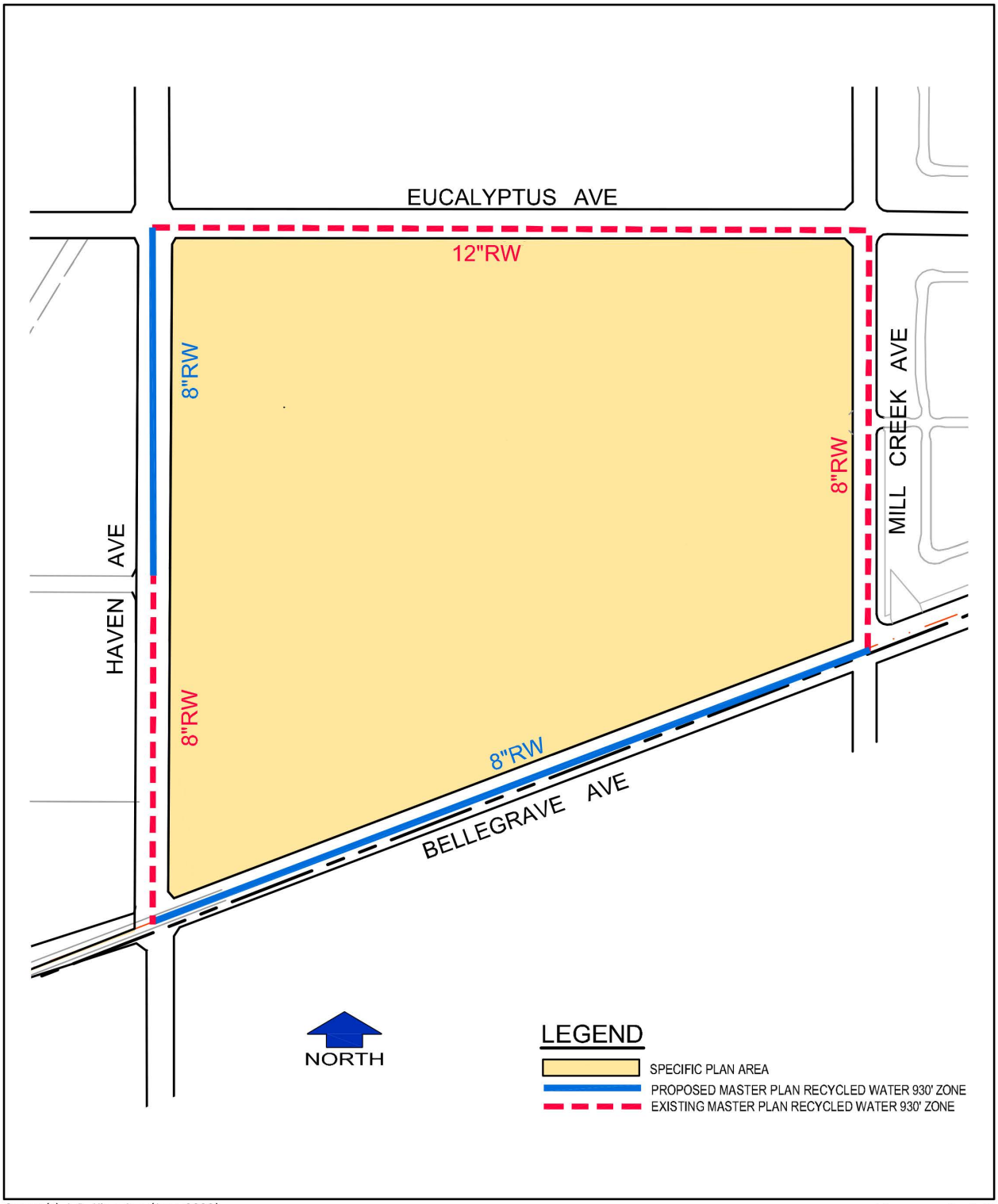


Source(s): L.D. King, Inc. (June 2022)

Figure 3-18

Not to Scale

Conceptual Domestic Water Master Plan

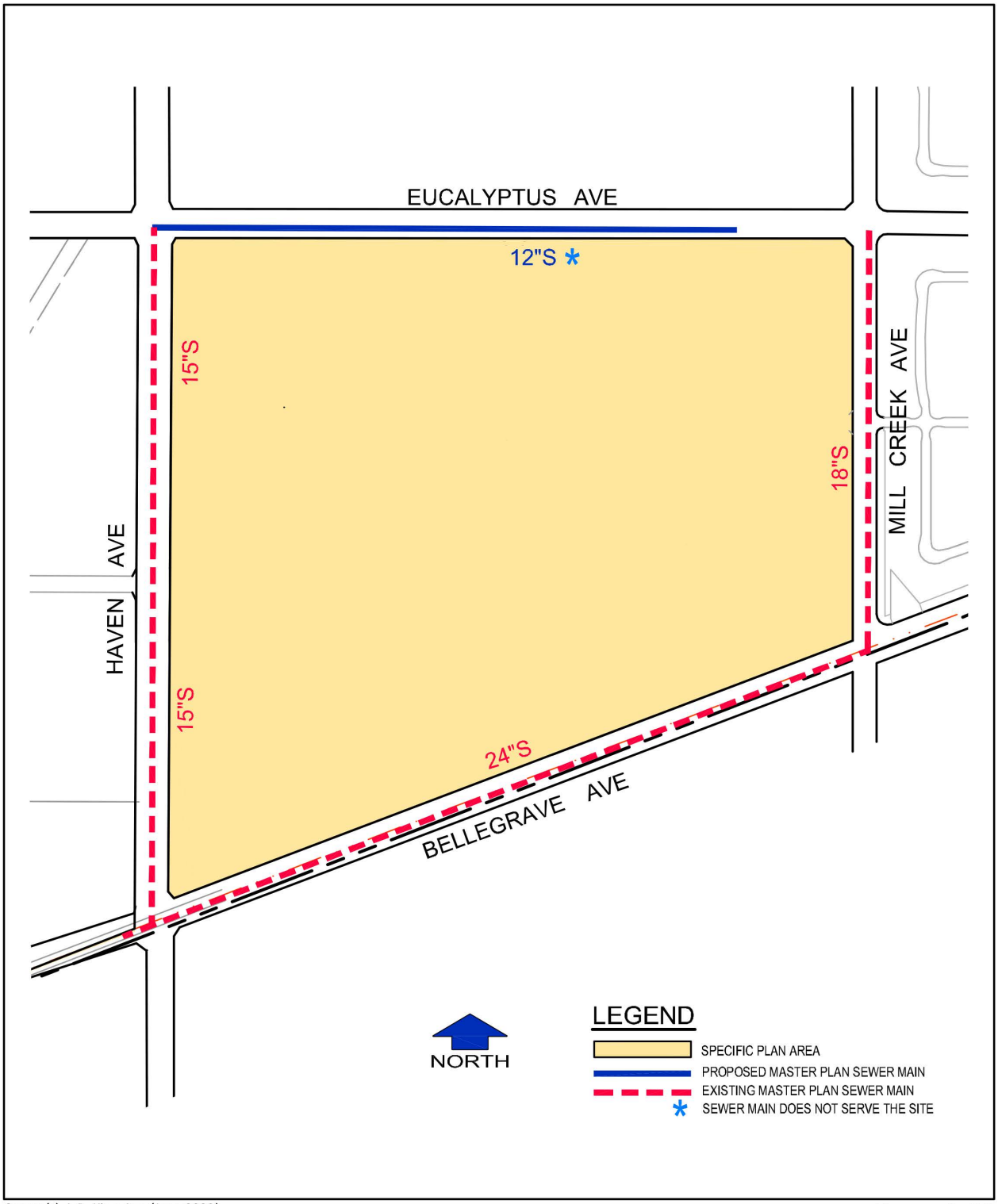


Source(s): L.D. King, Inc. (June 2022)

Figure 3-19

Not to Scale

Conceptual Recycled Water Master Plan



Source(s): L.D. King, Inc. (June 2022)

Figure 3-20

Not to Scale

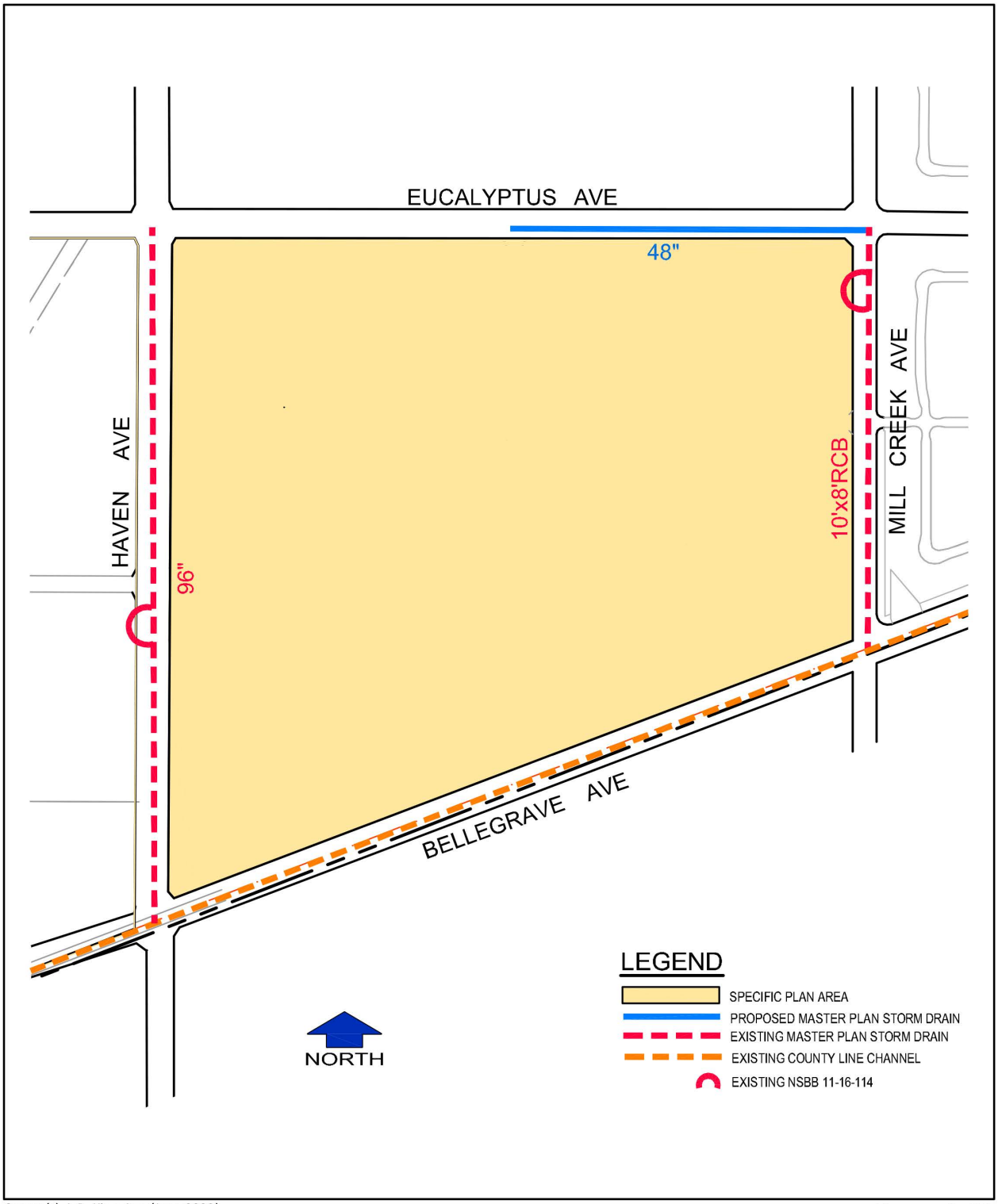
3. Storm Drain and Water Quality Features

Existing storm drain facilities installed pursuant to the City of Ontario Master Plan of Drainage (2012) would accommodate storm water runoff from the Amendment Area. This includes an existing 96-inch reinforced concrete pipe (RCP) in Haven Avenue and a 10-foot by 8-foot reinforced concrete box in Mill Creek Avenue, which are owned and maintained by the City of Ontario, and the San Bernardino County Flood Control District County Line Channel, which extends along Bellegrave Avenue (refer to Figure 3-21, Conceptual Storm Drain Master Plan).The County Line Channel discharges into Cucamonga Channel and then ultimately into the Mill Creek Wetlands (MCW). The Project would install a 48-inch reinforced concrete pipe (RCP) in Eucalyptus Avenue (along the northern boundary of PA 33). Storm drains installed within the Amendment Area would convey the on-site flows to the proposed Master Planned lines.

As further discussed in SEIR Section 5.9, Hydrology and Water Quality, development within the existing Specific Plan Area (including PAs 30 and 31) and the proposed Expansion Area is subject to the water quality regulations outlined in the San Bernardino County Regional Municipal Separate Stormwater Sewer System (MS4) Permit issued by the Santa Ana Regional Water Quality Control Board (RWQCB). This includes requirements for preparation of water quality management plans (WQMPs) as part of the future development review process. With respect to the currently proposed Subarea 29 Specific Plan Amendment, runoff from the proposed Expansion Area (PAs 32, 33 and 34) is covered by the MCW, which is part of the Santa Ana Watershed Project Authority's Integrated Regional Water Management Plan and is designed to treat dry and wet weather flows using wetland processes to address sediment, metals, bacteria, and nutrient removal. Therefore, per an agreement between the City of Ontario, Santa Ana RWQCB, and NMC Builders, LLC., only treatment for gross solid pollutants originating in PAs 32, 33 and 34 would be required prior to discharge into the MCW. Best management practices (BMPs) to remove gross solids that would be incorporated into the proposed development may include, but not be limited to: nutrient separating baffle boxes (NSBB), Contech continuous deflective separation (CDS) units, catch basin screens, and other approved screening devices. Site design BMPs and source control BMPs would also be implemented, as required to comply with applicable water quality regulations. The requirements for water quality treatment for PAs 30 and 31 would be the same as for PAs 32, 33, and 34, and the same types of BMPs may be installed. Storm water runoff from PAs 30 and 31 could be included in the MCW mitigation bank. Alternately, BMPs in compliance with applicable Santa Ana Regional Water Quality Control Board municipal separate storm sewer system (MS4) permit requirements would be installed within PAs 30 and 31 to address sediment, metals, bacteria, and nutrient removal.

4. Dry Utilities

SCE would provide electric service to the Project; existing electric facilities consist of overhead 500 kV and 220kV and 66 kV transmission lines located in the SCE corridor between PAs 30 and 31. There are also 12 kV distribution lines on wooden poles on the north side of Eucalyptus Avenue and the east side of Haven Avenue adjacent to the Amendment Area. Along the east side of Mill Creek Avenue



Source(s): L.D. King, Inc. (June 2022)

Figure 3-21

Not to Scale

Conceptual Storm Drain Master Plan

there is an underground SCE system that is in a joint trench with communications utilities. The transmission lines within the SCE easement would remain overhead; however, as required by the City, the 12kV distribution facilities along Haven Avenue would be placed underground in a joint trench with phone and cable television.

As development proceeds, cable and telecommunications facilities would be placed underground and may be provided by a number of service franchises. Frontier, Charter/Spectrum and Ontario City Fiber would provide communications services to the Amendment Area. There are existing stubs for Frontier, Charter/Spectrum and Ontario City Fiber at the southwest corner of Parkview Street and Haven Avenue that can be used as the point of connection for these facilities. There is also an underground communication system on the east side of Mill Creek Avenue that could also be utilized to serve development in PAs 32, 33 and 34, in the joint trench with the SCE system. Joint trenching of telecommunications and SCE facilities would occur, as feasible.

Southern California Gas (SoCalGas) provides natural gas service to the Amendment Area, and currently has an 8-inch gas line along the west side of Haven Avenue as well as an 8-inch gas stub going east from Haven Avenue at Eucalyptus Avenue. The 8-inch line would be extended to the east to serve PA 32 and PA 33.

3.5 PROJECT CONSTRUCTION CHARACTERISTICS

Development within the Amendment Area would occur in phases based on market demands. The estimated Project construction schedule for purposes of analysis in this SEIR, organized by construction stage, is presented in Table 3-3 of the Air Quality Impact Analysis included in Technical Appendix B of this SEIR. For purposes of analysis in this SEIR, it is estimated that construction would begin in early 2023 and be complete by the end of 2025.

Construction activities would require the use of common equipment, and construction equipment is conservatively expected to operate on the Project site up to eight hours per day, six days per week. Even though construction activities are permitted to occur on any weekday between 7:00 a.m. and 6:00 p.m., or on Saturday or Sunday between the hours of 9:00 a.m. and 6:00 p.m. (Ontario Municipal Code [OMC] (Section 5-29.09), construction equipment is not in continuous use and some pieces of equipment are used only periodically throughout a typical day of construction. Thus, eight hours of daily use per piece of equipment is a conservative and reasonable assumption. The composition of the construction equipment fleet that the Project Applicant intends to use to construct the Project, which also is used for purposes of analysis in this SEIR, is summarized in Tables 3-4, 3-5 and 3-6 of the Air Quality Impact Analysis included in Technical Appendix B of this SEIR. No blasting, rock crushing, or pile driving would be required.

The construction impact limits for the Project are shown on Figure 3-22, Construction Impacts Limits, and include the Amendment Area, as well as off-site improvements areas (within the SCE easement and along the roadways adjacent to the Expansion Area).

Source(s): ESRI, NearMap Imagery (2022), RCTLMA (2021), SCAG (2021), SB County (2020)

Figure 3-22

0 250 500 1,000 Feet

Construction Impact Limits

Proposed construction activities include the demolition of existing buildings and support structures within PAs 30 and 31 and the concrete surface parking area associated with the previous truck trailer storage located in PAs 33 and 34. The Amendment Area is relatively flat and the conceptual grading plan is provided on Figure 3-23, Conceptual Grading Plan. The earthwork for the Amendment Area is expected to balance and there would be no need for import or export of soils. As described above, the on-site utilities would be trenched and installed within PAs 30 through 34 or in the site-adjacent roadways. It is expected that the maximum depth of excavation for grading and utility installation would be up to 5 feet below the ground surface (bgs) during grading and up to 27 feet bgs within utility trenches.

Off-site roadway improvements along the roadways adjacent to the Amendment Area would be associated with the construction of roadways, sidewalks, curbs, and gutters; landscaping within the public right-of-way; and any other roadway repairs/improvements required for the project. Additionally, the SCE easement between PAs 30 and 31 would be disturbed during grading and for construction of the multi-use trail extending through this area.

In addition to the identified construction areas, a staging area is needed to receive, lay down, and prepare materials for use during construction. Construction staging would occur within the Project impact limits and would be located the furthest distance feasible from existing residential uses. Additionally, perimeter screening would be installed to obstruct views from adjacent roadways and uses into the Project site from ground level vantage points.

3.6 PROJECT OPERATIONAL CHARACTERISTICS

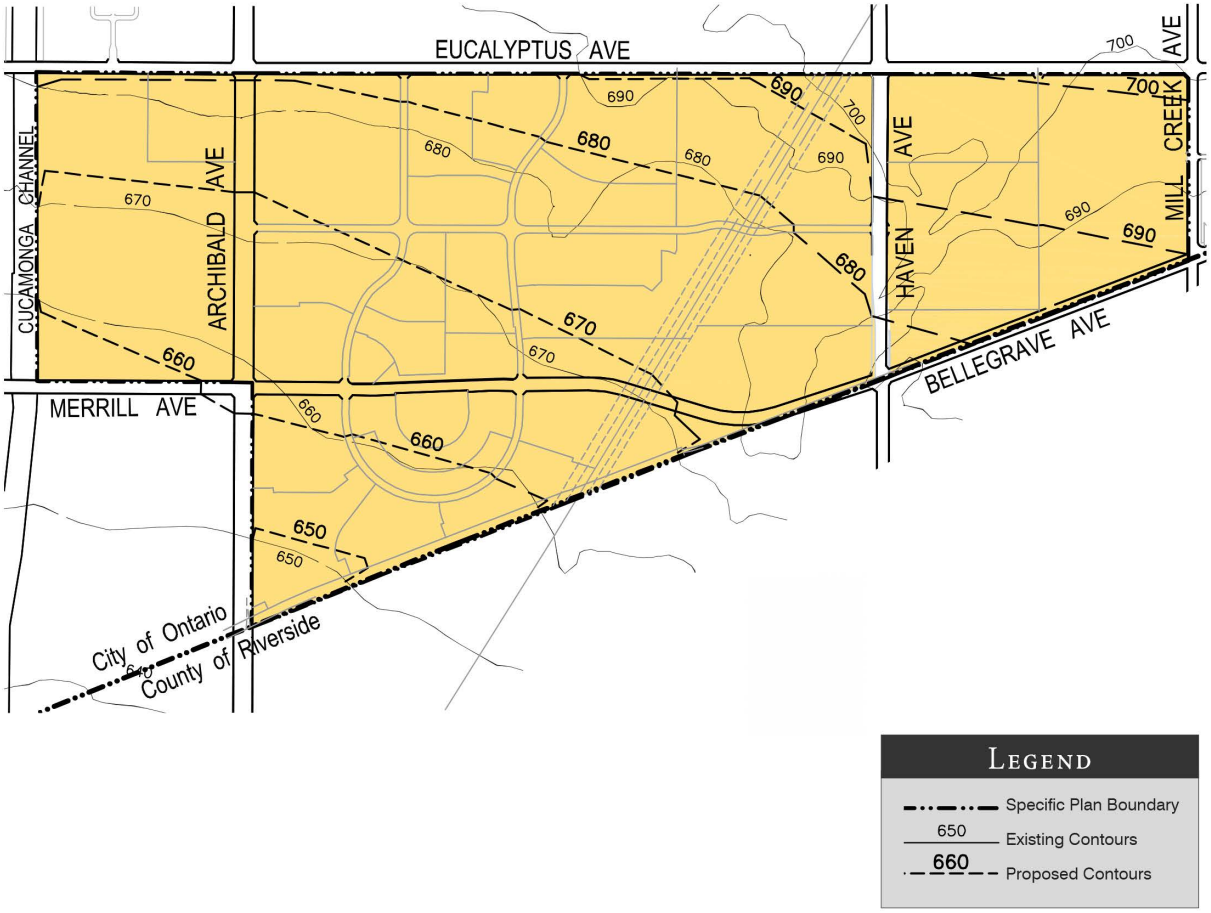
As described previously, the proposed Specific Plan Amendment involves the addition of 1,470 units to the Subarea 29 Specific Plan, and a middle school. Below is a summary of operational characteristics relevant to the analysis presented in this SEIR.

A. Residential Population

Based on the proposed increase of 1,470 residential units, it is estimated that the proposed Specific Plan Amendment could generate up to 5,880 residents. This is based on the estimated population generation factor of approximately 4.0 people per unit, as presented in the Project Vehicle Miles Traveled Assessment included in Technical Appendix L of this EIR.

B. School Employment Generation

Employment generation associated with the proposed middle school site is based on the student and teacher ratios collected from nearby traffic analysis zones (TAZ) with schools. It is estimated that the middle school could generate approximately 56 employment opportunities.



Source(s): William Hezmalhalch Architects, Inc. (05-11-2022)

Figure 3-23

Not to Scale

Conceptual Grading Plan

C. *Trip Generation*

During operation, residents, employees, and visitors would travel to and from the Project site on a daily basis. Project operations are estimated to generate 14,257 additional daily trips compared to the approved Subarea 29 Specific Plan, taking into consideration internal capture and/or pass-by trip reductions (Fehr & Peers, 2022).

3.7 INTENDED USES OF THIS SEIR

The City of Ontario has primary approval responsibility for the Project. As such, the City serves as the Lead Agency for this SEIR pursuant to CEQA Guidelines Section 15050. The City's Planning Commission will evaluate this SEIR and the Project Applicant's requested discretionary applications (Specific Plan Amendment). The Planning Commission will make a recommendation to the City Council whether the Project should be approved and this SEIR should be certified. The City Council is the decision-making authority for the Project and will consider the Project along with the Planning Commission's recommendations and will make a final decision to approve, approve with changes, or deny the Project. The City Council will consider the information contained in this SEIR and the Project's Administrative Record in its decision-making processes. In the event of approval of the Project and certification of the SEIR, the City would conduct subsequent discretionary and administrative reviews, and process ministerial permits and approvals to implement Project requirements and conditions of approval. A list of the anticipated actions under City of Ontario's jurisdiction is provided in Table 3-2, Project Related Approvals/Permits; the initial discretionary approvals to be considered by the Planning Commission and City Council were described previously in this section.

The Final SEIR would also inform State, regional, and local government approvals needed for construction and/or operation of the Project, whether or not such actions are known or are explicitly listed. Table 3-2 also lists the government agencies that may be required to use the Project's SEIR during their consultation and review of the Project and its implementing actions and provides a summary of the anticipated subsequent actions associated with the Project.

Table 3-2 Project Related Approvals/Permits

Public Agency	Approvals and Decision
Proposed Project – City of Ontario Discretionary Approvals	
City of Ontario	• Subarea 29 Specific Plan Amendment (File No. PSPA21-005). • Certify this SEIR along with appropriate CEQA Findings.
Subsequent City of Ontario Approvals	
Discretionary Approvals	
City of Ontario • Development Advisory Board (DAB) • Planning Commission (PC) • City Council (CC)	• Tentative Subdivision Maps (DAB, PC, CC) • Development Plans (DAB and PC) • Development Agreement (DAB, PC, CC)
Ministerial/Administrative Approvals	
City of Ontario Staff	• Final Subdivision Maps • Landscaping/irrigation plan(s) • Grading Permits • Building Permits • Street Improvement Plans • Encroachment Permits • Accept public right-of-way dedications • Water Quality Management Plan (WQMP)
Ontario Municipal Utilities Company	• Infrastructure plans for the construction of water and sewer infrastructure and connection to the water and sewer distribution and conveyance systems.
Ontario City Fiber	• Infrastructure plans for the construction of new utility infrastructure or connections to existing facilities.
Other Agencies and Utilities – Subsequent Approvals and Permits	
Santa Ana Regional Water Quality Control Board	• Issuance of a Construction Activity General Construction Permit. • Issuance of a National Pollutant Discharge Elimination System (NPDES) Permit.
San Bernardino County Department of Public Health	• Approval to cap well in Eucalyptus Avenue
Southern California Edison	• Approval of construction within SCE easement area, and permits and associated approvals, as necessary, for the construction of new utility infrastructure or connections to existing facilities.
Southern California Gas Company, Frontier Communications, Charter Communications/Spectrum, and Ontario City Fiber	• Permits and associated approvals, as necessary, for the construction of new utility infrastructure or connections to existing facilities.

4.0 Environmental Setting

4.1 Introduction

This section provides, pursuant to provisions California Environmental Quality Act (CEQA) Guidelines Section 15125, a "description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, from both a local and a regional perspective." The environmental setting provides a set of baseline physical conditions by which a lead agency determines whether an impact is significant. Various topical sections in Section 5, Environmental Analysis, of this Subsequent Environmental Impact Report (SEIR) provide more detailed descriptions of the local environment setting for the environmental topical areas.

4.2 Regional Environmental Setting

4.2.1 Regional Setting and Location

As previously discussed in SEIR Section 3.0, Project Description, the "Project" is within the existing Subarea 29 Specific Plan area (Planning Areas [PAs] 30 and 31) and the proposed Expansion Area (PAs 32, 33, and 34) located in the City or Ontario (City). The City covers approximately 50 square miles (32,020 acres) in the southwestern portion of San Bernardino County and is surrounded by the cities of Chino and Montclair and unincorporated San Bernardino County to the west; the cities of Upland and Rancho Cucamonga to the north; the City of Fontana and unincorporated San Bernardino County to the east; and the cities of Eastvale and Jurupa Valley to the south (refer to Figure 3-1, Regional Location Map). Regional circulation to and through the City is provided by Interstate (I)-10 and State Route (SR)-60 east-west, and by I-15, SR-73, and SR-83 (Euclid Avenue) north-south.

Almost the entire City is developed with residential, commercial, industrial, agricultural, airport, institutional/public, and recreational uses. Residential uses cover approximately 10,370 acres; other uses (parks, open space, public facilities, airports, landfills, etc.) cover approximately 10,000 acres, non-residential (employment-generating) uses cover approximately 9,900 acres; and mixed-use areas cover approximately 1,750 acres (City of Ontario, 2022a). Existing residential areas tend to be in the older portions of the City west of Grove Avenue and north of Riverside Drive, and scattered throughout Ontario Ranch (south of Riverside Drive). Commercial land uses are prominent in the historic downtown area, mostly along Euclid and Holt Avenues, the Ontario Airport (ONT) and the business parks and industrial areas surrounding the airport, and around the Ontario Mills commercial and entertainment complex. Industrial and employment-based centers are prominent in the eastern portions of the City and areas surrounding the ONT and Chino Airport in Ontario Ranch.

4.2.2 Regional Planning Considerations

A. Southern California Association of Governments

As further discussed in SEIR Section 5.11, Land Use and Planning, the Southern California Association of Governments (SCAG) is a Joint Powers Authority under California State law,

established as an association of local governments and agencies that voluntarily convene as a forum to address regional issues. Under federal law, SCAG is designated as a Metropolitan Planning Organization (MPO) and under State law as a Regional Transportation Planning Agency and a Council of Governments. SCAG represents Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura Counties and 191 cities in an area covering more than 38,000 square miles. SCAG develops long-range regional transportation plans (RTP) including sustainable communities strategy (SCS) and growth forecast components, regional transportation improvement programs, regional housing needs allocations and other plans for the region. SCAG is also the regional clearinghouse for projects requiring environmental documentation under federal and state law. In this role, SCAG reviews proposed development and infrastructure projects to analyze their impacts on regional planning programs such as the Regional Housing Needs Assessment (RHNA) and the RTP/SCS.

SCAG's Regional Council adopted the 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) (*Connect SoCal*) in September 2020. *Connect SoCal* was adopted as part of SCAG's planning obligations. *Connect SoCal* is an important planning document for the region that balances future mobility and housing needs with economic, environmental, and public health goals. The plan charts a course for closely integrating land use and transportation so that the region can grow smartly and sustainably. *Connect SoCal* includes land use policies to guide the region's development, including planning for additional housing and jobs near transit, and planning for changing demand in types of housing. *Connect SoCal* provides objectives for meeting air pollution emissions reduction targets set forth by the California Air Resources Board (CARB); these objectives were provided in direct response to Senate Bill (SB) 375, which was enacted to reduce greenhouse gas emissions from automobiles and light trucks through integrated transportation, land use, housing, and environmental planning (SCAG, 2020).

B. South Coast Air Quality Management District

As further discussed in SEIR Section 5.3, Air Quality, the City is in the South Coast Air Basin (SoCAB), which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SoCAB includes the non-desert portions of Los Angeles, Riverside, and San Bernardino counties and all of Orange County, and is subject to the California Ambient Air Quality Standards (CAAQS) adopted by the California Air Resources Board (CARB) and National AAQS (NAAQS) adopted by the United States Environmental Protection Agency (EPA).

SCAQMD is responsible for preparing the air quality management plan (AQMP) for the SoCAB in coordination with SCAG to attain the NAAQS and CAAQS. In March 2017, South Coast AQMD adopted the 2016 AQMP, which consists of regulatory control measures to reduce stationary and mobile-source emission, incentive-based programs, co-benefits from climate programs, mobile-source strategies, and reductions from federal sources such as aircrafts, locomotives, and ocean-going vessels. Strategies outlined in the 2016 AQMP will be implemented in collaboration with the California Air Resources Board (CARB) and the Environmental Protection Agency (EPA). It should be noted that the draft 2022 AQMP has been prepared by SCAQMD to address the EPA's strengthened ozone standard. The draft 2022 AQMP was released in August 2022 and public comment closed on October

18, 2022. The SCAQMD Governing Board adopted the draft 2022 AQMP at its December 2, 2022, meeting.

C. Santa Ana Regional Water Quality Control Board

As further discussed in SEIR Section 5.10, Hydrology and Water Quality, the City is in the Chino and Cucamonga subregions of the Middle Santa Ana River Watershed. The Santa Ana River originates in the San Bernardino Mountains and flows more than 75 miles southwest to the Pacific Ocean; the river's watershed spans some 2,650 square miles. The primary drainage features in the City are lined channels carrying water from streams originating in the San Gabriel Mountains and flowing south to the Santa Ana River. These channels include the Cucamonga Flood Control Channel, Day Creek Channel, Etiwanda Creek Channel, and West Cucamonga Channel.

Under the Porter-Cologne Water Quality Act, California's water quality control law, the State Water Resources Control Board (SWRCB) has ultimate control over water quality policy and allocation of State water resources. The State Water Board, through its nine Regional Water Quality Control Boards, carries out the regulation, protection, and administration of water quality in each region. Each regional board is required to adopt a water quality control plan or basin plan. The City is in the Santa Ana River Basin, Region 8.

The Santa Ana Regional Board also administers the local National Pollution Discharge Elimination System (NPDES) permits for local permittees. As a condition of the permit, new developments and significant redevelopments must implement appropriate measures in the water quality management plans. The Santa Regional Board adopted the *Santa Ana Regional Board Water Quality Control Plan for the Santa Ana River Basin* (Basin Plan) in 2005 and it has been subsequently amended through June 2019. The Basin Plan gives direction on the beneficial uses of the state waters in Region 8; describes the water quality that must be maintained to support such uses; and provides programs, projects, and other actions necessary to achieve the standards established in the basin plan (RWQCB, 2019).

D. Airport Planning

As further discussed in SEIR Section 5.9, Hazards and Hazardous Materials, the State Aeronautics Act also establishes statewide requirements for airport land use compatibility plans (ALUCP). ALUCPs are intended to provide for the orderly growth of a public airport and the area surrounding the airport while safeguarding the general welfare of inhabitants near the airport and the public in general. The adopted ALUCP for ONT was approved in 2011. The geographic scope for the ONT ALUCP is the Airport Influence Area (AIA), the area in which current or future airport-related noise, safety, airspace protection and/or overflight factors may affect land uses or impose restrictions on those uses. The AIA includes portions of the cities of Chino, Claremont, Fontana, Montclair, Ontario, Pomona, Rancho Cucamonga and Upland, the counties of Los Angeles, Riverside and San Bernardino.

The adopted ALUCP for Chino Airport was approved in 1991 and does not reflect the most recently adopted 2003 Airport Master Plan, or the 2011 Caltrans Airport Land Use Planning Handbook (Handbook). Public Utilities Code Section 21670.1(c) requires local jurisdictions under the "alternative process" to "rely upon" the Handbook for preparing Compatibility Plans and to utilize the Handbook's height, land use, noise, safety, and density criteria. On August 2, 2022, the City Council of the City of Ontario approved and adopted a Development Code Amendment to establish the Chino Airport (CNO) Overlay Zoning District (OZD) and Reference I, Chino Airport Land Use Compatibility Plan (CNO ALUCP). The CNO OZD and CNO ALUCP established the Airport Influence Area for Chino Airport, solely within the City of Ontario, and limits future land uses and development within the Airport Influence Area, as they relate to safety, airspace protection, and overflight impacts of current and future airport activity. The CNO ALUCP is consistent with policies and criteria set forth within the Caltrans 2011 California Airport Land Use Planning Handbook.

4.3 LOCAL ENVIRONMENTAL SETTING

4.3.1 PROJECT LOCATION

The "Project" evaluated in this SEIR includes development within existing Subarea 29 Specific Plan PAs 30 and 31 and the proposed Expansion Area PAs 32, 33, and 34; collectively PAs 30 through 34 are referred to as "Amendment Area." The Project also includes off-site improvement areas associated with the Southern California Edison (SCE) easement, which bisects PAs 30 and 31, and roadway rights-of-way (ROW) adjacent to the Amendment Area. The Amendment Area encompasses approximately 151.1 acres, and the off-site improvement areas encompass approximately 20.2 acres.

Existing PAs 30 and 31 are bound by Eucalyptus Avenue to the north, Haven Avenue to the east, Parkview Street to the south, and existing residential development in PAs 22 and 23 to the west. The proposed Expansion Area is bound by Eucalyptus Avenue to the north, Haven Avenue/Sumner Avenue to the west, Mill Creek Boulevard to the east, and Bellegrave Avenue to the south. Bellegrave Avenue also forms the jurisdictional boundary between the City/San Bernardino County and City of Eastvale/Riverside County. Refer to Figure 3-2, Vicinity Map.

4.3.2 EXISTING LAND USES

A. On-Site Uses

Existing uses within PAs 30 and 31 include dairy farming and agriculture uses, and farm structures that supported previous agricultural activities. The entire area was disturbed, and the vegetation communities are limited to agricultural and ruderal. The southwest corner of the Expansion Area includes a disturbed lot formerly occupied by a trucking company. The western portion of the Expansion Area is used for agriculture production and the eastern portion of the Expansion Area is disturbed and undeveloped.

B. Surrounding Uses

The surrounding land uses are described below and shown on the aerial photograph provided on Figure 4-1, Aerial Photograph.

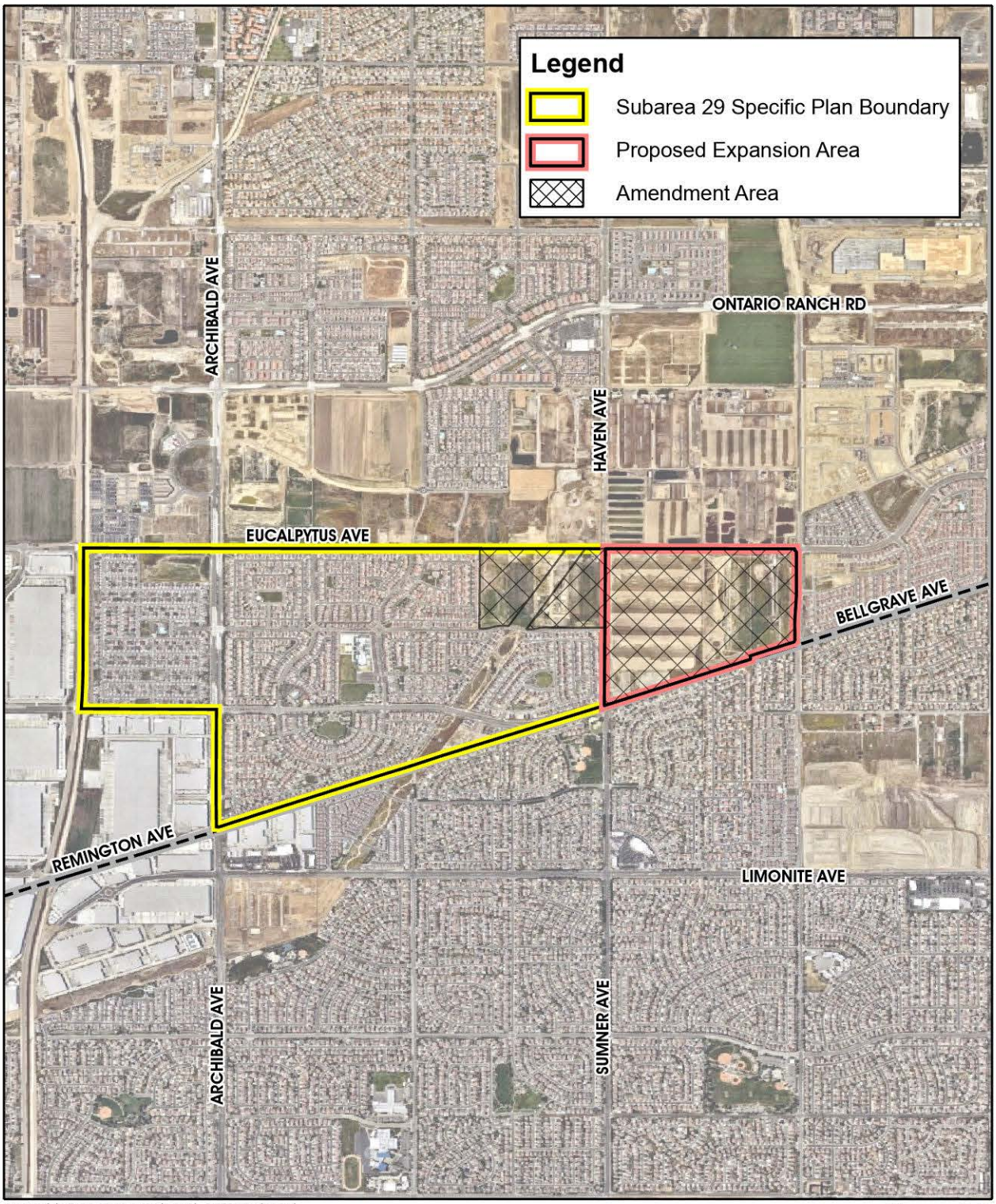
- **North.** Eucalyptus Avenue (east-west orientation) is immediately north of the Amendment Area. Further north, on the opposite side of Eucalyptus Avenue, are lands that support agricultural uses such as dairies, stockyards, row crops, and nurseries.
- **East.** Mill Creek Road (north-south orientation) forms the eastern boundary of the proposed Expansion Area. Further east, on the opposite side of Mill Creek Road, is land that is currently being developed with residential uses per the Esperanza Specific Plan.
- **South.** Parkview Street (east-west orientation) is immediately south of PAs 30 and 31 and on the opposite side of Parkview Street, Subarea 29 Specific Plan PA 29 is being developed with residential uses. Bellegrave Avenue (northeast-southwest orientation) is immediately south of the proposed Expansion Area. Further south, on the opposite side of Bellegrave Avenue are residential uses in the City of Eastvale.
- **West.** Subarea 29 Specific Plan PAs 22 and 23 are immediately west of PA 30 and are developed with residential uses. There are also residential uses under construction in Subarea 29 Specific Plan PAs 27, 28, and 29, west of Haven Avenue and west of the southern portion of the Expansion Area.

4.3.3 Existing Land Use Designation and Zone Classification

In August 2022, the City adopted the update to The Ontario Plan (TOP 2050), which consists of a six-part Component Framework that includes: 1) Vision, 2) Governance Manual, 3) Policy Plan (General Plan), 4) City Council Goals, 5) Implementation, and 6) Tracking and Feedback. TOP serves as the City's business plan and includes a long-term vision and principle-based Policy Plan, which functions as the City's General Plan. Relevant to the preparation of this SEIR, TOP 2050 anticipates the development included with the proposed Subarea 29 Specific Plan Amendment.

As shown on Figure 4-2, Existing TOP 2050 Policy Plan Land Use Designation, PA 30 is designated as Low Density Residential (2.1-5 du/ac) (LDR), Low Medium Density Residential (5.1-11.0 du/ac) (LMDR), and Medium Density Residential (11.1-25 du/ac) (MDR) under the recently adopted TOP 2050. PAs 31 and 32 are designated as LMDR and MDR, PA 33 is designated LMDR, and PA 34 is designated Public School.

The Development Code for the City (Title 9 of the Ontario Municipal Code [OMC]) outlines the zoning regulations and development standards for new development and redevelopment in the City. Development Code Chapter 5, Zoning and Land Use, establishes zoning designations and development standards to regulate orderly development. As shown on Figure 4-3, Existing Zoning Map, PAs 30 and 31 are zoned as Specific Plan (SP) District (Subarea 29 Specific Plan), and the proposed Expansion

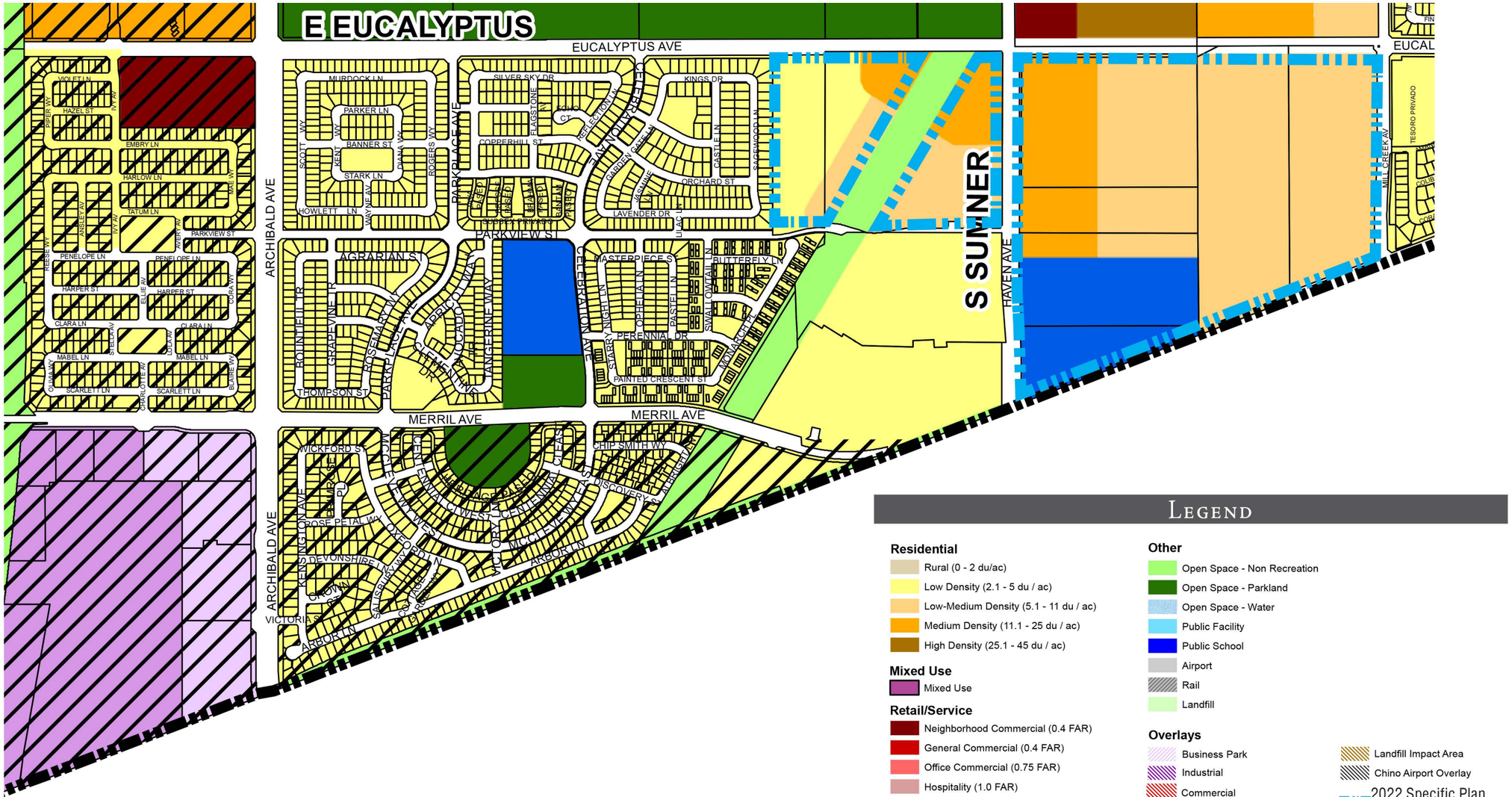


Source(s): ESRI, Nearmap (2021), RCTLMA (2021)

Figure 4-1

0 625 1,250 2,500
Feet

Aerial Photograph



Legend

Residential
- Rural (0 - 2 du/ac)
- Low Density (2.1 - 5 du / ac)
- Low-Medium Density (5.1 - 11 du / ac)
- Medium Density (11.1 - 25 du / ac)
- High Density (25.1 - 45 du / ac)

Mixed Use
- Mixed Use

Retail/Service
- Neighborhood Commercial (0.4 FAR)
- General Commercial (0.4 FAR)
- Office Commercial (0.75 FAR)
- Hospitality (1.0 FAR)

Employment
- Business Park (0.6 FAR)
- Industrial (0.55 FAR)

Other
- Open Space - Non Recreation
- Open Space - Parkland
- Open Space - Water
- Public Facility
- Public School
- Airport
- Rail
- Landfill

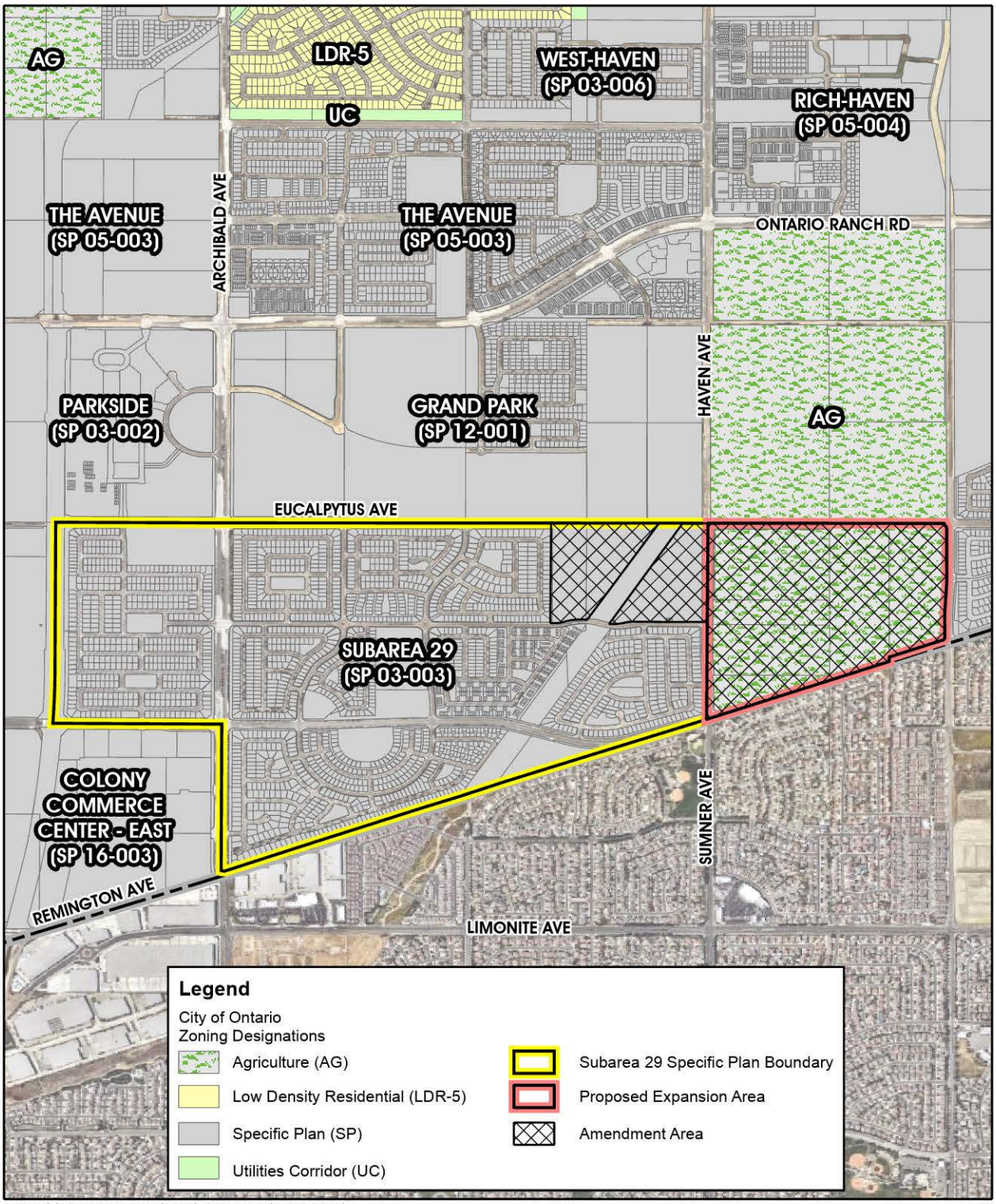
Overlays
- Business Park
- Industrial
- Commercial
- I-10/Grove Interchange Area
- Landfill Impact Area
- Chino Airport Overlay
- 2022 Specific Plan Amendment Area

Source(s): William Hezmalhalch Architects, Inc. (June 2022)

Figure 4-2

Not to Scale

Existing TOP 2050 Policy Plan Land Use Designations



Source(s): ESRI, Nearmap (2021), SB County (03-15-2022)

Figure 4-3

0 500 1,000 2,000 Feet

Existing Zoning Map

Area (eastern portion of the Amendment Area is zoned as SP (Specific Plan) with an AG (Agriculture) Overlay. The Agricultural Overlay Zoning District was incorporated into Section 6.01.035.C.1 of the City's Development Code and requires each specific plan to address the appropriate transition of the area from agricultural uses to urban uses and include provisions for buffering between the proposed uses to protect agricultural and urban uses.

4.3.4 Existing Physical Site Conditions

A. Aesthetics

The Amendment Area is primarily visible from the surrounding roadways, including Eucalyptus Avenue, Bellegrave Avenue, Parkview Street, Mill Creek Road, and Haven Avenue. There are no unique aesthetic features present on the Amendment Area such as rock outcroppings, hills, or cultural landmarks. As shown on Figure 4-4, USGS Topographic Map, the Project site is relatively flat; elevations range from approximately 676 to 703 feet above mean sea level (amsl). Refer to SEIR Section 5.1, Aesthetics, for a detailed description Amendment Area's existing aesthetic setting.

B. Agricultural Resources

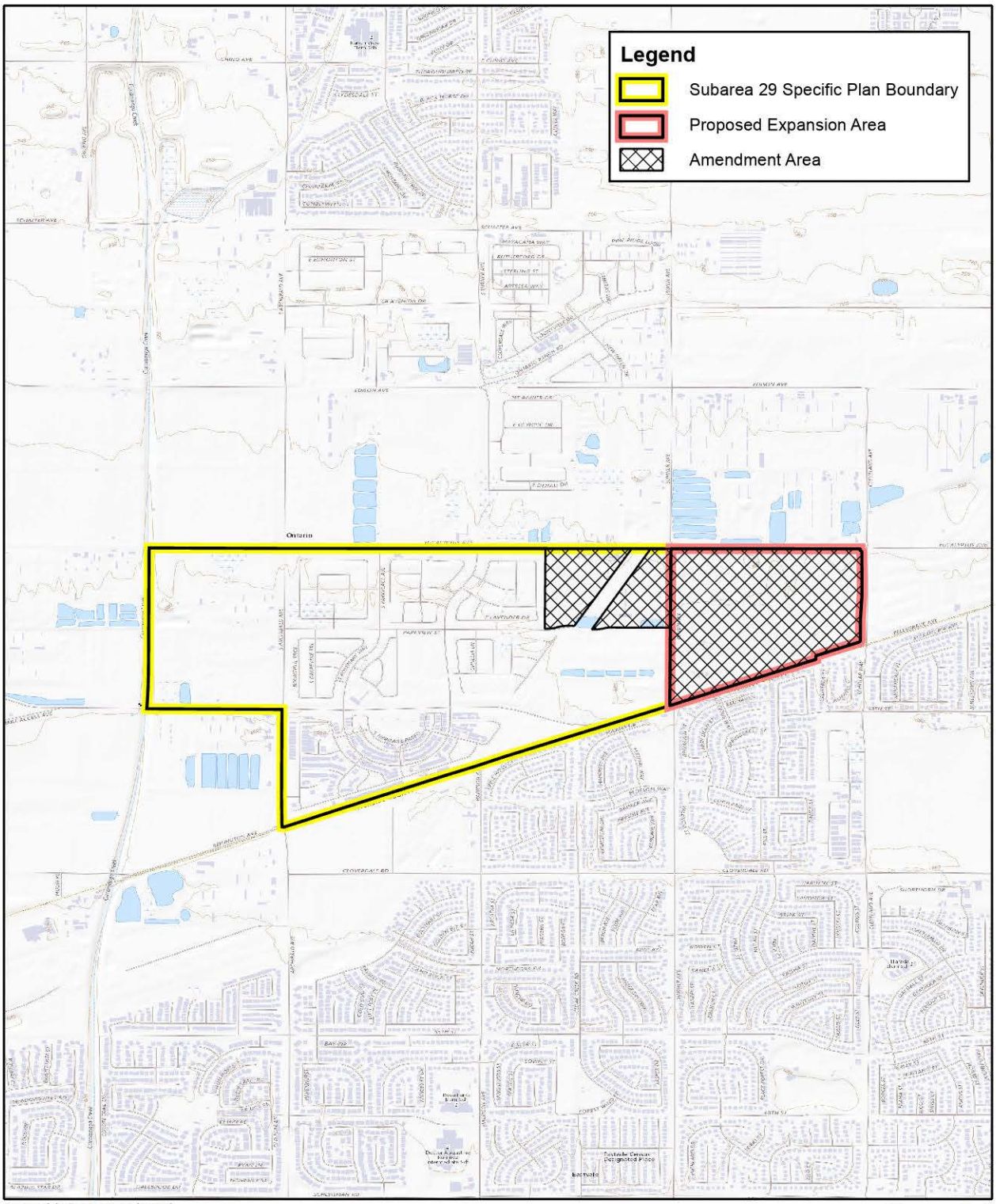
The western portion of the proposed Expansion Area is used for interim agricultural production. The remainder of the Amendment Area is not currently under agricultural production; however, was occupied by former dairy farm uses. According to the California Department of Conservation (DOC) California Important Farmland Finder, the majority of the Amendment Area and off-site improvement areas are identified as "Other Land." The southwest portion of PA 30 (approximately 4.7 acres) is identified as "Prime Farmland." There are no active Williamson Act contracts within the Subarea 29 Specific Plan area or proposed Expansion Area (City of Ontario, 2018; City of Ontario, 2022a). Refer to Section 5.2, Agriculture and Forestry Resources, for a description of the Amendment Area's agricultural resources.

C. Air Quality and Climate

The Amendment Area is within the SoCAB under the jurisdiction of SCAQMD. The Amendment Area is in Source Receptor Area (SRA) 33 - Southwest San Bernardino Valley area. The nearest monitoring stations to the Amendment Area include the SR-60 Near Road monitoring station located approximately 3.9 miles to the northwest, and the I-10 Near Road monitoring station is located approximately 6.2 miles to the northeast. The SoCAB is designated as nonattainment for O_3 and $PM_{2.5}$ under the CAAQS and NAAQS and nonattainment for PM_{10} and nitrogen dioxide (NO_2) under the CAAQS. Refer to SEIR Section 5.3, Air Quality, for a description of the air quality and climate conditions for the Amendment Area.

D. Biological Resources

The Amendment Area is disturbed from its natural state due to the long-term operation of agricultural related uses. The Amendment Area and off-site improvement area supports five vegetation



Source(s): ESRI, USGS (2021)

Figure 4-4

0 625 1,250 2,500
Feet

USGS Topographic Map

communities/land cover types including disturbed/developed, agricultural row crops, herbaceous non-native forbs and grasses, tamarisk thickets, and tree tobacco stands. Based on the habitat found on site, high levels of disturbance, low habitat quality, and the lack of detection of any special status plants during the biological survey, the Project would not impact any special status plant species. Three sensitive wildlife species (Cooper's hawk, Bell's sage sparrow, and San Diego black-tailed jackrabbit) were observed within the Amendment Area during the field survey.

One additional sensitive has a high potential to occur on site (burrowing owl) and one additional sensitive species has a low to moderate potential to occur on site (grasshopper sparrow) (VCS, 2022a).

The Amendment Area is not within or adjacent to designated critical habitat for endangered species and is not within a designated wildlife corridor or linkage. The entire Amendment Area is considered unsuitable for Delhi sands flower-loving fly (DFS) due to the presence of developed area, lands managed with irrigated crops, and areas contaminated with organic debris derived from its history in dairy operations. Additionally, the Amendment Area does not have aquatic features containing jurisdictional waters of the United States (U.S.) or waters of the State.

Refer to SEIR Section 5.4, Biological Resources, for a description of biological resources within the Amendment Area.

E. Cultural Resources and Tribal Cultural Resources

Based on a records search conducted for the Project at the South Central Coastal Information Center (SCCIC) at California State University, Fullerton, four cultural resources are recorded within one-half mile of the Amendment Area, all of which consist of dairy farms. One of the four resources (P-36-023627) is recorded within the Amendment Area and the other three are located within one-half mile of the Amendment Area. Site P-36-023627 is the Van Dam Dairy Farm, which is recorded within the western portion of the Amendment Area. This site has been determined not eligible for listing on the California or National Registers. It is also not eligible for listing on the City of Ontario's Historical Resources List. No significant cultural resources were discovered during the field survey (VCS, 2022b).

Refer to SEIR Section 5.5, Cultural Resources, and Section 5.18, Tribal Cultural Resources, for a description of prehistoric cultural resources, ethnography, and history relevant to the Amendment Area.

F. Geology and Landform

The City is within the fault-bounded, northwest-southeast trending Perris Block in the Peninsular Ranges geomorphic province of California. The Perris Block is bounded on the east by the San Jacinto Fault Zone, on the north by Cucamonga Fault Zone, and on the west by Elsinore Fault Zone. The Amendment Area is not within the boundaries of an earthquake fault zone for fault-rupture hazard as defined by the Alquist-Priolo Earthquake Fault Zoning Act (RMA, 2022).

The Amendment Area is underlain by artificial fill and alluvial soils. The fill soils range from 2 to 7 feet thick and consists of sand with silt and silty sand. The alluvium consists of layered sand, silty sand, and sandy silt (RMA, 2022).

The Natural History Museum of Los Angeles County (NHMLAC) completed a Paleontology collections records search for the Amendment Area, which determined that no paleontological resources are recorded on site; however, fossils were found and recorded in the same sedimentary deposits nearby. The nearest localities to the Amendment Area occur approximately 6.0 miles west, near SR-71 and I-5 south, near the City of Corona (VCS, 2022b).

Refer to SEIR Section 5.7, Geology and Soils, for additional information regarding the Amendment Area's existing geological and soil conditions and the potential for paleontological resources to be present.

G. Hazards and Hazardous Materials

The Amendment Area has previously been used for agricultural purposes, and primarily dairy farms. PAs 30 and 31 are occupied by structures associated with former dairy farming operations. The Amendment Area is not located on any list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (DTSC, 2022). The western portion of the proposed Expansion Area is used for interim agricultural production; the southwest corner of the proposed Expansion Area was previously occupied by a trucking company; and the eastern portion of the proposed Expansion Area is undeveloped and disturbed. There are potential recognized environmental conditions (RECs) associated with the former uses, including the presence of methane accumulation in the subsurface. Additionally, due to the age of the on-site buildings it is possible that asbestos containing materials and lead based paint are present.

The Amendment Area is approximately 4.0 miles south of ONT and within the ONT Airport Influence Area (AIA); however, the Amendment Area is located outside of the Safety, Noise Impact and Airspace Protection Zones identified in the ONT ALUCP (City of Ontario, 2011). Additionally, the Amendment Area is approximately 2.4 miles northeast of the Chino Airport, but not within a designated safety zone (City of Ontario, 2022).

Refer to SEIR Section 5.9, Hazards and Hazardous Materials, for information regarding hazards and hazardous materials associated with the Amendment Area.

H. Hydrology

The Amendment Area is located in the Santa Ana River watershed, which drains an approximately 2,650-square-mile area and is the principal surface flow water body within the region. The Santa Ana River starts in Santa Ana Canyon in the southern San Bernardino Mountains and runs southwesterly across San Bernardino, Riverside, and Orange Counties, where it discharges into the Pacific Ocean at

the City of Huntington Beach. The City is situated over the Chino Groundwater Subbasin. The Amendment Area is not within a 100-year flood hazard area (FEMA, 2008).

There is an existing storm drain system serving the Amendment Area, which was designed in accordance with the City of Ontario Master Plan of Drainage prepared in 2017. The major flood control facility in the vicinity of the Amendment Area, which receives stormwater from the storm drain facilities serving the Amendment Area is the County Line Channel located along the southern Project boundary. The County Line Channel flows into Cucamonga Creek and then ultimately into the Mill Creek Wetlands, an off-site water quality facility.

Refer to SEIR Section 5.10, Hydrology and Water Quality, for additional information regarding existing drainage and water quality conditions.

I. Noise

Noise levels in the Amendment Area are primarily influenced by motor vehicles traveling along the surrounding roadways. Noise from existing residential uses surrounding the Amendment Area also adds to the ambient noise levels in the Amendment Area. There are no existing uses within the Amendment Area that generate substantial noise under existing conditions. Refer to SEIR Section 5.13, Noise, for additional information regarding existing sources of noise and ambient noise levels.

J. Public Services, Utilities, and Service Systems

Public services and utility services are currently provided to the Amendment Area by City of Ontario (police fire, library, parks and recreation, water, sewer, and solid waste collection and disposal. Mountain View School District and Chaffey Joint Union High School District provide school services. The Inland Empire Utilities Agency (IEUA) provides wastewater treatment services, Southern California Edison (SCE) provides electrical service, and Southern California Gas (SCG) provides natural gas service. There is existing utility infrastructure installed in the vicinity of the Project. Refer to Section 5.15, Public Services and Recreation, and SEIR Section 5.18, Utilities and Service Systems, for additional information regarding public services and utilities and service systems, respectively.

K. Transportation

Existing PAs 30 and 31 are bound by Eucalyptus Avenue to the north, Haven Avenue to the east, Parkview Street to the south, and the proposed Expansion Area is bound by Eucalyptus Avenue to the north, Haven Avenue to the west, Mill Creek Boulevard to the east, and Bellegrave Avenue to the south. Regional access to the Amendment Area is primarily provided by SR-60 and I-10.

There are existing and planned bicycle and pedestrian facilities adjacent to and in proximity to the Amendment Area. The Amendment Area is within the service area for Omnitrans, Riverside Transit Agency (RTA), Metrolink, and Amtrak. There are currently RTA bus stops along Bellegrave Avenue at the intersection with Hamner Avenue approximately 0.5 mile east of the Amendment Area.

Refer to SEIR Section 5.17, Transportation, for additional information regarding existing transportation facilities.

4.4 REFERENCES

California Department of Transportation (Caltrans). 2011. *California Airport Land Use Planning Handbook*. https://dot.ca.gov/-/media/dot-media/programs/aeronautics/documents/californiaairportlanduseplanninghandbook-a11y.pdf

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RMA Group (RMA). 2022. *Preliminary Geotechnical Site Assessment and Report Review and Update Subarea 29 Specific Plan Amendment – Planning Areas 30-34 SW and SE Corner of Eucalyptus and Haven Aves, Ontario, CA*. January 28, 2022.

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Southern California Association of Governments (SCAG). 2020. *The 2020-2045 Regional Transportation Plan / Sustainable Communities Strategy of the Southern California California Association of Governments - Connect SoCal*. https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal-plan_0.pdf?1606001176

VCS Environmental (VCS). 2022a. *Biological Technical Report for Subarea 29 Specific Plan Amendment/General Plan Amendment Project (Planning Areas 30-34).* November 2022.

VCS Environmental (VCS). 2022b. *Cultural Resources Assessment for Subarea 29 Specific Plan Amendment/General Plan Amendment Project, Ontario, California, (Planning Areas 30-34)*. November 2022.

5.0 Environmental Analysis

5.0.1 Summary of EIR Scope

In accordance with California Environmental Quality Act (CEQA) Guidelines Sections 15126-15126.4, this Subsequent Environmental Impact Report (SEIR) section includes analyses of potential direct, indirect, and cumulatively-considerable impacts that could result from the planning, construction, and/or operation of the Project.

As further discussed in SEIR Section 2.0, Introduction, the City of Ontario (City) prepared a Notice of Preparation (NOP) that identified the scope of environmental analysis for this SEIR (refer to Appendix A). To solicit input on the scope of study for this SEIR, the City filed the NOP with the State Clearinghouse (SCH); distributed the NOP to approximately 50 potential Responsible Agencies, Trustee Agencies, and other interested parties on December 1, 2021, for a 30-day public review period; and made the NOP available on the City's website. The City also held an SEIR Scoping Meeting to inform the public of the Project and the environmental review process and provide additional information on how to submit public comments. Taking all known information and public comments into consideration, the following environmental subject areas are evaluated in detail in this SEIR Section 5.0, as listed below. Each subsection evaluates several specific topics related to the primary environmental subject. The title of each subsection is not limiting; therefore, refer to each subsection for a full account of the specific subject matters addressed therein.

5.1 Aesthetics
5.2 Agriculture and Forestry Resources
5.3 Air Quality
5.4 Biological Resources
5.5 Cultural Resources
5.6 Energy
5.7 Geology and Soils
5.8 Greenhouse Gas Emissions
5.9 Hazards and Hazardous Materials
5.10 Hydrology and Water Quality
5.11 Land Use and Planning
5.12 Mineral Resources
5.13 Noise
5.14 Population and Housing
5.15 Public Services and Recreation
5.16 Transportation
5.17 Tribal Cultural Resources
5.18 Utilities and Services Systems
5.19 Wildfire

5.0.2 Organization of Environmental Analysis

Sections 5.1 through 5.19 of this SEIR evaluate the 20 environmental subjects warranting analysis as identified by the City in consideration of preliminary research findings, public comments, and technical study. The format of discussion is standardized as much as possible in each section for ease of review. Each topical section includes the following information:

- A current description of the existing setting and surrounding areas.
- A discussion of the applicable regulatory criteria (laws, policies, regulations) that the Project and its implementing actions are required to comply with (if any).
- Identification of thresholds of significance based on the thresholds included in Appendix G of the CEQA Guidelines.
- A summary of the of the environmental impact conclusions from the 2006 EIR, and identification of the 2006 EIR mitigation measures (MMs) that are applicable to the Project.
- Analysis of potential direct and indirect impacts from the Project and identification of additional feasible Project-specific mitigation measures, if required, to reduce the identified impacts.
- Identification of the level of significance of impacts after mitigation, including unavoidable significant adverse impacts.
- Evaluation of potential cumulative impacts.
- Identification of references/sources relied upon for each environmental topic area analyzed in this document (Sections 5.1 through 5.19).

As discussed in SEIR Section 4.0, Environmental Setting, the existing environment identified in the respective sections is based on conditions present at the time that the NOP was distributed (December 6, 2021). This date was used as the baseline against which to compare potential impacts associated the implementation of the Project.

As required by CEQA Guidelines Section 15126.2(a), Project-related effects on the environment are characterized in this SEIR as direct, indirect, cumulatively considerable, short-term, long-term, on-site, and/or off-site impacts. Serving as the CEQA Lead Agency for this SEIR, the City is responsible for determining the impact conclusion for each topic area and the respective thresholds of significance. The threshold of significance is identified for each impact in this SEIR. Although the criteria for determining significance are different for each topic area, the environmental analysis applies a uniform classification of the impacts based on definitions consistent with CEQA and the CEQA Guidelines.

- **No Impact**. The project would not change the environment.
- **Less than significant impact**. The project would not cause any substantial, adverse change in the environment.
- **Less than significant with mitigation incorporated**. The SEIR includes mitigation measures that avoid substantial adverse impacts on the environment.

- **Significant and unavoidable**. The project would cause a substantial adverse effect on the environment, and no feasible mitigation measures are available to reduce the impact to a less than significant level.

The standards of significance used in this SEIR are based on the independent judgment of the City, the judgment of the technical experts that prepared this SEIR's technical appendices, performance standards adopted, implemented, and monitored by regulatory agencies, and significance standards recommended by regulatory agencies.

The "Project" evaluated in this SEIR includes construction and operation of development within the existing Subarea 29 Specific Plan PAs 30 and 31, which collectively encompass approximately 37.9 acres), and within the new Subarea 29 Specific Plan PAs 32 through 34, which encompass approximately 113.2-acre are and referred to herein as the "Expansion Area." Collectively, PAs 30 through 34 are referred to herein as the "Amendment Area." The Project evaluated in this SEIR also includes off-site improvement areas associated with the Southern California Edison (SCE) easement between PAs 30 and 31 (approximately 8.5 acres), and site adjacent roadway right-of-way (ROW) (approximately 11.7 acres) surrounding the proposed Expansion Area. In summary, the total impact area is approximately 171.3 acres (approximately 151.1 acres on site and 20.2 acres off site).

Where the impact associated with development in PAs 30 and 31 is uniquely different than the Expansion Area, the analysis is appropriately presented separately. Otherwise, the analysis for each threshold of significance considers the combined impacts associated with development PAs 30 and 31 and the Expansion Area (Amendment Area).

For any impact identified as significant and unavoidable, the City would be required to adopt a Statement of Overriding considerations pursuant to CEQA Guidelines Section 15093 in order to approve the Project despite its significant impact(s) to the environment. The Statement of Overriding Considerations would list the specific economic, legal, social, technological, and other benefits of the Project, supported by substantial evidence in the Project's administrative record, that outweigh the unavoidable impacts.

5.0.3 Scope of Cumulative Effects Analysis

CEQA Guidelines Section 15130 states that cumulative impacts of a project shall be discussed when the projects' incremental effect is cumulatively considerable, and further states that this discussion shall reflect the level and severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. Section 15355 of the CEQA Guidelines defines cumulative impacts as ". . . two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." Section 15355(b) of the CEQA Guidelines states that "cumulative impacts from several projects is the change in the environment which results from the incremental impact of a project when added to other closely related past, present, and reasonably foreseeable probable future projects."

Section 15130(b)(1) of the CEQA Guidelines states that the information utilized in an analysis of cumulative impacts should come from one of two sources, either:

1. A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, 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.

Cumulative impacts are addressed for each topic analyzed in Sections 5.1 through 5.19 of this SEIR. Because of the nature of individual environmental factors, the cumulative area for each topical issue is not the same. The individual cumulative study areas for the issues addressed in this SEIR are provided in the respective impact sections. However, the cumulative impact analysis in this SEIR primarily uses the second approach set forth in the CEQA Guidelines as discussed above. This approach uses projections and cumulative impact analyses presented in *The Ontario Plan 2050 Final Supplemental Environmental Impact Report* (SCH No. 2021070364) (TOP 2050 Final SEIR) certified in August 2022, and the *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009) certified in October 2006 (2006 EIR), as applicable. These EIRs are incorporated by reference and are available for review at the location cited in SEIR 2.0, Introduction. These EIRs are utilized because the geographic cumulative study area addressed in the two documents encompasses not only the Subarea 29 Specific Plan area, which includes PAs 30 and 31 and the proposed Expansion Area, but areas surrounding the Subarea 29 Specific Plan area that could be potentially impacted by the contribution to cumulative impacts from implementation of the Project. Notably, the 2006 EIR primarily addressed cumulative impacts resulting from implementation of development pursuant to the Subarea 29 Specific Plan in conjunction with impacts resulting from other development in the New Model Colony (now referred to as "Ontario Ranch").

In addition to the General Plan study area, the cumulative analysis for individual topical areas may consider specific cumulative study areas designated by respective agencies for regional or area-wide conditions. For instance, topic-specific cumulative study areas have been developed (e.g., South Coast Air Basin for air quality, the Santa Ana River Watershed for hydrology and water quality). Also, this SEIR considers regional programs directed at mitigating cumulative impacts of development such as those instituted for urban runoff.

5.1 AESTHETICS

This section describes the current aesthetic qualities and visual resources present within Planning Areas (PAs) 30 and 31, and the proposed Expansion Area (PAs 32, 33, and 34), collectively referred to herein as the "Amendment Area," and in the vicinity of the Amendment Area. This section also evaluates the potential effects that the Project may have on these resources. Descriptions of existing visual characteristics, and the analysis of potential impacts to aesthetic resources are based on field observations and site photographs; review of aerial photography; and Project information presented in the proposed Subarea 29 Specific Plan Amendment, as described in Section 3.0, Project Description, of this Subsequent Environmental Impact Report (SEIR). This section also is based on information contained in the Aesthetics section of the *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009) (2006 EIR) (City of Ontario, 2006), *The Ontario Plan 2050* (TOP 2050) (City of Ontario, 2022a), *The Ontario Plan 2050 Final Supplemental Environmental Impact Report* (SCH No. 2021070364) (TOP 2050 Final SEIR) (City of Ontario, 2022b), and the City of Ontario Municipal Code (OMC). References used in preparation of this section are listed in Section 5.1.6, References.

5.1.1 ENVIRONMENTAL SETTING

A. Scenic Vistas and Corridors

The dominant scenic resource as viewed from vantage points within the City of Ontario (City) is the San Gabriel Mountain range to the north. Other prominent scenic resources are the Jurupa Mountains and the San Bernardino Mountains to the east, the Santa Ana Mountains to the south, and the Chino Hills to the southwest. There are no scenic resources within or near the Subarea 29 Specific Plan area (referred to herein as the "Specific Plan Area,") including the Amendment Area.

Interstate (I)-10 and State Route (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, and is located east of the southern portion of the City, approximately 1.0 mile east of the Amendment Area. These freeway segments are not officially designated scenic highways by Caltrans, and there are no officially designated scenic highways in Ontario. The nearest scenic highway to the Amendment Area is SR-91 (with designated and eligible scenic highway segments), which is approximately 7 miles to the south (Caltrans, 2018).

B. Visual Character

From a regional perspective, the City is in a highly developed, urban/suburban area. Developed land uses (residential, commercial, industrial, agricultural, recreational, public, institutional, airport, and utility and transportation easements) are located throughout the City. The Subarea 29 Specific Plan Area, including the Amendment Area is located in the southern portion of the City (south of Riverside Drive), which is referred to as "Ontario Ranch." Ontario Ranch has historically been relatively flat and open, containing dairies, poultry farms, and row crops; however, Ontario Ranch is rapidly developing. When the 2006 EIR was prepared, the Specific Plan Area and proposed Expansion Area were comprised of highly disturbed areas, operating dairies and agricultural uses. With the exception of the

planned uses in PA 2 (commercial), and PAs 30 and 31 (197 residential units), the previously approved Subarea 29 Specific Plan uses are constructed/occupied or under construction. Approved units in PA 1, PA 27, PA 28, and PA 29 (734 units) are under construction; the elementary school in PA 18 opened in August 2022. Therefore, the transition from previous disturbed, dairy and agricultural uses anticipated in the 2006 EIR is occurring. The existing development with the Specific Plan Area and the surrounding areas is being developed, or will be developed, pursuant to various specific plans, which establish land use requirements, development standards, and design guidelines to ensure attractive and visually cohesive developments within this area of the City.

Figure 5.1-1, Figure 5.1-2, and Figure 5.1-3 provide site photographs that depict the visual character of the Amendment Area, and along adjacent street corridors, respectively. As shown, the Amendment Area is relatively flat with limited vegetation. There are no scenic resources within the Amendment Area; however, there are distance mountain views from various vantage points, and adjacent roadways. The site photographs provided in Figure 5.1-1 depict the visual character of the proposed Expansion Area and surrounding areas. As shown, the western portion of the proposed Expansion Area along Haven Avenue is currently being used for agricultural purposes (row crops), and the remainder of the site is disturbed by previous uses (dairy farm, truck storage, etc.), and/or covered by non-native vegetation. There are distant mountain views from various vantage points, and utility transmission lines, including the SCE high power transmission lines are visible.

As shown on Figure 5.1-2, Southern California Edison (SCE) high power transmission lines are prominent visual features that traverse PAs 30 and 31. Existing uses associated with dairy operations, and new development in other areas of the Specific Plan Area are also visible. Figure 5.1-3 depicts the views along the streets adjacent the Amendment Area: Eucalyptus Avenue extends east-west to the north, Haven Avenue extends north-south between PAs 30 and 31 and the western boundary of the proposed Expansion Area, Bellegrave Avenue extends southwest-northeast along the southern boundary of the proposed Expansion Area, and Mill Creek Avenue extends north-south along the eastern boundary of the proposed Expansion Area. Haven Avenue is a major transportation corridor (designated Principal Arterial). The photographs on Figure 5.1-3 demonstrate the current streetscape along these roadways, including landscaping and other improvements installed with existing developments, including in the City of Eastvale (on the south side of Bellegrave Avenue). The San Gabriel Mountains and other distant mountain views are prominent visual features from these roadway corridors.

C. Light and Glare

Currently, there is little to no existing lighting within the Amendment Area and does not include any uses that generate light or glare. Lighting sources occur in the immediate vicinity of the Amendment Area, with the most notable sources of light emanating from streetlights, automobile headlights, and from the existing surrounding developed areas.

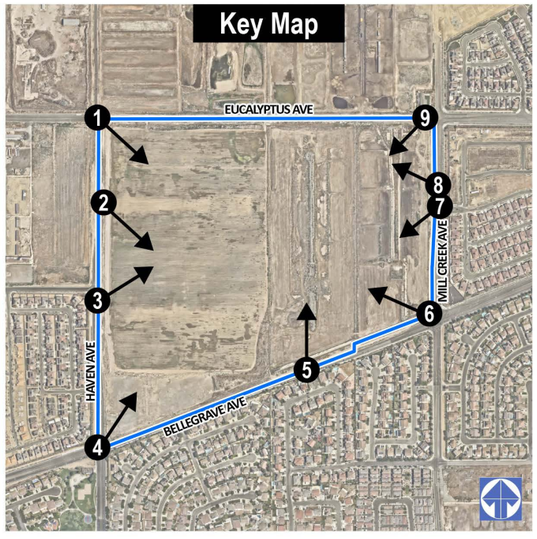

Figure 5.1-1

Not to Scale

Expansion Area Site Photographs

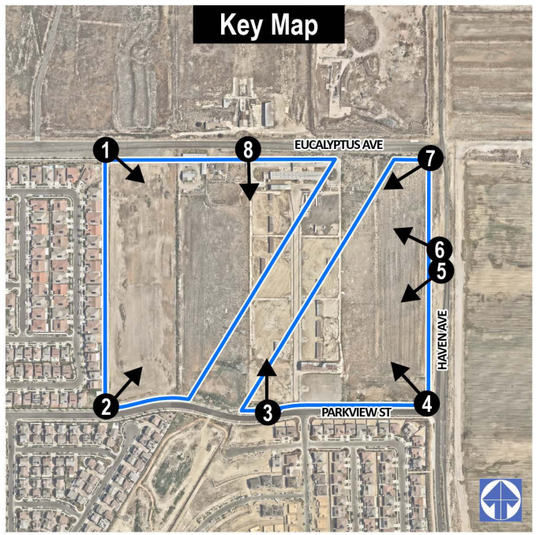

Figure 5.1-2

Not to Scale

PAs 30 & 31 Site Photographs

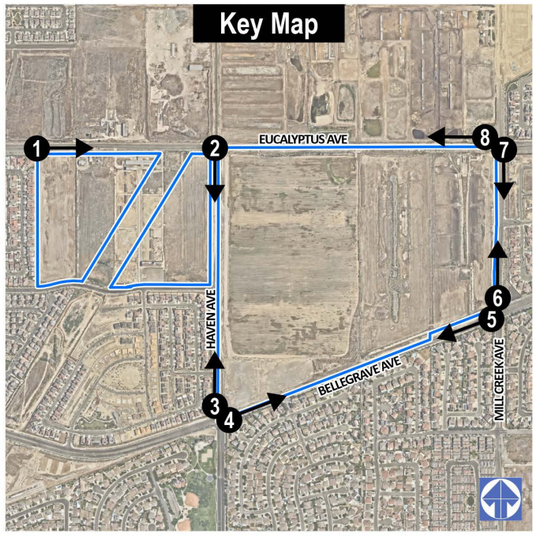

Figure 5.1-3

Not to Scale

Street Corridor Site Photographs

5.1.2 REGULATORY BACKGROUND

The 2006 EIR found that the environmental topic of Aesthetics did not result in significant impacts and determined that further discussion in the 2006 EIR was not required. Therefore, the 2006 EIR did not identify applicable regulatory requirements related to aesthetics. Provided below is a brief description of the state and local regulations governing scenic quality applicable to the Project.

A. Local

1. The Ontario Plan 2050

TOP 2050 Community Design Element has principles, goals, and policies that are applicable to the Project to distinguish Ontario as a unique, highly aesthetic built environment that fosters enjoyment, financial benefit and well-being for the entire community. The applicable principles include:

- Quality design of buildings, streets, City gateways and open spaces is vital to prosperity and makes Ontario a place where people want to be.
- Well maintained property and infrastructure are required to protect and encourage community investment.
- A diverse mix of residential and commercial districts and neighborhoods is vital to achieving the Vision.

The applicable goals and policies addressing scenic quality, and a discussion of the Project's consistency with these goals and policies is provided under Threshold "c" in Section 5.1.4, Environmental Impacts and Mitigation, below.

2. City of Ontario Municipal Code

The OMC contains regulations regarding historical preservation and general design guidelines that address the aesthetic aspects of residential, commercial, and industrial development:

- **Title 9, Development Code, Chapter 5, Zoning and Land Use**, contains general development requirements and exceptions, standards related to development density, screening and setback requirements, signage, street lighting and tree planting, landscape and design, conformity with district regulations, mixed-use requirements, fences and walls, grading, height limitations, and lighting.

3. Subarea 29 Specific Plan

Pursuant to Division 5.02, General Land Use Provisions, of the OMC, the SP (Specific Plan) Zoning District is established to accommodate the adoption of Specific Plans pursuant to Exhibit LU-05 (Additional Plans Map) of the Policy Plan component of TOP. All land uses, activities, and facilities within the SP zoning district shall only be allowed pursuant to the applicable Specific Plan document.

The Project involves an amendment to the adopted Subarea 29 Specific Plan, and development within the Amendment Area would be implemented in compliance with the Subarea 29 Specific Plan, as amended. Relevant to scenic quality, the Subarea 29 Specific Plan includes Development Regulations (Section 6.0), and Residential Design Guidelines (Chapter 7). The Residential Design Guidelines address development requirements for residential uses including, but not limited to: architectural styles, massing, materials and details, home types, and landscaping requirements.

5.1.3 Basis for Determining Significance

The City of Ontario evaluates aesthetic impacts based on thresholds of significance included in Appendix G of the CEQA Guidelines. A significant impact related to aesthetics would occur if the Project would:

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.*

5.1.4 Environmental Impacts and Mitigation

A. Applicable 2006 EIR Mitigation

The 2006 EIR did not identify any mitigation measures (MMs) related to aesthetics or scenic resources.

B. Impact Analysis

Threshold a: Would the Project have a substantial adverse effect on a scenic vista?

1. Summary of Previous Environmental Analysis

The 2006 EIR identified that scenic views of the San Gabriel Mountains, located approximately 15 miles north of the Specific Plan Area, are visible on clear days from all north-south oriented roadways; however, development pursuant to the adopted Subarea 29 Specific Plan would not impair views of the San Gabriel Mountains from north-south oriented roadways in any more significant ways as compared to the existing surrounding development. The 2006 EIR concluded that development pursuant to the adopted Subarea 29 Specific Plan would not result in a substantial effect on a scenic vista, resulting in a less than significant impact. Additionally, cumulative impacts were determined to be less than significant.

2. *Project Impact Analysis*

If the Project would block or otherwise substantially and adversely affect a unique view of a scenic vista(s) as seen from a public viewing location(s) (e.g., a public road, park, trail, and/or other publicly owned property at which the general public is legally authorized to use or congregate, the impact would be regarded as significant. Effects to scenic vistas from private properties would not be considered significant because the City does not have any ordinances or policies in place that protect views from privately-owned property. The Amendment Area is not part of a scenic resource or scenic vista.

As previously discussed, the City identifies various local and distant mountains as scenic resources, and that these resources are visible from various roadways. Notably, the San Gabriel Mountains are visible for individuals traveling north on various roadway, including Haven Avenue. As shown in the site photographs, views of the San Gabriel Mountains are available to motorists, cyclists and pedestrians as they look north on Haven Avenue and Mill Creek Avenue adjacent to the Amendment Area. Although not as prominent, there are views of the Santa Ana Mountain available to individuals traveling south along these roadways. There are similar views from the SCE Corridor, which extends generally in a northeast-southwest direction. These and other distant mountains/landforms are visible on clear days; however, they are not prominently visible on days with high levels of atmospheric haze, which is common throughout the year. Distant views are also partially obstructed by existing development in the vicinity of the Amendment Area.

With the exception of remaining dairy farm uses, the Amendment Area is currently undeveloped, and the area is void of native vegetation and landforms. Implementation of the Project would result in development of the Amendment Area with streets, street lighting, residential and school uses. The Project does not involve any development within or adjacent to any scenic resources that define a scenic vista. The views available from existing roadways that extend north-south (Haven Avenue and Mill Creek Avenue), and generally east-west (Eucalyptus Avenue and Bellegrave Avenue) adjacent to the Amendment Area would largely be retained. The proposed development would obstruct some distant views currently available across the Amendment area; however, new east-west and north-south roadways would be constructed adjacent to and within the Amendment Area, and the SCE corridor extending through PAs 30 and 31 would be retained. These linear corridors would also provide opportunities for views of distant mountains from vantage points with the Amendment Area. Additionally, the Subarea 29 Specific Plan development regulations include setbacks, landscaping, screening, and other design measures to screen undesirable aspects of site development from the major roadways within the development area.

Therefore, implementation of the Project would not result in significant impacts to scenic resources and would not have a substantial adverse impact on scenic vista. Impacts would be less than significant.

Additional Project-Level Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact, consistent with conclusions of the 2006 EIR.

Threshold b: ***Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?***

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that there are no designated Official State Scenic Highways within forty miles of the Specific Plan Area, and no scenic resources exist within the Specific Plan Area; therefore, no impacts to scenic highways would occur.

2. Project Impact Analysis

Consistent with the conclusions of the 2006 EIR, there are no trees, rock outcroppings, or historic buildings located within the Amendment Area, and the Amendment Area is not within or in proximity to a State designated scenic highway. The closest eligible or designated state scenic highway is SR-91, which is approximately 7 miles to the south (Caltrans, 2018). Due to distance and intervening topography, the Amendment Area would not be visible from SR-91. Accordingly, the Project would not damage scenic resources within a State scenic highway. No impact would occur.

Additional Project-Level Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

No impact, consistent with conclusions of the 2006 EIR.

Threshold c: ***In non-urbanized areas, would the Project 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?***

1. Summary of Previous Environmental Analysis

The 2006 EIR analyzed the impact of the adopted Subarea 29 Specific Plan development on the existing visual character and quality of the site and its surroundings. The 2006 EIR concluded that the adopted Subarea 29 Specific would place urban development in a previously agricultural setting and although the visual character of the site would change, the visual character and quality of the site and its surroundings would not be degraded. Additionally, cumulative impacts were determined to be less than significant.

2. *Project Impact Analysis*

In December 2018, CEQA Guidelines Appendix G, Aesthetics Threshold "c," was modified to specifically focus on public views and distinguish between urbanized and non-urbanized areas. The United States Census Bureau defines "urbanized area" as a densely settled core of census tracts and/or census blocks that have 50,000 or more residents and meet minimum population density requirements while also being adjacent to territory containing non-residential urban land uses. The Specific Plan Area, which includes PAs 30 and 31, and the proposed Expansion Area, are located within the boundaries of the Census-defined Los Angeles-Long Beach-Anaheim urban area (USCB, 2012). Therefore, for the analysis of Threshold "c," the Project would result in a significant adverse impact if the Project design conflicts with applicable zoning and other applicable regulations governing scenic quality.

A. Construction-Related Activities

Heavy equipment would be used during Project construction and would be visible from vantage points adjacent to the Amendment Area. Construction activities are a common occurrence in the developing Inland Empire region of southern California, including the Ontario Ranch area of the City. There are existing construction activities occurring within the Specific Plan Area. Construction activities do not inherently or substantially degrade an area's visual quality. The construction equipment that would be used for Project construction would generally be low in height and primarily visible from adjacent vantage points. Project-related construction activities would be temporary in nature and all construction equipment would be removed from the Amendment Area following completion of Project-related construction activities. Furthermore, there are no City zoning requirements or other regulations governing scenic quality that specifically address construction activities. Therefore, this impact would be less than significant.

B. Post-Development Impacts

As discussed in SEIR Section 3.0, Project Description, although the Project would involve an amendment to the Subarea 29 Specific Plan that would change the allowed residential densities within the Amendment Area, the proposed Subarea 29 Specific Plan land use designations would continue to allow for the development of residential and school uses in the Amendment Area. These uses are also allowed based on the existing General Plan and Specific Plan land use designations. The Subarea 29 Specific Plan is a comprehensive plan designed to reflect the character of older established communities in the City. The Subarea 29 Specific Plan, as amended to include the proposed Expansion Area, establishes the zoning, development, and design standards for implementing projects within the Amendment Area, which is currently occupied by dairy farm uses, agricultural operations, or is vacant, as described above. A comprehensive set of design guidelines and development regulations are included to guide and regulate site planning, landscape, and architectural character within the community ensuring that excellence in community design is achieved during development.

Pursuant to Threshold "c", the analysis below addresses the Project's consistency with zoning and other regulations governing scenic quality. Consistent with the conclusion of the 2006 EIR, with

implementation of the Project pursuant to the Subarea 29 Specific Plan, the visual character of the Amendment Area would change. However, as demonstrated through this analysis, the Project would not conflict with zoning and other regulations governing scenic quality, resulting in a less than significant impact.

Table 5.1-1 addresses the Project's consistency with goals and policies in TOP 2050 Community Design Element.

Table 5.1-1 Policy Plan/General Plan Consistency Analysis

Goal/Policy	Consistency Analysis
Community Design Element	
Goal CD-1: A dynamic, progressive City containing distinct and complete places that foster a positive sense of identity and belonging among residents, visitors, and businesses.	
CD-1.4: *Transportation Corridors*. We will enhance our major transportation corridors within the City through landscape, hardscape, signage and lighting. The extent of enhancement should be appropriate to the use, type, and context of each corridor.	**Consistent.** The City identifies major transportation corridors as Principal Arterials. Adjacent to the Amendment Area, Haven Avenue is a Principal Arterial. As shown on Figure 3-16b, Haven Avenue would have a landscaped median, landscape buffers along each side of the sidewalks on the east and west sides of the roadway. Hardscape, signage and lighting would also be provided in accordance with the requirements of the Subarea 29 Specific Plan as outlined in the Design Guidelines. Although the other roadways adjacent to the Amendment Area are not major transportation corridors, they would also have a landscaped streetscape as shown on Figure 3-16a through Figure 3-16e and would also adhere to Subarea 29 Specific Plan Design Guidelines.
CD-1.5: *View Corridors*. We require all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountains, which are part of the City's visual identity and a key to geographic orientation. Such views should be free of visual clutter, including billboards and may be enhanced by framing with trees.	**Consistent**. Haven Avenue and Mill Creek Avenue are oriented in a north-south direction on the west and east sides of the proposed Expansion Area, respectively. As identified above, these roadways would be landscaped pursuant to the requirements outlined in the Subarea 29 Specific Plan, including tree-lined streets. Additionally, the Subarea 29 Specific Plan development regulations include setbacks, landscaping, screening, and other design measures to screen undesirable aspects of site development from the major roadways within the development area.
Goal CD-2: A high level of design quality resulting in neighborhoods, commercial areas, public spaces, parks, and streetscapes that are attractive, safe, functional, human- scale, and distinct.	
CD-2.1: *Quality Building Design and Architecture.* We encourage all development projects to convey visual interest and character through:	**Consistent.** As discussed in SEIR Section 3.0, Project Description, Section 7, Residential Design Guidelines, of the Subarea 29 Specific Plan, have been amended to add nine new architectural styles for attached dwelling units to be allowed in PAs 30 through 33. Representative architecture and associated development standards are presented in Figure 3-5 through Figure 3-13. The maximum building heights for the

• Building volume, massing, and height to provide context-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 articulated, high quality, durable, and appropriate for the architectural style.	new architectural styles are 35-feet and 45-feet, which is similar to the maximum building heights for existing architectural styles (35-feet with an additional 10-feet for architectural projections). The various architectural styles would allow for additional housing typology but would also allow for varying architecture within the Amendment Area. The Residential Design Guidelines also address residential building massing and building materials and details to ensure visual interest and character throughout the Specific Plan Area while at the same time maintain a consistent visual character.
CD-2.2: *Neighborhood Design.* We create distinct residential neighborhoods that promote a sense of community and identity by emphasizing access, connectivity, livability, and social interaction through such elements as: • A pattern of smaller, walkable blocks that promote activity, safety, and access to nearby amenities and services; • Varied parcel sizes and lot configurations to accommodate a diversity of housing types; • Traffic calming measures to slow traffic and promote walkability while maintaining acceptable traffic flows and emergency evacuation access; • Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the "outdoor living room"), as appropriate; and • Landscaped parkways, with sidewalks separated from the curb and designed to maximize safety, comfort, and aesthetics for all users.	**Consistent.** As described in SEIR Section 3.0, Project Description, an off-street pedestrian circulation would be available throughout the Specific Plan Area, including the Amendment Area, with an interconnected paved sidewalk system within the roadway right-of-way separated from vehicular travel lanes by a landscaped parkway. The proposed amendment to the Subarea 29 Specific Plan would involve a new land use designation of "Mixed Use Residential" for PAs 30 through 33, which would permit a variety of product types that promote higher density and more choice in floorplans. The "Mixed Residential" designation has been created to provide more attainable options for a greater range of residents as well as options for different household compositions. Permitted housing typologies within this land use designation would include Townhomes and Cluster Homes, which includes residential buildings that do not have street facing garage. Some internal private streets would allow on-street parking, which also serves as a traffic calming feature.
Policy CD2-5: *Streetscapes.* We design new and, when necessary, retrofit existing streets to improve walkability, bicycling and transit integration, strengthen connectivity, and enhance community identity through improvements to the public right-of-way such as sidewalks, street trees, parkways, curbs, street lighting and street furniture.	**Consistent.** Refer to the policy consistency analysis for CD1-4, which addresses the landscaping and street streets along roadways with the Amendment Area, and the policy consistency analysis for Policy CD2-2, which addresses sidewalks. Class II (on-street striped) bike lanes would also be constructed along Eucalyptus Avenue and Bellegrave Avenue, adjacent to the proposed Amendment Area, and a multipurpose trail would be installed along Mill Creek Avenue. A bus turnout would be installed along Haven Avenue in the northbound direction, north of Bellegrave Avenue.
Policy CD2-9: *Landscape Design.* We encourage durable, sustainable, and drought-tolerant	**Consistent.** The community landscape character for the Amendment Area would be complementary to the character

landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.	established in the adopted Subarea 29 Specific Plan. Landscaping would be subject to the same landscaping guidelines, with the addition of more drought tolerant planting options to meet current code requirements. Figure 3-15 and Figure 3-16 in SEIR Section 3.0, Project Description, depict the conceptual landscape master plan with the Amendment Area, and conceptual streetscape/paseo sections relevant to the Amendment area, respectively. Community walls and fences, outdoor lighting, mailboxes, and similar community-wide landscape elements would be subject to the same requirements as the adopted Subarea 29 Specific Plan to ensure a consistent character.
Policy CD2-11: *Entry Statements.* We encourage the inclusion of amenities, signage, and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.	**Consistent.** As shown on the Conceptual Landscape Master Plan provided in Figure 3-15 in SEIR Section 3.0, Project Description, neighborhood entries are identified throughout the Specific Plan Area, including along Eucalyptus Avenue and Mill Creek Avenue for the proposed Expansion Area. As identified in Section 7.0, Residential Design Guidelines, of the Subarea 29 Specific Plan, monumentation is required to be provided and would be designed to establish a hierarchy for entering each area of the community. At key entries a landscape and monumentation program would be utilized to help identify the community as well as convey a "welcoming" feeling for both vehicular and pedestrian traffic. Neighborhood entries and monumentation would occur on interior corner entries within the Specific Plan Area. These entries would be used to help continue the landscape character theme to the "core" of the community.

2. Ontario Municipal Code

The Ontario Zoning Map identifies that PAs 30 and 31 are zoned Specific Plan (Subarea 29 Specific Plan), and the proposed Expansion Area has an underlying zoning of SP (Specific Plan) with an AG (Agricultural) Overlay (City of Ontario, 2015). Consistent with the provisions of the OMC Section 5.01.005(E)(8), the adopted Subarea 29 Specific Plan regulates development within the current Specific Plan Area, including PAs 30 and 31. The Subarea 29 Specific Plan establishes the zoning, development, and design standards for implementing projects within the Specific Plan Area. The AG Overlay District is established to accommodate the continuation of agricultural uses within the City, on an interim basis, until such time that development is slated to occur consistent with the Policy Plan component of TOP and the underlying zoning district. The proposed amendment to the Subarea 29 Specific Plan involves including the proposed Expansion Area as part of the Subarea 29 Specific Plan Area, and future development within the proposed Amendment Area (existing PAs 30 and 31 and the Expansion Area), would be implemented in accordance with proposed Subarea 29 Specific Plan Amendment.

As described in SEIR Section 3.0, Project Description, the proposed Subarea 29 Specific Plan includes Residential Design Guidelines to guide development of the residential neighborhoods in the Amendment Area in a manner consistent with the General Plan and OMC. The applicable development standards are outlined on Figure 3-4 through Figure 3-10 in SEIR Section 3.0, Project Description. The

community character would be captured through carefully integrating architecture and landscape. The Residential Design Guidelines are intended to help ensure a high level of design quality while providing the flexibility necessary to encourage creativity. The Residential Design Guidelines are also meant to promote development which is pedestrian-oriented, interconnected, and encourages sustainable neighborhood design principles. Key elements outlined in the Residential Design Guidelines include architectural styles, massing, materials and details, home types, and landscape.

Following the approval of the proposed amendment to the Subarea 29 Specific Plan, all development proposals for individual residential neighborhoods within the Amendment Area would be subject to the Development Plan Review process pursuant to Section 4.02.025 of the City's Development Code. The City would review the proposed site plans, building design/architecture, landscape plans, etc. for consistency with the Subarea 29 Specific Plan and/or Development Code, as applicable. With adherence to the Subarea 29 Specific Plan and Development Code regulations, future development within the Amendment Area would not conflict with applicable zoning and other regulations governing scenic quality resulting in a less than significant impact.

Additional Project-Level Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact, consistent with conclusions of the 2006 EIR.

Threshold d: Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that implementation of the adopted Subarea 29 Specific Plan would introduce new sources of nighttime light and glare into the area. Spill of light onto surrounding properties and "nightglow" would be reduced by using hoods and other design features. The 2006 EIR determined that the adopted Subarea 29 Specific Plan would not result in a new source of substantial light or glare. Additionally, cumulative impacts were determined to be less than significant.

2. Project Impact Analysis

A. Light

If the Project would directly expose the Amendment Area or surrounding areas to bright lights or create unwanted light in the night sky including light trespass sky glow, or over-lighting, the Project would adversely affect day or nighttime views in the area.

1. Construction-Related Lighting

The 2006 did not address the potential impacts associated with construction-related lighting. As further discussed in EIR Section 3.5, Project Construction Characteristics, construction activities would comply with applicable provisions in OMC Section 5-29.09, which limits construction activity to any weekday between 7:00 a.m. and 6:00 p.m., or on Saturday or Sunday between the hours of 9:00 a.m. and 6:00 p.m., unless otherwise approved by the City. While the hours of construction may be limited, nighttime lighting would likely be used within the construction areas to provide security for construction equipment and construction materials. This type of temporary security lighting is often unshielded and may shine onto adjacent properties and roadways. Even though construction staging areas would be located as far as possible from existing residential uses, such security lighting may cause a significant impact in the form of a nuisance to the residents, resulting in a potentially significant impact prior to mitigation. MM 5.1-1 requires that construction staging areas be located as far as possible from existing residential uses to minimize light intrusion, and also requires that any temporary nighttime lighting that is installed be downward facing and hooded or shielded to prevent security lighting from spilling outside the staging area or from directly broadcasting security lighting into the sky or onto existing residential properties. With implementation of MM 5.1-1, potential lighting impacts during construction would be reduced to a less than significant level.

2. Operational Lighting

Although implementation of uses allowed by the proposed amendment Subarea 29 Specific Plan Amendment would introduce new development to the Amendment Area, the site is located in an area that is already subject to nighttime lighting primarily associated with surrounding residential uses, and street lights along segments of Bellegrave Avenue, Mill Creek Avenue, Haven Avenue and Eucalyptus Avenue adjacent to existing development. Additionally, "sky glow," which is the illumination of the night sky from urban uses, already occurs. With implementation of the proposed residential and school uses within the Amendment Area, lighting would be utilized for security and aesthetics. Adherence to the lighting design requirements outlined in the Subarea 29 Specific Plan and Ontario Development Code would ensure that the proposed lighting would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

B. Glare

Glare is caused by light reflections from pavement, vehicles, and building materials such as reflective glass and polished surfaces. During daylight hours, the amount of glare depends on intensity and direction of sunlight. As outlined in Section 7.4.9, Wall Finishes, of the Subarea 29 Specific Plan, exterior building materials that are expected be used for the residential uses are: stucco; exposed masonry walls; stone, brick, adobe, brick veneers (accent materials); horizontal plank siding; and, board and batten siding. Further, as outlined in Section 7.4.3, Windows, of the Subarea 29 Specific Plan, no highly reflective glazing would be used. These low- and non-reflective building materials would not result in substantial glare impacts within the Amendment Area or surrounding areas, and notably at the street level. Adherence to the Residential Design Guidelines outlined in the Subarea 29

Specific Plan, which require finishes that reduce reflection and glare, would ensure that these materials would not result in substantial light or glare that adversely affect day or nighttime views in the area.

Additional Project-Level Mitigation Measures

MM 5.1-1 Prior to the issuance of grading permits, the Property Owner/Developer shall provide evidence to the City that the contractor specifications require temporary nighttime lighting installed during construction for security or any other purpose shall be downward-facing and hooded or shielded to prevent light from spilling outside the staging area and from directly broadcasting security light into the sky or onto adjacent residential properties. Compliance with this measure shall be verified by the City during inspections of the construction site.

Level of Significance After Mitigation

Less than significant, consistent with the conclusions of the 2006 EIR.

5.1.5 Cumulative Impact Analysis

The 2006 EIR determined that impacts related to aesthetics were found not to be significant, and development pursuant to the approved Subarea 29 Specific Plan was determined to result in less than significant direct and cumulative impacts related to aesthetics.

The study area for cumulative aesthetic impacts for the Project includes areas in the same viewshed as the Project. If the projects are not visible from the same vantage point, the viewer would not perceive them at the same time, and they would not result in a cumulative change in the visual character or quality. Cumulative development in the vicinity of Amendment Area would be within Ontario Ranch and subject to the requirements of individual Specific Plans required for development in this area.

Haven Avenue, which is a major north-south street with views of the San Gabriel Mountain, extends north-south between PAs 30 and 31 and the proposed Expansion Area. Consistent with TOP Policy CD1-5, the public views available from Haven Avenue would largely be retained, and the Project's potential impacts to scenic views of the San Gabriel Mountains would be less than significant. Similarly, the views of distant mountains from other streets adjacent to the Amendment Area (Mill Creek Avenue, Eucalyptus Avenue, and Bellegrave Avenue), would also be retained. The cumulative development that would be in the same viewshed as the Project from vantage points along the adjacent roadways, including Haven Avenue, would also maintain distant mountain views, as required by the City. Further, as with the Subarea 29 Specific Plan, the City requires that Specific Plans establish requirements to ensure that view corridors are free of visual clutter and include street trees. Therefore, cumulative development also would not have a substantial adverse impact on a scenic vista, and the Project would not contribute to cumulatively significant aesthetic impact related to scenic vistas.

The Amendment Area and nearby cumulative projects within the same viewshed are not within a State scenic highway corridor and do not contain any scenic resources. Therefore, the Project would not contribute to a cumulatively significant impacts on scenic resources within a designated State scenic highway.

The Project and cumulative projects in the same viewshed are within areas zoned Specific Plan, and future development would be required to adhere to the respective development standards and design guidelines outlined in the respective specific plans, which address architecture, landscaping, walls/fences, and other elements of the physical environment. Additionally, the cumulative projects would be required to adhere to established development standards addressing scenic quality as outlined in TOP and OMC, resulting in a less than significant impact. Therefore, the Project would not result in a cumulatively considerable contribution to a significant aesthetic impact related to scenic quality.

The Project would adhere to Subarea 29 Specific Plan Residential Design Guidelines related to exterior lighting and reflective building materials and would incorporate MM 5.1-1 (to minimize light impacts during construction), and would result in less than significant light and glare impacts. Cumulative development projects with the potential to generate light and glare would be required to comply with regulations established to reduce light and glare impacts from new development, including the City's Development Code and respective regulations, and would also result in less than significant light and glare impacts. Therefore, the Project would not result in a cumulatively considerable contribution to a significant aesthetic impact related to light and glare.

5.1.6 REFERENCES

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5.2 AGRICULTURE AND FORESTRY RESOURCES

This section of the Subsequent Environmental Impact Report (SEIR) discusses the Project's potential impacts on agricultural and forestry resources. References used in preparation of this section are listed in Section 5.2.6, References.

5.2.1 EXISTING CONDITIONS

A. Agricultural Resources

According to *The Ontario Plan 2050 Final Supplemental Environmental Impact Report* (SCH No. 2021070364) (TOP 2050 Final SEIR), the City has a rich agricultural heritage. The northern portion of the City (generally north of Riverside Drive, and referred to herein as the "Old Model Colony" [OMC]) was farmed with grapes, citrus, and other fruit trees; however, limited agricultural land uses remain in this area. The southern portion of the City (referred to herein as "Ontario Ranch"), which includes the adopted Subarea 29 Specific Plan Area (referred to herein as the "Specific Plan Area") and the proposed Expansion Area, was used for dairy farms, non-commercial poultry farms, and row crops. However, with the continued transition to urban uses, the dairies have closed or relocated out of the region, resulting in a continued decline in the long-term viability of agricultural operations in Ontario Ranch (City of Ontario, 2022a).

When the 2006 EIR was prepared, the Specific Plan Area and Expansion Area were comprised of operating dairies and agricultural uses. With the exception of the planned uses in Planning Area (PA) 2 (commercial), and PAs 30 and 31 (197 residential units), the previously approved Subarea 29 Specific Plan uses are constructed/occupied or under construction. Approved residential units in PA 1, PA 27, PA 28 and PA 29 (734 units) are under construction; the elementary school in PA 18 opened in Fall 2022. Therefore, the transition from previous dairy and agricultural uses anticipated in the 2006 EIR is occurring.

According to the City's Zoning Map (City of Ontario, 2022b), PAs 30 and 31 are zoned Specific Plan (Subarea 29 Specific Plan) and the proposed Expansion Area is zoned SP (Specific Plan) with an AG (Agricultural) Overlay. It should be noted that the AG Overlay is only on the Expansion Area. The AG Overlay zone is established to accommodate the continuation of agricultural uses within the City, on an interim basis, until such time that development is slated to occur consistent with the Policy Plan component of The Ontario Plan (TOP) 2050 and the underlying zoning district. The intent of the AG Overlay is to permit continued agricultural use of properties or to establish general agricultural uses, including dairies, which are appropriate for areas of concentrated agricultural use (City of Ontario, 2021).

When the 2006 EIR was prepared there were various parcels within the Specific Plan Area, and within the proposed Expansion Area under active Williamson Act Contracts, and parcels for which a Notice of Non-Renewal had been filed. Based on the City's current Status of Williamson Act Contracts map, there are no parcels within either PAs 30 and 31 and the Expansion Area under an active Williamson Act Contract (City of Ontario, 2018).

Existing uses within PAs 30 and 31 include dairy farming and agriculture uses, and farm structures that supported previous agricultural activities. The western portion of the proposed Expansion Area is currently being used for agricultural activities associated with row crops. The remainder of the site is disturbed by previous uses (dairy farm, truck storage, etc.), and/or covered by non-native vegetation. The land north of the Amendment Area supports agricultural uses such as dairies, stockyards, row crops and nurseries. There are existing residential uses and residential uses under construction east, south, and west of the Amendment Area.

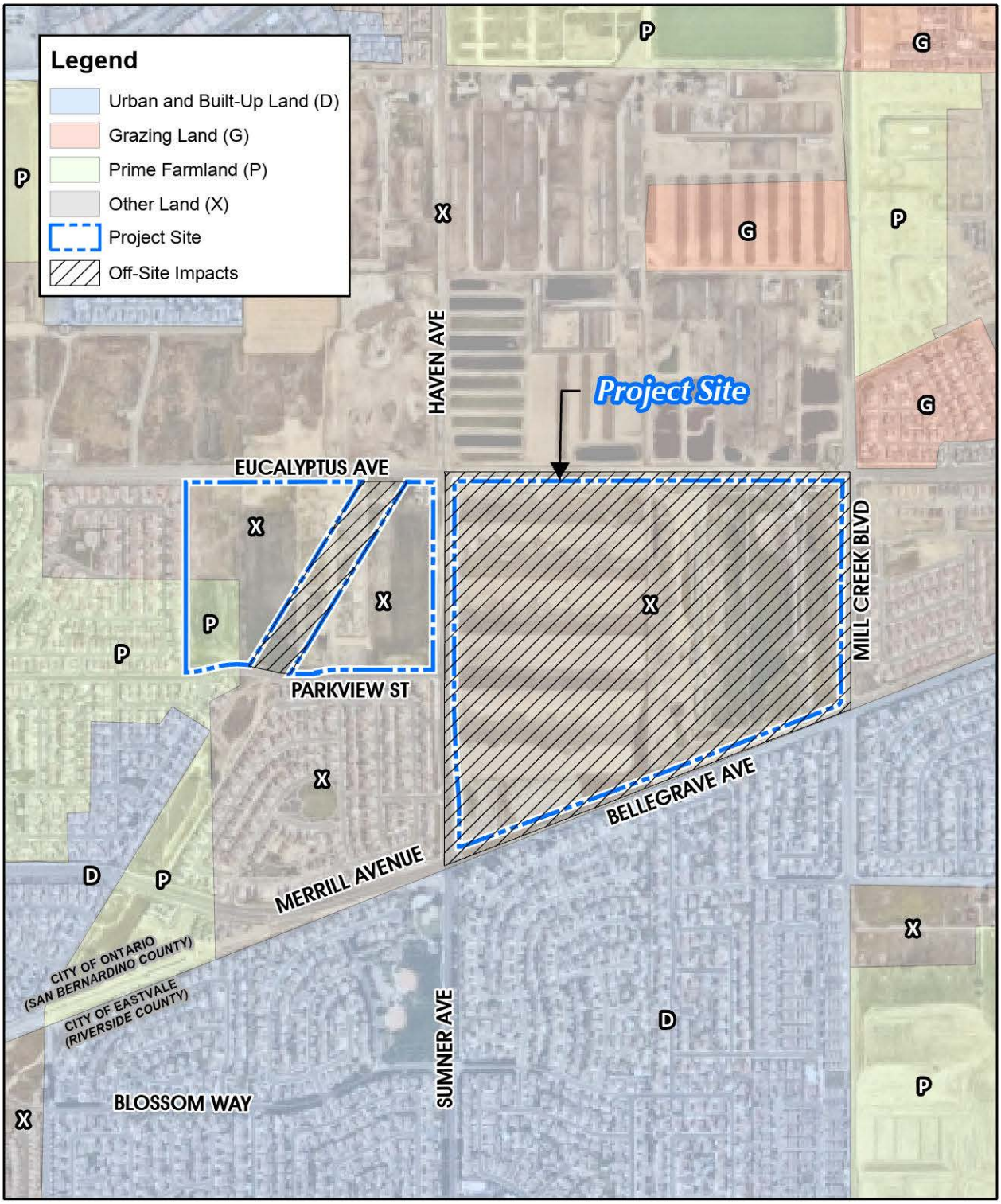
B. Farmland Mapping and Monitoring Program

According to the California Department of Conservation (DOC) California Important Farmland Finder, and as shown on Figure 5.2-1, Farmland Classifications, the majority of the Amendment Area and off-site improvement areas are identified as "Other Land." The DOC "Other Land" classification includes land not included in any other mapping category and include uses such as low-density rural development; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry, or aquaculture facilities; strip mines/borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded by urban development and greater than 40 acres is mapped as "Other Land."

The only portion of the Amendment Area that is not designated "Other Land" is the southwest portion of PA 30 (approximately 4.7 acres), which is identified as "Prime Farmland." The DOC "Prime Farmland" classification includes irrigated land with the best combination of physical and chemical features able to sustain long-term production of agricultural crops. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. For lands to be classified as "Prime Farmland," lands must have been used for production of irrigated crops at some time during the four years prior to the mapping date (2018) (DOC, 2018). The *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009), certified by the City in October 2006 (2006 EIR) also identified Prime Farmland in the Specific Plan area. Consistent with the Farmland mapping shown on Figure 5.2-1, TOP 2050 SEIR also identifies "Other Land" within the Expansion Area and PA 31, and "Other Land" and "Prime Farmland" within PA 30.

C. Soils

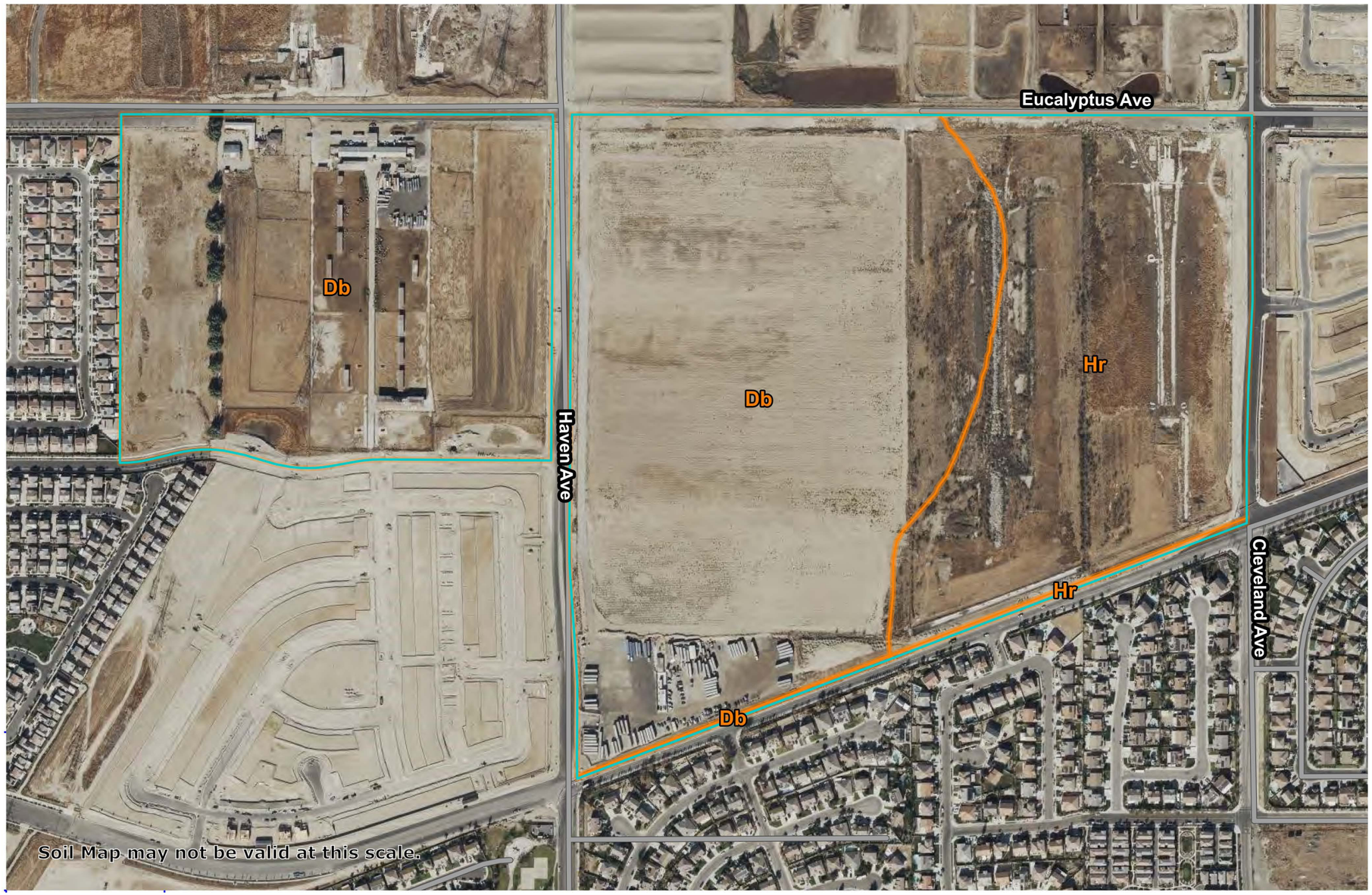
As shown in Figure 5.2-2, Soils Map, PAs 30 and 31 contain the Delhi fine sand (Db) soil map unit. The Db soil map unit within the San Bernardino County Southwestern Part mapping area of the United States Department of Agriculture (USDA) soils map is classified as IVe under non-irrigated conditions and IIIe under irrigated conditions. The proposed Expansion Area contains the Db and Hilmar loamy fine sand (Hr) soil map units. The Hr soil map unit within the San Bernardino County Southwestern Park mapping area of the USDA soils map is classified as IVw under non-irrigated conditions; there is no classification for this soil map unit under irrigated conditions. The soil map units Db and Hr within the Western Riverside Area mapping area of the USDA soils map are classified as IVe and IIIs, respectively, under non-irrigated conditions, and are classified as IIIe and IIe, respectively, under irrigated conditions (USDA, 2022).



Source(s): ESRI, RCTLMA (2021), SCAG (2021), SB County (2020), FMMP (2018)

Figure 5.2-1

Farmland Classifications



Source(s): VCS Environmental (November 2022)

Figure 5.2-2

Not to Scale

Soils Map

Class III soils have severe limitations that reduce the choice of plants or require special conservation practices or both. Class IV soils have very severe limitations that restrict the choice of plants or require very careful management, or both. Subclass "e" is made up of soils for which the susceptibility for erosion is the dominant problem or hazard affecting their use. Erosion susceptibility and past erosion damage are the major soil factors that affect the soils in the e subclass. Subclass "s" is made up of soils that have soil limitations within the rooting zone, such as shallowness of the rooting zone, stones, low moisture-holding capacity, low fertility that is difficult to correct, and salinity or sodium content. Subclass w is made up of soils for which excess water is the dominant hazard or limitation affecting their use. Poor soil drainage, wetness, a highwater table, and overflow are the factors that affect soils in this subclass (USDA, 1997). Thus, the soils types contained within the Amendment Area have severe limitations related to agricultural production.

D. Forestland

The City contains no forest land or timberland that could fall under the definition of forest land per California Public Resource Code Section 12220(g), and there are no areas within the City, including within the Amendment Area, that are zoned forestland (City of Ontario, 2022b).

5.2.2 Regulatory Background

Section III.1, Agriculture and Forestry Resources, of the 2006 EIR provides a discussion of the regulatory and planning framework for the analysis of impacts on agricultural resources, including the 1965 California Land Conservation Act (Williamson Act), and the DOC Farmland Mapping and Monitoring Program. The Williamson Act remains in effect; however, it is no longer applicable to the Amendment Area as there are no parcels currently subject to a Williamson Act Contract. Provided below is a brief description of the state and local regulations related to agriculture and agricultural-resources that are applicable to the Project.

A. State

1. Farmland Mapping and Monitoring Program (FMMP)

The FMMP is a non-regulatory program administered by the DOC's Division of Land Resource Protection. It provides a consistent and impartial analysis of agricultural land use and land use changes throughout California. The FMMP provides land use conversion information for decision makers to use in their planning for present and future use of California's agricultural land resources. Government Code Section 65570 mandates FMMP to biennially report to the Legislature on the conversion of farmland and grazing land, and to provide maps and data to local government and the public. Land use and soil data are combined to create Important Farmland Maps.

The FMMP divides the state's land into seven categories based on soil quality and existing agricultural uses to produce maps and statistical data. These are used to help preserve productive farmland and to analyze impacts on farmland. While the categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land represent agricultural land, the remaining categories are used for reporting changes in land use as required for FMMP's

biennial farmland conversion report. The FMMP mapping categories are classified as follows (DOC, 2019):

- **Prime Farmland (P)**: Farmland with the best combination of physical and chemical features able to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- **Farmland of Statewide Importance (S)**: Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- **Unique Farmland (U)**: Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.
- **Farmland of Local Importance (L)**: Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.
- **Grazing Land (G)**: Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.
- **Urban and Built-Up Land (D)**: Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.
- **Other Land (X)**: Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry, or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

B. Local

1. The Ontario Plan 2050

TOP 2050 Environmental Resources Element contains the following policies, which pertain to existing farms and improving the transition of farms to urban uses:

- **Policy ER5-3**: *Right to Farm*. We support the right of existing farms to continue their operations within Ontario Ranch.
- **Policy ER5-4:** *Transition of Farms.* We protect both existing farms and sensitive uses around them as agricultural areas transition to urban uses.

It should be noted that TOP EIR certified by the City in 2010 determined that the implementation of TOP 2010 would result in significant and unavoidable impacts with respect to the conversion of Farmland. TOP 2010 EIR analyzed the conversion of all the then-existing land designated as Prime Farmland, Unique Farmland, and Farmland of Statewide Importance to residential, commercial, mixed-use, and industrial uses. TOP 2010 EIR identified that mitigation measures are infeasible to reduce this impact to a less than significant level. Currently, the City's land use map does not identify lands designated for agricultural uses; thus, TOP 2050 SEIR determined that TOP 2050 would not convert any additional Farmland to non-agricultural use.

2. City of Ontario Development Code

The City of Ontario Development Code contains regulations regarding agricultural preservation including:

- **Development Code Section 6.01.035(C)(1), AG (Agricultural) Overlay District**, is provided to accommodate the continuation of agricultural uses within the City, on an interim basis, until such time that the Overlay District is developed consistent with the goals and policies of TOP. The transition of the AG Overlay District will be gradual, requiring the establishment of regulations intended to guide agricultural-related development activities for the interim period. It is the intent of the AG Overlay District to allow for the continuation of agricultural uses and related support uses as defined in the Development Code. The AG Overlay District is further intended to protect vital agricultural uses by limiting land use activity to those uses which are compatible and supportive of agriculture and related uses, and/or their products. New construction, except for agricultural uses or agricultural-related activities, and single-family homes and building ancillary thereto, shall first require the adoption of a Specific Plan pursuant to Section 4.01.035 (Specific Plans and Amendments) of the Development Code, which prescribes the allowed land uses, development regulations and guidelines, and sign regulations applicable to a project.

5.2.3 Basis for Determining Significance

A. Agricultural resources

The City of Ontario evaluates impacts to agriculture and forestry resources based on thresholds of significance included in Appendix G of the CEQA Guidelines. A significant impact related to agriculture and forestry would occur if the Project would:

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.

5.2.4 Environmental Impact Analysis and Mitigation

A. Applicable 2006 EIR Mitigation Measures

The following MMs from the 2006 EIR Mitigation Monitoring Program (MMP) are applicable to and are incorporated into the Project.

MM Ag 1 In order to minimize conflicts between urban and agricultural land uses, each Specific Plan developed for properties within the NMC must comply with the Agricultural Overlay District requirements for urban development in proximity to existing agricultural operations. The proposed project shall establish a minimum 100-foot separation between active agricultural operations and new, non-agricultural development, or an equivalent easement that is approved by the City of Ontario.

MM Ag 2 In order to minimize conflicts between urban and agricultural land uses, all residential units in the Subarea 29 Specific Plan shall be provided with a deed disclosure, or similar notice, approved by the City Attorney, regarding the proximity and nature, including odors, of neighboring agricultural uses.

Threshold a: Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

1. Summary of Previous Environmental Analysis

The 2006 EIR identified that implementation of the Subarea 29 Specific Plan would convert approximately 248 acres of Prime Farmland to non-agricultural uses and would contribute to the loss

of Prime Farmland in the New Model Colony (now referred to as "Ontario Ranch"). The 2006 EIR concluded that development pursuant to the Subarea 29 Specific Plan would result in significant and unavoidable impacts on agricultural resources due to the lack of feasible on- or off-site mitigation to reduce this impact to a less than significant level. In summary, it was concluded that if a portion of the Specific Plan area was maintained in agriculture, in the long-term it would become economically unviable, and environmental factors and regulations are also causing the decline in the viability of agriculture within the Chino Basin (i.e., stricter air quality and water quality regulations). With the decline in the long-term economic viability of agriculture in the Chino Basin, if this approach were taken in Ontario Ranch, easements for all prime Farmland soils lost (about 2,952 acres) would have to be acquired elsewhere. Therefore, cumulatively, it was found not feasible to preserve or mitigate agricultural uses in the Specific Plan. In addition, preserving agriculture within Ontario Ranch would impede the City of Ontario from achieving General Plan goals and objectives for housing. Therefore, City-wide farmland preservation was considered infeasible as mitigation for the loss of Prime Farmland agricultural uses resulting from implementation of the adopted Subarea 29 Specific Plan.

The 2006 EIR concluded that project and cumulative impacts associated with the loss of agricultural resources and Prime Farmland would be significant and unavoidable, and a Statement of Overriding Considerations was adopted.

This is consistent with the TOP 2010 EIR determination that Citywide agricultural impacts were significant and unavoidable. It should be noted that TOP 2050 EIR determined that the implementation of TOP 2050 would not result in any new or more significant impacts related to the direct conversion of Farmland than what was identified in TOP 2010 EIR.

2. Project Impact Analysis

PAs 30 and 31

As shown on Figure 5.2-1, Farmland Classifications, the southwest portion of PA 30 and the associated off-site impact area, which are part of the adopted Specific Plan area, are currently classified as Prime Farmland by the DOC. The remainder of PAs 30 and 31, the Expansion Area and associated off-site improvement areas (including the Southern California Edison [SCE] easement that bisects these PAs), are identified as "Other Land" by the DOC. The loss of approximately 4.7 acres Prime Farmland is considered a significant impact, consistent with the loss of Prime Farmland associated with the development of the adopted Subarea 29 Specific Plan, which includes PA 30, addressed in Section III.1, Agricultural Resources, of the 2006 EIR. In the 2006 EIR, the impact was determined to be significant and unavoidable. Consistent with the 2006 EIR, mitigation to reduce impacts to less than significant levels remain infeasible. As such, the Project's impact on Prime Farmland within PA 30 remains significant and unavoidable, consistent with the findings in the 2006 EIR. Implementation of the proposed development in PAs 30 and 31 would not result in any new or more severe impacts to agricultural resources than previously disclosed in the 2006 EIR.

Proposed Expansion Area

The proposed Expansion Area (proposed new PAs 32 through 34) does not contain any land mapped by the DOC as Farmland (Prime Farmland, Unique Farmland, or Farmland of Statewide Importance). As previously identified, the proposed Expansion Area is identified as "Other Land" by the DOC. Additionally, the Expansion area consists of Class IV and III soils, which have limitations relative to agricultural production, as explained above. Therefore, the implementation of the Project within the proposed Expansion Area would not convert Farmland to non-agricultural uses and no impacts would occur. Implementation of development in the proposed Expansion Area would not result in any new or more severe impacts on agricultural resources than previously disclosed in the 2006 EIR.

Additional Project-Level Mitigation Measures

There are no feasible additional Project-level mitigation measures available for the loss of Prime Farmland.

Level of Significance After Mitigation

This impact would remain significant and unavoidable, consistent with the 2006 EIR and TOP 2010 EIR. A Statement of Overriding Considerations was adopted by the Ontario City Council to address significant and unavoidable Farmland impacts in both the 2006 EIR and the TOP 2010 EIR.

Threshold b: Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?

1. Summary of Previous Environmental Analysis

The 2006 EIR identified that the Subarea 29 Specific Plan area is in an area of the City that is transitioning from agricultural uses to other uses, which was determined to be consistent with the land use designations found in the Ontario and Riverside County General Plans adopted at the time the 2006 EIR was prepared. The 2006 EIR concluded that the Subarea 29 Specific Plan would result in no impacts related to conflicts with existing zoning for agricultural land use. Additionally, cumulative impacts were determined to be less than significant.

The 2006 EIR also identified that development pursuant to the Subarea 29 Specific Plan would result in the cancellation of all or some active Williamson Act contracts and convert agricultural land to non-agricultural uses. The 2006 EIR concluded that development pursuant to the Subarea 29 Specific Plan would result in significant impacts on agricultural land uses. Mitigation measures (MM) Ag 1 and Ag 2 were incorporated to minimize conflicts between urban and agricultural uses; however, and the cancellation of Williamson Act contracts and loss of agricultural uses was determined to be significant and unavoidable. Additionally, cumulative impacts were determined to be significant and unavoidable. A Statement of Overriding Considerations was adopted by the City for these significant and unavoidable impacts in both the 2006 EIR and the TOP 2010 EIR.

2. *Project Impact Analysis*

PAs 30 and 31

As previously discussed, PAs 30 and 31 are within the existing Subarea 29 Specific Plan Area and are zoned Specific Plan (Subarea 29 Specific Plan). As with the adopted Subarea 29 Specific Plan, development of PAs 30 and 31 as part of the Project would result in no conflicts with existing zoning and no impacts would occur. Notwithstanding, MM Ag 1 and MM Ag 2 remain applicable to development in PAs 30 ad 31 to minimize conflicts between urban and agricultural land uses.

As identified previously, PAs 30 and 31 are not subject to an existing Williamson Act Contract; therefore, no conflicts with a Williamson Act Contract would occur.

Proposed Expansion Area

Currently, the proposed Expansion Area is zoned Specific Plan with an AG Overlay, which accommodates the continuation of agricultural uses within the City, on an interim basis, until such time that the Overlay District is developed consistent with the goals and policies of TOP. According to Development Code Section 6.01.035(C)(1), AG (Agricultural) Overlay District, the Specific Plan zoning with an AG Overlay District requires that each project address the appropriate transition of the area from agricultural uses and include provisions for buffering the proposed uses to protect agricultural and urban uses. As with the uses within the existing Subarea 29 Specific Plan Area, development within the Expansion Area would be required to comply with provisions in Development Code Section 6.01.035(C)(1), which address separation requirements for new development, and include a minimum 100-foot separation between these uses and existing dairies/feed lots, as required by 2006 EIR MM Ag 1. Further, in order to minimize conflicts between the proposed residential uses within the Expansion Area and agricultural land uses, and as required by 2006 EIR Ag 2, residential units would be provided with a deed disclosure, or similar notice, regarding the proximity and nature, including odors, of neighboring agricultural uses. Therefore, implementation of the proposed uses within the Expansion Area would not conflict with the existing AG Overlay District zoning, and no impact would occur, consistent with the conclusion of the 2006 EIR.

As identified previously, the Expansion Area is not subject to an existing Williamson Act Contract; therefore, no conflicts with a Williamson Act Contract would occur.

In summary, implementation of the Project would not result in any new or more severe impacts on agricultural resources than previously disclosed in the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

No impact would occur due to a conflict with existing zoning, consistent with the conclusion of the 2006 EIR.

Although the 2006 EIR concluded the cancelation of Williamson Act Contracts would result in a significant and unavoidable impact, there are no existing Williamson Act Contracts associated with the Amendment Area. Therefore, no impact would result from the Project.

Threshold c:	***Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?***
Threshold d:	***Would the Project result in the loss of forest land or conversion of forest land to non-forest use***

1. Summary of Previous Environmental Analysis

At the time the 2006 EIR was prepared, impacts to forest land or timberland were not included in the CEQA Guidelines Appendix G checklist. Therefore, the 2006 EIR did not address impacts related to forest or timberlands. Notwithstanding, no such resources were present within the Specific Plan area when the 2006 EIR was prepared.

2. Project Impact Analysis

There are no land use designations or zoning for forest land, timberland, or timberland zoned Timberland Production in the City. Thus, the Project would not conflict with existing zoning for forest land, timberland, or timberland zoned Timberland Production. Additionally, the Project would not result in loss or conversion of timberland to non-forest uses. No impacts would occur.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

No impact.

Threshold e: ***Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?***

1. Summary of Previous Environmental Analysis

The 2006 EIR identified that in addition to the direct conversion of agricultural land to non-agricultural uses, the Subarea 29 Specific Plan included on- and off-site roads, water supply, and sewer infrastructure that supported increased future development in the area that would promote the conversion of agricultural uses to non-agricultural use. This would include development of the Expansion Area, which is adjacent to the existing Specific Plan Area addressed in the 2006 EIR. The 2006 EIR concluded that this impact was significant, consistent with the conclusion of the Final EIR prepared for the New Model Colony.

At the time the 2006 EIR was prepared, impacts to forest land were not included in the CEQA Guidelines Appendix G checklist. Therefore, the 2006 EIR did not address impacts related to the conversion of forest land to non-forest uses. Notwithstanding, no such resources were present within the Specific Plan Area when the 2006 EIR was prepared.

2. Project Impact Analysis

Farmland

The direct conversion of Prime Farmland within PA 30 to non-agricultural uses is discussed above under Threshold "a." The areas to the west, south and east of the Amendment Area are developed or under construction, including areas mapped as Prime Farmland; therefore, the Project would not result in the conversion of these areas to non-agricultural uses.

There are existing agricultural uses north of the Amendment Area; however, these areas are mapped as "Other Land" consistent with the Amendment Area (not Farmland), and are also zoned Specific Plan pursuant to adopted specific plans, or Specific Plan with an AG Overlay District. Notwithstanding, MM Ag 1 and MM Ag 2 remain applicable to development in the Amendment Area to minimize conflicts between urban and agricultural land uses. The conversion of Farmland and agricultural uses to non-agricultural uses is consistent with City's TOP policies and Development Code regulations, and was previously addressed in the City's General Plan EIRs and the 2006 EIR, as was the conversion of the Expansion Area to non-agricultural uses.

The Project would not involve the installation of any roadways, or infrastructure beyond that necessary to serve the proposed uses, and would not result in the conversion of Farmland to non-agricultural uses, beyond the direct conversion of Farmland within the Amendment Area as discussed previously. The Project does not include any other components that would change the existing environment, due to location or nature, that would result in the city conversion of Farmland to non-agricultural use. As such, there would be no impact related to the conversion of off-site Farmland and agricultural uses in proximity to the Amendment Area to non-agricultural uses. Implementation of the Project would not

result in any new or more severe impacts to agricultural resources than previously disclosed in the 2006 EIR.

Forest Land

As discussed under Thresholds "c" and "d," above, the City does not have any land designated as forest land. Therefore, the Project would not result in the conversion of forest land to non-forest use. No impacts would occur.

Additional Project-Level Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

The Project does not include components that would involve other changes in the existing environment which, due to their location or nature, could result in conversion of off-site Farmland to non-agricultural use. No impact would result.

No impact related to the conversion of forest land to non-forest uses would occur.

5.2.5 Cumulative Impact Analysis

This cumulative impact analysis for agriculture and forestry resources considered development of the Amendment Area in conjunction with other development projects and planned development pursuant to the City's adopted TOP Policy Plan.

The Project would contribute to the loss of Prime Farmland in the City, consistent with the determination identified in the 2006 EIR and TOP 2010 EIR. Important Farmland in the City has continually declined and all of the Prime Farmland in the southern area of Ontario is planned for development as identified in TOP 2050. Continued conversion of Prime Farmland to urban uses would substantially reduce overall agricultural productivity in the City. Although the proposed conversion is consistent with the projected decline in agricultural productivity of the region, and the City (including PA 30), the Project would result in a significant direct and cumulatively considerable impact related to the conversion of Farmland to non-agricultural uses, consistent with the conclusion of the TOP 2010 EIR and 2006 EIR.

The Project would not conflict with existing zoning for agricultural use nor contribute to a cumulative impact to agriculturally zoned properties. The Project site and adjacent sites are not under a Williamson Act contract and therefore, would not contribute to a cumulatively significant impact to Williamson Act lands. There are existing agricultural uses north of the Amendment Area; however, these areas are mapped as "Other Land" consistent with the Amendment Area (not Farmland), and are also zoned Specific Plan pursuant to adopted specific plans, or Specific Plan with an AG Overlay District. These

lands are already planned to be converted to non-agricultural uses and the Project would not cause a cumulative impact related to conflict with existing zoning for agricultural uses, or other changes in the environment that could result in conversion of Farmland to non-agricultural uses.

There are no forest lands, timberlands, or Timberland Production zones within the Project site or in the City, nor are any lands in the City under active production as forest land. Therefore, cumulatively significant impacts to forest land would not occur and the Project not contribute to a cumulatively significant impact related to the loss of these lands.

5.2.6 REFERENCES

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5.3 AIR QUALITY

This section is based on the following technical studies:

- *Subarea 29 Specific Plan Amendment Air Quality Impact Analysis* (AQIA), dated April 28, 2023 (Urban Crossroads, 2023a), and prepared by Urban Crossroads, Inc. (Urban Crossroads), to evaluate the potential for Project-related construction and operational activities to result in adverse effects on local and regional air quality. This technical study is included as *Technical Appendix B1* of this Subsequent Environmental Impact Report (SEIR).

- *Subarea 29 Specific Plan Amendment Construction Health Risk Assessment*, dated March 27, 2023 (Urban Crossroads, 2023b), and prepared by Urban Crossroads to evaluate the potential health risk impacts to sensitive receptors associated with exposure to Toxic Air Contaminants (TACs) during construction. This technical study is included as *Technical Appendix B2* of this SEIR.

5.3.1 EXISTING CONDITIONS

A. Atmospheric Setting

The Subarea 29 Specific Plan Amendment Area (referred to herein as the "Amendment Area") is located in the South Coast Air District (SoCAB) within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SoCAB encompasses a 6,745-square mile subregion of the SCAQMD that includes non-desert portions of Los Angeles, Riverside, and San Bernadino Counties, as well as all of Orange County. The SoCAB is bordered by the Pacific Ocean to the west, and the San Gabriel, San Jacinto, and San Bernadino Mountains to the north and east, and includes all of Orange County as well as the non-desert portions of San Bernardino, Los Angeles, and Riverside Counties.

B. Regional Climate

The regional climate – temperature, wind, humidity, precipitation, and the amount of sunshine – has a substantial influence on air quality. The annual average temperatures throughout the SoCAB vary from the low to middle 60 degrees Fahrenheit (°F). Due to decreased marine influence on inland climate, the eastern portion of SoCAB experiences greater variability in average annual minimum and maximum temperatures. January is the coldest month throughout the SoCAB region, with average minimum temperatures of 47°F in downtown Los Angeles and 36°F in San Bernadino. All areas within the SoCAB have recorded maximum temperatures above 100°F.

Although the climate of the SoCAB can be characterized as semi-arid, the air near the land surface is relatively moist due to the presence of a marine layer. The annual average relative humidity within the SoCAB is 71 percent along the coast and 59 percent inland. The shallow layer of sea air is an important modifier of SoCAB climate; humidity restricts visibility, and the conversion of sulfur dioxide (SO_2) to sulfates (SO_4) is heightened in air with relative humidity. The marine layer provides an environment for this conversion process, especially during the spring and summer months. Since the ocean effect is

dominant, periods of heavy early morning fog are frequent and low stratus clouds are a characteristic feature. These effects decrease with distance from the coast.

Over 90 percent of the SoCAB's rainfall occurs from November to April, with annual average rainfall varying from approximately nine inches in Riverside to 14 inches in Los Angeles. Monthly and yearly rainfall totals are extremely variable. Summer rainfall usually consists of widely scattered thunderstorms near the coast and slightly heavier shower activity in the eastern portion of the SoCAB with frequency being higher near the coast.

Due to the generally clear weather within the SoCAB, about three-quarters of available sunshine is received in the So CAB. The remaining one-quarter of available sunshine is absorbed by clouds. The abundant amount of sunshine (and its associated ultraviolet radiation).is a key factor in photochemical reactions of air pollutants in the SoCAB.

The importance of wind to air pollution is considerable. The direction and speed of the wind determines the horizontal dispersion and transport of the air pollutants. During the late autumn to early spring season, the SoCAB is subjected to wind flows associated with the traveling storms moving through the region from the northwest. This period also brings five to 10 periods of strong, dry offshore winds, locally termed "Santa Anas" each year. During the dry season, which coincides with the months of maximum photochemical smog concentrations, the wind flow is bimodal, typified by a daytime onshore sea breeze and a nighttime offshore drainage wind. Summer wind flows are created by the pressure differences between the relatively cold ocean and the unevenly heated and cooled land surfaces that modify the general northwesterly wind circulation over southern California. Nighttime drainage begins with the radiational cooling of the mountain slopes. During the nighttime, heavy, cool air descends the slopes and flows through the mountain passes and canyons as it follows the lowering terrain toward the ocean. Another characteristic wind regime in the SoCAB is the "Catalina Eddy," a low-level cyclonic flow centered over Santa Catalina Island which results in an offshore flow to the southwest. On most spring and summer days, some indication of an eddy is apparent in coastal sections.

Two distinct temperature inversion structures control vertical mixing within the SoCAB. The first inversion type forms during the summer when warm high-pressure descending air is undercut by a shallow layer of cool marine air. The boundary between these two layers of air is a persistent marine subsidence/inversion. This boundary prevents vertical mixing which effectively acts as an impervious lid to pollutants over the entire SoCAB region. The mixing height for the inversion structure is normally situated 1,000 to 1,500 feet above mean sea level (amsl). The second inversion type forms in conjunction with the drainage of cool air off the surrounding mountains at night. This pool of cool air then drifts towards the ocean. The top of this layer forms a sharp boundary with the existing warmer air and creates nocturnal radiation inversions. These inversions occur primarily in the winter when nights are longer and onshore flow is weakest. They are typically only a few hundred feet above mean sea level. These inversions effectively trap pollutants, such as NO_X and CO from vehicles, as the pool of cool air drifts seaward. Winter is therefore a period of high levels of primary pollutants along the coastline.

C. Air Quality Pollutants and Associated Human Health Effects

Criteria pollutants are pollutants that are regulated through the development of human health-based and/or environmentally-based criteria for setting permissible levels. Criteria pollutants, their typical sources, and health effects are identified below in Table 5.3-1, *Criteria Pollutants*.

Table 5.3-1 Criteria Pollutants

Criteria Pollutant	Description	Sources	Health Effects
Carbon Monoxide (CO)	CO is a colorless, odorless gas produced by the incomplete combustion of carbon-containing fuels, such as gasoline or wood. CO concentrations tend to be the highest during the winter morning, when little to no wind and surface-based inversions trap the pollutant at ground levels. Because CO is emitted directly from internal combustion engines, unlike ozone (O_3), motor vehicles operating at slow speeds are the primary source of CO in the SoCAB. The highest ambient CO concentrations are generally found near congested transportation corridors and intersections.	Any source that burns fuel such as automobiles, trucks, heavy construction equipment, farming equipment and residential heating.	Individuals with a deficient blood supply to the heart are the most susceptible to the adverse effects of CO exposure. The effects observed include earlier onset of chest pain with exercise, and electrocardiograph changes indicative of decreased oxygen (O_2) supply to the heart. Inhaled CO has no direct toxic effect on the lungs but exerts its effect on tissues by interfering with O_2 transport and competing with O_2 to combine with hemoglobin present in the blood to form carboxyhemoglobin (COHb). Hence, conditions with an increased demand for O_2 supply can be adversely affected by exposure to CO. Individuals most at risk include fetuses, patients with diseases involving heart and blood vessels, and patients with chronic hypoxemia (O_2 deficiency) as seen at high altitudes.
Sulfur Dioxide (SO_2)	SO_2 is a colorless, extremely irritating gas or liquid. It enters the atmosphere as a pollutant mainly as a result of burning high sulfur-content fuel oils and coal and from chemical processes occurring at chemical plants and refineries. When SO_2 oxidizes in the atmosphere, it forms SO_4. Collectively, these pollutants are referred to as sulfur oxides (SO_X).	Coal or oil burning power plants and industries, refineries, diesel engines	A few minutes of exposure to low levels of SO_2 can result in airway constriction in some asthmatics, all of whom are sensitive to its effects. In asthmatics, increase in resistance to air flow, as well as reduction in breathing capacity leading to severe breathing difficulties, are observed after acute exposure to SO_2. In contrast, healthy individuals do not exhibit similar acute responses even after exposure to higher concentrations of SO_2. Animal studies suggest that despite SO_2 being a respiratory irritant, it does not cause substantial lung injury at ambient concentrations. However, very high levels of exposure can cause lung

Table 5.3-1 Criteria Pollutants

Criteria Pollutant	Description	Sources	Health Effects
			edema (fluid accumulation), lung tissue damage, and sloughing off of cells lining the respiratory tract. Some population-based studies indicate that the mortality and morbidity effects associated with fine particles show a similar association with ambient SO_2 levels. In these studies, efforts to separate the effects of SO_2 from those of fine particles have not been successful. It is not clear whether the two pollutants act synergistically, or one pollutant alone is the predominant factor.
Nitrogen Oxides (NO_X)	NO_X consist of nitric oxide (NO), nitrogen dioxide (NO_2) and nitrous oxide (N_2O) and are formed when nitrogen (N_2) combines with O_2. Their lifespan in the atmosphere ranges from one to seven days for nitric oxide and nitrogen dioxide, to 170 years for nitrous oxide. NO_X is typically created during combustion processes and are major contributors to smog formation and acid deposition. NO_2 is a criteria air pollutant and may result in numerous adverse health effects; it absorbs blue light, resulting in a brownish-red cast to the atmosphere and reduced visibility. Of the seven types of NO_X compounds, NO_2 is the most abundant in the atmosphere. As ambient concentrations of NO_2 are related to traffic density, commuters in heavy traffic may be exposed to higher concentrations of NO_2 than those indicated by regional monitoring station.	Any source that burns fuel such as automobiles, trucks, heavy construction equipment, farming equipment and residential heating.	Population-based studies suggest that an increase in acute respiratory illness, including infections and respiratory symptoms in children (not infants), is associated with long-term exposure to NO_2 at levels found in homes with gas stoves, which are higher than ambient levels found in Southern California. Increase in resistance to air flow and airway contraction is observed after short-term exposure to NO_2 in healthy subjects. Larger decreases in lung functions are observed in individuals with asthma or chronic obstructive pulmonary disease (e.g., chronic bronchitis, emphysema) than in healthy individuals, indicating a greater susceptibility of these sub-groups. In animals, exposure to levels of NO_2 considerably higher than ambient concentrations result in increased susceptibility to infections, possibly due to the observed changes in cells involved in maintaining immune functions. The severity of lung tissue damage associated with high levels of O_3 exposure increases when animals are exposed to a combination of O_3 and NO_2.

Table 5.3-1 Criteria Pollutants

Criteria Pollutant	Description	Sources	Health Effects
Ozone (O_3)	O_3 is a highly reactive and unstable gas that is formed when VOCs and NO_X, both byproducts of internal combustion engine exhaust, undergo slow photochemical reactions in the presence of sunlight. O_3 concentrations are generally highest during the summer months when direct sunlight, light wind, and warm temperature conditions are favorable to the formation of this pollutant.	Formed when reactive organic gases (ROG) and NO_X react in the presence of sunlight. ROG sources include any source that burns fuels, (e.g., gasoline, natural gas, wood, oil) solvents, petroleum processing and storage and pesticides.	Individuals exercising outdoors, children, and people with preexisting lung disease, such as asthma and chronic pulmonary lung disease, are considered to be the most susceptible sub-groups for O_3 effects. Short-term exposure (lasting for a few hours) to O_3 at levels typically observed in Southern California can result in breathing pattern changes, reduction of breathing capacity, increased susceptibility to infections, inflammation of the lung tissue, and some immunological changes. Elevated O_3 levels are associated with increased school absences. In recent years, a correlation between elevated ambient O_3 levels and increases in daily hospital admission rates, as well as mortality, has also been reported. An increased risk for asthma has been found in children who participate in multiple outdoor sports and reside in communities with high O_3 levels. O_3 exposure under exercising conditions is known to increase the severity of the responses described above. Animal studies suggest that exposure to a combination of pollutants that includes O_3 may be more toxic than exposure to O_3 alone. Although lung volume and resistance changes observed after a single exposure diminish with repeated exposures, biochemical and cellular changes appear to persist, which can lead to subsequent lung structural changes.
Particulate Matter (PM)	PM_{10}: A major air pollutant consisting of tiny solid or liquid particles of soot, dust, smoke, fumes, and aerosols. Particulate matter pollution is a major cause of reduce visibility (haze) which is caused by the scattering of light and	Sources of PM_{10} include road dust, windblown dust and construction. Also formed from other	A consistent correlation between elevated ambient fine particulate matter (PM_{10} and $PM_{2.5}$) levels and an increase in mortality rates, respiratory infections, number and severity of asthma attacks and the number of hospital admissions has been observed

Table 5.3-1 Criteria Pollutants

Criteria Pollutant	Description	Sources	Health Effects
	consequently the significant reduction air clarity. The size of the particles (10 microns or smaller, about 0.0004 inches or less) allows them to easily enter the lungs where they may be deposited, resulting in adverse health effects. Additionally, it should be noted that PM_{10} is considered a criteria air pollutant. $PM_{2.5}$: A similar air pollutant to PM10 consisting of tiny solid or liquid particles which are 2.5 microns or smaller (which is often referred to as fine particles). These particles are formed in the atmosphere from primary gaseous emissions that include SO4 formed from SO2 release from power plants and industrial facilities and nitrates that are formed from NOX release from power plants, automobiles, and other types of combustion sources. The chemical composition of fine particles highly depends on location, time of year, and weather conditions. PM2.5 is a criteria air pollutant.	pollutants (acid rain, NO_X, SO_X, organics). Incomplete combustion of any fuel. $PM_{2.5}$ comes from fuel combustion in motor vehicles, equipment, and industrial sources, residential and agricultural burning. Also formed from reaction of other pollutants (acid rain, NO_X, SO_X, organics).	in different parts of the United States and various areas around the world. In recent years, some studies have reported an association between long-term exposure to air pollution dominated by fine particles and increased mortality, reduction in lifespan, and an increased mortality from lung cancer. Daily fluctuations in $PM_{2.5}$ concentration levels have also been related to hospital admissions for acute respiratory conditions in children, to school and kindergarten absences, to a decrease in respiratory lung volumes in normal children, and to increased medication use in children and adults with asthma. Recent studies show lung function growth in children is reduced with long term exposure to particulate matter. The elderly, people with pre-existing respiratory or cardiovascular disease, and children appear to be more susceptible to the effects of high levels of PM_{10} and $PM_{2.5}$.
Volatile Organic Compounds (VOCs)	VOCs are hydrocarbon compounds (any compound containing various combinations of hydrogen and carbon atoms) that exist in the ambient air. VOCs contribute to the formation of smog through atmospheric photochemical reactions and/or may be toxic. Compounds of carbon (also known as organic compounds) have different levels of reactivity; that is, they do not react at the same speed or do not form O_3 to the same extent when exposed to photochemical processes. VOCs often have an odor, and some examples include gasoline, alcohol, and the solvents	Organic chemicals are widely used as ingredients in household products. Paints, varnishes, and wax all contain organic solvents, as do many cleaning, disinfecting, cosmetic, degreasing and hobby products. Fuels are made up of organic	Breathing VOCs can irritate the eyes, nose, and throat, can cause difficulty breathing and nausea, and can damage the central nervous system as well as other organs. Some VOCs can cause cancer. Not all VOCs have all these health effects, though many have several.

Table 5.3-1 Criteria Pollutants

Criteria Pollutant	Description	Sources	Health Effects
	used in paints. Exceptions to the VOC designation include CO, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate. VOCs are a criteria pollutant since they are a precursor to O_3, which is a criteria pollutant. The terms VOC and ROG (see below) are used interchangeably.	chemicals. All of these products can release organic compounds while you are using them, and, to some degree, when they are stored.	
Reactive Organic Gases (ROGs)	Similar to VOC, ROGs are also precursors in forming O_3 and consist of compounds containing methane, ethane, propane, butane, and longer chain hydrocarbons, which are typically the result of some type of combustion/ decomposition process. Smog is formed when ROG and NO_X react in the presence of sunlight. ROGs are a criteria pollutant since they are a precursor to O_3, which is a criteria pollutant. The terms ROG and VOC (see previous) are used interchangeably.	Sources similar to VOCs.	Health effects similar to VOCs.
Lead (Pb)	Pb is a heavy metal that is highly persistent in the environment and is considered a criteria pollutant. In the past, the primary source of Pb in the air was emissions from vehicles burning leaded gasoline. The major sources of Pb emissions are ore and metals processing, particularly Pb smelters, and piston-engine aircraft operating on leaded aviation gasoline. Other stationary sources include waste incinerators, utilities, and lead-acid battery manufacturers. It should be noted that the Project does not include operational activities such as metal processing or Pb acid battery manufacturing. As such, the Project is not anticipated to generate a	Metal smelters, resource recovery, leaded gasoline, deterioration of Pb paint.	Fetuses, infants, and children are more sensitive than others to the adverse effects of Pb exposure. Exposure to low levels of Pb can adversely affect the development and function of the central nervous system, leading to learning disorders, distractibility, inability to follow simple commands, and lower intelligence quotient. In adults, increased Pb levels are associated with increased blood pressure. Pb poisoning can cause anemia, lethargy, seizures, and death; although it appears that there are no direct effects of Pb on the respiratory system. Pb can be stored in the bone from early age environmental exposure, and elevated blood Pb levels

Table 5.3-1 Criteria Pollutants

Criteria Pollutant	Description	Sources	Health Effects
	quantifiable amount of Pb emissions.		can occur due to breakdown of bone tissue during pregnancy, hyperthyroidism (increased secretion of hormones from the thyroid gland) and osteoporosis (breakdown of bony tissue). Fetuses and breast-fed babies can be exposed to higher levels of Pb because of previous environmental Pb exposure of their mothers.
Odor	Odor means the perception experienced by a person when one or more chemical substances in the air come into contact with the human olfactory nerves.	Odors can come from many sources including animals, human activities, industry, natures, and vehicles.	Offensive odors can potentially affect human health in several ways. First, odorant compounds can irritate the eye, nose, and throat, which can reduce respiratory volume. Second, studies have shown that the VOCs that cause odors can stimulate sensory nerves to cause neurochemical changes that might influence health, for instance, by compromising the immune system. Finally, unpleasant odors can trigger memories or attitudes linked to unpleasant odors, causing cognitive and emotional effects such as stress.

Source: (Urban Crossroads, 2023a, Table 2-1)

D. Existing Air Quality

The Federal Clean Air Act of 1970 established the National Ambient Air Quality Standards (NAAQS). Seven "criteria" air pollutants have now been identified using specific medical evidence, and NAAQS have been established for those pollutants. The State of California has adopted standards (known as California Ambient Air Quality Standards [CAAQS]) for the same seven criteria pollutants, but the State has established different and generally more restrictive levels.

Existing air quality is measured at established SCAQMD air quality monitoring stations. Monitored air quality is evaluated in the context of ambient air quality standards. These standards are the levels of air quality that are considered safe, with an adequate margin of safety, to protect the public health and welfare. NAAQS and CAAQS currently in effect are shown in Table 5.3-2, *Ambient Air Quality Standards*.

The determination of whether a region's air quality is healthful or unhealthful is determined by comparing contaminant levels in ambient air samples to the State and federal standards. The most recent State and federal standards were updated by the California Air Resources Board (CARB) on

May 4, 2016, as presented in Table 5.3-2. The air quality in a region is considered to be in attainment by the State if the measured ambient air pollutant levels for O_3, CO (except 8-hour Lake Tahoe), SO_2 (1 and 24 hour), NO_2, PM_{10}, and $PM_{2.5}$ do not exceed standards. All others are not to be equaled or exceeded.

Table 5.3-2 Ambient Air Quality Standards

Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards [1]		National Standards [2]		
		Concentration [3]	Method [4]	Primary [3,5]	Secondary [3,6]	Method [7]
Ozone (O_3)[8]	1 Hour	0.09 ppm (180 µg/m^3)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m^3)		0.070 ppm (137 µg/m^3)		
Respirable Particulate Matter (PM10)[9]	24 Hour	50 µg/m^3	Gravimetric or Beta Attenuation	150 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m^3		—		
Fine Particulate Matter (PM2.5)[9]	24 Hour	—	—	35 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m^3	Gravimetric or Beta Attenuation	12.0 µg/m^3	15 µg/m^3	
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m^3)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m^3)	—	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10 mg/m^3)		9 ppm (10 mg/m^3)	—	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m^3)		—	—	
Nitrogen Dioxide (NO_2)[10]	1 Hour	0.18 ppm (339 µg/m^3)	Gas Phase Chemiluminescence	100 ppb (188 µg/m^3)	—	Gas Phase Chemiluminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)		0.053 ppm (100 µg/m^3)	Same as Primary Standard	
Sulfur Dioxide (SO_2)[11]	1 Hour	0.25 ppm (655 µg/m^3)	Ultraviolet Fluorescence	75 ppb (196 µg/m^3)	—	Ultraviolet Flourescence; Spectrophotometry (Pararosaniline Method)
	3 Hour	—		—	0.5 ppm (1300 µg/m^3)	
	24 Hour	0.04 ppm (105 µg/m^3)		0.14 ppm (for certain areas)[11]	—	
	Annual Arithmetic Mean	—		0.030 ppm (for certain areas)[11]	—	
Lead[12,13]	30 Day Average	1.5 µg/m^3	Atomic Absorption	—	—	High Volume Sampler and Atomic Absorption
	Calendar Quarter	—		1.5 µg/m^3 (for certain areas)[12]	Same as Primary Standard	
	Rolling 3-Month Average	—		0.15 µg/m^3		
Visibility Reducing Particles[14]	8 Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	No National Standards		
Sulfates	24 Hour	25 µg/m^3	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m^3)	Ultraviolet Fluorescence			
Vinyl Chloride[12]	24 Hour	0.01 ppm (26 µg/m^3)	Gas Chromatography			

See footnotes on next page ...

For more information please call ARB-PIO at (916) 322-2990 California Air Resources Board (5/4/16)

Table 5.3-2 Ambient Air Quality Standards (Cont'd)

1. California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, and particulate matter (PM10, PM2.5, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

2. National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 $\mu g/m^3$ is equal to or less than one. For PM2.5, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current national policies.

3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

4. Any equivalent measurement method which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.

5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.

6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

7. Reference method as described by the U.S. EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the U.S. EPA.

8. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.

9. On December 14, 2012, the national annual PM2.5 primary standard was lowered from 15 $\mu g/m^3$ to 12.0 $\mu g/m^3$. The existing national 24-hour PM2.5 standards (primary and secondary) were retained at 35 $\mu g/m^3$, as was the annual secondary standard of 15 $\mu g/m^3$. The existing 24-hour PM10 standards (primary and secondary) of 150 $\mu g/m^3$ also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.

10. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.

11. On June 2, 2010, a new 1-hour SO_2 standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO_2 national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.

    Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.

12. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

13. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard (1.5 $\mu g/m^3$ as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.

14. In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

For more information please call ARB-PIO at (916) 322-2990 **California Air Resources Board (5/4/16)**

Attainment status for a pollutant means that the SCAQMD meets the standards set by the federal Environmental Protection Agency (EPA) or the California EPA (CalEPA). Conversely, nonattainment means that an area has monitored air quality that does not meet the NAAQS or CAAQS standards. In order to improve air quality in nonattainment areas, CARB has implemented a State Implementation Plan (SIP). The SIP outlines the measures that the State will take to improve air quality. Once nonattainment areas meet the standards and additional redesignation requirements, the EPA will designate the area as a maintenance area.

2. Regional Air Quality

Regional air quality is defined in a regulatory sense by whether the area has or has not attained State and/or federal ambient air quality standards, as determined by monitoring data. Areas that are in nonattainment are required to prepare plans and implement measures that will bring the region into attainment. When an area has been reclassified from nonattainment to attainment for a federal standard, the status is identified as "maintenance," and there must be a plan and measures established that will keep the region in attainment for the following ten years.

Air pollution contributes to a wide variety of adverse health effects. The EPA has established NAAQS for six of the most common air pollutants: CO, Pb, O_3, particulate matter (PM_{10} and $PM_{2.5}$), NO_2, and SO_2 which are known as criteria pollutants. The SCAQMD monitors levels of various criteria pollutants at 37 permanent monitoring stations and 5 single-pollutant source Pb air monitoring sites throughout the air district. On February 21, 2019, CARB posted the 2018 amendments to the State and national area designations. Table 5.3-3, *Attainment Status of Criteria Pollutants in the SoCAB*, lists the current attainment designations for the SoCAB.

Table 5.3-3 Attainment Status of Criteria Pollutants in the SoCAB

Criteria Pollutant	State Designation	Federal Designation
O_3 – 1-hour standard	Nonattainment	--
O_3 – 8-hour standard	Nonattainment	Nonattainment
PM10	Nonattainment	Attainment
PM2.5	Nonattainment	Nonattainment
CO	Attainment	Unclassifiable/Attainment
NO_2	Attainment	Unclassifiable/Attainment
SO_2	Unclassifiable/Attainment	Unclassifiable/Attainment
Pb	Attainment	Unclassifiable/Attainment

Note: See Appendix 2.1 to the Project's AQIA (Technical Appendix B1 of this SEIR) for a detailed map of State/National Area Designations within the SoCAB
Source: (Urban Crossroads, 2023a, Table 2-3)

3. Local Air Quality

The SCAQMD has designated general forecast areas and air monitoring areas (referred to as Source Receptor Areas [SRA]) throughout the district in order to provide Southern California residents information about the air quality conditions. The Amendment Area is located within the Southwest San Bernardino Valley area (SRA 33). The California Route (CA) CA-60 Near Road monitoring station, located approximately 3.9 miles northwest of the Amendment Area, is the nearest long-term

air quality monitoring site for NO_2 and $PM_{2.5}$. The SCAQMD Interstate 10 (I-10) Near Road monitoring station, located approximately 6.2 miles northeast of the Amendment Area, is the nearest long-term air quality monitoring station for CO. The nearest long-term air quality monitoring site for O_3 and PM_{10} is the SCAQMD Northwest San Bernardino Valley (SRA 32) monitoring station located approximately 8.5 miles northwest of the Amendment Area. It should be noted that the Northwest San Bernardino Valley monitoring station was utilized in lieu of the CA-60 Near Road and I-10 Near Road monitoring stations only in instances where data was not available.

The most recent three years of data available is shown on Table 5.3-4, *Project Air Quality Monitoring Summary (2018-2020)*, and identifies the number of days ambient air quality standards were exceeded for the study area, which is considered to be representative of the local air quality at the Amendment Area. It should be noted that the three-year period is presented for informational purposes and is not the basis for how the State assigns attainment status. Data for O_3, CO, NO_2, PM_{10}, and $PM_{2.5}$ for 2018 through 2020 was obtained from the SCAQMD Air Quality Data Tables. Additionally, data for SO_2 has been omitted as attainment is regularly met in the SoCAB and few monitoring stations measure SO_2 concentrations.

E. Sensitive Receptors

Receptor locations are off-site locations where individuals may be exposed to emissions from Project activities.

1. Residential Receptors

Some people are especially sensitive to air pollution and are given special consideration when evaluating air quality impacts from projects. These groups of people include children, the elderly, and individuals with pre-existing respiratory or cardiovascular illness. Structures that house these persons or places, where they gather, are defined as "sensitive receptors." These structures typically include uses such as residences, hotels, and hospitals where an individual can remain for 24 hours. Consistent with SCAQMD *Final Localized Significance Threshold Methodology* (LST Methodology), the nearest land use to the Amendment Area where an individual could remain for 24 hours (in this case the nearest residential land use) has been used to determine construction and operational air quality impacts for emissions of PM_{10} and $PM_{2.5}$, since PM_{10} and $PM_{2.5}$ thresholds are based on a 24-hour averaging time.

2. Non-Residential Receptors

Per the LST Methodology, commercial and industrial facilities are not included in the definition of sensitive receptor because employees and patrons do not typically remain on site for a full 24 hours but are typically on site for 8 hours or less. However, LST Methodology explicitly states that *"LSTs based on shorter averaging periods, such as the NO_2 and CO LSTs, could also be applied to receptors such as industrial or commercial facilities since it is reasonable to assume that a worker at these sites could be present for periods of one to eight hours.*" For purposes of analysis, if an industrial/commercial use is located at a closer distance to the Amendment Area than the nearest residential use, the nearest industrial/commercial use will be utilized to determine construction and

operational LST air impacts for emissions of NO_2 and CO because an individual could be present at these sites for periods of 1 to 8 hours.

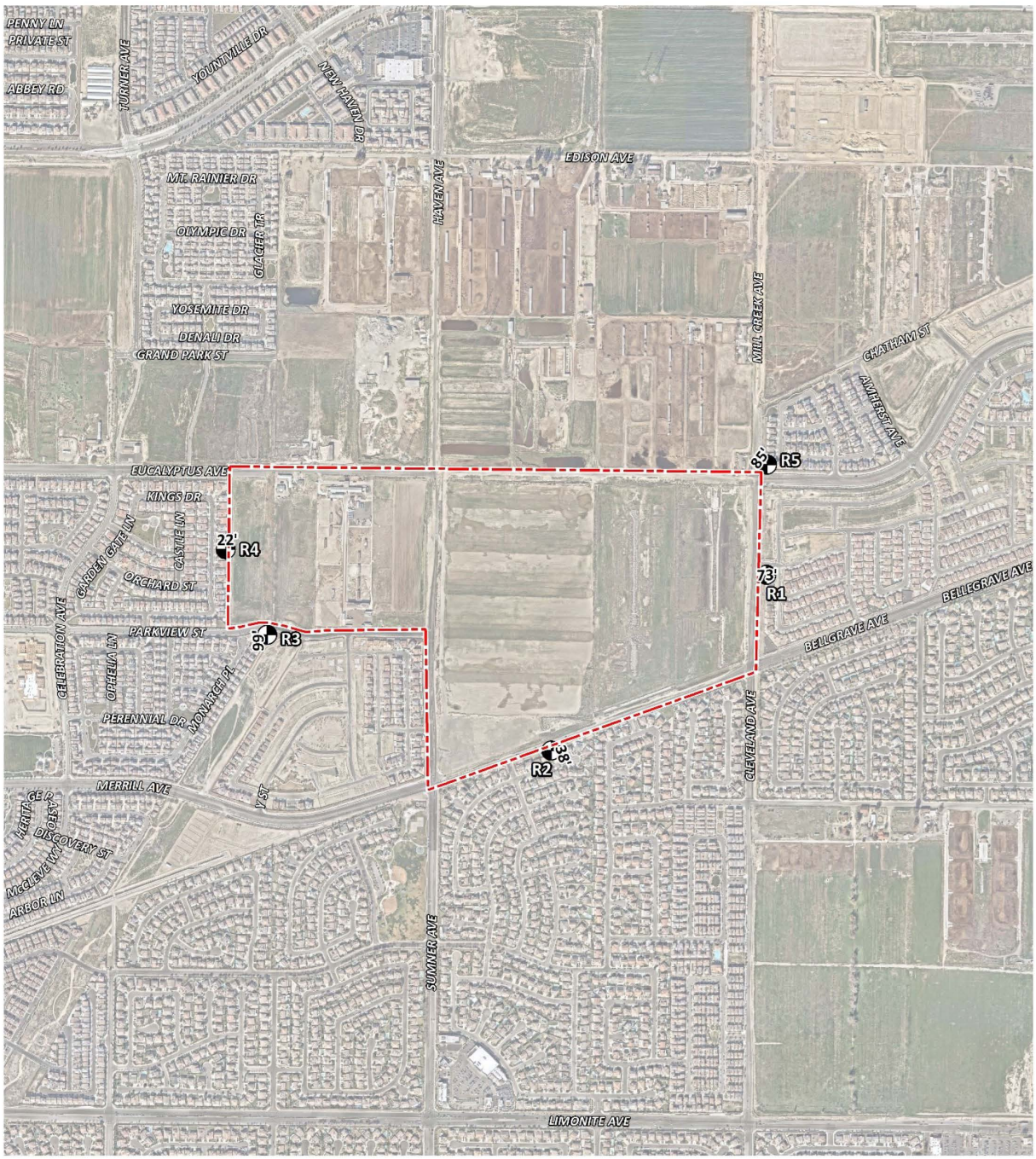
Table 5.3-4 Project Air Quality Monitoring Summary (2018-2020)

Pollutant	Standard	Year		
		2018	2019	2020
O_3				
Maximum Federal 1-Hour Concentration (ppm)		0.133	0.131	0.158
Maximum Federal 8-Hour Concentration (ppm)		0.111	0.107	0.123
Number of Days Exceeding State 1-Hour Standard	> 0.09 ppm	25	31	82
Number of Days Exceeding State/Federal 8-Hour Standard	> 0.070 ppm	52	52	114
CO				
Maximum Federal 1-Hour Concentration	> 35 ppm	1.6	1.5	1.5
Maximum Federal 8-Hour Concentration	> 20 ppm	1.3	1.1	1.2
NO_2				
Maximum Federal 1-Hour Concentration	> 0.100 ppm	0.079	0.087	0.101
Annual Federal Standard Design Value		0.030	0.029	0.029
PM_{10}				
Maximum Federal 24-Hour Concentration ($\mu g/m^3$)	> 150 $\mu g/m^3$	73	125	63
Annual Federal Arithmetic Mean ($\mu g/m^3$)		32.3	28.1	30.5
Number of Days Exceeding Federal 24-Hour Standard	> 150 $\mu g/m^3$	0	0	0
Number of Days Exceeding State 24-Hour Standard	> 50 $\mu g/m^3$	14	7	12
$PM_{2.5}$				
Maximum Federal 24-Hour Concentration ($\mu g/m^3$)	> 35 $\mu g/m^3$	47.90	41.30	53.10
Annual Federal Arithmetic Mean ($\mu g/m^3$)	> 12 $\mu g/m^3$	14.31	12.70	14.36
Number of Days Exceeding Federal 24-Hour Standard	> 35 $\mu g/m^3$	5	5	4

ppm = Parts Per Million
$\mu g/m^3$ = Microgram per Cubic Meter
Source: Data for O_3, CO, NO_2, PM_{10}, and $PM_{2.5}$ was obtained from SCAQMD Air Quality Data Tables.
(Urban Crossroads, 2023a, Table 2-4)

3. Project-Related Sensitive Receptors

Sensitive receptors in the vicinity of the Amendment Area are described below and are shown in Figure 5.3-1, *Sensitive Receptor Locations*. The nearest sensitive receptor to the Amendment Area is a residence located approximately 22 feet west of the Amendment Area (R4).



Source(s): Urban Crossroads (04-28-2023)

Figure 5.3-1

Not to Scale

Sensitive Receptor Locations

R1: Location R1 represents the existing residence at the southwest corner of S. Tesoro Privado and E. Amanecer Privado, approximately 73 feet east of the Amendment Area. Receptor R1 is placed at the private outdoor living areas (backyards) facing the Amendment Area.

R2: Location R2 represents the existing residence at 5733 Red Haven Street in the City of Eastvale, approximately 38 feet south of the Amendment Area. Receptor R2 is placed at the private outdoor living areas (backyards) facing the Amendment Area.

R3: Location R3 represents the existing residence at 4807 S. Monarch Place, approximately 99 feet south of the Amendment Area. Receptor R3 is placed at the private outdoor living areas (backyards) facing the Amendment Area.

R4: Location R4 represents the existing residence at 4677 Sagewood Lane, approximately 22 feet west of the Amendment Area. Receptor R4 is placed at the private outdoor living areas (backyards) facing the Amendment Area.

R5: Location R5 represents the existing residence at 3902 E. Fincastle Street, approximately 85 feet northeast of the Amendment Area. Receptor R5 is placed at the private outdoor living areas (backyards) facing the Amendment Area.

F. Regional Air Quality Improvement

The SCAQMD is the lead agency charged with regulating air quality emission reductions for the entirety of SoCAB. SCAQMD rule development through the 1970s and 1980s resulted in dramatic improvement in SoCAB air quality. Nearly all control programs developed through the early 1990s relied on (i) the development and application of cleaner technology; (ii) add-on emission controls, and (iii) uniform California Environmental Quality Act (CEQA) review throughout the SoCAB. This approach has significantly reduced industrial emission sources, and vehicle emissions have been reduced by technologies implemented at the State level by CARB. SCAQMD created Air Quality Management Plans (AQMPs), which represent a regional blueprint for achieving healthful air on behalf of the 16 million residents of the SoCAB. The 2012 AQMP states, "the remarkable historical improvement in air quality since the 1970's is the direct result of Southern California's comprehensive, multiyear strategy of reducing air pollution from all sources as outlined in its AQMPs." Emissions of O_3, NOx, VOC, and CO have been decreasing in the SoCAB since 1975 and are projected to continue to decrease beyond 2022. These decreases result primarily from motor vehicle controls and reductions in evaporative emissions. Refer to Section 2.9 of the Project's AQIA (*Technical Appendix B1* of this SEIR) for a complete description of regional air quality improvement.

5.3.2 Regulatory Background

A. Federal

1. Federal Clean Air Act (CAA)

The Environmental Protection Agency (EPA) is responsible for setting and enforcing the NAAQS for O_3, CO, NO_X, SO_2, PM_{10}, and Pb. The EPA has jurisdiction over emissions sources that are under the authority of the federal government including aircraft, locomotives, and emissions sources outside state waters (Outer Continental Shelf). The EPA also establishes emission standards for vehicles sold in

states other than California. Automobiles sold in California must meet the stricter emission requirements of CARB.

The Clean Air Act ("CAA;" 42 U.S.C. § 7401 et seq.) was first enacted in 1955 and has been amended numerous times in subsequent years (1963, 1965, 1967, 1970, 1977, and 1990). The CAA establishes the federal air quality standards, the National Ambient Air Quality Standards NAAQS, and specifies future dates for achieving compliance. The CAA also mandates that states submit and implement State Implementation Plans (SIPs) for local areas not meeting these standards. These plans must include pollution control measures that demonstrate how the standards will be met.

The 1990 amendments to the CAA that identify specific emission reduction goals for areas not meeting the NAAQS require a demonstration of reasonable further progress toward attainment and incorporate additional sanctions for failure to attain or to meet interim milestones. The sections of the CAA most directly applicable to the development within the Amendment Area include Title I (Non-Attainment Provisions) and Title II (Mobile Source Provisions). Title I provisions were established with the goal of attaining the NAAQS for the following criteria pollutants O_3, NO_2, SO_2, PM_{10}, CO, $PM_{2.5}$, and Pb. The NAAQS were amended in July 1997 to include an additional standard for O_3 and to adopt a NAAQS for PM2.5. Table 5.3-3 provides the NAAQS within the SoCAB.

Mobile source emissions are regulated in accordance with Title II provisions. These provisions require the use of cleaner burning gasoline and other cleaner burning fuels such as methanol and natural gas. Automobile manufacturers are also required to reduce tailpipe emissions of hydrocarbons and NO_X. NO_X is a collective term that includes all forms of NO_X which are emitted as byproducts of the combustion process.

B. State

1. California Air Resources Board

The California Clean Air Act (CCAA) establishes numerous requirements for district plans to attain State ambient air quality standards for criteria air contaminants. CARB, which became part of California Environmental Protection Agency (CalEPA) in 1991, is responsible for ensuring implementation of the California Clean Air Act, responding to the federal CAA, and for regulating emissions from consumer products and motor vehicles. The CCAA mandates achievement of the maximum degree of emissions reductions possible from vehicular and other mobile sources in order to attain the State ambient air quality standards by the earliest practical date. CARB established the CAAQS for all pollutants for which the federal government has NAAQS and, in addition, establishes standards for SO_4, visibility, hydrogen sulfide (H_2S), and vinyl chloride (C_2H_3Cl). However, at this time, H_2S and C_2H_3Cl are not measured at any monitoring stations in the SoCAB because they are not considered to be a regional air quality problem. Generally, the CAAQS are more stringent than the NAAQS. For districts with serious air pollution, its attainment plan should include the following: no net increase in emissions from new and modified stationary sources; and best available retrofit technology for existing sources.

Local air quality management districts, such as SCAQMD, regulate air emissions from stationary sources such as commercial and industrial facilities. All air pollution control districts have been formally designated as attainment or non-attainment for each CAAQS.

2. Air Quality Management Plans

Serious non-attainment areas are required to prepare AQMPs that include specified emission reduction strategies in an effort to meet clean air goals. These plans are required to include:

- Application of Best Available Retrofit Control Technology to existing sources;
- Developing control programs for area sources (e.g., architectural coatings and solvents) and indirect sources (e.g., motor vehicle use generated by residential and commercial development);
- A District permitting system designed to allow no net increase in emissions from any new or modified permitted sources of emissions;
- Implementing reasonably available transportation control measures and assuring a substantial reduction in growth rate of vehicle trips and miles traveled;
- Significant use of low emissions vehicles by fleet operators;
- Sufficient control strategies to achieve a 5 percent or more annual reduction in emissions or 15 percent or more in a period of three years for ROGs, NO_X, CO and PM_{10}. However, air basins may use alternative emission reduction strategy that achieves a reduction of less than 5 percent per year under certain circumstances.

AQMPs are updated regularly in order to more effectively reduce emissions, accommodate growth, and to minimize any negative fiscal impacts of air pollution control on the economy.

3. California Air Resources Board Rule 2449

CARB enforces rules related to air pollutant emissions in the State of California. CARB Rule 2449 (13 CCR 2449), In-Use Off-Road Diesel Idling Restricts, limits nonessential idling to five minutes or less for diesel-powered off-road equipment.

4. Senate Bill 535 – Disadvantaged Communities

Senate Bill 535 (SB 535; De León, Chapter 830, 2012) recognizes the potential vulnerability of low-income and disadvantaged communities to poor air quality. Disadvantaged communities in California are specifically targeted for investment of proceeds from the State's cap-and-trade program. These investments are aimed at improving public health, quality of life, and economic opportunity in California's most burdened communities while at the same time reducing pollution that causes climate change. Authorized by the California Global Warming Solutions Act of 2006 (AB 32), the State's cap-and-trade program is one of several strategies that California uses to reduce greenhouse gas (GHG) emissions that cause climate change. The funds must be used for programs that further reduce

emissions of greenhouse gases. SB 535 requires that 25 percent of the proceeds from the Greenhouse Gas Reduction Fund go to projects that provide a benefit to disadvantaged communities. CalEPA is charged with the duty to identify disadvantaged communities. CalEPA bases its identification of these communities on geographic, socioeconomic, public health, and environmental hazard criteria (Health and Safety Code, Section 39711, Subsection (a)). In this capacity, CalEPA currently defines a disadvantaged community, from an environmental hazard and socioeconomic standpoint, as a community that scores within the top 25 percent of the census tracts, as analyzed by the California Communities Environmental Health Screening Tool Version 4.0 (CalEnviroScreen). While portions of the City of Ontario (City) are identified as SB 535 Disadvantaged Communities, the Amendment Area is not. The nearest areas to the Amendment Area that are identified as an SB 535 Disadvantaged Community occur north of the Amendment Area, north of East Edison Avenue (Census Tract 6071001906); east of the Amendment Area, east of Hammer Avenue (Census Tract 6065040607); and south of the Amendment Area, south of Bellegrave Avenue (Census Tract 6065040607). (CalEPA, 2023)

5. Title 24 Energy Efficiency Standards and California Green Building Standards

California Code of Regulations (CCR) Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings (Building Energy Efficiency Standards), was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions.

CCR, Title 24, Part 11: California Green Building Standards Code (CALGreen Code), is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect in 2009, and is administered by the California Building Standards Commission. 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 positive environmental impact and encouraging sustainable construction practices in the following categories: (1) planning and design; (2) energy efficiency; (3) water efficiency and conservation; (4) material conservation and resource efficiency; and (5) environmental air quality.

The Title 24 Building Energy Efficient Standards and CALGreen Code are updated on a regular basis, with the most recent approved updates consisting of the 2022 Building Energy Efficiency Standards and 2022 CALGreen Code, which will become effective on January 1, 2023.

The 2022 Title 24 standards would result in less energy use, thereby reducing air pollutant emissions associated with energy consumption in the SCAB and across the State of California. For example, the 2022 Title 24 standards require solar photovoltaic (PV) systems for new homes, encourage the use of heat pumps for space and water heating, and require homes to be electric-ready to ease the adoption of cleaner electric heating, cooking, and EV charging. The CEC anticipates that the 2022 energy code will provide $1.5 billion in consumer benefits and reduce GHG emissions by 10 million metric tons.

The Project would be required to comply with the applicable standards in place at the time building permit document submittals are made. These require, among other items:

- **EV Charging (new one- and two-family dwellings and townhouses with attached private garages)**. For each dwelling unit, install a listed raceway to accommodate a dedicated 208/240-volt branch circuit. The raceway shall not be less than trade size 1 (nominal 1-inch inside diameter). The raceway shall originate at the main service or subpanel and shall terminate into a listed cabinet, box or other enclosure in close proximity to the proposed location of an EV charger. Raceways are required to be continuous at enclosed, inaccessible or concealed areas and spaces. The service panel and/or subpanel shall provide capacity to install a 40-ampere minimum dedicated branch circuit and space(s) reserved to permit installation of a branch circuit overcurrent protective device (4.106.4.1).
- **Short-term bicycle parking.** If the new project or an additional alteration is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for 5 percent of new visitor motorized vehicle parking spaces being added, with a minimum of one two-bike capacity rack (5.106.4.1.1).
- **Long-term bicycle parking**. For new buildings with tenant spaces that have ten or more tenant-occupants, provide secure bicycle parking for 5 percent of the tenant-occupant vehicular parking spaces with a minimum of one bicycle parking facility (5.106.4.1.2).
- **Designated parking.** In new projects or additions to alterations that add ten or more vehicular parking spaces, provide designated parking for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles as shown in Table 5.106.5.2 (5.106.5.2).
- **Construction waste management.** Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1. 5.405.1.2, or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent (5.408.1).
- **Excavated soil and land clearing debris.** 100 percent of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing shall be reused or recycled. For a phased project, such material may be stockpiled on site until the storage site is developed (5.408.3).
- **Recycling by Occupants.** Provide readily accessible areas that serve the entire building and are identified for the depositing, storage and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals or meet a lawfully enacted local recycling ordinance, if more restrictive (5.410.1).
- **Water conserving plumbing fixtures and fittings.** Plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) shall comply with the following:
    - Water Closets. The effective flush volume of all water closets shall not exceed 1.28 gallons per flush (5.303.3.1).

  - Urinals. The effective flush volume of wall-mounted urinals shall not exceed 0.125 gallons per flush (5.303.3.2.1). The effective flush volume of floor-mounted or other urinals shall not exceed 0.5 gallons per flush (5.303.3.2.2).
  - Showerheads. Single showerheads shall have a minimum flow rate of not more than 1.8 gallons per minute and 80 psi (5.303.3.3.1). When a shower is served by more than one showerhead, the combine flow rate of all showerheads and/or other shower outlets controlled by a single valve shall not exceed 1.8 gallons per minute at 80 psi (5.303.3.3.2).
  - Faucets and fountains. Nonresidential lavatory faucets shall have a maximum flow rate of note more than 0.5 gallons per minute at 60 psi (5.303.3.4.1). Kitchen faucets shall have a maximum flow rate of not more than 1.8 gallons per minute of 60 psi (5.303.3.4.2). Wash fountains shall have a maximum flow rate of not more than 1.8 gallons per minute (5.303.3.4.3). Metering faucets shall not deliver more than 0.20 gallons per cycle (5.303.3.4.4). Metering faucets for wash fountains shall have a maximum flow rate not more than 0.20 gallons per cycle (5.303.3.4.5).
  - Residential lavatory faucets shall have a maximum flow rate of note more than 1.2 gallons per minute at 60 psi (4.303.1.4.1). Lavatory faucets in common or public use areas shall have a maximum flow rate of note more than 0.5 gallons per minute at 60 psi (4.303.1.4.2). Metering faucets shall not deliver more than 0.25 gallons per cycle (4.303.1.4.3). Kitchen faucets shall have a maximum flow rate of not more than 1.8 gallons per minute of 60 psi (4.303.1.4.4).

- **Outdoor potable water use in landscaped areas.** Nonresidential developments shall comply with a local water efficient landscape ordinance or the current California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), whichever is more stringent (5.304.1).
- **Water meters.** Separate submeters or metering devices shall be installed for new buildings or additions in excess of 50,000 sf or for excess consumption where any tenant within a new building or within an addition that is projected to consume more than 1,000 gal/day (5.303.1.1 and 5.303.1.2).
- **Outdoor water use in rehabilitated landscape projects equal or greater than 2,500 sf.** Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 sf requiring a building or landscape permit (5.304.3).
- **Commissioning.** For new buildings 10,000 sf and over, building commissioning shall be included in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (5.410.2).

With respect to solar PV systems, under the 2022 Building Energy Efficiency Standards, these systems are required for newly constructed low-rise residential buildings and shall be sized sufficient to offset the electricity use of the proposed building as if it was a mixed-fuel building.

C. Regional

1. South Coast Air Quality Management District

The Project is in San Bernardino County, in the SoCAB, where SCAQMD is the agency principally responsible for comprehensive air pollution control. As a regional agency, SCAQMD works directly with the Southern California Association of Governments (SCAG), County transportation commissions, and local governments, as well as State and federal agencies to reduce emissions from stationary, mobile, and indirect sources to meet State and federal ambient air quality standards. SCAQMD develops comprehensive plans and regulatory programs for the region to attain federal standards by dates specified in federal law. The agency is also responsible for meeting State standards by the earliest date achievable, using reasonably available control measures. As discussed above, SCAQMD rule development through the 1970s and 1980s resulted in dramatic improvement in SoCAB air quality.

Air Quality Management Plan

As discussed previously, the NAAQS and CAAQS are exceeded in most parts of the SoCAB. The CAAQS designate the SoCAB, including the Amendment Area, as non-attainment for O_3, PM_{10}, and $PM_{2.5}$ while the NAAQS designate the SoCAB as nonattainment for O_3 and $PM_{2.5}$. In response, SCAQMD has adopted a series of AQMPs to meet the State and federal ambient air quality standards. AQMPs are updated regularly to ensure an effective reduction in emissions, accommodate growth, and to minimize any negative fiscal impacts of air pollution control on the economy. The AQMP control measures and related emission reduction estimates are based on emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans and/or population projections.

In December 2022, the SCAQMD released the Final 2022 AQMP. The 2022 AQMP continues to evaluate current integrated strategies and control measures to meet the NAAQS, as well as explore new and innovative methods to reach its goals. Some of these approaches include utilizing incentive programs, recognizing existing co-benefit programs from other sectors, and developing a strategy with fair-share reductions at the federal, state, and local levels. Similar to the 2016 AQMP, the 2022 AQMP incorporates scientific and technological information and planning assumptions, including the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (2020-2045 RTP/SCS) and updated emission inventory methodologies for various source categories. The Project's consistency with the AQMP is provided in Section 5.3.4 under the discussion of Threshold "a." below.

SCAQMD Rules

SCAQMD has established various rules/regulatory requirements applicable to development projects. Following is a discussion of SCAQMD rules particularly relevant to the Project, which address construction-related and operational activities.

SCAQMD Rule 401, Visible Emissions, indicates that a person shall not discharge into the atmosphere from any single source of emission whatsoever any air contaminant for a period or periods aggregating more than three minutes in any 1 hour that is as dark or darker in shade as that designated No. 1 on the Ringelmann Chart, as published by the U.S. Bureau of Mines.

SCAQMD Rule 402, Nuisance, identifies that a project shall not discharge from any source whatsoever such quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

SCAQMD Rule 403, Fugitive Dust, is intended to reduce the amount of particulate matter entrained in the ambient air due to anthropogenic (human-made) fugitive dust sources by requiring actions to prevent and reduce fugitive dust emissions. Rule 403 applies to any activity or human-made condition capable of generating fugitive dust and requires best available control measures to be applied to earthmoving and grading activities.

SCAQMD Rule 445, Low Sulfur Fuel, requires installation of only gaseous-fueled fireplaces and stoves, and is applicable to any new residential or commercial development that begins construction on or after March 9, 2009.

SCAQMD Rule 1113, Architectural Coatings, limits the VOC content of architectural coatings used on projects in SCAQMD. Any person who supplies, sells, offers for sale, or manufactures any architectural coating for use on projects in SCAQMD must comply with the current VOC standards set in this rule.

5.3.3 Basis for Determining Significance

The City of Ontario evaluates impacts related energy based on thresholds of significance included in Appendix G of the CEQA Guidelines. The proposed Project would result in a significant impact to air quality if the Project or any Project-related component would:

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.*

The Project would result in a significant impact under Threshold "a" if the Project were determined to conflict with SCAQMD 2022 AQMP. Pursuant to Chapter 12, Sections 12.2 and 12.3, of the SCAQMD

CEQA Air Quality Handbook, a project would conflict with the AQMP if either of the following conditions were to occur:

- The Project would increase the frequency or severity of existing NAAQS and/or CAAQS violations, cause or contribute to new air quality violations, or delay the attainment of interim air quality standards; or
- The Project would exceed the *AQMP*'s future year buildout assumptions.

For evaluation under Threshold "b," implementation of the Project would result in a cumulatively-considerable net increase of a criteria pollutant for which the project region is non-attainment if the Project's construction and/or operational activities exceed one or more of SCAQMD's Regional Thresholds for criteria pollutant emissions. The Regional Thresholds established by SCAQMD for criteria pollutants are summarized in Table 5.3-5, *Maximum Daily Regional Emissions Thresholds*. The SCAQMD's *CEQA Air Quality Significance Thresholds* (April 2019) indicate that any projects in the SoCAB with daily emissions that exceed any of the indicated thresholds should be considered as having an individually and cumulatively significant air quality impact.

Table 5.3-5 Maximum Daily Regional Emissions Thresholds

Pollutant	Regional Construction Threshold	Regional Operational Thresholds
NO_X	100 lbs/day	55 lbs/day
VOC	75 lbs/day	55 lbs/day
PM_{10}	150 lbs/day	150 lbs/day
$PM_{2.5}$	55 lbs/day	55 lbs/day
SO_X	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Pb	3 lbs/day	3 lbs/day

(Urban Crossroads, 2023a, Table 3-1)

For evaluation under Threshold "c," the Project would result in a significant impact if any of the following were to occur:

- The Project's localized criteria pollutant emissions would exceed one or more of SCAQMD "Localized Thresholds" listed in Table 5.3-6, *SCAQMD Construction Localized Significance Thresholds*, and Table 5.3-7, *SCAQMD Operational Localized Significance Thresholds*;
- The Project's potential increased cancer risk would not exceed SCAQMD's threshold of 10.0 per million, and a non-cancer hazard index would not exceed 1.0; or
- The Project would cause or contribute to a CO "Hot Spot."

Table 5.3-6 SCAQMD Construction Localized Significance Thresholds

CO		NO_2	PM_{10}	$PM_{2.5}$
1-Hour	**8-Hour**	**1-Hour**	**24-Hours**	**24-Hours**
20 ppm	9 ppm	0.18 ppm	10.4 μ/m^3	10.4 μ/m^3

Notes: ppm = parts per million; μ/m^3 = micrograms per square meter.
Source: (Urban Crossroads, 2023a, Table 3-10)

Table 5.3-7 SCAQMD Operational Localized Significance Thresholds

CO		NO_2	PM_{10}	$PM_{2.5}$
1-Hour	**8-Hour**	**1-Hour**	**24-Hours**	**24-Hours**
20 ppm	9 ppm	0.18 ppm	2.5 μ/m^3	2.5 μ/m^3

Notes: ppm = parts per million; μ/m^3 = micrograms per square meter.
Source: (Urban Crossroads, 2023a, Table 3-11)

5.3.4 Environmental Impacts and Mitigation

A. Applicable 2006 EIR and Ontario Plan SEIR Mitigation

The following Mitigation Measures (MMs) from the *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009) certified by the City in 2006 (referred to herein as the "2006 EIR") and T*he Ontario Plan 2050 Final Supplemental Environmental Impact Report* (SCH No. 2021070364) certified by the City in 2022 (herein referred to as "TOP 2050 SEIR") are applicable to the Project.

2006 EIR Mitigation Measures

MM Air 1 During construction, mobile construction equipment will be properly maintained at an off-site location, which includes proper tuning and timing of engines. Equipment maintenance records and equipment design specification data sheets shall be kept on site during construction.

MM Air 2 During construction of the proposed improvements, all contractors will be advised not to idle construction equipment on site for more than ten minutes.

MM Air 3 Configure construction parking to minimize traffic interference.

MM Air 4 Local transit agencies shall be contacted to determine bus routing in the project area that can accommodate bus stops at the project access points and the project shall provide bus passenger benches and shelters at these project access points.

TOP 2050 SEIR Mitigation Measures

The required analysis of construction-related and operational air quality impacts results from the Project (required by TOP 2050 SEIR MM 3-1 and MM AQ-1, respectively) have been completed with preparation of the AQIA included in *Technical Appendix B1* of this SEIR. Further, as required by TOP 2050 SEIR MM 3-2 and described in SEIR Section 3.0, Project Description, the proposed Subarea 29 Specific Amendment includes linkages to alternative modes of transportation. The following mitigation measures incorporate recommendations from the TOP 2050 SEIR MMs to reduce construction and operational air pollutant emissions.

MM 3-1 Prior to discretionary approval by the City of Ontario for development projects subject to CEQA (California Environmental Quality Act) review (i.e., nonexempt projects), project applicants shall prepare and submit a technical assessment evaluating potential project construction-related air quality impacts to the City of Ontario Planning Department for review and approval. The evaluation shall be prepared in conformance with South Coast Air Quality Management District (South Coast AQMD) methodology for assessing air quality impacts. If construction-related criteria air pollutants are determined to have the potential to exceed the South Coast AQMD–adopted thresholds of significance, the City of Ontario Building Department shall require feasible mitigation measures to reduce air quality emissions. Potential measures shall be incorporated as conditions of approval for a project and shall include:

- Require fugitive dust control measures that exceed South Coast Air Quality Management District's Rule 403, such as:
  - Requiring use of nontoxic soil stabilizers to reduce wind erosion.
  - Applying water every four hours to active soil disturbing activities.
  - Tarping and/or maintaining a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials.
- Use construction equipment rated by the United States Environmental Protection Agency as having Tier 4 interim or higher exhaust emission limits.
- Ensure construction equipment is properly serviced and maintained to the manufacturer's standards.
- Limit nonessential idling of construction equipment to no more than five consecutive minutes.
- Use Super-Compliant VOC paints for coating of architectural surfaces whenever possible.

The identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City's Planning Department.

MM AQ-1 Prior to discretionary approval by the City of Ontario for development projects subject to CEQA (California Environmental Quality Act) review (i.e., nonexempt projects), project applicants shall prepare and submit a technical assessment evaluating potential project operation-phase-related air quality impacts to the City of Ontario Planning Department for review and approval. The evaluation shall be prepared in conformance with South Coast Air Quality Management District (South Coast AQMD) methodology in assessing air quality impacts. If operation-related air pollutants are determined to have the potential to exceed the South Coast AQMD–adopted thresholds of significance, the City of Ontario Planning Department shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during operational activities. The identified measures shall be included as part of the conditions of approval. Possible mitigation measures to reduce long-term emissions could include, but are not limited to the following:

- For site-specific development that requires refrigerated vehicles, the construction documents shall demonstrate an adequate number of electrical service connections at loading docks for plug-in of the anticipated number of refrigerated trailers to reduce idling time and emissions.
- Applicants for manufacturing and light industrial uses shall consider energy storage and combined heat and power in appropriate applications to optimize renewable energy generation systems and avoid peak energy use.
- Site-specific developments with truck delivery and loading areas and truck parking spaces shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with California Air Resources Board Rule 2845 (13CCR Chapter 10 sec. 2485).
- Provide changing/shower facilities as specified in Section A5.106.4.3 of CALGreen (Nonresidential Voluntary Measures).
- Provide bicycle parking facilities per Section A4.106.9 of CALGreen (Residential Voluntary Measures).
- Provide preferential parking spaces for low-emitting, fuel-efficient, and carpool/van vehicles per Section A5.106.5.1 of CALGreen (Nonresidential Voluntary Measures).
- Provide facilities to support electric charging stations per Section A5.106.5.3 and Section A5.106.8.2 of CALGreen (Nonresidential Voluntary Measures; Residential Voluntary Measures).
- Applicant-provided appliances shall be Energy Star–certified appliances or appliances of equivalent energy efficiency (e.g., dishwashers, refrigerators, clothes washers, and dryers). Installation of Energy Star–certified or equivalent appliances shall be verified by the City during plan check.

B. Impact Analysis

Threshold a: ***Would the Project conflict with or obstruct implementation of the applicable air quality plan?***

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that development pursuant to the Subarea 29 Specific Plan is consistent with the growth assumptions for the site in SCAG forecasts that were used as input in the 2003 AQMP. The 2006 EIR found that the Subarea 29 Specific Plan would result in development of the site with uses consistent with the City's 1997 General Plan, which was the approved General Plan at the time the 2006 EIR was prepared and would not conflict with the 2003 AQMP. Additionally, cumulative impacts were determined to be less than significant.

2. Project Impact Analysis

The SCAQMD 2022 AQMP, which is the applicable AQMP for the Amendment Area, addresses long-term air quality conditions for the SoCAB. The criteria for determining the Project's consistency with the 2022 AQMP are analyzed below.

Consistency Criterion No. 1: *The proposed Project would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.*

The violations that Consistency Criterion No. 1 refers to are the CAAQS and NAAQS. CAAQS and NAAQS violations would occur if regional or localized significance thresholds were exceeded. As discussed under Threshold "b" below, although the Project has the potential to exceed the SCAQMD regional threshold of significance for NO_X emissions, implementation of the TOP 2050 SEIR and 2006 EIR MMs would reduce the Project's construction-related emissions of NO_X to below the SCAQMD regional threshold for this pollutant. As evaluated under Threshold "c," below, the Project's construction activities would not exceed any of the SCAQMD LSTs. Accordingly, with mitigation for the Project's construction-related emissions, the Project would be consistent with Consistency Criterion No. 1 during construction.

Although the analysis under Threshold "c," below, demonstrates that the Project's operational emissions would not exceed any of the SCAQMD operational-related LSTs, the analysis of Threshold "b" indicates that the Project's operational emissions would exceed the SCAQMD regional significance thresholds for VOCs, NO_x, and CO. VOC and NO_X are precursors for ozone; thus, Project operational activities would contribute a substantial volume of pollutants to the SoCAB that could delay the attainment of federal and State ozone standards. As discussed under Threshold "b," the Project would implement TOP 2050 SEIR and 2006 EIR MMs; however, these measures would not reduce emissions to below the SCAQMD regional thresholds for these pollutants. As such, the Project is considered to have the potential to conflict with Consistency Criterion No. 1.

Consistency Criterion No. 2: *The Project would not exceed the assumptions in the AQMP based on the years of Project build-out phase.*

The 2022 AQMP demonstrates that the applicable ambient air quality standards can be achieved within the timeframes required under federal law. Growth projections from local general plans adopted by cities in the SCAQMD are provided to the SCAG, which develops regional growth forecasts, which are then used to develop future air quality forecasts for the AQMP. Therefore, development consistent with the growth projections in the City's General Plan is considered to be consistent with the AQMP.

Peak day emissions generated by construction activities are largely independent of land use assignments, but rather are a function of development scope and maximum area of disturbance. Irrespective of the site's land use designation, the development of the site to its maximum potential would likely occur, with disturbance of the entire site occurring during construction activities. As such, Project construction activities would not exceed the growth assumptions in the AQMP.

For long-term operational conditions, implementation of the Project would require approval of an amendment to the Subarea 29 Specific Plan. The Project's amendment to the Subarea 29 Specific Plan would add Planning Areas 32, 33, and 34, and would allow additional dwelling units under Planning Areas 30 and 31. The proposed increase in residential units within the Amendment Area (1,470 units) is consistent with TOP 2050 adopted by the City in August 2022, before the 2022 AQMP was adopted by the SCAQMD Governing Board in December 2022. The 2022 AQMP emissions forecasts are primarily based on demographic projections provided by SCAG in the 2020 RTP/SCS. The TOP 2050 SEIR determined that buildout of TOP 2050, which includes the Project, would be consistent with this criterion because overall VMT would be reduced. Because the 2022 AQMP is based on the same growth projections as presented in the 2020 RTP/SCS, which are analyzed in the TOP 2050 SEIR, it can be presumed TOP 2050, including the Project, is also consistent with the 2022 AQMP under this criterion. As such, the Project would not result in the exceedance of assumptions within the AQMP and would not result in a conflict with Consistency Criterion No. 2.

AQMP Consistency Conclusion

The Project has the potential to result in or cause NAAQS or CAAQS violations because operational-source emissions would exceed the applicable SCAQMD regional thresholds for VOC, NO_X, and CO. As such, the Project is considered to have the potential to conflict with the AQMP and a potentially significant impact would occur.

Additional Project-Level Mitigation Measures

Additional Project-level mitigation measures are not available to further reduce the Project's operational air quality emissions.

Level of Significance After Mitigation

After implementation of TOP 2050 SEIR and 2006 EIR MMs, Project construction-source emissions would not exceed criteria pollutant thresholds established by the SCAQMD for emissions of any

criteria pollutant. Thus, after mitigation, regional construction emission impacts would be less than significant. However, and as more fully discussed under the analysis of Threshold b, mitigation measures are not available to reduce the Project's regional operational emissions of VOC, NO_X, and CO to below the SCAQMD regional significance thresholds. Accordingly, even with mitigation the Project would have the potential to conflict with the SCAQMD 2022 AQMP, and impacts would be significant and unavoidable.

Threshold b: ***Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard?***

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that the Subarea 29 Specific Plan Area (Specific Plan Area) is within an area that is designated as a non-attainment area for ozone and PM_{10} under State standards and as a non-attainment area for ozone, CO, PM_{10}, and $PM_{2.5}$ under federal standards. The 2006 EIR found that development pursuant to the Subarea 29 Specific Plan would generate emissions that are above the applicable SCAQMD thresholds for ROG, NO_X, CO, and PM_{10}; thus, the exceedance of the SCAQMD threshold would result in cumulatively significant impacts to air quality. The 2006 EIR incorporated MM Air 6 through MM Air 9 to reduce emissions; however, the emissions would not be reduced to a level considered less than significant resulting in a significant and unavoidable impact. The 2006 EIR also concluded that the Approved Project would result in significant and unavoidable cumulative impacts. A statement of overriding considerations was adopted for these significant and unavoidable direct and cumulatively-considerable air quality impacts.

2. Project Impact Analysis

The Project has been evaluated to determine if it would violate an air quality standard, contribute to an existing or projected air quality violation, or if it would result in a cumulatively considerable net increase of a criteria pollutant for which the SoCAB is non-attainment under an applicable NAAQS and CAAQS.

Land uses such as the Project affect air quality through construction-source and operational-source emissions. In May 2022, SCAQMD, in conjunction with the California Air Pollution Control Officers Association (CAPCOA) and other California air districts, released the latest version of the CalEEMod (Version 2022.1). The purpose of this model is to calculate construction-source and operational-source criteria pollutant (VOCs, NO_X, SO_X, CO, PM_{10}, and $PM_{2.5}$) and GHG emissions from direct and indirect sources and quantify applicable air quality and GHG reductions achieved from mitigation measures. Accordingly, the latest version of CalEEMod has been used for this Project to determine construction and operational air quality emissions, as further discussed below. Output from the model for both construction and operational activity are provided in Appendices 3.1 and 3.2 of the AQIA included in *Technical Appendix B1* of this SEIR.

Construction-Related Emissions

Construction activities associated with the Project would result in emissions of VOCs, NO_X, SO_X, CO, PM_{10}, and $PM_{2.5}$, and are expected from demolition, site preparation, grading, building construction, paving, and architectural coating. CalEEMod calculates maximum daily emissions for summer and winter periods. Refer to Subsection 3.4 of the Project's AQIA in EIR *Technical Appendix B1* for a detailed description of modeling inputs used to estimate the Project's construction-related emissions.

Table 5.3-8, *Overall Construction Emissions Summary – Without Mitigation*, summarizes the Project's maximum daily construction-source emissions without mitigation. These emissions do take credit for fugitive dust emission reductions required by SCAQMD Rule 403, and use of low VOC content in architectural coatings required by Rule 1113. Under the assumed scenarios, emissions resulting from the Project construction would exceed the criteria pollutant threshold established by the SCAQMD for emissions of NO_x during construction activities in 2023, and emissions of VOC in 2025. Accordingly, prior to incorporation of mitigation the Project's construction-related emissions in 2023 and 2025 would represent a significant impact for which mitigation would be required.

Table 5.3-9, *Overall Construction Emissions Summary – With Mitigation*, outlines construction-source emissions after incorporation of 2006 EIR MM Air 1, MM Air 2, and MM Air 3, and TOP 2050 EIR MM 3-1. Detailed construction emission model outputs are presented in Section 3.4 of the AQIA in *Technical Appendix B1* of this SEIR. After implementation of these mitigation measures, Project construction-source emissions would not exceed criteria pollutant thresholds established by the SCAQMD for emissions of any criteria pollutant. As such, with mitigation, the Project's construction-source emissions would be less than significant.

Operational-Related Emissions

Operational activities associated with the Project would result in emissions of VOCs, NO_X, SO_X, CO, PM_{10}, and $PM_{2.5}$. Operational emissions are expected from Area Source Emissions, Energy Source Emissions, and Mobile Source Emissions. Area Source Emissions include emissions derived from architectural coatings, consumer products, and landscape maintenance equipment; Energy Source Emissions include emissions derived from combustion emissions associated with natural gas and electricity; and Mobile Source Emissions include emissions derived from vehicle trips generated by the Project.

CalEEMod utilizes summer and winter Emissions FACtor Model (EMFAC) 2021 emission factors in order to derive vehicle emissions associated with Project operational activities, which vary by season. Refer to Subsection 3.5 of the Project's AQIA in *Technical Appendix B1* for a discussion of modeling inputs used to estimate the Project's operational emissions and refer to Appendix 3.2 of the AQIA for the detailed operational modeling outputs. Table 5.3-10, *Summary of Peak Operational Emissions – Without Mitigation*, summarizes peak operational emissions without mitigation. These emissions do take credit for reductions associated with SCAQMD Rule 445 (no word-burning devices), and Rule 1113 (use of low VOC content in architectural coatings). As shown in Table 5.3-10, the Project's daily regional emissions from on-going operations would exceed the regional significance thresholds for

emissions of VOCs, NO_X, and CO. This represents a significant direct and cumulatively-considerable impact of the Project.

Table 5.3-8 Overall Construction Emissions Summary – Without Mitigation

Year	Area	Emissions (lbs/day)					
		VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
2023	Summer						
	PA 30/31	17.10	41.20	34.60	0.06	4.91	2.85
	PA 32	4.95	46.90	42.60	0.07	5.38	3.15
	PA 33	0.00	0.00	0.00	0.00	0.00	0.00
	PA 34	4.31	41.10	34.50	0.06	5.35	3.22
	Winter						
	PA 30/31	17.10	41.20	34.10	0.06	5.35	3.22
	PA 32	3.59	29.50	42.20	0.05	5.37	3.22
	PA 33	0.00	0.00	0.00	0.00	0.00	0.00
	PA 34	4.30	41.10	34.10	0.06	4.90	2.84
	Maximum Daily Emissions (2023)	**26.36**	**129.20**	**111.70**	**0.19**	**15.64**	**9.28**
	SCAQMD Regional Threshold	75	100	550	150	150	55
	Threshold Exceeded?	**NO**	**YES**	**NO**	**NO**	**NO**	**NO**
2024	Summer						
	PA 30/31	0.61	5.32	7.81	0.01	0.39	0.27
	PA 32	24.50	19.20	43.60	0.05	5.00	1.67
	PA 33	4.05	38.00	33.20	0.06	5.19	3.07
	PA 34	1.91	15.20	21.70	0.03	1.53	0.79
	Winter						
	PA 30/31	16.90	21.70	30.10	0.04	2.03	1.11
	PA 32	24.40	19.50	37.70	0.05	5.00	1.67
	PA 33	4.05	38.00	32.80	0.06	4.78	2.70
	PA 34	1.90	15.30	20.50	0.03	1.53	0.79
	Maximum Daily Emissions (2024)	**47.25**	**94.50**	**121.10**	**0.18**	**13.34**	**6.27**
	SCAQMD Regional Threshold	75	100	550	150	150	55
	Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**
2025	Summer						
	PA 30/31	0.00	0.00	0.00	0.00	0.00	0.00
	PA 32	24.20	18.00	41.50	0.05	4.91	1.59
	PA 33	77.10	16.90	40.10	0.04	4.49	1.47
	PA 34	16.10	20.50	31.40	0.05	2.00	1.03
	Winter						
	PA 30/31	0.00	0.00	0.00	0.00	0.00	0.00
	PA 32	24.10	18.20	36.00	0.05	4.91	1.59
	PA 33	77.00	17.10	34.80	0.04	4.49	1.47
	PA 34	16.00	20.50	29.80	0.05	2.00	1.03
	Maximum Daily Emissions (2025)	**117.40**	**55.80**	**113.00**	**0.14**	**11.40**	**4.09**
	SCAQMD Regional Threshold	75	100	550	150	150	55
	Threshold Exceeded?	**YES**	**NO**	**NO**	**NO**	**NO**	**NO**

(Urban Crossroads, 2023a, Table 3-7)

Table 5.3-9 Overall Construction Emissions Summary – With Mitigation

Year	Area	Emissions (lbs/day)					
		VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
2023	Summer						
	PA 30/31	4.10	30.40	38.10	0.06	4.03	2.01
	PA 32	1.46	35.50	46.50	0.07	4.26	2.10
	PA 33	0.00	0.00	0.00	0.00	0.00	0.00
	PA 34	1.23	30.30	38.00	0.06	4.30	2.24
	Winter						
	PA 30/31	4.08	30.40	37.60	0.06	4.30	2.24
	PA 32	2.14	23.40	44.40	0.05	4.32	2.25
	PA 33	0.00	0.00	0.00	0.00	0.00	0.00
	PA 34	1.23	30.30	37.60	0.06	4.01	2.00
	Maximum Daily Emissions (2023)	**7.45**	**96.20**	**122.60**	**0.19**	**12.63**	**6.49**
	SCAQMD Regional Threshold	75	100	550	150	150	55
	Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**
2024	Summer						
	PA 30/31	0.21	4.87	8.24	0.01	0.18	0.08
	PA 32	6.47	19.70	45.20	0.05	4.73	1.42
	PA 33	1.23	30.50	38.00	0.06	4.31	2.24
	PA 34	0.96	15.50	23.50	0.03	1.26	0.55
	Winter						
	PA 30/31	4.06	21.80	32.10	0.04	1.56	0.68
	PA 32	6.37	20.00	39.20	0.05	4.73	1.42
	PA 33	1.23	30.60	37.60	0.06	4.07	2.02
	PA 34	0.94	15.60	22.30	0.03	1.26	0.55
	Maximum Daily Emissions (2024)	**12.60**	**88.00**	**131.20**	**0.18**	**11.62**	**4.67**
	SCAQMD Regional Threshold	75	100	550	150	150	55
	Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**
2025	Summer						
	PA 30/31	0.00	0.00	0.00	0.00	0.00	0.00
	PA 32	6.28	19.50	43.20	0.05	4.73	1.42
	PA 33	16.80	18.40	41.70	0.04	4.31	1.30
	PA 34	2.56	21.80	33.50	0.05	1.64	0.70
	Winter						
	PA 30/31	0.00	0.00	0.00	0.00	0.00	0.00
	PA 32	6.19	19.70	37.70	0.05	4.73	1.42
	PA 33	16.70	18.60	36.40	0.04	4.31	1.30
	PA 34	2.53	21.80	31.90	0.05	1.64	0.70
	Maximum Daily Emissions (2025)	**25.64**	**60.10**	**118.40**	**0.14**	**1.17**	**0.58**
	SCAQMD Regional Threshold	75	100	550	150	150	55
	Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

(Urban Crossroads, 2023a, Table 3-8)

Table 5.3-10 Summary of Peak Operational Emissions – Without Mitigation

Source	Emissions (lbs/day)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Summer						
Area Source	79.40	22.80	98.70	0.14	1.81	1.83
Energy Source	0.73	12.50	5.71	8.00E-02	1.01	1.01
Mobile Source	64.80	72.30	698.00	1.73	59.60	11.50
Total Maximum Daily Emissions	**144.93**	**107.60**	**802.41**	**1.95**	**62.42**	**14.34**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**YES**	**YES**	**YES**	**NO**	**NO**	**NO**
Winter						
Area Source	70.90	21.90	9.34	0.14	1.77	1.77
Energy Source	0.73	12.50	5.71	8.00E-02	1.01	1.01
Mobile Source	60.30	77.80	572.00	1.62	59.60	11.50
Total Maximum Daily Emissions	**131.93**	**112.20**	**587.05**	**1.84**	**62.38**	**14.28**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**YES**	**YES**	**YES**	**NO**	**NO**	**NO**

(Urban Crossroads, 2023a, Table 3-9)

A majority of the VOC emissions are derived from consumer products. Consumer products cannot be regulated by the City of Ontario. CARB is primarily responsible for controlling pollution from consumer products. As such, the Project Applicant cannot meaningfully control the use of consumer products by future residents and building users via mitigation; thus, the Project's operational VOC emissions are considered significant and unavoidable as no feasible mitigation measure exists that would reduce the impact to less-than-significant levels. The use of Energy Star-certified appliances as required by TOP 2050 SEIR MM AQ-1 would reduce a negligible amount of emissions from area source air quality emissions that may occur onsite. Additionally, a majority of the operational-source NO_X and CO emissions would be generated by Project mobile sources (traffic). Although the Project would be required to implement 2006 EIR MM Air 4, no other mitigation measures related to vehicular emissions are available that are within the City of Ontario's jurisdictional authority and that are feasible for the City of Ontario to enforce and have a proportional nexus to the Project's level of impact. VOC and NO_X are precursors for ozone; thus, the Project would result in a cumulatively-considerable net increase of criteria pollutant for which the Project region is non-attainment. Therefore, because the Project's operational-source VOC, NO_X, and CO emissions would exceed the applicable SCAQMD regional thresholds, the Project would result in significant and unavoidable direct and cumulatively-considerable impacts to air quality during long-term operations.

Additional Project-Level Mitigation Measures

Additional Project-level mitigation measures are not available to further reduce the Project's operational air quality emissions.

Level of Significance After Mitigation

Construction emissions would be less than significant with mitigation.

The Project's operational-source VOC, NO_X, and CO emissions would exceed the applicable SCAQMD regional thresholds. VOC and NO_X are precursors for ozone; thus, the Project would result in a cumulatively-considerable net increase of criteria pollutant for which the Project region is non-attainment. Therefore, the Project would result in significant and unavoidable direct and cumulatively-considerable impacts to air quality during long-term operations, consistent with the conclusion of the 2006 EIR.

Threshold c: Would the Project expose sensitive receptors to substantial pollutant concentrations?

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that implementation of the Subarea 29 Specific Plan would expose sensitive receptors to substantial pollutant concentrations during construction and operation. As such, the 2006 EIR determined that the Approved Project would result in significant and unavoidable direct and cumulatively-considerable impacts related to exposing sensitive receptors to substantial pollutant concentrations, and a statement of overriding considerations was adopted by the City.

2. Project Impact Analysis

Localized Significance Thresholds

The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the federal and/or State ambient air quality standards (NAAQS/CAAQS). Collectively, these are referred to as Localized Significance Thresholds (LSTs). SCAQMD recommends that the nearest sensitive receptor be considered when determining the Project's potential to cause an individual a cumulatively significant impact. The nearest land use where an individual could remain for 24 hours to the Amendment Area has been used to determine localized construction and operational air quality impacts for emissions of PM_{10} and $PM_{2.5}$ (since PM_{10} and $PM_{2.5}$ thresholds are based on a 24-hour averaging time). The nearest receptor used for evaluation of localized impacts of PM_{10} and $PM_{2.5}$ is represented by location R4 which represents the existing residence at 4677 Sagewood Lane, approximately 22 feet west of the Amendment Area.

The nearest industrial/commercial use to the Amendment Area can be used to determine construction and operational LST air impacts for emissions of NO_X and CO as the averaging periods for these pollutants are shorter (8 hours or less) and it is reasonable to assume that an individual could be present at these sites for periods of one to 8 hours. As there are no industrial/commercial receptors located at a closer distance than the nearest residential home, the same residence located at 4677 Sagewood Lane (location R4) was used for evaluation of localized impacts of NO_X and CO. It should be noted that the LST Methodology explicitly states that *"It is possible that a project may have receptors closer than 25 meters. Projects with boundaries located closer than 25 meters to the nearest receptor should use*

the LSTs for receptors located at 25 meters." As such a 25-meter receptor distance was used for evaluation of localized PM_{10}, $PM_{2.5}$, NO_X, and CO.

For this Project, the appropriate SRA for the LST analysis is the SCAQMD Southwest San Bernardino Valley area (SRA 33). SCAQMD produced look-up tables for projects less than or equal to 5 acres in size; however, the look-up tables can be applied as a screening criterion for larger projects (see additional discussion in Section 3.6 of the AQIA included in *Technical Appendix B1* of this SEIR). Use of the 5-acre disturbance area thresholds can be used to show that even if the daily emissions from all construction activity were emitted within a 5-acre area, and therefore concentrated over a smaller area, which would result in greater site adjacent concentrations, the impacts would still be less than significant if the applicable 5-acre thresholds are utilized.

Construction-Related Impacts

As shown on Table 5.3-11, *Localized Significance Summary Peak Construction (With Mitigation)*, with implementation of mitigation measures from the 2006 EIR (MMs Air 1, Air 2, and Air 3), and TOP 2050 EIR MM 3-1, emissions during the peak construction activity would not exceed the SCAQMD's localized significance thresholds. As such, the Project's localized impacts during construction activity would be less than significant.

Table 5.3-11 Localized Significance Summary Peak Construction (With Mitigation)

Peak Construction	CO		NO_2	PM_{10}	$PM_{2.5}$
	Averaging Time				
	1-Hour	8-Hour	1-Hour	24-Hours	24-Hours
Peak Day Localized Emissions	0.03	0.01	1.85E-02	0.83	0.41
Background Concentration [A]	1.6	1.3	0.10		
Total Concentration	**1.63**	**1.31**	**0.12**	**0.83**	**0.41**
SCAQMD Localized Significance Threshold	20	9	0.18	10.4	10.4
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**

[A] Highest concentration from the last three years of available data.
Note: PM_{10} and $PM_{2.5}$ concentrations are expressed in $\mu g/m^3$. All others are expressed in ppm
Source: (Urban Crossroads, 2023a)

Operational-Related Impacts

The LST analysis generally includes on-site sources (area, energy, mobile, and on-site cargo handling equipment – as discussed in Section 3.5 of the Project's AQIA). However, it should be noted that the CalEEMod outputs do not separate on-site and off-site emissions from mobile sources. The longest on-site distance is approximately 2.0 miles. As such, a separate CalEEMod run for operational LSTs has been prepared which accounts for the 2.0-mile on-site travel distance. Outputs from the model run for operational LSTs are provided in Appendix 3.2 of the Project's AQIA (*Technical Appendix B1* of this SEIR).

Emissions during the peak operational activity would not exceed the SCAQMD's localized significance thresholds as illustrated on Table 5.3-12, *Localized Significance Summary – Project*

Operations (Without Mitigation). Because any emission reductions resulting from implementation of mitigation measures cannot be quantified, the values presented below in Table 5.3-12 are without mitigation. As shown, the Project would not exceed any of the operational LSTs and localized impacts during operational activity would be less than significant. Outputs from the model runs for operational LSTs are provided in Appendix 3.4 of the Project's AQIA (*Technical Appendix B1* of this SEIR).

Table 5.3-12 Localized Significance Summary – Project Operations (Without Mitigation)

Peak Operation	CO		NO_2	PM_{10}	$PM_{2.5}$
	Averaging Time				
	1-Hour	8-Hour	1-Hour	24-Hours	24-Hours
Peak Day Localized Emissions	4.06E-02	3.08E-02	5.11E-03	1.01	0.41
Background Concentration [a]	1.6	1.3	0.10		
Total Concentration	**1.64**	**1.33**	**0.11**	**1.01**	**0.41**
SCAQMD Localized Significance Threshold	20	9	0.18	2.5	2.5
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**

[a] Highest concentration from the last three years of available data.
Note: PM_{10} and $PM_{2.5}$ concentrations are expressed in $\mu g/m^3$. All others are expressed in ppm
Source: (Urban Crossroads, 2023a)

Health Consequences

In December 2018, in the case of *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, the California Supreme Court held that an EIR air quality analysis must meaningfully connect the identified air quality impacts to the human health consequences of those impacts, or meaningfully explain why that analysis cannot be provided. As discussed in briefs filed in the Friant Ranch case, correlating a project's criteria air pollutant emissions to specific health impacts is challenging. The SCAQMD, which has among the most sophisticated air quality modeling and health impact evaluation capability of any of the air districts in the State, and thus it is uniquely situated to express an opinion on how lead agencies should correlate air quality impacts with specific health outcomes noted that it may be "difficult to quantify health impacts for criteria pollutants." SCAQMD used O_3 as an example of why it is impracticable to determine specific health outcomes from criteria pollutants for all but very large, regional-scale projects. First, forming O_3 "takes time and the influence of meteorological conditions for these reactions to occur, so ozone may be formed at a distance downwind from the sources." Second, "it takes a large amount of additional precursor emissions (NO_X and VOCs) to cause a modeled increase in ambient ozone levels over an entire region," with a 2012 study showing that "reducing NO_X by 432 tons per day (157,680 tons/year) and reducing VOC by 187 tons per day (68,255 tons/year) would reduce ozone levels at the SCAQMD's monitor site with the highest levels by only 9 parts per billion."

SCAQMD concluded that it "does not currently know of a way to accurately quantify ozone-related health impacts caused by NO_X or VOC emissions from relatively small projects." The San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) ties the difficulty of correlating the emission of criteria pollutants to health impacts to how ozone and particulate matter are formed, stating that "[b]ecause of the complexity of ozone formation, a specific tonnage amount of NO_X or VOCs

emitted in a particular area does not equate to a particular concentration of ozone in that area." Similarly, the tonnage of PM "emitted does not always equate to the local PM concentration because it can be transported long distances by wind," and "[s]econdary PM, like ozone, is formed via complex chemical reactions in the atmosphere between precursor chemicals such as sulfur dioxides (SO_X) and NO_X," meaning that "the tonnage of PM-forming precursor emissions in an area does not necessarily result in an equivalent concentration of secondary PM in that area." The disconnect between the amount of precursor pollutants and the concentration of ozone or PM formed makes it difficult to determine potential health impacts, which are related to the concentration of ozone and particulate matter experienced by the receptor rather than levels of NO_X, SO_X, and VOCs produced by a source.

Most local agencies lack the data to do their own assessment of potential health impacts from criteria air pollutant emissions, as would be required to establish customized, locally specific thresholds of significance based on potential health impacts from an individual development project. The use of national or "generic" data to fill the gap of missing local data would not yield accurate results because such data does not capture local air patterns, local background conditions, or local population characteristics, all of which play a role in how a population experiences air pollution. Because it is impracticable to accurately isolate the exact cause of a human disease (for example, the role a particular air pollutant plays compared to the role of other allergens and genetics in cause asthma), existing scientific tools cannot accurately estimate health impacts of the Project's air emissions without undue speculation. Instead, the Project's AQIA included in *Technical Appendix B1* of this SEIR, which is summarized in this section, provides extensive information concerning the quantifiable and non-quantifiable health risks related to the Project's construction and long-term operation.

The LST analysis discussed above determined that the Project would not result in emissions exceeding SCAQMD's LSTs. Additionally, it should be noted that the Project is significantly smaller than the project evaluated in the Friant Ranch case, and consequently would be more difficult to analyze impacts. Therefore, the Project would not be expected to exceed the most stringent applicable federal or State ambient air quality standards for emissions of CO, NO_X, PM_{10}, and $PM_{2.5}$. As the Project's emissions would comply with federal, State, and local air quality standards, the Project's emissions are not sufficiently high enough to use a regional modeling program to correlate health effects on a basin-wide level and would not provide a reliable indicator of health effects if modeled.

Construction Health Risk Assessment

The Construction HRA prepared for the Project is included in *Technical Appendix B2* of this SEIR (Urban Crossroads, 2023b). The Construction HRA evaluates the potential health risk impacts to sensitive receptors, which are residents, from exposure to TACs including diesel particulate matter (DPM) as a result of heavy-duty diesel trucks and construction equipment used during construction of the proposed Project. The assumptions used for the analysis are presented in the Construction HRA, and the results are summarized below.

The land use with the greatest potential exposure to Project construction-source DPM emissions is Location R1 which is located approximately 73 feet east of the Project site at an existing residence

located at the southwest corner of S. Tesoro Privado and E. Amanecer Privado. While Location R1 is not the nearest receptor to the Project site, it would experience the highest concentrations of DPM during Project construction due to meteorological conditions at the site. Location R1 is placed in the private outdoor living areas (backyard) facing the Project site. At the maximally exposed individual receptor (MEIR), the maximum incremental cancer risk attributable to Project construction-source DPM emissions is estimated at 3.69 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable threshold of 1.0. Because all other modeled receptors would experience lower concentrations of DPM during Project construction, all other receptors in the vicinity of the Project would be exposed to less emissions and therefore less risk than the MEIR identified herein. As such, the Project would not cause a significant human health or cancer risk to adjacent land uses as a result of Project construction activity, resulting in a less than significant impact.

CO "Hot Spot"

An adverse CO concentration, known as a "hot spot," would occur if an exceedance of the State one-hour standard of 20 parts per million (ppm) or the eight-hour standard of 9 ppm were to occur. A Project-specific CO "hot spot" analysis was not performed because CO attainment in the SoCAB was thoroughly analyzed as part of SCAQMD's 2003 AQMP and the 1992 Federal Attainment for Carbon Monoxide Plan (1992 CO Plan). As identified in SCAQMD's 2003 AQMP and the 1992 CO Plan, peak CO concentrations in the SoCAB were the byproduct of unusual meteorological and topographical conditions and were not the result of traffic congestion. As evidence of this, for example, of the 8.4 ppm 8-hr CO concentration measured at the Long Beach Boulevard and Imperial Highway intersection (highest CO generating intersection within the "hot spot" analysis), only 0.7 ppm was attributable to the traffic volumes and congestion at this intersection; the remaining 7.7 ppm were due to the ambient air measurements at the time the 2003 AQMP was prepared. In contrast, a CO "hot spot" would occur if an exceedance of the State 1-hour standard of 20 ppm or the 8-hour standard of 9 ppm were to occur. The ambient 1-hr and 8-hr CO concentration within the Project study area is estimated to be 1.5 ppm and 1.2 ppm, respectively (data from I-10 Near Road station for 2020).

The 2003 AQMP estimated that the 1-hour concentration for the Wilshire Boulevard and Veteran Avenue intersection was 4.6 ppm; this indicates that, should the daily traffic volume increase four times to 400,000 vehicles per day, CO concentrations (4.6 ppm x 4=8.4 ppm) still would not likely exceed the most stringent 1-hour CO standard (20.0 ppm). The highest average daily trips at an intersection that the Project would generate trips at is 6,330 vehicles per hour (vph) at the Euclid Avenue and Edison Avenue intersection. As such, Project-related traffic volumes are less than the traffic volumes identified in the 2003 AQMP. Accordingly, the Project would not produce the volume of traffic required to generate a CO "hot spot" in the context of the 2003 AQMP. Therefore, CO "hot spots" are not an environmental impact of concern for the Project, and this impact would be less than significant.

Additional Project-Level Mitigation Measures

No additional mitigation measures would be required.

Level of Significance After Mitigation

The Project would not exceed the SCAQMD LSTs during construction (with implemented of the identified construction-related mitigation measures) and long-term operation, would not cause a significant human health or cancer risk during construction, and would not cause or contribute to any CO "hot spots." Impacts would be less than significant.

Threshold d: Would the Project result in other emissions (such as those leading to odors adversely affecting a substantial number of people?

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that construction activities within the Specific Plan area would generate odors; however, odors generated during construction and grading would be short-term and would not result in long-term impacts to the surrounding area. With respect to long-term operation, the 2006 EIR concluded that the implementation of the Subarea 29 Specific Plan would have a beneficial impact related to odors as the proposed development would facilitate the transition of the area from dairy uses to primarily residential uses, thereby eliminating the source of existing odors resulting from dairy operations. It should be noted that the 2006 EIR MM Ag 2 in SEIR Section 5.2, Agricultural Resources, requires notification of home buyers of agricultural nuisance factors in the interim condition when agricultural operations are existing next to new homes. The 2006 EIR concluded that implementation of the Subarea 29 Specific Plan would not expose substantial numbers of people to objectionable odors. Additionally, cumulative impacts were determined to be less than significant.

2. Project Impact Analysis

According to SCAQMD, land uses generally associated with odor complaints include agricultural uses (livestock and farming), wastewater treatment plants, food processing plants, chemical plants, composting operations, refineries, landfills, dairies, and fiberglass molding facilities. Similar to the approved Subarea 29 Specific Plan, the removal of existing agricultural uses, including former dairy farms, would serve to reduce odors in the area, and homebuyers would be notified of potential odors from nearby agricultural operations (as required by 2006 EIR MM Ag 2).

The Project does not include any uses identified by SCAQMD as being associated with emitting objectionable odors. Potential odor sources associated with the Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities and the temporary storage of typical solid waste (refuse) associated with the proposed Project's long-term operational uses. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant. It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the solid waste regulations. The proposed Project also would be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances.

Therefore, odors associated with the proposed Project construction and operations would be less than significant and no mitigation is required.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

5.3.5 Cumulative Impact Analysis

This cumulative impact analysis considers development of the proposed Project in conjunction with other development projects and planned development within the SoCAB.

As previously discussed, the CAAQS designate the SoCAB as nonattainment for O_3, PM_{10}, and $PM_{2.5}$ while the NAAQS designates the SoCAB as nonattainment for O_3 and $PM_{2.5}$. SCAQMD has published a report on how to address cumulative impacts from air pollution: White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution. In this report, SCAQMD clearly states (Page D-3):

> *…the AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for TAC emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts.*
>
> *Projects that exceed the project-specific significance thresholds are considered by SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant.*

Therefore, this analysis assumes that individual projects that do not generate operational or construction emissions that exceed SCAQMD's recommended daily thresholds for Project-specific impacts also would not cause a cumulatively-considerable increase in emissions for those pollutants for which the SoCAB is in nonattainment, and, therefore, would not be considered to have a significant, adverse air quality impact. Alternatively, individual Project-related construction and operational emissions that exceed SCAQMD thresholds for Project-specific impacts would be considered cumulatively considerable.

As described under the analysis for Threshold "a," Project implementation would have the potential to conflict with SCAQMD's 2022 AQMP because the Project would contribute to existing regional air quality violations. Based on SCAQMD's regional emissions thresholds, the Project's conflict with the AQMP is determined to be a significant cumulatively-considerable impact.

As discussed in the response to Threshold "b," Project construction criteria air pollutant emissions would not exceed the applicable SCAQMD regional thresholds with implementation of 2006 EIR and TOP 2050 EIR mitigation measures; however, SCAQMD regional thresholds for VOC, NO_X, and CO emissions would be exceeded during Project operation even with mitigation. Therefore, the Project's operational VOC, NO_X, and CO emissions would be cumulatively considerable resulting in a significant and unavoidable impact.

As discussed under the analysis for "Threshold c," all Project-related construction- and operational localized air pollutant emissions would be less than significant; therefore, impacts are not considered cumulatively considerable. Additionally, the Project would not result a human health risk, or result in the formation of or contribute to a CO "hot spot." As such, impacts are not considered cumulatively-considerable.

As indicated in the analysis of Threshold "d," above, there are no Project components that would expose a substantial number of sensitive receptors to objectionable odors. Because the Project's construction and operation would not create substantial and objectionable odors, odors from the Amendment Area would not commingle with odors from nearby development projects or agricultural/dairy farm activities to expose nearby sensitive receptors to substantial, offensive odors. Accordingly, implementation of the Project would result in a less than significant cumulative impact related to odors.

5.3.6 REFERENCES

Urban Crossroads, Inc. (Urban Crossroads). 2023a. *Subarea 29 Specific Plan Amendment Air Quality Impact Analysis*. April 28, 2023. Included in SEIR *Technical Appendix B1*.

Urban Crossroads, Inc. (Urban Crossroads). 2023b. *Subarea 29 Specific Plan Amendment Construction Health Risk Assessment*. March 27, 2023. Included in SEIR *Technical Appendix B2*.

5.4 BIOLOGICAL RESOURCES

This subsection the potential for Project-related activities to impact biological resources. The analysis in this subsection is based, primarily, on information contained in the *Biological Technical Report for Subarea 29 Specific Plan Amendment Project (Planning Areas 30-34)* (Biological Report) prepared by VCS Environmental (VCS) (November 2022) (VCS, 2022a). The technical report is included as Technical Appendix C1 to this Subsequent Environmental Impact Report (SEIR). The Biological Report incorporates the review of relevant literature, field surveys, and geographic information system (GIS)-based analysis of vegetation communities. A detailed discussion of the methodology used for conducting the biological resources assessment is provided in the Biological Report included in SEIR Technical Appendix C1.

5.4.1 EXISTING CONDITIONS

VCS conducted a general biological survey of the approximately 171.3-acre Amendment Area and off-site improvements areas on September 1, 2021.[1] During the general biological survey, the biologists walked the entirety of the Amendment Area and off-site improvement areas, paying special attention to those areas that could host sensitive vegetation communities or had the potential to provide suitable habitat for special status plant species. All plant species encountered during the field survey were identified and recorded in field notes. The vegetation communities and habitat conditions were inspected to confirm presence and habitat quality of the vegetation found onsite. Vegetation communities were mapped using field observations and utilizing aerial imagery. Plant species were identified in the field.

VCS also conducted a habitat assessment and single day focused survey for the burrowing owl (*Athene cunicularia*) on September 1, 2021, and four protocol surveys from March 2022 to June 2022. The habitat assessment and focused survey was conducted on foot, visually inspecting and mapping all areas of the Amendment Area and adjacent areas (including a 500-foot buffer) for components of burrowing owl habitat.

A. Vegetation Communities/Plants

The majority of the Amendment Area is highly disturbed and soil conditions in most of the area are highly contaminated by fine silty materials, manure, and organic content likely a result of decades of agricultural use and livestock operations. Table 5.4-1, Vegetation Communities/Land Cover, identifies

[1] As described in Section 4.2.3 of the Biological Report included in SEIR Technical Appendix C, general and focused surveys of various portions of the Amendment Area in 2005, 2006, and 2007, and 2018. Vegetation and other landcover within the Expansion Area included agricultural/dairies and stockyards, annual grassland, ruderal, developed/ornamental, and disturbed. No special status plant species were observed on the site during those surveys. PAs 30 and 31 were developed as a small dairy which included a house, barns and other outbuildings. Holding ponds were present along the southern, western, and northwestern boundaries of the site. Vegetation consisted of ruderal and non-native weedy plants and non-native grasses. No special status wildlife and/or plants species were observed and no suitable burrows for burrowing owl were found during the surveys.

the vegetation community and land cover type within the Amendment Area and are depicted on Figure 5.4-1, Vegetation Communities and Land Cover Type. A description of each vegetation community and land cover type is provided below.

Table 5.4-1 Vegetation Communities/Land Cover

Vegetation Community/Land Cover Type	Project Footprint	
	Amendment Area and SCE Easement (acres)	Off-site ROW Improvements (acres)
Disturbed/Developed	23.4	10.9
Agricultural – Row Crops	49.5	-
Dairy Farm	34.1	-
Herbaceous Non-native Forbs and Grasses	40.5	0.9
Tamarisk thickets	1.0	-
Tree tobacco (*Nicotiana glauca)* Stands	11.1	-
Total	**159.6**	**11.7[a]**

a. Sum is 0.01 acre great due to rounding; 11.7 acres is the correct total.
Source: (VCS, 2022a, Table 2)

1. Disturbed/Developed

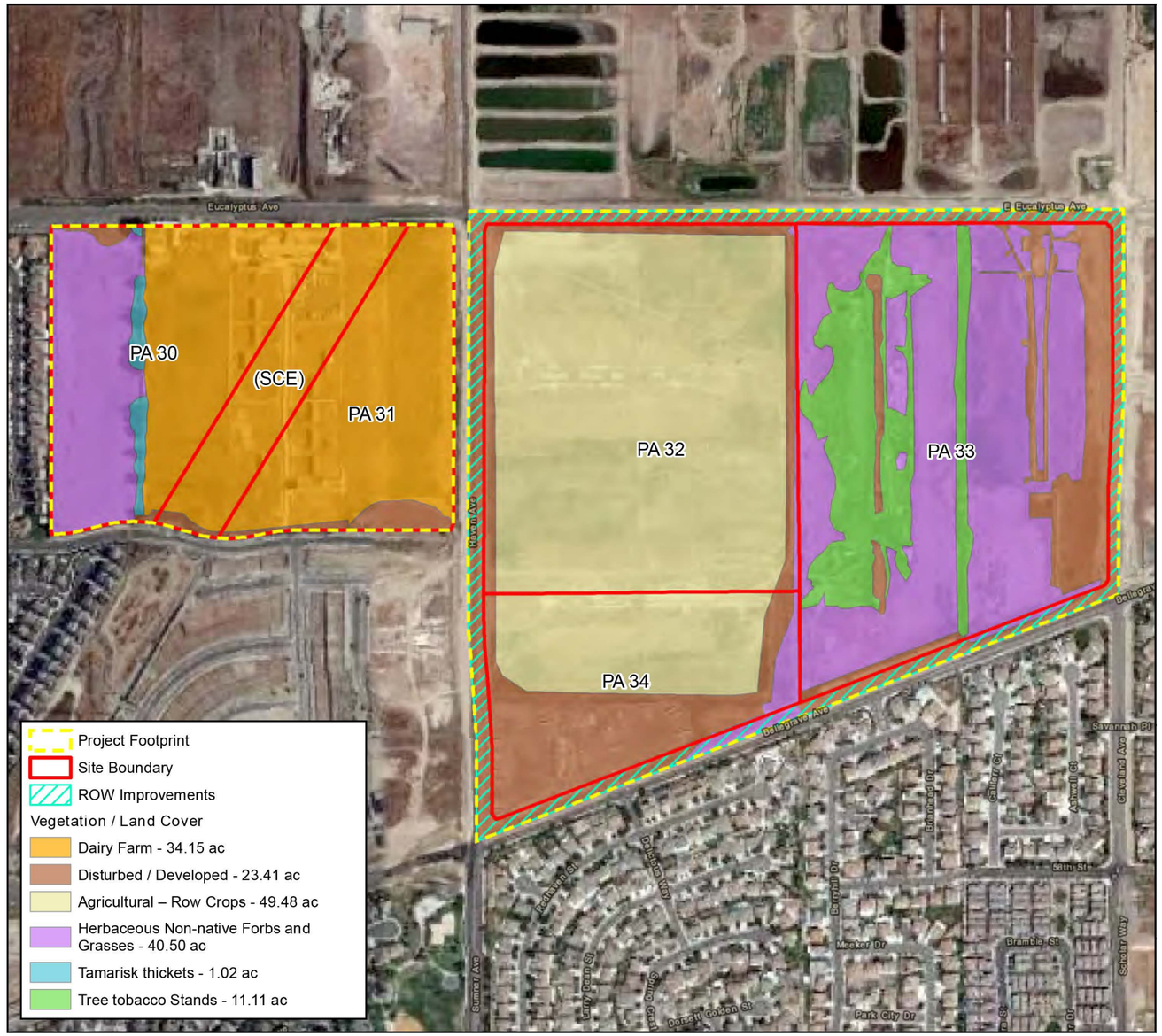
Approximately 23.4 acres of disturbed/developed land cover was mapped within the Amendment Area and SCE easement area, while an additional approximately 10.9 acres was mapped within the off-site right-of-way (ROW) improvement area. The Amendment Area is currently in a highly disturbed condition after many years of agriculture and livestock operations. The disturbed/developed areas include unpaved and paved roads, concrete pads from a previous dairy operation, and other construction related debris.

2. Agricultural – Row Crops

Approximately 49.5 acres of the land within the western portion of the proposed Expansion Area is considered agricultural row crops; this area is in active agricultural use in irrigated crop production.

3. Dairy Farm

A total of 34.1 acres of dairy farm was mapped on the western portion of the Amendment Area (PAs 30 and 31west of Haven Avenue), which is within the previously adopted Subarea 29 Specific Plan Area (Specific Plan Area). PAs 30 and 31 have been in dairy operations since at least the 1980's through to at least February 2021. This land cover consists of cow-pens, manure, unpaved access roads, and associated outbuildings and infrastructure. Dry holding ponds are present in the western portion of this area. The dairy farm area is disturbed and mostly devoid of vegetation, except for patchy areas supporting non-native herbaceous ruderal vegetation consistent with species observed in other areas of the site. Additionally, an approximately 1,500-foot long by 250-foot-wide SCE electrical easement with electrical towers extends between PAs 30 and 31 in an easterly-westerly direction.



Source(s): VCS Environmental (November 2022)

Figure 5.4-1

Not to Scale

Vegetation Communities and Land Cover Type

4. Herbaceous Non-native Forbs and Grasses

Approximately 40.5 acres of the land within Amendment Area is considered herbaceous non-native forbs and grasses. An additional approximately 0.9 acres was mapped within the off-site ROW improvements area. This land cover is located mainly on the western and eastern portions of the Amendment Area and is dominated by ruderal fallow non-native herbaceous vegetation including golden crownbeard (*Verbesina encelioides*), fat-hen *(Atriplex prostrata),* Australian saltbush *(Atriplex semibaccata),* Fivehorn smotherweed (*Bassia hyssopifolia*), ripgut brome (*Bromus diandrus*), red brome (*Bromus rubens*), cheeseweed (*Malva parviflora*), Mediterranean schismus (*Schismus barbatus*), giant reed (*Arundo donax),* prickly lettuce *(Lactuca serriola),* Russian thistle (*Salsola tragus),* and short-pod mustard (*Hirschfeldia incana)*. Native species observed within this land cover include common fiddleneck (*Amsinckia* sp.), common sunflower (*Helianthus annuus*) and Palmer's amaranth (*Amaranthus palmeri).*

5. Tamarisk Thickets - Tamarix spp. Shrubland Semi-Natural Alliance

Approximately 1.0 acre of tamarisk thickets was mapped within the central portion PA 30. This vegetation/land cover is dominated in the shrub and tree canopy by *Tamarix ramosissima*.

6. Tree Tobacco - Nicotiana glauca Stands

Approximately 11.1 acres of the proposed Expansion Area was identified as tree tobacco (*Nicotiana glauca*) stands. Large, high-density patches of this non-native species were observed primarily on the eastern portion of the proposed Expansion Area, along concrete structures/piles and an earthen ditch. Native species such as mulefat (*Baccharis salicifolia*) were observed within this vegetation community at a low cover.

B. Wildlife Species

A total of 26 wildlife species or signs thereof were observed during the September 2021 general field survey. The wildlife species or signs thereof observed during the field survey are described below and are presented in Appendix B of SEIR Technical Appendix C1.

1. Fish

Natural drainages or areas of open water containing suitable fish habitat were not present within the Amendment Area or off-site improvement areas. Therefore, no fish were observed or are expected to occur on the site.

2. Amphibians

Amphibians are small invertebrates that need water, or a moist environment for at least a portion of their life cycle and many require standing or flowing water for reproduction. Terrestrial species may or may not require standing water for reproduction. These species are able to survive in dry areas by aestivating (i.e., remaining beneath the soil in burrows or under logs and leaf litter, and emerging only when temperatures are low, and humidity is high). Many of these species' habitats are associated with

water and they emerge to breed once the rainy season begins. During the general biological survey, no amphibian species were observed within the Amendment Area or off-site improvement areas. Common amphibian species have a low potential to occur on the site due to a lack of suitable habitat.

3. Reptiles

Reptiles are air-breathing vertebrates covered in special skin made up of scales, bony plates, or a combination of both. Reptiles live in a wide range of habitats. Lizards are all terrestrial, but their habitats may range from deserts to rainforests, and from underground burrows to the tops of trees. Most snakes are terrestrial and live in a wide range of habitats, but some snakes are aquatic. During the general biological survey, only two species of reptiles were observed including the western fence lizard (*Sceloporus occidentalis*) and side-blotched lizard (*Uta stansburiana*). Other species have low potential to occur onsite due to the current levels of disturbance within the Amendment Area and off-site improvement areas.

4. Birds

During the biological survey, common birds observed include house finch (*Haemorhous mexicanus*), American crow (*Corvus brachyrhynchos*), Anna's Hummingbird (*Calypte anna*), red-winged blackbird (*Agelaius phoeniceus*), mourning dove (*Zenaida macroura*), and Bell's sage sparrow. Raptors observed on the site include red-tailed hawk (*Buteo jamaicensis*), Cooper's hawk, and American kestrel (*Falco sparverius*).

5. Mammals

During the biological survey, mammal species observed within the Amendment Area included San Diego black-tailed jackrabbit (*Lepus californicus bennettii*), California ground squirrel (*Spermophilus beecheyi*), and desert cottontail (*Sylvilagus audubonii*).

C. Special-Status Wildlife

Sensitive wildlife species include the following classifications: federally or state listed threatened or endangered species, California species of special concern, and fully protected and protected species (as designated by CDFW). Species with the potential to occur onsite were analyzed based on distribution, habitat requirements, and existing site conditions. Sensitive wildlife species with high or moderate (or low to moderate) potential to occur, observed and not observed during the biological survey include:

- burrowing owl (*Athene cunicularia*), a CDFW Species of Special Concern (SSC). Not observed.
- Cooper's hawk, a CDFW Watch List species (WLS). Observed.
- Bell's sage sparrow, a CDFW WLS and United States Fish and Wildlife Service (USFWS) Bird of Conservation Concern (BCC). Observed.
- grasshopper sparrow (*Ammodramus savannarum*), a CDFW SSC. Not observed.

- San Diego black-tailed jackrabbit (*Lepus californicus bennettii*), a CDFW SSC. Observed.

The five sensitive species noted above are described in further detail below. A complete list of sensitive wildlife species with potential to occur within the Amendment Area and off-site improvement areas is included in Appendix C of SEIR Technical Appendix C1.

A habitat suitability assessment was also conducted for the federally endangered Delhi sands flower-loving fly (*Rhaphiomidas terminates abdominalis*) (DSF) and is included in Appendix D of SEIR Technical Appendix C1.

1. Burrowing Owl

The burrowing owl is a small, tan, ground-dwelling owl that occupies and nests in underground burrows. The species is associated with grasslands and other arid open terrain throughout much of the western United States. As further described in Section 5.2.7.1 of the Biological Report included in SEIR Technical Appendix C1, burrowing owls are opportunistic in their selection of burrows, typically utilizing the burrows of small mammals, drainpipes, culverts and other suitable cavities at or below ground level. Due to the characteristic fossorial habits of burrowing owls, burrows are a critical component of their habitat. In southern California, burrowing owls are not only found in undisturbed natural areas, but also fallow agricultural fields, margins of active agricultural areas, berms to flood control and creek channels, livestock farms, airports, and vacant lots. Declines in burrowing owl populations are attributed to loss and degradation of habitat, to ongoing residential and commercial development, and to rodent control programs.

Previously, burrowing owl were observed and recorded onsite. The Amendment Area and off-site improvement areas provide suitable habitat for the species although the area is surrounded by active and fallow dairy land, dirt and paved roads, and livestock paddocks.

Focused surveys for burrowing owl were performed in 2006 for the eastern half and the southern corner of the Amendment Area; most of the western half of the Amendment Area (PAs 30 and 31 and the SCE easement) was not assessed. This survey consisted of a habitat assessment on March 30, 2006; a focused burrow survey on April 20 and 21, 2006; and four crepuscular owl surveys on June 27, July 14 and 15, and August 7, 2006. During the 2006 April, June and July surveys, burrowing owl were observed in the proposed Expansion Area: a single owl, which did not exhibit breeding behavior, and a nesting pair with three fledglings. The owls were not observed during the August 7, 2006 survey, which occurred after demolition and clearing activities on the site. During a general biological assessment conducted in 2018, burrowing owls were observed within the proposed Expansion Area.

A burrowing owl focused survey was also conducted on September 1, 2021, during the general habitat assessment. Most of the Amendment Area is highly disturbed/developed and currently used for agricultural row crops and dairy operations. The western and eastern portions of the Amendment Area provide somewhat suitable habitat within the disturbed/non-native vegetation patches, open fields, and soil berms, where some suitable burrows were observed. No burrowing owls or evidence thereof (i.e., whitewash, pellets, feathers, tracks, eggshell fragments, nest adornment materials, etc.) were observed

within the Burrowing Owl Study Area, which included a 500-foot buffer area around the Project impact area (Amendment area and off-site improvement areas) (refer to Figure 5.4-2, Burrowing Owl Study Area). Adjacent properties within the survey buffer were surveyed with binoculars due to access limitations.

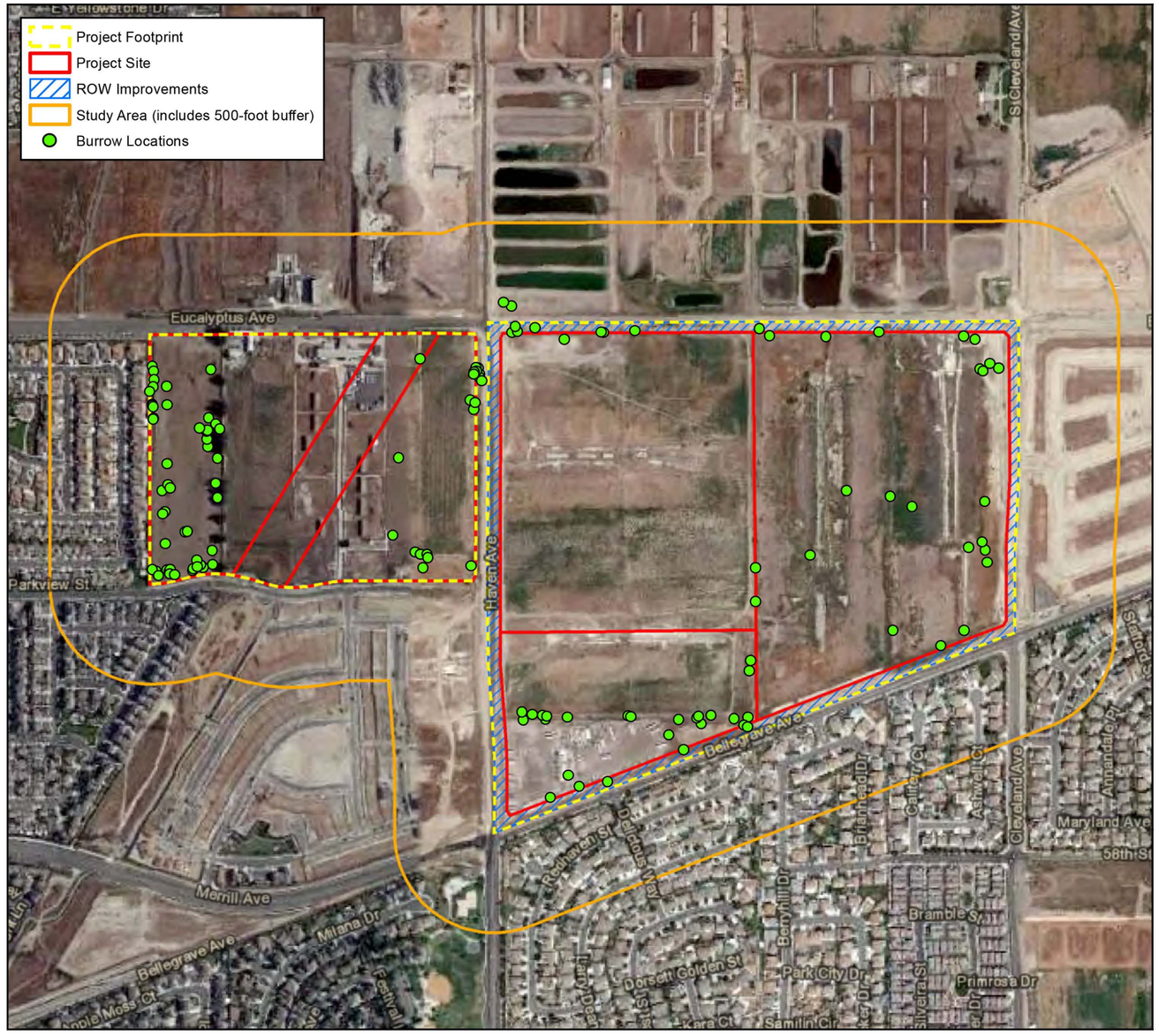
While no burrowing owls were observed within the Amendment Area, off-site improvement areas, or surrounding 500-foot buffer during the September 1, 2021 focused survey, these areas provide suitable shelter and nesting habitat for burrowing owls; therefore, there is potential for the species to occur on or adjacent to the Amendment Area. Therefore, additional focused burrowing owl surveys were conducted in 2022. The results of the 2022 surveys are presented in the *Burrowing Owl Breeding Season Survey Report for Subarea 29 Specific Plan Amendment/General Plan Amendment Project (Planning Areas 30-34, City of Ontario, County of San Bernardino, California,* prepared by VCS Environmental (July 2022) (VCS, 2022b), and included in SEIR Technical Appendix C2. Four focused burrowing owl surveys were conducted in March, May, and June 2022. No burrowing owls or evidence thereof (i.e., whitewash, pellets, feathers, tracks, eggshell fragments, nest adornment materials, etc.) were observed within the Burrowing Owl Study Area. Adjacent properties within the survey buffer were surveyed with binoculars due to access limitations. While no burrowing owls were observed in 2022, the Amendment Area and off-site improvement areas continue to provide suitable shelter and nesting habitat for burrowing owls; therefore, there is potential for the species to occur on or adjacent to the Project in the future.

2. Cooper's Hawk

This hawk species occurs in forest and woodland habitats. These hawks are a regular sight in parks, quiet neighborhoods, over fields, at backyard feeders, and even along busy streets if there are trees around. A Cooper's hawk was observed foraging within the Amendment Area on the tamarisk trees located on the western portion of the Amendment Area during the biological survey. The species is known to occasionally nest in large pines and Eucalyptus trees. This species is protected by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGC).

3. Bell's Sage Sparrow

The Bell's sage sparrow is a neat, gray-headed sparrow emblematic of California's coastal sage and chaparral. They also occur in Baja California, the Mojave Desert, and on San Clemente Island, California (a federally threatened subspecies). Like the very similar Sagebrush Sparrow, these birds spend much of their time foraging for insects and seeds on the ground underneath shrubs. In spring males sing a fast mix of trills and chips from the tallest perches they can find. This species is protected by the MBTA and CFCG. A Bell's sage sparrow was observed foraging within the eastern portion of the Amendment Area during the biological survey, however the site lacks suitable nesting habitat for the species.



Source(s): VCS Environmental (November 2022)

Figure 5.4-2

Not to Scale

Burrowing Owl Study Area

4. Grasshopper Sparrow

The grasshopper sparrow is a stubby-tailed and bull-necked songbird found in grasslands, prairies, hayfields, and open pastures with little to no scrub cover and often with some bare ground. When not singing its quiet, insect-like song from atop a stalk in a weedy pasture, it disappears into the grasses where it usually runs along the ground rather than flies. This species is protected by the MBTA and CFGC. This species has a low to moderate potential to occur within the Amendment Area for foraging, however the site lacks suitable nesting habitat for the species.

5. San Diego Black-tailed Jackrabbit

This jackrabbit species is found throughout southern California in forests, chaparral, and coastal sage scrub. Although marginal habitat occurs within the Amendment Area, the species was observed during the biological survey. The entire site could provide foraging habitat for this species.

6. Insects

Delhi Sands Flower-loving Fly

Focused surveys for the federally endangered Delhi sands flower-loving fly (*Rhaphiomidas terminates abdominalis*) (DSF) were performed in 2006 and 2007 for the southern portion of the proposed Expansion Area; most of the western half of the Amendment Area (PAs 30 and 31) was not assessed. A habitat suitability evaluation was performed on March 11 and May 19, 2006, and concluded that 3.6 acres adjacent to Bellegrave Avenue were suitable for focused surveys. Focused surveys were conducted on 23 and 24 days between July 1 and September 20 in 2006 and 2007, respectively. The DSF was not observed during the 2006 or 2007 focused surveys.

A habitat suitability evaluation was performed in 2020 and 2021 by Ken H. Osborne, including PAs 30 and 31 within the existing Specific Plan Area, and areas within the Amendment Area mapped with Delhi sands. The entire Amendment Area was considered unsuitable for DFS due to the presence of developed area, and lands managed with irrigated crops and areas contaminated with organic debris derived from its history in dairy operations. A detailed discussion of the habitat suitability investigation is provided in the *Habitat Conditions for Delhi Sands Flower-loving fly on Portions of the Subarea 29 Specific Plan Amendment Area, Ontario, CA,* prepared by Osborne Biological Consulting and included in Appendix D of SEIR Technical Appendix C1.

D. Special-Status Plants and Vegetation Communities

Sensitive plant species include federally, or state listed threatened or endangered species and those species listed on California Native Plant Society's (CNPS) rare and endangered plant inventory. The Amendment Area and off-site improvement area do not support any sensitive vegetation communities. Additionally, no sensitive communities were reported in the California Natural Diversity Database (CNDDB) within two miles of the Amendment Area.

A total of 40 plant species were observed within the Amendment Area and off-site improvement areas, including the SCE easement, during the biological surveys, and are listed in Appendix B of the Biological Report. No sensitive plant species were observed within the Amendment Area or off-site improvement areas during the September 2021 biological survey. Based on the habitat found onsite, special status plant species are not likely to occur onsite, primarily based on the absence of suitable habitat and highly disturbed soils due to current and previous agriculture and dairy farmland uses. An assessment of sensitive plant species and their potential to occur based on distribution, habitat requirements, and existing site conditions, as well as their federal/State/local classifications, are listed in Appendix C of SEIR Technical Appendix C1.

E. Critical Habitat

The USFWS's online service for information regarding Threatened and Endangered Species Final Critical Habitat designation within California was reviewed to determine if the Amendment Area occurs within any species designated Critical Habitat. No Critical Habitat exists within 2 miles of the site.

F. Wildlife Corridor

Wildlife corridors link together areas of suitable habitat that are otherwise separated by rugged terrain, changes in vegetation, or human disturbance. The fragmentation of open space areas by urbanization creates isolated "islands" of wildlife habitat. Corridors effectively act as links between different populations of a species. An increase in a population's genetic variability is generally associated with an increase in a population's health.

Corridors mitigate the effects of habitat fragmentation by:

- Allowing wildlife to move between remaining habitats, which allows depleted populations to be replenished and promotes genetic diversity;
- Providing escape routes from fire, predators, and human disturbances, thus reducing the risk that catastrophic events (such as fires or disease) will result in population or local species extinction; and
- Serving as travel routes for individual wildlife species as they move within their home ranges in search of food, water, mates, and other needs.

Wildlife movement activities usually fall into one of three movement categories: dispersal (e.g., juvenile animals from natal areas, individuals extending range distributions); seasonal migration; and, movements related to home range activities (foraging for food or water, defending territories, searching for mates, breeding areas, or cover).

The Amendment Area and off-site improvement areas are within a mosaic of developed and partially developed parcels, cleared lands, dairy farms, livestock, and agriculture areas. These areas do not have native habitat and are managed as business operations. Because these industries include open fields for

their operation, it is possible the Amendment Area and off-site improvement areas may play a minor role in local wildlife dispersal and foraging. Common wildlife species including coyotes, skunks, opossums, and raccoons may to travel through the area and neighboring developed areas, but the Amendment Area and off-site improvement area do not provide connectivity between large areas of open space on a local or regional scale. The Amendment Area and off-site improvement areas are not within a significant regional wildlife movement corridor and are not considered to play a role for local or regional wildlife movement.

G. Avian Nesting and Bat Roosts

There is potential for avian nesting within the Amendment Area. The tamarisk trees located within the western portion of the Amendment Area and residential ornamental trees provide suitable habitat for avian species that nest in trees. The agricultural and other disturbed fields provide suitable nesting habitat for ground-nesting avian species. There is low potential for bat roosting to occur within the Amendment Area. Biologists did not observe signs of nesting activity or bat roosting within the site during the general biological survey; inactive nests were observed within the tamarisk trees.

H. Jurisdictional Water and Wetlands

VCS conducted a literature review to determine the potential presence or absence of jurisdictional streams/drainages, wetlands, lakes, and their location within the watersheds associated with the Amendment Area and off-site improvement areas, and other features that might contribute to federal or state jurisdictional authority located within watersheds associated with the site.

A field survey was conducted on September 1, 2021 by VCS biologists to assess the presence or absence of potential jurisdictional streams/drainages and to conduct a wetland delineation on the site. During the field survey, the Amendment Area and off-site improvement areas were assessed for jurisdictional wetland and non-wetland Waters of the United States (WOUS). As further described in Section 6.0, Jurisdictional Waters, of the Biological Report included in SEIR Technical Appendix C1, to determine the presence of a wetland, three indicators are required: (1) hydrophytic vegetation, (2) hydric soils, and (3) wetland hydrology.

1. National Wetland Inventory

Freshwater ponds and emergent wetlands are mapped within the central and western portions of the Amendment Area through the online National Wetland Inventory (NWI) (refer to Figure 5.4-3, National Wetlands Inventory). Two areas identified in the NWI are located west of Haven Avenue, which is within the existing Specific Plan area. These are isolated agricultural holding ponds that continue to be in use and lack connectivity to surface drainages. These ponds were dry at the time of the September 2021 site visit. Multiple features within the proposed Expansion Area were identified in the NWI. These features are located within the row crops where irrigation pools remain onsite. These areas do not contain wetland or riparian vegetation.

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

Source(s): U.S. Fish and Wildlife Services (November 2022)

Figure 5.4-3

Not to Scale

National Wetlands Inventory

2. Jurisdictional Waters

An analysis of current and historic aerial photographs along with the September 2021 field survey did not reveal any jurisdictional features within the Amendment Area or off-site improvement areas. Agricultural holding ponds occur west of Haven Avenue within PAs 30 and 31 that have no connections with surface drainages and contained herbaceous, non-native vegetation. An earthen ditch feature occurs along the western boundary of the Amendment Area that was recently constructed for slope stability in conjunction with the adjacent residential development. Lastly, an earthen ditch feature is located within the proposed Expansion Area, containing primarily tree tobacco, golden crownbeard, and a few mulefat individuals, consistent with vegetation types in this part of the proposed Expansion Area. This is an isolated ditch feature, created to capture runoff from the previous dairy/cattle operations onsite similar to the agricultural holding ponds noted above. These types of features associated with agricultural operations are identified as non-jurisdictional waters of the U.S. under the Clean Water Act (40 CFR Section 120.2). Furthermore, the features are not identified as jurisdictional waters of the State as they lack downstream connectivity and do not represent wetland features based on the lack hydrophytic vegetation and presence of primarily upland vegetation. No jurisdictional waters or wetlands are present within the Amendment Area.

5.4.2 Regulatory Background

Section III.3, Biological Resources, of the *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009) in October 2006 (referred to herein as the "2006 EIR") provides a discussion of the regulatory framework for the analysis of impacts on biological resources (e.g., Federal Endangered Species Act, California Endangered Species Act). Additionally, the Biological Report included in Technical Appendix C1 of this SEIR includes a comprehensive discussion of the regulatory setting. The following is a summary of regulations relevant to the Project.

A. Federal

1. Endangered Species Act

The purpose of the federal Endangered Species Act (ESA) is to protect and recover imperiled species and the ecosystems upon which they depend. It is administered by the USFWS and the Commerce Department's National Marine Fisheries Service (NMFS). The USFWS has primary responsibility for terrestrial and freshwater organisms, while the responsibilities of NMFS are mainly marine wildlife such as whales and anadromous fish such as salmon. Under the ESA, species may be listed as either endangered or threatened. "Endangered" means a species is in danger of extinction throughout all or a significant portion of its range. "Threatened" means a species is likely to become endangered within the foreseeable future. All species of plants and animals, except pest insects, are eligible for listing as endangered or threatened. The ESA makes it unlawful for a person to take a listed animal without a permit. Take is defined as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct." Through regulations, the term "harm" is defined as "an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral

patterns, including breeding, feeding, or sheltering." Listed plants are not protected from take, although it is illegal to collect or maliciously harm them on Federal land. Protection from commercial trade and the effects of federal actions do apply for plants.

2. *Migratory Bird Treaty Act (16 USC Section 703-712)*

The MBTA makes it illegal for anyone to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to federal regulations. The migratory bird species protected by the MBTA are listed in 50 CFR 10.13. The USFWS has statutory authority and responsibility for enforcing the MBTA (16 U.S.C. 703-712). The MBTA implements Conventions between the United States and four countries (Canada, Mexico, Japan, and Russia) for the protection of migratory birds.

B. State

1. *California Endangered Species Act*

The California Endangered Species Act (CESA) states that all native species of fishes, amphibians, reptiles, birds, mammals, invertebrates, and plants, and their habitats, threatened with extinction and those experiencing a significant decline which, if not halted, would lead to a threatened or endangered designation, will be protected or preserved. The CDFW works with interested persons, agencies, and organizations to protect and preserve such sensitive resources and their habitats. CESA prohibits the take of any species of wildlife designated by the California Fish and Game Commission as endangered, threatened, or candidate species. CDFW may authorize the take of any such species if certain conditions are met. Section 2081 subdivision (b) of the CFGC allows CDFW to authorize take of species listed as endangered, threatened, candidate, or a rare plant, if that take is incidental to otherwise lawful activities and if certain conditions are met. These authorizations are commonly referred to as incidental take permits (ITPs).

2. *Unlawful Take or Destruction of Nests or Eggs (CFGC Sections 3503.5-3513)*

Section 3503.5 of the CFGC specifically protects birds of prey, stating: "It is unlawful to take, possess, or destroy any . . . [birds-of-prey] or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Section 3513 of the CFGC duplicates the federal protection of migratory birds, stating: "It is unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act."

C. Local

1. City of Ontario Sphere of Influence General Plan Amendment, Final EIR and Settlement Agreement

In accordance with the Mitigation Fee Act (California Government Code, Section 66000 et seq.), the City of Ontario established a development impact fee for development in the New Model Colony (NMC), now referred to as the "Ontario Ranch." The primary purpose of the fee is to acquire and restore mitigation lands to offset impacts to species living in the Ontario Ranch and impacts to existing open space. Fees collected will be used to advance the goals, objectives and policies set forth in the General Plan Amendment for the NMC adopted in 1998 and any subsequent general plan amendment. Residential, commercial, and industrial development is required to pay $4,320 per acre for the acquisition of open space.

The Project is also subject to the applicable terms and conditions of the Settlement and General Release Agreement, November 28, 2001 (the Agreement). The purpose of the Agreement is to settle and release fully and completely all claims of Endangered Habitats League and Sierra Club (Petitioners) in a lawsuit against the City of Ontario (the Respondent) commenced in February 1998. The Agreement addressed and provided mitigation for certain potential future environmental effects that could result from development, and covered potential environmental impacts to the burrowing owl, the Delhi Sands Flower-loving Fly, raptor foraging and wildlife habitat, loss of open space, and actual and potential habitat and agricultural lands. The Agreement also covered other sensitive species, both listed and non-listed, that inhabit or may inhabit similar habitat. Mitigation measures included in the Agreement which relate to biological resources include such things as the City's establishment of a mitigation fee based on developable acres, the City's establishment of long-term habitat area(s), management of said habitat by a land trust (or other conservation entity), and the requirement for biological studies in conjunction with CEQA and development applications. The General Plan Amendment for the New Model Colony Final EIR is presumed to be legally adequate based on the Settlement Agreement and inclusion of the mitigation measures established therein.

2. City of Ontario Municipal Code

The City of Ontario Municipal Code (OMC) contains regulations regarding tree preservation:

- **Title 9, Development Code, Chapter 6, Section 6.05.020**, **Tree Preservation Policy and Protection Measures,** establishes policies and measures that will further the preservation, protection, and maintenance of established and healthy heritage trees, landmark, or significant outstanding features, and/or native trees within the City. A heritage tree is one that is designated for preservation as a tree of historic or cultural significance, or a tree of importance to the community.

The Amendment Area does not contain trees that fall under the definition of a heritage tree, as noted below.

5.4.3 Basis for Determining Significance

The City of Ontario evaluates impacts to biological resources based on thresholds of significance included in Appendix G of the CEQA Guidelines. A significant impact related to biological resources would occur if the Project would:

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 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 Wildlife or US 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.*

5.4.4 Environmental Impacts and Mitigation

A. Applicable 2006 EIR Mitigation Measures

The following mitigation measures (MMs) from the 2006 EIR are applicable to and are incorporated into the Project. 2006 EIR MM Bio 5 is not applicable to the Project because the Project does not include Planning Area 1 of the Subarea 29 Specific Plan area and MM Bio 6 was completed. Note that MM Bio 1, MM Bio 3, and MM Bio 4 were modified to provide additional detail regarding implementation of the mitigation measure. New text is shown as **bold underline** where text has been added to reflect current or more stringent requirements.

MM Bio 1 There may be a probability of owl colonization within the project site considering the presence of foraging habitat and previous records of presence. To ensure that no direct loss of individuals occurs, mitigation shall be completed prior to initiation of on-site grading activities for each development phase. A pre- construction survey for resident burrowing owls will be conducted by a qualified biologist. The survey will be conducted 30 days prior to construction activities **including vegetation clearing,**

grubbing, tree removal, or site watering. If ground-disturbing activities are delayed or suspended for more than 30 days after the preconstruction survey, the site should be resurveyed for owls.

If owls are determined to be present within the construction footprint, they will be captured and relocated. If non-breeding owls must be moved away from the disturbance area, passive relocation techniques will be used. The pre-construction survey and any relocation activity will be conducted in accordance with the CDFG Report on Burrowing Owl Mitigation, 1995. According to CDFG guidelines, mitigation actions will be conducted from September 1 to January 31, which is prior to the nesting season. However, burrowing owl nesting activity is variable, and as such the time frame will be adjusted accordingly. Should eggs or fledglings be discovered in any owl burrow, the burrow cannot be disturbed (pursuant to CDFG guidelines) until the young have hatched and fledged (matured to a stage that they can leave the nest on their own).

Occupied burrows will not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by the Department of Fish and Game verifies through non-invasive methods that either: a) the adult birds have not begun egg-laying and incubation; or b) the juveniles from the occupied burrows are foraging independently and are capable of independent survival. If a biologist is unable to verify one of the above conditions, then no disturbance shall occur within 300 feet of the burrowing owl nest during the breeding season to avoid abandonment of the young.

Passive relocation can be used to exclude owls from their burrows (outside the breeding season or once the young are able to leave the nest and fly) by installing one-way doors in burrow entrances. These one-way doors allow the owl to exit the burrow, but not enter it. These doors should be left in place 48 hours to ensure owls have left the burrow. Artificial burrows should be provided nearby. The project area should be monitored daily for one week to confirm owl use of burrows before excavating burrows in the impact area. Burrows should be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible pipe should be inserted into the tunnels during excavation to maintain an escape route for any animals inside the burrow.

MM Bio 2 To mitigate for potential impacts to loss of nesting and foraging habitat, the project proponent shall be required to pay City of Ontario open space mitigation fees. Fees collected will be used "to acquire and restore mitigation lands to offset impacts to species now living in the New Model Colony and impacts to existing open space," according to the City of Ontario Development Impacts Fee Calculation Report and the Settlement and general Release Agreement. Development is currently required to pay $4,320 per acre. Therefore, the proposed project will pay approximately $1,080,000 for open space acquisition based upon the current fee.

MM Bio 3 While project impacts to individual raptor species were considered to be not significant, the following mitigation measure will also be incorporated in order to eliminate or reduce any potential impacts to raptors and/or migratory birds. Construction and/or removal of windrow trees will occur outside of the nesting season (**the nesting season for songbirds is** February 1st through August 31st, and the **nesting season for raptors is January 15th to August 31st)**. If tree removal activities must occur during the breeding season, the mitigation measure in MM Bio 4 shall be implemented.

MM Bio 4 If project construction activities involving heavy equipment and/or windrow tree removal are to occur during the nesting/breeding season (between February 1st and August 31st **for songbirds; and between January 15th and to August 31st for raptors**) of potentially occurring sensitive bird species, a pre-construction field survey shall be conducted by a qualified biologist to determine if active nests of species protected by MBTA or CDFG are present in the construction zone or within a buffer of 500 feet. Pre- construction nesting/breeding surveys shall be conducted in all CDFG jurisdictional areas and within windrow trees. If no active nests are found during the survey, construction activities may proceed.

If active nests are located during the pre-construction surveys, no grading, heavy equipment or tree removal activities shall take place within at least 500 feet of an active listed species or raptor nest, 300 feet of other sensitive bird nests (non-listed), and 100 feet of most common songbird nests. **The buffer may be modified and/or other recommendations proposed as determined appropriate by the biological monitor to minimize impacts.**

B. Impact Analysis

Threshold a:	***Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?***

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that the implementation of the Subarea 29 Specific Plan has the potential to result in a substantial adverse direct effect on burrowing owls, migratory birds, raptors, and Delhi Sands flower-loving fly. However, MM Bio 1 through MM Bio 4 and MM Bio 6 would ensure that potential adverse impacts associated with these biological resources would be reduced to a level below significance. The 2006 EIR determined that implementation of the Subarea 29 Specific Plan would not result in substantial adverse effects on candidate, sensitive, or special status species.

The 2006 EIR concluded that implementation of the Subarea 29 Specific Plan would result in the cumulative loss of potential foraging and nesting habitat for some raptor and migratory bird species. However, the development pursuant to the Subarea 29 Specific Plan would be subject to mitigation

fees (MM Bio 2) and would be required to avoid disturbance of nesting raptors (MM Bio 3 and MM Bio 4). The 2006 EIR determined that cumulative impacts were less than significant.

2. Project Impact Analysis

The following analysis comprehensive addresses the potential impacts to special status biological resources resulting from development within the Amendment Area and off-site improvements, including within the SCE easement, and along site-adjacent roadways, based on current conditions. However, it should be noted that PAs 30 and 31, which comprise the western portion of the Amendment Area (west of Haven Avenue) and the SCE easement, are part of the adopted Subarea 29 Specific Plan, and the physical impacts associated with development within PAs 30 and 31 were previously addressed in the 2006 EIR.

Project Impacts to Sensitive Vegetation Communities

The Project's potential impacts to vegetation communities and land cover types due to implementation of the Project include the entire Amendment Area and off-site improvement areas, totaling 171.4 acres. As previously discussed, the Amendment Area and off-site improvement area do not contain any sensitive vegetation communities and no sensitive communities were reported in the CNDDB within two miles of the Amendment Area.

Direct impacts to disturbed/developed, herbaceous non-native forbs and grasses, tamarisk thickets, tree tobacco stands, and agricultural vegetation/land cover types are considered less than significant because these habitats/land covers are common in the surrounding vicinity and do not represent CNDDB or CDFW sensitive plant communities.

Therefore, no impacts to sensitive vegetation communities would result, and implementation of the Project would not result in any new or more severe significant impacts to sensitive vegetation communities than previously disclosed in the 2006 EIR.

Project Impacts to Special Status Plants

None of the 36 special status plan species with the potential to occur in the area, as identified in Appendix C of SEIR Technical Appendix C1, are anticipated to occur within the Amendment Area or off-site improvement areas. Based on the habitat found onsite, high levels of disturbance, low habitat quality, and the lack of detection of any special status plants during the biological survey, the Project would not impact any special status plant species. No impacts to special status plant species would occur, and implementation of the Project would not result in any new or more severe significant impacts to special status plant species than previously disclosed in the 2006 EIR.

Project Impacts to Special Status Wildlife

As previously identified, three sensitive wildlife species were observed within the Amendment Area during the field survey. Two additional species exhibit a high or low to moderate potential to occur on the site. Cooper's hawk is considered to have moderate to high potential to occur within the Amendment Area during the nesting bird season and in a foraging capacity. Foraging habitat exists within the Amendment Area as open fields with perching opportunities in the tamarisk trees. The species was observed within the western portion of the Amendment Area. The tamarisk trees may provide potential nesting bird habitat; however, this species prefers other mature trees including large pines and Eucalyptus trees, which are not present. Project activities may have an impact if performed during the nesting bird season. 2006 EIR MM Bio 2 requires that the City's open space mitigation fees to mitigate the loss of nesting and migratory bird habitat be paid. 2006 EIR MM Bio 3 requires that construction and removal of trees occur outside of the nesting season (September 1 to January 31 for songbirds; September 1 to January 14 for raptors), and refers to actions required by 2006 EIR MM Bio 4 if nesting birds are located. 2006 EIR MM Bio 4 requires that a pre-construction field survey shall be conducted by a qualified biologist to determine if active nests of species protected by MBTA or CDFG are present in the construction zone or within a buffer of 500 feet and identifies actions to take if nesting birds are located. With implementation of 2006 EIR MMs, impacts would be less than significant.

Burrowing owl are known to use both fallow and active agricultural fields for foraging and nesting. Suitably sized burrows were primarily observed on soil berms, debris piles, and pipes located in disturbed/developed land cover within the Amendment Area and off-site improvement areas. This species was not detected during the biological field visit and burrowing owl focused survey conducted in September 2021, or the focused surveys conducted in 2022. However, the species has a high potential to occur as it has been observed previously, and the Amendment Area and off-site improvement areas contain burrows suitable for burrowing owl and suitable burrowing owl foraging habitat. Impacts to the burrowing owls are considered potentially significant. MM Bio 1 from the 2006 EIR requires pre-construction survey be conducted by a qualified biologist to determine the presence of burrowing owl. With implementation of mitigation from the 2006 EIR, impacts would be less than significant.

Bell's sage sparrow was observed foraging during the biological survey. However, the Amendment Area and off-site improvement areas lack suitable nesting habitat for the species, which is primarily chaparral and sage scrub vegetation communities. Similarly, the grasshopper sparrow has a low to moderate potential to occur for foraging, however, the Amendment Area and off-site improvement areas lack suitable nesting habitat for the species. The loss of 171.4 acres of foraging habitat for these two species would not decrease populations below self-sustaining levels given the availability of habitat remaining in the region. Foraging individuals are expected to move to adjacent habitat during construction activities; therefore, there would be no direct mortality on these species. Impacts would be less than significant, and no mitigation is required.

San Diego black-tailed jackrabbit was observed within the Amendment Area. Although the Amendment Area and off-site improvement areas are very disturbed, these areas could provide foraging habitat for this species. The loss of 171.3 acres of habitat for this species would result in an incremental loss of habitat, which is considered a less than significant impact per CEQA because it would not decrease jackrabbit populations in the region below self-sustaining levels given the availability of remaining habitat. Individuals are expected to move to adjacent habitat during construction activities; therefore, there would be no direct mortality on the species. Therefore, no mitigation would be required.

The remaining species listed in Appendix C of SEIR Technical Appendix C1 are not expected to occur within the Amendment Area or off-site improvement areas due to the lack of suitable habitat. Therefore, there would be no impact on these species and no mitigation would be required.

Implementation of the Project would not result in any new or more severe significant impacts to special status wildlife species than previously disclosed in the 2006 EIR.

Project Impacts to Critical Habitat

The Amendment Area and off-site improvement areas do not fall within any Critical Habitat. Therefore, the implementation of the Project would not result in impacts to any Critical Habitat. Implementation of the Project would not result in any new or more severe significant impacts to biological resources than previously disclosed in the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant with incorporation of 2006 EIR MMs.

Threshold b: ***Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?***

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that the although the Specific Plan Area had several man-made ponds or basins, these water features were not connected to or adjacent to a natural waterway. As such, these man-made water features would not be considered jurisdictional by regulatory agencies. The 2006 EIR determined that development pursuant to the Subarea 29 Specific Plan would not result in substantial adverse impacts on riparian habitat or other sensitive natural communities. Additionally, cumulative impacts were determined to be less than significant.

2. Project Impact Analysis

As previously discussed, the Amendment Area and off-site improvement areas do not contain riparian habitat or other sensitive natural communities identified in local or regional plans. Vegetation communities and land cover type include disturbed/developed, agricultural – row crops, dairy farm, herbaceous non-native forbs and grasses, tamarisk thickets, and tree tobacco stands. Therefore, no impacts to riparian habitat or other sensitive natural communities would occur, consistent with the conclusion of the 2006 EIR. Implementation of the Project would not result in any new or more severe significant impacts to biological resources than previously disclosed in the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

No impact.

Threshold c: ***Would the Project have substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?***

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that the Specific Plan Area did not have any protected wetlands onsite. The Specific Plan Area is within the tributary area for the Cucamonga Creek, which is considered a water of the U.S. and is under the jurisdiction of the Army Corps of Engineers (ACOE). However, implementation of the Subarea 29 Specific Plan would not result in any impacts to Cucamonga Creek.

2. Project Impact Analysis

As previously discussed, the Amendment Area and off-site improvement areas do not contain any federally protected wetlands; therefore, no impacts would occur. Implementation of the Project would not result in any new or more severe significant impacts to federally protected wetlands than previously disclosed in the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

No impact.

Threshold d: ***Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?***

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that no distinct wildlife corridors were identified within the Specific Plan Area. Additionally, habitat fragmentation had already occurred in the areas surrounding the area due to agricultural practices, housing development, and road construction. The 2006 EIR determined that development pursuant to the Subarea 29 Specific Plan would not contribute significantly to additional habitat fragmentation. Additionally, cumulative impacts were determined to be less than significant.

2. Project Impact Analysis

Wildlife Movement

The Project has the potential to function in local wildlife dispersal and foraging; however, due to the disturbed nature of the Amendment Area and off-site improvement areas, and the degraded habitats, the loss of foraging habitat and/or effect on local wildlife movement would be less than significant. No long-term or significant effects to wildlife movement would result. Additionally, no native resident or migratory fish species or native wildlife nursery sites are located within the Amendment Area or off-site improvement areas. Implementation of the Project would not result in any new or more severe significant impacts related to wildlife movement than previously disclosed in the 2006 EIR.

Nesting Birds/Raptor Foraging Habitat

Due to the potential for onsite bird nesting and marginal foraging habitat for raptors including tamarisk and residential trees, Project construction could result in impacts to nesting birds resulting in a potentially significant impact. The Project would incorporate 2006 EIR MM Bio 2 to mitigate the loss of nesting and foraging habitat. Additionally, the Project would incorporate 2006 EIR MM Bio 3 and MM Bio 4, which require preconstruction nesting bird/raptor and identify actions to take if nesting birds/raptors are located. Incorporation of mitigation from the 2006 EIR would ensure potential impacts to nesting birds are less than significant. Implementation of the Project would not result in any new or more severe significant impacts to nesting birds or foraging habitat than previously disclosed in the 2006 EIR.

Bat Foraging Habitat

The potential for bat roosting is low within the Amendment Area and off-site improvement areas, while the existing vegetation may represent suitable foraging habitat. However, the impact on foraging habitat would be less than significant given the availability of habitat remaining in the region. Therefore, no mitigation would be required. Implementation of the Project would not result in any new or more severe significant impacts to bats than previously disclosed in the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant with incorporation of 2006 EIR MMs.

Threshold e: ***Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?***

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that there are no specific local policies or ordinances established to protect biological resources that are applicable to the Specific Plan Area. Project and cumulative impacts were determined to be less than significant.

2. Project Impact Analysis

Development Code Section 6.05.020 (updated in 2020) was established to further the preservation, protection, and maintenance of healthy heritage trees. The Amendment Area and off-site improvement areas do not contain any heritage trees; therefore, the preservation or protection of existing trees is not required for the Project. The City does not have any other ordinances or local policies related to the protection of biological resources that are applicable to the Project. No impacts would occur. Implementation of the Project would not result in any new or more severe significant impacts to biological resources than previously disclosed in the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

No impact.

Threshold f: ***Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?***

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that the Specific Plan Area was not included within an existing biological resource or biological conservation planning area. Therefore, implementation of the Subarea 29 Specific Plan 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. Additionally, cumulative impacts were determined to be less than significant.

2. Project Impact Analysis

The Amendment Area and off-site improvement areas are not within a Natural Community Conservation Plan or Habitat Conservation Plan (CDFW, 2019; CBI, 2022). Additionally, the City's General Plan does not identify an adopted conservation plan. Thus, implementation of the Project would not conflict with the provisions of a Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. No impacts would occur. Implementation of the Project would not result in any new or more severe significant impacts to biological resources than previously disclosed in the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

No impact.

5.4.5 Cumulative Impact Analysis

This cumulative impact analysis for biological resources considers development of the Amendment Area in conjunction with other development projects in the vicinity of the Project as well as buildout of development anticipated by The Ontario Plan. This area consists of a variety of land uses that include agricultural, residential, commercial, and industrial uses. The undeveloped areas may include sensitive habitats, which may contain special-status plants, migratory birds, and jurisdictional water. However, as discussed above, the Amendment Area and off-site improvement areas do not have special-status plants or jurisdictional areas; therefore, implementation of the Project would not result in cumulatively considerable impacts to these biological resources.

The Amendment Area and off-site improvement areas do not contain sensitive vegetation communities, or support habitat for special status plant species. However, these areas have suitable habitat for burrowing owl, Cooper's hawk, and the Bell's sage sparrow. 2006 EIR MM Bio 1 through MM Bio 4 have been incorporated into the Project to reduce impacts to special status wildlife species to less than significant levels. Notably, the Project Applicant would pay the required City of Ontario open space mitigation fee to address potential cumulative impacts associated with loss of habitat (refer to 2006 EIR MM Bio 2). Additionally, each cumulative development project in the City would also be required to evaluate potential impacts to special status biological resources, identify project-specific mitigation measures, and pay the City's open space fee, if applicable. Therefore, implementation of the Project would not contribute to a substantial adverse cumulatively considerable impact to special-status species.

The Project site does not contain any sensitive or critical habitat or State or federally protected wetlands and is not within a wildlife movement corridor. Therefore, the Project would not contribute to a cumulatively considerable impact on these biological resources.

The Project would result in the removal of vegetation that has the potential to support nesting avian species and raptor species. A wide range of habitat and vegetation types have the potential to support nesting avian and raptor species; therefore, it is likely that other development projects within the cumulative study area also may impact nesting avian and raptor species. However, the Project – like all other development activities in the cumulative study area – would be required to comply with State and federal law to preclude impacts to nesting avian and raptor species. Further, the Project's impacts would be mitigated to a level considered less than significant with implementation of 2006 EIR MM Bio 3 and MM Bio 4. Therefore, the Project would not contribute to a cumulatively considerable impact on these biological resources.

The Project would not conflict with any local policies or ordinances protecting biological resources, including the City's requirements to protect heritage trees, as there are no heritage trees within the Amendment Area or off-site improvement area. Other development projects in the cumulative study area would be required to comply with applicable local policies and/or ordinances related to the protection of biological resources as a standard condition of review/approval. Because the Project and cumulative development would be prohibited from violating applicable, local policies or ordinances related to the protection of biological resources, a cumulatively considerable impact would not occur.

There are no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan applicable to the Project. Therefore, the Project would not result in a cumulatively considerable impact.

5.4.6 REFERENCES

Conservation Biology Institute (CBI). 2022. Website: *Data Basin Map*. https://databasin.org/maps/new/#datasets=c116dd0d32df408cb44ece185d98731c

California Department of Fish and Wildlife (CDFW). 2019. *California Natural Community Conservation Plans.* April 2019. https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=68626&inline

VCS Environmental (VCS). 2022a. *Biological Technical Report For Subarea 29 Specific Plan Amendment Project (Planning Areas 30-34)*. November 2022. Included in SEIR Technical Appendix C1.

VCS Environmental (VCS). 2022b. *Burrowing Owl Breeding Season Survey Report for Subarea 29 Specific Plan Amendment/General Plan Amendment Project (Planning Areas 30-34); City of Ontario, County of San Bernardino, California*. July 11, 2022. Included in SEIR Technical Appendix C2.

5.5 CULTURAL RESOURCES

This section analyzes the potential impacts of the Project on cultural resources and is primarily based on the *Cultural Resources Assessment Subarea 29 Specific Plan Amendment Project Ontario, California, Planning Areas 30-34* (Cultural Resources Study), prepared by VCS Environmental (VCS) (November 2022), which is included in Technical Appendix D of this Subsequent Environmental Impact Report (SEIR) (VCS, 2022c). This section also incorporates information from the *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009) certified in October 2006 (referred to herein as the "2006 EIR") (City of Ontario, 2006).

5.5.1 EXISTING CONDITIONS

Following is a summary of information presented in the Cultural Resources Study regarding the prehistory and ethnography of California and the region, the history of California, the City of Ontario (City), and the Amendment Area. Refer to SEIR Technical Appendix D and Section for a detailed discussion of each cultural period. Additionally, Section III-4, Cultural Resources, of the 2006 EIR provides information about the cultural and historic setting of the Subarea 29 Specific Plan Area (referred to herein as the "Specific Plan Area").

A. Prehistoric Cultural Resources

A long-standing tenet of New World archaeology has been that humans did not arrive in the western hemisphere until about 12,000 to 13,000 Years Before Present (YBP). Increasingly, researchers are arguing for earlier dates of entry, but the evidence has not been universally accepted by archaeologists. The most recent evidence of earlier occupation is the discovery of 21,000- to 23,000-year-old human footprints preserved on an ancient lakeshore in White Sands National Park in New Mexico. Several chronologies are generally used to describe the sequence of the later prehistoric periods of coastal Southern California. William Wallace developed the first comprehensive California chronologies and defines four periods for the southern coastal region. Wallace relies upon the concept of cultural horizons, which are generally defined by the temporal and spatial distribution of a set of normative cultural traits, such as the distribution of a group of commonly associated artifact types. The general schema of the Wallace chronology has provided a general framework for Southern California prehistory that is summarized below. Refer to SEIR Technical Appendix D for a detailed discussion of each prehistoric cultural period.

- **Horizon I: Early Man or Paleo Indian Period (11,000 BCE to 7,500 BCE[1]).** As discussed above, the precise start of this period is still a topic of considerable debate. At inland archaeological sites, the surviving material culture of this period is primarily lithic, consisting of large, extremely well-made stone projectile points and tools such as scrapers and choppers. Encampments were probably temporary, located near major kills or important resource areas.
- **Horizon II: Milling Stone Assemblages (7,500 BCE to 1,000 BCE).** The Milling Stone Period was named for the abundant milling stone tools associated with sites of this period.

[1] BCE stands for "Before Common Era" and CE stands for "Common Era".

These tools, the mano and metate, were used to process small, hard seeds from plants associated with shrub-scrub vegetation communities. An annual round of seasonal migrations was likely practiced with movements coinciding with ripening vegetal resources and the periods of maximal availability of various animal resources. Along the coast, shell midden sites are common site types. Some formal burials, occasionally with associated grave goods, are also evident. This period of time is roughly equivalent to Warren's Encinitas Tradition. Warren suggests that, as milling stones are common and projectile points are comparatively rare during this time period, hunting was less important than the gathering of vegetable resources. Later studies suggest that a diversity of subsistence activities, including hunting of various game animals, were practiced during this time period.

- **Horizon III: Intermediate Cultures (1,000 BCE to 750 CE).** The Intermediate Period is identified by a mixed strategy of plant exploitation, terrestrial hunting, and maritime subsistence strategies. Chipped stone tools (e.g., projectile points) generally decrease in size, but increase in number. Abundant bone and shell remains have been recovered from sites dating to these time periods. In coastal areas, the introduction of the circular shell fishhook and the growing abundance of fish remains in sites over the course of the period suggest a substantial increase in fishing activity during the Intermediate Period. It is also during this time period that mortar and pestle use intensified dramatically. The mano and metate continued to be in use on a reduced scale, but the greatly intensified use of the mortar and pestle signaled a shift away from a subsistence strategy based on seed resources to that of the acorn. It is probably during this time period that the acorn became the food staple of the majority of the indigenous Tribes in Southern California. This subsistence strategy continued until European contact. Material culture generally became more diverse and elaborate during this time period and included steatite containers, perforated stones, bone tools, ornamental items, and asphalt adhesive.

- **Horizon IV: Late Prehistoric Cultures (750 CE to 1769 CE).** During the Late Prehistoric Period, exploitation of many food resources, particularly marine resources among coastal groups, continued to intensify. The material culture in the Late Prehistoric Horizon increased in complexity in terms of the abundance and diversity of artifacts being produced. The recovery and identification of a number of small projectile points during this time period likely suggests a greater utilization of the bow and arrow, which was likely introduced near the end of the Intermediate Period. Shell beads, ornaments, and other elements of material culture continue to be ornate, varied and widely distributed, the latter evidence suggestive of elaborate trade networks. The Late Prehistoric Period includes the first few centuries of early European contact (1542 CE to 1769 CE); this period is also known as the Protohistoric Period, as there was a low level of interaction between native Californians and Europeans prior to Gaspar de Portolá's overland expedition in 1769. In the few centuries prior to European contact, the archaeological record reveals substantial increases in the indigenous population; some village sites may have contained as many as 1,500 individuals. Apparently, many of these village sites were occupied throughout the year rather than seasonally. This shift in settlement strategy was likely influenced by improved food procurement and storage technology, which enabled population growth and may have helped stimulate changes in sociopolitical organization.

B. Ethnography

At the time of European contact in 1769, when Gaspar de Portolá's expedition crossed the Los Angeles Basin, what were to be named the Gabrieliño Native Americans by the Spanish occupied the area around the Specific Plan Area, including the Amendment Area. While the term Gabrieliño identifies those Native Americans who were under the control of the Spanish Mission San Gabriel Archángel, the number of people in these areas were of the same ethnic nationality and language (Takic) group. Their territory extended from northern Orange County north to the San Fernando Valley in Los Angeles County and eastward to the San Bernardino area.

The current Gabrieliño comprise at least five bands that are recognized Tribes by the State of California including the Gabrieleño Band of Mission Indians – Kizh Nation; the Gabrieliño Tongva Indians of California Tribal Council; the Gabrieleño-Tongva San Gabriel Band of Mission Indians; the Gabrieliño-Tongva Tribe; and the Gabrieliño/Tongva Nation. The terms the Native Americans in Southern California used to identify themselves have, for the most part, been lost; therefore, the names do not necessarily identify specific ethnic or Tribal groups. Some currently refer to themselves as Tongva, while others prefer the term Kizh. The term Gabrieliño will be used herein.

The Gabrieliño arrived in the Los Angeles Basin possibly as early as 1,500 BCE as part of the so-called Shoshonean (Takic speaking) Wedge from the Great Basin region. The Gabrieliño gradually displaced the indigenous peoples, who were most likely Hokan speakers. Large, permanent villages were established in the fertile lowlands along rivers and streams and in sheltered areas along the coast. Eventually, Gabrieliño territory encompassed the greater Los Angeles Basin, coastal regions from Topanga Canyon in the north to perhaps as far south as Aliso Creek, and the islands of San Clemente, San Nicholas, and Santa Catalina. Recent studies suggest the population may have numbered as many as 10,000 individuals at their peak in the Precontact Period.

Gabrieliño populations are difficult to reconstruct; however, at any one time, as many as 50 to 100 villages were simultaneously occupied. Like the prehistoric culture before them, the Gabrieliño were a hunter/gatherer group who lived in small sedentary or semi-sedentary groups of 50 to 100 persons, termed rancherias. These rancherias were occupied by at least some of the people all of the time. Location of the encampment was determined by water availability. Houses were circular in form and constructed of sticks covered with thatch or mats. Each village had a sweat lodge as well as a sacred enclosure. Most of the Gabrieliño villages were abandoned around 1805 due to rapid decline from European-introduced diseases. The Gabrieliño community of Pashiinonga is known to have been located west of the Amendment Area. The village of Wapijanga, later known as Guapa (or Juapa Ranch), was somewhat further to the east on the banks of the Santa Ana River. Both villages were situated on the Rancho del Chino. The inhabitants of Pashiinonga were forcibly relocated to Mission San Gabriel. Most of the Gabrieliño villages were abandoned around 1805 due to rapid decline from European-introduced diseases.

Most trade between settlements was through reciprocity (barter). Gabrieliño and Juaneño from the mainland probably traded trade beads, game, and plant foods in exchange for shell beads and steatite,

and plant foods from the islanders. There is also evidence of trade between the Arizona Hohokam and the Gabrieliño, probably with the Mojave people as middleman. Both inhumation (burial in a grave) and cremation were practiced by the Gabrielino. During cremations, the goods and hut of the deceased were often buried with him. Annual mourning ceremonies were held in the late summer for all who had died during the previous year.

C. History

In California, the historic era is generally divided into three periods: the Spanish or Mission Period (1769 to 1821), the Mexican or Rancho Period (1821 to 1848), and the American Period (1848 to present).

- **The Spanish Period** is represented by exploration of the region; establishment of the San Diego Presidio and missions at San Gabriel, San Juan Capistrano, and San Luis Rey; and the introduction of livestock, agricultural goods, and European architecture and construction techniques. The Old Spanish Trail, used by explorers, missionaries, and traders extended through the area to the south of the Amendment Area.
- **The Mexican Period** began with Mexican independence from Spain and continued until the end of the Mexican-American War. The Secularization Act resulted in the transfer, through land grants (called ranchos) of large mission tracts to politically prominent individuals.
- **The American Period** began with the Treaty of Guadalupe Hidalgo, and in 1850, California was accepted into the Union of the United States primarily due to the population increase created by the Gold Rush of 1849. The cattle industry reached its greatest prosperity during the first years of the American Period. Mexican Period land grants had created large pastoral estates in California, and demand for beef during the Gold Rush led to a cattle boom that lasted from 1849–1855. However, beginning about 1855, the demand for beef began to decline due to imports of sheep from New Mexico and cattle from the Mississippi and Missouri Valleys. When the beef market collapsed, many California ranchers lost their ranchos through foreclosure.

D. *City of Ontario*

Ontario was founded in September of 1882 by George and William B. Chaffey. The Chaffey's established three principles for the "Model Colony" that had social and economic implications including a mutual water company concept, a grand thoroughfare, and an agricultural college for general education. In 1903, Ontario had been declared the "Model Colony" as an Act of Congress of the United States for its innovation, principals, and establishment of a new standard for urban living. The Model Colony stood as a prominent example of a successful irrigation project for many years. In 1999, the City of Ontario annexed 8,200 acres of the Colony and named their portion the New Model Colony. The Subarea 29 Amendment Area lies in the extreme southeast corner of the New Model Colony, now referred to as "Ontario Ranch."

The *City of Ontario Historic Context for the New Model Colony Area* (Context) specifies three definable historic periods including: 1) the pre-1930 rural residential or free-grazing dairy properties, 2) the 1930– 1949 dry lot dairying with mechanization, and 3) post-1950 scientific, large capacity dairies. According to the Context, potential contributors to this district are those dairy farms located within the project study area that exhibit the essential minimum characteristics of at least one of the three periods of development of the dairy industry in the Ontario Ranch area and retain a modest or high level of integrity as a property type representing that context. The minimum characteristics that are necessary to identify a post-1950 dairy property as associated with its identified historic context are: at least one large residence that dates to this period in the Ranch architectural style that exhibits little alteration; a large 'herringbone" style milking parlor designed in the Ranch style; a circular driveway; numerous geometrically spaced rows of pole structures and other related dairy facilities; and a vast expanse of open space to the rear of the property.

E. Amendment Area

VCS conducted a literature review of documents on file at the South Central Coastal Information Center (SCCIC) at California State University, Fullerton on March 2, 2022. The records search provided data on known archaeological and built environment resources as well as previous studies within one-half mile of the Amendment Area. Data sources consulted at the SCCIC included archaeological records, Archaeological Determinations of Eligibility (DOE), and the Historic Property Data File (HPDF) maintained by the California Office of Historic Preservation (OHP). The HPDF contains listings for the CRHR and/or NRHP, California Historical Landmarks (CHL), and California Points of Historical Interest (CPHI).

The records search concluded that 12 cultural resources studies were completed within one-half mile of the Amendment Area, 3 of which (SB-04505, SB-04680, and SB-05976) included a portion of the Amendment Area. A summary of the 3 cultural studies is provided below.

- SB-04505: This study was an archaeological survey and paleontological records search of the Westra Dairy. It included 70 acres.
- SB-04680: This study was a survey of the Schakel Property (APN 0218-321-14) in Ontario. The report detail does not include acreage or associated resources information.
- SB-05976: This study was an assessment for the New Model Colony East Backbone Infrastructure project in Ontario. No acreage information was included, but one resource (P-36-012533) is associated with the study.

The records search also concluded that four cultural resources were recorded within one-half mile of the Amendment Area, all of which consist of dairy farms. Site P-36-023627 is the Van Dam Dairy Farm, which is recorded within the western portion Amendment Area, which is part of the current Specific Plan Area. Its historic significance theme is categorized as a Post-1950 Scientific Dairy Property and Horse Stables. Currently, the site includes a 1950 residence, a 1956 building known as

the Shop, and a large L-shaped stable. Other dairy operation buildings were built around 1967 and include a milk house, dairy barn, prewash areas corrals, hay barns and feed tanks.

According to the *City of Ontario Historic Context for the New Model Colony Area* for a Post-1950 Dairy Property, the residence must date to the 1950s but must also be in the Ranch architectural style. The minimum characteristics that are necessary to identify a Post-1950 dairy property as associated with its identified historic context are: at least one large residence that dates to this period in the Ranch architectural style that exhibits little alteration, a large 'herringbone" style milking parlor designed in the Ranch style, a circular driveway, numerous geometrically spaced rows of pole structures and other related dairy facilities, and a vast expanse of open space to the rear of the property. The site has low integrity because it lacks the residence and milking parlor/dairy barn designed in the Ranch style. There are also buildings unrelated to the dairy on site. The site has been determined not eligible for listing on the California or National Registers. It is also not eligible for listing on the City of Ontario's Historical Resources List.

The cultural resources study conducted for the 2006 EIR resulted in the discovery of two archaeological isolates—basalt flakes—in a recently plowed field. Due to the determination that, as isolates, these are not considered significant resources, as well as the high level of ground disturbance to a depth of three feet, and the lack of integrity that buried resources discovered in the disturbance are were likely to have, no unique archaeological resources were expected and no further work was recommended.

Additionally, VCS conducted an archaeological field survey of the Amendment Area on March 16, 2022. The western portion of the Amendment Area, west of Haven Avenue, was inspected visually utilizing 5-10-meter-wide spaced survey transects, walking in a north-south direction across the western and eastern portions of Planning Areas (PAs) 30 and 31, beginning in the northwest corner. These areas were open, clear fields with approximately 80 percent visibility. The proposed Expansion Area was inspected visually beginning in the southwest corner and then easterly. Foundations, concrete brick walls, concrete rubble, and other remnants of a dairy were present in the extreme eastern end of the proposed Expansion Area. The western portion of the Expansion Area is under active cultivation and was not surveyed. No significant cultural resources were discovered during the field survey.

5.5.2 Regulatory Background

Section III.4, Cultural Resources, of the 2006 EIR provides a discussion of the regulatory framework for the analysis of impacts on cultural resources. No changes to regulations regarding cultural resources identified in the 2006 EIR (e.g., Historic Preservation Ordinance of the City of Ontario, Senate Bill 18, National Historic Preservation Act) have occurred since the 2006 EIR was certified in 2006. Additionally, the Cultural Resources Study included in Technical Appendix D of this SEIR includes a comprehensive discussion of the regulatory setting. Following is a summary of regulations relevant to the Project.

A. State

1. California Register of Historic Resources

The State Historical Resources Commission has designed this program for use by state and local agencies, private groups, and citizens to identify, evaluate, register, and protect California's historical resources. The California Register of Historic Resources (CRHR) is the authoritative guide to the state's significant historical and archaeological resources. The CRHR encourages public recognition and protection of resources of architectural, historical, archaeological, and cultural significance; identifies historical resources for state and local planning purposes; determines eligibility for state historic preservation grant funding; and affords certain protections under the California Environmental Quality Act (CEQA). In order for a resource to be included on the Register of Historic Resources, the resources must meet one of four criteria identified under the discussion of the CEQA Guidelines below.

Historical resources eligible for listing in the CRHR must also retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. For resources included on the CRHR, environmental review may be required under CEQA if property is threatened by a project.

2. California Health and Safety Code (Sections 7050.5, 7051, and 7054)

These sections of the *California Health and Safety Code* collectively address the illegality of interference with human burial remains (except as allowed under applicable sections of the *California Public Resources Code*). These sections also address the disposition of Native American burials in archaeological sites and protect such remains from disturbance, vandalism, or inadvertent destruction. Procedures to be implemented are established for (1) the discovery of Native American skeletal remains during construction of a project; (2) the treatment of the remains prior to, during, and after evaluation; and (3) reburial.

Section 7050.5 of the *California Health and Safety Code* specifically provides for the disposition of accidentally discovered human remains. Section 7050.5 states that, if human remains are found, no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined the appropriate treatment and disposition of the human remains.

3. California Public Resources Code Section 5097.8

As identified in Section 15064.5(d) of the CEQA Guidelines, when the existence of, or the probable likelihood, of Native American human remains within the project is identified, a lead agency is required to work with the appropriate Native Americans as identified by the Native American Heritage Commission (NAHC) as provided in Public Resources Code Section 5097.98. Section 5097.98 states that, if remains are determined by the Coroner to be of Native American origin, the Coroner must notify the NAHC within 24 hours. When the NAHC receives notification of a discovery of Native American human remains from a County Coroner, it shall immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the

permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. This regulation also requires that, upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations and all reasonable options regarding the descendants' preferences for treatment. This section of the Public Resources Code has been incorporated into Section 15064.5(e) of the CEQA Guidelines.

4. California Code of Regulations Section 15064.5

The CEQA Guidelines establish the procedure for determining the significance of impacts to archaeological and historical resources, as well as classifying the type of resource. Cultural resources are aspects of the environment that require identification and assessment for potential significance. The evaluation of cultural resources under CEQA is based upon the definitions of resources provided in CEQA Guidelines Section 15064.5, as follows:

1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Public Resources Code Section 5024.1, Title 14 CCR, Section 4850 et seq.).

2) A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements Section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Public Resources Code Section 5024.1, Title 14 CCR, Section 4852) including the following:

   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.

The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in Section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code Sections 5020.1(j) or 5024.1.

B. Local

1. City of Ontario List of Historic Resources

The City of Ontario maintains a list of local historic resources on the Ontario Register of Historic Resources on the City's website: https://www.ontarioca.gov/Planning/HistoricPreservation. The City's list of historic resources includes properties that appear eligible for local, state, and/or national listing and properties that have been designated local, state, and/or national landmarks. Properties that have been surveyed; catalogued; determined to meet local, state, or national significance criteria are identified on the City's list of historic resources. The Amendment Area does not contain any features identified as a historic resource by the City (City of Ontario, 2012).

5.5.3 Basis for Determining Significance

The City of Ontario evaluates impacts to cultural resources based on thresholds of significance included in Appendix G of the CEQA Guidelines. A significant impact to cultural resources would occur if the Project or any Project-related component would:

a. Cause a substantial adverse change in the significance of a historical resource in 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 formal cemeteries.

It should be noted that since the certification of the 2006 EIR, Appendix G of the CEQA Guidelines was updated (December 2018) to include tribal cultural resources as a standalone environmental topic to specifically focus on a project's potential to impact tribal cultural resources. Tribal cultural resources are addressed in SEIR Section 5.17. Additionally, the analysis of potential impacts to paleontological resources was moved to the topic of Geology and Soils (refer to Threshold "f" in SEIR Section 5.7, Geology and Soils).

5.5.4 Environmental Impacts and Mitigation

A. Applicable 2006 EIR Mitigation Measures

The following mitigation measures (MMs) from the 2006 EIR are applicable to and are incorporated into the Project, which includes development within PAs 30 and 31 and the proposed Expansion Area. MM Cultural 3, which requires preparation of a Paleontological Resources Monitoring and Treatment Plan (PRMTP) is discussed in SEIR Section 5.7, Geology and Soils.

MM Cultural 1 Should any cultural and/or archaeological resources be accidentally discovered during construction, construction activities shall be moved to other parts of the project site and a qualified archaeologist shall be contacted to determine the significance of these resources. If the find is determined to be an historical or unique archaeological resource, as defined in Section 15064.5 of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

MM Cultural 2 If human remains are uncovered at any time, all activities in the area of the find shall be halted by the developer or its contractor and the County Coroner shall be notified immediately pursuant to CA Health & Safety Code Section 7050.5 and CA PRC Section 5097.98. If the Coroner determines that the remains are of Native American origin, the Coroner shall proceed as directed in Section 15064.5(e) of the CEQA Guidelines.

B. Impact Analysis

The following analysis comprehensive addresses the potential impacts to cultural resources resulting from development within the Amendment Area and off-site improvements, including within the SCE easement, and along site-adjacent roadways, based on current conditions. However, it should be noted that PAs 30 and 31, which comprise the western portion of the Amendment Area (west of Haven Avenue) and the SCE easement, are part of the adopted Subarea 29 Specific Plan, and the physical impacts associated with development within PAs 30 and 31, including impacts to cultural resources, were previously addressed in the 2006 EIR.

Threshold a: Would the Project cause a substantial adverse change in the significance of a historical resource in pursuant to Section 15064.5?

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that although there were existing structures within the Specific Plan of historic age, these structures were not eligible for listing on the CRHR and did not warrant designation under the City's Historic Preservation Ordinance. As such, it was concluded that the demolition of the existing structures would not affect the significance of historical resources. The 2006 EIR determined that implementation of the Subarea 29 Specific Plan would not cause a substantial adverse change in the significance of a historical resource.

2. Project Impact Analysis

Under CEQA Guidelines Section 15064.5(b)(1), a project has a significant impact on a historical resource if it "would result in the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resources would be materially impaired." Under CEQA Guidelines Section 15064.5(b)(2), material impairment would occur if the project would result in demolition or material alteration of those physical characteristics that convey the resource's historical significance.

PAs 30 and 31

As described above, one cultural resource, a post-1950 dairy property (Van Dam Dairy Farm), is within the boundaries of the Amendment Area. Specifically, the Van Dam Dairy Farm is within the boundaries of existing PAs 30 and 31 and SCE easement. The Van Dam Dairy Farm was analyzed in the 2006 EIR, which concluded that the Van Dam Dairy Farm was not eligible for listing on the California or National Registers or eligible for listing on the City of Ontario's Historical Resources List due to its low integrity and because it lacks the residence and milking parlor/dairy barn designed in the Ranch style. Additionally, there are also buildings unrelated to the dairy on site. Removal of the structures would not result in a substantial adverse change in significance of a historic resource. Impacts would be less than significant. As such, implementation of the Project would not result in any new or more severe significant impacts to cultural resources than those disclosed in the 2006 EIR.

Proposed Expansion Area

According to the Cultural Resources Study, there are no historical resources within the boundaries of the proposed Expansion Area. The southwestern corner of the proposed Expansion Area was occupied by a former trucking company, the western portion was disturbed by agricultural production, and the eastern portion remains undeveloped and disturbed with remnants of previous development. Thus, the construction activities associated with the Project would not cause a substantial adverse change in significance of a historic resource. No impacts would occur. Implementation of the Project would not result in any new or more severe significant impacts to historic resources than those disclosed in the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

No impact.

Threshold b: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that due do the high level of ground disturbance to a depth of three feet and the lack of integrity that buried resources discovered in the disturbed zone are likely to have, no unique archaeological resources are expected to be discovered within the Specific Plan Area. Nonetheless, 2006 EIR MM Cultural 1 identifies actions to take if previously undiscovered archaeological resources are discovered during construction. The 2006 EIR determined that with implementation of the Approved Project would not cause a substantial adverse change in the significance of archaeological resources. Additionally, cumulative impacts were determined to be less than significant.

2. Project Impact Analysis

As identified in the 2006 EIR, two archaeological isolates—basalt flakes—were discovered within the boundaries of the Specific Plan Area, which includes existing PAs 30 and 31; however, these isolates were not considered significant resources. No additional archaeological resources were identified through the records search or field survey conducted for the Amendment Area during preparation of the Cultural Resources Study included in SEIR Technical Appendix D. Therefore, construction activities associated with the Project would not adversely affect any existing known significant archaeological resources.

Consistent with the conclusions of the 2006 EIR, due to the current condition of the Amendment Area, which has been disturbed, any buried resources discovered in the Amendment Area or off-site improvement areas during construction would likely lack integrity, and no unique resources are expected to be discovered. However, there is a remote potential for archaeological resources to be present beneath the surface. If any archaeological resources are unearthed during construction that meet the definition of an archaeological resource cited in CEQA Guidelines Section 15064.5 and are disturbed/damaged by Project construction activities, impacts to archaeological resources would be potentially significant. 2006 EIR MM Cultural 1 is incorporated into the Project and requires that a qualified archaeologist determine the significance of resources unearthed during ground-disturbing activities. If the resource is determined to be an historical or unique archaeological resource, as defined in Section 15064.5 of the CEQA Guidelines, avoidance or other appropriate measures would be implemented to ensure impacts on archaeological resources remain less than significant. Implementation of the Project would not result in any new or more severe significant impacts to archaeological resources than those disclosed in the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

Threshold c: Would the Project disturb any human remains, including those interred outside of formal cemeteries?

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that no formal cemeteries exist within the Specific Plan Area. Historically, the site has been tilled and disturbed regularly. As such, there is low potential for adverse environmental impacts to human remains, and this impact was determined to be less than significant. However, the 2006 EIR concluded that unknown burial sites could be discovered during grading. 2006 EIR MM Cultural 2 identifies actions to take if human remains are encountered and ensure that impacts to human remains would be less than significant. Additionally, cumulative impacts were determined to be less than significant.

2. Project Impact Analysis

Consistent with the conclusion of the 2006 EIR, although remote, there is a potential that Project-related ground disturbance activities have the potential to unearth previously undiscovered human remains. This impact would be reduced to a level considered less than significant with adherence to regulatory requirements outlined in 2006 EIR MM Cultural 2, which is incorporated into the Project. As identified, if human remains are discovered during construction, all work shall halt, and the County Coroner shall be notified. If the Coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, the Coroner is required to contact the NAHC within 24 hours. Pursuant to Public Resources Code Section 5097.98, whenever the NAHC receives notification of a discovery of Native American human remains from a county coroner, the NAHC is required to immediately notify those persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The MLD shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. According to Public Resources Code Section 5097.94(k), the NAHC is authorized to mediate disputes arising between landowners and known descendants relating to the treatment and disposition of Native American human burials, skeletal remains, and items associated with Native American burials.

With mandatory compliance to California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98, as outlined in 2006 EIR MM Cultural 2, any potential impacts to human remains, including human remains of Native American ancestry, that may result from development of the Project would be less than significant. Implementation of the Project would not

result in any new or more severe significant impacts to human remains than those disclosed in the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

5.5.5 Cumulative Impact Analysis

The 2006 EIR concluded that the lack of known unique archaeological sites/resources in the area make it unlikely that implementation of the Subarea 29 Specific Plan would impact any such resources individually and identified that would also be the case for other projects in the Ontario Ranch and surrounding areas. Therefore, no cumulative effect related to archaeological resources would result. No cumulative impacts to historic resources or human remains were identified.

For purposes of this analysis, the cumulative impact area for cultural resources is the City. The potential for implementation of the Project to contribute to cumulative impacts to historical resources was analyzed in conjunction with other projects located in areas that were once similarly influenced by the historical agricultural industry of the City and the region. Record searches and field surveys indicate the absence of significant historic cultural resource sites and resources on and abutting the Project site; therefore, implementation of the Project would not contribute towards a cumulative impact to significant historical sites and/or resources.

Direct impacts to cultural resources are site-specific and would not result in significant cumulative impacts; however, the Project, in conjunction with cumulative development in the City could lead to accelerated degradation of previously unknown archaeological resource sites. Each development proposal received by the City undergoes environmental review and would be subject to the same resource protection requirements as the Project. If there is a potential for significant impacts on cultural resources, an investigation will be required to determine the nature and extent of the resources and to identify appropriate mitigation measures, including requirements such as those identified in this section. Based on the information presented in the required site-specific cultural resource studies, construction activities associated with the Project would not impact any known prehistoric archaeological resources; however, there is a remote potential to encounter previously unknown archaeological resources during construction of the Project, and other development project sites in the City. Therefore, without mitigation, the Project would result in a potentially cumulatively considerable contribution to a significant cumulative impact to archaeological resources, if such resources are unearthed during Project construction. With implementation of 2006 EIR MM Cultural 1, the Project's impacts would be less than significant. The City requires incorporation of similar measures in each

development Project. As such, the Project would not result in a cumulatively considerable contribution to a significant cumulative impact to archaeological resources.

Mandatory compliance with the provisions of California Health and Safety Code Section 7050.5 as well as Public Resources Code Section 5097 et seq., as identified in 2006 EIR MM Cultural 2, would assure that, as with the Project, future development projects within the City treat human remains that may be uncovered during development activities in accordance with prescribed, respectful and appropriate practices, thereby avoiding significant cumulative impacts.

5.5.6 REFERENCES

City of Ontario. 2006. *Environmental Impact Report for Subarea 29 (Hettinga) Specific Plan City of Ontario, San Bernardino County, California (State Clearinghouse Number: 2004011009),* certified October 2006. https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Reports/environmental-reports/subarea-29.pdf

City of Ontario. 2012. *City of Ontario Historic Landmarks.* July 2012. https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Historic_Preservation/designated_landmarks.pdf

VCS Environmental (VCS). 2022c. *Cultural Resources Assessment Subarea 29 Specific Plan Amendment Project, Ontario, CA Planning Areas 30-34*. November 2022. Included in SEIR Technical Appendix D.

5.6 ENERGY

This section of the Subsequent EIR (SEIR) identifies and analyzes the Project's potential impacts as they relate to energy usage. This section is based on the *Subarea 29 Specific Plan Amendment Energy Analysis* (Energy Analysis), prepared by Urban Crossroads, dated April 28, 2023 (Urban Crossroads, 2023), which is included as SEIR Technical Appendix E.

5.6.1 EXISTING CONDITIONS

A. Energy Consumption in California

The most recent data for California's estimated total energy consumption and natural gas consumption is from 2019, released by the United States (U.S.) Energy Information Administration's (EIA) California State Profile and Energy Estimates in 2021. As of 2019, approximately 7,802 trillion British Thermal Unit (BTU) of energy, 662 million barrels of petroleum, 2,144 billion cubic feet of natural gas, and 1 million short tons of coal were consumed.

B. Electricity

Electricity is currently provided to the Amendment Area and surrounding areas by Southern California Edison (SCE). SCE provides electric power to more than 15 million persons in 15 counties and in 180 incorporated cities, within a service area encompassing approximately 50,000 square miles. Based on SCE's 2019 Power Content Label Mix, SCE derives electricity from varied energy resources including fossil fuels, hydroelectric generators, nuclear power plants, geothermal power plants, solar power generation, and wind farms. SCE also purchases from independent power producers and utilities, including out-of-state suppliers.

Table 2-2 of the Energy Analysis identifies SCE's specific proportional shares of electricity sources in 2019. SCE's Power Mix has renewable energy at 35.1 percent of the overall energy resources. Geothermal resources are at 5.9 percent, wind power is at 11.5 percent, large hydroelectric sources are at 7.9 percent, solar energy is at 16.0 percent, and coal is at 0 percent.

C. Natural Gas

As further described in Section 2.3 of the Energy Analysis, the California Public Utilities Commission (CPUC) regulates natural gas utility service for approximately 10.8 million customers that receive natural gas from Pacific Gas and Electric (PG&E), Southern California Gas (SoCalGas), San Diego Gas & Electric (SDG&E), Southwest Gas, and several smaller natural gas utilities. The CPUC also regulates independent storage operators.

Natural gas is available from a variety of in-State and out-of-State sources and is provided throughout the State in response to market supply and demand. The gas transported to California gas utilities via the interstate pipelines, as well as some of the California-produced gas, is delivered into the PG&E and SoCalGas intrastate natural gas transmission pipelines systems (commonly referred to as California's "backbone" pipeline system). Natural gas on the utilities' backbone pipeline systems is then delivered

to the local transmission and distribution pipeline systems, or to natural gas storage fields. Some large volume noncore customers take natural gas delivery directly off the high-pressure backbone and local transmission pipeline systems, while core customers and other noncore customers take delivery off the utilities' distribution pipeline systems.

In 2019, about 37 percent of the natural gas delivered to consumers went to the State's industrial sector, and about 28 percent was delivered to the electric power sector. Natural gas fueled more than two-fifths of the State's utility-scale electricity generation in 2019. The residential sector, where two-thirds of California households use natural gas for home heating, accounted for 22 percent of natural gas deliveries. The commercial sector received 12 percent of the deliveries to end users and the transportation sector consumed the remaining 1 percent.

D. Transportation Energy Resources

The California Department of Motor Vehicles (DMV) identified 35.8 million registered vehicles in California as of December 2020 and those vehicles consume an estimated 17.4 billion gallons of fuel each year. Gasoline (and other vehicle fuels) are commercially provided commodities and would be available to the Project residents and employees via commercial outlets.

5.6.2 Regulatory Background

A. Federal

1. Intermodal Surface Transportation Efficiency Act (ISTEA)

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) promoted the development of inter-modal transportation systems to maximize mobility as well as address national and local interests in air quality and energy. ISTEA contained factors that Metropolitan Planning Organizations (MPOs) were to address in developing transportation plans and programs, including some energy-related factors. To meet the ISTEA requirements, MPOs adopted explicit policies defining the social, economic, energy, and environmental values guiding transportation decisions.

2. The Transportation Equity for the 21st Century (TEA-21)

The TEA-21 was signed into law in 1998 and builds upon the initiatives established in the ISTEA legislation, discussed above. TEA-21 authorizes highway, highway safety, transit, and other efficient surface transportation programs. TEA-21 continues the program structure established for highways and transit under ISTEA, such as flexibility in the use of funds, emphasis on measures to improve the environment, and focus on a strong planning process as the foundation of good transportation decisions. TEA-21 also provides for investment in research and its application to maximize the performance of the transportation system through, for example, deployment of Intelligent Transportation Systems, to help improve operations and management of transportation systems and vehicle safety.

B. State

1. Integrated Energy Policy Report

Senate Bill 1389 (Bowen, Chapter 568, Statutes of 2002) requires the California Energy Commission (CEC) to prepare a biennial integrated energy policy report that assesses major energy trends and issues facing the state's electricity, natural gas, and transportation fuel sectors and provides policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and diverse energy supplies; enhance the state's economy; and protect public health and safety (Public Resources Code § 25301[a]). The CEC prepares these assessments and associated policy recommendations every two years, with updates in alternate years, as part of the Integrated Energy Policy Report.

The 2021 IEPR was adopted February 22, 2022, and continues to work towards improving electricity, natural gas, and transportation fuel energy use in California. The 2021 IEPR identifies actions the state and others can take to ensure a clean, affordable, and reliable energy system. California's innovative energy policies strengthen energy resiliency, reduce greenhouse gas (GHG) emissions that cause climate change, improve air quality, and contribute to a more equitable future.

2. State of California Energy Plan

The CEC is responsible for preparing the State Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The Plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies several strategies, including assistance to public agencies and fleet operators and encouragement of urban designs that reduce vehicle miles traveled (VMT) and accommodate pedestrian and bicycle access.

3. California Code Title 24

CCR Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24 Energy Code), was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption. On August 11, 2021, the CEC adopted the 2022 Title 24 Energy Code, which was approved by the California Building Standards Commission (CBSC) in December 2021. The 2022 Title 24 Energy Code includes the 2022 Building Energy Efficiency Standards, which become effective and replace the existing 2019 standards on January 1, 2023. The 2022 Title 24 standards require solar photovoltaic systems for new homes, establish requirements for newly constructed healthcare facilities, encourage demand responsive technologies for residential buildings, and update indoor and outdoor lighting standards for nonresidential buildings.

CCR, Title 24, Part 11: California Green Building Standards Code (CALGreen) is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect

on August 1, 2009, and is administered by the California Building Standards Commission (CBSC). CALGreen improves public health, safety, and general welfare through enhanced design and sustainable construction of buildings while conserving natural resources. Local jurisdictions are permitted to adopt more stringent requirements, as state law provides methods for local enhancements. The State Building Code provides the minimum standard that buildings must meet in order to be certified for occupancy, which is generally enforced by the local building official. The 2022 CALGreen Code has also been approved by the CEC and CBSC and go into effect on January 1, 2023.

The CEC anticipates that the 2022 Title 24 energy code will provide $1.5 billion in consumer benefits. The Project would be required to comply with the applicable standards in place at the time plan check submittals are made.

Title 24 requirements particularly relevant to the proposed uses are outlined in SEIR Section 4.3, Air Quality.

4. Pavley Fuel Efficiency Standards (AB 1493)

California AB 1493, enacted on July 22, 2002, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. Under this legislation, CARB adopted regulations to reduce GHG emissions from non-commercial passenger vehicles (cars and light-duty trucks). Although aimed at reducing GHG emissions, specifically, a co-benefit of the Pavley standards is an improvement in fuel efficiency and consequently a reduction in fuel consumption.

5. Senate Bill 350 (SB 350) – Clean Energy and Pollution Reduction Act of 2015

First established in 2002 under Senate Bill (SB) 1078, California's Renewable Portfolio Standards (RPS) requires retail sellers of electric services to increase procurement from eligible renewable resources. In October 2015, the legislature approved, and the Governor signed SB 350, which reaffirms California's commitment to reducing its GHG emissions and addressing climate change. SB 350 established tiered increases to the RPS: 40 percent by 2024, 45 percent by 2027, and 50 percent by 2030. SB 350 also set a new goal to double the energy-efficiency savings in electricity and natural gas through energy efficiency and conservation measures.

6. Senate Bill 100

In September 2018, the legislature approved, and the Governor signed SB 100, which builds on the targets established in SB 1078 and SB 350. Most notably, SB 100 sets a goal of powering all retail electricity sold in California with renewable and zero-carbon resources. Additionally, SB 100 updates the interim renewables target from 50 percent to 60 percent by 2030.

7. Executive Order N-79-20 and Advanced Clean Cars II

On August 25, 2022, CARB approved the Advanced Clean Cars II rule, which codifies the goals set out in Executive Order N-79-20 and establishes a year-by-year roadmap such that by 2035, 100 percent of new cars and light trucks sold in California will be zero-emission vehicles. Under this regulation,

automakers are required to accelerate deliveries of zero-emission light-duty vehicles, beginning with model year 2026. CARB estimates that between 2026 and 2040, the regulation would reduce GHG emissions by a cumulative 395 million metric tons, equivalent to reducing petroleum use by 915 million barrels.

C. Local

1. Ontario Community Climate Action Plan (CCAP)

The City adopted its first Community Climate Action Plan (CCAP) in 2014. The CCAP elaborates on the goals and policies detailed in The Ontario Plan (TOP) and identifies a number of additional measures to reduce GHG emissions from nine sectors: building energy, renewable energy, wastewater treatment, solid waste management, on-road transportation, off-road equipment, agriculture, water, and miscellaneous.

The City updated the CCAP as part of TOP Update, which was approved August 16, 2022. As further discussed in SEIR Section 5.8, Greenhouse Gas Emissions, the updated CCAP identifies various strategies that, if implemented at the levels specified in the CCAP, would a allow the community to achieve its emissions-reductions targets. These include various strategies addressing energy conservation.

2. The Ontario Plan

As part of the City's TOP, the Environmental Resources Element includes Goal ER3 which focuses on creating a cost-effective and reliable energy system sustained through low-impact construction, site and neighborhood energy conservation, and diverse sources of energy generation that collectively help to minimize the region's carbon footprint. Goal ER3 includes the following six policies:

- **Policy ER3-1 Conservation Strategy**. We require conservation as the first strategy to be employed to meet applicable energy-saving standards.
- **Policy ER3-2 Green Development – Communities**. We encourage the use of the LEED Neighborhood Development ration system, or similar mechanism, to guide the planning and development of all new communities.
- **Policy ER3-3 Building and Site Design**. We require new construction to incorporate energy efficient building and site design strategies, which could include appropriate solar orientation, maximum use of natural daylight, passive solar, and natural ventilation.
- **Policy ER3-4 Green Development – Public Buildings**. We require all new and substantially renovated City buildings in excess of 10,000 square feet achieve a LEED Silver Certification standard, as determined by the U.S. Green Building Council.
- **Policy ER3-5 Fuel Efficient and Alternative Energy Vehicles and Equipment**. We require purchase and use of vehicles and equipment that are fuel efficient and meet or surpass state emissions requirements and/or use renewable sources of energy.

- **Policy ER3-6 Generation – Renewable Sources.** We promote the use of renewable energy sources (e.g., solar, wind, biomass) in public and private sector development.

5.6.3 Basis for Determining Significance

The City of Ontario evaluates impacts related energy based on thresholds of significance included in Appendix G of the CEQA Guidelines. A significant impact related to energy would occur if the Project would:

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.

In addition, Appendix F of the CEQA Guidelines states that the means of achieving the goal of energy conservation includes the following:

- Decreasing overall per capita energy consumption;
- Decreasing reliance on fossil fuels such as coal, natural gas, and oil; and
- Increasing reliance on renewable energy sources.

Regarding the determination of significance under Threshold "a," if energy consumed by the Project's construction and/or operation cannot be accommodated with existing available resources and energy delivery systems, and requires and/or consumes more energy than residential and school uses in California of similar scale and intensity, the Project would result in wasteful, inefficient, or unnecessary consumption of energy.

5.6.4 Environmental Impacts and Mitigation

A. Applicable 2006 EIR Mitigation Measure

The following mitigation measure (MM) from the *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009) certified by the City in 2006 (referred to herein as the "2006 EIR") is applicable to and is incorporated into the Project.

MM Util 5 To reduce the quantity of energy used and to conserve water resources, the project developer and City of Ontario should work to include sustainable systems for use of water and energy within the project design.

B. Impact Analysis

Threshold a:	***Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?***

1. Summary of Previous Environmental Analysis

Appendix G of the State CEQA Guidelines was modified (in December 2018) to include Energy as a standalone environmental topic to specifically focus on a project's potential to impact energy resources and energy-related laws and regulations. Although Energy was added in December 2018 as a topic, analysis of a project's potential to result in a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources is not a new requirement. This issue is also addressed in Appendix F of the State CEQA Guidelines. Energy consumption is addressed in Section III.12, Utilities and Service Systems, of the 2006 EIR. The 2006 EIR concluded that the implementation of the Subarea 29 Specific Plan would result in energy demands, both electrical and natural gas; however, there would adequate energy supplies provided by SCE (electricity) and SoCalGas (natural gas). The 2006 EIR included MM Util 5 to reduce the quantity of energy used. The 2006 EIR concluded that implementation of the Subarea 29 Specific Plan would not result in unnecessary consumption of energy resources. Additionally, cumulative impacts related to electrical and natural gas service were determined to be less than significant.

2. Project Impact Analysis

Information from the California Emissions Estimator Model (CalEEMod) Version 2022.1 outputs for the *Subarea 29 Specific Plan Amendment Air Quality Impact Analysis* (AQIA), included in SEIR Technical Appendix B of this SEIR, was utilized in this analysis, detailing Project-related construction equipment, transportation energy demands, and facility energy demands. Refer to the AQIA for a discussion of the methods and assumptions used in the analysis. This information is also summarized in SEIR Section 3.0, Project Description, and SEIR Section 4.3, Air Quality. The Energy Analysis also utilized the different fuel types for each vehicle class from the annual EMFAC 2021 emission inventory in order to derive the average vehicle fuel economy, which is then used to determine the estimated annual fuel consumption associated with vehicle usage during Project construction and operational activities. For purposes of analysis, the 2023 through 2027 analysis years were utilized to determine the average vehicle fuel economy used throughout the duration of the Project.

Construction-Related Energy Use

The Project's construction process is estimated to occur over approximately 48 months and would consume electrical energy and fuel. Fuel consumed by construction equipment would be the primary energy resource expended over the course of Project construction. Consistent with industry standards and typical construction practices, and for purposes of analysis, each piece of equipment is estimated to operate up to a total of eight hours per day, or more than two-thirds of the period during which construction activities are allowed pursuant to the OMC. Project-related construction would represent

a "single-event" electric energy and fuel demand and would not require on-going or permanent commitment of energy or diesel fuel resources for this purpose.

The total Project construction electricity usage is the summation of the products of the power cost by the utility provider cost per kilowatt hour (kWh) of electricity. The *2021 National Construction Estimator* identifies a typical power cost per 1,000 square-feet (sf) of construction per month of $2.37, which was used to calculate the Project's total construction power cost. The total power cost of the on-site electricity usage during the construction of the Project is estimated to be approximately $317,057.54 (refer to Table 4-5 of the Energy Analysis). Based on the assumed power cost, it is estimated that the total electricity usage from on-site Project construction-related activities would be approximately 2,528,571-kilowatt hour (kWh) (refer to Table 4-6 of the Energy Analysis).

Diesel fuel would be supplied by existing commercial fuel providers serving the region. Construction equipment use would result in single event consumption of approximately 274,379 gallons of diesel fuel (refer to Table 4-7 of the Energy Analysis). For purposes of analysis, the calculations are based on all construction equipment being diesel-powered, which is consistent with industry standards.

Project construction activities would generate on-road vehicle emissions from vehicle usage for workers, hauling, and vendors commuting to and from the Amendment Area. The number of workers and vendor trips are presented in Table 4-8 of the Energy Analysis. Project construction worker trips are estimated to generate an estimated 13,248,516 VMT, and result in an estimated fuel consumption of 462,959 gallons of fuel (refer to Table 4-9 of the Energy Analysis). Project construction vendor trips are estimated to generate an estimated 922,756 VMT and result in an estimated fuel consumption of approximately 132,267 gallons (refer to Table 4-10 of the Energy Analysis). It should be noted that Project construction worker trips would represent a "single-event" gasoline fuel demand and vendor trips would represent a "single-event" diesel fuel demand; both construction worker and vendor trips would not require on-going or permanent commitment of fuel resources for this purpose.

Starting in 2014, CARB adopted the nation's first regulation aimed at cleaning up off-road construction equipment such as bulldozers, graders, and backhoes. These requirements ensure fleets gradually turnover the oldest and dirtiest equipment to newer, cleaner models and prevent fleets from adding older, dirtier equipment. As such, the equipment used for Project construction would conform to CARB regulations and California emissions standards. It should also be noted that there are no unusual Project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities; or equipment that would not conform to current emissions standards (and related fuel efficiencies). Equipment employed in the construction of the Project would therefore not result in inefficient wasteful, or unnecessary consumption of fuel.

Construction contractors would be required to comply with applicable CARB regulations regarding retrofitting, repowering, or replacement of diesel off-road construction equipment. Additionally, CARB has adopted the Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other Toxic Air Contaminants. Compliance with anti-idling and emissions regulations would result in a more efficient use of

construction-related energy and the minimization or elimination of wasteful or unnecessary consumption of energy. Idling restrictions and the use of newer engines and equipment would result in less fuel combustion and energy consumption.

Additional construction-source energy efficiencies would occur due to required California regulations and best available control measures (BACM). For example, CCR Title 13, Motor Vehicles, section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than five minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Section 2449(d)(3) requires that grading plans shall reference the requirement that a sign shall be posted on-site stating that construction workers need to shut off engines at or before five minutes of idling." In this manner, construction equipment operators are required to be informed that engines are to be turned off at or prior to five minutes of idling. Enforcement of idling limitations is realized through periodic site inspections conducted by City building officials, and/or in response to citizen complaints.

In summary, based on the analysis above, Project construction energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary. Construction impacts would be less than significant.

Operational Related Energy Use

Energy consumption in support of or related to Project operations would include transportation energy demands (energy consumed by passenger car and truck vehicles accessing the Amendment Area) and facilities energy demands (energy consumed by building operations and site maintenance activities).

As with worker and vendors trips, operational vehicle fuel efficiencies were estimated using information generated within EMFAC2021 developed by CARB. EMFAC2021 was run for the San Bernardino South Coast sub-area for the 2023 and 2027 calendar years. The Project will result in 70,422,785 annual VMT and an estimated annual fuel consumption of 2,920,190 gallons of fuel (refer to Table 4-11 of the Energy Analysis). Fuel would be provided by current and future commercial vendors. Trip generation and VMT generated by the Project are consistent with other single-family and attached residential and middle school uses of similar scale and configuration, as reflected respectively in the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Ed., 2021); and CalEEMod. As such, Project operations would not result in excessive and wasteful vehicle trips and VMT, nor excess and wasteful vehicle energy consumption compared to other residential/commercial land uses. Additionally, enhanced fuel economies realized pursuant to federal and state regulatory actions, and related transition of vehicles to alternative energy sources would likely decrease future gasoline fuel demands per VMT. Additionally, as further addressed in SEIR Section 3.0, Project Description, and SEIR Section 4.16, Transportation, the Project would include pedestrian and bicycle facilities, facilitating and encouraging pedestrian and bicycle access. The on-site circulation system would provide direct connections to the bikeways on site-adjacent roadways to encourage and facilitate bicycle travel. Facilitating pedestrian and bicycle access would reduce VMT and associated energy consumption.

Project building operations activities would result in the consumption of natural gas and electricity. Natural gas would be supplied to the Project by SoCalGas; electricity would be supplied to the Project by SCE. Energy efficiency/energy conservation attributes of the Project would be complemented by increasingly stringent state and federal regulatory actions addressing vehicle fuel economies and vehicle emissions standards; and enhanced building/utilities energy efficiencies mandated under California building codes. Enhanced fuel economies realized pursuant to federal and State regulatory actions, and related transition of vehicles to alternative energy sources (e.g., electricity, natural gas, biofuels, hydrogen cells) would likely decrease future gasoline fuel demands per VMT. Location of the Project proximate to regional and local roadways systems tends to reduce VMT within the region, acting to reduce regional vehicle energy demands. As previously stated, the analysis herein assumes compliance with the current version of the Title 24 Energy Code and CALGreen standards.

Additionally, in accordance with 2006 EIR MM Util 5, and through compliance with current energy regulations discussed above that are more stringent when the 2006 EIR was prepared, the Project is designed to include sustainable systems for use of water and energy. The Project's buildings would consume approximately 49,391,909 kilo-BTU (kBTU) of natural gas per year and 12,101,224 kWh of electricity per year (refer to Table 4-12 of the Energy Analysis).

Project operational energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary. Impacts would be less than significant.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

Threshold b: ***Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?***

1. Summary of Previous Environmental Analysis

The 2006 EIR did not specifically address the Approved Project's potential to conflict with or obstruct a State or local plan for renewable energy or energy efficiency.

2. Project Impact Analysis

The Project's consistency with the applicable State and local plans is discussed below. Consistency with federal plans related to energy is also addressed for informational purposes. The Project's consistency with SCAG's *Connect SoCal* is addressed in SEIR Section 5.11, Land Use and Planning.

Consistency with ISTEA

Transportation and access to the Amendment Area is provided by the local and regional roadway systems. The Project would not interfere with, nor otherwise obstruct intermodal transportation plans or projects that may be realized pursuant to the ISTEA because the Southern California Association of Governments (SCAG) is not planning for intermodal facilities on or through the Project site.

Consistency with TEA-21

The Amendment Area is in an area with proximate access to the Interstate freeway system. The Amendment Area selected for the Project facilitates access, acts to reduce vehicle miles traveled, takes advantage of existing infrastructure systems, and promotes land use compatibilities through collocation of similar uses. The Project supports the strong planning processes emphasized under TEA-21. The Project is therefore consistent with, and would not otherwise interfere with, nor obstruct implementation of TEA-21.

Consistency with IEPR

Electricity would be provided to the Project by SCE. SCE's *Clean Power and Electrification Pathway* (CPEP) white paper builds on existing state programs and policies. As such, the Project is consistent with, and would not otherwise interfere with, nor obstruct implementation of the goals presented in the 2021 IEPR. Additionally, as discussed below, the Project would comply with the applicable Title 24 standards which would ensure that the Project energy demands would not be inefficient, wasteful, or otherwise unnecessary. As such, development of the proposed Project would support the goals presented in the 2021 IEPR.

Consistency with State of California Energy Plan

The Amendment Area is in an area with proximate access to the Interstate freeway system. The Amendment Area selected for the Project facilitates access and takes advantage of existing infrastructure systems. The Project therefore supports urban design and planning processes identified under the State of California Energy Plan, is consistent with, and would not otherwise interfere with, nor obstruct implementation of the State of California Energy Plan.

Consistency with California Code Title 24, Part 6 and Part 11

As previously discussed, the 2022 Title 24 Energy Standards and 2022 CALGreen have been approved by the CEC and CBSC and go into effect on January 1, 2023. The Project would be required to comply with applicable requirements from the 2022 Title 24 Energy Standards and CALGreen.

Consistency with AB 1493

AB 1493 is not applicable to the Project as it is a statewide measure establishing vehicle emissions standards. No feature of the Project would interfere with implementation of the requirements under AB 1493.

Consistency with RPS

California's RPS is not applicable to the Project as it is a statewide measure that establishes a renewable energy mix. No feature of the Project would interfere with implementation of the requirements under RPS.

Consistency with SB 350 and SB 100

The Project would use energy from SCE, which has committed to diversify its portfolio of energy sources by increasing energy from wind and solar sources. No feature of the Project would interfere with implementation of SB 350 and SB 100. Additionally, the Project would be designed and constructed to implement the energy efficiency measures for new residential and educational developments and would include several measures designed to reduce energy consumption in accordance with Title 24 and the City of Ontario CAP.

Increasing Reliance on Renewable Energy Sources

Pursuant to the 2022 Title 24 standards, future residential units constructed as part of the Project would be required to implement photovoltaic solar to offset energy demand associated with the Project. Additionally, the Project would comply with the Ontario CCAP as discussed in SEIR Section 5.8, Greenhouse Gas Emissions, compliance with the CCAP would further reduce reliance on fossil fuels and expand the use of renewable energy.

The Ontario Plan

Table 5.6-1, Consistency with TOP Energy Policies, evaluates the consistency of the Project to the applicable policies of TOP Environmental Resources Element. As shown, the Project would generally be consistent with the applicable TOP policies addressing energy.

Table 5.6-1 Consistency with TOP Energy Policies

Environmental Resources Element Policies	Project Consistency
Policy ER3-1: Conservation Strategy. We require conservation as the first strategy to be employed to meet applicable energy-saving standards. **Policy ER3-2: Green Development – Communities.** We encourage the use of the LEED Neighborhood Development rating system, or similar mechanism, to guide the planning and development of all new communities. **Policy ER3-3: Building and Site Design.** We require new construction to incorporate energy efficient building and site design strategies, which could include appropriate solar orientation, maximum use of natural daylight, passive solar, and natural ventilation.	**Consistent:** The Subarea 29 Specific Plan sustainability/ conservation attributes of the Project, which serve to reduce energy consumption, and air quality and GHG emissions are discussed in detail in the Subarea 29 Specific Plan and are summarized below. The Subarea 29 Specific Plan encourages efficient energy usage in design elements, product selection, and operations. Additionally, the Project is committed to sustainable design strategies that integrate principles of environmental stewardship into the design and construction process. This includes sustainable construction and technology concepts which would entail energy efficient buildings, passive design that would improve building energy performance, implementation of shade structures, use of environmentally friendly building materials, in addition to other fixtures, appliances, and heating and cooling controls to conserve energy and water. Further, the Subarea 29 Specific Plan encourages non-motorized circulation by employees and visitors via its provision of an integrated network of sidewalks, bikeways, trails, and bicycle storage. Facilitating use of these alternative transportation modes and opportunities may decrease dependence on personal automobiles with related decreases in energy consumption.
Policy ER3-5: Fuel Efficient and Alternative Energy Vehicles and Equipment. We require purchase and use of vehicles and equipment that are fuel efficient and meet or surpass state emissions requirements and/or use renewable sources of energy.	**Consistent. Consistent.** As required by the 2022 CALGreen Section 4.106.4.1, 4.106.4.2, 4.106.4.3, the Project would adhere to requirements to facilitate future installation and use of electric vehicle (EV) chargers.
Policy ER3-6: Generation – Renewable Sources. We promote the use of renewable energy sources (e.g., solar, wind, biomass) to serve public and private sector development.	**Consistent.** As required by the 2022 Title 24 Energy Code, the Project would adhere to requirements to promote the use of renewable energy sources.

Conclusion

As shown above, the Project would not conflict with any of the State or local plans for renewable energy or energy efficiency. As such this impact is less than significant.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

5.6.5 Cumulative Impact Analysis

Project construction and operations would not result in the inefficient, wasteful, or unnecessary consumption of energy. The Project would not engage in wasteful or inefficient uses of energy and aims to achieve energy conservation goals within California. Other cumulative developments within the region would be required to demonstrate that the wasteful, inefficient, or unnecessary energy consumption would not occur. Additionally, other cumulative developments would be subject to the same regulatory requirements as the Project, including compliance with the Title 24 Energy Code, CALGreen, and TOP CCAP, which would ensure that cumulative development does not result in the wasteful, inefficient, or unnecessary consumption of energy. The Project and other cumulative developments also inherently would be consistent with the IEPR, State of California Energy Plan, AB 1493 (Pavley), and SB 350, as discussed herein. As such, there is a less than significant cumulative impact related to energy.

5.6.6 References

Urban Crossroads, Inc. (Urban Crossroads). 2023. *Subarea 29 Specific Plan Amendment Energy Analysis*. April 28, 2023. Included in SEIR Technical Appendix E.

5.7 GEOLOGY AND SOILS

This section of the Subsequent EIR (SEIR) identifies and analyzes the Project's potential impacts as they relate to geology and soils, and paleontological resources. This section is based, primarily, on the following Project-specific reports:

- *Preliminary Geotechnical Site Assessment and Report Review and Update Subarea 29 Specific Plan Amendment – Planning Areas 30-34 SW and SE Corner of Eucalyptus and Haven Aves* (Geotechnical Report), prepared by RMA Group (RMA) (January 28, 2022) (RMA, 2022), and included as Technical Appendix F of this SEIR.

- *Cultural Resources Assessment for the Subarea 29 Specific Plan Amendment Project, Ontario, California, Planning Areas 30-34* (Cultural Resources Study), prepared by VCS (November 2022) (VCS, 2022c), which addresses paleontological resources and is included in Technical Appendix D of this SEIR.

These reports update the reports prepared to support the *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009) certified by the City in 2006 (referred to herein as the "2006 EIR,") and included Planning Areas (PAs) 30 and 31.

5.7.1 EXISTING CONDITIONS

A. *Geologic Setting*

The Amendment Area slopes gently to the south and elevations range from approximately 676 to 703 feet above sea level. The Amendment Area is on a broad, coalescing alluvial fan that emanates from the San Gabriel Mountains to the north. Based on review of the regional geologic map included on Figure 3 of the Project Geotechnical Report, the Amendment Area is underlain by Young eolian and dune deposits (Qye). These sediments fill the western portion of a deep structural depression known as the upper Santa Ana River Valley. The alluvial deposits beneath the Amendment Area are approximately 650 feet thick and rest on a basement of crystalline bedrock.

The upper Santa Ana River Valley is bordered by the San Gabriel Mountains and the active Cucamonga fault to the north, and the Puente Hills and potentially active Chino fault to the west. To the south are the Jurupa Mountains and other resistant granitic and metamorphic hills. The eastern boundary of the valley is the San Bernardino Mountains and the active San Andreas Fault.

B. *Earth Materials*

Previous Geotechnical Report investigations conducted in 2007 encountered artificial fill and alluvial soils during their field exploration. The fill soils ranged from 2 to 7 feet thick and consisted of sand with silt and silty sand. The alluvium consisted of layered sand, silty sand, and sandy silt. It is anticipated that similar soil conditions occur across the Amendment Area (RMA, 2022).

Based on the site reconnaissance conducted for the Project Geotechnical Report, a thin layer of loose artificial fill and alluvium along the surface and small amounts of concrete, wood, and other debris were encountered on existing PA 30. It is expected these materials are associated with the demolition of former dairy farm use in this area. Surficial conditions on existing PA 31 are similar to those indicated in the 2007 Geotechnical Report. Stockpiles of soil and concrete debris, associated with the demolition of former dairies, were observed within the proposed Expansion Area, and it is expected these materials are also associated with the demolition of former on-site dairy farm uses.

C. Surface and Groundwater Conditions

No areas of ponding or standing water were present at the time the field exploration for the Project Geotechnical Report was conducted, other than a small amount of water in the storm channel in the proposed Expansion Area (PA 33). Additionally, no springs or areas of natural seepage were found.

Groundwater was not encountered within previous exploratory trenches or borings for the preparation of the 2007 Geotechnical Reports. Further, the previous reports identified that groundwater levels recorded in the area by the California Department of Water Resources (DWR) were at a depth of 120 feet below ground surface.

D. Seismic Hazards

As with all of southern California, the Amendment Area is subject to strong ground motions due to seismic events (i.e., earthquakes). There have been three large historic strong earthquakes epicentered within about 20 miles of the Amendment Area: the 1858 magnitude 6.0 San Bernardino Area earthquake, the 1923 magnitude 6.0 San Bernardino Earthquake, and the 1990 magnitude 5.5 Upland Earthquake. Strong earthquakes that have occurred in this region in historic time and their approximate epicentral distances are summarized in Table 2 of Technical Appendix F.

Secondary hazards associated with earthquakes include surface rupture, ground failure, unstable soils and slopes. Each of these hazards is briefly described below.

1. Fault Rupture

The Amendment Area is not within the boundaries of an Earthquake Fault Zone for fault-rupture hazard as defined by the Alquist-Priolo Earthquake Fault Zoning Act. The nearest Alquist-Priolo Earthquake Fault Zoning is located about 6.5 miles southwest of the Amendment Area along the Chino fault. No faults are known to pass through the Amendment Area.

The nearest active fault to the Amendment Area is the Central Avenue fault located approximately 6.0 miles to the southwest. Figure 4 of Technical Appendix F illustrates the location of the Amendment Area with respect to major faults in the region.

2. Liquefaction

Liquefaction is a phenomenon in which loose, saturated, relatively cohesion-less soil deposits lose shear strength during strong ground motions, which causes the soil to behave as a viscous liquid. The possibility of liquefaction is dependent upon grain size, relative density, confining pressure, saturation of the soils, and intensity and duration of ground shaking. In order for liquefaction to occur, three criteria must be met: 1) underlying loose, sand-like soils, 2) a groundwater depth of less than about 50 feet, and 3) a potential for seismic ground motions from nearby large-magnitude earthquake. Groundwater levels in the area by the DWR were recorded at a depth of 120 feet below ground surface. Due to the absence of groundwater in the upper 50 feet within the Amendment Area, soil liquefaction is unlikely to occur.

3. Landslides

A landslide is defined as the movement of a mass of rock, debris, or earth down a slope. Causes include factors that increase the effects of down-slope forces and factors that contribute to low or reduced strength. Landslides can be initiated by earthquakes. Landslides are not a hazard within the Amendment Area due to the low gradient of the area.

4. Settlement Potential

Seismically induced settlement occurs most frequently in areas underlain by loose, sand-like sediments. Damage as a result of seismically induced settlement is most dramatic when differential settlement occurs in areas with large variations in the thickness of underlying sediments. Settlement caused by ground shaking is often non-uniformly distributed, which can result in differential settlement. The on-site soils have the potential to experience settlement during a seismic event.

5. Earthwork Shrinkage and Subsidence

Shrinkage is the decrease in volume of soil upon removal and recompaction expressed as a percentage of the original in place volume. Subsidence occurs as natural ground is densified to receive fill. These factors account for changes in earth volumes that will occur during grading.

E. Soil Instability Hazards

1. Soil Erosion

Erosion is the process by which the upper layers of the ground surface (such as soils) are worn and removed by the movement of water or wind. Soils with characteristics such as low permeability and/or low cohesive strength are more susceptible to erosion than those soils having higher permeability and cohesive strength. Additionally, the slope gradient on which a given soil is located also contributes to the soil's resistance to erosive forces. Because water flows faster down steeper gradients, the steeper the slope on which a given soil is located, the more readily it will erode. The soils on site are susceptible to erosion.

Wind erosion can damage land and natural vegetation by removing soil from one place and depositing it in another. It mostly affects dry, sandy soils in flat, bare areas, but wind erosion may occur wherever soil is loose, dry, and finely granulated. Under existing conditions, the Amendment Area has the potential to contribute windblown soil and sand because the Amendment Area has areas with loose and dry topsoil conditions.

2. Shrinkage/Subsidence Potential

Shrinkage is the decrease in volume of soil upon removal and recompaction expressed as a percentage of the original in place volume. Subsidence occurs as natural ground is densified to receive fill. These factors account for changes in earth volumes that will occur during grading.

Based on the data included in the 2007 Geotechnical Reports, the subsidence factor to the Amendment Area is estimated to be 0.1 foot. Additionally, the estimate for shrinkage at the Amendment Area is estimated to be between 10 percent and 15 percent for soil removed and replaced as compacted fill.

3. Soil Expansion

Expansive soils are soils that exhibit cyclic shrink and swell patterns in response to variations in moisture content. Based on previous expansion tests conducted for PAs 30 and 31 it is expected that soils within the Amendment Area have very low to medium expansion potential.

F. Paleontological Setting

As previously identified, the regional geological map that includes the Amendment Area demonstrates that this area exhibits exposures of Young eolian (windblown) deposits (Qye). These late Pleistocene to Holocene eolian silts and sands are mapped in and around the City of Ontario (City). Older sediments likely lie below these deposits. The Natural History Museum of Los Angeles (NHMLAC) conduced a paleontological resources records search on January 29, 2022, which is included in the Cultural Resources Study included in EIR Technical Appendix D (VCS, 2022c). The paleontological resources records search determined that no paleontological resources are recorded in the Amendment Area; however, fossils have been found and recorded in these sedimentary deposits either at surface or at depth. The nearest localities are approximately 6.0 miles to the west, near State Route (SR) - 71, and approximately 5.0 miles to the south, near the City of Corona. Whip snake (*Masticophis*), horse (*Equus*), camel (*Camelops*), ground sloth (*Nothrotheriops*), and a fossil of the elephant family (*Proboscidea*) are the closest known fossil localities in Pleistocene sediments near the Amendment Area.

Further, the paleontological resources assessment conducted for the *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009) certified by the City in 2006 (referred to herein as the "2006 EIR"), indicated that some areas in San Bernardino County have a high potential for finding paleontological resources based upon an inventory of geologic formations known to potentially contain paleontological resources.

No paleontological resources were found during the pedestrian site survey; however, deeper geologic units have the potential to contain significant fossil resources (VCS, 2022c).

5.7.2 Regulatory Background

Section III.5, Geology and Soils, of the 2006 EIR provides a discussion of the (Uniform Building Code), which was subsequently replaced by the International Building Code (IBC). Since 2006, the California Building Standards Commission (CBSC) has adopted the IBC as the model building code in California. The first California Building Code (CBC) based on the IBC was the 2007 edition (DGS, 2021). A discussion of the current regulations related to geology and soils and paleontological resources is provided below.

A. State

1. California Building Standards Code (Title 24)

California Code of Regulations (CCR) Title 24 is reserved for state regulations that govern the design and construction of buildings, associated facilities, and equipment. The California Building Code (also known as the "California Building Standards Code" or CBC) is promulgated under CCR (Title 24, Parts 1 through 12, and is administered by the CBSC. The national model code standards adopted into Title 24 apply to all occupancies in California except for modifications adopted by State agencies and local governing bodies.

The CBSC published the 2019 CBC in July 2019, which is based on the 2018 IBC (the national model building code), providing standardized requirements for construction and became effective January 1, 2020. The 2022 CBC, which is based on the 2021 IBC, will become effective on January 1, 2023. The Project would comply with State requirements regarding seismic design in effect at the time building permits are issued. Cities and counties may adopt ordinances making more restrictive requirements than provided by CBC, because of local climatic, geological, or topographical conditions. Such adoptions and a finding of need statement must be filed with the CBSC.

Requirements for geotechnical investigations are included in CBC Appendix J, Grading, Section J104; additional requirements for subdivisions requiring tentative and final maps and for other specified types of structures are in California Health and Safety Code (HSC) Section 17953 to Section 17955 and in CBC Section 1803. Testing of samples from subsurface investigations is required, such as from borings or test pits. Studies must be done as needed to evaluate slope stability, soil strength, position and adequacy of load-bearing soils, the effect of moisture variation on load-bearing capacity, compressibility, liquefaction, differential settlement, and expansiveness. CBC Section J105 sets forth requirements for inspection and observation during and after grading.

2. Alquist-Priolo Earthquake Fault Zoning Act (A-P Act)

The Alquist-Priolo Earthquake Fault Zoning Act (A-P Act) was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The A-P Act's main purpose is to prevent the

construction of buildings used for human occupancy on the surface trace of active faults. The A-P Act only addresses the hazard of surface fault rupture and is not directed toward other earthquake hazards.

The A-P Act requires the State Geologist to establish regulatory zones (known as Earthquake Fault Zones) around the surface traces of active faults and to issue appropriate maps. ["Earthquake Fault Zones" were called "Special Studies Zones" prior to January 1, 1994.] The maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling new or renewed construction. Local agencies must regulate most development projects within the zones. Projects include all land divisions and most structures for human occupancy. Single family wood-frame and steel-frame dwellings up to two stories not part of a development of four units or more are exempt. However, local agencies can be more restrictive than state law requires.

Before a project can be permitted, cities and counties must require a geologic investigation to demonstrate that proposed buildings will not be constructed across active faults. An evaluation and written report of a specific site must be prepared by a licensed geologist. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (generally 50 feet).

3. Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) of 1990 (Public Resources Code, Chapter 7.8, Section 2690-2699.6) directs the Department of Conservation, California Geological Survey to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. The purpose of the SHMA is to minimize loss of life and property through the identification, evaluation, and mitigation of seismic hazards. Zones of Required Investigation (ZORI) are identified, which are those areas prone to liquefaction and earthquake–induced landslides. Cities and counties are then required to use the Seismic Hazard Zone Maps in their land use planning and building permit processes. The SHMA requires site-specific geotechnical investigations be conducted within the ZORI to identify and evaluate seismic hazards and formulate mitigation measures prior to permitting most developments designed for human occupancy.

B. Local

1. City of Ontario General Plan

The Ontario Plan (TOP) Safety Element, Seismic & Geologic Hazards section states that the City is susceptible to earthquakes, alluvial deposits that underlie the region, and the rapid withdrawal of groundwater causing subsidence. The Safety Element policies ensure that the City is prepared for and would effectively deal with seismic and geologic hazards.

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

- **Policy S1-2, Entitlement and Permitting Process.** We follow state guidelines and the California Building Code to determine when development proposals must conduct geotechnical and geological investigations.

2. City of Ontario Municipal Code

Site development in the City is required to comply with the CBC and all state requirements pertaining to geotechnical hazards and constraints, including soil conditions. The CBC has been incorporated and adopted in its entirety into the City's Building Code as Title 8, Chapter 1, Section 8-1.01 of the Ontario Municipal Code (OMC). New construction, alteration, or rehabilitation shall comply with applicable ordinances set forth by the City and/or by the most recent City building and seismic codes in effect at the time building permits are issued. In accordance with CBC Section 1803, a geotechnical investigation is required that must evaluate geotechnical and soils conditions, as necessary, determined by the City building official. The geotechnical investigation must be prepared by registered professionals (i.e., California Registered Civil Engineer or Certified Engineering Geologist).

5.7.3 Basis for Determining Significance

The City of Ontario evaluates impacts related to geology and soils based on thresholds of significance included in Appendix G of the CEQA Guidelines. A significant impact related to geology and soils would occur if the Project would:

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 18-1-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.

5.7.4 Environmental Impacts and Mitigation

A. Applicable 2006 EIR Mitigation Measures

The following 2006 EIR mitigation measures (MMs), which address geology and soils, are applicable and are incorporated into the Project. Note that MM Cultural 3 was completed.

MM Geo 1 To reduce impacts associated with erosion due to high winds, prior to construction, all tentative tracts and other construction activities will apply for and adhere to the permit given by the City of Ontario and enforced by the Building Official found in Title 6, Chapter 12, sections 6-12.01 – 6-12.07. The permit lasts for one (1) year, therefore all construction lasting for a period of more than one calendar year from the date of issue will reapply for the permit and pay appropriate annual fees. At a minimum, the permit prohibits the disturbance of the surface or subsurface of more than one (1) acre of land without meeting permit requirements which can include such things as the application of soil stabilizers and limitations on grading activities during wind events.

MM Geo 2 To properly assess and address the suitability of on-site soils to be used as fill, a geotechnical evaluation shall be performed by a qualified professional prior to the approval of the Tentative Tract map or site plan for a given phase of development. This evaluation will include an analysis of the organic matter content of soils on the site. If the organic matter content of the soils is greater than 2 percent when mixed with subsurface soils and/or imported fill, then manure will be removed from the site prior to grading operations.

MM Geo 3 Site materials should be continuously tested and excavated to a minimum of 4 feet where soils generally become denser. Actual removal depths will be determined during grading when subsurface conditions are exposed.

MM Geo 4 Prior to the issuance of building permits, a project-specific geotechnical investigation for the site must be prepared and submitted to the City for approval. All recommendations contained within the geotechnical investigation must be incorporated during project design and construction. Examples of recommendations include, but are not limited to, specific seismic design parameters and subgrade preparation parameters specifying the amount of over-excavation and re-compaction of specific soils in building pad and pavement areas.

The following 2006 EIR MM, which addresses paleontological resources, is applicable to the Expansion Area only since it was previously completed for PAs 30 and 31, and is incorporated into the Project for PAs 32-34.

MM Cultural 3 Since grading plans have not yet been prepared to establish how deep excavation is needed, prior to the issuance of grading permits, and as recommended in the Phase I Cultural and Paleontological Resources Assessment for this site, a qualified paleontologist shall be retained to develop a Paleontological Resources Monitoring and Treatment Plan (PRMTP) for approval by the City. Following City approval of the PRMTP, grading and construction activities may proceed in compliance with the provisions of the approved PRMTP. The PRMTP shall include the following measures:

a. Identification of those locations within the project site where paleontological resources are likely to be uncovered during grading.

b. A monitoring program specifying the procedures for the monitoring of grading activities by a qualified paleontologist or qualified designee.

c. If fossil remains large enough to be seen are uncovered by earth-moving activities, a qualified paleontologist or qualified designee shall temporarily divert earth- moving activities around the fossil site until the remains have been evaluated for significance and, if appropriate, have been recovered; and the paleontologist or qualified designee allows earth-moving activities to proceed through the site. If potentially significant resources are encountered, a letter of notification shall be provided in a timely manner to the City, in addition to the report (described below) that is filed at completion of grading.

d. If a qualified paleontologist or qualified designee is not present when fossil remains are uncovered by earth- moving activities, these activities shall be stopped, and a qualified paleontologist or qualified designee shall be called to the site immediately to evaluate the significance of the fossil remains.

e. At a qualified paleontologist or qualified designee's discretion and to reduce any construction delay, a construction worker shall assist in removing fossiliferous rock samples to an adjacent location for temporary stockpiling pending eventual transport to a laboratory facility for processing.

f. A qualified paleontologist or qualified designee shall collect all significant identifiable fossil remains. All fossil sites shall be plotted on a topographic map of the project site.

g. If the qualified paleontologist or qualified designee determines that insufficient fossil remains have been found after fifty percent of earthmoving activities have been completed, monitoring can be reduced or discontinued.

h. Any significant fossil remains recovered in the field as a result of monitoring or by processing rock samples shall be prepared, identified, catalogued, curated, and accessioned into the fossil collections of the San Bernardino County Museum, or another museum repository complying with the Society of Vertebrate Paleontology standard guidelines. Accompanying specimen and site data, notes, maps, and photographs also shall be archived at the repository.

i. Within 6 months following completion of the above tasks, a qualified paleontologist or qualified designee shall prepare a final report summarizing the results of the mitigation program and presenting an inventory and describing the scientific significance of any fossil remains accessioned into the museum repository. The report shall be submitted to the City Planning Department and the museum repository. The report shall comply with the Society of Vertebrate Paleontology standard guidelines for assessing and mitigating impacts on paleontological resources.

B. Impact Analysis

Threshold a: ***Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:***

i. ***Rupture of a known earthquake fault as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?***

ii. ***Strong seismic ground shaking?***

iii. ***Seismic-related ground failure, including liquefaction?***

iv. ***Landslides?***

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that the Subarea 29 Specific Plan Area (Specific Plan Area) is not within an identified Alquist-Priolo Earthquake Zone; would not result in risk of loss, injury, or death involving strong seismic ground shaking; would not result in seismic-related ground failure; and would not result in landslides. Nonetheless, the 2006 EIR included MM Geo 4 to ensure that required geotechnical investigations are conducted and recommendations for seismic design parameters are incorporated into project design and construction documents. The 2006 EIR determined that impacts would be less than significant. Additionally, cumulative impacts were determined to be less than significant.

2. Project Impact Analysis

Earthquake Fault Rupture

As previously discussed, the Amendment Area is not within an Alquist-Priolo Earthquake Fault Zone. The nearest active fault to the Amendment Area is the Chino fault approximately 6.5 miles to the southwest. Therefore, the Project would not directly or indirectly expose people or structures to substantial adverse effects related to fault rupture. No impacts would occur.

Strong Seismic Ground Shaking

As with all projects in southern California, the Amendment Area is in a seismically active area and is anticipated to experience moderate to severe ground shaking during the lifetime of the Project. This risk is not considered substantially different than that of other similar properties in the Southern California area. As a mandatory condition of Project approval, future buildings to be developed pursuant to the proposed Subarea 29 Specific Plan Amendment (SPA) would be constructed in accordance with the CBC and the City Building Code, which is based on the CBC with local amendments. The CBC and City Building Code provide standards that must be met to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures, and have been specifically tailored for California earthquake conditions. In addition, the CBC and the City Building Code (OMC Section 8-1.01) require development projects to prepare geologic engineering reports to identify site-specific geologic and seismic conditions and implement the site-specific recommendations contained therein to preclude adverse effects involving unstable soils and strong seismic ground-shaking, including, but not limited to, recommendations related to ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems. The requirement for preparation of site-specific geotechnical investigation is also included as 2006 EIR MM Geo 4.

The Project Geotechnical Report, which is included at Technical Appendix F of this SEIR, provides a geotechnical site assessment and report review and update to previous reports prepared for the Specific Plan Area; the Project Geotechnical Report focuses on PAs 30 through 34. The Project Geotechnical Report uses 2019 CBC Seismic Design Parameters to develop recommendations for future structural improvements within the Amendment Area. Structures for human occupancy must be designed to meet or exceed the latest CBC standards for earthquake resistance. As required by the OMC and 2006 EIR MM Geo 4, site-specific geotechnical investigations would be prepared for each development within the Amendment Area implementing the proposed Subarea 29 SPA, and each implementing development would be required to comply with the recommendations identified in the required site-specific geotechnical investigations. With mandatory compliance with building code standards and site-specific design and construction measures, implementation of the Project would not directly or indirectly expose people or structures to substantial adverse effects, including loss, injury or death, involving seismic ground shaking. Impacts would be less than significant.

Seismic Related Ground Failure

As previously discussed, groundwater is recorded at a depth of 120 feet below the ground surface. Therefore, due to the absence of groundwater in the upper 50 feet at the Amendment Area, soil liquefaction is unlikely, and is not a design concern for the Project. Based on information regarding seismic settlement calculations in the 2007 Geotechnical Reports, the Project Geotechnical Report estimates that the total seismic settlement within the Amendment Area may be assumed as 2.5 inches and the differential settlement as 1.25 inches over a length of 30 feet. However, a specific liquefaction and seismically induced settlement analysis for the proposed development would be part of the site-specific geotechnical studies required by the OCM and 2006 EIR MM Geo 4. (RMA, 2022) The City would require development projects within the Amendment area to be constructed in accordance with the latest applicable seismic safety guidelines, including the standard requirements of the CBC and the City's Building Code, to minimize potential liquefaction and seismic settlement hazards. This impact would be less than significant.

Landslides

The Amendment Area is relatively flat and is not in proximity to any natural or manmade steep slopes. Further, any slopes created during construction within the Amendment Area would be properly designed and constructed pursuant to the recommendations in the site-specific geotechnical studies required by the OCM and 2006 EIR MM Geo 4. As such, there is no impact related to seismically included landslides within the Amendment Area.

Implementation of the Project would not result in any new or more severe significant impacts related to seismic hazards than those disclosed in the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact, consistent with the conclusion of the 2006 EIR.

Threshold b: Would the Project result in substantial soil erosion or the loss of topsoil?

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that each proposed tentative tract within the Specific Plan Area would be required to have coverage under the State's General Permit for Construction Activities and develop and implement a Storm Water Pollution Prevention Plan (SWPPP) to reduce sedimentation and erosion. In addition to storm-water related erosion, wind-erosion would be minimized using control measures such as phasing grading operations, covering stockpiles, revegetating exposed surfaces, and applying water for dust control. Moreover, the Approved Project incorporated MM Geo 1 to reduce

soil erosion impacts. The 2006 EIR determined that development pursuant to the Subarea 29 Specific Plan would not result in substantial soil erosion or loss of topsoil. Additionally, cumulative impacts were determined to be less than significant.

2. Project Impact Analysis

Construction-Related Erosion Impacts

The Amendment Area is partially developed, disturbed, used for agricultural production, and has areas with vegetative cover and loose dry topsoil; thus, there is a potential to contribute windblown soil and sand under existing conditions. Development of the Project would result in the grading of the entire Amendment Area, and additional disturbance for site-adjacent roadway improvements. Disturbed soils would be subject to potential erosion during rainfall events or high winds due to the removal of stabilizing vegetation and building materials (e.g., existing concrete foundations) and exposure of these erodible materials to wind and water.

As further discussed in SEIR Section 5.10, Hydrology and Water Quality, pursuant to the requirements of the State Water Resources Control Board, the Project Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit for Construction Activities (NPDES permit). The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, that disturb at least one acre of total land area. In addition, the Project would be required to comply with the Santa Ana RWQCB's Santa Ana River Basin Water Quality Control Program. Compliance with the NPDES permit and the Santa Ana River Basin Water Quality Control Program involves the preparation and implementation of a stormwater pollution prevention plan (SWPPP) for construction-related activities. The SWPPP will specify the Best Management Practices (BMPs) required to be implemented during construction activities to ensure that waterborne pollution – including erosion/sedimentation – is prevented, minimized, and/or otherwise appropriately treated prior to surface runoff being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. Additionally, in accordance with 2006 EIR MM Geo 1, the Project would be required to adhere to and apply to the permit regulations identified in OMC Title 6, Chapter 12, Sections 6-12.01 – 6-12.07.

Mandatory compliance with the SWPPP and the OMC would ensure that the Project's implementation does not violate any water quality standards or waste discharge requirements during construction activities. Therefore, water quality impacts associated with construction activities would be less than significant.

Post-Development Erosion Impacts

Upon Project build-out, the Amendment Area would be covered by buildings, landscaping, and impervious surfaces. Stormwater runoff from the Amendment Area would be captured, treated to

reduce waterborne pollutants (including sediment), and conveyed off site via an on-site storm drain system. Accordingly, the amount of erosion that occurs on the Amendment Area would be minimized upon build out of the Project and would be reduced relative to existing conditions.

In accordance with OMC Section 6-6.501, preparation and implementation of a Stormwater Quality Management Plan (WQMP) would be required, which is a site-specific post-construction water quality management program designed to minimize the release of potential waterborne pollutants. The WQMP is required to identify an effective combination of erosion control and sediment control measures (i.e., BMPs) to reduce or eliminate sediment discharge to surface water from storm water and non-storm water discharges. The WQMP also is required to establish a post-construction implementation and maintenance plan to ensure on-going, long-term erosion protection. Compliance with the WQMP would be required as a condition of approval for the Project, as will the long-term maintenance of erosion and sediment control features. The preliminary WQMP for the Project is provided as SEIR Technical Appendix I. Because the Project would be required to utilize erosion and sediment control measures to preclude substantial, long-term soil erosion and loss of topsoil, the Project would result in less than significant impacts related to soil erosion.

Implementation of the Project would not result in any new or more severe significant impacts related to soil erosion than those disclosed in the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact, consistent with the conclusion of the 2006 EIR.

Threshold c:	***Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?***

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that the soils within the Specific Plan Area are considered to be compressible due to their textures and organic matter content. Soil with an organic matter content exceeding 2 percent by volume does not act as suitable fill for a construction site and causes the soil to be unstable. Impacts from high soil organic matter were determined to be significant without mitigation. The ground disturbing activities associated with implementation of the Subarea 29 Specific Plan would be required to comply with applicable building codes and City ordinances. Additionally, 2006 EIR MMs Geo 2 through Geo 4 ensure soil stability for the proposed development. The 2006 EIR determined that with implementation of the identified MMs development within the Specific Plan Area would not be located on a geologic unit or soil that is unstable or that would become unstable as a result of the

proposed development, resulting in a less than significant impact. Additionally, cumulative impacts were determined to be less than significant.

2. Project Impact Analysis

Landslides

The Amendment Area is relatively flat and is not in proximity to natural or manmade steep slopes. As such, the Project would not be located in an area susceptible to landslides. No impacts would occur.

Lateral Spreading/Liquefaction

Lateral spreading is primarily associated with liquefaction hazards. As noted, the Amendment Area is within an area where groundwater is recorded at a depth of 120 feet below the surface. Therefore, due to the absence of groundwater in the upper 50 feet at the Amendment Area, soil liquefaction and lateral spreading is unlikely (RMA, 2022). Impacts would be less than significant.

Earthwork Shrinkage and Subsidence

Based on the results of the 2007 Geotechnical Reports, it is estimated that shrinkage factor for soil removed and replaced as compacted fill within the Amendment Area is 10-15 percent, and the subsidence factor is 0.1 foot. The degree to which fill soils are compacted and variations in the in-situ density of existing soils would influence earth volume changes. Therefore, some adjustments in grades near the completion of grading could be required to balance the earthwork. (RMA, 2022) The Project would comply with the ground preparation and construction recommendations contained in the site-specific geotechnical investigations required by the OCM and 2006 EIR MM Geo 4. Further, 2006 EIR MM Geo 3 requires that site materials be continuously tested and excavated to a minimum of 4 feet where soils generally become denser, and that actual removal depths be determined during grading when subsurface conditions are exposed. Therefore, with implementation of 2006 EIR MMs, potential impacts related to earthwork shrinkage and soil subsidence would be less than significant.

Organic Soils

The 2007 Geotechnical Reports indicate that at the time of the investigation, manure or highly organic soil was observed within PAs 30 and 31 in trenches from 3 to up to 84 inches thick. The thickest section of manure they noted was located in the holding pond within PA 30. During the site reconnaissance conducted during preparation Project Geotechnical Report, surficial manure was observed at both PAs 30 and 31 but was limited to just the surface and the PAs were cleaned of the majority of manure at the conclusion of dairy operations. The dairy operations on PAs 32, 33, and 34 ceased in 2006, 2005, and 2007, respectively.

Consistent with the conclusion of the 2006 EIR, the Project Geotechnical Report concludes that soil with organic content of greater than 2 percent should not be placed as fill, as it could cause soil to be

unstable, resulting in a potentially significant impact. In accordance with 2006 EIR MM Geo 2, the site-specific geotechnical investigations would include an analysis of the organic matter content of soils within PAs 30 through 34. The Project Geotechnical Report recommends that soils of poor gradation, expansion, or strength properties be placed in areas designated by the geotechnical consultant or shall be mixed with other soils providing satisfactory fill material. If the organic matter content of the soils is greater than 2 percent when mixed with subsurface soils and/or imported fill, then manure would be removed from the site prior to grading operations. With implementation of 2006 EIR MM Geo 2 and compliance with the site-specific ground preparation and construction recommendations contained in the site-specific geotechnical investigations required by the OCM and 2006 EIR MM Geo 4, potential impacts related to organic soils would be less than significant. Implementation of the Project would not result in any new or more severe significant impacts related to unstable soils than those disclosed in the 2006 EIR.

Corrosive Soils

Based on testing conducted during preparation of the 2007 Geotechnical Reports, concrete within PAs 30 and 31 would have a negligible exposure to water-soluble sulfate in the soil; however, the underlying soils are extremely corrosive to ferrous metals. The soil conditions are similar within the Expansion Area (RMA, 2022). Protection of buried pipes utilizing coatings on all underground pipes; clean backfills and a cathodic protection system can be effective in controlling corrosion. With compliance with the site-specific recommendations contained in the site-specific geotechnical investigations required by the OCM and 2006 EIR MM Geo 4, potential impacts related to corrosive soils would be less than significant.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

Threshold d: ***Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?***

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that the soils within the Specific Plan Area are characterized by the sandy texture and inability to hold moisture. Therefore, impacts related to expansive soils were determined to be less than significant. Additionally, cumulative impacts were determined to be less than significant.

2. Project Impact Analysis

Expansion tests were performed during preparation of the 2007 Geotechnical Reports and concluded that PAs 30 and 31 have soils with very low to medium expansion potential. However, due to the changes that the surface conditions have undergone since the 2007 Geotechnical Reports were prepared, additional expansion testing for the Amendment Area is recommended in the Geotechnical Report to verify overall expansion potential and provide foundation design recommendations relative to near surface (within the upper 5 feet of the ground surface) soils that would make up the majority of the fill soils. Consistent with 2006 EIR MM Geo 3, the Project Geotechnical Report also recommends that potential expansive properties should be verified during rough grading and prior to any import soil being brought to the Amendment Area. The Project would be required to incorporate the recommendations of the Geotechnical Report in accordance with 2006 EIR MM Geo 4. With implementation of the 2006 EIR MMs, potential impacts related to expansive soils would be less than significant.

Implementation of the Project would not result in any new or more severe significant impacts related to expansive soils than those disclosed in the 2006 EIR.

Additional Project-Level Mitigation Measures

Additional Project-level mitigation measures are not required.

Level of Significance After Mitigation

Less than significant impact, consistent with conclusion of the 2006 EIR.

Threshold e: ***Would the Project 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?***

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that implementation of the Subarea 29 Specific Plan includes the installation of a complete sewer system that would not require the use of septic tanks or alternative waste water disposal systems, and would not result in impacts related to soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems. Additionally, cumulative impacts were determined to be less than significant.

2. Project Impact Analysis

The Project does not propose the use of septic tanks or alternative wastewater disposal systems. The Project would construct an on-site sewer system that would connect to the existing sewer system in the surrounding roadways. No impacts would occur.

Implementation of the Project would not result in any new or more severe significant impacts related to soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems than those disclosed in the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

No impact, consistent with the conclusion of the 2006 EIR.

Threshold f: Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that extinct taxa have been found in the type of alluvium deposit which underlies the Specific Plan Area, and the excavation of previously undisturbed Older Pleistocene Alluvium is highly likely to bear fossils. Although no paleontological resources were observed within the Specific Plan Area, grading at depths of five feet or more could disturb subsurface resources, resulting in a potentially significant impact. This impact was reduced to a level considered less than significant with implementation of 2006 EIR MM Cultural 3. Additionally, cumulative impacts were determined to be less than significant.

2. Project Impact Analysis

The Amendment Area does not contain any known unique geologic features and no paleontological resources or localities were observed by during the pedestrian survey conducted during preparation of the site-specific Cultural Resources Study (RMA, 2022). However, as previously discussed, the Amendment Area is underlain by Pleistocene deposits that have yielded fossil localities near the Amendment Area. Therefore, due to the Amendment Area's proximity to recorded fossil localities, the Project's soil deposits have the potential to yield paleontological resources. As such, the Project's construction activities have the potential to unearth paleontological resources, resulting in a potentially significant impact.

2006 EIR MM Cultural 3 requires the preparation of a Paleontological Resources Monitoring and Treatment Plan (PRMTP), which outlines actions to take to ensure protection of paleontological resources that may exist in the underlying soils. The required *Paleontological Resource Monitoring and Treatment Plan for the Park Place Project, City of Ontario, San Bernardino County, California* (2015 PRMTP) (LSA, 2015), was prepared for the existing Specific Plan Area, including PA 30 and 31, and has been implemented during grading activities, including monitoring by a qualified paleontologist. No paleontological resources have been encountered during construction activities completed to date within the existing Specific Plan Area.

Grading activities within the PAs 30 and 31 would be subject to the requirements outlined in the 2015 PRMTP for the existing Specific Plan Area, and grading activities within the Expansion Area would be subject to a similar PRMTP to be prepared in accordance with 2006 EIR MM Cultural 3. The PRMTP would include requirements for paleontological monitoring during ground disturbing activities at depths greater than 5 feet and would identify actions to be taken in the event paleontological resources are encountered. With implementation of the PRMTP, as required by 2006 EIR MM Cultural 3, impacts (loss or destruction) to potential nonrenewable paleontological resources would be reduced to a less than significant level.

Implementation of the Project would not result in any new or more severe significant impacts to paleontological resources than those previously disclosed in the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact, consistent with the conclusion of the 2006 EIR.

5.7.5 Cumulative Impact Analysis

Except for erosion hazards, potential hazardous effects related to geologic and soil conditions addressed under Thresholds "a," "c," "d," and "e" are unique to the Amendment Area, and inherently restricted to the specific property proposed for development. That is, issues including fault rupture, seismic ground shaking, liquefaction, landslides, and expansive soils would involve effects to (and not from) a proposed development project, are specific to conditions on the subject property, and are not influenced or exacerbated by the geologic and/or soils hazards that may occur on other, off-site properties. Further, the Project and any future development projects would be required to comply with applicable State and local requirements, such as the City's Building Code, and grading requirements outlined in the OMC. As with the Project, future development would be required to have site-specific geotechnical investigations prepared to identify the geologic and seismic characteristics on a site and to provide recommendations for engineering design and construction to ensure the structural integrity of proposed development; these recommendations would be incorporated into Project design. Compliance of individual projects with the recommendations of the applicable geotechnical investigation would prevent hazards associated with unstable soils, landslide potential, lateral spreading, liquefaction, soil collapse, expansive soil, and other geologic issues. Because of the site-specific nature of these potential hazards and the measures to address them, there would be no direct or indirect connection to similar potential issues or cumulative effects to or from other properties.

As discussed under Threshold "b," regulatory requirements mandate that the Project incorporate design measures during construction and long-term operation to ensure that significant erosion impacts do not occur. Other development projects in the vicinity of the Amendment Area would be required to comply

with the same regulatory requirements as the Project to preclude substantial adverse water and wind erosion impacts. Because the Project and cumulative development projects would be subject to similar mandatory regulatory requirements to control erosion hazards during construction and long-term operation, cumulative impacts associated with wind and water erosion hazards would be less than significant.

Because the soils present on the Project site have paleontological sensitivity and because this geologic layer is present throughout the City and southern California, there is a potential to impact paleontological resources. The Project's potential to result in cumulative impacts to paleontological resources is similar to that of other projects located in the region that are underlain by Pleistocene and Holocene alluvial soils. However, each development proposal received by the City undergoes environmental review and would be subject to the same resource protection requirements as the Project. If there is a potential for significant impacts on paleontological resources, an investigation would be required to determine the nature and extent of the resources and to identify appropriate mitigation measures, including requirements such as those identified in this subsection (refer to 2006 EIR MM Cultural 3). With implementation of mitigation, impacts to paleontological resources would be less than significant. The Project's contribution to cumulative geology and soils impacts would be less than significant, with mitigation.

5.7.6 REFERENCES

California Department of General Services (DGS). 2021. *History of the California Building Code*. https://www.dgs.ca.gov/BSC/About/History-of-the-California-Building-Code--Title-24-Part-2

LSA. 2015. *Paleontological Resource Monitoring and Treatment Plan for the Park Place Project, City of Ontario, San Bernardino County, California.* June 2015.

RMA Group (RMA). 2022. *Preliminary Geotechnical Site Assessment and Report Review and Update Subarea 29 Specific Plan Amendment – Planning Areas 30 – 34 SW and SE Corner of Eucalyptus and Haven Aves, Ontario, CA*. January 28, 2022. Included in SEIR Technical Appendix F.

VCS Environmental (VCS). 2022c. *Cultural Resources Assessment Subarea 29 Specific Plan Amendment Project, Ontario, CA Planning Areas 30-34*. November 2022. Included in SEIR Technical Appendix D.

5.8 GREENHOUSE GAS EMISSIONS

The analysis provided in this subsection evaluates the Project's potential to generate greenhouse gas (GHG) emissions that could contribute to global climate change (GCC) and its associated environmental effects. The analysis in this subsection is based, primarily, on the *Subarea 29 Specific Plan Amendment Greenhouse Gas Analysis* (GHG Analysis) (April 28, 2023), prepared by Urban Crossroads, Inc. (Urban Crossroads) (Urban Crossroads, 2023). This technical study is included as *Technical Appendix G* of this Subsequent Environmental Impact Report (SEIR).

5.8.1 EXISTING CONDITIONS

A. Introduction to Global Climate Change

GCC is defined as the change in average meteorological conditions on the earth with respect to temperature, precipitation, and storms. Global temperatures are regulated by naturally occurring atmospheric gases such as water vapor, carbon dioxide (CO_2), nitrous oxide (N_2O), methane (CH_4), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). These particular gases are important due to their residence time (duration they stay) in the atmosphere, which ranges from 10 years to more than 100 years. These gases allow solar radiation into the earth's atmosphere, but prevent radioactive heat from escaping, thus warming the earth's atmosphere. GCC can occur naturally as it has in the past with the previous ice ages.

B. Greenhouse Gases

Gases that trap heat in the atmosphere are often referred to as GHGs. GHGs are released into the atmosphere by both natural and anthropogenic activity. Without the natural GHG effect, the earth's average temperature would be approximately 61 degrees Fahrenheit (°F) cooler than it is currently. The cumulative accumulation of these gases in the earth's atmosphere is considered to be the cause for the observed increase in the earth's temperature. Many gases demonstrate these properties; however, for the purposes of this analysis, emissions of CO_2, CH_4, and N_2O were evaluated because these gases are the primary contributors to GCC from development projects. Although there are other substances such as fluorinated gases that also contribute to GCC, these fluorinated gases were not evaluated as their sources are not well-defined and do not contain accepted emissions factors or methodology to accurately calculate these gases.

Provided below is a description of the various gases that contribute to GCC. The potential health effects related directly to the emissions of CO_2, CH_4, and N_2O as they relate to development projects are still being debated in the scientific community. Their cumulative effects to GCC have the potential to cause adverse effects to human health. The effects of climate change in California related to public health, water resources, agriculture, forests and landscapes, and rising sea levels, are described in Section 2.6 of the GHG Analysis included in SEIR *Technical Appendix G*.

- **Water Vapor (H_2O)** is the most abundant and variable GHG in the atmosphere. The main source of water vapor is evaporation from the oceans (approximately 85 percent). Changes in the concentration of water vapor in the atmosphere are considered to be a result of climate

feedbacks related to the warming of the atmosphere rather than a direct result of industrialization. As the temperature of the atmosphere rises, more water is evaporated from ground storage (rivers, oceans, reservoirs, soil). Because the air is warmer, the relative humidity rises (in essence, the air is able to 'hold' more water when it is warmer), leading to more water vapor in the atmosphere. The higher concentration of water vapor in the atmosphere is then able to absorb more indirect thermal energy radiated from the Earth, further warming the atmosphere and causing the evaporation cycle to perpetuate. This is referred to as a "positive feedback loop." The extent to which this positive feedback loop will continue is unknown as there are also dynamics that hold the positive feedback loop in check. As an example, when water vapor increases in the atmosphere, more of it will eventually also condense into clouds, which are able to reflect incoming solar radiation and thereby allow less energy to reach the Earth's surface and heat it up. There are no human health effects from water vapor at this time. However, when some pollutants react with water vapor, the reaction forms a transport mechanism for some of these pollutants to enter the human body through water vapor.

- **Carbon Dioxide (CO_2)** is an odorless and colorless GHG that is emitted from natural and man-made sources. Natural CO_2 sources include: the decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Man-made CO_2 sources include: the burning of coal, oil, natural gas, and wood. Since the industrial revolution began in the mid-1700s, human activities that produce CO_2 have increased dramatically in scale and distribution. As an example, prior to the industrial revolution, CO_2 concentrations in the atmosphere were fairly stable at 280 parts per million (ppm). Currently, they are around 370 ppm, an increase of more than 30 percent. Exposure to CO_2 in high concentrations (i.e., at exposure levels of 5,000 ppm averaged over 10 hours in a 40-hour workweek and short-term reference exposure levels of 30,000 ppm averaged over a 15-minute period) can cause adverse human health effects, but outdoor (atmospheric) levels are not high enough to result in negative health effects.

- **Methane (CH_4)** absorbs thermal radiation extremely effectively (i.e., retains heat). Over the last 50 years, human activities such as rice cultivation, cattle ranching, using natural gas, and coal mining have increased the concentration of methane in the atmosphere. Other man-made sources include fossil-fuel combustion and biomass burning. CH_4 is extremely reactive with oxidizers, halogens, and other halogen-containing compounds. Exposure to high levels of CH_4 can cause asphyxiation, loss of consciousness, headache and dizziness, nausea and vomiting, weakness, loss of coordination, and an increased breathing rate.

- **Nitrous Oxide (N_2O)** concentrations began to rise in the atmosphere at the beginning of the industrial revolution. N_2O can be transported into the stratosphere, be deposited on the Earth's surface, and be converted to other compounds by chemical reaction. N_2O is produced by microbial processes in soil and water, including reactions that occur in nitrogen-containing fertilizer. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. N_2O also is used as an aerosol spray propellant, as a preservative in potato

chip bags, in rocket engines, and in race cars. Also known as laughing gas, N_2O is a colorless GHG that can cause dizziness, euphoria, and sometimes slight hallucinations. In small doses, it is considered harmless; however, heavy and extended use can cause brain damage.

- **Chlorofluorocarbons (CFCs)** are gases formed synthetically by replacing all hydrogen atoms in CH_4 or ethane (C_2H_6) with chlorine and/or fluorine atoms. CFCs are non-toxic, non-flammable, insoluble, and chemically unreactive in the troposphere (the level of air at the Earth's surface). CFCs were first synthesized in 1928 and have no natural source. CFCs were used for refrigerants, aerosol propellants, and cleaning solvents. Due to the discovery that they are able to destroy stratospheric ozone, a global effort to halt their production was undertaken and has been extremely successful, so much so that levels of CFCs are now remaining steady or declining. However, due to their long atmospheric lifetime, some of the CFCs will remain in the atmosphere for over 100 years. In confined indoor locations, working with CFC-113 or other CFCs is thought to result in death by cardiac arrhythmia (heart frequency too high or too low) or asphyxiation.
- **Hydrofluorocarbons (HFCs)** are synthetic, man-made chemicals that are used as a substitute for CFCs and have one of the highest global warming potential ratings. No human health effects are known to result from exposure to HFCs, which are man-made and used for applications such as automobile air conditioners and refrigerants.
- **Perfluorocarbons (PFCs)** are primarily produced for aluminum production and semiconductor manufacture. PFCs have stable molecular structures and do not break down through chemical processes in the lower atmosphere. Because of this, PFCs have very long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF_4) and hexafluoroethane (C_2F_6). No human health effects are known to result from exposure to PFCs.
- **Sulfur Hexafluoride (SF_6)** is an inorganic, odorless, colorless, nontoxic, nonflammable gas. Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection. In high concentrations in confined areas, the gas presents the hazard of suffocation because it displaces the oxygen needed for breathing.
- **Nitrogen Trifluoride (NF_3).** NF_3 is a colorless gas with a distinctly moldy odor. It is used in industrial processes and is produced in the manufacturing of semiconductors, Liquid Crystal Display (LCD) panels, types of solar panels, and chemical lasers. Long-term or repeated exposure may affect the liver and kidneys and may cause fluorosis.

GHGs have varying global warming potential (GWP) values. GWP of a GHG indicates the amount of warming a gas cause over a given period of time and represents the potential of a gas to trap heat in the atmosphere. CO_2 is utilized as the reference gas for GWP, and thus has a GWP of 1. Carbon dioxide equivalent equivalent (CO_2e) is a term used for describing the difference GHGs in a common unit. CO_2e signifies the amount of CO_2 which would have the equivalent GWP. The atmospheric lifetime and GWP of selected GHGs are summarized in Table 5.8-1, GWP and Atmospheric Lifetime of Select

GHGs. As shown in Table 5.8-1, GWP for the 2nd Assessment Report, the Intergovernmental Panel on Climate Change (IPCC)'s scientific and socio-economic assessment on climate change, range from 1 for CO_2 to 23,900 for SF_6 and GWP for the IPCC's 5th Assessment Report range from 1 for CO_2 to 23,500 for SF_6.

Table 5.8-1 GWP and Atmospheric Lifetime of Select GHGs

Gas	Atmospheric Lifetime (years)	GWP (100-year time horizon)	
		2nd Assessment Report	5th Assessment Report
CO_2	See*	1	1
CH_4	12 .4	21	28
N_2O	121	310	265
HFC-23	222	11,700	12,400
HFC-134a	13.4	1,300	1,300
HFC-152a	1.5	140	138
SF_6	3,200	23,900	23,500

*As per Appendix 8.A. of IPCC's 5th Assessment Report, no single lifetime can be given.
Note: Table 2.14 of the IPCC Fourth Assessment Report, 2007
Source: (Urban Crossroads, 2023, Table 2-2)

C. *Greenhouse Gas Emissions Inventory*

1. *Global and National*

Worldwide anthropogenic GHG emissions are tracked by the IPCC for industrialized nations (referred to as Annex I) and developing nations (referred to as Non-Annex I). Human GHG emissions data for Annex I nations are available through 2018. Based on the latest available data, the sum of these emissions totaled approximately 28,768,440 gigagram (Gg) CO_2e[1], as summarized in Table 5.8-2,Top GHG Producing Countries and the European Union - 2018. As noted in Table 5.8-2, the United States (U.S.), as a single country, was the number two producer of GHG emission in 2018.

[1] The global emissions are the sum of Annex I and non-Annex I countries, without counting Land-Use, Land-Use Change and Forestry (LULUCF). For countries without 2018 data, the United Nations' Framework Convention on Climate Change (UNFCCC) data for the most recent year were used U.N. Framework Convention on Climate Change, "Annex I Parties – GHG total without LULUCF," The most recent GHG emissions for China and India are from 2014 and 2010, respectively.

Table 5.8-2 Top GHG Producing Countries and the European Union - 2018

Emitting Countries	GHG Emissions (Gg CO_2e)
China	12,300,200
United States	6,676,650
European Union (28-member countries)	4,232,274
Russian Federation	2,220,123
India	2,100,850
Japan	1,238,343
Total	**28,768,440**

Gg = gigagram
Source: (Urban Crossroads, 2023, Table 2-3)

2. State of California

California has significantly slowed the rate of growth of GHG emissions due to the implementation of energy efficiency programs as well as adoption of strict emission controls but is still a substantial contributor to the U.S. emissions inventory total. The California Air Resource Board (CARB) compiles GHG inventories for the State of California. Based upon the 2020 GHG inventory data (i.e., the latest year for which data are available) for the 2000-2019 GHG emissions period, California emitted an average 418.1 million metric tons of CO_2e per year ($MMTCO_2e/yr$) or 418,100 Gg CO_2e (6.26 percent of the total United States GHG emissions).

3. Project Site

Existing uses within Planning Areas (PAs) 30 and 31 include dairy farming and agriculture uses, and farm structures that supported previous agricultural activities. The western portion of the Expansion Area (PAs 32, 33 and 34) is used for agriculture production and the remainder of the Expansion Area is undeveloped. There are no existing uses or activities that produce notable GHG emissions under existing conditions.

5.8.2 Regulatory Background

Following is a brief description of the federal, state, and local environmental laws and related regulations related to GHG emissions that are particularly relevant to the Project or analysis of GHG emissions. Climate change is a global issue involving GHG emissions from all around the world; international efforts to reduce GHG emissions are also discussed in the GHG Analysis included in SEIR *Technical Appendix G*.

A. Federal

1. GHG Endangerment

In *Massachusetts v. Environmental Protection Agency* 549 U.S. 497 (2007), decided on April 2, 2007, the United States Supreme Court (Supreme Court) found that four GHGs, including CO_2, are air pollutants subject to regulation under Section 202(a)(1) of the Clean Air Act (CAA). The Supreme Court held that the Environmental Protection Agency (EPA) Administrator must determine whether emissions of GHGs from new motor vehicles cause or contribute to air pollution, which may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision. On December 7, 2009, the EPA Administrator signed two distinct findings regarding GHGs under section 202(a) of the CAA:

- Endangerment Finding: The Administrator finds that the current and projected concentrations of the six key well-mixed GHGs— CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6—in the atmosphere threaten the public health and welfare of current and future generations.
- Cause or Contribute Finding: The Administrator finds that the combined emissions of these well-mixed GHGs from new motor vehicles and new motor vehicle engines contribute to the GHG pollution, which threatens public health and welfare.

These findings do not impose requirements on industry or other entities. However, this was a prerequisite for implementing GHG emissions standards for vehicles, as discussed in the section "Clean Vehicles" below. After a lengthy legal challenge, the Supreme Court declined to review an Appeals Court ruling that upheld the EPA Administrator's findings.

2. Light-Duty Vehicle Greenhouse Gas Emission and Corporate Average Fuel Economy Standards

The EPA and the Department of Transportation's National Highway Traffic Safety Administration (NHTSA) have been working together on developing a National Program of regulations to reduce GHG emissions and to improve fuel economy of light-duty vehicles for model years 2017 and beyond. On April 1, 2010, the EPA and NHTSA announced a joint Final Rulemaking establishing standards for 2012 through 2016 model-year vehicles. This was followed up on in August 2012, when the agencies issued a Final Rulemaking with standards for model years 2017 through 2025. The final standards are projected to result in an average industry fleetwide level of 163 grams/mile of CO_2 in model year 2025, which is equivalent to 54.5 mpg if achieved exclusively through fuel economy improvements.

On April 2, 2018, the EPA signed the Mid-term Evaluation Final Determination, which declared that the model year 2022-2025 GHG standards are not appropriate and should be revised. This Final Determination serves to initiate a notice to further consider appropriate standards for model year 2022-2025 light-duty vehicles. On August 2, 2018, the NHTSA in conjunction with the EPA, released a notice of proposed rulemaking, the *Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks* (SAFE Vehicles Rule). The SAFE Vehicles Rule

was proposed to amend existing Corporate Average Fuel Economy (CAFE) and tailpipe CO_2 standards for passenger cars and light trucks and to establish new standards covering model years 2021 through 2026. As of March 31, 2020, the NHTSA and EPA finalized the SAFE Vehicle Rule which increased stringency of CAFE and CO_2 emissions standards by 1.5 percent each year through model year 2026. However, on March 14, 2022, EPA rescinded the SAFE Vehicles Rule, once again allowing California to enforce its own GHG emissions standards, as discussed below.

B. State

1. California Assembly Bill No. 1493 (AB 1493)

Enacted on July 22, 2002, California AB 1493, also known as the Pavley Fuel Efficiency Standards, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light-duty trucks. The second phase of the implementation for the Pavley bill was incorporated into Amendments to the Low-Emission Vehicle Program (LEV III) or the Advanced Clean Cars (ACC) program. The ACC program combines the control of smog-causing pollutants and GHG emissions into a single coordinated package of requirements for model year 2017 through 2025. The regulation will reduce GHGs from new cars by 34 percent from 2016 levels by 2025. The new rules will clean up gasoline and diesel-powered cars, and deliver increasing numbers of zero-emission technologies, such as full-battery electric cars, newly emerging plug-in hybrid EV and hydrogen fuel cell cars. The package will also ensure adequate fueling infrastructure is available for the increasing numbers of hydrogen fuel cell vehicles planned for deployment in California.

2. Executive Order S-3-05

California Governor Arnold Schwarzenegger announced on June 1, 2005, through Executive Order S-3-05, the following reduction targets for GHG emissions: reduce GHG emissions to 2000 levels by 2010, reduce GHG emissions to 1990 levels by 2020, and reduce GHG emissions to 80 percent below 1990 levels by 2050. The 2050 reduction goal represents what some scientists believe is necessary to reach levels that will stabilize the climate. The 2020 goal was established to be a mid-term target. Because this is an executive order, the goals are not legally enforceable for local governments or the private sector.

3. California Assembly Bill 32 – Global Warming Solutions Act of 2006

The California State Legislature enacted AB 32 in 2006, which required that GHGs emitted in California be reduced to 1990 levels by the year 2020 (this goal has been met). GHGs as defined under AB 32 include CO_2, CH_4, N2O, HFCs, PFCs, and SF_6. Since AB 32 was enacted, a seventh chemical, NF_3, has also been added to the list of GHGs. CARB is the state agency charged with monitoring and regulating sources of GHGs. Pursuant to AB 32, CARB adopted regulations to achieve the maximum technologically feasible and cost-effective GHG emission reductions.

4. Senate Bill 97 and the CEQA Guidelines Update

Passed in August 2007, SB 97 added Section 21083.05 to the Public Resources Code. The code states "(a) On or before July 1, 2009, the Office of Planning and Research (OPR) shall prepare, develop, and

transmit to the Resources Agency guidelines for the mitigation of GHG emissions or the effects of GHG emissions as required by this division, including, but not limited to, effects associated with transportation or energy consumption. (b) On or before January 1, 2010, the Resources Agency shall certify and adopt guidelines prepared and developed by the OPR pursuant to subdivision (a)."

In 2012, Public Resources Code Section 21083.05 was amended to state:

> "The Office of Planning and Research and the Natural Resources Agency shall periodically update the guidelines for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions as required by this division, including, but not limited to, effects associated with transportation or energy consumption, to incorporate new information or criteria established by the State Air Resources Board pursuant to Division 25.5 (commencing with Section 38500) of the Health and Safety Code."

On December 28, 2018, the Natural Resources Agency announced the OAL approved the amendments to the CEQA Guidelines for implementing CEQA. The CEQA Amendments provide guidance to public agencies regarding the analysis and mitigation of the effects of GHG emissions in CEQA documents. The CEQA Amendments fit within the existing CEQA framework by amending existing CEQA Guidelines to reference climate change.

Section 15064.4 was added the Guidelines and states that in determining the significance of a project's GHG emissions, ". . . A lead agency shall have discretion to determine, in the context of a particular project, whether to: (1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use . . .; or (2) Rely on a qualitative analysis or performance-based standards."

CEQA Guidelines Section 15064.4 provides that a lead agency should consider the following factors, among others, in assessing the significance of impacts from greenhouse gas emissions:

- **Consideration #1**: The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting.
- **Consideration #2**: Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.
- **Consideration #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. Such regulations or 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. 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.

5. *California Senate Bill No. 375 - Sustainable Communities and Climate Protection Act of 2008*

On September 30, 2008, SB 375 was signed by Governor Schwarzenegger. According to SB 375, the transportation sector is the largest contributor of GHG emissions, which emits over 40 percent of the total GHG emissions in California. SB 375 states, "Without improved land use and transportation policy, California will not be able to achieve the goals of AB 32." SB 375 does the following: (1) requires metropolitan planning organizations (MPOs) to include sustainable community strategies in their regional transportation plans for reducing GHG emissions, (2) aligns planning for transportation and housing, and (3) creates specified incentives for the implementation of the strategies.

SB 375 requires MPOs to prepare a Sustainable Communities Strategy (SCS) within the Regional Transportation Plan (RTP) that guides growth while taking into account the transportation, housing, environmental, and economic needs of the region. The Southern California Association of Governments (SCAG) is the MPO for the City. On September 3, 2020, SCAG's Regional Council adopted its *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)* (Connect SoCal).

SB 375 uses CEQA streamlining as an incentive to encourage residential projects, which help achieve AB 32 goals to reduce GHG emissions. Although SB 375 does not prevent CARB from adopting additional regulations, such actions are not anticipated in the foreseeable future.

6. *Executive Order B-30-15*

On April 29, 2015, Governor Brown issued an executive order to establish a California GHG reduction target of 40 percent below 1990 levels by 2030, in order to ensure California meets its target of reducing GHG emissions to 80 percent below 1990 levels by 2050. This executive order directs CARB to update the 2017 Scoping Plan to express the 2030 target in terms of $MMTCO_2e$, and also requires the state's climate adaptation plan to be updated every three years, and for the State to continue its climate change research program, among other provisions. As with Executive Order S-3-05, Executive Order B-30-15 is not legally enforceable as to local governments and the private sector.

7. *Senate Bill 32*

On September 8, 2016, Governor Brown signed SB 32 and its companion bill, AB 197. SB 32 requires the state to reduce statewide GHG emissions to 40 percent below 1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15. The new legislation builds upon the AB 32 goal and provides an intermediate goal to achieving S-3-05, which sets a statewide GHG reduction target of 80 percent below 1990 levels by 2050. AB 197 creates a legislative committee to oversee regulators to ensure that CARB not only responds to the Governor, but also the Legislature.

8. *CARB Scoping Plan Update*

On December 15, 2022, CARB adopted the 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan). The 2022 Scoping Plan builds on the 2017 Scoping Plan as well as the requirements set

forth by AB 1279, which directs the state to become carbon neutral no later than 2045. To achieve this statutory objective, the 2022 Scoping Plan lays out how California can reduce GHG emissions by 85% below 1990 levels and achieve carbon neutrality by 2045. The Scoping Plan scenario to do this is to "deploy a broad portfolio of existing and emerging fossil fuel alternatives and clean technologies, and align with statutes, Executive Orders, Board direction, and direction from the governor." The 2022 Scoping Plan sets one of the most aggressive approaches to reach carbon neutrality in the world. Unlike the 2017 Scoping Plan, CARB no longer includes a numeric per capita threshold and instead advocates for compliance with a local GHG reduction strategy (CAP) consistent with CEQA Guidelines section 15183.5.

As further described in the GHG Analysis included in EIR *Technical Appendix G*, the key elements of the 2022 CARB Scoping Plan focus on transportation - the regulations that will impact this sector are adopted and enforced by CARB on vehicle manufacturers and outside the jurisdiction and control of local governments. Under the 2022 Scoping Plan, the State will lead efforts to meet the 2045 carbon neutrality goal through implementation of various objectives.

Included in the 2022 Scoping Plan is a set of Local Actions (Appendix D to the 2022 Scoping Plan) aimed at providing local jurisdictions with tools to reduce GHGs and assist the state in meeting the ambitious targets set forth in the 2022 Scoping Plan. Appendix D to the 2022 Scoping Plan includes a section on evaluating plan-level and project-level alignment with the State's Climate Goals in CEQA GHG analyses. In this section, CARB identifies several recommendations and strategies that should be considered for new development in order to determine consistency with the 2022 Scoping Plan. Notably, this section is focused on Residential and Mixed-Use Projects, in fact CARB states in Appendix D: "…focuses primarily on climate action plans (CAPs) and local authority over new residential development. It does not address other land use types (e.g., industrial) or air permitting."

Additionally, in Appendix D, CARB states: "The recommendations outlined in this section apply only to residential and mixed-use development project types. California currently faces both a housing crisis and a climate crisis, which necessitates prioritizing recommendations for residential projects to address the housing crisis in a manner that simultaneously supports the State's GHG and regional air quality goals. CARB plans to continue to explore new approaches for other land use types in the future."

California's climate strategy will require contributions from all sectors of the economy, including the land base, and will include enhanced focus on zero- and near-zero-emission (ZE/NZE) vehicle technologies; continued investment in renewables, including solar roofs, wind, and other distributed generation; greater use of low carbon fuels; integrated land conservation and development strategies; coordinated efforts to reduce emissions of short-lived climate pollutants (CH_4, black carbon, and fluorinated gases); and an increased focus on integrated land use planning to support livable, transit-connected communities and conservation of agricultural and other lands. Requirements for direct GHG reductions at refineries will further support air quality co-benefits in neighborhoods, including in disadvantaged communities historically located adjacent to these large stationary sources, as well as efforts with California's local air pollution control and air quality management districts (air districts) to tighten emission limits on a broad spectrum of industrial sources.

9. *California Code of Regulation, Title 24, Part 6 and Part 11*

CCR Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24 Energy Standards), was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy-efficient technologies and methods. Energy-efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions.

CCR, Title 24, Part 11: California Green Building Standards Code (CALGreen) is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect in 2009, and is administered by the California Building Standards Commission (CBSC). Local jurisdictions are permitted to adopt more stringent requirements, as state law provides methods for local enhancements. CALGreen recognizes that many jurisdictions have developed existing construction and demolition ordinances and defers to them as the ruling guidance provided, they establish a minimum 65 percent diversion requirement. The code also provides exemptions for areas not served by construction and demolition recycling infrastructure. The State Building Code provides the minimum standard that buildings must meet in order to be certified for occupancy, which is generally enforced by the local building official.

The 2022 Title 24 Energy Standards and 2022 CALGreen have been approved by the CEC and CBSC and will go into effect on January 1, 2023. The 2022 Title 24 standards would result in less energy use, thereby reducing air pollutant emissions associated with energy consumption in the South Coast Air Basin (SoCAB) and across the State of California. For example, the 2022 Title 24 standards require solar photovoltaic systems for new homes, encourage the use of heat pumps for space and water heating, and require homes to be electric-ready to ease the adoption of cleaner electric heating, cooking, and EV charging. The CEC anticipates that the 2022 energy code will provide $1.5 billion in consumer benefits and reduce GHG emissions by 10 million metric tons. The Project would be required to comply with the applicable standards in place at the time building permit document submittals are made. SEIR Section 5.3, Air Quality, identifies mandatory residential and non-residential CALGreen measures applicable to the Project.

10. *California Codes of Regulations, Title 20, Sections 1601 et seq. – Appliance Efficiency Regulations*

The Appliance Efficiency Regulations regulate the sale of appliances in California. The Appliance Efficiency Regulations include standards for both federally regulated appliances and non-federally regulated appliances. Twenty-three categories of appliances are included in the scope of these regulations. The standards within these regulations apply to appliances that are sold or offered for sale in California, except those sold wholesale in California for final retail sale outside the state and those designed and sold exclusively for use in recreational vehicles (RV) or other mobile equipment.

11. Executive Order S-01-07 – Low Carbon Fuel Standard

EO S-01-07 is effectively known as the Low Carbon Fuel Standard (LCFS). The Executive Order seeks to reduce the carbon intensity of California's passenger vehicle fuels by at least 10 percent by 2020. CARB adopted LCFS regulations in 2009. In 2018, CARB approved amendments to the regulation, which included strengthening the carbon intensity benchmarks through 2030 in compliance with the SB 32 GHG emissions reduction target for 2030. The amendments included crediting opportunities to promote zero-emission vehicle adoption, alternative jet fuel, carbon capture and sequestration, and advanced technologies to achieve deep decarbonization in the transportation sector.

C. Regional

1. South Coast Air Quality Management District (SCAQMD)

The Project site is within the SoCAB, which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). SCAQMD is the agency responsible for air quality planning and regulation in the SoCAB. The SCAQMD addresses the impacts to climate change of projects subject to SCAQMD permit as a lead agency if they are the only agency having discretionary approval for the project and acts as a responsible agency when a land use agency must also approve discretionary permits for the project. SCAQMD acts as an expert commenting agency for impacts to air quality; this expertise carries over to GHG emissions.

In 2008, SCAQMD formed a Working Group to identify GHG emissions thresholds for land use projects that could be used by local lead agencies in the SoCAB. The Working Group identified several different options that are contained in the SCAQMD Draft Guidance Document – Interim CEQA GHG Significance Threshold, which provides substantial evidence supporting the approaches to significance of GHG emissions that can be considered by the lead agency in adopting its own threshold. The current interim thresholds consist of the following tiered approach:

- Tier 1 consists of evaluating whether or not the project qualifies for any applicable exemption under CEQA.
- Tier 2 consists of determining whether the project is consistent with a GHG reduction plan. If a project is consistent with a qualifying local GHG reduction plan, it does not have significant GHG emissions.
- Tier 3 consists of screening values, which the lead agency can choose, but must be consistent with all projects within its jurisdiction. A project's construction emissions are averaged over 30 years and are added to the project's operational emissions. If a project's emissions are below one of the following screening thresholds, then the project is less than significant:
    - Residential and commercial land use: 3,000 $MTCO_2e$/yr
    - Industrial land use: 10,000 $MTCO_2e$/yr
    - Based on land use type: residential: 3,500 $MTCO_2e$/yr; commercial: 1,400 $MTCO_2e$/yr; or mixed use: 3,000 $MTCO_2e$/yr
- Tier 4 has the following options:

  - Option 1: Reduce Business-as-Usual (BAU) emissions by a certain percentage; this percentage is currently undefined.
  - Option 2: Early implementation of applicable AB 32 Scoping Plan measures
  - Option 3: 2020 target for service populations (SP), which includes residents and employees: 4.8 $MTCO_2e$ per SP per year for projects and 6.6 $MTCO_2e$ per SP per year for plans;
  - Option 3, 2035 target: 3.0 $MTCO_2e$ per SP per year for projects and 4.1 $MTCO_2e$ per SP per year for plans.
- Tier 5 involves mitigation offsets to achieve target significance threshold.

The SCAQMD's interim thresholds used the Executive Order S-3-05-year 2050 goal as the basis for the Tier 3 screening level. Achieving the Executive Order's objective would contribute to worldwide efforts to cap CO_2 concentrations at 450 ppm, thus stabilizing global climate.

D. Local

1. City of Ontario Climate Action Plan

The City of Ontario adopted its first Community Climate Action Plan (CCAP) on December 16, 2014. The CCAP contains further guidance on the City of Ontario's GHG Inventory reduction goals, policies, guidelines, and implementation programs. The purpose of the CCAP is to provide guidance on how to analyze GHG emissions and determine significance during the CEQA review of proposed development projects within the City of Ontario. The CCAP builds upon the Reduction Plan to address City-specific information and City-specific GHG reduction measures. To address the state's requirement to reduce GHG emissions, the City prepared its CCAP with the goal of reducing GHG emissions within the City by 15 percent below 2008 levels by the year 2020. The City's target is consistent with the AB 32 target and ensures that the City of Ontario achieves GHG reductions locally that complement and are consistent with state efforts to reduce GHG emissions.

As part of the CCAP, the City of Ontario published a guidance document titled "Greenhouse Gas Emissions, CEQA Thresholds and Screening Tables" (December 2014). As part of this guidance, the City determined that if GHG emissions of a given project exceeds 3,000 $MTCO_2e$/yr, then project emissions would need to be reduced by 25 percent when compared to year 2008 emissions levels. Alternatively, the project would need to achieve a minimum of 100 points pursuant to measures identified in the Screening Tables.

The Ontario Plan (TOP) 2050 includes an update to the City's CCAP (CCAP Update). The CCAP is a plan to reduce greenhouse gas (GHG) emissions and improve community resilience to hazardous conditions associated with climate change. The CCAP Update includes updated emissions inventories; updated emissions forecasts; identifies GHG emissions reduction targets to achieve the GHG reduction goals of the City of Ontario consistent with Senate Bill 32, Executive Order S-03-05, and substantial progress toward the State's carbon neutrality goals of Executive Order B-55-18; and measures, that when quantified, achieve the GHG reduction targets for the City. As noted in *The Ontario Plan 2050*

Final Supplemental Environmental Impact Report (SCH No. 2021070364) certified by the City in 2022 (herein referred to as "TOP 2050 SEIR"), the measures included in the 2022 CCAP Update are not substantially different than that of the 2014 CCAP and therefore there is no change in the environmental impacts associated with the CCAP.

The CCAP Update is intended to meet the CEQA Guidelines Section 15183.5 plan requirements for CEQA streamlining for development projects consistent with TOP 2050. The CCAP Update includes per capita targets for Ontario for year 2030 and year 2050 to be consistent with the GHG reduction goals of SB 32 and EO S-03-05, and substantial progress toward the State's carbon neutrality goals under EO B-55-18. The CCAP Update underwent CEQA review (TOP 2050 SEIR) and was adopted after public hearings. Thus, the City's CCAP is a qualified CAP that projects can tier off of for CEQA review. GHG emissions associated with development projects would be less than significant if the project is consistent with the CCAP.

5.8.3 Basis for Determining Significance

The evaluation of an impact under CEQA requires measuring data from a project against both existing conditions and a "threshold of significance." For establishing significance thresholds, the Office of Planning and Research's amendments to the CEQA Guidelines Section 15064.7(c) state "[w]hen adopting thresholds of significance, a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies, or recommended by experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence." Refer to the discussion provided in Section 5.8.2 regarding CEQA Guidelines Section 15064.4, and factors that a lead agency should consider in assessing the significance of impacts from greenhouse gas emissions.

The City of Ontario evaluates GHG impacts based on thresholds of significance included in Appendix G of the CEQA Guidelines. A significant impact related to GHG emissions would occur if the Project would:

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?*

5.8.4 Environmental Impacts and Mitigation

A. *Impact Analysis*

Threshold a:	***Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?***
Threshold b:	***Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?***

1. Summary of Previous Environmental Analysis

The State of California enacted AB 32, the Global Warming Solutions Act of 2006, after certification of the 2006 EIR, and, as a result, increased attention has been paid to the impact of GHG emissions. Therefore, GHG emissions were not specifically evaluated in the 2006 EIR; however, the 2006 EIR indirectly addressed greenhouse gas-related issues through general discussion of air emissions from construction and operation, transportation emissions, energy usage, jobs/housing balance and other related topic area analyses.

2. Project Impact Analysis

The assessment of GHG emissions is inherently cumulative because climate change is a global phenomenon. GCC occurs as the result of global emissions of GHGs, and an individual project like the proposed Subarea 29 Specific Plan Amendment, which would involve the development of 1,470 additional residential units and a middle school within the Amendment Area, cannot generate enough GHG emissions to affect a discernible change in the global climate.

As identified above, for a project located within a jurisdiction that has adopted a qualified GHG reduction plan (as defined by CEQA Guidelines Section 15183.5), GHG emissions would be less than significant if the project is anticipated by the plan and fully consistent with the plan. The City's CCAP Update is a "qualified plan for the reduction of greenhouse gases" under CEQA Guidelines Section 15183.5, thereby affording streamlined environmental review benefits to future development projects. Therefore, evaluation of the Project's consistency with the CCAP is the method used to determine the significance of the Project's GHG impacts. The Project's consistency with the City's CCAP is addressed below. Notwithstanding, CEQA Guidelines Section 15064.4 recommends quantification of a project's GHG emissions. Although it is not the basis for determining whether the Project would have a significant impact related to GHG emissions, quantification of the Project's GHG emissions is provided herein for informational purposes only.

Project Generation GHG Emissions

As further described in SEIR subsection 5.3, Air Quality, in May 2022, the SCAQMD, in conjunction with the California Air Pollution Control Officers Association (CAPCOA) and other California air districts, released the latest version of the California Emissions Estimator Model (CalEEMod) Version 2022.1. The purpose of this model is to calculate construction-source and operational-source criteria pollutants and GHG emissions from direct and indirect sources; and quantify applicable air quality and

GHG reductions achieved from mitigation measures. Accordingly, the latest version of CalEEMod has been used for this Project to determine GHG emissions. Output from the model runs for construction and operational activity are provided in Appendices 3.1 and 3.2 of the GHG Analysis in SEIR *Technical Appendix G*. CalEEMod includes GHG emissions from the following source categories: construction, area, energy, mobile, water, and waste.

Project construction actvities would generate CO_2 and CH_4 emissions. For construction phase Project emissions, GHGs are quantified and amortized over the life of the Project. To amortize the emissions over the life of the Project, the SCAQMD recommends calculating the total GHG emissions for the construction activities, dividing it by a 30-year Project life then adding that number to the annual operational phase GHG emissions. As such, construction-related GHG emissions from the following construction activities were amortized over a 30-year period and added to the annual operational phase GHG emissions: demolition, site preparation, grading, building construction, paving, and architectural coatings. The construction assumptions for the Project (e.g., construction schedule and construction equipment) are outlined in SEIR Section 3.0, Project Description, and Section 5.3, Air Quality. The amortized construction emissions are presented in Table 5.8-3, Amortized Annual Construction Emissions Summary.

Table 5.8-3 Amortized Annual Construction Emissions Summary

Year	Emissions (MT/yr)				
	CO_2	CH_4	N_2O	Refrigerants	Total CO_2e
2023	1,243.70	0.07	0.04	0.51	1,254.00
2024	1,669.00	0.08	0.07	1.29	1,692.00
2025	1,920.00	0.09	0.07	1.57	1,947.00
Total GHG Emissions	4,832.70	0.24	0.18	3.37	4,893.00
Amortized Construction Emissions ($MTCO_2e$)	**161.09**	**0.01**	**0.01**	**0.11**	**163.10**

MT/yr = metric ton per year
Source: (Urban Crossroads, 2023, Table 3-5)

Operational activities associated with the Project would result in emission of CO_2, CH_4, and N_2O from the following primary sources, which are further described in Section 3.5 of the GHG Analysis included in SEIR *Technical Appendix G*:

- Area Source Emissions
- Energy Source Emissions
- Mobile Source Emissions
- Water Supply, Treatment, and Distribution
- Solid Waste

The annual GHG emissions associated with the operation of the proposed Project are estimated to be 31,623.59 $MTCO_2e$/yr as summarized in Table 5.8-4, Project GHG Emissions.

Table 5.8-4 Project GHG Emissions

Emission Source	Emissions (MT/yr)				
	CO_2	CH_4	N_2O	Refrigerants	Total CO_2e
Annual construction-related emissions amortized over 30 years	161.09	0.01	0.01	0.11	163.10
Area Source	344.00	0.01	< 0.005	0.00	345.00
Energy Source	4,534.00	0.41	0.03	0.00	4,553.00
Mobile Source	25,668.00	1.19	1.23	43.80	26,109.00
Refrigerants	0.00	0.00	0.00	3.49	3.49
Waste	57.80	5.78	0.00	0.00	202.00
Water Usage	180.00	2.10	0.05	0.00	248.00
Total CO_2e (All Sources)		**31,623.59**			

MT/yr = metric ton per year
Source: (Urban Crossroads, 2023, Table 3-6)

Evaluation of Plan Consistency

The purpose of the 2022 CCAP Update is to provide guidance on how to analyze GHG emissions and determine significance during the CEQA review of proposed development projects within the City. As identified previously, because the 2022 CCAP Update addresses GHG emissions reductions and is consistent with the requirements of AB 32, SB 32, and international efforts to reduce GHG emissions, compliance with the CCAP Update fulfills the description of mitigation found in the State CEQA Guidelines.

As required by Project-level MM 8-1, future residential development within the Amendment Area would implement Screening Table Measures providing for the required points pursuant to the City Screening Tables, or by demonstrating compliance through alternative methods as allowed by the CCAP. As such, the Project would be consistent with the GHG Development Review Process requirement to achieve the requisite amount of points and thus the Project is considered to have a less than significant individual and cumulatively considerable impact on GHG emissions.

The Project's consistency with the General Plan goals and policies that serve to reduce GHG emissions is evaluated in SEIR Section 5.11, Land Use and Planning; and SEIR Section 5.16, Transportation. The Project's consistency with Connect SoCal goals is also evaluated in SEIR Section 5.11, Land Use and Planning. As identified, the Project would not conflict with the General Plan goals and policies, or the *Connect SoCal* goals.

Additional Project-Level Mitigation Measures

MM 8-1 Project development proposals shall implement Screening Table Measures that achieve the requisite points per the City's Community Climate Action Plan (CCAP) Screening Tables. The City shall verify that Screening Table Measures achieving the requisite points are incorporated in development plans prior to the issuance of building permit(s) and/or site plans (as applicable). The City shall verify implementation of the selected Screening Table Measures prior to the issuance of Certificate(s) of Occupancy. At the discretion of the City, measures that provide GHG reductions equivalent to GHG emissions reductions achieved via the Screening Table Measures may be implemented. Alternatively, the Project shall demonstrate that annual GHG emissions would not exceed the target thresholds or other alternative compliance mechanisms in the CCAP or subsequent updates.

Level of Significance After Mitigation

Less than significant impact with mitigation incorporated.

5.8.5 Cumulative Impact Analysis

As discussed above, the assessment of GHG emissions is inherently cumulative because climate change is a global phenomenon. An individual development project does not have the potential to result in direct and significant GCC-related effects in the absence of cumulative sources of GHGs. Accordingly, the analysis provided in Section 5.8.4 reflects a cumulative impact analysis of the effects related to the Project's GHG emissions, which concludes that the Project would not conflict with an applicable GHG-reduction plans, policies, or regulations and would not generate cumulatively-considerable GHG emissions that may have a significant impact on the environment because the Project is consistent with the City's CCAP.

5.8.6 References

Urban Crossroads, Inc (Urban Crossroads). 2023. *Subarea 29 Specific Plan Amendment and General Plan Amendment Greenhouse Gas Analysis*. April 28, 2023. Included in SEIR Technical Appendix G.

5.9 HAZARDS AND HAZARDOUS MATERIALS

This section analyzes the potential impacts of existing hazards that may adversely affect the Project and hazards and hazardous materials that may be introduced by the Project. For the purposes of this Subsequent Environmental Impact Report (SEIR), the term "toxic substance" is defined as a substance that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may present an unreasonable risk of injury to human health or the environment. Toxic substances include chemical, biological, flammable, explosive, and radioactive substances. The term "hazardous material" is defined as a substance that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may: 1) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, disposed of, or otherwise mismanaged; or 2) cause or contribute to an increase in mortality or an increase in irreversible or incapacitating illness.

Hazardous waste is defined in the California Code of Regulations (CCR), Title 22, Section 66261.3. The defining characteristics of hazardous waste are ignitability (oxidizers, compressed gases, and extremely flammable liquids and solids), corrosivity (strong acids and bases), reactivity (explosives or generates toxic fumes when exposed to air or water), and toxicity (materials listed by the United States Environmental Protection Agency (USEPA) as capable of inducing systemic damage to humans or animals). Certain wastes are called "Listed Wastes" and are found in the California Code of Regulations, Title 22, Sections 66261.30 through 66261.35. Wastes appear on the lists because of their known hazardous nature or because the processes that generate them are known to produce hazardous wastes (which are often complex mixtures).

5.9.1 ENVIRONMENTAL SETTING

A. Amendment Area

Planning Areas (PAs) 30 and 31 include several structures (milking barn, stockyards, barn, chicken coop, residence, and garage) related to former dairy farming and agriculture uses, and farm structures that supported previous agricultural activities, which were active when the *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009), which was certified in October 2006 (referred to herein as the "2006 EIR") (City of Ontario, 2006), was prepared. The Southern California Edison (SCE) corridor bisects PAs 30 and 31. The entire area within PAs 30 and 31 has been previously disturbed and the vegetation communities are limited to agricultural and ruderal.

The southwest corner of the Expansion Area includes a disturbed lot previously occupied by a trucking company. The western portion of the expansion area is used for agriculture production and the eastern portion of the expansion area is disturbed, vacant, and undeveloped. The off-site improvement areas are also disturbed.

As identified in Section III.5, Hazards/Hazardous Materials, of the 2006 EIR, septic tanks and leach lines were used on the dairy farms. Additionally, as part of the dairy operations, dairy settling ponds were located on site. These ponds were used for the collection of cow wash water and cow manure

generated by the dairy operations and subsequent drying and percolation. The resulting dry waste was then removed and stored in the animal waste storage area before transportation off site for proper disposal. Dairy stockpiles and active manure-covered areas were removed by the dairy operator at the time of dairy closure per dairy operating requirements and permits with the Regional Water Quality Control Board (Regional Board). Such removal is part of normal dairy operations. However, even though the dairy operations within the Amendment Area have ceased, there is a potential that land under former feed lots, etc. still contain organic matter in the soil in excess of the amount allowed for development purposes (City of Ontario, 2006).

Due to the historical presence of dairies within the Amendment Area, methane accumulation in the subsurface has been identified by the City as a potential problem when dairies are removed and replaced with residential, commercial and/or industrial structures. Methane generation and accumulation in soil is a result of the decomposition of organic matter (i.e., manure) in oxygen deficient conditions. Methane gas is a tasteless, colorless and odorless gas which, when under pressure, can migrate upward through underground passages such as utility conduits, vaults and/or natural fractures in bedrock. Methane gas can accumulate in basements, crawl spaces, utility vaults, or any confined space with little ventilation. Concentrations greater than 20,000 parts per million (ppm) of methane are considered potentially explosive (City of Ontario, 2006).

Methane surveys were previously conducted for PAs 30 and 31 in 2003. The report for PA 31 and the eastern portion of PA 30 did not indicate any reading greater than 0.5 percent (5,000 ppm) of methane during the monitoring period. The report for the western portion of PA 30 indicated only one location with a reading greater than 0.5 percent of methane during the monitoring period. This location was within the active cattle pens at a depth of 5 feet. All other readings were either 0 or 0.1 percent. The previous reports recommend segregation and disposal off site of near surface organic-rich soils, segregation of soil with organic contents greater than 0.4 percent for controlled placement, and that these soils not be used for “deep” fill and should be placed in open areas and no deeper than 2 feet. Soil with organic contents greater than 2 percent should not be placed as structural fill. Methane investigations have not been completed for Planning Areas 32, 33 or 34; however, given the amount of time since the end of dairy operations in PA 32 and PA 33 (over 16 years) and the lack of dairy operations in PA 34, the probability of methane gas in the near surface soil is very low. Therefore, further methane testing is not recommended (RMA, 2022).

Another potential for hazardous materials at unsafe levels on agricultural land can result from the use of pesticides and fertilizers. The potential for pesticide residues from the past agricultural use is low at agricultural fields associated with dairy farms. Based on sampling for pesticides at similar sites in the area, concentrations of pesticides typically did not exceed regulatory-applied action limits. In addition, evidence of bulk storage or processing of pesticides or associated stained soil was not observed during preparation of the Phase I Environmental Site Assessment (ESA), which supported the 2006 EIR.

Therefore, this was not identified as a recognized environmental condition (REC)[1] for PAs 30 or 31 (City of Ontario, 2006).

Phase I Environmental Site Assessments for the former dairies located in PA 32 and the northern portion of PA 34 were conducted in 2008. Chemical tests were conducted and indicated low levels of DDE (a product of the breakdown of the insecticide DDT) (below both California Department of Toxic Substances Control [DTSC] and USEPA residential screening levels) and arsenic, which were within area background levels and no further sampling was recommended. No environmental concerns were noted in the 2008 Phase I ESAs (RMA, 2022).

A *Phase I Environmental Site Assessment, NE Corner of Sumner and Bellegrave Avenues, Ontario, California, 91762, APN 1073-181-10* was prepared by Leighton and Associates, Inc. for the southern portion of PA 34 in January 2021 (2021 Phase I ESA) and is included in SEIR Technical Appendix H1. This site was most recently occupied by a trucking company., which was in operation when the 2021 Phase I ESA was prepared but has subsequently vacated the site. The site was occupied by a few semi-permanent mobile modular office trailers, and a few additional mobile home-type trailers in the central areas of the site. There were no permanent buildings on the site. There was also a truck service/maintenance area located along the central northern portion of the site, consisting of a large concrete pad, and metal awning, and various shipping containers used to house tools and other truck maintenance-related materials. The 2021 Phase I ESA identified potential RECs associated with: former dairy operations and potential for methane in the subsurface; the truck maintenance area, including a sink that drained to the nearby dirt ground surface; fill in the eastern portion of the site from unknown sources; and widespread historic stockpiling or manure and imported soils. Based on the presence of these RECs, a Phase II ESA consisting of soil and soil gas sampling was recommended (Leighton, 2021a).

Based on the 2021 Phase I ESA recommendations, A *Phase II Environmental Site Assessment, NE Corner of Sumner and Bellegrave Avenues, Ontario, California, 91762, APN 1073-181-10* was prepared by Leighton and Associates, Inc. for the southern portion of PA 34 in February 2021 (2021 Phase II ESA) and is included in SEIR Technical Appendix H2. The Phase II ESA consisted of soil matrix sampling from eight soil borings (to 10 feet deep), soil matrix sampling from 11 exploratory trenches (to 20 feet deep), and the installation and sampling of nine soil gas probes (5 and 10 feet deep). Soil matrix samples collected from the truck maintenance area were reported to contain no detected total petroleum hydrocarbons (TPH), no detected organochlorine pesticides (OCPs) (except for minor concentrations of 4-DDE), and no unusual Title 22 metals concentrations. All of these detections were below USEPA and DTSC soil screening levels, indicating no significant risk to future site occupants. Soil gas samples collected from the truck maintenance area had minor detections of 8 volatile organic compounds (VOC) compounds (out of more than 60 analyzed), but all below USEPA and DTSC industrial and residential soil gas screening levels (assuming an attenuation factor [AF] of 0.001 for

[1] RECs are defined as "the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.

DTSC screening levels), also indicating no significant risk for future site occupants. Soil matrix samples collected from exploratory trenches completed over larger areas of the site were reported to contain only minor detections of TPH in 3 of 24 samples, no detected Semi-VOCs, no detected polychlorinated biphenyls (PCBs), no detected OCPs (except for minor concentrations of 4-DDE), and no unusual concentrations of Title 22 metals. All detections were below USEPA and DTSC soil screening levels, indicating no significant risk to site occupants. Based on the site data, and the proposed future site use (residential or school), no further investigation was recommended (Leighton, 2021b).

A current *Phase I Environmental Site Assessment Park Place Subarea 29 South of Eucalyptus Avenue and East and West of Haven Avenue Ontario, California 91762* (2022 Phase I ESA), dated October 26, 2022, was prepared by Leighton and Associates, Inc. (Leighton) for the entire Amendment Area (Leighton, 2022) and is included in SEIR Technical Appendix H3. The 2022 Phase I ESA included a reconnaissance-level assessment of the Amendment Area, which consisted of observing and documenting existing conditions. As previously discussed, existing PAs 30 and 31 have several structures related to former agricultural and dairy farming uses and proposed PAs 32 through 34 are disturbed, vacant, and undeveloped. The 2022 Phase I ESA identified potential RECs associated with: former dairy operations (nitrates and biogenic methane); lead and termiticides (lead-based paints and OCP-termiticides); underground storage tanks (UST) on proposed PA 33 (no tank removal permits); and drums on PA 30 (minor staining on the ground). No historic RECs (HREC) or controlled RECs (CRECs) were identified during the site reconnaissance. While not RECs, there are abandoned wells within PA 30 and PA 33, and a potential well on PA 34.

B. Building Materials

Asbestos, a naturally occurring fibrous material, was used for years in many building materials for its fire-proofing and insulating properties. While the use of asbestos in the manufacture of most building materials has not been fully prohibited by law, the use of asbestos, for the most part, has voluntarily been discontinued since the late 1970s. Loose insulation, ceiling panels, and brittle plaster are potential sources of friable (easily crumbled) asbestos. Nonfriable asbestos is generally bound to other materials such that it does not become airborne under normal conditions. Any activity that involves cutting, grinding, or drilling during demolition can release friable asbestos fibers unless proper precautions are taken. Inhalation of airborne fibers is the primary mode of asbestos entry into the body, which makes friable materials the greatest potential health risk. Asbestos is a known human carcinogen and there is no known threshold level of exposure at which adverse health effects are not anticipated. Given this, the EPA and California Environmental Protection Agency (CalEPA) have identified asbestos as a hazardous air pollutant pursuant to Section 12 of the Federal Clean Air Act. Further, CARB has identified asbestos as a toxic air contaminant (TAC) pursuant to the California Health and Safety Code (Section 39650 et seq.).

Lead is a naturally occurring metallic element. Among its numerous uses and sources, lead can be found in paint; water pipes, solder in plumbing systems; and structures painted with LBP. In 1978, the Consumer Products Safety Commission banned paint and other surface coating materials containing

lead. Because of its toxic properties, lead is regulated as a hazardous material. Inorganic lead is also regulated as a TAC.

Due to the age of the on-site buildings, it is possible that asbestos containing materials (ACMs) and lead based paint are present. Hillmann Consulting (Hillmann) prepared a Hazardous Materials Inspection report titled *Hazardous Materials Inspection 10331-10333 Eucalyptus Avenue, Ontario, California 91762, dated* September 9, 2022 (Hillman, 2022). On August 25, 2022, 116 samples of suspect material were collected and analyzed for ACMs and 51 building components were tested and analyzed for lead-based concentrations. According to the Hazardous Materials Inspection report, of the 116 ACM samples, 18 were found to contain asbestos with asbestos content ranging between 45 percent and less than 1 percent and of the 51 building components, 8 were found to contain detectable lead-based concentrations.

C. Hazardous Materials Sites

Government Code Section 65962.5 requires that the California Department of Toxic Substances Control (DTSC) and the State Water Resources Control Board (SWRCB) compile and update a list of hazardous materials sites. The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the State, local agencies, and developers to comply with the California Environmental Quality Act (CEQA) requirements in providing information about the location of hazardous materials release sites. Based on review of the Cortese List, the Amendment Area is not located on any list of hazardous materials sites compiled pursuant to Government Code Section 659625 (DTSC, 2022).

It should be noted that there is one active site clean-up site associated with a contaminated groundwater plume (South Archibald Plume) located south of Ontario Ranch Road and west of Archibald Avenue approximately 1.1 miles northwest of the Project site. The site has been active since May 31, 2018. (WRCB, 2023)

However, a search of standard records, conducted by Environmental Data Resources, indicated listings under former street addresses of the previous Amendment Area occupants including: 10331. 10333. And 10529 Eucalyptus Avenue, and 14561, 14661, 14717 Haven Avenue. The facilities are listed in the CalEPA Regulated Site Portal Data (CERS), Facility Index Systems (FINDS), California Integrated Water Quality System (CIWQS), Enforcement & Compliance History Information (ECHO), Emissions Inventory Data (EMI), Enforcement Action Listing (ENF), Waste Discharge System (WDS), Hazardous Waste Tracking System (HWTS), Facility and Manifest Data (HAZNET), National Pollutant Discharge Elimination System (NPDES), San Bernardino County Permitting (SAN BERN CO PERMIT), and Hazardous Waste & Substance Site List (HIST CORTESE) databases. With the exception of the HIST CORTESE database, none of these listings themselves indicate a release of hazardous substances or petroleum products. A review of the Envirostor, CalGEM, SCAQMD FINDS, NPMS (pipelines) and GeoTracker databases revealed no records believed to be directly associated with the Amendment Area. Therefore, it was concluded that there is a low likelihood the listing indicates a likely REC on this site. Additionally, A request for records to DTSC and the SARWQCB resulted in no files found indicating a REC on the Amendment Area. (Leighton, 2022)

D. Airport Hazards

1. Chino Airport

Chino Airport is operated by San Bernardino County Department of Airports and is designated a reliever airport for the Ontario International Airport (ONT) and San Bernardino International Airport. The Chino Airport is south of the City across Merrill Avenue and operates on 1,100 acres and services private, business, and corporate tenants and customers from the Inland Empire. The Chino Airport adopted its own Airport Comprehensive Land Use Plan (ACLUP) in November 1991 and the Chino Airport Master Plan (AMP) in December 2003. The 1991 ACLUP does not reflect the latest adopted AMP and is not useful for long-range planning purposes. Also, the existing Chino Airport Land Use Compatibility Plan does not reflect the 2011 Caltrans Airport Land Use Planning Handbook. Public Utilities Code Section 21670.1(c) requires local jurisdictions under the "alternative process" to "rely upon" the California Airport Land Use Planning Handbook for preparing Compatibility Plans and to utilize the Handbook's height, land use, noise, safety, and density criteria. Although the City of Ontario does not have the formal responsibility under the "alternative process" to prepare a compatibility plan for Chino Airport, on August 2, 2022, the City Council of the City of Ontario approved and adopted a Development Code Amendment to establish the Chino Airport (CNO) Overlay Zoning District (OZD) and Reference I, Chino Airport Land Use Compatibility Plan (CNO ALUCP). The CNO OZD and CNO ALUCP established the Airport Influence Area for Chino Airport, solely within the City of Ontario, and limits future land uses and development within the Airport Influence Area, as they relate to safety, airspace protection, and overflight impacts of current and future airport activity. The CNO ALUCP is consistent with policies and criteria set forth within the Caltrans 2011 California Airport Land Use Planning Handbook. Based on review of Figure 5.9-2, Airport Safety Zones, from *The Ontario Plan 2050 Final Supplemental Environmental Impact Report,* which was certified by the City in August 2022 (TOP 2050 EIR), the western portion of the existing Subarea 29 Specific Plan, including the western portion of PA 30 is located within the Chino Airport Safety Zone 6 (Traffic Pattern Zone); however, the Amendment Area is not within a designated safety zone (City of Ontario, 2022).

2. Ontario International Airport Land Use Compatibility Plan

The basic function of the Ontario International Airport Land Use Compatibility Plan (ONT ALUCP) is to promote compatibility between Ontario International Airport and the land uses that surround it. The geographic scope for the ONT ALUCP is the Airport Influence Area (AIA), the area in which current or future airport-related noise, safety, airspace protection, and/or overflight factors may affect land uses or impose restrictions on those uses. Based on review of ONT ALUCP Map 2-1, Compatibility Policy Map: Airport Influence Area, the Amendment Aera, in its entirety, is within the AIA established by the ONT ALUCP (City of Ontario, 2011).

The ONT ALUCP includes compatibility criteria, which provides the foundation for compatibility policies. The compatibility policies address four types of airport land use impacts: safety, noise, airspace protection, and overflight. The geographic extent of each compatibility factor is depicted in compatibility policy maps in Chapter 2, Procedural and Compatibility Policies, of the ONT ALUCP. In addition to the AIA, these maps include Safety Zones, Noise Impact Zones, Airspace Protection

Zones, and Overflight Notification Zones. The Amendment Area is located outside of the Safety, Noise Impact, Airspace Protection Zones, and FAA Height Notification Surface Zone. However, as identified on the ONT ALUCP Map 2.5, Compatibility Policy Map: Overflight Notification Zones, the Amendment Area is within the Overflight Notification Zone, specifically within the Real Estate Transaction Disclosure Zone. The Real Estate Transaction Disclosure Zone requires the disclosure of Project's proximity to the Ontario International Airport in real estate transactions. This disclosure informs future property owners and occupants that the property is in the vicinity of an airport, but does not represent a safety hazard (City of Ontario, 2011).

E. Wildland Fire Hazards

According to the California Department of Forestry and Fire Protection (CalFire) Fire Hazard Severity Zone Viewer, there are no areas within the City mapped within the Very High Fire Hazard Severity Zone (VHFHSZ). The nearest VHFHSZ to the Amendment Area is within the cities of Norco and Riverside, approximately 3.5 miles to the southeast (CalFire, 2022).

The City's Local Hazard Mitigation Plan (LHMP) maps areas at risk of a wildfire event in the City and identifies scattered areas within the northern portion of the Ontario Ranch (south of Riverside Drive and north of Schaefer Avenue), as high risk. The majority of the Ontario Ranch, which includes the Amendment Area, is identified as Non-Wildland/Non-Urban (City of Ontario, 2018).

5.9.2 Regulatory Background

Section III.6, Hazards, of the 2006 EIR provides a brief discussion of the regulatory framework for the analysis of impacts related to hazards and hazardous materials (e.g., City of Ontario Municipal Code, California Aeronautics Act, Assembly Bill 2776 [airport notification]). Following is a brief description of current federal, state, and local environmental laws and related regulations related to hazards and hazardous materials, that are particularly relevant to the Project.

A. Federal

1. Hazardous Materials Transportation Act (HMTA)

The Hazardous Materials Transportation Act of 1975 (HMTA) empowered the Secretary of Transportation to designate as hazardous material any "particular quantity or form" of a material that "may pose an unreasonable risk to health and safety or property." Hazardous materials regulations are subdivided by function into four basic areas:

- Procedures and/or Policies 49 CFR Parts 101, 106, and 107
- Material Designations 49 CFR Part 172
- Packaging Requirements 49 CFR Parts 173, 178, 179, and 180
- Operational Rules 49 CFR Parts 171, 173, 174, 175, 176, and 177 F

The HMTA is enforced by use of compliance orders [49 U.S.C. 1808(a)], civil penalties [49 U.S.C. 1809(b)], and injunctive relief (49 U.S.C. 1810). The HMTA (Section 112, 40 U.S.C. 1811) preempts state and local governmental requirements that are inconsistent with the statute, unless that requirement affords an equal or greater level of protection to the public than the HMTA requirement.

2. Hazardous Materials Transportation Uniform Safety Act of 1990

In 1990, Congress enacted the Hazardous Materials Transportation Uniform Safety Act (HMTUSA) to clarify the maze of conflicting state, local, and federal regulations. Like the HMTA, the HMTUSA requires the Secretary of Transportation to promulgate regulations for the safe transport of hazardous material in intrastate, interstate, and foreign commerce. The Secretary also retains authority to designate materials as hazardous when they pose unreasonable risks to health, safety, or property. The statute includes provisions to encourage uniformity among different state and local highway routing regulations, to develop criteria for the issuance of federal permits to motor carriers of hazardous materials, and to regulate the transport of radioactive materials.

3. Occupational Safety and Health Act (OSHA)

Congress passed the Occupational and Safety Health Act (OSHA) to ensure worker and workplace safety. The goal was to make sure employers provide their workers a place of employment free from recognized hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions. In order to establish standards for workplace health and safety, the Act also created the National Institute for Occupational Safety and Health (NIOSH) as the research institution for OSHA. OSHA is a division of the U.S. Department of Labor that oversees the administration of the Act and enforces standards in all 50 states.

4. Resource Conservation and Recovery Act (RCRA)

The Resource Conservation and Recovery Act (RCRA) serves as the basis for the proper management of hazardous and non-hazardous solid wastes. The RCRA amended the Solid Waste Disposal Act of 1965 and is implemented through the following programs:

- The Solid Waste Program encourages States to develop comprehensive plans to manage non-hazardous industrial solid wastes and municipal solid wastes; sets criteria for municipal solid waste landfills and other solid waste disposal facilities; and prohibits the open dumping of solid wastes.
- The Hazardous Waste Program establishes a system for controlling hazardous waste from the time it is generated until its ultimate disposal, in effect from “cradle to grave.”
- The Underground Storage Tank (UST) Program regulates USTs containing hazardous substances and petroleum products.

In November 1984, the RCRA was amended with the passing of the Federal Hazardous and Solid Waste Amendments (HSWA) to phase out the land disposal of hazardous wastes; to increase the USEPA’s enforcement authority; to set more stringent hazardous waste management standards; and to

develop a comprehensive UST program. The RCRA has been further amended by the Federal Facility Compliance Act of 1992 (which strengthened the enforcement of RCRA at federal facilities) and the Land Disposal Program Flexibility Act of 1996 (which provided regulatory flexibility for land disposal of certain wastes).

5. Toxic Substances Control Act

The Toxic Substances Control Act (TSCA) of 1976 provides EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics, and pesticides. TSCA addresses the production, importation, use, and disposal of specific chemicals including PCBs, asbestos, radon, and lead-based paint. Various sections of TSCA provide authority to:

- Require, under Section 5, pre-manufacture notification for "new chemical substances" before manufacture.
- Require, under Section 4, testing of chemicals by manufacturers, importers, and processors where risks or exposures of concern are found.
- Issue Significant New Use Rules (SNURs), under Section 5, when it identifies a "significant new use" that could result in exposures to, or releases of, a substance of concern.
- Maintain the TSCA Inventory, under Section 8, which contains more than 83,000 chemicals. As new chemicals are commercially manufactured or imported, they are placed on the list.
- Require those importing or exporting chemicals, under Sections 12(b) and 13, to comply with certification reporting and/or other requirements.
- Require, under Section 8, reporting and record-keeping by persons who manufacture, import, process, and/or distribute chemical substances in commerce.
- Require, under Section 8(e), that any person who manufactures (including imports), processes, or distributes in commerce a chemical substance or mixture and who obtains information which reasonably supports the conclusion that such substance or mixture presents a substantial risk of injury to health or the environment to immediately inform EPA, except where EPA has been adequately informed of such information. EPA screens all TSCA Section 8(e) submissions as well as voluntary "For Your Information" (FYI) submissions. The latter are not required by law but are submitted by industry and public interest groups for a variety of reasons.

B. State

1. California Accidental Release Prevention Program

The California Accidental Release Prevention Program (CalARP), managed by the Certified Unified Program Agency (CUPA), discussed below, is a merging of the Federal Accidental Release Prevention Program and State programs for the prevention of accidental release of regulated toxic and flammable substances. It replaced the California Risk Management and Prevention Program and was created to

eliminate the need for two separate and distinct risk management programs. Stationary sources exceeding a threshold quantity of regulated substances are evaluated under this program to determine the potential for and impacts of accidental releases from the source. Depending on the potential hazards, the owner or occupant of a stationary source may be required to develop and submit a risk management plan.

2. California Aeronautics Act

Airport authorities and other agencies regulate aircraft activity. The State Aeronautics Act (Public Utilities Code Section 21001 et seq.) is implemented by the Caltrans Division of Aeronautics. Key purposes of the act include to: 1) foster and promote safety in aeronautics; 2) ensure that state laws and regulations relating to aeronautics are consistent with federal aeronautics laws and regulations; and 3) ensure that persons residing within the vicinity of airports are protected against intrusions by unreasonable levels of aircraft noise. The State Aeronautics Act also establishes statewide requirements for airport land use compatibility plans (ALUCP). ALUCPs are intended to provide for the orderly growth of a public airport and the area surrounding the airport while safeguarding the general welfare of inhabitants near the airport and the public in general. The ALUCPs for ONT and Chino Airport are discussed above in Section 5.9.1.D.

3. Cal/OSHA and the California State Plan

Since 1973, California has operated an occupational safety and health program in accordance with Section 18 of the federal OSHA. The State of California's Department of Industrial Relations administers the California Occupational Safety and Health Program, commonly referred to as Cal/OSHA. The State of California's Division of Occupational Safety and Health (DOSH) is the principal agency that oversees plan enforcement and consultation. In addition, the California State program has an independent Standards Board responsible for promulgating State safety and health standards and reviewing variances. It also has an Appeals Board to adjudicate contested citations and the Division of Labor Standards Enforcement to investigate complaints of discriminatory retaliation in the workplace.

Pursuant to 29 CFR 1952.172, the California State Plan applies to all public and private sector places of employment in the State, except for federal employees, the United States Postal Service, private sector employers on Native American lands, maritime activities on the navigable waterways of the United States, private contractors working on land designated as exclusively under federal jurisdiction and employers that require federal security clearances. Cal/OSHA is the only agency in the State authorized to adopt, amend, or repeal occupational safety and health standards or orders. The Cal/OSHA enforcement unit conducts inspections of California workplaces in response to a report of an industrial accident, a complaint about an occupational safety and health hazard, or as part of an inspection program targeting industries with high rates of occupational hazards, fatalities, injuries or illnesses.

4. California Hazardous Waste Control Law

The responsibility for implementing the RCRA was given to California Environmental Protection Agency's (CalEPA) DTSC in August 1992. The DTSC is also responsible for implementing and enforcing California's own hazardous waste laws. The Hazardous Waste Control Law (HWCL) (Health and Safety Code [HSC], Division 20, Chapter 6.5, Article 2, Section 25100, et seq.) is the primary hazardous waste statute in California. The HWCL implements RCRA as a "cradle-to-grave" waste management system in the State. It specifies that generators have the primary duty to determine whether their wastes are hazardous and to ensure its proper management. The HWCL also establishes criteria for the reuse and recycling of hazardous wastes used or reuse as raw materials. The HWCL exceeds federal requirements by mandating source reduction planning and broadening requirements for permitting facilities that treat hazardous waste. It also regulates several waste types and waste management activities not covered by federal law (RCRA).

5. California Code of Regulations (CCR), Titles 5, 17, 22 and 26

A variety of California Code of Regulation (CCR) titles address regulations and requirements related to hazardous materials and hazardous waste. Title 5 contains the California Plumbing Code which, in Appendix I, establishes detailed standards for the capping, removal, fill, and disposal of cesspools, septic tanks, and seepage pits (see H 1101.0). CCR Title 17, Division 1, Chapter 8, defines and regulates handling and disposal of lead-based paint. Any detectable amount of lead is regulated. Title 22 contains detailed compliance requirements for hazardous waste generators, transporters, and facilities for treatment, storage, and disposal. Because California is a fully authorized state according to RCRA, most regulations (i.e., 40 CFR 260, et seq.) have been duplicated and integrated into Title 22. However, because the DTSC regulates hazardous waste more stringently than the CalEPA, the integration of State and federal hazardous waste regulations that make up Title 22 does not contain as many exemptions or exclusions as does 40 CFR 260. As with the HSC, Title 22 also regulates a wider range of waste types and waste management activities than does RCRA. To aid the regulated community, California has compiled hazardous materials, waste, and toxics-related regulations from CCR, Titles 3, 8, 13, 17, 19, 22, 23, 24 and 27 into one consolidated listing: CCR Title 26 (Toxics). However, the hazardous waste regulations are still commonly referred to collectively as "Title 22."

C. Regional

1. Certified Unified Program Agency

The aforementioned federal and State hazardous materials regulations require all businesses that handle more than a specified amount of hazardous materials or extremely hazardous materials to obtain a hazardous materials permit and submit a business plan to its local Certified Unified Program Agency (CUPA). A CUPA is a local agency that has been certified by CalEPA to implement the local Unified Program. The CUPA can be a county, city, or joint powers authority. The CUPA also ensures local compliance with all applicable hazardous materials regulations. San Bernardino County is a member of the Southern California Hazardous Waste Management Authority and works on a regional level to solve hazardous waste problems. The San Bernardino County Fire Protection District (SBCFPD), Hazardous Materials Division (HMD) is designated by the state as the CUPA for the County of San

Bernardino. The fire department focuses on the management of specific environmental programs at the local government level to address the disposal, handling, processing, storage, and treatment of local hazardous materials and waste products. The CUPAs are also responsible for implementing the leak prevention element of the Underground Storage Tank (UST) Program.

2. South Coast Air Quality Management District Rules

The South Coast Air Quality Management District (SCAQMD) Rule 1403 and the EPA govern the demolition of buildings containing asbestos and lead materials. Rule 1403 and EPA specify work practices with the goal of minimizing asbestos and lead emissions during building demolition and renovation activities, including the removal and associated disturbance of asbestos and lead-containing material. The requirements for demolition and renovation activities include asbestos and lead surveying, notification, removal procedures, time schedules, handling and cleanup procedures, and storage and disposal requirements for asbestos and lead-containing waste materials.

D. Local

1. City of Ontario Local Hazard Mitigation Plan

In 2018, the City prepared a local hazard mitigation plan (LHMP) to identify the City's hazards, review and assess past disaster occurrences, estimate the probability of future occurrences, and set goals to reduce or eliminate long-term risk to people and property from natural and man-made hazards. Wildfire hazard is rated the highest risk of the 23 hazards evaluated, followed by flooding. The LHMP contains a series of goals and mitigation programs to address each of the hazards.

2. City of Ontario Office of Emergency Management

The City of Ontario's Office of Emergency Management (OEM) leads efforts to protect life, property, and the environment by developing, coordinating, and managing programs that prevent, prepare for, respond to, recover from, and mitigate natural and man-made disasters and emergencies in the City. The OEM supports the fire chief, police chief, City manager, mayor, councilmembers, and all City staff to coordinate response and recovery efforts. OEM also works with residents, businesses, and community-based organizations to be prepared. The OEM is responsible for the management and oversight of the City of Ontario's Emergency Operations Center, disaster preparedness, grants, Homeland Security, emergency plans, and the Community Emergency Response Team Volunteer Program. OEM ensures that City employees and residents are as prepared as possible for disasters. This is accomplished through:

- Maintaining the City's Hazard Mitigation Plan
- Maintaining the City's Emergency Operations Plan
- Providing employee and citizen education in preparedness
- Training employees in disaster response, management, and recovery

3. The Ontario Plan 2050

The Ontario Plan (TOP 2050) Land Use Element and Safety Element include policies that address development on and around hazardous materials sites or in areas that would pose hazards to future site occupants. The Project's consistency with these policies is addressed in SEIR Section 5.11, Land Use and Planning.

- **Policy LU2-9: Methane Gas Sites.** We require sensitive land uses and new uses on former dairy farms or other methane-producing sites be designed to minimize health risks.
- **Policy S6-6: Location of Sensitive Land Uses.** We prohibit new sensitive land uses from locating within airport safety zones and near existing sites that use, store, or generate large quantities of hazardous materials.
- **Policy S6-9: Remediation of Methane.** We require development to assess and mitigate the presence of methane, per regulatory standards and guidelines.

5.9.3 Basis for Determining Significance

The City of Ontario evaluates impacts related to hazards and hazardous materials based on thresholds of significance included in Appendix G of the CEQA Guidelines. A significant impact related to hazards and hazardous materials would occur if the Project would:

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.

5.9.4 Environmental Impacts and Mitigation

A. Applicable 2006 EIR Mitigation Measures

The following mitigation measures (MMs) from the 2006 EIR are applicable to and are incorporated into the Project. 2006 EIR MM Haz 2 is not applicable to the Project as it is specially related to properties that are not located within the Amendment Area, and MM Haz 8 is not applicable because the Amendment Area is not within the AIA for the Chino Airport. Changes in the text are signified by strikeouts (~~strikeouts~~) where text has been removed and underline (**bold and underline**) where text has been added. MM Haz 6 has been revised because the cited municipal code section no longer exists, and MM Haz 9 has been revised because the Amendment Area is within the required notification area for the ONT.

MM Haz 1 To the extent not previously prepared and to properly assess and address potential hazardous materials, including pesticide residue, within the specific plan area, a Phase I Environmental Site Assessment (ESA) shall be performed by a registered environmental assessor (REA) prior to the approval of the Tentative Tract map, site plan or other discretionary approval for a given phase of development. If potential hazardous materials or conditions are identified in the Phase I report, the recommendations of the ESA shall be implemented. Such recommendations could include surficial sampling and chemical analysis within agricultural areas or where soil staining was observed. The Phase I ESA shall be provided to the City of Ontario and shall be included in any CEQA analysis prepared in connection with the consideration of the discretionary approval for development.

MM Haz 3 All septic tanks on the project site will be properly removed and disposed of prior to site development. All water wells on the project site which are proposed to be abandoned will be properly destroyed prior to site development in accordance with City requirements. These activities will occur subject to City of Ontario Building Safety requirements.

MM Haz 3 is applicable to PAs 30 and 31 only with respect to septic tanks; there are no septic tanks within PAs 32 through 34. With respect to water wells, MM Haz 3 is applicable to PAs 30, 33, and potentially 34; there are no wells within PAs 31 and 32.

MM Haz 4 If, while performing any excavation as part of project construction, material that is believed to be hazardous waste is discovered, as defined in Section 25117 of the California Health & Safety Code, the developer shall contact the City of Ontario Fire Department and the County of San Bernardino Fire Department Hazardous Materials Division. Excavation shall be stopped until the material has been tested and the

presence of hazardous waste has been confirmed. If no hazardous waste is present, excavation may continue. If hazardous waste is determined to be present, the California Department of Toxic Substances Control shall be contacted and the material shall be removed and disposed of pursuant to applicable provisions of California law.

MM Haz 5 Prior to demolition, all on-site buildings and remaining foundations that were built before 1976 shall be evaluated for the presence of asbestos and lead-based paint and those materials shall be removed according to applicable regulations and guidelines established by the South Coast Management District, Department of Toxic Substances Control, and the United States Environmental Protection Agency.

MM Haz 5 is applicable to PAs 30 and 31 only; there are no structures within PAs 32 through 34.

MM Haz 6 ~~Pursuant to the City of Ontario Municipal Code Section 9-2.0435 (L),~~ A methane gas assessment shall be prepared by a licensed professional with expertise in soil gas assessments for subdivisions proposed on former dairies, poultry ranches, hog ranches, livestock feed operations and similar facilities to determine the presence of methane gas within the project boundary. The methane gas assessment shall identify monitoring and mitigation strategies and approaches. All mitigation measures/plans and specifications shall be reviewed and approved by the City of Ontario.

Such an "assessment" may take two steps. A preliminary assessment should be done prior to grading to determine exactly where dairies have existed in the past so that the post grading assessment/mitigation measures can be focused on the portions of the specific plan area that have included dairies. The second step may include actual testing of graded pads no sooner than 30 days after construction to determine if methane is detected above 5,000 ppm. If so, the types of mitigation measures described below **in MM Haz 7**, or those approved by the City, shall be implemented in the areas exceeding this limit.

MM Haz 7 To reduce the risk of ground cracking, manure shall be removed from the site, such that the organic matter content of on-site soils shall not exceed 2 percent (a 2 percent total organic content is allowed, of which no more than 1 percent can be manure) in the building foundation areas when mixed with underlying clean soils and imported fill.

MM Haz 9 To disclose to the buyer or lessee of subdivided lands within the Subarea 29 project of the proximity of this site to the Chino Airport **and the Ontario International Airport** as required by AB 2776, the City shall disclose, and ensure that the developer makes disclosures, as required by law, to all future buyers.

B. Impact Analysis

Threshold a: Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

1. Summary of Previous Environmental Analysis

The 2006 EIR identified that the implementation of the Subarea 29 Specific Plan, including residential, commercial/retail and school uses, would not generate hazardous materials other than those associated with household products, and there would be no transport of non-construction-related hazardous materials to or from the Subarea 29 Specific Plan Area (referred to herein as the "Specific Plan Area"). Therefore, the 2006 EIR determined that implementation of the Subarea 29 Specific Plan would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Additionally, cumulative impacts were determined to be less than significant.

2. Project Impact Analysis

Implementation of the Project would involve construction activities and long-term operation of residential and school uses within the Amendment Area, consistent with the types of uses anticipated in the Specific Plan Area and evaluated in the 2006 EIR. In the event any hazardous materials were to be used or stored in the Amendment Area during construction or long-term operation, the Project would have the potential to expose workers on site, the public, and/or the environment to a substantial hazard. The analysis below evaluates the potential for the Project to result in a substantial hazard to people or the environment during any stage of the Project.

Impact Analysis for Construction-Related Activities

Heavy equipment (e.g., dozers, excavators, tractors) would be operated within the Amendment Area and off-site improvement areas during construction. This heavy equipment likely would be fueled and maintained by petroleum-based substances such as diesel fuel, gasoline, oil, and hydraulic fluid, which are considered hazardous if improperly stored or handled. In addition, materials such as paints, adhesives, solvents, and other substances typically used in building construction would be located within the Amendment Area and off-site improvement areas during construction. Improper use, storage, or transportation of hazardous materials can result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. This is a standard risk on all construction sites, and there would be no greater risk for improper handling, transportation, or spills associated with the Project than would occur on any other similar construction sites. Construction contractors would be required to comply with all applicable federal, State, and local laws and regulations regarding the transport, use, and storage of hazardous construction-related materials, including but not limited to, requirements imposed by the CalEPA, DTSC, and the Regional Board. With mandatory compliance with applicable hazardous materials regulations, the Project would not create significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials during the construction phase. Impacts would be less than significant, consistent with the conclusion of the 2006 EIR.

Additionally, construction activities would be completed in compliance with applicable regulatory requirements, including the State Water Resources Control Board (SWRCB) National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity (Construction General Permit). As required, best management practices (BMPs) identified in the Project's Storm Water Pollution Prevention Plan (SWPPP) to control potential construction-related pollutants would be implemented, as further discussed in SEIR Section 4.10, Hydrology and Water Quality.

Impact Analysis for Operational Activities

Operational activities associated with the proposed residential and school uses would occur following the completion of construction and business operators/employees, and residents would move in and occupy the structures and facilities on a day-to-day basis. Consistent with the approved Subarea 29 Specific Plan, hazardous waste generators in the Amendment Area would include households and school uses.

These uses would involve the use of materials common to all urban development that are labeled hazardous (e.g., solvents and commercial cleansers; petroleum products; and pesticides, fertilizers, and other landscape maintenance materials). There is the potential for routine use, storage, or transport of other hazardous materials. The Project would not utilize, store, or generate hazardous materials or waste in quantities that may pose a significant hazard to the public.

With mandatory regulatory compliance, the Project would not pose a significant hazard to the public or the environment through the routine transport, use, storage, emission, or disposal of hazardous materials, nor would the Project increase the potential for accident conditions which could result in the release of hazardous materials into the environment. Impacts would be less than significant, consistent with the conclusion of the 2006 EIR.

Additional Project-Level Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact, consistent with the conclusions of the 2006 EIR.

Threshold b: Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

1. Summary of Previous Environmental Analysis

The 2006 EIR identified that diesel powered farm equipment, diesel above ground storage tanks (ASTs), staining of concrete pads and soils, and agricultural activities are indicative of the on-site use

of petroleum products, insecticides, and pesticides. The 2006 EIR concluded that if known and unknown hazardous materials/situations on site were not mitigated, current and future residents could be exposed to hazards or hazardous materials resulting in potentially significant impacts. Such potentially significant impacts could include such things as asbestos and lead from building materials and paints in older structures, pesticides from past agricultural uses, or petroleum products used or leaked on the site. Additionally, because the majority of the Specific Plan Area was occupied by active dairies and contains manure (organic matter) that would potentially generate methane gas if buried and exposed to an oxygen-free environment, and due to the potentially explosive characteristic of methane under pressures greater than 20,000 ppm, the potential presence of methane gas was identified as a potentially significant impact. The 2006 EIR concluded that these impacts would be reduced to a less than significant level with implementation of MM Haz 1 through Haz 7. Additionally, cumulative impacts were determined to be less than significant with the implementation of mitigation measures.

The 2006 EIR also addressed the presence of SCE high voltage transmission lines traversing the Specific Plan Area and determined potential impacts resulting from the proximity to high-voltage transmission lines were considered less than significant.

2. Project Impact Analysis

Impact Analysis for RECs

As identified above, and consistent with the conditions evaluated in the 2006 EIR for the entire Specific Plan Area, including PAs 30 and 31, existing and prior uses within the Amendment Area have resulted in RECs that have the potential to expose workers on site, the public, and/or the environment to a substantial hazard. As required by 2006 EIR MM Haz 1 and MM Haz 6, Phase I ESAs and methane gas testing have been conducted for PAs 30 and 31. Although not within the Specific Plan Area, Phase I and Phase II ESAs have also been prepared for PAs 32 and 34 within the Expansion Area. Additionally, pursuant to 2006 EIR MM Haz 1, a Phase I ESA was prepared in 2022 for the entire Amendment Area. The results of these ESAs are summarized in Section 5.9.1 above. Recommendations from the Phase I ESAs would be implemented consistent with 2006 EIR MM Haz 1.

As evaluated in the 2006 EIR, septic tanks are located within PAs 30 and 31, and as identified in the 2022 Phase I ESA, there are water wells within PAs 30, 33, and potentially 34. In compliance with 2006 EIR MM Haz 3, any septic tanks present would be properly removed and disposed, and water wells to be abandoned would be destroyed following City requirements, which would ensure that potential impacts are less than significant. The investigations conducted for the Amendment Area also concluded that subsurface methane gas levels and pesticide use are not expected to pose a hazard to future site occupants; however, soil with organic contents greater than 2 percent should not be placed as structural fill. The suitability of soils containing organic contents is further addressed in SEIR Section 5.7, Geology and Soils.

Although previous methane gas surveys have concluded that the methane levels do not pose a hazard, pursuant to 2006 EIR MM Haz 6, current methane gas assessments will be conducted for PAs 30 through 33 and recommendations identified as a result of these assessment, if any, would be implemented. With adherence to 2006 EIR MM Haz 1 and MM Haz 6, the implementation of proposed residential and school uses would not pose a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. This impact would be less than significant, consistent with the conclusion of the 2006 EIR.

Although not identified as a REC, the SCE corridor with high power transmission lines passes between PAs 30 and 31, which was evaluated in the 2006 EIR. As identified in the 2006 EIR, this would not pose a hazard to future residential uses within these PAs.

Building Materials

Consistent with the analysis presented in the 2006 EIR, due to the age of the buildings within PAs 30 and 31 (constructed before 1976) asbestos containing materials and lead-based paint are present and could be released during demolition activities. As required by 2006 EIR MM Haz 5, prior to demolition, asbestos and lead-based paint would be removed in accordance with regulatory requirements prior to demolition. In California, lead and asbestos abatement must be performed and monitored by contractors with appropriate certifications from the California Department of Health Services (DHS). In addition, CalOSHA has regulations to protect worker safety during potential exposure to lead and asbestos under Title 8 of the California Code of Regulations (Section 1529, Asbestos and Section 1532.1, Lead). Demolition that could result in the release of asbestos and lead must be conducted according to CalOSHA standards. These standards were developed to protect the general population and construction workers from respiratory and other hazards associated with exposure to these materials. Further, adherence to SCAQMD Rule 1403, Asbestos Emissions is required, which establishes survey, notification, and work practice requirements to prevent asbestos emissions during building demolition. With implementation of 2006 EIR MM Haz 5, which requires adherence to applicable regulatory requirements, impacts associated with the potential release of hazardous building materials during demolition activities would be less than significant impact, consistent with the conclusion of the 2006 EIR.

Additional Project-Level Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact, consistent with the conclusions of the 2006 EIR.

Threshold c: ***Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?***

1. Summary of Previous Environmental Analysis

The 2006 EIR identified that there were no existing schools within one-quarter mile of the Specific Plan Area, and the proposed residential and commercial/retail uses would not emit hazardous emissions or handle hazardously or acutely hazardous materials, substances, or waste during normal operation. However, the presence of potential hazards and hazardous materials with the Specific Plan Area from previous uses could impact proposed schools within the Specific Plan Area, if not properly mitigated, resulting in a potentially significant impact. With implementation of identified mitigation measures, these impacts would be less than significant. Additionally, cumulative impacts were determined to be less than significant with the implementation of mitigation measures.

2. Project Impact Analysis

Park View Elementary School within the Specific Plan Area is located at 4860 S Celebration Avenue, approximately 0.3 mile west of the Amendment Area. The Project includes a proposed middle school in PA 34. As previously discussed, the proposed residential and school uses have the potential to involve the transport and use of hazardous substances, materials, and/or wastes to-and-from the Amendment Area during construction and long-term operation. However, the Project would not utilize, store, or generate hazardous materials or waste in quantities that may pose a significant hazard to the public. Additionally, construction and operational activities would be required to comply with applicable federal, State, and local regulations that would preclude substantial public safety hazards associated with emissions, handling of, or the routine transport of hazardous substances, materials and/or wastes to-and-from the Amendment Area. Impacts would be less than significant, consistent with the conclusions of the 2006 EIR.

Additional Project-Level Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact, consistent with the conclusions of the 2006 EIR.

Threshold d: ***Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?***

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that the Specific Plan Area is not included on a list of hazardous materials complied pursuant to Government Code §65962.5, and that none of the sites identified in the Phase I

ESA prepared to support the 2006 EIR represented an environmental concern for implementation of the Subarea 29 Specific Plan. Additionally, cumulative impacts were determined to be less than significant.

2. Project Impact Analysis

Based on review of the Cortese List, the Amendment Area is not located on any list of hazardous materials sites compiled pursuant to Government Code Section 659625 (DTSC, 2022). However, as identified previously, the search completed by EDR to support the 2022 Phase I ESA identified the Amendment Area being listed on various databases. With the exception of the HIST CORTESE database, none of these listings themselves indicate a release of hazardous substances or petroleum products. The HIST CORTESE data base identified one UST site within the Amendment Area (Koolhaus Dairy at 14717 Haven Avenue); this case has been closed by the San Bernardino County Fire Protection District. A review of the Envirostor, CalGEM, SCAQMD FINDS, NPMS (pipelines) and GeoTracker databases revealed no records believed to be directly associated with the Amendment Area. A request for records to DTSC and the SARWQCB resulted in no files found indicating a REC on the Amendment Area. Additionally, a review of the Envirostor, CalGEM, SCAQMD FINDS, NPMS (pipelines) and GeoTracker databases revealed no records believed to be directly associated with the Amendment Area. Moreover, the reconnaissance of adjoining properties revealed no evidence indicating they have likely created a REC on the Amendment Area. A request for records to DTSC and the SARWQCB resulted in no files found indicating a REC on the Amendment Area (Leighton, 2022).

As discussed under Section 5.9.1, there is an active clean-up site located south of Ontario Ranch Road and west of Archibald Avenue that is associated with a contaminated plume (South Archibald Plume). This site is located approximately 1.13 miles northwest of the Amendment Area. According to the Project-specific Geotechnical Investigation, groundwater is more than 100 feet below the ground surface (bgs). Therefore, due to distance and the depth of groundwater levels in the area, this site would not create a REC on the Amendment Area. The Project does not propose the use of groundwater, and potable water would be treated.

Therefore, consistent with the conclusions of the 2006 EIR, the Amendment Area is not located on or near a listed hazardous materials site that would create a significant hazard to the public or the environment, resulting in a less than significant impact.

Additional Project-Level Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact, consistent with the conclusions of the 2006 EIR.

Threshold 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?***

1. Summary of Previous Environmental Analysis

The 2006 EIR identified that the Specific Plan Area is located within two miles of the Chino Airport; however, with implementation of the identified mitigation measures implementation of the proposed residential, commercial/retail and school uses would not result in a safety hazard or excessive noise for people residing or working in the Specific Plan Area. Additionally, cumulative impacts were determined to be less than significant with the implementation of mitigation measures.

2. Project Impact Analysis

The Amendment Area is approximately 2.4 miles northeast of the Chino Airport. Based on review of the TOP 2050 EIR Figure 5.9-2, Airport Safety Zones, the western portion of the existing Subarea 29 Specific Plan is located within the Chino Airport Safety Zone 6 (Traffic Pattern Zone); however, the Amendment Area is not within a designated safety zone (City of Ontario, 2022). The Amendment Area is more than four miles south of the ONT. As with other areas in the Specific Plan Area, the Amendment Area is located within the ONT AIA. The Amendment Area is located outside of the Safety, Noise Impact and Airspace Protection Zones identified in the ONT ALUCP (City of Ontario, 2011). Therefore, implementation of the proposed residential and school uses within the Amendment Area would not pose a safety hazard to people residing or working within the Amendment Area, resulting in a less than significant impact, consistent with the conclusion of the 2006 EIR.

Additionally, based on review of TOP 2050 EIR Figure 5.13-3, Airport Noise Contours, the Specific Plan Area and the Amendment Area are not located with the noise contours for the ONT or Chino Airport. Therefore, the Project would not expose people working or living within the Amendment Area to excess noise levels from airport operations, resulting in a less than significant impact, consistent with the conclusion of the 2006 EIR.

Notwithstanding the less than significant impacts related to airport-related safety hazards and excessive noise, as required by 2006 EIR MM Haz 9, future buyers within the Amendment Area would be notified of proximity of the property to the Chino Airport and the ONT.

Additional Project-Level Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact, consistent with the conclusions of the 2006 EIR.

Threshold f: ***Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?***

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that implementation of the Subarea 29 Specific Plan would not impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Additionally, cumulative impacts were determined to be less than significant.

2. Project Impact Analysis

The City adopted its current LHMP in 2018. The LHMP indicates that interstates would serve as major emergency response and evacuation routes (City of Ontario, 2018). Interstate (I)-15 is located approximately 1.0 mile east of the Amendment Area. Based on review of TOP 2050 EIR Figure 5.17-5, Evacuation Routes, the nearest evacuation routes to the Amendment Area are Edison Avenue to the north, and Bellegrave Avenue, which forms the southern boundary of the Amendment Area (City of Ontario, 2022). There are no emergency facilities located within the Amendment Area; however, Ontario Fire Station No. 9 is located approximately 1.0 roadway miles northwest of the Amendment Area. During construction and long-term operation, adequate emergency access for emergency vehicles would be maintained. Further, the Project involves the construction of roadway improvements along site-adjacent roadway, which would be constructed in compliance with the City's roadway standards and would enhance emergency access. The Project would not impair implementation of or physically interfere with an adopted emergency response or emergency evacuation plan. Emergency access is discussed further in SEIR Section 5.16, Transportation, under Threshold d. This impact would be less than significant, consistent with the conclusion of the 2006 EIR.

Additional Project-Level Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact, consistent with the conclusions of the 2006 EIR.

Threshold g: ***Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?***

3. Summary of Previous Environmental Analysis

The 2006 EIR concluded that the most serious fires threats within the City are structural fires, and that implementation of the Subarea 29 Specific Plan EIR, which would be located in an agricultural area, would not expose people or structures to wildland fires. No impact would occur.

4. Project Impact Analysis

As identified above in Section 5.9.1, there are no areas within the City mapped within a VHFHSZ; the nearest VHFHSZ to the Amendment Area is approximately 3.5 miles to the southeast (CalFire, 2022). Additionally, the City's LHMP designates the majority of the Ontario Ranch, which includes the Amendment Area, as Non-Wildland/Non-Urban (City of Ontario, 2018). Wildfire impacts are further discussed in SEIR section 5.19, Wildfire. Therefore, implementation of the Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. No impact would occur, consistent with the conclusion of the 2006 EIR.

Additional Project-Level Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

No impact, consistent with the conclusions of the 2006 EIR.

5.9.5 Cumulative Impact Analysis

As discussed above under the responses to Thresholds "a" and "b," the Project's construction and operation would be required to comply with all applicable federal, State, and local regulations to ensure proper use, storage, and disposal of hazardous substances. Such uses also would be subject to additional review and permitting requirements by the Ontario Fire Department. Similarly, any other developments in the area proposing the construction of uses with the potential for use, storage, or transport of hazardous materials also would be required to comply with applicable federal, State, and local regulations, and such uses would be subject to additional review and permits from their local oversight agency. Additionally, based on the laboratory testing results, there are no concentrations of chemicals detected that exceed established regulatory standards for residential or school uses or that would otherwise pose a hazard to the public, and potential impacts associated with former uses on site would be less than significant with implementation of the identified mitigation measures. Therefore, the potential for release of toxic substances or hazardous materials into the environment, either through accidents or due to routine transport, use, or disposal of such materials, would be less than significant for the Project and cumulative development. Accordingly, the Project would not result in a cumulatively considerable contribution to a significant cumulative impact related to hazardous materials.

The Amendment Area is located within 0.3-mile of an existing school, and the Project includes a middle school site. However, due to the nature of the Project (residential and school uses), there would not be any hazardous emissions, and the handling of hazardous materials, substances, or waste would not involve the type or quantity that would pose a significant hazard to school children, resulting in a less than significant impact. Therefore, the Project would not contribute to a cumulatively significant hazards/hazardous materials impact on any public or private schools located within one-quarter mile of the Amendment Area.

The Amendment Area is not identified on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 that would pose a hazard to the public; therefore, the Project would not contribute to a cumulatively significant hazardous materials impact associated with a listed hazardous materials site.

The Amendment Area is within the AIA for ONT, but is not within a safety zone for the ONT or Chino Airport. The Amendment Area is not within the noise contours for ONT or the Chino Airport Additionally, the Project construction and operations would not exceed established height restrictions requiring FAA notification pursuant to FAR Part 77, and would not obstruct airport operations. Therefore, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area and would not contribute to a cumulatively considerable impact associated with airport hazards.

The Amendment Area does not contain any emergency facilities, nor does it serve as an emergency evacuation route. Further, the Project would involve implementation of roadway and site access improvements, including along Bellegrave Avenue south of the Amendment Area, which is an evacuation route, and would not impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan area. Similarly, cumulative development in proximity to the Amendment Area would be required to adhere to emergency access requirements. The Project would not contribute to any cumulative impacts associated with an adopted emergency response plan or emergency evacuation plan.

The Amendment does not contain wildlands and is not within or near a VHFHZ. There is no potential for the Project to expose people or structure, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. Cumulative developed proposed within VHFHSZs would be required to meet minimum fire fuel modification and/or clearing requirements in addition to meeting the standards of the various fire codes in effect at the time of building permit issuance. With adherence to applicable requirements, cumulative development within VHFHSZs would not increase hazards from wildland fires and hazards to adjacent properties. The Project would not contribute to any cumulative impacts associated with wildland fires.

5.9.6 REFERENCES

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5.10 HYDROLOGY AND WATER QUALITY

This section identifies and evaluates the Project's potential to have adverse hydrology/drainage and water quality effects during construction and operation. The analysis in this subsection is based in part on the *Subarea 29 Specific Plan Amendment – Water Quality Memo* (Water Quality Memo) prepared by Q3 Consulting (Q3), dated May 11, 2022 (Q3, 2022a), and on the *Subarea 29 Specific Plan Amendment Hydrology and Hydraulics Report* (Hydrology Report) prepared by Q3, dated May 11, 2022 (Q3, 2022b). The Water Quality Memo and the Hydrology Report are included in Technical Appendices I1 and J, of this Subsequent Environmental Impact Report (SEIR), respectively.

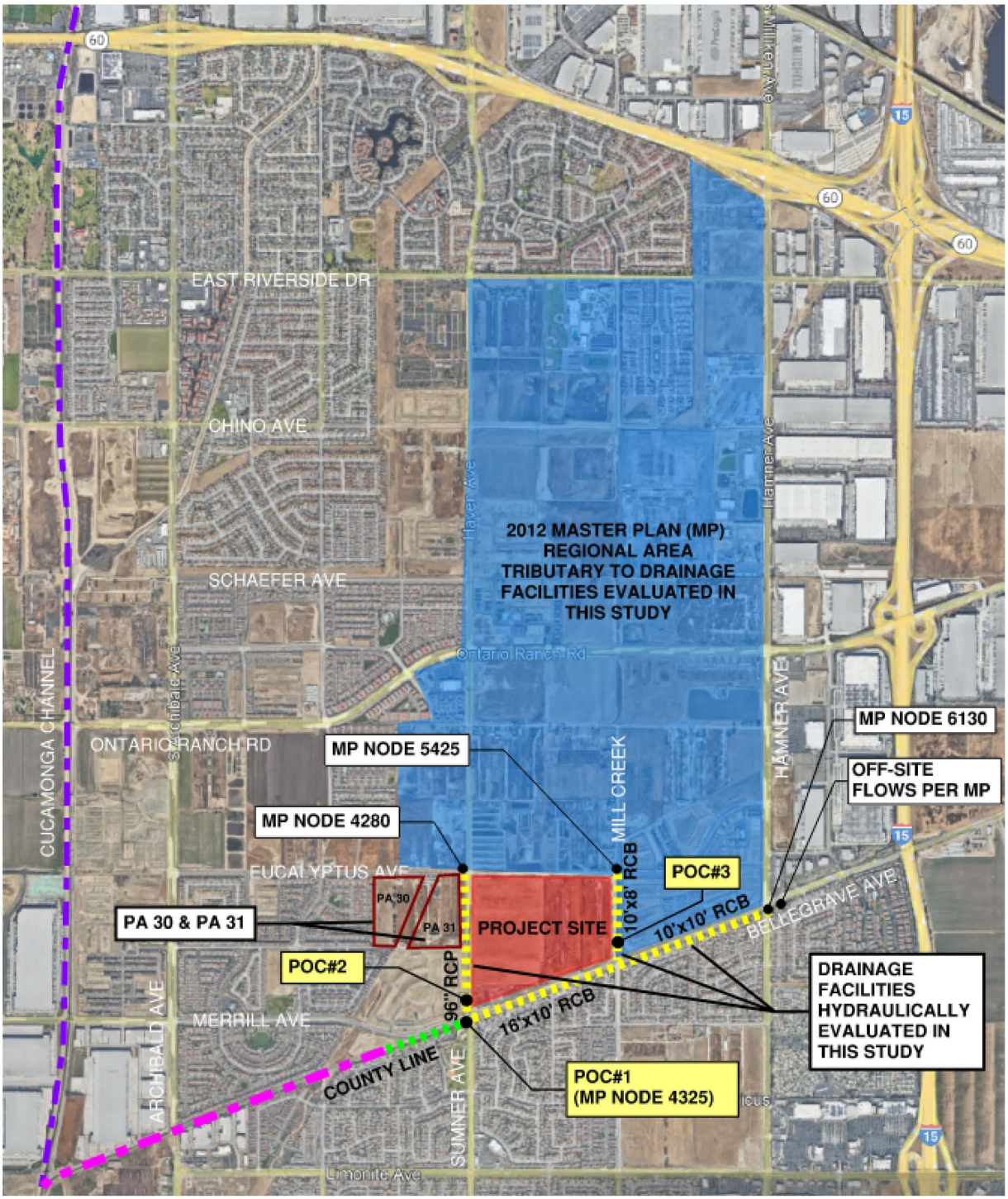
5.10.1 EXISTING CONDITIONS

Section III.7 of the of the *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009) certified by the City in 2006 (referred to herein as the "2006 EIR") provides a description of the hydrology and water quality setting for the Subarea 29 Specific Plan Area (Specific Plan Area). The regional and local setting relative to receiving waters and the watershed remain the same and is hereby incorporated by reference. However, local conditions within and in the vicinity of the Specific Plan Area have changed due to development that has occurred, including the installation of backbone stormwater and water quality infrastructure. Following is an updated discussion of hydrology and water quality conditions for the Amendment Area, with additional information regarding the Expansion Area, which was not part of the original Specific Plan Area.

A. Regional Hydrology

The majority of the City of Ontario is within the Chino Creek subwatershed, which is part of the larger Santa Ana River Watershed. The Chino Creek subwatershed encompasses parts of San Bernardino County, Riverside County, and Los Angeles County and includes the cities of Rancho Cucamonga, Upland, Montclair, Ontario, Fontana, Chino, and Chino Hills. It drains a basin of approximately 218 square miles from the San Gabriel Mountains to the Santa Ana River near Corona. The Chino Creek subwatershed is developed for residential, industrial, and agricultural use. As a result, the creek and its tributaries are highly polluted and receive effluent from multiple wastewater treatment plants, storm drains, and agricultural runoff (City of Ontario, 2022a).

As shown on Figure 5.10-1, Regional Drainage Map, Cucamonga Creek is the primary flood control facility in the area, and flows in a southerly direction along the western boundary of the Specific Plan Area. Storm flows and urban and agricultural runoff flows are transported in Cucamonga Creek and ultimately are discharged to the Santa Ana River/Prado Basin to the south. The major flood control facility in the vicinity of the Specific Plan Area, which feeds into Cucamonga Creek, is the County Line Channel located along the southern boundary of the Specific Plan Area.



Source(s): Q3 Consulting (05-11-2022)

Figure 5.10-1

Not to Scale

Regional Drainage Map

B. Site Hydrology and Storm Drain Infrastructure

In 2012, the City prepared the City of Ontario Master Plan Drainage (2012 Ontario MPD). The storm drain infrastructure that has been installed pursuant to the 2012 MPD was designed and sized to accommodate the stormwater runoff from the Specific Plan Area, including Planning Areas (PAs) 30 and PA 31, which are part of the approved Specific Plan Area.

Relevant to the proposed Expansion Area (PAs 32, 33 and 34), which encompass approximately 113 acres, and the adjacent public roadway right-of-way (approximately 11.7 acres), existing storm drain infrastructure is located underneath Haven Avenue and Mill Creek Avenue, which flow to the existing County Line Channel located along Bellegrave Avenue. As discussed above, from the County Line Channel, runoff is ultimately discharged into Cucamonga Channel. Following is a description of these facilities, which are shown on Figure 5.10-1 (Q3, 2022b):

- **County Line Channel** is a 16-foot by 10-foot reinforced concrete box (RCB). Point of Connection 1 (POC) 1 at the Bellegrave Avenue and Haven Avenue intersection receives 100-year peak flows at a rate of 2,385.1 cubic feet per second (cfs). The tailwater elevation of the County Line Channel is 669.2 feet approximately 500 feet downstream of the Haven Avenue and Bellegrave Avenue intersection.
- **Haven Avenue Storm Drain** is a 96-inch reinforced concrete pipe (RCP) located along Haven Avenue. POC 2 is located just upstream of POC 1 and receives 100-year peak flows at a rate of 755 cfs.
- **Mill Creek Storm Drain** is a 10-foot by 8-foot RCP located along Mill Creek Avenue. POC 3 is located just upstream of the County Line Channel and receives 100-year peak flows at a rate of 1,153.5 cfs.

C. Flooding

According to Figure S-03, Flood Hazard Zones, of the TOP 2050 Safety Element, and Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06071C9375H, the Amendment Area is within "Zone X," which corresponds to areas with minimal flood hazard. The Amendment Area is not within a 100-year flood hazard area (City of Ontario, 2022b; FEMA, 2008).

D. Water Quality

Water quality in the Cucamonga Channel is influenced by wastewater discharge, and runoff from urban and agricultural land use, including dairies. A portion of the Cucamonga Channel diverts into the Mill Creek Wetlands (MCW), which is part of the Santa Ana Watershed Project Authority's Integrated Regional Water Management Plan and is designed to treat dry and wet weather flows using wetland processes to address sediments, metals, bacteria, and nutrient removal. It should be noted that the MCW was approved as a regional water quality solution for the residential portions of the Project after the certification of the 2006 EIR. Non-residential land use areas shall construct and install LID BMPs to mitigate water quality impacts. The MCW is a product of public-private partnership, which includes mitigation banking currencies. The MCW is within the Prado Basin.

E. Groundwater

The Specific Plan Area and the Expansion Area are within the Chino Groundwater Basin. Groundwater was not encountered within exploratory borings that have been conducted within the Specific Plan Area to depths up to 51.5 feet below the ground surface (bgs). Further, groundwater levels recorded in the area by the California Department of Water Resources were at a depth of 120 feet below the ground surface (RMA Group, 2022).

5.10.2 Regulatory Background

A. Federal

1. Clean Water Act

The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was substantially reorganized and expanded in 1972. "Clean Water Act" became the Act's common name with amendments in 1972. Under the CWA, the Environmental Protection Agency (EPA) has implemented pollution control programs such as setting wastewater standards for industry, and also has set water quality standards for all contaminants in surface waters. The CWA made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained. EPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Point sources are discrete conveyances such as pipes or man- made ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters.

B. State

1. Porter-Cologne Water Control Act

The Porter-Cologne Act is the principal law governing water quality regulation in California. It establishes a comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and nonpoint sources of pollution. Pursuant to the Porter-Cologne Act (California Water Code Section 13000 et seq.), the policy of the State is as follows:

- That the quality of all the waters of the State shall be protected;
- That all activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason; and
- That the State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation.

The Porter-Cologne Act established nine Regional Water Quality Control Boards (RWQCBs) (based on hydrogeologic barriers) and the State Water Resources Control Board (SWRCB), which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The SWRCB provides program guidance and oversight, allocates funds, and reviews RWQCBs decisions. In addition, the SWRCB allocates rights to the use of surface water. The RWQCBs have primary responsibility for individual permitting, inspection, and enforcement actions within each of nine hydrologic regions. The SWRCB and RWQCBs have numerous non-point source (NPS) related responsibilities, including monitoring and assessment, planning, financial assistance, and management.

The RWQCBs regulate discharges under the Porter-Cologne Act primarily through issuance of NPDES permits for point source discharges and waste discharge requirements (WDRs) for NPS discharges. Anyone discharging or proposing to discharge materials that could affect water quality (other than to a community sanitary sewer system regulated by an NPDES permit) must file a report of waste discharge. The SWRCB and the RWQCBs can make their own investigations or may require dischargers to carry out water quality investigations and report on water quality issues. The Porter-Cologne Act provides several options for enforcing WDRs and other orders, including cease and desist orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecutions.

The Porter-Cologne Act also requires adoption of water quality control plans that contain the guiding policies of water pollution management in California. Regional water quality control plans (basin plans) have been adopted by each of the RWQCBs and get updated as necessary and practical. These plans identify the existing and potential beneficial uses of waters of the State and establish water quality objectives to protect these uses. The basin plans also contain implementation, surveillance, and monitoring plans. The Santa Ana River watershed is within the purview of Santa Ana RWQCB, and the Santa Ana RWQCB's *Santa Ana River Basin Water Quality Control Plan* (Basin Plan) is the governing water quality plan for the region as discussed below.

2. National Pollutant Discharge Elimination System Construction General Permit

Pursuant to Section 402(p) of the CWA, which requires regulations for permitting of certain storm water discharges, the State Water Resources Control Board (SWRCB) has issued a statewide general NPDES Permit for storm water discharges from construction sites ([NPDES No. CAS000002] Water Quality Order 2009-0009-DWQ.[1] Under this Construction General Permit, storm water discharges from construction sites with a disturbed area of one acre or more are required to either obtain individual NPDES permits for storm water discharges or to be covered by the Construction General Permit. Coverage under the Construction General Permit is accomplished by determining the risk level of the construction site and by preparing a Storm Water Pollution Prevention Plan (SWPPP) that includes a

[1] NPDES No. CAS000002, Water Quality Order 2009-0009 DWQ, SWRCB NPDES General Permit for Storm Water Discharges Associated with Construction Activity (adopted by the SWRCB on September 2, 2009, and effective on July 1, 2010). This order was amended by 2010-0014-DWQ, which became effective on February 14, 2011, 2012-0006-DWQ, which became effective on July 17, 2012.

site evaluation and assessment, BMPs to be implemented at the construction site, and an inspection program. The SWPPP should also outline the monitoring and sampling program to verify compliance with discharge Numeric Action Levels (NALs) according to the Risk Level for the site, as set by the Construction General Permit. The primary objective of the SWPPP is to ensure that the responsible party properly construct, implement, and maintain BMPs to reduce or eliminate pollutants in storm water discharges and authorized non-storm water discharges from the construction site. Permit Registration Documents (SWPPP, Notice of Intent, and other documents), as well as annual reports, Notice of Terminations, and NAL exceedance reports, must be electronically submitted to the SWRCB and the permit fee mailed to the SWRCB for Construction General Permit coverage. The SWRCB adopted a revised statewide construction stormwater general permit on September 8, 2022 (2022-0057-DWQ).

Under the terms of the permit, applicants must file permit registration documents (PRD) with the SWRCB prior to the start of construction. The PRDs include a Notice of Intent, risk assessment, site map, Stormwater Pollution Prevention Plan (SWPPP), annual fee, and a signed certification statement. The PRDs are submitted electronically to the SWRCB via the Stormwater Multiple Application and Report Tracking System (SMARTS) website.

Applicants must also demonstrate conformance with applicable best management practices (BMPs) and prepare a SWPPP with a site map that shows the construction site perimeter, existing and proposed buildings, lots, roadways, stormwater collection and discharge points, general topography both before and after construction, and drainage patterns across the project site. The SWPPP must list BMPs that would be implemented to prevent soil erosion and discharge of other construction-related pollutants that could contaminate nearby water resources. Additionally, the SWPPP must contain a visual monitoring program, a chemical monitoring program for nonvisible pollutants if there is a failure of the BMPs, and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment.

3. Sustainable Groundwater Management Act (SGMA)

The 2014 Sustainable Groundwater Management Act (SGMA) requires governments and water agencies of high and medium priority basins to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. Under SGMA, these basins should reach sustainability within 20 years of implementing their sustainability plans. The Department of Water Resources (DWR) categorizes the priority of groundwater basins. For critically over-drafted basins, that will be 2040. For the remaining high and medium priority basins, 2042 is the deadline. The SGMA also requires local public agencies and Groundwater Sustainability Agencies (GSAs) in high- and medium-priority basins to develop and implement Groundwater Sustainability Plans (GSPs) or Alternatives to GSPs. GSPs are detailed road maps for how groundwater basins will reach long term sustainability.

C. *Regional*

1. *Santa Ana River Basin Water Quality Control Plan*

The Santa Ana Regional Board Water Quality Control Plan for the Santa Ana River Basin (Basin Plan) was originally adopted in 2005 and has been subsequently amended through June 2019 (RWQCB, 2019). The Basin Plan is designed to preserve and enhance water quality and to protect the beneficial uses of all regional waters. Specifically, the Basin Plan: 1) designates beneficial uses for surface and subsurface waters (groundwater); 2) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and to conform to the State's anti-degradation policy; 3) describes the implementation plan to achieve water quality objectives and to protect the beneficial uses of all waters in the region; 4) describes the comprehensive monitoring and assessment program used to evaluate the effectiveness of the Basin Plan; and 5) provides an overview of water resource management studies and projects which are in progress in the region. Additionally, the Basin Plan incorporates by reference all applicable State and Regional Board plans and policies.

The Basin Plan establishes or designates beneficial uses and water quality objectives for all the ground and surface waters in the region. Beneficial uses are the uses of water necessary for the survival and well-being of humans, plants, and wildlife. These uses serve to promote the tangible and intangible economic, social, and environmental goals. Water quality objectives are the levels of water quality constituents or characteristics that must be met to protect beneficial uses. The Basin Plan for the Santa Ana River Basin also establishes an implementation program that describes the actions that the Santa Ana RWQCB and others must achieve and maintain for the designated beneficial uses and water quality objectives of the region's waters.

Water bodies that do not meet water quality standards are deemed "impaired" and, under Section 303(d) of the CWA, are placed on a list of impaired waters for which a Total Maximum Daily Load (TMDL) must be developed for the impairing pollutant(s). A TMDL is an estimate of the total load of pollutants from point, non-point, and natural sources that a water body may receive without exceeding applicable water quality standards (with a "factor of safety" included). Once established, the TMDL is allocated among current and future pollutant sources to the water body. TMDLs must consider and include allocations to both point sources and non-point sources of listed pollutants. Table 5.10-1, Receiving Waters, identifies the receiving water the Specific Plan Area is tributary to (in order of upstream to downstream) as well as the 303(d) listed impairment (if any).

Table 5.10-1 Receiving Waters

Receiving Water	303(d) Impairments	Applicable TMDL?	Distance from Project (miles)
Cucamonga Creek Reach 1 (Valley Creek)	Zinc Copper Cadmium Lead	Not Applicable	<0.1 miles
Mill Creek	Indicator Bacteria Nutrients Total Suspended Solids	USEPA Approved Prado Area Streams Pathogen TMDL (2007)	<2 miles
Chino Creek 1A	Indicator Bacteria Nutrients	USEPA Approved Prado Area Streams Pathogen TMDL (2007)	<3 miles
Santa Ana River Reach 3	Copper Indicator Bacteria Lead	USEPA Approved Prado Area Streams Pathogen TMDL (2007)	<4 miles
Prado Basin Management Zone	pH	N/A	<4 miles

Source: (Q3, 2022a, Table 1-3)

2. San Bernardino County National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit

In the San Bernardino County area of the Santa Ana River Basin, management and control of the municipal separate storm sewer system (MS4) is shared by a number of agencies, including the San Bernardino County Flood Control District, San Bernardino County, and the cities of Big Bear Lake, Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, and Yucaipa. On January 29, 2010, the Santa Ana RWQCB (Region 8) issued an area-wide MS4 permit to the county and municipalities in the county. Waste discharge requirements for stormwater entering municipal storm drainage systems are in the MS4 permit, Order no. R8-2010-0036, NPDES No. CAS618036. This permit expired on January 29, 2015. On August 1, 2014, the San Bernardino County Flood Control District submitted a Report of Waste Discharge (ROWD) on behalf of San Bernardino County and its 16 incorporated cities. The submitted report serves as the permit renewal application for the MS4 permit.

The ROWD in conjunction with the *Santa Ana River Watershed Technical Guidance Document for Water Quality Management Plans*, discussed below, set forth BMPs and other water quality control measures to manage water quality for storm water discharges to the municipal storm drain system. The ROWD is the principal policy and guidance document for the countywide NPDES Storm Water Program. The ROWD requires preparation of water quality management plan (WQMPs) (project-specific plan) in connection with new development projects. The City of Ontario is responsible for requiring applicants to submit a WQMP at appropriate discretionary and ministerial permit issuance levels. WQMPs shall identify structural and non-structural BMPs as specified in the Model WQMP manual guidelines for new development and redevelopment, detail BMP implementation, assign long-term maintenance responsibilities and reference the location(s) of structural BMPs.

3. San Bernardino County Stormwater Program

The *Santa Ana River Watershed Technical Guidance Document for Water Quality Management Plans* (Technical Guidance) for the Region 8 area of San Bernardino County is the guidance document for project stormwater design in compliance with Santa Ana RWQCB requirements for Priority Projects or Transportation Projects. The MS4 permit requires that a preliminary project-specific WQMP be prepared early in the project development process and that a Final WQMP be submitted prior to the start of construction. A project specific WQMP is required to address the following:

- Develop site design measures using low impact development (LID) principles.
- Establish project-specific design capture volume and applicable hydrologic conditions of concern requirements.
- Evaluate feasibility of on-site LID BMPs.
- Maximum hydrologic source control, infiltration, and biotreatment BMPs.
- Select applicable source control BMPs.
- Address post-construction BMP maintenance requirements.

The New Model Colony East Water Quality Management Plan Guidance (NMC East WQMPG) was prepared in 2007 in order to establish a uniform and integrated approach in meeting MS4 requirements and provides overall guidance for NMC East Builders and the City of Ontario as it relates to BMP selection and implementation (Stantec, 2007). The integrated approach takes into consideration the combination of on-site BMPs which includes site design features, source control and treatment control BMPs, as well as the construction of the MCW. To comply with the State Trash Mandate adopted by the SARWQCB, measures to ensure waste materials will not be discharged to drainage areas, streambeds, or streams, nor will spoil sites be located in areas that could result in spoil materials being washed into a water body. The Subarea 29 Specific Plan Area and proposed Expansion Area are within the approximately 4,000-acre area addressed in the NMC East WQMPG.

D. Local

1. Standard Conditions of Approval for New Development

The City's standard conditions of approval for new development in the City are outlined in Resolution No. 2017-027 and include the following regulations relevant to the Ontario Ranch area:

- **SC 3.66:** A hydrology study and drainage analysis, prepared in accordance with the San Bernardino County Hydrology Manual and the City of Ontario's Standards and Guidelines, and signed by a Civil Engineer registered in the State of California, shall be submitted to the Engineering Department prior to Grading Plan approval. Additional drainage facilities may be required as a result of the findings of the study.
- **SC 3.68:** Prior to Grading Plan approval and the issuance of a grading permit, an Erosion and Sediment Control Plan shall be submitted to, and approved by, the Engineering Department.

The Erosion and Sediment Control Plan shall identify the BMPs that would be implemented by development projects during construction in order to reduce the discharge of sediment and other pollutants into the City's storm drain system.

- **SC 3.69:** Prior to Grading Plan approval and the issuance of a grading permit, a completed WQMP shall be submitted to, and approved by, the Engineering Department. The WQMP shall be submitted using the San Bernardino County Stormwater Program's model template and shall identify all Post Construction, Site Design, Source Control, and Treatment Control BMPs, that will be incorporated into development project, in order to minimize any potential adverse impacts to receiving waters.

2. Ontario Municipal Code

Ontario Municipal Code (OMC) Section 6-6.206 prohibits specified types of discharges into the City's stormwater drainage system or into any street leading to the drainage system. Section 6-6.208 requires that any persons conducting activities that could potentially contribute to stormwater pollution comply with all applicable BMPs as listed in the California Stormwater Best Management Practice Handbooks or the current San Bernardino County Stormwater Program's ROWD to reduce pollutants in stormwater runoff and reduce non-stormwater discharges to the City's stormwater drainage system to the maximum extent practicable or to the extent required by law. Sections 6-6.501 through 6-6.506 govern discharges into stormwater from construction activities.

5.10.3 Basis for Determining Significance

The City of Ontario evaluates hydrology and water quality impacts based on thresholds of significance included in Appendix G of the CEQA Guidelines. A significant impact related to hydrology and water quality would occur if the Project would:

a. *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater 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 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; 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.

5.10.4 Environmental Impacts and Mitigation

A. Applicable 2006 EIR Mitigation

The following mitigation measures from the 2006 EIR are applicable to and are incorporated into the Project.

MM Hydro 1 In order to ensure that construction activities associated with the Subarea 29 Specific Plan will not cause a violation of any water quality standard or waste discharge requirements and to assure no substantial degradation of water quality occurs, and to implement the intent of mitigation measures included in the Final Environmental Impact Report for the NMC, developments within the project area shall comply with all applicable provisions of the State's General Permit for Construction Activities (Order No. 99-08-DWQ, or most recent version) during all phases of construction. A copy of evidence of the receipt of a Waste Discharge Identification Number from the State Regional Water Quality Control Board shall be filed with the City Engineer along with a copy of the Storm Water Pollution Prevention Plan (SWPPP) maps and BMPs. The City Engineer shall review and approve the provisions of the SWPPP prior to implementation of any SWPPP provision or starting any construction activity.

MM Hydro 2 In order to ensure that development within the Specific Plan will not cause or contribute to violations of any water quality standard or waste discharge requirements, and to assure no substantial degradation of water quality occurs, the project will complete a **Preliminary Water Quality Management Plan (PWQMP) and** Water Quality Management Plan (WQMP) pursuant to the MS4 permit (Order No. 2002-0012) adopted by the City of Ontario **and the State Trash Mandate adopted by the SARWQCB**. The project shall incorporate Site Design BMPs and Source Control BMPs, and potentially Treatment Control BMPs. Table III-7-F and G of the 2006 EIR**, which are included in Technical Appendix I2 of this SEIR,** provide guidelines and BMPs that shall be incorporated as appropriate into project design (on construction drawings) and/or project specifications and implemented in the field to reduce the expected pollutants from various types of development. Prior to acceptance of the WQMP, the City shall assure that maintenance responsibilities of BMPs approved for the project are identified and enforceable. Table III-7-G correlates each BMP to the pollutants of concern which it removes/reduces and/or meets the design objectives for the BMP.

MM Hydro 3 To assure that development within the Specific Plan will not cause a violation of any water quality standard or waste discharge requirements, including San Bernardino County's MS4 permit issued by the SARWQCB, and to assure that no substantial degradation to water quality occurs after construction, any loading docks present within the academic or retail areas designated in the Specific Plan will be designed with devices to trap oil and grease, such that these pollutants are not discharged from the site in storm water or non-storm water discharges.

MM Hydro 4 In order to reduce the risk of flooding and to implement mitigation measures included in the GPA for the NMC Final Environmental Impact Report, prior to issuance of grading permits, the City of Ontario shall coordinate with the San Bernardino County Flood Control District to ensure that the project meets County flood control requirements.

MM Hydro 5 In order to conserve water and to mitigate for any potential unforeseen adverse impacts to a reduction in ground water recharge, the following measure has been recommended by the Chino Basin Water Conservation District. Landscaping within individual development projects will retain and percolate both applied irrigation water and storm water in vegetated areas of parking lots and other areas, where appropriate; "depressed" planted areas bordered by shrubbery screens will be implemented rather than "mounded" grass and shrubbery planted screens.

MM Hydro 6 In order to reduce pollutants in post construction run-off and to implement mitigation measures included in the Final Environmental Impact Report for the NMC, the individual project owners and operators (e.g., homeowner associations, retail center owners, school district, parks department, etc.) shall ensure that all pest control, herbicide, insecticide and other similar substances used as part of maintenance of project features are handled, stored, applied and disposed of by those conducting facility maintenance in a manner consistent with all applicable federal, state and local regulations. According to Title 6, Chapter 6, Section 6 of the City's code, the City Engineer shall monitor and enforce this provision.

B. Impact Analysis

Threshold a: Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that during construction, storm water runoff from the Specific Plan Area would discharge into waterbodies that are currently in violation of water quality standards. In the absence of mitigation, the impact to water quality during the construction from increased erosion or release of hazardous materials were determined to be potentially significant. With implementation of MM Hydro 2, this impact was determined to be less than significant.

The 2006 EIR identified that storm and nuisance run-off water from the Specific Plan Area would be conveyed in the streets and drains to an underground storm drain system, and that following the build out of the Approved Project, pollutants associated with urban land uses would increase and would be present in the surface water runoff post-development. In the absence of mitigation, impacts related to water quality during the operation were determined to be potentially significant. With implementation of MM Hydro 2, MM Hydro 3, and MM Hydro 6, this impact was determined to be less than significant.

The 2006 EIR concluded that existing dairy operations were a primary source of nitrate and total dissolved solids (TDS), and implementation of the Subarea 29 Specific Plan would improve groundwater quality over time, with respect to nitrates and TDS.

The 2006 EIR identified that Reach 1 of the Cucamonga Creek Channel, Mill Creek, and Reach 3 of the Santa Ana River were in violation of their respective water quality standards and cumulative considerable impacts to these water bodies would occur even with the implementation of a construction SWPPP and a WQMP. The 2006 EIR, which was prepared prior to implementation of the MCW, concluded that the Approved Project would result in significant and unavoidable cumulative impacts and a statement of overriding considerations is required. The 2006 EIR further concludes that once the Ontario Ranch and other portions of the Chino Basin that support dairy/agricultural operations convert to urban uses, these impaired water bodies may revert to non-violation status, but until such time as the downstream receiving waters are not in violation, potentially significant and unavoidable cumulative effects could result. The City adopted a Statement of Overriding Consideration for this significant and unavoidable impact.

2. Project Impact Analysis

The Project would be required to comply with the CWA, which authorizes the NPDES permit program that covers point sources of pollution discharging to a water body. The NPDES program also requires operators of construction sites one-acre or larger to prepare a SWPPP and obtain authorization to discharge stormwater under an NPDES construction stormwater permit. The Project also would be required to comply with the California Porter-Cologne Water Quality Control Act (Section 13000 et seq., of the California Water Code), which requires that comprehensive water quality control plans be developed for all waters within the State. The Project site is located within the jurisdiction of the Santa Ana RWQCB.

Construction Impact Analysis

As identified in the 2006 EIR for the approved Specific Plan Area, including PA 30 and 31, construction-related activities resulting from construction within the Amendment Area have the potential to result in impacts to water quality. The grading and construction phases would require the disturbance of surface soils and removal of the existing, limited vegetative cover. During the construction period, grading activities would result in exposure of soil to storm runoff, potentially causing erosion and sedimentation in runoff. Sediments also transport substances such as nutrients,

hydrocarbons, and trace metals, which would be conveyed to the storm drain facilities and receiving waters. Substances such as fuels, oil and grease, solvents, paints and other building construction materials, wash water, and dust control water could also enter storm runoff and be transported to nearby waterways. This could potentially degrade the quality of the receiving waters and potentially result in the impairment of downstream water sources.

Pursuant to the requirements of the Santa Ana RWQCB and the City (Municipal Code Title 6, Chapter 6) and in accordance with 2006 EIR MM Hydro 1, the Project would be required to obtain coverage under the current State General Construction Storm Water Permit. The NPDES permit is required for all projects that include construction activities, such as clearing, soil stockpiling, grading, and/or excavation that disturb at least one (1) acre of total land area. Preparation and implementation of a SWPPP for construction-related activities, including grading would be required. The SWPPP will specify the BMPs that the Project would be required to implement during construction activities to ensure that all potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. Pursuant to the City's Standard Condition 3.68, an Erosion and Sediment Control Plan would also be prepared and implemented during construction; the Erosion and Sediment Control Plan would identify the BMPs that would be implemented by development projects during construction in order to reduce the discharge of sediment and other pollutants into the City's storm drain system. Mandatory compliance with the SWPPP and the Erosion and Sediment Control Plan would ensure that the Project's construction activities do not violate any water quality standards or waste discharge requirements. Therefore, water quality impacts associated with construction activities would be less than significant, consistent with the conclusion of the 2006 EIR.

Operational Impact Analysis

Stormwater pollutants that may be produced during operation of the proposed residential and school uses and roadways are consistent with those identified in the 2006 EIR and include bacteria/virus, nutrients, heavy metals, pesticides, organic compounds, sediments, trash and debris, oxygen demanding substances, and oil and grease (Q3, 2022a). Cucamonga Creek Reach 1, Mill Creek, Chino Creek 1A, Santa Ana River Reach 3, and Prado Basin Management Zone are listed as receiving waters for the Project and have existing Section 303(d) impairments. Therefore, potential waterborne pollutants generated by the Project could contribute to existing Section 303(d) impairments of downstream receiving waters and thus could potentially be considered "pollutants of concern."

In accordance with 2006 EIR MM Hydro 2, and City Standard Condition 3.69, Project-specific WQMPs would be prepared for development within the Amendment Area (PAs 30 through 34), and the WQMPs would adhere to the NMC East WQMPG. Preparation and implementation of Project-specific WQMPs would ensure compliance with the City's NPDES municipal stormwater permit and would minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving water. The WQMP is a site-specific post-construction water quality

management program designed to address the pollutants of concern via BMPs, implementation of which ensure the on-going protection of the watershed basin.

Runoff from the proposed Expansion Area (PAs 32, 33 and 34) is covered by the MCW, which is part of the Santa Ana Watershed Project Authority's Integrated Regional Water Management Plan and is designed to treat dry and wet weather flows using wetland processes to address sediment, metals, bacteria, and nutrient removal. Therefore, per an agreement between the City, Santa Ana RWQCB, and NMC Builders, LLC., only treatment for gross solid pollutants originating in PAs 32, 33 and 34 would be required prior to discharge into the MCW. Due to the construction of the downstream MCW, no other pollutant removal mechanisms are necessary. BMPs to remove gross solids that would be incorporated into the proposed development may include, but not be limited to: nutrient separating baffle boxes (NSBB), Contech continuous deflective separation (CDS) units, catch basin screens, and other approved screening devices. Gross solid removal BMPs can be implemented locally or regionally. Catch basin inlet screening provides local screening at streets and inlets, while regional screening devices can be implemented along the alignments of the storm drain system. These devices typically are "off-line" structures that treat diverted low flows from the main storm drain line. A treatment train of screening devices could be implemented that include both local and regional devices. These devices can be constructed to remove larger gross solids at the catch basins, and finer solid in the regional facilities downstream. Site design BMPs (e.g., maximizing permeable areas, conserving natural areas, and minimizing directly connected impervious areas), and source control BMPs identified in the NMC East WQMPG and summarized in Table 1-3 of the Water Quality Memo included in SEIR Technical Appendix I would also be implemented, as required to comply with applicable water quality regulations, including the State Trash Mandate adopted by the SARWQCB.

Potential water quality impacts resulting from development of residential uses within existing Specific Plan PAs 30 and 31 were analyzed in the 2006 EIR. The proposed Project would also involve the development of residential uses in PA 30 and 31 and would require implementation of non-structural and structural water quality treatment BMPs. As with PAs 32, 33, and 34, development within PAs 30 and 31 would be required to adhere to the NMC East WQMPG, which includes gross solid treatment control devices. Storm water runoff from PAs 30 and 31 could also be included in the MCW mitigation bank. Alternately, BMPs in compliance with applicable Santa Ana RWQCB MS4 permit requirements would be installed within PAs 30 and 31 to address sediment, metals, bacteria, and nutrient removal.

In addition to preparation and implementation of Project-specific WQMPs, development within the Amendment Area would also be required to adhere to 2006 EIR MM Hydro 3, which requires loading docks associated with school uses be designed with devices to trap oil and grease; and, 2006 EIR MM Hydro 6, which requires that storage of hazardous materials complies with applicable regulations. Implementation of the required BMPs would ensure compliance with the MS4 Permit, when utilized in conjunction with the MCW. The MCW also provides exemption from Hydraulic Conditions of Concern (HCOC) for receiving waters.

Groundwater Quality

As previously discussed in Section 5.10.1, groundwater was not encountered during the drilling of soil borings, which extended to depths of approximately 51.5 feet bgs. Therefore, excavation activities associated with the Project, including grading, are not anticipated to encounter significant amounts of groundwater. Nonetheless, the Project would comply with regulatory requirements, including the Construction General Permit, and surface water that may percolate into the soil would not adversely affect groundwater on or off site.

Conclusion

Based on the foregoing analysis, the Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality during long-term operation. Impacts would be less than significant, consistent with the conclusion of the 2006 EIR for Project-level impacts.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

Threshold b:	***Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?***

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that implementation of the Subarea 29 Specific Plan would further the ground water management objectives for the Chino Basin outlined in the Optimum Basin Management Program (OBMP) by limiting recharge into the southern portion of the Basin (Ontario Ranch area). Additionally, since the OBMP anticipated the cumulative impacts of urbanization of the Chino Basin and consequent conversion of agricultural land use (e.g., diminished agricultural ground water extraction and projected need to increase ground water pumping by desalters), no significant individual or cumulative negative impacts to aquifer volume or the ground water table would occur, resulting in a less than significant impact. Nevertheless, mitigation measures were identified to address water conservation and provide for enhanced ground water recharge.

2. Project Impact Analysis

The Project does not propose the installation or use of groundwater wells and would result in the closure and removal of existing groundwater wells within the Amendment Area. As further discussed

in SEIR Section 5.18, Utilities and Service Systems, the closure and removal of the existing groundwater wells would be abandoned in accordance with the California Department of Water Resources Health Guidelines and the City of Ontario Guidelines.

The Project would be served by domestic water provided by the City, direct additions or withdrawals of groundwater are not proposed by the Project. According to the Project-specific Water Supply Assessment (WSA) included in SEIR Technical Appendix N, the City's water demand is accommodated through potable and non-potable water supplies managed by the Ontario Municipal Utilities Company (OMUC). OMUC manages both the potable and non-potable supplies to ensure withdrawals from the Chino Groundwater Basin for domestic demands do not exceed the safe yield for the basin, consistent with and in support of implementation of the Chino Basin Watermaster's OBMP. Groundwater which may be consumed by the Project and the City would be recharged pursuant to the established policies and programs.

The Amendment Area is not a designated groundwater recharge area (CBWCD, 2022). The Project does not propose or require facilities or operations that would otherwise adversely affect designated recharge areas. The potential for the Project to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin is considered less than significant, consistent with the conclusion of the 2006 EIR. Nonetheless, as with the Approved Project, the Project would incorporate MM Hydro 5 to conserve water and ensure that groundwater recharge is not impeded.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

Threshold c:	***Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:***
	i. Result in substantial erosion or siltation on or off site?
	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?

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that there are no streams or rivers located within the Specific Plan Area that would be altered due to implementation of the Subarea 29 Specific Plan. However, the implementation of the Specific Plan would alter the existing drainage pattern of the Specific Plan area with the introduction of urban development and increase in impervious surfaces. Pervious surfaces susceptible to erosion would be reduced; however, the Approved Project would increase the rate and amount of runoff. Surface runoff would drain into an underground storm drain system that is designed to accommodate the estimated surface flows from the Specific Plan Area, and pursuant to MM Hydro 4, County flood control requirements would be met. The 2006 EIR concluded that the implementation of the Approved Project would not result in substantial erosion, siltation, or flooding on or off site. The 2006 EIR also concluded that development within the Specific Plan Area was not within a 100-year flood zone and would not impede or redirect flood flows, resulting in a less than significant impact. Cumulative impacts were also determined to be less than significant.

2. Project Impact Analysis

The 2006 EIR analyzed the development of PAs 30 and 31 and its impact on the existing drainage pattern, and the storm drain infrastructure required to accommodate storm water runoff from these sites has been installed. With the exception of the 48-inch RCP in Eucalyptus Avenue, which would be installed as part of the Project with the development of PA 33, and on-site storm drains within the Amendment Area to convey the on-site flows to the proposed Master Planned lines, the backbone storm drain infrastructure required to serve the Amendment Area has been installed.

As with the previously approved residential development, the proposed residential development within PAs 30 and 31, which would have similar runoff rates and volumes, would adhere to the runoff yield identified in the 2012 MPD. Therefore, no additional analysis of the drainage impacts resulting from development of PAs 30 and 31 is required, and the impact would be less than significant. Following is a discussion of potential impacts resulting from development of the Expansion Area (PAs 32 through 34).

On- or Off-Site Flooding and Stormwater Drainage Systems

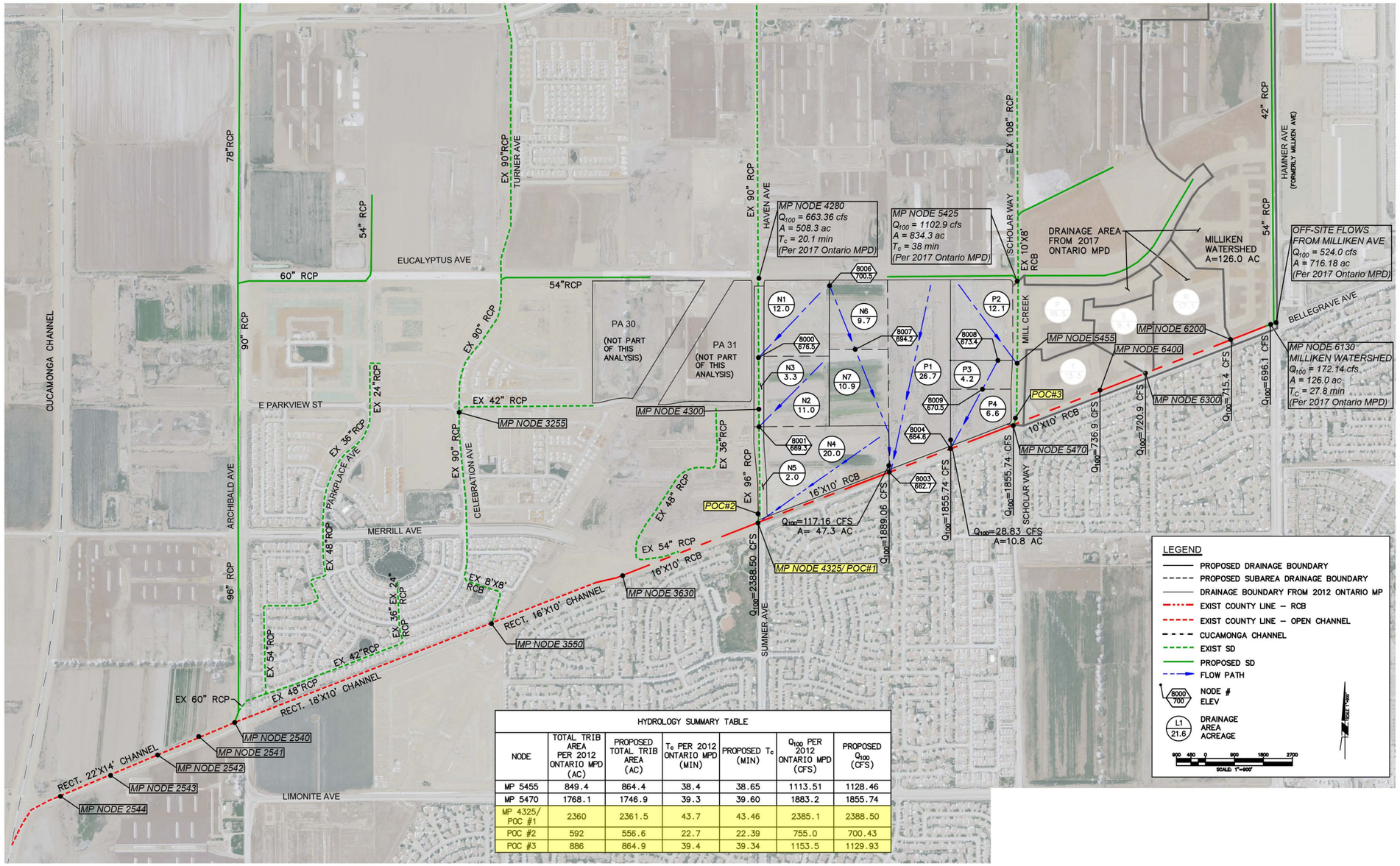
As described in the Hydrology Report included in SEIR Technical Appendix J, the 2012 Ontario MPD assumed the proposed Expansion Area would be developed with low density residential uses, a school area, and open space-water bodies. The proposed Specific Plan Amendment, which involves the development of low-medium density and medium-density residential uses, and school uses in the Expansion Area would result in more impervious surface than contemplated in the 2012 Ontario MPD. Therefore, the capacity of the backbone storm drain infrastructure, which has already been installed, has been evaluated in the Hydrology Report. The hydrology analysis was prepared in accordance with the San Bernardino County Hydrology Manual and used the same hydrologic parameters used in the 2012 Ontario MPD. The 100-year peak flow rates were calculated using the Integrated Rational and Unit Hydrograph Method in Advanced Engineering Software (AES). The land uses for PA 32 and PA 33 were selected from the standard land uses defined in San Bernardino County Hydrology Manual (SBCHM) that most resembled the PA's imperviousness and intended function. PA 32 and PA 33 were assigned the SBCHM land use "Apartments" (80% impervious area) and PA 34 was assigned the SBCHM land use of "School" (40% impervious area).

Figure 5.10-2 presents the proposed condition hydrology map, and Table 5.10-2 shows the peak 100-year flow rate at locations along both the City and County drainage system. As shown in Table 5.10-2, it is estimated that the Amendment Area would contribute 2,388.5 cfs at POC 1; 700.4 cfs at POC 2; and 1,129.9 cfs at POC 3 (Q3, 2022b). Therefore, the Project would result in a 3.4 cfs increase to POC 1, a 54.6 cfs decrease at POC 2, and 23.6 cfs decrease at POC 3. According to the Hydrology Study, POC 1, under existing conditions, has sufficient capacity to accommodate the 3.4 cfs increase in flows generated at the proposed Expansion Area (Q3, 2022b).

Table 5.10-2 Hydrology Point of Connection (POC) Results

POC	Drainage System	Total Tributary Area per 2012 MP (ac)	Proposed Total Tributary Area (ac)	Tc per 2012 MP (min)	Proposed Tc (min)	Q100 per 2012 MP (cfs)	Proposed Q100 (cfs)
1	County Line Channel	2,360	2,361.5	43.7	43.46	2,385.1	2,388.50
2	Haven SD	592.1	556.6	22.7	22.39	755	700.43
3	Mill Creek SD	886.1	864.9	39.4	39.34	1,153.5	1,129.93

Source: (Q3, 2022b, Table 3-1)



HYDROLOGY SUMMARY TABLE

NODE	TOTAL TRIB AREA PER 2012 ONTARIO MPD (AC)	PROPOSED TOTAL TRIB AREA (AC)	T_c PER 2012 ONTARIO MPD (MIN)	PROPOSED T_c (MIN)	Q_{100} PER 2012 ONTARIO MPD (CFS)	PROPOSED Q_{100} (CFS)
MP 5455	849.4	864.4	38.4	38.65	1113.51	1128.46
MP 5470	1768.1	1746.9	39.3	39.60	1883.2	1855.74
MP 4325/ POC #1	2360	2361.5	43.7	43.46	2385.1	2388.50
POC #2	592	556.6	22.7	22.39	755.0	700.43
POC #3	886	864.9	39.4	39.34	1153.5	1129.93

Source(s): Q3 Consulting (05-11-2022)

Figure 5.10-2

Not to Scale

Proposed Condition Hydrology Map

The peak flows for the Haven Avenue and Mill Creek Avenue storm drains (POC 2, POC 3) are less than the 2012 Ontario MPD peak flows. This is primarily due to the reduction of proposed flows to discharge to the Haven Avenue and Mill Creek Avenue storm drains compared to the previous 2012 Ontario MPD. Based on the proposed design, areas that were once tributary to the Haven Avenue and Mill Creek Avenue storm drain lines (Areas N6, N7, P1, P3, P4 as shown on Figure 5.10-2) in the MPD are now proposed to drain directly to the County Line Channel. The difference in tributary areas for the Haven Avenue and Mill Creek Avenue storm drains between the 2012 Ontario MPD and the proposed drainage design are presented on Figure 5.10-3 and Figure 5.10-4, respectively.

The Hydrology Report also provides a hydraulic analysis for the County Line Channel and the Haven Avenue and Mill Creek Avenue storm drain lines. Based on this analysis, the County Line Channel and main storm drain lines servicing the proposed Expansion Area maintain adequate freeboard capacity for the proposed change in land use designations. Therefore, development of residential and school uses in PAs 32, 33 and 34, per the proposed Subarea 29 Specific Plan Amendment, would not require new or expanded storm drainage facilities beyond the existing backbone storm drain system.

The Project would not result in on- or off-site flooding and would not result in exceeding the capacity of the existing stormwater drainage system. Impacts would be less than significant consistent with the conclusion of the 2006 EIR. Nonetheless, as required by 2006 EIR MM Hydro 4, San Bernardino County Flood Control District would review the storm drain system during final design to ensure that the Project meets County flood control requirements.

Erosion and Siltation/Polluted Runoff

As described above under Threshold "a" above, because short- and long-term water quality controls (i.e., BMPs) consistent with applicable regulatory requirements would be installed, the Project would not result in substantial erosion or siltation on or off site during both construction and operation or provide substantial additional sources of polluted runoff. Implementation of the Project would result in less than significant impacts consistent with the conclusion of the 2006 EIR.

Flood Flows

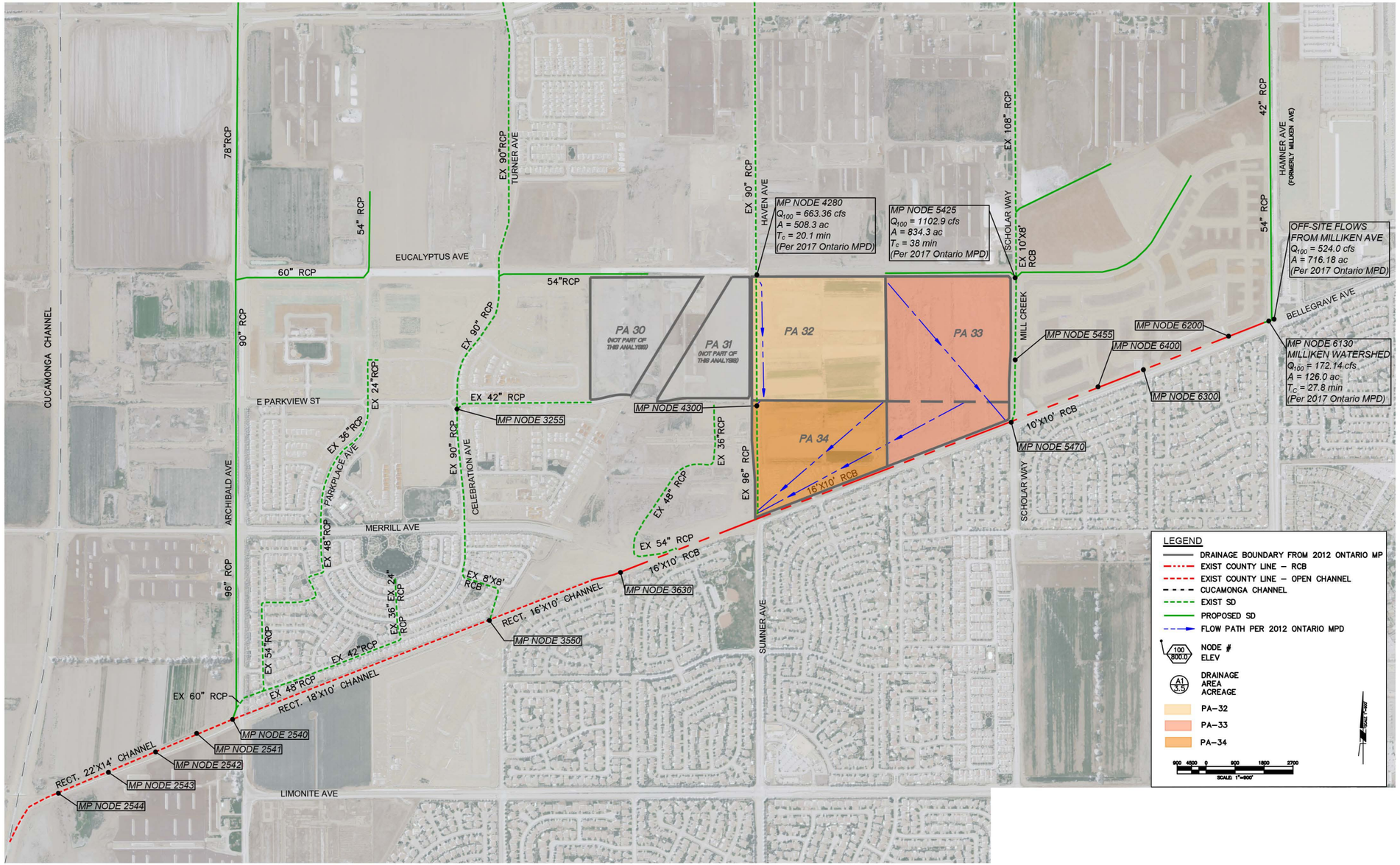
The Amendment Area is not within a 100-year flood hazard area (City of Ontario, 2022b; FEMA, 2008); therefore, the Project would not redirect or impede flood flows. No impacts would occur, consistent with the conclusion of the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measure are required.

Level of Significance After Mitigation

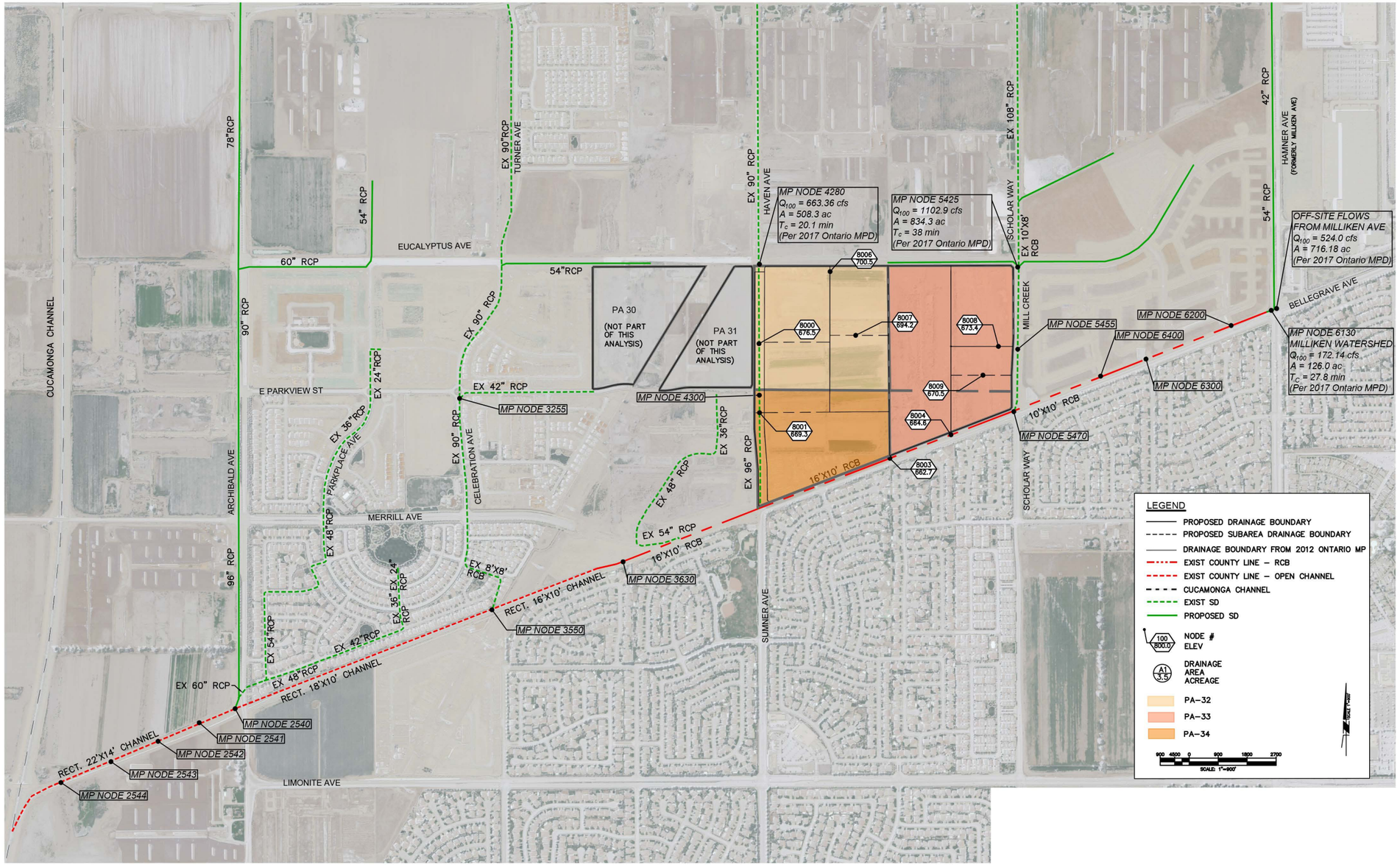
Less than significant impacts.



Source(s): Q3 Consulting (05-11-2022)

Figure 5.10-3

Not to Scale



Source(s): Q3 Consulting (05-11-2022)

Figure 5.10-4

Not to Scale

Proposed Tributary Delineation

Threshold d: ***Would the Project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?***

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that the Approved Project site is not within a flood hazard zone, is not within a dam inundation zone, and is not in proximity to a large body of water and no project or cumulative impacts related to inundation would result.

2. Project Impact Analysis

The Pacific Ocean is located over 40 miles southwest of the Amendment Area and there is no potential for the Amendment Area to be impacted by a tsunami as tsunamis typically only reach up to a few miles inland. Additionally, the Amendment Area is not subject to flooding due to a seiche as seiches occur on enclosed or partially enclosed bodies of water. The nearest large, enclosed body of water is a quarry located approximately 3.0 miles northeast of the Amendment Area. Therefore, due to distance, intervening topography, and intervening development, the Project would not be subject to inundation due to a seiche. As discussed previously, the Amendment Area is not within a flood hazard area; therefore, the Project is not subject to inundation due to storm related flooding.

According to Figure S-04, Dam Inundation Zones, of the TOP 2050 Policy Plan Safety Element, the Amendment is within the potential inundation zone for the San Antonio Dam (City of Ontario, 2022b). The Expansion Area is located approximately 13.0 miles southeast of the San Antonio Dam. The dam is owned and operated by the United States Army Corps of Engineers (USACE) and functions as a flood control and debris dam for San Antonio Creek. Additionally, there are several debris basins in the surrounding areas that impact the northern and eastern parts of the City. The probability of dam failure is very low, and the City has never been impacted by a major dam failure. Dams in California are monitored and inspected annually by the California Division of Safety of Dams (DSOD). In addition, dam owners are required to maintain Emergency Action Plans (EAPs) that include procedures for damage assessment and emergency warnings. An EAP identifies potential emergency conditions at a dam and specifies preplanned actions to help minimize property damage and loss of life should those conditions occur. EAPs contain procedures and information that instruct dam owners to issue early warning and notification messages to downstream emergency management authorities. In addition, flooding would be minimal if any of the debris basins were to fail. As identified in the TOP 2050 Final SEIR, because the likelihood of catastrophic failure of the San Antonio Dam is very low and the City has EAP notification procedures, impacts of release of pollutants due to dam inundation are considered less than significant (City of Ontario, 2022a).

In summary, the Project would not result in the risk of release of pollutants due to project inundation. Impacts would be less than significant.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impacts.

Threshold e: Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

1. Summary of Previous Environmental Analysis

The water quality analysis presented in the Hydrology and Water Quality section of the 2006 EIR demonstrates that implementation of the Subarea 29 Specific Plan would comply with the *Santa Ana River Basin Water Quality Control Plan* requirements. The preparation of sustainable groundwater management plans was not required when the 2006 EIR was prepared; however, the 2006 EIR did address impacts to groundwater and impacts were determined to be less than significant.

2. Project Impact Analysis

As previously discussed, the Amendment Area is within the Santa Ana River Basin; thus, Project-related construction and operational activities would be required to comply with the *Santa Ana River Basin Water Quality Control Plan* by preparing and adhering to a SWPPP and WQMP. Implementation of the Project would not conflict with or obstruct implementation of the *Santa Ana River Basin Water Quality Control Plan* and impacts would be less than significant.

The 2014 SGMA requires local public agencies and GSAs in "high"- and "medium"-priority basins to develop and implement GSPs or Alternatives to GSPs (DWR, 2022a). GSPs are detailed road maps for how groundwater basins will reach long term sustainability. The DWR currently categorizes the Chino Groundwater Basin as a "low-priority" and adjudicated basin; therefore, the Chino Groundwater Basin is not subject to the requirements of the SGMA (DWR, 2022b). Additionally, Section 10720.8(a) of the SGMA exempts adjudicated basins (including the Chino Groundwater Basin specifically) from the SGMA's requirement to prepare a GSP. Accordingly, the Project has no potential to conflict with or obstruct implementation of a sustainable groundwater management plan.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impacts.

5.10.5 Cumulative Impact Analysis

This cumulative impact analysis considers development of the Project in conjunction with other development projects and planned development in the Santa Ana River Basin and Chino Groundwater Basin.

Project construction and the construction of other projects in the cumulative study area would have the potential to contribute waterborne pollution, including erosion and siltation, to the Santa Ana River Basin. Pursuant to the requirements of the State Water Resources Control Board and the Santa Ana RWQCB, all construction projects that disturb one (1) or more acres of land area are required to obtain coverage for construction activities under the State's General Construction NPDES Permit. To obtain coverage, an effective site-specific SWPPP is required to be developed and implemented. The SWPPP must identify potential on-site pollutants and identify an effective combination of erosion control and sediment control measures to reduce or eliminate discharge of pollutants to surface waters. In addition, the Project Applicant and all cumulative developments in the Santa Ana River Basin would be required to comply with the Santa Ana RWQCB's S*anta Ana River Basin Water Quality Control Program*, which establishes water quality standards for ground and surface waters of the region. Compliance with these mandatory regulatory requirements would ensure that development projects within the Santa Ana River Basin, including the proposed Project, would not contribute substantially to water quality impairments during construction.

Operational activities with the Amendment Area would be required to comply with site-specific WQMPs to minimize the amount of waterborne pollution, including erosion and sediment, discharged from the site. Other development projects within the watershed would similarly be required by law to prepare and implement site-specific WQMPs to ensure that runoff does not substantially contribute to water quality violations. Additionally, with implementation of the 2006 EIR MMs Hydro 1 through 3 and 6 in conjunction with the MCW, the Project would not contribute to water quality impacts. Moreover, because the Project's proposed uses were anticipated by TOP 2050, the water quality effects due to the development of the Amendment Area were analyzed in TOP 2050 SEIR, which determined that the implementation of TOP 2050 would not result in cumulatively considerable water quality impacts. Accordingly, operation of the Project would not contribute to cumulatively-considerable water quality effects.

The Project does not include the installation or use of groundwater wells on site; the Project would abandon and remove the existing groundwater wells on site. Although the Project would increase impervious surface coverage within the Amendment Area as compared to existing conditions, the Project would not substantially interfere with groundwater recharge for the Chino Groundwater Basin. Additionally, preparation and implementation of WQMPs would ensure that runoff from the Amendment Area does not contain substantial pollutants that could impair surface or groundwater quality. Other developments within the cumulative study area would also be required to implement operational WQMPs and would be required to demonstrate that overall runoff does not substantially change in terms of peak volumes or total volumes of runoff. Therefore, the Project would result in a less than cumulatively considerable impact to groundwater supply, recharge, and quality.

Construction of the Project and other development project within the Santa Ana River Basin would be required to comply with applicable federal, State, and local regulation and applicable regional and local master drainage plans to mitigate flood hazards on and off site. Compliance with applicable federal, State, and local regulations and applicable drainage plans would require development site to be protected from flooding during peak storm events (i.e., 100-year storm) and would not allow

development project to expose downstream properties to increased flooding risks during peak storm events. Additionally, future development proposals within the Santa Ana River Basin would be required to prepare hydrologic and hydraulic calculations, subject to review any approval by the responsible City/County Engineer to demonstrate that substantial on- or off-site flood hazards would not occur. As discussed under Threshold "c," increased storm water runoff from the Expansion Area would not exceed the capacity of existing storm drain infrastructure. Additionally, storm water runoff from existing PAs 30 and 31 would adhere to the runoff yields identified in the 2012 Ontario MPD. Because the Project and all other developments throughout the Santa Ana River Basin would be required to comply with applicable federal, State, and local regulations to ensure that stormwater discharges do not substantially exceed existing volumes or exceed the volume of available conveyance infrastructure, a substantial cumulative impact related to flood hazards would not occur.

The Amendment Area is not within a special flood hazard area. Accordingly, development on the Project site would have no potential to impede or redirect flood flows and a cumulatively-considerable impact would not occur.

The Project would have no impacts related to the risk of release of pollutants due to inundation resulting from flooding, seiche, or tsunami and would have less than significant impacts related to the release of pollutants due to dam failure. Therefore, the Project would not result in a cumulatively considerable contribution to a significant cumulative impact associated with pollutant release due to inundation.
The Project would not conflict with any water quality control plans or sustainable groundwater management plans. As such, the Project would not conflict with such plans on a cumulative basis; no significant cumulative impacts from the Project related to conflicts with water quality control plans or sustainable groundwater management plan would occur.

5.10.6 References

City of Ontario. 2022a. *The Ontario Plan 2050, Figure S-03, Flood Hazard Zones*. https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/Safety/Figure%20S-03%20Flood%20Hazard%20Zones.pdf

City of Ontario. 2022b. *The Ontario Plan 2050, Figure S-04, Dam Inundation Zones*. https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/Safety/Figure%20S-04%20Dam%20Inundation%20Zones.pdf

California Department of Water Resources (DWR). 2022a. Website: *Groundwater Sustainability Plans*. https://water.ca.gov/Programs/Groundwater-Management/SGMA-Groundwater-Management/Groundwater-Sustainability-Plans

California Department of Water Resources (DWR). 2022b. *Sustainable Groundwater Management Act (SGMA) Basin Prioritization Dashboard*. https://gis.water.ca.gov/app/bp-dashboard/final/

Federal Emergency Management Agency (FEMA). 2008. *FEMA Flood Map Service Center*. https://msc.fema.gov/portal/search?AddressQuery=Parkview%20Elementary%20School%2C%20Ontario%2C%20CA#searchresultsanchor

Q3 Consulting (Q3). 2022a. *Subarea 29 Specific Plan Amendment – Water Quality Memo*. May 11, 2022.

Q3 Consulting (Q3). 2022b. *Subarea 29 Specific Plan Amendment Hydrology and Hydraulics Report*. May 11, 2022.

5.11 LAND USE AND PLANNING

This section includes a description of the Amendment Area (including Planning Areas [PAs] 30 and 31 and the proposed Expansion Area [PAs 32, 33, and 34]), and surrounding land uses and an evaluation of the Project's consistency with land use and planning policies adopted by the City of Ontario (City) and other governing agencies for the purpose of avoiding or mitigating environmental effects. Information presented in this section is based on review of relevant regional and local planning programs including, but not limited to, the Policy Plan (General Plan) component of *The Ontario Plan 2050* (TOP 2050) (City of Ontario, 2022a), and *The Ontario Plan 2050 Final Supplemental Environmental Impact Report* (SCH No. 2021070364) (TOP 2050 SEIR) certified in August 2022 (City of Ontario, 2022b); the Ontario Municipal Code; the Southern California Association of Governments (SCAG) *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)* (*Connect SoCal*) (SCAG, 2020); and the Subarea 29 Specific Plan. References used to prepare this section are provided in 5.11.6.

5.11.1 ENVIRONMENTAL SETTING

A. City of Ontario

The City developed from a small agricultural town centered mainly on the citrus industry to a suburban community with a large manufacturing and industrial base. The developed lands north of Riverside Drive represent what was the City's boundary prior to the annexation of the New Model Colony (now referred to as "Ontario Ranch") in 1999, and is called the Original Model Colony. The Ontario Ranch area is located south of Riverside Drive, and includes the current Subarea 29 Specific Plan Area (Specific Plan Area), and the proposed Expansion Area. Ontario Ranch was predominantly used for citrus and dairy agriculture, and is still used for dairy, poultry, and row crop agriculture, and it has some residential land uses. These residential land uses are older, single-family land uses and newer planned communities. Portions of the land are under contract with the City through the Williamson Act of 1964 to preserve agriculture land. However, as Ontario Ranch continues to develop, these contracts would expire or would be terminated (City of Ontario, 2022b).

Existing residential areas tend to be in the older portions of the City west of Grove Avenue and north of Riverside Drive, and scattered throughout Ontario Ranch. Commercial land uses are prominent in the historic downtown area, mostly along Euclid and Holt Avenues; around the Ontario International Airport (ONT), and the business parks and industrial areas surrounding the ONT; and around the Ontario Mills commercial and entertainment complex. Industrial and employment-based centers are prominent in Ontario, especially in the eastern portions of the City and areas surrounding the ONT and Chino Airport in Ontario Ranch. In this area, types of businesses include light manufacturing, research and development, and technology development, as well as medical services, entertainment venues, retail stores, galleries, health clubs, financial institutions, day care facilities, and professional offices. Notable, public open space areas in the City include the Whispering Lakes Golf Course north of Riverside Drive and the Cucamonga-Guasti Regional Park in north Ontario (City of Ontario, 2022b).

B. Subarea 29 Specific Plan Area

The existing Specific Plan Area encompasses approximately 539.7 acres in the Ontario Ranch area of the City, and is bound by Eucalyptus Avenue to the north, Riverside County Flood Control Channel and Bellegrave Avenue to the south, Haven Avenue to the east, Cucamonga Creek Channel to the west. The southern boundary of the Specific Plan Area is also the jurisdictional boundary for the City/San Bernardino County and the City of Eastvale/Riverside County.

When the *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009) (2006 EIR) (City of Ontario, 2006) was prepared, the Specific Plan Area and proposed Expansion Area were comprised of operating dairies, agricultural, and open space uses. The current condition of the Specific Plan Area is shown on the aerial photograph provided on Figure 4-1, in Section 4.0, Environmental Setting. With the exception of the planned uses in PA 2 (commercial) at the southwest corner of Eucalyptus Avenue and Archibald Avenue, and PAs 30 and 31 (197 residential units), the previously approved Subarea 29 Specific Plan uses are constructed/occupied or under construction. Approved units in PA 1, PA 27, PA 28, and PA 29 (734 units) are under construction; the elementary school in PA 18 opened in Fall 2022. Therefore, the planned transition from previous dairy, agricultural, and open space uses anticipated in the 2006 EIR is occurring. The existing development with the Specific Plan Area is being developed pursuant to the Subarea 29 Specific Plan, further discussed below.

C. Amendment Area and Adjacent Land Uses

The Amendment Area encompasses approximately 151.1 acres, including PAs 30 and 31 (approximately 37.9 acres) and the proposed Expansion Area (including new PAs 32, 33, and 34, approximately 113.2 acres). The proposed Expansion Area is bound by Eucalyptus Avenue on the north, Haven Avenue on the west, Mill Creek Avenue on the east, and Bellegrave Avenue on the south.

Existing uses within PAs 30 and 31 include dairy farming and agriculture uses, and farm structures that supported previous agricultural activities. The entire area was previously disturbed, and the vegetation communities are limited to agricultural and ruderal. A Southern California Edison (SCE) corridor (approximately 8.5 acres) bisects existing PAs 30 and 31. The southwest corner of the Expansion Area includes a disturbed lot previously occupied by a trucking company. The western portion of the Expansion Area is used for agriculture production and the eastern portion of the Expansion Area is disturbed and undeveloped.

Agricultural lands such as dairies, stockyards, row crops, and nurseries are located north of the Amendment Area (north of Eucalyptus Avenue) and are planned to be developed with residential uses per the Grand Park Specific Plan, and the area to the east (east of Mill Creek Avenue) is currently being developed with residential uses per the Esperanza Specific Plan. The area south of the Amendment Area is developed with existing residential uses in the City of Eastvale. Residential uses in the Specific Plan Area are currently under construction to the west of the proposed Expansion Area and south of existing PAs 30 and 31.

5.11.2 Regulatory Background

A. *Regional*

SCAG's Connect SoCal is the regional land use plan/program particularly relevant to the Project, and is discussed below. Other regional plans/programs relevant to Project that address environmental issues include the South Coast Air Quality Management District (SCAQMD) Air Quality Management Plan (AQMP), discussed in SEIR Section 5.3, Air Quality; the Ontario International Airport Land Use Compatibility Plan (ALUCP) and Chino Airport ALUCP, discussed in SEIR Section 5.9, Hazards and Hazardous Materials; and, the Santa Ana Regional Water Quality Control Board (RWQCB) Santa Ana River Basin Water Quality Control Plan, discussed in SEIR Section 5.10, Hydrology and Water Quality.

1. Southern California Association of Governments (SCAG)

SCAG is a Joint Powers Authority (JPA) under California State law, established as an association of local government and agencies that voluntarily convene as a forum to address regional issues. Under federal law, SCAG is designated as a Metropolitan Planning Organization (MPO) and under State law as a Regional Transportation Planning Agency and a Council of Governments. The SCAG region encompasses six counties (San Bernardino, Riverside, Los Angeles, Orange, Ventura, and Imperial) and 191 cities in an area covering more than 38,000 square miles. As the designated MPO, the federal government mandates SCAG to research and draw up plans for transportation, growth management, hazardous waste management, and air quality. Additionally, SCAG reviews environmental impact reports for projects having regional significance to ensure they are in line with approved regional plans (SCAG, 2022). As identified in Section 15206 of the CEQA Guidelines, regionally significant projects include residential development of more than 500 dwelling units. Therefore, this Project is considered regionally significant and subject to review by SCAG.

Connect SoCal (2020-2045 Regional Transportation Plan/Sustainable Communities Strategy)

Pursuant to Senate Bill (SB) 375, SCAG is responsible for preparation of the RTP/SCS. On September 3, 2020, SCAG's Regional Council adopted *Connect SoCal*. *Connect SoCal*, with a horizon year of 2045, is a long-range visioning plan that builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. *Connect SoCal* allows public agencies who implement transportation projects to do so in a coordinated manner, while qualifying for federal and state funding. The plan includes robust financial analysis that considers operations and maintenance costs to ensure our existing transportation system's reliability, longevity, resilience, and cost effectiveness. In addition, *Connect SoCal* is supported by a combination of transportation and land use strategies that outline how the region can achieve California's greenhouse gas emission (GHG) reduction goals and federal Clean Air Act requirements. The plan also strives to achieve broader regional objectives, such as the preservation of natural lands, improvement of public health, increased roadway safety, support for the region's vital goods movement industries and more efficient use of resources.

The goals of *Connect SoCal* fall into four core categories: economy, mobility, environment, and healthy/complete communities. The plan explicitly lays out goals related to housing, transportation technologies, equity, and resilience to adequately reflect the increasing importance of these topics in the region, and where possible the goals have been developed to link to potential performance measures and targets. (SCAG, 2020) The *Connect SoCal* goals are outlined in Table 5.11-2, SCAG Connect SoCal Consistency Analysis, under the impact analysis for Threshold "b" in Section 5.11.4 below.

B. Local

1. The Ontario Plan

The City adopted The Ontario Plan 2050 (TOP 2050) on August 16, 2022. TOP is the community's blueprint for future development through 2050. TOP provides for lasting policies to accommodate change. It consists of a six-part Component Framework: 1) Vision, 2) Governance Manual, 3) Policy Plan, 4) City Council Priorities, 5) Implementation, and 6) Tracking and Feedback. The TOP 2050 Policy Plan, which is the City's General Plan, states long-term goals, principles, and policies for achieving Ontario's Vision. The General Plan is made up of nine elements: Land Use, Housing, Mobility, Safety (including Noise), Environmental Resources (including Conservation), Parks and Recreation (including Open Space), Community Economics, Community Design, and Social Resources. The Project's consistency with established policies adopted for the purpose of avoiding or mitigating an environmental effect is evaluated in Table 5.11-3, The Ontario Plan Policy Plan/General Plan Consistency Analysis, provided under Threshold "b" in Section 5.11.4 below.

The existing land use designations for the Amendment Area (PAs 30 and 31 and the proposed Expansion Area) as presented on the City's Land Use Element are shown on Figure 4-2, Existing TOP 2050 Policy Plan Land Use Designations, in SEIR Section 4.0, Environmental Setting, and in Table 5.11-1, Existing TOP Land Use Designations. The adopted TOP 2050 land use designations for the Amendment Area are consistent with the proposed Subarea 29 Specific Plan Amendment (proposed Subarea 29 SPA).

2. City of Ontario Development Code

The City of Ontario Development Code is designed to promote and protect the public health, safety, and general welfare in the community. Development Code Chapter 5, Zoning and Land Use, establishes zoning designations and development standards to regulate orderly development. Based on review of the City's Zoning Map, PAs 30 and 31 (western portion of the Amendment Area) are zoned as Specific Plan (SP) District (Subarea 29 Specific Plan), and the proposed Expansion Area (eastern portion of the Amendment Area is zoned as SP (Specific Plan) with an AG (Agriculture) Overlay (City of Ontario, 2015).

Pursuant to Division 5.02, General Land Use Provisions, of the Development Code, the SP zoning district is established to accommodate the adoption of Specific Plans pursuant to Exhibit LU-05 (Additional Plans Map) of the Policy Plan component of TOP 2050. All land uses, activities, and facilities within the SP zoning district shall only be allowed pursuant to the applicable Specific Plan document. The AG Overlay District is established to accommodate the continuation of agricultural

uses within the City until it is developed as per the Policy Plan component of TOP 2050 and the underlying zoning district. The intent of the AG Overlay District is to permit continued agricultural use of properties or to establish general agricultural uses appropriate for areas of concentrated agricultural uses.

Table 5.11-1 Existing TOP Land Use Designations

Planning Area	TOP 2050 Land Use Designation	Description of Land Use Designation
PA 30	Low Density (2.1 – 5 du/acre) Low-Medium Density (5.1 – 11 du/acre) Medium Density (11.1 – 25 du/ac)	**Low Density (2.1 – 5 du/ac):** Single-family detached residences. **Low-Medium Density (5.1 – 11 du/acre):** Single/multi-family attached and detached residences, including small lot subdivisions, townhouses, and courtyard homes. **Medium Density (11.1 – 25 du/ac):** Single/multi-family attached and detached residences including townhouses, stacked flats, courtyard homes, and small lot single-family subdivisions. **Public School:** Public schools (K-12) and universities. **Open Space-Water:** Existing or planned water amenities that can accommodate recreational uses such as boating and fishing. **Open Space – Non-Recreation:** Open space that includes utility easements, and drainage channels. We desire to realize multiple uses from these open spaces, such as trails, greenways, joint-use recreational amenities, landscaped parkway/medians, parking lots, and nurseries.
PA 31	Low-Medium Density (5.1 – 11 du/acre) Medium Density (11.1 – 25 du/ac)	
PA 32	Low-Medium Density (5.1 – 11 du/acre) Medium Density (11.1 – 25 du/ac)	
PA 33	Low-Medium Density (5.1 – 11 du/acre)	
PA 34	Public School	
SCE Corridor	Open Space – Non-Recreation	

Source: TOP 2050, Figure LU-02, Land Use Designation Summary Table, Adopted August 15, 2022 (City of Ontario, 2022a)

5.11.3 Basis for Determining Significance

The City of Ontario evaluates land use and planning impacts based on thresholds of significance included in Appendix G of the CEQA Guidelines. A significant impact related to land use and planning would occur if the Project would:

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.*

5.11.4 Environmental Impacts and Mitigation

A. Applicable 2006 EIR Mitigation

The 2006 EIR did not identify any MMs related to land use and planning.

B. Impact Analysis

Threshold a: Would the Project physically divide an established community?

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that the Specific Plan area is not within a "community" and all major circulation routes would be maintained throughout the area, implementation of the Subarea 29 Specific Plan would not interfere or adversely disrupt or divide the physical arrangement of a community, and no impact would occur.

2. Project Impact Analysis

As previously identified, the Amendment Area includes dairy farming and agriculture uses, and farm structures that supported previous agricultural activities. The entire area has been previously disturbed. Agricultural lands are located north of the Amendment Area (north of Eucalyptus Avenue) and are planned to be developed with residential uses per the Grand Park Specific Plan, and the area to the east (east of Mill Creek Avenue) is currently being developed with residential uses per the Esperanza Specific Plan. The area south of the Amendment Area is developed with existing residential uses in the City of Eastvale. Residential uses in the Specific Plan Area are currently under construction to the west of the proposed Expansion Area and south of existing PAs 30 and 31. The Project would expand the existing Specific Plan Area, similar to existing and planned surrounding uses, and would not involve the construction of any new utility infrastructure or roadways that would physically divide an established community. No impact would occur consistent with the conclusion of the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

No impact.

Threshold b: Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

1. Summary of Previous Environmental Analysis

The 2006 EIR identified that when the EIR was prepared the majority of the area around the Specific Plan Area consisted of dairies or agricultural uses, with dairy farms, row crops, and agricultural related structures. The City of Ontario adopted a General Plan Amendment (GPA) for the New Model Colony (now referred to as "Ontario Ranch") on January 7, 1998, which established General Plan Land Use Designations for the Specific Plan Area. The 2006 EIR concluded that development pursuant to the Subarea 29 Specific Plan would generally be consistent with the planned and existing land uses in the

area, and would not conflict with the land use designations and land use policies identified in the GPA for the New Model Colony. Therefore, implementation of the Subarea 29 Specific Plan would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, and land use impacts were determined to be less than significant.

2. Project Impact Analysis

This SEIR analyzes the physical environmental effects associated with all components of the Project, including Project construction and operation associated with development that would be allowed by the proposed Specific Plan Amendment. The Project's consistency with land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect is discussed below.

❑ Connect SoCal

SCAG's *Connect SoCal*, the adopted 2020-2045 RTP/SCS, builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. The long-range visioning plan balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health. *Connect SoCal* identifies voluntary best practices to approach growth and infrastructure challenges in an integrated and comprehensive way. The *Connect SoCal* goals are meant to local lead agencies and decision makers as they consider proposed development, but are not necessarily applicable to individual development proposals, such as the Project. As requested by SCAG in its comment letter on the Draft SEIR Notice of Preparation, Table 5.11-2, SCAG Connect SoCal Consistency Analysis, addresses the Project's consistency with *Connect SoCal* goals. As demonstrated through this analysis, implementation of the Project would not conflict with the *Connect SoCal* goals.

Table 5.11-2 SCAG Connect SoCal Consistency Analysis

Connect SoCal Goal Number	Goal Statement	Project Consistency
1	Encourage regional economic prosperity and global competitiveness.	**No Conflict.** This goal would be implemented by cities and the counties within the SCAG region as part of comprehensive local and regional planning efforts. The Project would allow for the development of residential and school uses pursuant to the proposed Subarea 29 SPA, and consistent with TOP 2050. Development of the Amendment Area, which is currently being used for agricultural uses, or is vacant, and the proposed development would create housing, which would provide economic benefits to the City and the region.
2	Improve mobility, accessibility, reliability, and travel safety for people and goods.	**No Conflict.** Access to the Project site would be provided from roadways adjacent to the Amendment Area, which provide access to State Route (SR)-60 (approximately 2.7 mile to the north) and Interstate (I)-215 (approximately 1.0 mile to the east). As described in SEIR Section 3.0, Project Description, the Project would involve improvements to these roadways, and would provide pedestrian, bicycle, and transit facilities. These improvements would comply with City standards for public roadways and would benefit persons of all social and economic groups

Connect SoCal Goal Number	Goal Statement	Project Consistency
		who utilize these roadways. Additionally, the Project would include installation of access driveways and an internal network of drive aisles to serve the proposed uses, which would meet applicable standards for access, width, and turning radii.
3	Enhance the preservation, security, and resilience of the regional transportation system.	**No Conflict.** This policy would be implemented by cities and the counties within the SCAG region as part of the overall planning and maintenance of the regional transportation system. The Project would be consistent with planned land use and growth assumptions for the City, as anticipated in TOP 2050. In addition to the construction of roadway improvements, the Project Applicant would pay applicable Development Impact Fees (DIF) and fair share fees that would fund additional traffic improvements in the study area and maintenance of roadway infrastructure in the City. The Project would not hinder the City's or other agency efforts to enhance the regional transportation system.
4	Increase person and goods movement and travel choices within the transportation system.	**No Conflict.** The Project involves the development of residential and school uses within the Amendment Area. As identified above, the Project would construct vehicular and non-vehicular circulation improvements. Additionally, the Amendment is located near existing transit routes easily accessible to future residents and employees.
5	Reduce greenhouse gas emissions and improve air quality.	**No Conflict.** An analysis of the Project's environmental impacts is provided throughout this SEIR and mitigation measures are specified where warranted. Air quality impacts are addressed in SEIR Section 5.3, Air Quality, and GHG emissions are addressed SEIR Section 5.8. Air quality impacts would be reduced to the maximum extent feasible through the implementation of mitigation measures, and GHG emission impacts would be less than significant through required compliance with the City's Community Climate Action Plan (CCAP), which was also adopted in August 2022. As further addressed in SEIR Section 5.16, Transportation, the vehicle miles traveled (VMT) analysis for the Project indicates that the Origin/Destination (OD) VMT per service population (VMT/SP) for both Planning Areas 30-34 and for the total Specific Plan Area is lower than the Citywide average OD VMT/SP under General Plan Buildout Conditions. Therefore, the Project-level and cumulative VMT impacts would be less than significant, which also serves to reduce emissions.
6	Support healthy and equitable communities.	**No Conflict.** This policy pertains to health and equitable communities, and these issues are addressed through policies outlined in the General Plan Elements, including the Social Resources Element. The Project's consistency with policies relevant to environmental impacts is addressed in Table 5.11-3, The Ontario Plan Policy Plan/General Plan Consistency Analysis. Notably, the Project includes a new middle school within the Specific Plan Area, which would facilitate access and walkability.
7	Adapt to changing climate and support an integrated regional development pattern and transportation network.	**No Conflict.** The City's recently adopted TOP 2050 focuses future development and redevelopment within identified "Areas of Change," which include four growth areas and Ontario Ranch, including the Amendment Area. Future development and redevelopment anticipated in TOP 2050 would utilize existing transportation facilities and would provide opportunities for new employment, housing, and recreational uses within the existing community framework, and would be consistent with SCAG's growth projections and recommended land use patterns. The proposed Specific Plan Amendment would allow for development of additional residential and school uses in Ontario Ranch, consistent with

Connect SoCal Goal Number	Goal Statement	Project Consistency
		the development pattern and transportation network identified in TOP 2050.
8	Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	**No Conflict.** This policy provides guidance to the City, and is not applicable to the proposed Specific Plan Amendment and anticipated development.
9	Encourage development of diverse housing types in areas that are supported by multiple transportation options.	**No Conflict.** The proposed Specific Plan Amendment applies a new "Mixed Residential" land use designation to existing PAs 30 and 31 and new PAs 32 and 33, and adds approximately 93.2 residential acres to the Subarea 29 Specific Plan. This "Mixed Residential" land use designation permits a variety of product types that promote higher density and more choice in floorplans. "Mixed Residential" has been created to provide more attainable options for a greater range of residents as well as options for different household compositions. As discussed in SEIR Section 5.16, Transportation, future residents would be served by existing and proposed roadways, as well as existing and proposed bikeways and pedestrian facilities.
10	Promote conservation of natural and agricultural lands and restoration of habitats.	**No Conflict.** As discussed in SEIR Section 5.2, Agricultural and Forestry Resources, while the Amendment Area contains land designated as Prime Farmland, and active agricultural uses, development within this area is anticipated by the existing zoning for the Amendment Area, including the AG Overlay District for the proposed Expansion Area, which is an interim overlay while this area transitions to urban development. As discussed in SEIR Section 5.4, Biological Resources, there are no special status vegetation communities present within the Amendment Area. Additionally, the Project site does not contain riparian habitat, wetlands, or other sensitive natural communities. Conservation of on-site land for the protection of biological or agricultural resources is not required.

❑ The Ontario Plan Policy Plan (General Plan)

As described in SEIR Section 3.0, Project Description, the proposed Mixed Residential and School uses allowed by the proposed Specific Plan Amendment would be consistent with the TOP 2050 land use designations. Notwithstanding, activities undertaken by a planning agency must be substantially consistent with the goals and policies of the agency's general plan. TOP 2050, including the Policy Plan, was approved in August 2022, and serves as the main land use policy document for the City. Therefore, all future development in the City must substantially comply with the Policy Plan goals and policies. The State's general rule for a General Plan consistency determination is that "an action, program, or project is consistent with the General Plan if, considering all its aspects, it will further the objectives and policies of the General Plan and not obstruct their attainment" (OPR, 2017).

Table 5.11-3, The Ontario Plan Policy Plan/General Plan Consistency Analysis, provides an analysis of the Project's consistency with applicable policies outlined in the Policy Plan adopted for the purpose of avoiding or mitigating an environmental effect. Because Threshold "b" emphasizes consistency with land use goals "adopted for the purpose of avoiding or mitigating an environmental effect," Table 5.11-3 focuses on consistency with the City's current Policy Plan goals and policies that address environmental issues. The goals and policies that do not address environmental effects or are not

applicable to the Project are not addressed below. An assessment of the Project's consistency with Policy Plan goals and policies that govern scenic quality is evaluated in Table 5.1-1, Policy Plan/General Plan Consistency Analysis, in SEIR Section 5.1, Aesthetics. The Project's consistency with goals and policies that address circulation is evaluated in SEIR Section 5.16, Transportation. The Project's consistency with energy related policies under Goal ER-3 in the Environmental Resources Element is provided in SEIR Section 5.6, Energy. As identified through the respective consistency analyses, the Project would not conflict with policies adopted for the purpose of avoiding or mitigating an environmental effect, or policies that address scenic quality and circulation.

Table 5.11-3 The Ontario Plan Policy Plan/General Plan Consistency Analysis

Policy Plan/General Plan Goals/Policies	Project Consistency
Land Use Element	
Goal LU-1: 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.	
LU-1.1: *Strategic Growth.* We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, foster the development of transit, and support the expansion of the active and multimodal transportation networks throughout the City.	**Consistent.** The Project involves development of residential and school uses within areas currently occupied by agricultural and vacant land. The location of the Project takes advantage of existing and planned access provided by the City's planned roadway network and would be consistent with the City's roadway classification system, as required by the Subarea 29 Specific Plan. The Project includes implementation of the roadway improvements adjacent to the Amendment Area, construction of a new multi-purpose pedestrian and bicycle trail within the SCE corridor located on site, and construction of a bus turnout along Haven Avenue in the northbound direction, north of Bellegrave Avenue. The Project Applicant would also pay DIF and fair share fees that would be assigned to roadway improvements necessary to ensure long-term adequacy of the area transportation system. Further, the Project includes the installation of utility infrastructure necessary to serve the Project, which would connect to existing and planned utility infrastructure within adjacent roadways that has been sized to accommodate development within the Specific Plan Area and surrounding areas, as applicable.
LU-1.2: *Sustainable Community Strategy.* We integrate state, regional, and local Sustainable Community/Smart Growth principles into the development and entitlement process.	**Consistent.** The Project would adhere to the current version of the Title 24 Energy Code and CALGreen standards. Additionally, in accordance with 2006 EIR MM Util 5, the Project is designed to include sustainable systems for use of water and energy. Further, the Project encourages non-motorized circulation via its provision of an integrated network of sidewalks, bikeways, and trails. Facilitating use of these alternative transportation modes and opportunities may decrease dependence on personal automobiles with related decreases in energy consumption and vehicular emissions. The plant palette for the Project incorporates more drought tolerant planting options to meet current code requirements. The use of water-efficient/drought tolerant species native to southern California or naturalized to the arid southern California climate would reduce water demand. In this manner, landscaping implemented by the Project would provide for efficient use of water resources. Further, recycled/reclaimed water would be used

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	for landscape irrigation or other non-potable purposes, thereby reducing demands on potable water resources. The Project also supports sustainability and growth attributes reflected in Goals of Connect SoCal (refer to Table 5.11-2).
LU-1.3: *Adequate Capacity.* We require adequate infrastructure and services for all development.	**Consistent.** As described in SEIR Section 3.0, *Project Description*, the municipal and private utility infrastructure necessary to serve the proposed development are currently available within or adjacent to the Amendment Area. On-site utility infrastructure necessary to serve the proposed development—including domestic water, sanitary sewer, drainage, water quality treatment, and dry utilities (e.g., electricity, natural gas, cable, telephone)—would be installed with the proposed development and would connect to the existing utility lines adjacent to the Amendment Area. As discussed in SEIR Section 5.18, Utilities and Service Systems, according to the Project's Water Supply Assessment, the total projected potable and recycled water supplies available to the Ontario Municipal Utilities Company (OMUC) during normal, single dry, and multiple dry water years over a 20-year projection would be sufficient to meet the projected water demand associated with the Project in addition to the water supplier's existing and planned future uses, including agricultural and manufacturing uses. Additionally, Inland Empire Utilities Agency (IEUA) water recycling Plant RP-5 has sufficient existing excess capacity to treat wastewater generated by the Project. Moreover, as discussed in SEIR Section 5.15, Public Services and Recreation, the Project would not require the construction of new or alteration of existing fire or police protection facilities to maintain an adequate level of fire and police protection service in the City. The Project Applicant would pay applicable DIFs in accordance with 2006 EIR MM Serv 8 to off-set potential impacts to library, police, and fire services.
LU-1.5: *Jobs-Housing Balance*. We coordinate land use, infrastructure, and transportation planning and analysis with regional, county, and other local agencies to further regional and subregional goals for jobs-housing balance.	**Consistent.** As described in SEIR Section 5.14, Population and Housing, the Project would generate approximately 5,876 new residents and would increase the total number of allowed units in the Subarea 29 Specific Plan from 2,418 units to 3,888 units (an increase of 1,470 units). The proposed increase in units within the Amendment Area is consistent with TOP 2050, and would not result in an increase in housing or population beyond that anticipated with buildout of TOP 2050 and evaluated in the TOP 2050 SEIR. The increase in housing and population resulting from the Project would not result in substantial unplanned population growth beyond that anticipated in the region, would assist the City in meeting its Regional Housing Needs Assessment (RHNA) requirements and reducing the jobs-housing ratio. Therefore, Project land uses and supporting improvements would not otherwise interfere with or obstruct regional and/or sub-regional goals addressing jobs-housing balance.
LU-1.6: *Complete Community*. We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers, and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario.	**Consistent.** The proposed amendment to the Subarea 29 Specific Plan would involve a new land use designation of "Mixed Use Residential" for PAs 30 through 33, which would permit a variety of product types that promote higher density and more choice in floorplans. The "Mixed Residential" designation has been created to provide more attainable options for a greater range of residents

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	as well as options for different household compositions. Permitted housing typologies within this land use designation would include Townhomes and Cluster Homes. Additionally, the proposed Specific Plan Amendment includes a new 20 net-acre middle school in proposed PA 34, located at the southeast corner of Haven and Eucalyptus Avenue.
Goal LU-2: Compatibility between a wide range of uses and resultant urban patterns and forms.	
LU-2.1: *Land Use Decisions***.** We minimize adverse impacts on adjacent properties when considering land use and zoning requests.	**Consistent.** As discussed in SEIR Section 4.0, Environmental Setting, the Amendment Area is surrounded by agricultural uses to the north, planned residential uses to the east, and residential uses to the south and west. Therefore, the proposed Specific Plan Amendment, which is consistent with the TOP 2050 land use designations, and would involve a new "Mixed Residential" land use designation, would be compatible with surrounding uses. Additionally, as discussed in SEIR Section 5.3, Air Quality, the Project would not exceed localized significance thresholds (LST) established by the SCAQMD during construction or operation, or CO hot spots, and impacts to nearby sensitive receptors would be less than significant.
LU-2.2: *Buffers***.** We require new uses to provide mitigation or buffers between existing uses where potential adverse impacts could occur. Additional mitigation is required when new uses could negatively impact environmental justice areas.	**Consistent.** As discussed in SEIR Section 5.3, Air Quality, the Amendment Area is not located within a disadvantaged community pursuant to SB 535. However, the area immediately south of the Expansion Area along Bellegrave Avenue is designated as a disadvantaged community. The Project would involve the development of additional residential and school uses within the Amendment Area, which would be consistent with the residential uses that currently exist adjacent to the Amendment Area, including the disadvantaged community to the south.
LU-2.4: *Regulation of Nuisances.* We regulate the location, concentration, and operation of potential nuisances. **LU-2.5:** *Regulation of Uses.* We regulate the location, concentration, and operation of uses that have impacts on surrounding land uses.	**Consistent.** The Project would involve the development of additional residential and school uses in the Amendment Area and would not involve the development of uses that would be characterized as "nuisances." The Specific Plan Development Regulations and Design Guidelines and the City Development Code further identify standards to ensure compatibility between existing and proposed uses. Refer also to the policy consistency analysis for LU-2.1 and LU-2.2 above, which addresses impacts to adjacent uses.
LU-2.9: *Methane Gas Sites.* We require sensitive land uses and new uses on former dairy farms or other methane-producing sites be designed to minimize health risks.	**Consistent.** As discussed in SEIR Section 5.9, Hazards and Hazardous Materials, methane surveys were previously conducted for PAs 30 and 31 in 2003, and it was determined that methane levels do not pose a hazard. Methane investigations have not been completed for Planning Areas 32, 33, or 34; however, given the amount of time since the end of dairy operations in PA 32 and PA 33 (over 16 years) and the lack of dairy operations in PA 34, the probability of methane gas in the near surface soil is very low. Notwithstanding, pursuant to 2006 EIR MM Haz 6, current methane gas assessments will be conducted for the Amendment Area and recommendations identified as a result of these assessments, if any, would be implemented to ensure health risks are less than significant.
LU-2.11: *Context-Aware Transitions and Connections.* We require new development projects and land-planning efforts to provide context-aware and appropriate	**Consistent.** As described in SEIR Section 3.0, *Project Description*, an off-street pedestrian circulation would be available throughout the Specific Plan Area, including the Amendment Area, with an interconnected paved sidewalk system

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transitions and connections between existing and planned neighborhoods, blocks, sites, and buildings.	within the roadway right-of-way separated from vehicular travel lanes by a landscaped parkway. Figure 3-15 and Figure 3-16 in SEIR Section 3.0, Project Description, depict the conceptual landscape master plan with the Amendment Area, and conceptual streetscape/paseo sections relevant to the Amendment area, respectively. Community walls and fences, outdoor lighting, mailboxes, and similar community-wide landscape elements would be subject to the Subarea 29 Specific Plan Development Regulations and Design Guidelines to ensure a consistent character with the existing neighborhood.
Goal LU-3: Staff, regulations and processes that support and allow flexible response to conditions and circumstances in order to achieve the Vision.	
LU-3.1: *Development Standards.* We maintain clear development standards which allow flexibility to achieve our Vision and provide objective standards that ensure predictability and deliver the intended physical outcomes.	**Consistent.** Upon adoption, the proposed Specific Plan Amendment would revise text and exhibits in Subarea 29 Specific Plan to identify existing architectural styles applicable to the new PAs, to include the Expansion Area, and to identify landscape, wall/fence, and other requirements for the Expansion Area. The introduction of new home types and architecture styles would support the goals of the Subarea 29 Specific Plan and the Policy Plan Vision of "sustained, community-wide prosperity which continuously adds value and yields benefits." The Development Regulations and Design Guidelines of the Specific Plan provides an orderly, coordinated process for development and would result in high quality design and compatibility between buildings and uses.
Goal LU- 4: Development that provides short-term value only when the opportunity to achieve our Vision can be preserved.	
LU-4.3: *Infrastructure Timing.* We require that the necessary infrastructure and services be in place prior to or concurrently with development.	**Consistent.** Pursuant to provisions of Specific Plan Chapter 6, Development Regulations; mitigation measures identified in this SEIR, and City Conditions of Approval, the Project would provide and/or otherwise ensure to the satisfaction of the City, that infrastructure and services are timely available to meet Project demands. The roadway improvements and utility infrastructure to be constructed as part of the Project are described in SEIR Section 3.0, Project Description.
Goal LU-5: Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.	
LU-5.3: *Airport Impacts.* We work with agencies to maximize resources to mitigate the impacts and hazards related to airport operations – their homes. **LU-5.7:** *ALUCP Consistency with Land Use Regulations.* We comply with state law that requires general plans, specific plans, and all new development to be consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public-use airport.	**Consistent***:* As discussed in SEIR Section 5.9, Hazards and Hazardous Materials, the western portion of the existing Subarea 29 Specific Plan, including the western portion of PA 30, is located within the Chino Airport Safety Zone 6 (Traffic Pattern Zone); however, the Amendment Area is not within a designated safety zone. As with other areas in the Specific Plan Area, the Amendment Area is located within the ONT Airport Influence Area. However, the Amendment Area is located outside of the Safety, Noise Impact and Airspace Protection Zones identified in the ONT Airport Land Use Compatibility Plan. Additionally, based on review of TOP 2050 EIR Figure 5.13-3, Airport Noise Contours, the Specific Plan Area, and the Amendment Area are not located with the noise contours for the ONT or Chino Airport. Therefore, the Project would not result in exposure of people to safety hazards or excessive noise related to airport operations.

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Housing Element	
Goal H-1: Stable neighborhoods of quality housing, ample community services and public facilities, well-maintained infrastructure, and public safety that foster a positive sense of identity.	
H-1.3: *Community Amenities.* We shall provide adequate public services, infrastructure, open space, parking and traffic management, pedestrian, bicycle, and equestrian routes and public safety for neighborhoods consistent with City master plans and neighborhood plans.	**Consistent.** Refer to the policy consistency analysis for Policy LU-1.1, LU-1.2, LU-1.3, and LU-4.3 above, which addresses modes of transportation and adequate capacity for public services and infrastructure.
Goal H-2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.	
H-2.4: *Ontario Ranch.* We support a premier lifestyle community in Ontario Ranch, distinguished by diverse housing, highest design quality, and cohesive and highly amenitized neighborhoods.	**Consistent.** The Specific Plan Area is located within Ontario Ranch. As discussed in SEIR Section 3.0, Project Description, Section 7, Residential Design Guidelines, of the Subarea 29 Specific Plan, are proposed to be amended to add new architectural styles for attached dwelling units to be allowed in PAs 30 through 33. The various architectural styles would allow for additional housing typology but would also allow for varying architecture within the Amendment Area. The Residential Design Guidelines also address residential building massing, and building materials and details to ensure dual interest and character throughout the Specific Plan Area while at the same time maintain a consistent visual character.
H-2.5: *Housing Design.* We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices, and other best practices.	**Consistent.** Section 7, Residential Design Guidelines, of the Subarea 29 Specific Plan Amendment establishes the architectural standards for residential uses within the Specific Plan Area, including the proposed Expansion Area. The design criteria in these guidelines is offered to encourage a high quality of architecture and reasonable level of authenticity of styles through the use of appropriate elements. Section 6, Development Regulations, of the Specific Plan will enforce design and development for the Specific Plan Area and is intended to encourage the most appropriate use of the land, ensure the highest quality of development, and protect the public health, safety, and general welfare. Refer also to the policy consistency analysis for LU-1.2 above, which environmentally sustainable practices.
Goal H-3: A City regulatory environment that balances the need for creativity and excellence in residential design, flexibility and predictability in the project approval process, and the provision of an adequate supply and prices of housing.	
H-3.3: *Development Review.* We maintain a residential development review process that provides certainty and transparency for project stakeholders and the public, yet allows for the appropriate review to facilitate quality housing development.	**Consistent.** As stated in Section 6, Development Regulations, of the Specific Plan, all development projects within the Specific Plan shall be subject to the City's Development Plan Review Process. Pursuant to these provisions, the Development Permit process constitutes a design review of project architecture, site plans, and landscape plans. All development project applications shall include a landscape and irrigation plan describing plant materials and their growth habits, plant size and spacing, methods of irrigation and landscaping maintenance, site plans, architectural elevations, floor plans, grading plans, and other requirements as specified by the City. Development permits will be approved with conditions of approval.

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Parks and Recreation Element	
Goal PR- 1: A system of safe and accessible parks that meets the needs of the community.	
PR-1.1: *Access to Parks.* In all new residential development areas, we strive to provide a park and/or recreational facility within walking distance (¼ mile) of every residence and prioritize the establishment of parks in environmental justice areas that do not have adequate access to parks.	**Consistent.** The nearest existing parks to the Amendment Area include the North Celebration Park located at 4980 South Celebration Avenue, approximately 0.3-mile southwest, and Celebration Park located at 2910 Merrill Avenue, approximately 0.4-mile southwest. A public park is proposed north of existing PAs 30 and 31, on the opposite side of Eucalyptus Avenue. Additionally, 10.3 acre of pocket parks would be constructed throughout the Amendment Area for future residents. Therefore, there is adequate park space within walking distance for residents under the Specific Plan Area.
PR-1.5: *Acreage Standard.* We strive to provide 5 acres of parkland (public and private) per 1,000 residents. **PR-1.6:** *Private Parks*. We expect development to provide a minimum of 2 acres of developed private park space per 1,000 residents.	**Consistent.** As discussed in SEIR Section 5.15, Public Services and Recreation, the Project's future net residents would require approximately 25.7 acres of parkland consisting of 15.4 acres of public parks and 10.3 acres of private parks. The park requirements for the Project would be met through a combination of payment of in-lieu park fees in accordance with Ontario Development Code Chapter 6.080.30, to meet the public park acreage, and construction of parkland on site, to meet the private park local park requirement. Therefore, the Project would provide adequate park space to future residents in the Specific Plan Area.
PR-1.15: *Trail Connectivity.* We strengthen and improve equestrian, bike, and multipurpose trail connections within the City and work to improve trail connections into adjacent jurisdictions.	**Consistent.** As described in EIR Section 5.16, Transportation, there are existing and planned bikeways and multipurpose trails located adjacent to and in the vicinity of the Amendment Area. The Project would strengthen and improve bikeway and multipurpose trail connections within the City by constructing Class II (on-street striped) bike lanes along Eucalyptus Avenue and Bellegrave Avenue, adjacent to the proposed Amendment Area, a Class I bicycle trail along Haven Avenue, and a multipurpose trail along Mill Creek Avenue. Additionally, a multi-purpose pedestrian and bicycle trail would be constructed within the SCE corridor located between PAs 30 and 31, between Eucalyptus Avenue and County Line Channel. As Ontario Ranch builds out consistent with the City´s Master Planned trail system, the Project would be part of a well-connected trail network.
Environmental Resources Element	
Goal ER- 1: A reliable and cost-effective system that permits the City to manage its diverse water resources and needs.	
ER-1.1: *Local Water Supply.* We increase local water supplies to reduce our dependence on imported water. New and redevelopment projects are aligned with our available water supply and/or to enhance our available water supply. **ER-1.4:** *Supply-Demand Balance.* We require that available water supply and demands be balanced.	**Consistent.** Refer to the consistency analysis for Policy LU-1.3 above. As discussed in SEIR Section 5.18, Utilities and Service Systems, a WSA has been prepared for the Project and OMUC has determined there are sufficient water supplies to serve the Project in addition to existing and planned future uses.
ER-1.3: *Conservation and Sustainable Water Supply*. We work with regional water providers and users to conserve water and ensure sustainable local water supplies as more frequent droughts reduce long term local and regional water availability.	**Consistent.** While this policy is not particularly relevant to individual development projects, refer to the consistency analysis for Policy LU-1.2 above, which discusses water conservation measures associated with the Project.

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ER-1.6: *Urban Run-off Quantity.* We encourage the use of low impact development strategies, including green infrastructure, to intercept run-off, slow the discharge rate, increase infiltration, and ultimately reduce discharge volumes to traditional storm drain systems.	**Consistent.** As described in SEIR Section 5.10, Hydrology and Water Quality, existing storm drain facilities installed pursuant to the City of Ontario Master Plan of Drainage (2017) would accommodate storm water runoff from the Amendment Area, and have sufficient capacity to accommodate the storm water runoff from the Expansion Area. Additionally, site design BMPs (e.g., maximizing permeable areas, conserving natural areas, and minimizing directly connected impervious areas) would be used to reduce discharge volumes associated with the proposed urban uses.
ER-1.7: *Urban Run-off Quality.* We require the control and management of urban run-off, consistent with Regional Water Quality Control Board regulations.	**Consistent.** As described in SEIR Section 5.10, Hydrology and Water Quality, development within the existing Specific Plan Area (including PAs 30 and 31) and the proposed Expansion Area is subject to the water quality regulations outlined in the San Bernardino County Regional Municipal Separate Stormwater Sewer System (MS4) Permit issued by the Santa Ana Regional Water Quality Control Board (RWQCB). In accordance with 2006 EIR MM Hydro 2, and City Standard Condition 3.69, Project-specific Water Quality Management Plans (WQMPs) would be prepared for development within the Amendment Area (PAs 30 through 34), and the WQMPs would adhere to the New Model Colony East WQMP Adherence to the Project-specific WQMPs would provide for the required control and management urban run-off.
ER-1.8: *Wastewater Management.* We require the management of wastewater discharge and collection consistent with waste discharge requirements adopted by the Regional Water Quality Control Board.	**Consistent.** As described in SEIR Section 5.16, Utilities and Service Systems, the Amendment Area is not connected to the City's sewer system and wastewater disposal is through septic tanks and subsurface disposal fields. Prior to grading operations, existing septic tanks and subsurface disposal fields would be abandoned in accordance with Department of Health Services requirements. Additionally, future development would comply with the Ontario Municipal Code Section 6, Chapter 7, which identifies regulations for preventing the introduction of pollutants into the City sewer system and is consistent with waste discharge requirements of the RWQCB.
Goal ER- 2: A cost effective, integrated waste management system that meets or exceeds state and federal recycling and waste diversion mandates.	
ER-2.1: *Waste Diversion.* We shall meet or exceed Assembly Bill (AB) 939 requirements.	**Consistent.** As described in SEIR Section 5.18, Utilities and Service Systems, future residents and tenants would be required to comply with applicable practices enacted by the City under AB 939, and any other applicable local, State, and federal solid waste management regulations. All projects in the City undergo development review and permitting, including a review to ensure compliance with waste diversion requirements.
ER-2.2: *Hazardous and Electronic Wastes.* We prohibit the disposal of hazardous and electronic waste into the municipal waste stream pursuant to state law.	**Consistent.** As discussed in SEIR Section 5.9, Hazards and Hazardous Materials, and SEIR Section 5.18, Utilities and Service Systems, construction and operational activities within the Amendment Area would adhere to applicable regulations regarding the collection and disposal of hazardous wastes, including electronic waste.
Goal ER-4: Improved indoor and outdoor air quality and reduced locally generated pollutant emissions.	
ER-4.1: *Land Use.* We reduce GHG and other local pollutant emissions through compact, mixed use, and	**Consistent.** As concluded in SEIR Section 5.8, Greenhouse Gas Emissions, the Project would comply with the CCAP and would

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transit-oriented development and development that improves the regional jobs-housing balance.	not result in significant GHG impacts. The increase in housing and population resulting from the Project would be consistent with TOP 2050 and would assist the City in meeting its RHNA requirements and reducing the jobs-housing ratio. Also refer to the consistency analysis for SCAG RTP/SCS Goal 5, which discusses the Project's less than significant impact related to VMT/SP, which also serves to reduce GHG emissions.
ER-4.2: *Sensitive Land Uses.* We prohibit the future siting of sensitive land uses within the distances defined by the California Air Resources Board for specific source categories, without sufficient mitigation.	**Consistent.** The proposed Specific Plan Amendment would involve the development of additional residential uses and a middle school within the Amendment Area. The Amendment Area is not in proximity to any existing land uses or sources identified in the California Air Resources Board (CARB) Land Use Handbook (CARB, 2005). No mitigation is required.
ER-4.3: *Greenhouse Gases (GHG) Emissions Reductions.* We will reduce GHG emissions in accordance with regional, state, and federal regulations.	**Consistent.** As concluded in SEIR Section 5.8, Greenhouse Gas Emissions, the Project would comply with the City's CCAP adopted in August 2022. The Project would not interfere with the City's ability to comply with GHG emission reduction requirements.
ER-4.4: *Indoor Air Quality.* We will comply with State Green Building Codes relative to indoor air quality. We seek funding to improve indoor air quality for households with poor indoor air quality, with priority for lower income households in environmental justice areas.	**Consistent.** The Project would comply with all applicable state Green Building Codes relative to indoor air quality, which would be verified by the City during the building permitting process.
ER-4.5: *Transportation.* We promote mass transit and non-motorized mobility options (walking, biking) to reduce air pollutant emissions.	**Consistent.** As described in SEIR Section 3.0, Project Description, and in EIR Section 5.16, Transportation, the Project would include the construction of pedestrian paths, bicycle lanes, multipurpose trails, and a new bus turnout.
ER-4.6: *Particulate Matter.* We support efforts to reduce particulate matter to meet State and Federal Clean Air Standards.	**Consistent.** As discussed in SEIR Section 5.3, Air Quality, the Project would not exceed the regional or local thresholds for $PM_{2.5}$ and PM_{10} during construction or operations and would implement SCAQMD Rule 403, which requires implementation of measures to reduce fugitive dust.
ER-4.8: *Tree Planting.* We protect healthy trees within the City and plant new trees to increase carbon sequestration and help the regional/local air quality. We expand the tree canopy in environmental justice areas to enhance air quality and reduce the "heat island" effect.	**Consistent.** Landscaping, including trees would be installed throughout the Amendment Area. There would be more trees planted than what currently exists in the Amendment Area.
Goal ER-5: Protected high value habitat and farming and mineral resource extraction activities that are compatible with adjacent development.	
ER-5.1: *Habitat Conservation Areas*. We support the protection of biological resources through the establishment, restoration, and conservation of high-quality habitat areas. **ER-5.2:** *Entitlement and Permitting Process*. We comply with state and federal regulations regarding protected species.	**Consistent.** As described in SEIR Section 5.4, Biological Resources, the Amendment Area does not support any sensitive vegetation communities. Additionally, no sensitive communities were reported in the California Natural Diversity Database (CNDDB) within two miles of the Amendment Area. The Project would not impact any special status plant species. With implementation of 2006 EIR mitigation measures that adhere to state and federal regulations, impacts to sensitive wildlife species and burrowing owls would be less than significant. Therefore, the Project would not result in substantial adverse effects on candidate, sensitive, or special status species and would comply with state and federal regulations regarding protected species.

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ER-5.3: *Right to Farm.* We support the right of existing farms to continue their operations within Ontario Ranch. **ER-5.4:** *Transition of Farms*. We protect both existing farms and sensitive uses around them as agricultural areas transition to urban uses.	**Consistent.** As previously discussed, the majority of the Amendment Area has been used for dairy farm or agricultural purposes; the only remaining agricultural activity is row crops in the western portion of the Expansion Area. As discussed in Section 5.11.2 above, the Expansion Area is with the AG Overlay District, which is established to accommodate the continuation of agricultural uses within the City until it is developed as per the Policy Plan component of the TOP and the underlying zoning district. The intent of the AG Overlay District is to permit continued agricultural use of properties or to establish general agricultural uses appropriate for areas of concentrated agricultural uses. The proposed uses, which are consistent with the TOP 2050 land use designations, would be implemented in accordance with the requirements of the AG Overlay District and pursuant to the Subarea 29 Specific Plan Amendment.
Safety Element	
Goal S-1: Minimized risk of injury, loss of life, property damage, and economic and social disruption caused by earthquake-induced and other geologic hazards.	
S-1.1: *Implementation of Regulations and Standards*. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.	**Consistent**: As described in SEIR Section 5.7, Geology and Soils, as a mandatory condition of Project approval, future buildings to be developed pursuant to the proposed Subarea 29 Specific Plan Amendment would be constructed in accordance with the CBC and the City Building Code, which is based on the CBC with local amendments.
S-1.2: *Entitlement and Permitting Process*. We follow state guidelines and the California Building Code to determine when development proposals must conduct geotechnical and geological investigations.	**Consistent.** As described in SEIR Section 5.7, Geology and Soils, a geotechnical site assessment, included as Technical Appendix F of this SEIR, was prepared for the Project, and future development would be implemented pursuant to the requirements of the CBC and the site-specific recommendation outlined in the geotechnical site assessment.
Goal S-2: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by flooding and inundation hazards.	
S-2.5: *Storm Drain System*. We maintain the storm drain system to convey a 100-year storm, when feasible, and encourage environmental site design practices to minimize flooding and increase groundwater recharge, including natural drainage, green infrastructure, and permeable ground surfaces.	**Consistent.** As described in SEIR Section 5.10, Hydrology and Water Quality, the existing Master Plan storm drain infrastructure required to accommodate storm flows from the Amendment Area has been installed or would be installed as part of the Project, and would convey a 100-year storm. Also refer to the policy consistency analysis for Policy ER-1.6, which addresses site design BMPs that would be installed to minimize flooding and increase groundwater recharge.
Goal S-3: Reduced risk of death, injury, property damage and economic loss due to fires, accidents, and normal everyday occurrences through prompt and capable emergency response.	
S-3.1: *Prevention Services*. We proactively mitigate or reduce the negative effects of fire, hazardous materials release, and structural collapse by implementing the regularly adopted California Fire Code and California Building Code. **S-3.8:** *Fire Prevention through Environmental Design*. We require new development to incorporate fire prevention consideration in the design of streetscapes, sites, open spaces, and buildings.	**Consistent.** As described in SEIR Section 5.15, Public Services and Recreation, the Project would be required to comply with all applicable codes, ordinances, and standard conditions, including the current edition of the California Fire Code (CFC), as adopted by the Ontario Municipal Code (Section 4-4.01). Additionally, the Project would implement 2006 Final EIR MM Serv 1 through MM Serv 6 to reduce the Project's fire hazard. Refer to the policy consistency analysis for Policy S-1.1, which addresses compliance with the CBC.

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S-3.3: *Fire and Emergency Medical Services*. We maintain sufficient fire stations, equipment and staffing to respond effectively to emergencies and meet the needs of the community and state requirements.	**Consistent.** As described in SEIR Section 5.15, Public Services and Recreation, the Project would not generate the need for new firefighters and other personnel, and would not require the construction of new or alteration of existing fire protection facilities to maintain an adequate level of fire protection service in the City. Additionally, the Project would be required to pay applicable DIFs in accordance with 2006 EIR MM Serv 8 to offset potential impacts to fire services.
Goal S-4: An environment where noise does not adversely affect the public's health, safety, and welfare.	
S-4.1: *Noise Mitigation*. We utilize the City's Noise Ordinance, building codes, and subdivision and development codes to mitigate noise impacts.	**Consistent.** As described in SEIR Section 5.13, Noise, the Project's construction and operational noise would not exceed the established noise standards outlined in the City's Noise Ordinance standards.
Goal S-5: Minimize the risk of injury, property damage, and economic loss resulting from windstorms and wind-related hazards.	
S-5.2: *Dust Control Measures*. We require the implementation of Best Management Practices for dust control at all excavation and grading projects.	**Consistent.** As described in SEIR Section 5.3 Air Quality, the Project would be implemented in compliance with all SCAQMD rules, including Rule 403 related to implementation of BMPs for fugitive dust. The Project would not result in significant impacts associated with fugitive dust emissions during construction or operation.
Goal S-6: Reduced potential for hazardous materials exposure and contamination.	
S6-9: *Remediation of Methane*. We require development to assess and mitigate the presence of methane, per regulatory standards and guidelines.	**Consistent.** Refer to the consistency analysis for Policy LU-2.9, which addresses methane gas sites. Pursuant to 2006 EIR MM Haz 6, current methane gas assessments will be conducted for the Amendment Area and recommendations identified as a result of these assessments, if any, would be implemented to ensure health risks are less than significant.
Goal S-7: Residential neighborhoods, commercial areas, and industrial districts that are kept safe through a multi-faceted approach of prevention, suppression, and community involvement in public safety.	
S-7.4: *Crime Prevention through Environmental Design (CPTED)*. We require new development to incorporate CPTED in the design of streetscapes, sites, open spaces and buildings.	**Consistent.** As shown in Figure 3-17, community walls and fences would be implemented throughout the Specific Plan Area. Also, pursuant to the City's existing permitting process, the Building Department would review and approve the final site plans to ensure that crime prevention through design measures are incorporated appropriately to provide a safe environment.
Goal S-9: Incorporate energy efficient practices and renewable energy systems to improve air quality, comfort, and energy reliability during temporary power outages.	
S-9.1: *Solar Energy.* We support and may incentivize the installation of residential and commercial solar panels and battery storage systems that can provide electricity during power outages.	**Consistent.** As required by the 2022 Title 24 Energy Code, PV systems would be installed with the proposed residential uses.
Social Resources Element	
Goal SR-2: A range of educational and training opportunities for residents and workers of all ages and abilities that improves their life choices and provides a skilled workforce for our businesses.	
SR-2.5: *School Facilities.* We plan and coordinate with school districts for designing and locating school facilities to meet the City's goals, such as for health, walkability,	**Consistent.** The proposed Specific Plan Amendment includes a new 20 net-acre middle school in proposed PA 34, located at the southeast corner of Haven and Eucalyptus Avenue. The proposed

Policy Plan/General Plan Goals/Policies	Project Consistency
and safety and to minimize impacts to existing neighborhoods.	school would ultimately be developed by the MVSD. The proposed school would be located within close proximity to the planned residential development which includes an off-street pedestrian circulation to promote health, walkability, and safety to future users.
Goal SR-4: City libraries that connect community members of all ages and abilities to a broad range of programs, communication, and informational resources**.**	
SR-4.1: *Community Needs.* We identify and monitor community needs for library services, technology, and facilities, and tailor them to effectively meet those needs.	**Consistent.** As discussed in SEIR Section 5.15, Public Services and Recreation, the Project would result in an increase in the City's residential population, which would lead to increase the demand for other public facilities, including library services. The Project would be required to pay library DIFs (MM Serv 8) to contribute its fair share of costs for acquiring, designing, constructing, improving, providing, and maintaining, the library facilities.

❑ Ontario Development Code

As previously discussed, PAs 30 and 31 are zoned as Specific Plan (SP) District (Subarea 29 Specific Plan), and the proposed Expansion Area (PAs 32, 33, and 34) are zoned as SP (Specific Plan) with an AG (Agriculture) Overlay. Consistent with this zoning, the Project involves an amendment to the existing Subarea 29 Specific Plan, which would add the Expansion Area to the Specific Plan, and establishes the Development Standards and Design Guidelines for the Expansion Area. With the approval of the Subarea 29 Specific Plan, the AG Overlay District would be removed and remaining agricultural activities would transition to residential and school uses; this transition is anticipated by the AG Overlay District. The Project would not conflict with the requirements of the Ontario Development Code, including Zoning regulations.

❑ Subarea 29 Specific Plan

As discussed previously, the Subarea 29 Specific Plan governs land use within the Specific Plan Area. As described in SEIR Section 3.0, Project Description, the Project involves an amendment to the Subarea 29 Specific Plan, which, in summary, would:

- Expand the Subarea 29 Specific Plan area to include approximately 113.2 acres located to the east and modify text and exhibits throughout the Subarea 29 Specific Plan, as appropriate, to reflect the Expansion Area and proposed land uses, as summarized in SEIR Section 3.0.
- Revise the Subarea 29 Specific Plan Land Use Plan to add new PAs 32, 33, and 34, and change the land use designations for PAs 30 and 31, as summarized below:
    - PA 30 – change the land use designation from Conventional Large Lot (3-6 du/acre) to Mixed Residential (11.1-25 du/ac).
    - PA 31 – change the land use designation from Conventional Medium Lot (4-6 du/acre) to Mixed Residential (11.1-25 du/ac).
    - PA 32 – add new PA with a land use designation of Mixed Residential (11.1-25 du/ac).

  - PA 33 – add new PA with a land use designation of Mixed Residential (11.1-25 du/ac).
  - PA 34 – add new PA with a land use designation of School. A school site was previously planned in the expansion area; the proposed Specific Plan Amendment moves the school site to the south.

- Revise the Subarea 29 Specific Plan Land Summary Table to include new PAs 32, 33, and 34 and revise the land use information for PAs 30 and 31. There would be a net increase of 1,470 units allowed with the Specific Plan Area (an increase from 2,418 units to 3,888 units). It should be noted that the number of units allowed by the proposed SPA would be consistent with TOP 2050 adopted in August 2022 by the City of Ontario, which allows for up to 11.0 dwelling units per gross acre for low-medium density residential uses and 25 dwelling units per gross acre for medium density residential uses, and up to 3,888 units within the Specific Plan Area, as amended.
- Introduce new home types and architectural styles to support the goals of the Subarea 29 Specific Plan.

The proposed residential and school uses are consistent with uses currently allowed by the Subarea 29 Specific Plan, and would be implemented in accordance with the Development Standards and Design Guidelines outlined in the Subarea 29 Specific Plan, as amended with the Project. Therefore, should the proposed SPA be approved, the Project would not conflict with the Subarea 29 Specific Plan requirements.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than Significant Impact.

5.11.5 Cumulative Impact Analysis

This cumulative impact analysis considers development of the Project in addition to other development in the City in accordance with the TOP 2050 Policy Plan (General) and City zoning. The TOP 2050 SEIR concluded that with adherence to TOP 2050 development pursuant to the TOP 2050 would not result in cumulative impacts related to land use (City of Ontario, 2022b).

The Project would involve development of residential and school uses consistent with that anticipated by the City in TOP 2050 and would not divide an established community. Therefore, the Project would not cause or cumulatively contribute to the division of an established community.

As discussed under Threshold "b," the land use character and overall density of the Project are consistent with that anticipated by the TOP 2050 Policy Plan, and would be compatible with

surrounding uses, including existing and planned uses with the existing Subarea 29 Specific Plan Area. Cumulative development projects would be reviewed for consistency with adopted land use plans, policies, and regulations by the City (including Policy/General Plan policies and Ontario Development Code regulations), in accordance with the requirements of CEQA, the state Zoning and Planning Law, and the State Subdivision Map Act, all of which require findings of plan and policy consistency prior to approval of entitlements for development. Through these requirements, future development would be consistent with adopted goals and polices, would be in compliance with applicable regulations, and would be compatible with existing land uses. Even if the cumulative impact of these projects would be significant, the Project's contribution to such cumulative land use impacts is less than significant and is thus not cumulatively considerable because (1) the proposed development would not change the type or amount of development anticipated by the TOP 2050 General Plan/Policy; and, (2) the Project does not conflict with adopted goals and policies as identified through the analysis presented in this section.

5.11.6 References

California Air Resources Board (CARB). 2005. *Air Quality and Land Use Handbook – A Community Health Perspective*. April 2005. http://www.aqmd.gov/docs/default-source/ceqa/handbook/california-air-resources-board-air-quality-and-land-use-handbook-a-community-health-perspective.pdf

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5.12 MINERAL RESOURCES

This section of the Subsequent Environmental Impact Report (SEIR) identifies and analyzes the Project's potential impacts on mineral resources. Minerals are defined as any naturally occurring chemical elements or compounds, formed from inorganic processes and organic substances. Minable minerals, or an "ore deposit," is defined as a deposit of ore or mineral having a value materially in excess of the cost of developing, mining, and processing the mineral and reclaiming the area.

5.12.1 EXISTING CONDITIONS

A. Mineral Resource Zones

As discussed below, the Surface Mining and Reclamation Act of 1975 (SMARA), contains provisions for the California Geological Survey to classify the regional significance of mineral resources through the use of mineral resource zones (MRZs). There are two areas in the City of Ontario (City) classified at MRZ-2, defined below. One area is within the northwestern part of the City (approximately 5.3 miles north of the Amendment Area), and the second is along the City's eastern boundary (approximately 2.6 miles north-northeast of the Amendment Area) (DOC, 1984). The remaining portions of the City are classified as MRZ-3. Mineral resources in the City are limited construction aggregates such as sand and gravel. Currently, there are no permitted mining operations in the City (City of Ontario, 2022).

B. Mineral Resource Sectors

There is one area in the City that is designated by the California Geological Survey as a Resource Sector containing aggregate of "regional significance." This area includes the Day Creek Fan, Mira Loma Area Resource section, which is associated with the areas classified MRZ-2. The Resource Sector consists of three locations near the Mission Boulevard and Milliken Avenue intersection. The area closest to the Amendment Area (approximately 2.6 miles north-northeast is located southwest of the Mission Boulevard and Milliken Avenue intersection. As previously discussed, there are no permitted mining operations in the City. These areas are developed with urban uses and are not suitable for mineral extraction (City of Ontario, 2022).

5.12.2 REGULATORY BACKGROUND

A. State

1. Surface Mining and Reclamation Act of 1975

California's SMARA was enacted to address the need for a continuing supply of mineral resources, and to prevent or minimize the negative impacts of surface mining to public health, property, and the environment. Requirements for SMARA are codified under Public Resources Code Section 2710 et. seq. Under State law, all mining operations are required to obtain permits prior to commencing operations and to abide by local and state operating requirements. Mining operations are also required to have appropriate reclamation plans in place, provide financial assurances, and abide by State and local environmental laws. As discussed below, SMARA also contains specific provisions for the

California Geological Survey to classify the regional significance of mineral resources through the use of MRZs.

2. Division of Mines and Geology - Classification

The California Geological Survey Mineral Resources Project provides information about California's non-fuel mineral resources. The Mineral Resources Project classifies lands throughout the state that contain regionally significant mineral resources per SMARA. Nonfuel mineral resources include metals such as gold, silver, iron, and copper; industrial metals such as boron compounds, rare-earth elements, clays, limestone, gypsum, salt and dimension stone; and construction aggregate including sand, gravel, and crushed stone. Development generally results in a demand for minerals, especially construction aggregate. Urban preemption of prime deposits and conflicts between mining and other uses throughout California led to passage of SMARA, which requires all city and county general plans to incorporate the mapped designations approved by the State Mining and Geology Board.

The classification process involves the determination of Production-Consumption (P-C) region boundaries based on identification of active aggregate operations (Production) and the market area served (Consumption). The P-C regional boundaries are modified to include only the parts of the region that are urbanized or urbanizing and are classified for their aggregate content. The City is within three Production-Consumption (P-C) Regions. The northwestern portion of the City is in the Claremont Upland Region, the eastern portion of the City is in the San Bernardino Region, and southwestern portion of the City is in the Orange County-Temescal Region. All three regions are in the Greater Los Angeles Sand and Gravel Resource Area (DOC, 1984).

An aggregate appraisal further evaluates the presence or absence of significant sand, gravel, or stone deposits that are suitable sources of aggregate. The classification of these mineral resources is a joint effort of the state and the local governments. It is based on geologic factors and requires that the State Geologist classify the mineral resources area as one of four mineral resource zones (MRZ):

- MRZ-1 designates areas where adequate geologic information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- MRZ-2 designates areas underlain by mineral deposits where geologic data indicates that significant measured or indicated mineral resources are present.
- MRZ-3 designates areas that contain known mineral deposits, the significance of which cannot be evaluated from available data.
- MRZ-4 designates areas where available information is inadequate for assignment to an MRZ.

5.12.3 Basis for Determining Significance

The City of Ontario evaluates impacts to mineral resources based on thresholds of significance included in Appendix G of the CEQA Guidelines. A significant impact related to mineral resources would occur if the Project would:

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 recover site delineated on a local general plan, specific plan, or other land use plan.*

5.12.4 Environmental Impacts and Mitigation

A. Applicable 2006 EIR Mitigation

The *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009) in October 2006 (referred to herein as the "2006 EIR") did not identify any mitigation measures related to mineral resources.

B. Impact Analysis

Threshold a: Would the Project result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?

1. Summary of Previous Environmental Analysis

The 2006 EIR identified that the Subarea 29 Specific Plan Area (Specific Plan Area) did not contain any known mineral resources, was not within an area classified or designated as a mineral resource area by the State Board of Mining and Geology, and no impact would occur.

2. Project Impact Analysis

The Amendment Area has no known identified mineral resources of regional or statewide importance; and is within an area classified as MRZ-3 where the significance of mineral deposits is unknown. Therefore, proposed development within the Amendment Area would not result in significant impacts because mineral resources of statewide or local importance are not identified on the California Geological Survey's P-C maps. Therefore, the Amendment Area does not have any known mineral resources that would be of value to the region or the residents of the State. Additionally, the Amendment Area is surrounded by existing development or areas planned for future urban uses based on the General Plan; therefore, mining at the Project site would not be feasible. The nearest MRZ-2 area is approximately 2.6 miles north-northeast of the Amendment Area. Due to distance, the implementation of the Project would not impact the identified MRZ-2 resources. Therefore, implementation of the Project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the State. No impact would occur.

Additional Project-Level Mitigation Measures

Additional Project-level mitigation measures are not required.

Level of Significance After Mitigation

No impact, consistent with the conclusion of the 2006 EIR.

Threshold b:	***Would the Project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?***

1. Summary of Previous Environmental Analysis

The 2006 EIR identified that the Specific Plan Area is not within an area of locally-important mineral resource recovery delineated in the General Plan, and development would not occur in a designated mineral resource area.

2. Project Impact Analysis

As further discussed in SEIR Section 5.11, Land Use and Planning, The Ontario Plan (TOP) Policy Plan, which serves as the City's General Plan, designates land with the Amendment Area for residential, school and opens pace uses. TOP Policy Plan does not identify the Amendment Area as a mineral resource recovery site. Therefore, the Project would not result in the loss of availability of a locally-important mineral resource recovery site. No impact would occur.

Additional Project-Level Mitigation Measures

Additional Project-level mitigation measures are not required.

Level of Significance After Mitigation

No impact, consistent with the conclusion of the 2006 EIR.

5.12.5 Cumulative Impact Analysis

The area considered for cumulative impacts to mineral resources is the P-C regions overlapping the City and extending into other counties within the Greater Los Angeles Sand and Gravel Resources Area: the Claremont-Upland P-C region extends into Los Angeles County; the Orange County-Temescal Region extends into Orange County and Western Riverside County, and the San Bernardino P-C region encompasses San Bernardino and most western Riverside County. Other projects in the referenced areas would likely be proposed within MRZ-2 and MRZ-3 areas. Development of such projects could cause loss of availability of known mineral resources valuable to the region. Other projects would be subject to independent CEQA review, including analysis of impacts to MRZ areas and mining sites. Implementation of all feasible mitigation measures would be required to reduce any significant impacts identified. As identified above, the Project would not impact mineral resources of statewide, regional, or local value. Therefore, the Project would not contribute to a significant cumulative impact.

5.12.6 REFERENCES

California Department of Conservation (DOC). 1984. *Special Report 143 and Ontario (Plate 6-8) and Guasti (Plate 6-9) Quadrangles*. https://filerequest.conservation.ca.gov/?q=SR_143,

City of Ontario. 2022. *The Ontario Plan 2050 Final Supplemental Environmental Impact Report*. August 2022. https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final_DraftSEIR_TOP2050.pdf

5.13 NOISE

This section addresses the environmental issue of noise, including the Project's potential to introduce new or elevated sources of noise. The analysis contained herein incorporates information contained within the Project-specific noise study titled *Subarea 29 Specific Plan Amendment Noise Analysis* (Noise Analysis) (April 27, 2023) prepared by Urban Crossroads (Urban Crossroads, 2023). This report is included as Technical Appendix K of this Subsequent Environmental Impact Report (SEIR).

5.13.1 NOISE AND VIBRATION FUNDAMENTALS AND TERMINOLOGY

Detailed information about the fundamentals of noise and vibration, and associated terminology is presented in Section 2 of the Noise Analysis included in SEIR Technical *Appendix K* of this EIR; this information is summarized herein.

A. Noise

Noise is simply defined as an "unwanted sound." Sound becomes unwanted when it interferes with normal activities, when it causes actual physical harm or when it has adverse effects on health. Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). A-weighted decibels (dBA) approximate the subjective response of the human ear to broad frequency noise source by discriminating against very low and very high frequencies of the audible spectrum. They are adjusted to reflect only those frequencies which are audible to the human ear.

Since the range of intensities that the human ear can detect is so large, the scale frequently used to measure intensity is a scale based on multiples of 10, the logarithmic scale. The scale for measuring intensity is the decibel scale. Each interval of 10 decibels indicates a sound energy ten times greater than before, which is perceived by the human ear as being roughly twice as loud. The most common sounds vary between 40 dBA (very quiet) to 100 dBA (very loud). Normal conversation at three feet is roughly at 60 dBA, while loud jet engine noises equate to 110 dBA at approximately 100 feet, which can cause serious discomfort.

Environmental noise descriptors are generally based on averages, rather than instantaneous, noise levels. The most used figure is the equivalent level (L_{eq}). Equivalent sound levels are not measured directly but are calculated from sound pressure levels typically measured in dBA. The L_{eq} represents a steady state sound level containing the same total energy as a time varying signal over a given sample period (typically one hour) and is commonly used to describe the "average" noise levels within the environment.

Noise levels lower than peak hour may be disturbing if they occur during times when quiet is most desirable, namely evening and nighttime (sleeping) hours. To account for this, the Community Noise Equivalent Level (CNEL), representing a composite 24-hour noise level, is utilized. The CNEL is the weighted average of the intensity of a sound, with corrections for time of day, and averaged over 24 hours. The time-of-day corrections require the addition of 5 decibels to dBA L_{eq} sound levels in the evening from 7:00 p.m. to 10:00 p.m., and the addition of 10 decibels to dBA L_{eq} sound levels at night

between 10:00 p.m. and 7:00 a.m. These additions are made to account for the noise sensitive time periods during the evening and night hours when sound appears louder. CNEL does not represent the actual sound level heard at any time, but rather represents the total sound exposure. The City of Ontario (City) relies on the 24-hour CNEL level to assess land use compatibility with transportation-related noise sources.

The sound level attenuates (or decreases) at a rate of 6 dB for each doubling of distance from a point source, and at a rate of 3 dB for each doubling of distance from a line source. A large object or barrier in the path between a noise source and a receiver can substantially attenuate noise levels at the receiver. The amount of attenuation provided by shielding depends on the size of the object and the frequency content of the noise source.

To account for the ground-effect attenuation (absorption), two types of site conditions are commonly used in noise prediction: soft-site and hard-site conditions. Hard sites (i.e., sites with a reflective surface between the source and the receiver, such as parking lots or smooth bodies of water) receive no excess ground attenuation, and the changes in noise levels with distance (drop-off rate) are simply the geometric spreading of the source. Soft sites are sites that have an absorptive ground surface (e.g., soft dirt, grass, or scattered bushes and trees) and receive an excess ground attenuation value of 1.5 dBA per doubling of distance.

Community responses to noise vary depending upon everyone's susceptibility to noise and personal attitudes about noise. Despite this variability in behavior on an individual level, a change of 3 dBA is considered barely perceptible and a change of 5 dBA is considered readily perceptible.

B. Vibration

The Federal Transit Administration (FTA), *Transit Noise and Vibration Impact Assessment Manual*, provides technical guidance for predicting and assessing noise and vibration impacts. According to the FTA, vibration is the periodic oscillation of a medium or object. The rumbling sound caused by the vibration of room surfaces is called structure-borne noise. Sources of ground-borne vibrations include natural phenomena (e.g., earthquakes, volcanic eruptions, sea waves, landslides) or human-made causes (e.g., explosions, machinery, traffic, trains, construction equipment). As is the case with airborne sound, ground-borne vibrations may be described by amplitude and frequency.

There are several different methods that are used to quantify vibration. The peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal. The PPV is used to describe vibration impacts to buildings but is not always suitable for evaluating human response (annoyance) because it takes some time for the human body to respond to vibration signals. Instead, the human body responds to average vibration amplitude often described as the root mean square (RMS). Decibel notation (VdB) is commonly used to measure root mean square (RMS). Typically, ground-borne vibration generated by man-made activities attenuates rapidly with distance from the source of the vibration.

The background vibration-velocity level in residential areas is generally 50 VdB. Ground-borne vibration is normally perceptible to humans at approximately 65 VdB. A vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels.

5.13.2 EXISTING CONDITIONS

A. Existing Noise

Existing uses within Planning Areas (PAs) 30 and 31 include vacant farm structures and supporting uses that supported previous agricultural activities. The western portion of the Expansion Area is used for agriculture production and the eastern portion of the Expansion Area is undeveloped. There are no existing residents or employees within the Amendment Area. There are no uses that generate substantial noise under existing conditions.

Ambient noise measurements were conducted in November 2021 to support the noise analysis for *The Ontario Plan 2050 Final Supplemental Environmental Impact Report* (TOP 2050 SEIR) certified by the City in August 2022 (City of Ontario, 2022a). Short-term (15-minute) and long-term (48-hours) noise measurements were taken in the vicinity of Subarea 29 Specific Plan Area (Specific Plan Area), which would be representative of existing noise conditions in the vicinity of Amendment Area (refer to Figure 5.13-1, Approximate Noise Monitoring Locations, of the TOP 2050 SEIR). Long-term Location 4 (LT-4) is located along South Archibald Avenue north of Schaefer Avenue, and Short-term Location 6 (ST-6) is located along South Archibald Avenue (western boundary of the Specific Plan Area), north of Merrill Avenue. The A-weighted decibels equivalent noise levels (dBA_{Leq}) at LT-4 ranged from 65 dBA_{Leq} to 78 dBA_{Leq}, and the Community Noise Equivalent Level (CNEL, representing a composite 24-hour noise level) is 78 CNEL. The noise levels at ST-6 are 71.5 dBA_{Leq}, 86.3 dBA_{Lmax} and 51.3 dBA_{Lmin}.

The primary source of noise in the vicinity of the Amendment Area is traffic noise. Existing noise contours for roadways segments in the vicinity of the Amendment Area are presented in Table 5.13-1, Existing Noise Contours. The noise contours represent the distance to noise levels of a constant value and are measured from the center of the roadway for the 70, 65, and 60 dBA noise levels. The noise contours do not consider the effect of any existing noise barriers or topography that may attenuate ambient noise levels. In addition, because the noise contours reflect modeling of vehicular noise on area roadways, they appropriately do not reflect noise contributions from the surrounding stationary noise sources within the Project study area.

Table 5.13-1 Existing Noise Contours

Segment Number	Roadway	Segment	CNEL at Nearest Receiving Land Use (dBA)	Distance to Traffic Noise Contours (feet)		
				70 dB	65 dB	60 dB
1	Monterey Ave	n/o Varner Rd	63.8	19	41	22
2	Haven Ave	n/o SR-60 WB Ramps	69.6	RW	101	RW
3	Archibald Ave	n/o SR-60 EB Ramps	68.2	RW	82	44
4	Haven Ave	n/o SR-60 EB Ramps	68.0	RW	80	RW
5	Archibald Ave	n/o East Riverside Dr	69.3	45	97	52
6	Haven Ave	n/o East Riverside Dr	67.0	32	68	37
7	Riverside Dr	w/o Archibald Ave	68.5	RW	86	46
8	Riverside Dr	w/o Haven Ave	67.6	RW	75	RW
9	Archibald Ave	n/o Chino Ave.	69.1	44	94	51
10	Haven Ave	n/o Chino Ave.	63.2	RW	38	RW
11	Chino Ave.	w/o Archibald Ave	60.2	RW	RW	RW
12	Chino Ave.	w/o Haven Ave	58.2	RW	RW	RW
13	Ramona Ave.	n/o Edison Ave.	65.3	RW	52	RW
14	Central Ave.	n/o Edison Ave.	68.7	41	88	47
15	Mountain Ave.	n/o Edison Ave.	64.7	RW	48	RW
16	Euclid Ave.	n/o Edison Ave.	68.5	RW	85	RW
17	Grove Ave	n/o Edison Ave.	64.7	RW	48	RW
18	Archibald Ave	n/o Schaefer	68.2	RW	82	44
19	Archibald Ave	n/o Ontario Ranch Rd	68.1	RW	80	43
28	Edison Ave.	w/o Archibald Ave	62.7	RW	35	RW
29	Ontario Ranch Rd	w/o Haven Ave	66.9	RW	67	RW
31	Ontario Ranch Rd	w/o I-15 NB Ramps	67.2	RW	70	RW
32	Ontario Ranch Rd	w/o I-15 NB Ramps	66.0	RW	58	RW
37	Grove Ave	n/o Merrill	64.5	RW	46	RW
38	Archibald Ave	n/o Merrill	68.9	RW	92	49
39	Haven Ave	n/o Eucalyptus Ave	62.3	RW	33	RW
40	Sumner Ave	s/o Bellegrave	62.1	RW	32	RW
41	Mill Creek Ave	n/o Eucalyptus Ave	DNE	DNE	DNE	DNE
42	Mill Creek Ave	n/o Bellegrave	53.7	RW	RW	RW
43	Hamner Ave	n/o Eucalyptus Ave	68.9	RW	91	RW
44	Eucalyptus Ave	w/o Archibald Ave	DNE	DNE	DNE	DNE
45	Eucalyptus Ave	w/o Sumner	58.3	RW	RW	RW
46	Eucalyptus Ave	w/o Hamner Ave	55.3	RW	RW	RW
47	Parkview St	s/o Sumner Ave	53.1	RW	RW	RW
48	Merrill Ave	w/o Grove Ave	64.8	RW	49	RW
49	Merrill Ave	w/o Charlotte	65.7	RW	56	RW

Segment Number	Roadway	Segment	CNEL at Nearest Receiving Land Use (dBA)	Distance to Traffic Noise Contours (feet)		
				70 dB	65 dB	60 dB
50	Merrill Ave	w/o Sumner Ave	63.2	RW	38	RW
51	Bellegrave	w/o Scholar	66.9	RW	67	36
52	Bellegrave	w/o Hamner Ave	67.5	34	74	40
53	Bellegrave	e/o Hamner Ave	66.8	RW	66	35
54	Euclid Ave.	n/o Kimball	68.5	40	86	46
55	Euclid Ave.	n/o Pine Ave	69.1	43	93	50
56	Archibald Ave	n/o Schlesiman Rd	68.5	RW	85	46
57	Sumner Ave	s/o Limonite Ave	65.3	RW	52	RW
58	Sumner Ave	s/o Limonite Ave	64.7	RW	48	RW
59	Scholar Way	s/o Limonite Ave	58.6	RW	RW	RW
60	Scholar Way	n/o Limonite Ave	61.0	RW	27	RW
63	Kimball	w/o Euclid Ave.	65.6	RW	55	RW
64	Limonite Ave	w/o Sumner Ave	68.6	RW	86	46
65	Limonite Ave	w/o Hamner Ave	69.8	48	104	56
67	Limonite Ave	w/o I-15 NB Ramps	71.8	66	142	76
70	Pine Ave	w/o Archibald Ave	68.2	RW	82	44
71	Schlesiman Rd	w/o Hamner Ave	65.1	RW	50	RW
72	Euclid Ave.	n/o SR-71 NB Ramps	69.9	49	106	57
73	Archibald Ave	n/o Chandler	68.0	RW	80	RW
74	Archibald Ave	n/o Corydon	68.9	RW	91	49
75	River	n/o Corydon	66.7	30	65	35
76	Hamner Ave	n/o Norco	68.5	RW	85	46
77	Hamner Ave	s/o Norco	69.2	44	95	51

[1] Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.
[2] The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the nearest receiving land use.
"RW" = Location of the respective noise contour falls within the right-of-way of the road. "DNE" = does not exist.

Source: (Urban Crossroads, 2023, Table 6-1)

B. Existing Groundborne Vibration

There are no sources of perceptible groundborne vibration within or in the vicinity of the Amendment Area under existing conditions.

5.13.3 Regulatory Background

A. Federal

1. Federal Transit Administration (FTA)

As identified above, the FTA has published a Noise and Vibration Impact Assessment Manual, which provides guidance for preparing and reviewing the noise and vibration sections of environmental documents. In the interest of promoting quality and uniformity in assessments, the manual is used by

project sponsors and consultants in performing noise and vibration analyses for inclusion in environmental documents. The manual sets forth the methods and procedures for determining the level of noise and vibration impact resulting from most federally-funded transit projects and for determining what can be done to mitigate such impact. The nearest noise sensitive buildings adjacent to the Project site can best be described as "older residential structures" with a maximum acceptable continuous vibration threshold of 0.3 PPV (in/sec).

B. State

1. California Building Code

The California Building Code (CBC) is Title 24 of the California Code of Regulations. CBC Part 2, Volume 1, Chapter 12, Section 1206.4, Allowable Interior Noise Levels, requires that interior noise levels attributable to exterior sources not exceed 45 dBA in any habitable room. The noise metric is evaluated as either L_{dn} (the day-night average sound level) or CNEL (the community noise equivalent level), whichever is consistent with the noise element of the local general plan.

The State of California's noise insulation standards for non-residential uses are codified in the California Code of Regulations, Title 24, Building Standards Administrative Code, Part 11, California Green Building Standards Code (CALGreen). CALGreen noise standards are applied to new or renovation construction projects in California to control interior noise levels resulting from exterior noise sources. Proposed projects may use either the prescriptive method (Section 5.507.4.1) or the performance method (5.507.4.2) to show compliance. Under the prescriptive method, a project must demonstrate transmission loss ratings for the wall and roof-ceiling assemblies and exterior windows when located within a noise environment of 65 dBA CNEL or higher. Under the performance method, a project must demonstrate that interior noise levels do not exceed 50 dBA $L_{eq(1hr)}$.

C. Local

1. City of Ontario General Plan (Policy Plan)

The City adopted *The Ontario Plan 2050* (TOP 2050) on August 16, 2022, including its Safety Element, which addresses Noise (City of Ontario, 2022b). While the TOP 2050 Policy Plan, which is the City's General Plan, provides background and noise fundamentals, it relies on the transportation noise criteria that are derived from standards contained in the California Office of Planning and Research (OPR) General Plan Guidelines. Applicable policies of TOP 2050 are identified in SEIR Section 4.11, Land Use and Planning. The Safety Element identifies several policies to minimize the impacts of excessive noise levels throughout the community. Relevant to the analysis in this subsection, Safety Element Section S4, Noise Hazards, establishes a goal of maintaining an environment where noise does not adversely affect the public's health, safety, and welfare. To satisfy this goal, the Policy Plan identifies six policies related to noise mitigation, coordination with transportation authorities, airport noise compatibility, truck traffic, rail noise mitigation, and roadway design. Noise criteria identified in Table 5.13-3, *Ontario Noise Level Exposure and Land Use Compatibility Guidelines,* of TOP 2050 SEIR, provides guidelines to evaluate land use compatibility within various noise environments and is also presented in Exhibit 3-A of the Noise Analysis included in SEIR Technical *Appendix K*.

Relevant to the Project, residential land uses are considered clearly acceptable within exterior noise level environments approaching 60 dBA CNEL and normally acceptable within noise level environments up to 65 dBA CNEL. For normally acceptable land use, noise reports would be required for major new residential construction. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice. Residential uses are considered normally unacceptable with exterior noise between 65 and 70 dBA CNEL. For normally unacceptable land use, new construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made, and necessary noise insulation features must be included in the design. For noise level environments greater than 70 dBA CNEL, the Project land uses would be considered clearly unacceptable, and no new construction should be permitted.

School uses are considered clearly acceptable with exterior noise levels of up to 60 dBA CNEL, normally acceptable up to 65 dBA CNEL and normally unacceptable above 65 dBA CNEL.

2. City of Ontario Municipal Code

Chapter 29 (Noise) of the City of Ontario Municipal Code (OMC) provides performance standards and noise control guidelines for activities within the City limits, as described below.

❑ Operational Noise Standards

The City of Ontario requires that noise from new stationary sources in the City comply with the City's Noise Ordinance, which limits the acceptable noise at the property line of the impacted property, to reduce nuisances to sensitive land uses. OMC Section 5-29.04 (a) identifies the allowable daytime and nighttime ambient exterior noise standards per each land use type. Compliance with the City's Noise Ordinance would result in noise levels that are acceptable to the City and would result in less than significant noise impacts from stationary sources. For single-family residential land uses (Noise Zone I), ambient exterior noise levels may not exceed 65 dBA L_{eq} during the daytime hours of 7:00 a.m. to 10:00 p.m., and may not exceed 45 dBA L_{eq} during the nighttime hours of 10:00 p.m. to 7:00 a.m. The lower noise level standard shall apply on the boundary between two different noise zones.

❑ Construction Noise Standards

OMC Section 5-29.06(d) exempts construction, repair, remodeling, demolition or grading of any real Property from the provisions of the OMC Noise Chapter. Such activities shall instead be subject to the provisions of OMC Section 5-29.09, which sets restrictions to control noise impacts associated with construction. OMC Section 5-29.09(a), *Construction Activity Noise Regulations*, states:

> *No person, while engaged in construction, remodeling, digging, grading, demolition or any other related building activity, shall operate any tool, equipment or machine in a manner that produces loud noise that disturbs a person of normal sensitivity who works or resides in the vicinity, or a Police or Code Enforcement Officer, on any*

weekday except between the hours of 7:00 a.m. and 6:00 p.m. or on Saturday or Sunday between the hours of 9:00 a.m. and 6:00 p.m.

5.13.4 Basis for Determining Significance

The City of Ontario evaluates noise impacts based on thresholds of significance included in Appendix G of the CEQA Guidelines. A significant impact related to noise would occur if the Project would 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 ground borne vibration or ground borne noise levels;*

c. *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels.*

The evaluation of the Project's noise and vibration impacts during construction and operation under Thresholds "a", "b" and "c" are based on the criteria identified in Table 5.13-2, *Significance Criteria Summary*, which are further discussed in Section 4, *Significance Criteria*, of the Noise Analysis included in SEIR Technical *Appendix K* and summarized below.

A. Noise Level Increases (Threshold A)

1. Operational

Under CEQA, consideration must be given to the magnitude of the increase, the existing baseline ambient noise levels, and the location of receivers to determine if a noise increase represents a significant adverse environmental impact. The Federal Interagency Committee on Noise (FICON) developed guidance to be used for the assessment of project-generated increases in noise levels that consider the ambient noise level. Although the FICON recommendations were specifically developed to assess aircraft noise impacts, these recommendations are often used in environmental noise impact assessments involving the use of cumulative noise exposure metrics, such as the average-daily noise level (CNEL) and equivalent continuous noise level (L_{eq}). For this analysis, a readily perceptible 5 dBA or greater Project-related noise level increase is considered a significant impact when the without Project noise levels are below 60 dBA. Per the FICON, in areas where the without project noise levels range from 60 to 64 dBA, a 3 dBA barely perceptible noise level increase appears to be appropriate for most people. When the without project noise levels are 65 dBA and higher, any increase in community noise louder than 1.5 dBA or greater is considered a significant impact if the noise criteria for a given land use is exceeded, since it likely contributes to an existing noise exposure exceedance. These levels

of increases and their perceived acceptance are consistent with guidance provided by the Federal Aviation Administration, the Federal Highway Administration, and Caltrans.

2. Construction

The City of Ontario has not established numeric maximum acceptable construction source noise levels at potentially affected receivers for CEQA analysis purposes. Therefore, a numerical construction threshold based on Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual is used for analysis of daytime construction impacts. The FTA considers a daytime exterior construction noise level of 80 dBA L_{eq} as a reasonable threshold for noise sensitive residential land use.

B. Vibration (Threshold B)

Vibration-generating activities are evaluated using the Caltrans vibration damage thresholds to assess potential temporary construction-related impacts at adjacent building locations. The nearest noise sensitive buildings adjacent to the Project site can best be described as "older residential structures" with a maximum acceptable continuous vibration threshold of 0.3 PPV (in/sec).

Table 5.13-2 Significance Criteria Summary

Analysis	Receiving Land Use	Condition(s)	Significance Criteria	
			Daytime	Nighttime
Off-Site Traffic	All	If ambient is < 60 dBA CNEL[2]	≥ 5 dBA CNEL Project increase	
		If ambient is 60 - 64 dBA CNEL[2]	≥ 3 dBA CNEL Project increase	
		If ambient is > 65 dBA CNEL[2]	≥ 1.5 dBA CNEL Project increase	
Operational	Noise-Sensitive	Exterior Noise Level Standards[1]	65 dBA L_{eq}	45 dBA L_{eq}
		If ambient is < 60 dBA L_{eq}[2]	≥ 5 dBA L_{eq} Project increase	
		If ambient is 60 - 65 dBA L_{eq}[2]	≥ 3 dBA L_{eq} Project increase	
		If ambient is > 65 dBA L_{eq}[2]	≥ 1.5 dBA L_{eq} Project increase	
Construction		Permitted hours of 7:00 a.m. and 6:00 p.m. on weekdays[3]		
		Noise Level Threshold[4]	80 dBA L_{eq}	
		Vibration Level Threshold[5]	0.3 PPV (in/sec)	

[1] City of Ontario Municipal Code, Section 5-29.04(a) exterior noise standards for residential land uses (Noise Zone I).
[2]FICON, 1992.
[3] City of Ontario Municipal Code Section 5-29.09(a).
[4] Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual.
[5] Caltrans Transportation and Construction Vibration Manual, April 2020 Table 19.
"Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.
Source: (Urban Crossroads, 2023, Table 4-1)

5.13.5 Environmental Impacts and Mitigation

A. Applicable 2006 EIR Mitigation

The following mitigation measures from the 2006 EIR are applicable to and are incorporated into the Project. It should be noted that MM Noi 3 through MM Noi 6 are not applicable to the Project because they address noise attenuation for future uses based on the 2006 EIR analysis, which is no longer relevant or required pursuant to CEQA. As discussed above, future acoustic studies would be prepared as a condition of approval to determine noise attenuation measures required to meet the City's noise standards.

MM Noi 1 has been modified to reflect the current OMC Noise Chapter requirements related to construction activities (text removed is shown as strikeout [~~strikeout~~] text and new text is shown as bold and underline [**bold and underline**]).

MM Noi 1 The construction activities of the proposed project shall comply with the City of Ontario Noise Ordinance **Section 5-29.09(a)** that prohibits construction activities **on any weekday except between the hours of 7:00 a.m. and 6:00 p.m. or on Saturday or Sunday between the hours of 9:00 a.m. and 6:00 p.m.** ~~on Sundays, federal holidays, and other days between the hours of 7:00 PM and 7:00 AM~~.

MM Noi 2 Construction staging areas shall not be located within 150 feet of existing sensitive receptors and construction equipment shall be fitted with properly operating and maintained mufflers.

MM Noi 7 Architectural plans shall be submitted to the City of Ontario for an acoustical plan check prior to the issuance of building permits to assure that the proper windows and/or doors are upgraded for sound reduction and proper ventilation systems are incorporated in order to meet the interior noise level requirement.

B. Impact Analysis

Threshold a:	***Would the Project generate 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?***

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that the construction of proposed development within the Subarea 29 Specific Plan Area would result in potentially significant noise impacts. However, with implementation of 2006 EIR MM Noi 1 and MM Noi 2, there would not be substantial temporary or periodic increase in ambient noise levels and construction-related noise impacts would be less than significant.

The 2006 EIR concluded that increased traffic noise levels resulting from development pursuant to the adopted Subarea 29 Specific Plan would be less than significant at a Project-level, but would result in a substantial permanent increase in cumulative ambient noise levels in the project vicinity above levels existing without the project. The City adopted a statement of overriding considerations for this cumulative impact.

2. Project Impact Analysis

To assess the potential for long-term operational and short-term construction noise impacts, Urban Crossroads identified five representative receiver locations[1], described below and shown on Figure 5.13-1, Noise Receiver and Construction Noise Source Locations. All distances were measured in a straight line from the Project site (Amendment Area) boundary to the outdoor living areas (e.g., private backyards) or at the building facade, whichever is closer to the Project site. Other sensitive land uses in the Project study area that are located at greater distances than those identified in the Noise Analysis would experience lower noise levels than those presented due to the additional attenuation from distance and the shielding of intervening structures.

R1: Location R1 represents the existing residence at the southwest corner of S. Tesoro Privado and E. Amanecer Privado, approximately 73 feet east of the Project site. Receptor R1 is placed at the private outdoor living areas (backyards) facing the Project site.

R2: Location R2 represents the existing residence at 5733 Red Haven Street in the City of Eastvale, approximately 38 feet south of the Project site. Receptor R2 is placed at the private outdoor living areas (backyards) facing the Project site.

R3: Location R3 represents the existing residence at 4807 S. Monarch Place, approximately 66 feet south of the Project site. Receptor R3 is placed at the private outdoor living areas (backyards) facing the Project site.

R4: Location R4 represents the existing residence at 4677 Sagewood Lane, approximately 22 feet west of the Project site. Receptor R4 is placed at the private outdoor living areas (backyards) facing the Project site.

R5: Location R5 represents the existing residence at 3902 E. Fincastle Street, approximately 85 feet west of the Project site. Receptor R4 is placed at the private outdoor living areas (backyards) facing the Project site.

[1] Sensitive receivers are generally defined as locations where people reside or where the presence of unwanted sound could otherwise adversely affect the use of the land. Noise-sensitive land uses are generally considered to include schools, hospitals, single-family dwellings, mobile home parks, churches, libraries, and recreation areas. Moderately noise-sensitive land uses typically include multi-family dwellings, hotels, motels, dormitories, out-patient clinics, cemeteries, golf courses, country clubs, athletic/tennis clubs, and equestrian clubs. Land uses that are considered relatively insensitive to noise include business, commercial, and professional developments. Land uses that are typically not affected by noise include: industrial, manufacturing, utilities, agriculture, undeveloped land, parking lots, warehousing, liquid and solid waste facilities, salvage yards, and transit terminals.

Source(s): Urban Crossroads (04-27-2023)

Figure 5.13-1

Not to Scale

Noise Receiver and Construction Noise Source Locations

Construction Noise Level Impacts

This section analyzes potential impacts resulting from the short-term construction activities associated with the development of the Project. Construction activities on the Project site would include the following stages: demolition, site preparation, grading, building construction, paving, application of architectural coatings. Each stage has a specific equipment mix, depending on the work to be completed during that stage, as described in SEIR Section 3.0, Project Description. As a result of the equipment mix, each stage has its own noise characteristics; some stages have higher continuous noise levels than others, and some have higher impact noise levels than others. Figure 5.13-1 shows the construction noise source activity in relation to the nearest sensitive receiver locations.

The construction noise analysis was prepared using reference construction equipment noise levels from the Federal Highway Administration (FHWA) Roadway Construction Noise Model (RCNM), which includes a national database of construction equipment reference noise emission levels. The RCNM equipment database provides a comprehensive list of the noise generating characteristics for specific types of construction equipment. In addition, the database provides an acoustical usage factor to estimate the fraction of time each piece of construction equipment is operating at full power (i.e., its loudest condition) during a construction operation.

Using the reference construction equipment noise levels provided in Table 10-1 of the Noise Analysis included in SEIR Technical Appendix K, and the CadnaA (Computer Aided Noise Abatement) noise prediction model described in Section 10.3 of the Noise Analysis, calculations of the Project construction noise level impacts at the nearby sensitive receiver locations were completed. Consistent with FTA guidance for general construction noise assessment, Table 10-2 of the Noise Analysis presents the combined noise levels for the loudest construction equipment, assuming they operate at the same time. As shown on Table 10-2, the construction noise levels are expected to range from 41.3 to 58.1 dBA L_{eq} at the nearby receiver locations. Appendix 10.1 of the Noise Analysis includes the detailed CadnaA construction noise model inputs. The City does not specify a construction-related daytime significance threshold, therefore 80 dBA L_{eq} is used as a reasonable threshold to assess the daytime construction noise level impacts.

Table 5.13-3, Construction Noise Level Compliance, shows that the Project's construction noise levels would not exceed the daytime 80 dBA L_{eq} significance threshold at all receiver locations. Therefore, noise impacts related to Project construction would be less than significant and no mitigation is required. Notwithstanding, 2006 EIR MM Noi 1, which requires adherence to the City's Noise Ordinance relative to days/hours of construction, and 2006 EIR MM Noi 2, which requires construction staging areas not be located within 150 feet of existing sensitive receptors and construction equipment be fitted with properly operating and maintained mufflers, are incorporated into the Project.

Table 5.13-3 Construction Noise Level Compliance

Receiver Location[1]	Construction Noise Levels (dBA L_{eq})		
	Highest Construction Noise Levels[2]	Threshold[3]	Threshold Exceeded?[4]
R1	55.2	80	No
R2	56.9	80	No
R3	54.0	80	No
R4	58.1	80	No
R5	51.7	80	No

[1] Noise receiver locations are shown on Figure 5.13-1
[2] Highest construction noise level calculations based on distance from the construction noise source activity to the nearest receiver locations as shown on Table 10-2 of the Noise Analysis included in SEIR Technical Appendix K.
[3] Construction noise level thresholds as shown on Table 5.13-2.
[4] Do the estimated Project construction noise levels exceed the construction noise level threshold?
Source: (Urban Crossroads, 2023, Table 10-3)

C. Operational Noise Level Impacts

The potential stationary-source operational noise impacts at the nearest receiver locations resulting from the operation of uses allowed by the Project are addressed in this section. The proposed residential development within the Amendment Area would not include any specific type of operational noise levels beyond the typical noise sources associated with similar residential land uses in the area, such as people and children, parking lot activity, garage doors, small air conditioners, and trash collection.

To ensure the proposed mechanical ventilation complies with the City's Noise Ordinance requirements (OMC Section 5-29.04), Mitigation Measure (MM) 5.13-1 requires best engineering practices be used in the placement of noise generating equipment when developing site plans for future land uses containing HVAC units such that noise levels at the property line comply with City standards. Development plans shall be accompanied by an acoustical analysis demonstrating compliance with City standards for approval prior to issuance of building permits. With adherence to the City's Noise Ordinance, which would be ensured with incorporation of MM 5.13-1, operational noise impacts would be less than significant.

D. Off-Site Traffic Noise Impacts

To assess the off-site transportation CNEL noise level impacts associated with development of the Project, noise contours were developed based on the *Subarea 29 Specific Plan Amendment Transportation Study* prepared by Fehr & Peers (May 2023) included in SEIR Technical Appendix M). Noise contour boundaries represent the equal levels of noise exposure and are measured in CNEL from the center of the roadway. Noise contours were developed for the following traffic analysis scenarios with and without the Project to evaluate potential off-site traffic noise impacts resulting from the Project: Existing, Opening Year 2025, and Future Year 2040. The noise contours do not consider the effect of any existing noise barriers or topography that may attenuate ambient noise levels. In addition, because the noise contours reflect modeling of vehicular noise on area roadways, they appropriately do not reflect noise contributions from the surrounding stationary noise sources within the area.

Appendix 6.1 of the Noise Analysis included in SEIR Technical Appendix K includes a summary of the traffic noise level contours for each of the traffic scenarios.

1. Existing Plus Project Traffic Noise Level Increases

As previously shown in Table 5.13-1, the Existing without Project exterior noise levels are expected to range from 53.1 to 72.1 dBA CNEL, without accounting for any noise attenuation features such as noise barriers or topography. As shown in Table 6-2 of the Noise Analysis included in SEIR Technical Appendix K, under Existing with Project conditions exterior noise levels are calculated to range between 55.0 to 72.1 dBA CNEL. As shown on Table 6-7 of the Noise Analysis, the Project's off-site noise level increases are calculated to range between 0.0 to 8.0 dBA CNEL on the study area roadway segments. Therefore, based on the significance criteria identified in Table 5.13-2, the land uses adjacent to the following study area roadway segments would experience significant noise level impacts due to unmitigated Project-related traffic noise levels: Eucalyptus Ave west of Hamner Ave (Segment 46) (noise level increase from 55.3 to 63.3 dBA CNEL).

Due to the nature of the noise source (traffic noise), mitigation options are limited to barriers to shield receivers and roadway modification, such as lowering speed limits and alternate roadways surfaces. Barriers already exist along Segment 46 or are not considered feasible due to property access requirements of existing noise sensitive land uses. The speed modeled for Segment 46 is already considered low and reducing the speed to 25 mph would reduce noise level by 3 dBA and would not reduce the impact to less than significant levels (i.e., -4 dBA). Rubberized open graded asphalt hot mix can provide noise attenuation of approximately 4 dBA for automobile traffic noise levels. Thus, rubberized open graded asphalt could reduce the increase in noise levels to less than 5 dBA CNEL along Segment 46. However, the City of Ontario pavement standards require the use of rubberized gap graded asphalt, which would result in an approximate 1 dBA CNEL reduction. Since the City does not allow for the use of rubberized open graded asphalt, the mitigation is not considered feasible. Therefore, there is no feasible mitigation to reduce the off-site traffic noise impacts along Eucalyptus Ave west of Hamner Ave (Segment 46) to less than significant, and this noise level increase would be significant and unavoidable.

2. Opening Year 2025 Project Traffic Noise Level Increases

As shown in Table 6-3 of the Noise Analysis included in SEIR Technical Appendix K, Opening Year 2025 without Project exterior noise levels are calculated to range between 54.1 to 73.2 dBA CNEL, without accounting for any noise attenuation features such as noise barriers or topography. Table 6-4 of the Noise Analysis shows that the Opening Year 2025 with Project noise levels are expected to range between 57.1 to 73.4 dBA CNEL. As shown on Table 6-8 of the Noise Analysis, the Project's off-site noise level increases are calculated to range between 0.0 to 7.1 dBA CNEL.

Based on the significance criteria for off-site traffic noise, the land uses adjacent to Eucalyptus Ave west of Hamner Ave (Segment 46) (noise level increase from 56.4 to 63.5 dBA), would also experience significant noise level impacts due to unmitigated Project-related traffic noise levels. As discussed above, there is no feasible mitigation to reduce this impact to a less than significant level; therefore,

the Project's traffic noise levels under the Opening Year 2025 with Project conditions would be significant and unavoidable.

3. *Future Year 2040 Noise Level Increases*

As shown in Table 6-5 of the Noise Analysis, included in SEIR Technical Appendix K, the Future Year 2040 without Project exterior noise levels are calculated to range between 57.3 to 72.8 dBA CNEL, without accounting for any noise attenuation features. Table 6-6 of the Noise Analysis shows the Future Year 2040 with Project conditions noise levels are calculated to range between range from 57.9 to 73.1 dBA CNEL. Table 6-9 of the Noise Analysis shows that the Project off-site traffic noise level changes are calculated to range from 0.0 to 1.7 dBA CNEL. The decreases in traffic noise shown in the future year condition are due to new roadways being constructed over time, allowing for a redistribution of traffic within the City. Based on the significance criteria for off-site traffic noise, land uses adjacent to the study area roadway segments would experience less than significant noise level increases. Therefore, the Project's traffic noise levels under the Future Year 2040 with Project conditions would be less than significant without mitigation.

E. On-Site Traffic Noise Impacts

As identified in the TOP 2050 EIR, CEQA does not generally require consideration of the effects of existing environmental conditions on a proposed project's future users or residents. Therefore, analysis of potential noise impacts to proposed uses within the Amendment Area from existing transportation-related noise sources is not provided in this subsection. However, the City's general building code requirements require new developments to meet the noise standards outlined in the CBC, as outlined in SEIR Section 5.13.3, Applicable Regulatory Requirements. Notably, the CBC requires that interior noise levels attributable to exterior sources not exceed 45 dBA in any habitable room for residential uses. The Noise Analysis included in SEIR Technical Appendix K includes an on-site exterior noise impact analysis to determine the noise exposure levels that would result from adjacent transportation noise sources in the Project area, and to identify potential noise attenuation that would achieve acceptable Project exterior and interior noise levels. In summary, the analysis concludes that the residential and school uses are considered as clearly acceptable to normally acceptable with unmitigated exterior noise levels of less than 65 dBA CNEL. For normally acceptable exterior noise levels, acoustical reports would be required as conditions of approval for major new residential construction. The required acoustical studies would utilize any recommendations identified in the Noise Analysis included in SEIR Technical Appendix K in combination with precise grading plans and actual building design specifications to identify any additional noise abatement measures, such as exterior noise barriers and/or building materials (e.g., sound transmission class ratings for windows and doors), if necessary. Conventional construction with closed windows and fresh air supply systems of air conditioning would normally suffice. Further 2006 EIR MM Noi 7 requires that architectural plans be submitted to the City of Ontario for an acoustical plan check prior to the issuance of building permits to assure that the proper windows and/or doors are upgraded for sound reduction and proper ventilation systems are incorporated in order to meet the interior noise level requirement.

Additional Project-Level Mitigation Measures

The following measure ensures adherence to the City's Noise Ordinance relative to stationary noise sources. There is no feasible mitigation for off-site traffic noise impacts.

MM 5.13-1 Prior to the issuance of a building permit for residential development, the Property Owner/Developer shall prepare an acoustical study(ies) of proposed plans, which shall identify all noise-generating areas and associated equipment, predict noise levels at property lines from all identified areas, and noise attenuation features required to be implemented (e.g., enclosures, barriers, site orientation), as necessary, to comply with the City Municipal Code Section 5-29.04.

Level of Significance After Mitigation

The increase in off-site traffic noise levels along Eucalyptus Ave west of Hamner Ave (Segment 46) would be significant and unavoidable under the Existing Plus Project and Opening Year 2025 traffic analysis scenario. However, it should be noted that under the Future Year 2040 traffic analysis scenario this impact would be less than significant. The decreases in traffic noise shown in the Future Year 2040 condition is due to new roadways being constructed over time allowing for a redistribution of traffic within the City.

Threshold b: Would the Project generate excessive groundborne vibration or groundborne noise levels?

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that implementation of the Subarea 29 Specific Plan would not generate excessive groundborne vibrations or groundborne noise levels during normal operations. During construction, groundborne vibrations may be generated infrequently by use of heavy construction equipment. However, this type of vibration would be temporary and infrequent. Therefore, this impact was determined to be less than significant, and no mitigation measures were necessary.

2. Project Impact Analysis

The City of Ontario does not define the numeric level at which a development project's vibration levels are considered excessive; therefore, Caltrans' 0.3 PPV threshold for "older residential structures" is used to evaluate the Project's potential to create excessive groundborne vibration or groundborne noise.

A. Construction Vibration Impacts

Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods employed. Operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance. Consistent with the analysis in the 2006 EIR, proposed construction activities within the Amendment Area would utilize construction equipment that has the potential to generate vibration. Based on the representative vibration levels presented in Table 10-5 of the Noise Analysis included in SEIR Technical Appendix K for various

construction equipment types, estimated vibration levels resulting from construction activities on the Project site were calculated at distances ranging from 22 to 85 feet from Project construction activities. As shown in Table 4.13-4, Project Construction Vibration Levels, construction vibration velocities are estimated to range between 0.01 and 0.11 PPV. Based on the maximum acceptable continuous vibration threshold of 0.3 PPV, the typical Project construction vibration levels would fall below the building damage thresholds at all sensitive receiver locations. Therefore, vibration impacts related to Project construction would be less than significant during typical construction activities at the Project site, consistent with the conclusion of the 2006 EIR.

Table 5.13-4 Project Construction Vibration Levels

Receiver[1]	Distance to Const. Activity (Feet)[2]	Typical Construction Vibration Levels PPV (in/sec)[3]				Thresholds PPV (in/sec)[4]	Thresholds Exceeded?[5]
		Small bulldozer	Loaded Trucks	Large bulldozer	Highest Vibration Level		
R1	73'	0.001	0.015	0.018	0.018	0.3	No
R2	38'	0.002	0.041	0.047	0.047	0.3	No
R3	66'	0.001	0.018	0.021	0.021	0.3	No
R4	22'	0.004	0.092	0.108	0.108	0.3	No
R5	85'	0.000	0.012	0.014	0.014	0.3	No

[1]Receiver locations are shown on Figure 5.13-1.
[2]Distance from receiver location to Project construction boundary (Project site boundary).
[3]Based on the Vibration Source Levels of Construction Equipment (Table 10-4 of the Noise Analysis included in SEIR Technical Appendix K).
[4]Caltrans Transportation and Construction Vibration Guidance Manual, April 2020, Table 19, p. 38.
[5]Does the peak vibration exceed the acceptable vibration thresholds?
Source: (Urban Crossroads, 2023, Table 10-5)

B. Operational Vibration Impacts

The operational activities associated with the proposed residential and school uses would not include or require equipment, facilities or activities that would result in perceptible ground-borne vibration. Accordingly, Project operation would not generate excessive groundborne vibration or groundborne noise levels and impacts would be less than significant, consistent with the conclusion of the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional mitigation is required.

Level of Significance After Mitigation

Less than significant impact.

Threshold 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?***

1. Summary of Previous Environmental Analysis

The 2006 EIR identified that the Subarea 29 Specific Plan Area is approximately 4 miles south of the ONT and 1.6 miles northeast of the Chino Airport, and outside the 65 dBA CNEL contour for these airports. Therefore, the 2006 EIR concluded that implementation of the Subarea 29 Specific Plan would not expose people residing or working in the Specific Plan Area to excessive noise levels related to air travel.

2. Project Impact Analysis

Threshold "c" applies when there are nearby public and private airports and/or air strips and focuses on land use compatibility of the Project to nearby airports and airstrips. As identified in the 2006 EIR, the Amendment Area is located approximately 4 miles south of the ONT. The Amendment Area is approximately 2.5 miles northeast of the Chino Airport. As shown on Exhibit 3-B in the Noise Analysis included in SEIR Technical Appendix K, and Figure 5.13-3, Airport Noise Contours, of the TOP 2050 SEIR, the Amendment Area is located outside the ONT noise contours. TOP 2050 SEIR Figure 5.13-3 also shows that the Amendment Area is located outside of the Chino Airport noise contours (City of Ontario, 2022a). Therefore, people residing or working within the Amendment Area would not be exposed to excessive noise levels from airport operations. This impact would be less than significant, consistent with the conclusion of the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional mitigation is required.

Level of Significance After Mitigation

Less than significant impact.

5.13.6 Cumulative Impact Analysis

This cumulative impact analysis considers development of the Project in conjunction with development anticipated by TOP 2050, as discussed in SEIR Section 5.0.3, Scope of Cumulative Effects Analysis, and cumulative development projects identified in the Transportation Study included in SEIR Technical Appendix M.

As discussed under the analysis of Threshold "a," Project construction-related noise impacts would be less than significant. As it is unlikely that any other cumulative developments would be under construction in proximity to the Project concurrent with Project construction, cumulatively-considerable construction-related noise impacts would be less than significant.

With respect to noise associated with Project operations, the Project's operational noise from on-site residential and school uses would be less than significant. There are no cumulative projects in the vicinity of the Amendment Area that would result in significant operational noise impacts. Therefore, the Project's contribution to cumulative operational noise impacts would be less than significant.

The analysis presented under Threshold "a" evaluates the Project's traffic noise contribution along study area roadways with consideration of Existing Plus Project, Opening Year 2025 and Future Year 2040 cumulative development. As discussed, the Project's traffic noise contributions along study area roadways would not exceed applicable significance thresholds with the exception of one roadway segment (Eucalyptus Avenue west of Hamner Avenue) under the Existing Plus Project and Opening Year 2025 condition. There is no feasible mitigation to address this impact; therefore, the Project would result in a significant and unavoidable cumulative traffic-related noise impact.

The analysis presented under Threshold "b" demonstrates that Project-related vibration impacts would be less than significant during Project construction. As it is unlikely that other sources of vibration would occur concurrent with Project construction activities, impacts would be less than cumulatively considerable.

As discussed under the analysis of Threshold "b," under long-term conditions, the Project would not include or require equipment or activities that would result in perceptible groundborne vibration. As with the Project, cumulative projects in the vicinity of the Amendment would consist of primarily of residential and other uses that would not generate perceptible groundborne vibration during operation. Therefore, Project impacts due to vibration during operation would be less than cumulatively considerable.

As discussed under the analysis of Threshold "c," the Project would not involve the construction, operation, or use of any public airports or public use airports. There are no conditions associated with implementation of the Project that would contribute airport noise or exposure of additional people to unacceptable level of airport noise. Accordingly, the Project would not cumulatively contribute to impacts associated with noise from a public airport, public use airport, or private airstrip.

5.13.7 REFERENCES

City of Ontario. 2022a. *Final Supplemental Environmental Impact Report The Ontario Plan 2050.* August 2022. https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final_DraftSEIR_TOP2050.pdf

City of Ontario. 2022b. *The Ontario Plan 2050 Policy Plan, Safety Element.* August 2022. https://www.ontarioca.gov/about-ontario-ontario-plan-policy-plan/safety

Urban Crossroads, 2023. *Subarea 29 Specific Plan Amendment Noise Impact Analysis, City of Ontario.* April 27, 2023. Included in Appendix K of this SEIR.

5.14 POPULATION AND HOUSING

This section analyzes potentially significant impacts associated with population and housing growth that could result from the implementation of the Project.

5.14.1 EXISTING CONDITIONS

Existing uses within Planning Areas (PAs) 30 and 31 include vacant farm structures and supporting uses that supported previous agricultural activities. The western portion of the Expansion Area is used for agriculture production and the eastern portion of the Expansion Area is undeveloped. There are no existing residents or employees within the Amendment Area.

A. Population and Housing

In January 2022, the California Department of Finance (DOF) estimated the population in the City of Ontario (City) to be 179,516 individuals, which represents approximately 8.2 percent of the population in San Bernardino County (2,187,665 individuals) (DOF, 2022a).

The Southern California Association of Governments (SCAG) estimated that there were 47,897 households in the City in 2018 (the most recent data available), which represented approximately 7.4 percent of the estimated total number of households in San Bernardino County (647,257 households) (SCAG, 2019).

B. Employment

According to the California Employee Development Department (EDD), in June 2022, the City's civilian labor force was 92,300 persons with 89,100 persons employed and an unemployment rate of 3.5 percent (or 3,200 persons). For the same period, the civilian labor force in San Bernardino County was 1,001,900 persons with 962,200 persons employed and an unemployment rate of approximately 4.0 percent. (EDD, 2022) According to SCAG, as of 2019, the most recent data available, approximately 16.7 percent of the City's population work and live in the City and 83.3 percent commute outside the City for work (SCAG, 2019).

C. Regional and Local Growth Projections

SCAG is the metropolitan planning organization responsible for developing and adopting regional housing, population, and employment growth forecasts for local governments from Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. The SCAG region encompasses 191 cities and 19 million residents. To facilitate regional planning efforts, SCAG's planning area is organized into 15 subregions. The City is located in the San Bernardino Council of Governments subregion.

SCAG's *Connect SoCal*, adopted in September 2020, is the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), and includes a Demographics and Growth Forecast technical report, which helps coordinate regional planning, employment, and housing

development strategies in Southern California. The demographic and growth forecasts presented in *Connect SoCal* are the currently adopted population, housing, and employment forecasts for the six-county region, and reflect recent and past trends, key demographic and economic assumptions, and local, regional, State, and national policy. As part of the development of the forecast, SCAG coordinates with local jurisdictions, including the City, to understand each community's vision for the future so that it can be integrated into the outlook for the future of the region. Table 5.14-1, SCAG Growth Projections: 2016 – 2045, presents the SCAG growth projections for San Bernardino County and the City between 2016 through 2045, as presented in the *Connect SoCal* Demographics and Growth Forecast technical report. It should be noted that SCAG's estimated growth projections were developed prior to adoption of The Ontario Plan (TOP) 2050.

Table 5.14-1 SCAG Growth Projections: 2016 – 2045

Jurisdiction	2016	2045	Increase 2016-2045	Percent Increase 2016-2045
Population				
San Bernardino County	2,141,000	2,815,000	674,000	31.5%
Ontario	172,200	269,100	96,900	56.3%
Households				
San Bernardino County	630,000	875,000	245,000	38.9%
Ontario	46,000	74,500	28,500	62.0%
Employment				
San Bernardino County	791,000	1,064,000	273,000	34.5%
Ontario	113,900	169,300	55,400	48.6%

Source: (SCAG, 2020)

For comparison, the *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009) certified in October 2006 (referred to herein as the "2006 EIR"), forecast that by 2030 the City would have 305,509 residents; 90,417 households; and 147,785 employees. Therefore, the *Connect SoCal* 2045 household and population projections are less than what was estimated in the 2006 EIR for year 2030, and the employment projections are higher.

The City's current growth projections for buildout of The Ontario Plan 2050 (TOP 2050), as presented in *The Ontario Plan 2050 Final Supplemental Environmental Impact Report* (TOP 2050 SEIR) certified by the City in August 2022, are presented in Table 5.14-2, TOP 2050 Growth Projections. The City's population, households, and number of jobs projected in TOP 2050 exceed SCAG's 2050 projections. The TOP 2050 SEIR estimates a population increase of 230,895 residents in the City between 2021 and 2050 (an increase 179,597 individuals to 410,492 individuals). This represents an increase of approximately 7,962 residents per year. Therefore, in 2045 there would be approximately 370,682 residents, also exceeding the SCAG population projection of 269,100 residents in Ontario in 2045.

Table 5.14-2 TOP 2050 Growth Projections

	TOP 2050
Population	410,942
Employment	296,002
Residential Units	129,562

Source: (City of Ontario, 2022)

5.14.2 Regulatory Background

A. State

1. State of California Fair Share Housing Requirements

State housing law (California Government Code, Section 65580 et seq.) calls upon local jurisdictions to provide for low- and moderate-income housing. In implementing this law, the California Department of Housing and Community Development (HCD) assigns fair share housing targets to each jurisdiction and requires local General Plan Housing Elements to address how these fair share housing targets can be achieved during the specified timeframe given local demographics, land use, and zoning. State law requires local jurisdictions to submit Housing Elements for HCD review and approval. As discussed below, the City's Housing Element was adopted by the City Council on March 1, 2022 and was subsequently revised in August 2022 to address comments received by the HCD. The revised Housing Element was reviewed and adopted by the HCD on October 7, 2022 (HCD, 2022). Implementation of these housing laws at the regional level (SCAG) and at the local level (City) is discussed below.

B. Regional

1. SCAG Connect SoCal (2020-2045 RTP/SCS)

Section 5.11, *Land Use and Planning*, of this Subsequent Environmental Impact Report (SEIR) includes a discussion of SCAG's *Connect SoCal* (2020-2045 RTP/SCS) and provides an analysis of the Project's consistency with the established goals. Connect SoCal is a long-range visioning plan that builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. As previously identified, *Connect SoCal* includes a Demographics and Growth Forecast technical report. The Regional Growth Forecast is used as a key guide for developing regional plans and strategies mandated by federal and state governments such as the RTP/SCS, the Air Quality Management Plan (AQMP) (discussed in SEIR Section 5.3, *Air Quality)*, and the Regional Housing Needs Assessment (RHNA), discussed in this section.

2. Regional Housing Needs Assessment (RHNA)

State law requires councils of governments (COGs), also known as municipal planning organizations (MPOs), which includes SCAG, to determine the existing and future housing needs for its region. SCAG is also required to determine the allocation of housing that must be accommodated in each city and county in the SCAG region. SCAG's RHNA provides an allocation of the existing and future housing needs by jurisdiction; this is based on income level, existing housing needs in each city and

county, and the fair share allocation of the projected regional population growth. The allocations are driven by the intent that a better balance between jobs and housing should occur in various areas of the region and that every city should incur its fair share in the development of affordable housing units and in meeting future housing needs. All local governments are required to set aside sufficient land, adopt programs, and provide funding (to the extent feasible), to facilitate and encourage housing production commensurate with that housing need.

The City's adopted Housing Element outlines how the City will meet its RHNA allocation obligations for the Sixth Cycle Housing Element Update, which covers the housing element planning period of October 2021 through October 2029. The City's RHNA allocation for the 2021-2029 planning period is 20,854 units (refer to Table 5.14-3 below) (SCAG, 2021).

Table 5.14-3 2021-2029 RHNA

Income Category	Number of Units	Percentage
Very Low (0-50% of AMI)[a]	5,640	27%
Low (51-80% of AMI)	3,286	16%
Moderate (81-120% of AMI)	3,329	16%
Above Moderate (more than 120% of AMI)	8,599	41%
Total	**20,854**	**100%**

AMI = Average Median Income

a. Table 2-31, Regional Housing Needs Goals, 2021-2029, of the City' Housing Element identifies 2,820 extremely low-income units, and 2,820 very low-income units.

Source: (SCAG, 2021)

C. Local

1. City of Ontario Housing Element

State law requires that California jurisdictions adopt a Housing Element that establishes goals, policies, and programs that respond to community housing conditions and needs. The City of Ontario Housing Element was prepared to address the legal requirements for the Housing Element, and to ensure greater production, preservation, and improvement of housing in the community in the context of existing and future housing needs, constraints to the production of housing, and available land and financial resources. The City plans to meet its housing objectives for the 2021-2029 Housing Element cycle (20,854 units) through the following housing strategies:

- **Housing Production.** Housing units built and occupied (received a certificate of occupancy) on or after June 30, 2021, when the projection period for the 6th cycle RHNA begins.
- **Planned Production.** Housing units proposed for construction that are likely to be approved and built during the planning period, from July 2021 to October 2029.
- **Available Land.** Designation of vacant and underutilized sites with zoning, development standards, services, and public facilities in place so housing can be built. Housing production, planned production, and available land.

The consistency of the Project with relevant goals and policies of the City's Housing Element is evaluated in SEIR Section 5.11, *Land Use and Planning*.

5.14.3 Basis for Determining Significance

According to Section XIV of Appendix G to the CEQA Guidelines, the proposed Project would result in a significant impact related to population and housing if the Project or any Project-related component would:

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.*

5.14.4 Environmental Impacts and Mitigation

A. Applicable 2006 EIR Mitigation

The 2006 EIR did not identify any mitigation measures related to housing and population.

B. Impact Analysis

Threshold a:	***Would the Project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure?***

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that implementation of the Subarea 29 Specific Plan would result in 2,300 residential units with an associated population of approximately 8,119 persons (approximately 7,821 persons when taking into consideration the vacancy rate at the time the 2006 EIR was prepared). This growth was determined to be consistent with regional growth forecasts and regional jobs/housing balance projections resulting in a less than significant impact. Indirect impacts related to population growth and cumulative impacts were also determined to be less than significant.

2. Project Impact Analysis

Construction

It is estimated that development pursuant to the proposed Subarea 29 Specific Plan Amendment would occur over an approximate 48-month construction period with buildout estimated to occur in 2025. Project construction activities would require contractors and laborers. It is anticipated that general construction labor would be available from the local and regional labor pool and would not result in substantial population growth because the construction workers would commute from their respective

homes. Additionally, each construction phase (e.g., grading, paving, electrical, etc.) requires different skills and specialties, which would be needed for the length of time of that phase. Therefore, the Project's construction phases would not result in a long-term increase in employment which would induce substantial unplanned population growth from temporary construction activities. Therefore, the Project would not directly or indirectly induce substantial population growth in the City during construction, resulting in a less than significant impact.

Operation

As described in SEIR Section 3.0, Project Description, the Project includes an amendment to the approved Subarea 29 Specific Plan, which would increase the total number of allowed units in the Subarea 29 Specific Plan from 2,418 units to 3,888 units (an increase of 1,470 units). Based on the population generation rate of approximately 4.0 persons per dwelling unit identified in the *Subarea 29 Specific Plan Amendment Vehicle Miles Traveled Assessment*, prepared by Fehr and Peers (F&P) dated October 17, 2022 (Technical Appendix L), which is based on socioeconomic data for the Project Traffic Analysis Zones, it is estimated that the Project would generate approximately 5,876 new residents (Fehr & Peers, 2022). Notwithstanding a 3.6 percent vacancy rate identified for the City by the DOF (DOF, 2022b), which would result in 5,668 residents, this analysis is conservatively based on an increased population of 5,876 residents.

The Amendment Area is not identified in the Housing Element as a "Housing Opportunity Area" (refer to Figure 5-1 of the Housing Element); however, the development of new housing units within the Amendment Area would assist the City in meeting State-mandated fair share housing production targets for above moderate housing as outlined in SCAG's RHNA (8,599 units; refer to Table 5.14-3). Table 5.14-4, Comparison of Project Population, Employment, and Housing with Adopted Growth Forecasts, compares the calculation of future population, housing, and employment with implementation of the Project to regional and local projections. As shown, the net increase in units and potential for 5,876 new residents would not exceed the population projections for the City or the region.

The Project's proposed net new units represent approximately 1.8 percent of the increase in housing in the City as projected in the TOP 2050 EIR, 5.5 percent of the increase in housing in the City as projected in *Connect SoCal*, and 0.6 percent of the increase in housing in the County as projected in *Connect SoCal*. The Project's estimated net population increase represents approximately 2.5 percent of the increase in population in the City as projected in TOP 2050 EIR, 6.6 percent of the increase in population in the City as projected in *Connect SoCal*, and 0.9 percent of the increase in population in the County as projected in *Connect SoCal*. The proposed increase in units within the Amendment Area is consistent with TOP 2050, and would not result in an increase in housing or population beyond that anticipated with buildout of TOP 2050 and evaluated in the TOP 2050 EIR. Although the increase in population, housing, and employment under TOP 2050 would exceed SCAG's regional forecasts for the City, TOP 2050 would improve the job-housing balance when compared to the previous TOP. SCAG projects the City to be jobs-rich, with a jobs-housing ratio of 2.2 in 2045. In comparison, the implementation of development pursuant to TOP 2050, including the Project, would result in a slightly higher jobs-housing ratio of 2.3, which would be reduced compared to the 3.0 jobs-housing ratio under

the previous TOP. Therefore, the TOP 2050 EIR concluded that implementation of the TOP, which includes the Project, would be consistent with *Connect SoCal,* and the increase in housing and population would be less than significant (City of Ontario, 2022). The increase in housing and population resulting from the Project would be consistent with TOP 2050, would not result in substantial unplanned population growth beyond that anticipated in the region, would assist the City in meeting its RHNA requirements and reducing the jobs-housing ratio. Therefore, this impact would be less than significant consistent with the conclusion of the 2006 EIR and the TOP 2050 EIR.

Table 5.14-4 Comparison of Project Population, Employment, and Housing with Adopted Growth Forecasts

	Existing	Anticipated Net Growth With the Project	Existing Plus Project (2027)	TOP Buildout Projections 2050[b]	Connect SoCal Regional Growth Projections 2045[c]
Population					
County of San Bernardino (2022)	2,187,665[a]	5,876	2,193,541	-	2,815,000
City of Ontario (2022)	179,516[a]		185,392	410,492	269,100
Households					
County of San Bernardino (2018)	647,257[d]	1,470	648,727	-	875,000
City of Ontario (2018)	47,897[d]		49,367	129,562	74,500
Employment					
County of San Bernadino (2022)	1,001,900[e]	56[f]	1,001,956	-	1,064,000
City of Ontario (2022)	89,100[e]		89,156	296,002	169,300

SCAG: Southern California Association of Governments

[a] (DOF, 2022a)
[b] (City of Ontario, 2022)
[c] (SCAG, 2020)
[d] (SCAG, 2019)
[e.] (EDD, 2022)
[f.] (Fehr & Peers, 2022)

The proposed school within PA 34 is estimated to generate up to 56 employment opportunities; however, the school use was anticipated in the previous and current TOP. The estimated 56 employees represent 0.02 percent of the increase in employment in the City as projected in the TOP 2050 EIR, 0.06 percent of the increase in employment in the City as projected in *Connect SoCal*, and 0.09 percent of the increase in employment in the County as projected in *Connect SoCal*. The Project region contains an ample supply of potential employees and the labor demand generated by the Project is not anticipated to draw new residents to the area or the City. The anticipated employment opportunities can be filled by the local labor force. As previously discussed, the City has an unemployment rate of 3.5 percent and the County has an unemployment rate of 4.0 percent, and many of the City's residents commute outside the City for work. Therefore, implementation of the school would not indirectly induce substantial unplanned population growth in the area. Impacts would be less than significant.

The Project proposes infrastructure improvements in the surrounding roadways, construction of on-site roadways, and on-site utility infrastructure that would connect to existing utility infrastructure in the surrounding roadways. The utility infrastructure improvements would be sized to accommodate the Project and would not include additional capacity to accommodate future development off site. As such, the Project's proposed infrastructure improvements are not anticipated to result in indirect substantial unplanned population growth.

In summary, implementation of the Project would not induce substantial unplanned population growth in an area, either directly or indirectly, resulting in a less than significant impact. Therefore, the Project would not result in any new or more severe impacts related to population and housing than those disclosed in the 2006 EIR or the TOP 2050 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

Threshold b: Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that implementation of the Subarea 29 Specific Plan would result in the displacement of 12 residential structures (4 occupied with approximately 14 people). The 2006 EIR determined that implementation of the Subarea 29 Specific Plan would not displace substantial numbers of people or housing, necessitating the construction of replacement housing, resulting in a less than significant impact. Additionally, cumulative impacts were determined to be less than significant.

2. Project Impact Analysis

The existing uses within the Amendment Area, including the single-family residence within PA 30, have been vacated; therefore, the Project would not result in the displacement of housing or people necessitating the construction of replacement housing. No impact would occur. Implementation of the Project would not result in any new or more severe impacts related to population and housing than those disclosed in the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

No impact.

5.14.5 Cumulative Impact Analysis

Buildout of the Amendment Area is anticipated to generate housing and non-residential uses consistent with TOP 2050. The associated increases in population (estimated 5,876 residents) and employment opportunities (estimated 56 jobs) in the City would not result in substantial unplanned population growth in the area. The anticipated employment opportunities associated with the proposed school use would not be such that individuals would move to the City or the region creating unplanned indirect increases in population. Additionally, the Project would not result in an extension of infrastructure that would result in unplanned induced or cumulatively considerable development. Since the Project impact is less than significant, the Project would not cause a cumulatively considerable impact related to population or housing.

5.14.6 References

City of Ontario. 2022. *The Ontario Plan 2050 Final Supplemental Environmental Impact Report*. August 2022. https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final_DraftSEIR_TOP2050.pdf

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5.15 PUBLIC SERVICES AND RECREATION

This section analyzes the Project's potential impacts related to public services and recreation that could result from implementation of the Project and that could require construction or expansion of existing public service facilities resulting in a physical impact on the environment.

5.15.1 EXISTING CONDITIONS

Existing uses within Planning Areas (PAs) 30 and 31 include dairy farming and agriculture uses, and farm structures that supported previous agricultural activities. The southwest corner of the Expansion Area (PAs 32, 33 and 34) includes a disturbed lot previously occupied by a trucking company. The western portion of the Expansion Area is used for agriculture production and the eastern portion of the Expansion Area is disturbed and undeveloped. There are no existing public service or recreational facilities within the Amendment Area and limited to demand for public services.

A. Fire Protection Services

The City of Ontario Fire Department (OFD) provides fire protection, paramedic, and emergency response services to the City, including the Amendment Area. The OFD serves over 185,000 residents, covering over 50 square miles. OFD operates 10 fire stations throughout the City, including the Ontario International Airport station. The OFD has 227 personnel, including 186 sworn firefighters and 41 professional staff members that make up five bureaus, including Operations, Fire Prevention, Support Services/Airport Operations, Emergency Medical Services (EMS), and Administrative Services, and operates with a daily staffing level of 59 sworn firefighters. Throughout the 10 fire stations, there are 9 4-person paramedic engine companies, 3 4-person truck companies, an 8-person aircraft rescue and firefighting (ARFF) station, 1 fire investigation supervisor, and 2 battalion chiefs. The OFD operates under a Memorandum of Understanding (MOU) that mandates 4-person engine companies (2 of them being paramedics) and 4-person truck companies operating at all times (OFD, 2022a).

The OFD created the Emergency Medical Service (EMS) Bureau to provide additional medical care in emergency cases. This is accomplished through the continued training of firefighters in paramedic methods and programs (OFD, 2022b). The OFD Fire Operations Bureau includes specialized teams trained to provide advanced services. These teams include the Bomb Squad, the Hazardous Materials Team, the Urban Search and Rescue team, and the Special Weapons and Tactics (SWAT) team (OFD, 2022c).

The nearest fire station to the Amendment Area is Station No. 9 located at 2661 East Grand Park, approximately 1.2-roadway miles to the northwest. OFD Station No. 6 is located at 2931 East Philadelphia Street approximately 3.8 roadway miles north.

The National Fire Protection Association (NFPA) Fire Code section 1710 recommends that a first-responder unit arrive at the scene in a travel time of 4 minutes or less at least 90 percent of the time. NFPA recommends that full response to a low/medium hazard fire occur within 8 minutes of the 911 call at least 90 percent of the time and within 10 minutes for a high hazard. The OFD's own response

time goal is to be on scene in under 10 minutes at least 90 percent of the time for both fire and EMS calls (City of Ontario, 2022a).

B. Police Protection Services

The Ontario Police Department (OPD) provides law enforcement services for the City, which is organized into three geographic areas: West Area Command, East Area Command, and South Area Command. The Area Commander is responsible for the delivery of police services in their area of control with an emphasis on the preservation and improvement of the quality of life, safety, and economic value of those who live and do business in the City. Each area has dedicated teams of officers and corporals, headed by police sergeants, who work day-to-day (24/7) patrol operations; traffic officers; Community Engagement Team (C.E.T.) officers, who work special projects; narcotics investigators; and detectives (OPD, 2022). The OPD responds to an average of 200,000 calls for service per year and has a standard of having approximately 225 police officers per 100,000 people. Currently, the OPD is allotted 300 police officers and meets this standard. The OPD provides staffing based on the needs of the OPD and City and utilizes both civilian and sworn staff (City of Ontario, 2022a).

The Amendment Area is within the South Area Command and the nearest OPD facility is located at 2500 South Archibald Avenue approximately 2.7 miles to northwest.

In addition to serving the City, the OPD participates in mutual aid agreements with different public agencies to provide optimum level of service during times of emergency. The OPD holds a mutual aid agreement with the San Bernardino County Sheriff and various jurisdictions surrounding the City. The OPD also participates in a statewide mutual aid program facilitated by the Governor's Office of Emergency Services (Cal OES). This enables the OPD to request assistance from other police and sheriff departments located within its designated Cal OES region when its resources are inadequate to meet service demands (City of Ontario, 2022a).

C. Schools

The Amendment Area is within the Mountain View School District (MVSD), which serves the eastern half of Ontario Ranch and a portion of the Original Model Colony (Kindergarten [K] through-8th grade); and Chaffey Joint Union High School District (CJUHSD), which serves the entire City (9th through 12th grades). Table 5.15-1, Existing Schools Facilities Capacity Enrollment, identifies the 2021/22 (the most recent data available), school year capacity and enrollment data for MVSD and CJUHSD. Data for Park View Elementary School located in the Subarea 29 Specific Plan Area (Specific Plan Area) is omitted from Table 5.15-1 as the 2022-23 school year was the opening year for the school. The 2022-23 enrollment for Park View Elementary School was estimated to be 850 students, with an actual enrollment of 715 students (difference of 135 students) (MVSD, 2022b; MVSD, 2022c).

Table 5.15-1 Existing Schools Facilities Capacity Enrollment

School Type	2021/22 Capacity	2021/22 Enrollment	Existing Seat Surplus/(Deficit)
Elementary	1,802	2,075	(273)
Middle	826	624	202
High	24,058	23,573	485

Source: (CJUHSD, 2022; MVSD, 2022a)

The Project Applicant, along with other property owners, entered into a School Impact Mitigation Funding Agreement (School Mitigation Agreement) with the MVSD in March 2015, which establishes a method of providing school sites and funding for school facilities in order to mitigate the estimated impact on the MVSD resulting from development within the boundaries of the School Facilities Improvement District No. 2 (SFID No. 2) (MVSD, et al, 2015). SFID No. 2 includes the area in the City of Ontario south of Riverside Drive within Ontario Ranch (previously referred to as the New Model Colony), and the School Mitigation Agreement requires the Owners to pay a mitigation payment or school fees for the development of any unit, senior unit or commercial/industrial development as outlined in the Agreement. The School Mitigation Agreement also outlines provisions for acquisition of school sites and construction of schools, including the responsibility for the MVSD to comply with CEQA for identified school sites. The existing Park View Elementary School in the Subarea 29 Specific Plan area, and proposed Middle School are included in the School Mitigation Agreement.

D. Parks

There are a variety of recreational opportunities in the City including local City parks, county parks, community centers, school recreation facilities, private parks, private golf courses, and recreational trails for bicycles, horses and hiking. City parks are managed by the City Parks and Street Maintenance Department. The Ontario Plan 2050 Final Supplemental Environmental Impact Report (TOP 2050 EIR), indicates the City's established park standard is 3 acres of park area per 1,000 persons devoted to local park and recreational purposes (City of Ontario, 2022a). However, according to The Ontario Plan 2050 (TOP 2050) Parks and Recreation Element, the City strives to provide 5 acres of parkland (public and private) per 1,000 residents (Policy PR-1.5), and expects development to provide a minimum of 2 acres of developed private park space per 1,000 residents (Policy PR-1.5) (City of Ontario, 2022b).

The City has approximately 481 acres of parkland consisting of 7 miniparks, 15 neighborhood parks, 6 community parks, 4 linear and special use parks, and 1 regional park. The City has joint use agreements with the Chino Unified School District (CUSD) and Woodcrest Junior High for the use of Kimball Park, and a joint agreement with CJUHSD and Colony High School for use of baseball fields and outdoor basketball and tennis courts (City of Ontario, 2022a). The City currently maintains a park ratio of 2.7 acres[1] of park area per 1,000 persons, which is below the City's standard of 3 acres per 1,000 residents, and goal of 5 acres per 1,000 persons.

[1] (481 acres x 1,000 persons)/179,516 persons = 2.7 acres

The nearest existing parks to the Amendment Area identified in the Parks and Recreation Element Figure PR-01, Park & Recreational Facilities, include the following neighborhood parks located within the Specific Plan Area: North Celebration Park located at 4980 South Celebration Avenue, approximately 0.3-mile to the southwest, and South Celebration Park located at 2910 Merrill Avenue, approximately 0.4-mile to the southwest. Table 5.15-2, Park Facilities, below identifies the primary amenities at each park. The future public Ontario Great Park is planned north of the Specific Plan (north of Eucalyptus Avenue and west of Haven Avenue). Based on review of Parks and Recreation Element Figure PR-02, Equestrian Trails, there are no equestrian trails in the vicinity of the Amendment Area (City of Ontario, 2022b).

Table 5.15-2 Park Facilities

Park Name	Amenities	Size
North Celebration Park	Group picnic areas, playgrounds, restroom, tot lot, multi-use turf area, benches, barbecues, walking path	5.0 acres
South Celebration Park	Half basketball courts, amphitheater, picnic areas, restroom, multi-use turf area, gardens, benches, barbeques, and walking paths.	5.5 acres

Source: (City of Ontario, 2022c)

E. Libraries

The City has two library facilities within its library system: the Ovitt Family Community Library located at 215 East C Street, approximately 8.9 roadway miles northwest of the Amendment Area, and the Lewis Family Branch located at 3850 East Riverside Drive, approximately 2.9 roadway miles north of the Amendment Area.

The City's library system is a member of the Inland Library System (ILS), which includes 19 independent libraries and other resources in San Bernardino, Riverside, and Inyo Counties. This allows the City's library members to use the interlibrary loan between the participating libraries. (ILS, 2022) The City's library system also offers an interlibrary loan service where if a specific material is not available at either Ontario Library location, the library can request it from another participating library within the United States (City of Ontario, 2022b).

The City has a goal of 0.6 sf of library facilities per capita. Currently, the Ontario library system offers approximately 43 square feet per 100 capita (0.43 sf per capita), which is anticipated to go down as population rises. The City's library system has planned phased growth in alignment with population growth as part of its Library Facility Master Plan, which currently projects to a horizon year of 2035. Phases 1 through 8 add facility space to accommodate increases in population. Phase 1 is the implementation of a mobile library to accommodate the current population (at the time of the report in 2022), and the latest phase, Phase 8, adds facility space for when the City's population reaches 305,000. Potential funding options for future library services and space may be provided through bonds, selling City assets or putting City assets on loan as collateral, development impact fees, new revenue measures, capital improvements plan projects, or partnership with a local school district (City of Ontario, 2020a).

5.15.2 Regulatory Background

A. State

1. California Fire Code

The California Fire Code (CFC) (California Code of Regulations Title 24, Part 9) establishes regulations to safeguard against the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises. The CFC also establishes requirements intended to provide safety for and assistance to firefighters and emergency responders during emergency operations. The provisions of the CFC apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure throughout California. The CFC includes regulations regarding fire-resistance-rated construction, fire protection systems such as alarm and sprinkler systems, fire services features such as fire apparatus access roads, means of egress, fire safety during construction and demolition, and wildland-urban interface areas. The City has adopted the CFC as Title 4, Chapter 4 of the Ontario Municipal Code (OMC).

2. Assembly Bill 2926

Assembly Bill (AB) 2926, passed in 1986, allows school districts to collect impact fees from developers of new residential and commercial/industrial building space to assist in providing school facilities for students. Development impact fees (DIFs) are also referenced in the 1987 Leroy Greene Lease-Purchase Act, which requires school districts to contribute a matching share of costs for construction, modernization, and reconstruction projects.

3. Leroy F. Greene School Facilities Act of 1998 (Senate Bill [SB] 50)

Senate Bill (SB) 50, adopted in 1998, limits the power of cities and counties to require mitigation of school facilities impacts as a condition of approving new development. It also authorizes school districts to levy statutory developer fees at levels higher than previously allowed and according to new rules. California Education Code 17620 establishes the authority of any school district to levy a fee, charge, dedication, or other requirements against any development within the school district for the purposes of funding the construction of school facilities, as long as the district can show justification for the fees.

4. Mitigation Fee Act

The California Mitigation Fee Act (*California Government Code,* Sections 66000 et seq.) mandates procedures for administration of impact fee programs, including collection and accounting, reporting, and refunds. A development impact fee is a monetary exaction other than a tax or special assessment that is charged by a local governmental agency to an applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project. As discussed below, the City has adopted development impact fee programs for various public facilities, which are outlined in the City's Municipal Code.

5. *Quimby Act California Government Code § 66477*

The State of California's Quimby Act was established by the California Legislature for the purpose of preserving open space and providing park facilities for California's growing communities. The Quimby Act allows local agencies to establish ordinances requiring residential subdivisions to provide land or "in-lieu-of" fees for park and recreation purposes. This State Act requires the dedication of land and/or imposes a requirement of fees for park and recreational purposes as a condition of approval of tentative tract map or parcel map.

B. *Local*

1. *The Ontario Plan 2050*

The Ontario Plan 2050 (TOP 2050) Policy Plan includes the Safety Element and Open Space and Conservation Element, which address issues related to public services and recreation. Relevant information from these elements is provided under the discussion of existing conditions above, and a discussion of the project's consistency with relevant goals and policies is provided in SEIR Subsection 4.11, Land Use and Planning.

2. *Development Impact Fees*

Pursuant to the Mitigation Fee Act, the City uses development impact fees collected at building permit issuance to provide funding for police, fire, roadways, storm drainage, water and sewer infrastructure, solid waste infrastructure, general public facilities, libraries, public meetings, aquatics, and parks made necessary by the impacts created by new residential and nonresidential development. The City has a general City fee schedule as well as a separate fee schedule for the Ontario Ranch. To maintain the current level of service for public services in the City, the City requires payment of specific development impact fees for public service facilities to ensure the acquisition and improvement of adequate public service facilities.

3. *Ontario Municipal Code*

Consistent with the Quimby Act, Ontario Municipal Code Section 6.08.030, Park Dedication and In-Lieu Fee Regulations, outlines requirements for parkland dedication or payment of in-lieu fees in the City. Pursuant to this Ontario Municipal Code section, as a condition of approval of a tentative tract or parcel map, final tract or parcel map, or development project for a residential subdivision or the residential portion of a mixed-use project, or for a building permit within a subdivision, the subdivider shall be required to pay an impact fee, offer for dedication of park land in lieu thereof, or both, at the sole and exclusive option of the City, in the amount provided in this Ontario Municipal Code section, for park and recreational purposes. The City requires that 5.0 acres of property for every 1,000 persons residing within the City be devoted to local park and recreational purposes, and that such park area is necessary to provide for the needs of the current and future persons residing and working in the City. For the purposes of impact fee calculation, 3.0 acres of property for every 1,000 persons residing within the City shall be determined to be devoted to local parkland and recreational purposes.

4. Ontario Recreation and Parks Master Plan

The City of Ontario finalized the Ontario Recreation and Parks Master Plan (ORPMP) in August 2021. The ORPMP is a comprehensive planning effort that provides a clear set of goals for infrastructure and program improvements to create a premier recreation and parks system in the City. Goals of the ORPMP include evaluating existing parks and recreation programs and facilities, engaging and listening to the community, identifying common and visionary opportunities, and establishing implementation strategies. The ORPMP 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 ORPMP identifies the existing neighborhood parks within the Specific Plan Area (North Celebration Park and South Celebration Park), and the planned Great Park north of the Amendment Area. Additionally, ORPMP Figure 3-5, Ontario Ranch Planned Class 1 Network, identifies planned Class I Multi-Use Paths along Haven Avenue, Merrill Avenue, and Eucalyptus Avenue adjacent to or in the immediate vicinity of the Amendment Area, and an existing Class I Multi-Use Path (off-street) along the Southern California Edison (SCE) Corridor south of PAs 30 and 31 within the Specific Plan Area. There is also a planned Class II Bike Lane (on-street striped) along Eucalyptus Avenue adjacent to the Amendment Area.

5.15.3 Basis for Determining Significance

The City of Ontario evaluates impacts to public services and recreation based on thresholds of significance included in Appendix G of the CEQA Guidelines. A significant impact would occur if the Project would:

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, or the 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

b) 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;

c) 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?

5.15.4 Environmental Impacts and Mitigation

A. Applicable 2006 EIR Mitigation

The following mitigation measures (MMs) from the *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009) (2006 EIR) (City of Ontario, 2006) are applicable to and are incorporated into the Project. It should be noted that the following mitigation measures are complete and not applicable to the Project: MM Serv 7, which requires the fire station within the Parkside Specific Plan area to be operational, and MM Serv 11, which requires construction of 5 acres of parkland with the Specific Plan Area.

MM Serv 10 has been modified since the requirements for the approved Subarea 29 Specific Plan have been met (text removed is shown as strikeout [~~strikeout~~] text). The additional park demand required for the additional 1,470 units associated with the Project would be satisfied pursuant to the City's current requirements, as discussed in this section.

MM Serv 1 To reduce fire hazards, wood-shingled and shake-shingled roofs are prohibited.

MM Serv 2 To reduce fire hazards, fire hydrant locations and water main sizes shall meet standards established by the City Fire Department and reviewed and implemented by the Engineering Department.

MM Serv 3 To reduce fire hazards when water is provided to the site, adequate fire flow pressure shall be provided for residential areas and non-residential projects in accordance with currently adopted standards.

MM Serv 4 To reduce fire hazards, adequate water supply shall be provided as approved by the Fire Department prior to the framing stages of construction.

MM Serv 5 To reduce fire hazards, houses located on cul-de-sacs longer than 300 feet shall be constructed with residential fire sprinklers.

MM Serv 6 To reduce fire hazards, access roadways designed in accordance with Fire Department standard to within 150' of all structures, shall be provided prior to the framing stages of construction. This access is to be maintained in an unobstructed manner throughout construction.

MM Serv 8 The developer shall pay library, police, and fire service development impact fees.

MM Serv 9 The developer shall pay school fees or otherwise, in lieu of fees, meet project obligations to schools, as approved by Mountain View and Chaffey Joint Union High School Districts.

MM Serv 10 Park development impact fees, Quimby fees, and/or developed parkland shall be provided to the City commensurate with the requirements of the General Plan ~~equivalent to 24 acres~~.

B. Impact Analysis

Threshold a:	***Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities or the 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?
	v. Other Public Facilities?

1. Summary of Previous Environmental Analysis

The 2006 EIR (Section III. 10, Public Services and Recreation) concluded that with implementation of development pursuant to the adopted Subarea 29 Specific Plan, the service times at existing Fire Station No. 6 would exceed the City's Emergency Response Guidelines, but with construction of Fire Station No. 9 (2006 EIR MM Serv 7), and with the payment of development impact fees (2006 EIR MM Serv 8), responses times would be met and no additional new or expanded fire protection facilities would be needed, resulting in a less than significant impact.

The 2006 EIR concluded that the implementation of development pursuant to the adopted Subarea 29 Specific Plan would result in an incremental increase in demand for police services to maintain required service levels. The 2006 EIR concluded that increased property taxes and the payment of development impact fees (2006 EIR MM Serv 8), would support the general fund to offset the cost of additional personnel, and no new or expanded facilities for police protection would be needed, resulting in a less than significant impact.

The 2006 EIR concluded that implementation of development pursuant to the adopted Subarea 29 Specific Plan would add school-aged children requiring school services, and that even with operation of the elementary school (K-5) included as part of the adopted Specific Plan and evaluated in the 2006 EIR, there would not be sufficient school capacity for the new students. The 2006 EIR concluded that with payment of required school impact fees or through establishment of a Communities Facilities District (CFD) to cover school impact fees (2006 EIR MM Serv 9), impacts related to school services would be less than significant.

The 2006 EIR concluded that implementation of development pursuant to the adopted Subarea 29 Specific Plan would result in an incremental increase in demand for library services, but the payment

of development impact fees (2006 EIR MM Serv 8) would adequately mitigate the increase in demand, and no new or expanded library facilities would be needed, resulting in a less than significant impact.

The 2006 EIR concluded that cumulative impacts related to public services would also be less than significant with the implementation of MMs.

2. Project Impact Analysis

Fire Protection Services

Increased demands for fire protection services would result from implementation of the proposed Subarea 29 Specific Plan Amendment, which would involve the development of 1,470 additional residential units within PAs 30 and 31 and the proposed Expansion Area (PAs 32 and 33), and a middle school (PA 34). As identified in SEIR Section 5.14, Population and Housing, the increase in residential units would generate approximately 5,876 new residents. The Project would increase the typical number and range of service calls by the OFD, including structural fires; emergency medical and rescue services; hazardous materials inspections and response; and community safety, awareness, and outreach activities.

The increase in units/population, development of a new middle school, and associated increased demand for fire protection services, is anticipated in the recently approved TOP 2050 and associated development impact fee program update. Therefore, the City has already planned for the increased demand as part of its facilities planning. As required by 2006 EIR MM Serv 8, the Project Applicant would be required pay the applicable development impact fees, which would contribute to funding for additional staffing, facilities, and equipment. Additionally, Fire Station No. 9 in the Parkside Specific Plan Area has been constructed and would serve the Specific Plan Area, as anticipated in the 2006 EIR. The Project would also be required to comply with all applicable codes, ordinances, and standard conditions, including the current edition of the California Fire Code (CFC), as adopted by the Ontario Municipal Code (Section 4-4.01). Additionally, 2006 EIR MM Serv 1 through MM Serv 6 would be incorporated into the Project to reduce the Project's fire hazards. The Project would not require the construction of new or expanded fire protection facilities that would result in physical environmental impacts, resulting in a less than significant impact.

Project impacts related to fire protection services would be less than significant, consistent with the conclusion of the 2006 EIR.

Police Protection Services

As identified above, implementation of the Project would involve the development of additional residential and school uses within the Amendment Area, and there would be an associated increase in residents. The Project would increase existing demands for police protection services. Anticipated crime and safety issues during construction within the Amendment Area include theft of building materials and construction equipment, malicious mischief, graffiti, and general vandalism. During

operation, the Project could create the typical range of police service calls that other similar uses in the Specific Plan Area and the City experience. The primary types of crimes expected would be property crimes (e.g., burglary), and "crimes against persons" typically associated with residential uses. These include, but are not limited to, assault, battery, domestic violence, sexual and child abuse, and robberies. The increase in vehicle trips on public roadways resulting from the Project could also increase the potential for traffic accidents and violations.

The increase in units/population, development of a new middle school, and associated increased demand for police services is anticipated in the recently approved TOP 2050 and the associated development impact fee program update. Therefore, the City has already planned for the increased demand as part of its facilities planning. The OPD would ultimately determine the timing and number of new officers hired as part of its standard staffing practices. As required by 2006 EIR MM Serv 8, the Project Applicant would be required to pay applicable development impact fees, which would contribute to funding for additional staffing, facilities, and equipment. The Project would not require the construction of new or expanded police facilities that would result in physical environmental impacts, resulting in a less than significant impact, consistent with the conclusion of the 2006 EIR.

School Services

Impacts to school services are primarily driven by increases in permanent population; therefore, student generation is estimated based on the number of proposed residential units. The Project would result in a net increase of 1,470 units and has the potential to place a greater demand on the existing public school system by generating additional students to be served by the MVSD and CJUHSD. The current student generation factors for the MVSD and CJUHSD are provided in Table 5.15-3, Student Generation Rates, and Table 5.15-4, Project-Related Student Generation, identifies the estimated number of Project-related school aged children that would be generated.

Table 5.15-3 Student Generation Rates

Housing Type	MVSD Student Generation Rate (student per dwelling unit)		CJUHSD Student Generation Rate (Student per dwelling unit)
	Elementary	Middle	
Attached Dwelling Unit	0.1333	0.0527	0.1432
Detached Dwelling Unit	0.1878	0.0955	0.1903

Source: (CJUHSD, 2022; MVSD, 2022a)

Table 5.15-4 Project-Related Student Generation

Dwelling Unit Type	Number of Dwelling units	Elementary School Population	Middle School Population	High School Population	Total Project-Generated Students
Attached Dwelling Unit	1,043	139	55	149	343
Detached Dwelling Unit	427	80	41	81	202
Total	**1,470**	**219**	**96**	**230**	**545**

Since the certification of the 2006 EIR, Park View Elementary School, which is within the existing Specific Plan Area, opened in August 2022, and would accommodate the new elementary school students generated by the Project. The Park View Elementary School has a current enrollment of 715 students and has a capacity for 800 students, with the ability to provide portable classrooms to accommodate an additional 200 students. Additionally, the Project involves construction of a new middle school within proposed PA 34 with an anticipated capacity of 1,200 students. The proposed middle school would be part of the MVSD and would serve grades 6-8. Development of the proposed middle school is part of the Project and is evaluated throughout this SEIR under appropriate issue areas (e.g., air quality, biological resources, cultural resources, energy, GHG, etc.). In compliance with the 2015 School Mitigation Agreement, further required site-specific evaluation of the school site would be conducted by the MVSD prior to purchase of the site and development of the middle school.

As with development pursuant the adopted Subarea 29 Specific Plan, and consistent with the requirement of 2006 EIR MM Serv 9, the Project Applicant would be required to comply with the provisions of the 2015 School Mitigation Agreement, which addresses elementary and middle school facilities within the MVSD. Additionally, the Project Applicant would pay school impact fees to the CJUHSD. Compliance with the 2015 School Mitigation Agreement with the MVSD and payment of school impact fees to the CJUHSD constitutes complete mitigation for Project-related impacts to school services. The Project would not require the construction of new or expanded school facilities that would result in physical environmental impacts, resulting in a less than significant impact, consistent with the conclusion of the 2006 EIR.

Library Facilities

The Project would result in an increase in the City's residential population; thus, the Project has the potential to increase the demand for other public facilities, including library services. As with development pursuant the adopted Subarea 29 Specific Plan, the Project would be required to pay library development impact fees (2006 EIR MM Serv 8) to contribute its fair share of costs for acquiring, designing, constructing, improving, providing and maintaining, the library facilities. The increase in units/population within the Amendment Area and associated increased demand for library services is anticipated in the recently approved TOP 2050 and the associated development impact fee program update. Therefore, the City has already planned for the increased demand as part of its facilities planning. The Project would not require the construction of new or expanded library facilities

that would result in physical environmental impacts, resulting in a less than significant impact, consistent with the conclusion of the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impacts.

Threshold a:	***Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities or the 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:***
	iv. Parks?
Threshold b:	***Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?***
Threshold c:	***Would the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?***

1. Summary of Previous Environmental Analysis

The 2006 EIR (Section III. 10, Parks and Recreation) concluded that without mitigation, development pursuant to the adopted Subarea 29 Specific Plan would not provide adequate local park facilities and local park facilities could experience accelerated deterioration. With implementation of 2006 EIR MM Serv 10, which requires that adequate local park facilities be provided or in lieu fees paid to the City, or some combination of both, to provide a total of 24 acres within the Specific Plan Area, impacts related to park services and deterioration of local park were determined to be less than significant. 2006 EIR MM Serv 10 has been completed in connection with existing development within the Specific Plan Area, and the construction of the 5-acre park required by 2006 EIR MM Serv 11 has also been completed.

The 2006 EIR concluded development pursuant to the adopted Subarea 29 Specific Plan would not accelerate the deterioration of regional parks since these parks are designed to serve the region, and regional parks within the New Model Colony (now referred to as "Ontario Ranch") would be built over time to serve the region. Additionally, cumulative impacts were determined to be less than significant.

The 2006 EIR evaluated the impacts associated with construction of the proposed parks, which are within the physical impact area for the Specific Plan Area, and mitigation measures were incorporated to reduce these impacts to the extent feasible. No additional physical impacts associated with construction of parks were identified in the 2006 EIR.

2. Project Impact Analysis

The Project would develop the Amendment Area with additional residential uses, which would result in a population requiring parkland. As previously discussed, the Project would result in 1,470 net new dwelling units consisting of attached row townhomes and detached single-family cluster homes. According to the *City of Ontario 21-22 Update Development Impact Fee Calculation and Nexus Report* (Nexus Report), the City has established population generation factors specifically for recreation uses to determine occupancy density statistics for calculating park/recreation development impact fees (RCS, 2022). As shown in Table 5.15-5, Net New Project Population Requiring Parkland, for purposes of determining park demand, the Project is estimated to generate 5,143 residents.

Table 5.15-5 Net New Project Population Requiring Parkland

Housing Type	Number of Units	Population Generation Rate[1] (Persons/Unit)	Population
Attached Dwelling Unit	1,043	3.373	3,518
Detached Dwelling Unit	427	3.806	1,625
Total	**1,470**	**--**	**5,143**

1. 1990 United States Census Data
Source: (RCS, 2022)

As previously discussed, the City's established parkland standard for the Ontario Ranch area, which includes the Amendment Area, is 5 acres per 1,000 residents (three acres of public parks and two acres of private/local parks). Based on a future population projection of 5,143 residents for purposes of determining parkland requirements, the Project's future residents would require approximately 25.7 acres of parkland consisting of 15.4 acres of public parks and 10.3 acres of private on-site local parks. As required by 2006 EIR MM Serv 10, the Project proposes to meet this standard though a combination of payment of in-lieu park fees in accordance with Ontario Development Code Chapter 6.080.30, to meet the public park requirement, and construction of parkland within the Amendment Area to meet the private local park requirement. With adherence to the City's requirements for the provision of parkland, no additional new or expanded park facilities would be required beyond those included as part of the Project and evaluated in this SEIR, and there would not be an accelerated physical deterioration of local or regional parks. This impact would be less than significant, consistent with the conclusion of the 2006 EIR.

The required two acres of private/local private parkland would be provided onsite, and in lieu fees would be paid for the required public parkland. The construction of on-site private/local parks is inherent to the Project and is evaluated throughout this SEIR under appropriate issue areas (e.g., air quality, biological resources, cultural resources, energy, GHG, etc.). Where impacts due to

construction activities associated with the Project are identified, mitigation measures are imposed to reduce impacts to the maximum feasible extent, in compliance with CEQA. It should be noted that MM Serv 11, which requires construction of five acres of parkland with the Specific Plan Area was completed as part of the previously approved Subarea 29 Specific Plan. The Project would not result in substantial physical environmental impacts associated with the construction or expansion of parkland or recreational facilities beyond that addressed in this SEIR. Impacts would be less than significant, consistent with the conclusion of the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impacts.

5.15.5 Cumulative Impact Analysis

Based on their inherent purpose, the provision of public services takes into consideration a larger service area than just individual project boundaries. Public services to the Amendment Area are provided by OFD, OPD, MVSD, CJUHSD, Ontario Public Library, and the City's Recreation Department. The implementation of the Project would result in a net increase of 1,470 units to the Specific Plan Area, which would generate an increase in the residential population in the City, consistent with that anticipated in the TOP 2050 EIR, and an associated increase in the demand for public services. The Project's residential component would generate new residents, based on the population generation factor of 4.0 persons per dwelling unit used in Technical Appendix L, and 56 new employment opportunities, which would increase existing demands for public services.

A. Fire Protection, Police and Library Services

Future development in the City—based on buildout of TOP 2050 and including other proposed development projects such as the Project—is expected to increase demand for fire protection, police and library services within the City and would contribute to the need to expand facilities and operate such services. Each development project in the City would be required to pay applicable development fees as charged by the City's Building Department or collected by the Building Department on the behalf of other departments or governmental agencies for fire protection facilities. By maintaining a consistent level of service through expansion or facility improvements, the service providers would be able to ensure that its performance objectives are consistently met. As increases in demand would be incremental over time, the City would continue to regularly monitor resources to ensure that adequate facilities, staffing, and equipment are available to serve existing and future development and population increases.

Additionally, new development in the City, including development assumed for buildout of TOP 2050 would be required to comply with all applicable codes, ordinances and regulatory requirements,

including the current edition of the CFC, regarding fire prevention and suppression measures, fire hydrants, automatic fire extinguishing systems, fire access, and water availability, among other measures. Future development in the City, would also have to comply with applicable fire safety and fire access requirements to prevent fire incidents; to facilitate emergency response; and to reduce the demand for fire protection services. Individual projects would be reviewed by the OFD to determine the specific fire requirements applicable to the development and to ensure compliance with these requirements. This further ensures an adequate level of service for fire protection and emergency services to residents in the OFD service area.

Therefore, the Project's increased demand for fire protection, police and library services would not result in a cumulatively considerable contribution to a significant cumulative impact related to these services.

B. Schools Services

Cumulative development in the MVSD and CJUHSD service area would generate an increase in student population in MVSD and CJUHSD schools. As school districts' enrollments expand, administrators must seek short-term and long-term remedies to accommodate those additional students. In recognition of these conditions, the State Legislature provided authority for school districts to assess impact fees for both residential and nonresidential development projects. Those fees, as authorized under Section 65995 of the California Government Code, are collected by municipalities at the time building permits are issued and conveyed to the affected school district in accordance with a defined fee structure. The Legislature has declared that the payment of these fees constitutes full mitigation for the impacts generated by new development, per Section 65995 of the California Government Code. Since all development implemented pursuant to the Project and other development proposed in the City and surrounding areas must pay its appropriate school impact fees, each project would mitigate the impacts associated with its activities. Additionally, Project Applicants in Ontario Ranch that are party to the 2015 School Mitigation Agreement would be required to adhere to the mitigation requirements established in that Agreement. Therefore, the Project's increased demand for school services would not result in a cumulatively considerable contribution to a significant cumulative impact related to schools.

C. Parks and Recreational Facilities

Future residential development in the City would contribute to the cumulative need for more recreational open space and park facilities generated by the increase in residents. Buildout of TOP 2050 would generate a need for a total of approximately 539 acres of parkland (City of Ontario, 2022a). Currently there are approximately 481.4 acres of existing and planned parkland in the City; therefore, additional parkland is required to serve cumulative development.

The City has several regulations in place to address funding from new residential development for additional parkland and park improvements. Pursuant to the Quimby Act, Ontario Development Code Chapter 6.08.030 requires the dedication of land, payment of an in-lieu fee, or a combination of both for the provision of parks and recreational facilities for new residential developments. Through

adherence to requirements for provision of parkland and/or payment of development impact fees, residential developments in the City would provide parks and recreational facilities to meet their demands.

Since individual development projects would mitigate their incremental impact on parks and recreational facilities, the Project's increased demand for park and recreational facilities would not result in a cumulatively considerable contribution to a significant cumulative impact related to park and recreational facilities.

5.15.6 REFERENCES

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5.16 TRANSPORTATION

This section assesses transportation impacts resulting from the implementation of the Project. In accordance with Senate Bill (SB) 743, further discussed under Section 5.16.2, Applicable Regulatory Requirements, below, the California Natural Resources Agency (CNRA) adopted changes to the California Environmental Quality Act (CEQA) Guidelines in December 2018, which identify that starting on July 1, 2020, vehicle miles traveled (VMT) is the appropriate metric to evaluate a project's transportation impacts. As of December 2018, when the revised CEQA Guidelines were adopted, automobile delay, as measured by "level of service" (LOS) and other similar metrics, no longer constitutes a significant environmental effect under CEQA. With respect to the CEQA-required VMT analysis, the *Subarea 29 Specific Plan Amendment (VMT) Assessment* (VMT Analysis), prepared by Fehr & Peers (November 2022) (Fehr & Peers, 2022), is provided in Technical Appendix L of the Subsequent Environmental Impact Report (SEIR).

Notwithstanding the VMT method of analysis for CEQA purposes, the City of Ontario (City) requires traffic analysis based on LOS, which the City uses in part to determine transportation improvement obligations of development projects. However, CEQA Guidelines Section 15064.3, effective January 1, 2019, "describes specific considerations for evaluating a project's transportation impacts" and provides that, except for roadway capacity projects, "a project's effect on automobile delay (or LOS)" shall not constitute a significant environmental impact" (CEQA Guidelines Section 15064.3[a]). As required by the City, the *Subarea 29 Specific Plan Amendment Transportation Study* (Transportation Study) was prepared by Fehr & Peers (May 2023) and is provided in SEIR Technical Appendix M (Fehr & Peers, 2023). Information from the Transportation Study is used to support the analysis of potential impacts related to other topical issues (e.g., air quality and health risk, greenhouse gas emissions, noise, etc.), as discussed in the respective sections of this SEIR.

5.16.1 EXISTING CONDITIONS

A. Existing VMT

Existing uses within existing Subarea 29 Specific Plan Planning Areas 30 and 31 include dairy farming and agriculture uses, and farm structures that supported previous agricultural activities. The western portion of the Expansion Area is used for agriculture production and the eastern portion of the Expansion Area is undeveloped. There are no existing uses that generate VMT within the Amendment Area.

B. Existing Roadway System

1. Regional Access

Regional access to the area covered by the Transportation Study, including the Amendment Area, is provided from Interstate (I)-10, I-15, State Route (SR)-60, SR-71, and SR-83/Euclid Avenue. A discussion of each regional access road is provided below.

- **I-10** is a major east-west freeway that traverses through the states of Arizona, Alabama, California, Florida, Louisiana, New Mexico, and Texas. Within the Transportation Study area, I-10 is a 6-to-8 lane freeway. Access to I-10 near the Amendment Area is provided at Milliken Avenue/Hamner Avenue, Haven Avenue/Sumner Avenue, and Archibald Avenue.
- **I-15** is a major north-south freeway that traverses through the states of Arizona, California, Idaho, Nevada, and Utah. Within the Transportation Study area, I-15 is a 6-to-10 lane freeway. I-15 is a 10-lane freeway near its junctions with SR-60 and I-10. South of the SR-60 and I-15 Junction, I-15 has 3 general purpose lanes and two express lanes in each direction. In between SR-60 and I-10, I-15 has 4 general purpose lanes in each direction. North of the I-10 and I-15 junction, I-15 has 4 general purpose lanes in each direction. Access to I-15 near the Amendment Area is provided at Edison Avenue/Ontario Ranch Road, Limonite Avenue, and Sixth Street.
- **SR-60** is a major east-west highway that traverses southern California. SR-60 branches off from I-10 in Santa Monica and passes through East Los Angeles and continues east, terminating at I-10 in the City of Beaumont. Within the limits of the City of Ontario, the corridor has 8 lanes and 2 high occupancy vehicles lanes. Access to SR-60 near the Amendment Area is provided at Milliken Avenue/Hamner Avenue, Haven Avenue/Sumner Avenue, and Archibald Avenue.
- **SR 71** runs in the north/south direction. It extends from SR-91 at the southernmost end to SR-57 at the northernmost end. SR-71 is located west of the Amendment Area and is generally an 8-lane facility with 2 high occupancy vehicles lanes. Access to SR-71 near the Amendment Area is provided at SR-83/Euclid Avenue and Grand Avenue/Edison Avenue.
- **SR-83/Euclid Avenue** is classified as a Principal Arterial in the City's Adopted General Plan and is a truck route. It is located west of the Amendment Area, runs in the north/south direction, and borders the cities of Chino and Ontario. Within the Transportation Study area, the roadway exists as a 4-lane facility, has a median, and the posted speed limit is 55 miles per hour.

2. Local Access

Local access to the Amendment Area is provided from the roadways listed below. The existing roadway system throughout the Ontario Ranch area (the area within the City generally south of Riverside Drive) is largely undeveloped and some planned roads are currently unimproved or do not exist. Many roadways throughout the Ontario Ranch are planned in The Ontario Plan (TOP) 2050 and the Southern California Association of Government's (SCAG's) Regional Transportation Plan (RTP) / Sustainable Communities Strategy (SCS) to be improved with pavement, curb and gutter, and more lanes. A description of each local access roadway is provided below.

- **Archibald Avenue** is classified as a Principal Arterial in the City's adopted General Plan (TOP Policy Plan) and is a truck route. It extends in a north-south direction, including through the previously approved Subarea 29 Specific Plan Area (Specific Plan Area). Within the

Transportation Study area, the roadway exists as a 6-lane facility with a raised median, and the posted speed limit is 55 miles per hour.

- **Chino Avenue** is classified as a Collector Street in the City's adopted General Plan. It is located north of the Amendment Area, south of Riverside Drive, and runs in the east-west direction. East of Archibald Avenue, the facility exists as a 4-lane facility with a striped median. West of Archibald Avenue, the facility exists as a 2-lane facility and does not have a median. The posted speed limit is 40 miles per hour. The roadway currently terminates at Haven Avenue/Sumner Avenue but is planned to extend to Milliken Avenue/Hamner Avenue.
- **Edison Avenue/Ontario Ranch Road** is classified as a Principal Arterial in the City's adopted General Plan and is a truck route. It is located north of the Amendment Area, south of Chino Avenue, and runs in the east-west direction. West of Archibald Avenue, the roadway is named Edison Avenue and exists as a 2-lane facility and does not have a median. East of Archibald Avenue, the roadway is named Ontario Ranch Road and exists as a 4-to-8 lane facility and has a raised median. The posted speed limit is 50-55 miles per hour. The roadway is planned to be widened to eight-lanes and is anticipated to become a major east/west connection through the Ontario Ranch area.
- **Eucalyptus Avenue** is classified as a Principal Arterial in the City's adopted General Plan. It forms the northern boundary of the Amendment Area and runs in the east-west direction. Near the Amendment Area, the roadway is a 4-lane facility but narrows to a 2-lane facility before intersecting Haven Avenue/Sumner Avenue where it continues as a dirt road. The roadway is planned to be extended between Haven Avenue/Sumner Avenue and Mill Creek Avenue/Scholar Way. The roadway also terminates west of Archibald Avenue but is planned to be connected to existing Eucalyptus Avenue roadway in the west.
- **Haven Avenue/Sumner Avenue** is classified as a Principal Arterial in the City's adopted General Plan, and extends in a north-south direction, including through the Amendment Area (between existing PAs 30 and 31 and the Expansion Area). North of Bellegrave Avenue, this roadway is named Haven Avenue and south of Bellegrave Avenue it is named Sumner Avenue. Near the Amendment Area, the roadway has a northbound lane, 2 southbound lanes, a raised median, and the posted speed limit is 45 miles per hour.
- **Limonite Avenue** is classified as an Urban Arterial in the City of Eastvale's adopted General Plan. This roadway is located south of the Amendment Area, south of Merrill Avenue, and runs in the east-west direction. Near the Amendment Area, the roadway exists as 4-to-6 lane facility, has striped and raised medians, and the posted speed limit is 45 miles per hour. The roadway currently terminates at Archibald Avenue but is planned to be extended to existing Limonite Avenue roadway in the west.
- **Merrill Avenue/Bellegrave Avenue** is classified as a Collector Street west of Haven Avenue/Sumner Avenue and a Minor Arterial east of Haven Avenue/Sumner Avenue in the City's adopted General Plan. This roadway forms the southern boundary of the Amendment Area and runs in the east-west direction. West of Haven Avenue/Sumner Avenue, this roadway is named Merrill Avenue and east of Haven Avenue/Sumner Avenue it is named Bellegrave

Avenue. Between Archibald Avenue and Haven Avenue/Sumner Avenue, the roadway exists as a four-lane facility, has a striped median, and the posted speed limit is 35 miles per hour. Between Haven Avenue/Sumner Avenue and Mill Creek Avenue/Scholar Way, the roadway exists as a 2-lane facility, does not have a median, and the posted speed limit is 50 miles per hour.

- **Mill Creek Avenue/Scholar Way** is classified as a Collector Street in the City's adopted General Plan, forms the eastern boundary of the Amendment Area, and runs in the north-south direction. North of Merrill Avenue/Bellegrave Avenue this roadway is named Mill Creek Avenue, and south of Merrill Avenue/Bellegrave Avenue it is named Scholar Way. Near the Amendment Area, the roadway has 2 northbound lanes, a southbound lane, a striped median, and the posted speed limit is 35 miles per hour. The roadway currently terminates north of Eucalyptus Avenue but is planned to be extended as a 4-lane facility to Riverside Drive.
- **Milliken Avenue/Hamner Avenue** is classified as a Principal Arterial in the City's adopted General Plan and is a truck route. It is located east of the Amendment Area near I-15 and runs in the north-south direction. North of Riverside Drive this roadway is named Milliken Avenue, and south of Riverside Drive it is named Hamner Avenue. Near the Amendment Area, Hamner Avenue exists as a 6-lane facility with a raised median and the posted speed limit is 50 miles per hour.
- **Riverside Drive** is classified as a Minor Arterial in the City's Adopted General Plan. It is located north of the Amendment Area, south of SR-60, and runs in the east/west direction. Near the Amendment Area, the roadway exists as a 4-lane facility, has a striped median, and the posted speed limit is 50 miles per hour.

3. Truck Routes

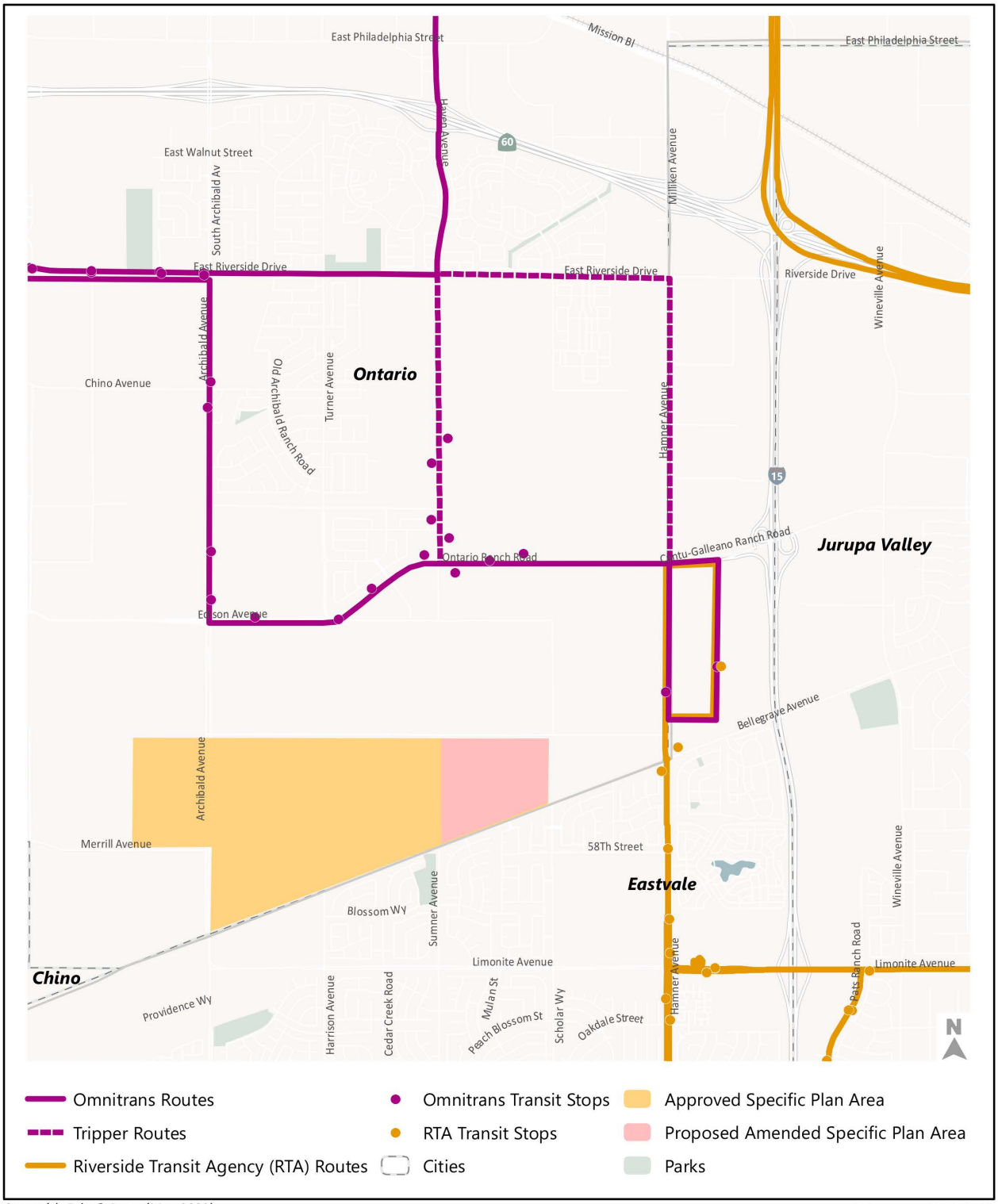
The City has designated certain roadways for the purpose of channeling large trucks through and within the City. According to Figure 5.17-1, Truck Routes, of the TOP 2050 EIR, existing truck routes in the immediate vicinity of the Amendment Area include Merrill Avenue, Archibald Avenue, Edison Avenue/Ontario Ranch Road, and Hamner Avenue.

C. Existing Transit Services

There are bus and regional transit service options available to the City. Along with those options, Amtrak provides rail service across the United States and has a station located in the City. Existing transit facilities in the Amendment Area are shown in Figure 5.16-1, and described below.

1. Omnitrans

Omnitrans provides local and express services to San Bernardino County, including the City. Omnitrans Route 87 is located of, and provides service near the Amendment Area as described below.



Source(s): Fehr & Peers (May 2023)

Figure 5.16-1

Not to Scale

Existing Transit Facilities

- **Route 87** operates Monday to Saturday between 4:35 AM and 9:50 PM with one-hour headways and provides service to Rancho Cucamonga and Eastvale through the Ontario Ranch area. The closest bus stops are on Ontario Ranch Road north of the Amendment Area, although a new bus stop is planned on the northeast corner of the Bellegrave Avenue/Haven Avenue intersection, approximately five hundred feet north of the Amendment Area.
- **Route 87 Colony High School Tripper Service** is regularly scheduled bus service open to the public, and which is designed or modified to accommodate the needs of school students and personnel. In August 2021, OmniTrans launched the Free Fares for School program, granting all K-12 students free bus rides on all buses. To help the students at Colony High School in Ontario get to class on time, the southbound Route 87 bus will serve the high school with a stop at Riverside Avenue and Mill Creek Avenue at 8:18 AM. After school, the northbound Route 87 will serve the same stop at 3:38 PM. The school tripper will operate Monday through Friday only and is free for all K-12 students with student ID.

2. Riverside Transit Agency (RTA)

RTA coordinates transit services throughout Riverside County. RTA provides local and regional services throughout the region with 33 fixed routes, 4 commuter link express routes, and Dial-A-Ride services using 334 vehicles. RTA Route 3 and Route 29 are located near the Amendment Area, with bus stops on Hamner Avenue at Bellegrave Avenue, approximately 0.5 mile east of the Amendment Area. A discussion of the RTA transit routes is provided below.

- **Route 3** connects Eastvale, Norco and Corona. Route 3 operates weekdays 5:00 AM – 10:00 PM and weekends 6:00 AM to 9:00 PM on approximately 70-minute headways.
- **Route 29** connects Downtown Riverside, Jurupa Valley and Eastvale. Route 29 operates weekdays 5:00 AM – 10:00 PM and weekends 6:00 AM to 9:00 PM on approximately 70-minute headways.

3. Metrolink

Commuter train service in the City is provided by Metrolink, which provides service throughout the southern California region. The Ontario-East Metrolink Station is located near the corner of Mission Boulevard and Haven Avenue, approximately 3.5 miles north of the Amendment Area. Metrolink runs east-west through the middle of the City, with grade separations at Milliken Avenue and Haven Avenue. This rail line is occasionally used by freight trains when the Union Pacific Railroad line (running east-west south of the I-10 freeway) is closed or restricted for limited periods. Local freight train traffic in the City includes switches on various spur lines serving the industrial areas at the southern section of the City.

The Riverside Line links downtown Riverside to Union Station in downtown Los Angeles with a stop at the Ontario Train Station. There are 5 morning trains and 1 afternoon train to Union Station on weekdays. There are 5 afternoon trains from Ontario to Riverside on weekdays.

4. Amtrak

Amtrak is a passenger railroad service that provides medium and long-distance inter-city rail service throughout the United States. Locally, a station is provided southeast of the intersection of Euclid Avenue at Holt Boulevard. Two lines are available at the Ontario Station, which are described below.

- **Sunset Limited Line** provides intercity rail service three times per week between Los Angeles and New Orleans, Louisiana, with California stops in Los Angeles, Pomona, Ontario and Palm Springs. The service is available once a day at the Ontario Train Station from Los Angeles.
- **Texas Eagle Line** provides intercity rail service three times per week between Los Angeles and Chicago, Illinois, with California stops in Los Angeles, Pomona, Ontario and Palm Springs. The service is available once a day at the Ontario Train Station from Los Angeles.

D. Existing Bicycle and Pedestrian Facilities

Pedestrian facilities include sidewalks, crosswalks, pedestrian signals, and multi-use trails. Over the last decade, the Ontario Ranch area has been undergoing major redevelopment as it shifts from agricultural to residential land uses. The portions of the Ontario Ranch area that have already been redeveloped have accessible pedestrian facilities. At existing signalized intersections, crosswalks and pedestrian push-button actuated signals are provided. At existing unsignalized intersections, striped crosswalks are generally provided.

There are four bicycle facility classifications recognized by the City: (1) Class I Bikeway (multipurpose trail), which are bicycle trails or paths that are off-street and separated from automobiles; Class II Bikeways (bike lanes), which are striped lanes that provide bike travel and can be either located next to a curb or parking lane; and Class III Bikeways (bike routes), which are streets providing for shared use by motor vehicles and bicyclists.

The Ontario Ranch area has a limited existing bicycle network. In the area adjacent to the Amendment Area, there is an existing Class I bikeway (multipurpose trail) along Haven Avenue, and existing Class II bikeways can be found on the following roadway segments:

- Northbound on Hamner Avenue/Milliken Avenue north of Ontario Ranch Road
- Both sides on Hamner Avenue/Milliken Avenue south of Merrill Avenue/Bellegrave Avenue
- Southbound of Haven Avenue/Sumner Avenue south of Merrill Avenue/Bellegrave Avenue
- Both sides on Schaefer Avenue between Archibald Avenue and Haven Avenue/Sumner Avenue
- Both sides on Merrill Avenue/Bellegrave Avenue east of Mill Creek Avenue/Scholar Way
- Both sides on Limonite Avenue from Archibald Avenue to Milliken Avenue/Hamner Avenue

In the immediate vicinity of the Amendment Area, Class II bikeways exist on the following roadway segments:

- Both sides on the portions of Eucalyptus Avenue that are constructed
- Both Sides on Merrill Avenue/Bellegrave Avenue between Archibald Avenue and Haven Avenue/Sumner Avenue

Many bicycle facilities are proposed in the Ontario Ranch area on most major north-south and east-west streets. The Ontario Ranch's existing and planned bicycle and pedestrian facilities are shown in Figure 5.16-2, Existing and Planned Bicycle and Pedestrian Facilities.

5.16.2 Regulatory Background

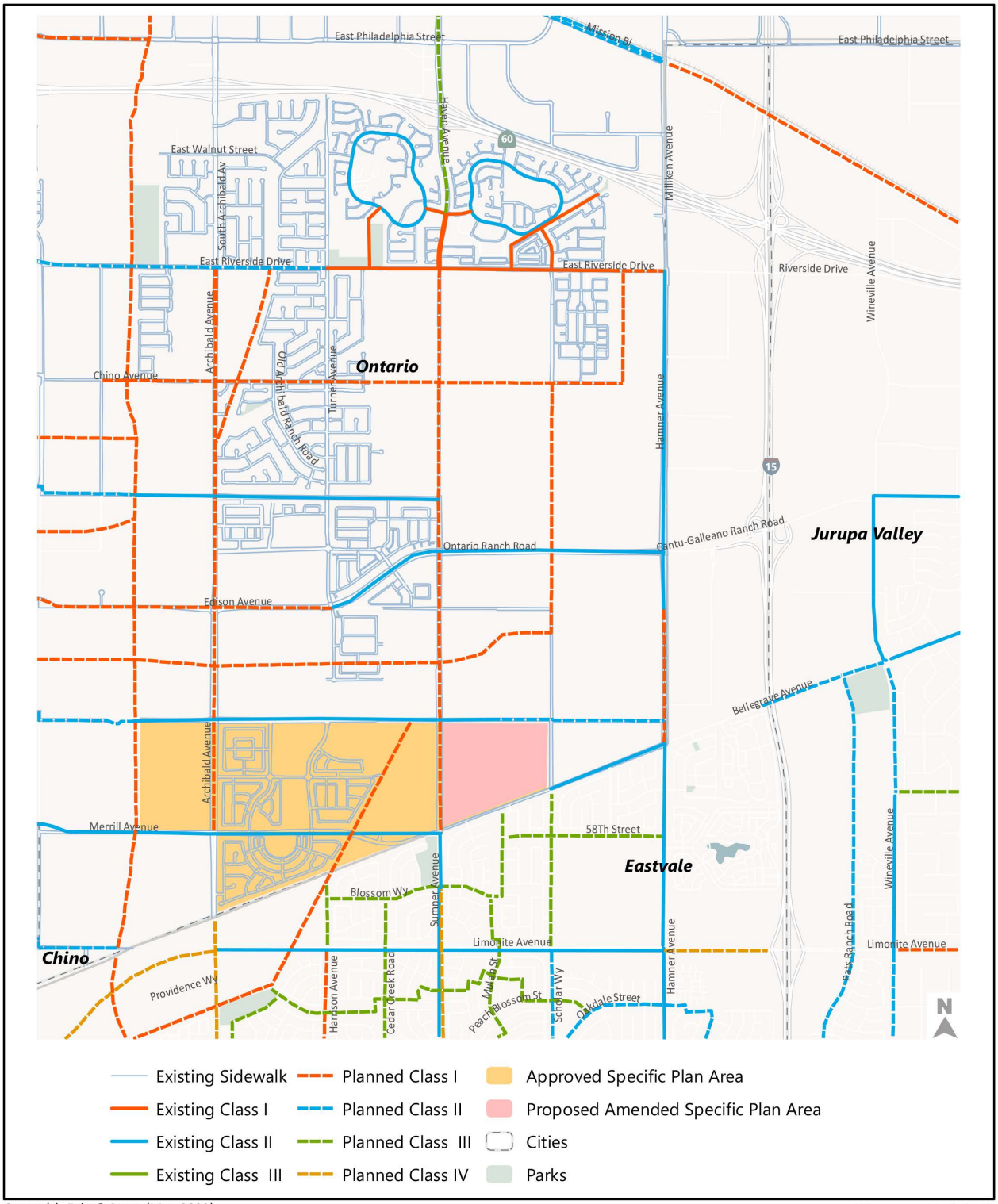
Section III.11, Transportation and Traffic, of the *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009) certified by the City in 2006 (referred to herein as the "2006 EIR") provides a discussion of the regulatory framework for the analysis of traffic-related impacts. However, since the certification of the 2006 EIR, there were several updates related to the regulatory framework for transportation issues. The current regulatory framework is discussed below.

A. State

1. Senate Bill 743 (SB 743) and VMT-Based Analysis

Senate Bill 743, which was codified in Public Resources Code Section 21099, required changes to the CEQA Guidelines regarding the analysis of transportation impacts. Pursuant to Public Resources Code Section 21099, the criteria for determining the significance of transportation impacts must "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." To that end, in developing the criteria, the Office of Planning and Research (OPR) proposed, and the CNRA certified and adopted changes to the CEQA Guidelines in December 2018, which entailed changes to the thresholds of significance for the evaluation of impacts to transportation. Pursuant to SB 743 and Public Resources Code Section 21099, the requirement for analyzing congestion impacts (i.e., LOS) for CEQA purposes was eliminated in December 2018.

The updated CEQA Guidelines include the addition of CEQA Guidelines Section 15064.3, of which Subdivision "b" establishes criteria for evaluating a project's transportation impacts based on project type and using automobile VMT as the metric. As identified in Section 15064.3(b)(4) of the CEQA Guidelines, a lead agency has the discretion to choose the most appropriate methodology to evaluate a project's VMT. The City adopted "A Resolution Adopting Vehicle Miles Traveled Thresholds for Determining Significance of Transportation Impacts Through the California Environmental Quality Act in Conformance with SB 743" in June 2020 (Resolution No. 2020-071) (City of Ontario, 2020a). This resolution outlines the methodology for VMT assessment for land use projects and defines adopted thresholds of significance for impact assessment. An analysis of congestion impacts, including analysis of impacts related to the LOS of the circulation system is not provided in this SEIR, and the metric for determining a significant impact under CEQA is based on the City's VMT thresholds.



Source(s): Fehr & Peers (May 2023)

Figure 5.16-2

Not to Scale

Existing and Planned Bicycle and Pedestrian Facilities

B. Regional

1. Southern California Association of Governments (SCAG) RTP/SCS (Connect SoCal)

As further discussed in SEIR subsection 5.11, Land Use and Planning, the SCAG is a regional agency established pursuant to California Government Code Section 6500, also referred to as the Joint Powers Authority law. SCAG is designated as a Council of Governments (COG), a Regional Transportation Planning Agency (RTPA), and a Metropolitan Planning Organization (MPO). The Amendment Area is within SCAG's regional authority. On April 7, 2016, SCAG adopted the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) with goals to: 1) preserve the existing transportation system; 2) expand the regional transit system; 3) expand passenger rail; 4) improve highway and arterial capacity; 5) manage demands on the transportation system; 6) optimize the performance of the transportation system; 7) promote forms of active transportation; 8) strengthen the regional transportation network for goods movement; 9) leverage technology; 10) improve airport access; and 11) focus new growth around transit (SCAG, 2016).

On September 4, 2020, SCAG's Regional Council adopted *Connect SoCal* (the 2020 - 2045 RTP/SCS) (SCAG, 2020). Connect SoCal is a long-range visioning plan that builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. It charts a path toward a more mobile, sustainable, and prosperous region by making connections between transportation networks, between planning strategies and between the people whose collaboration can improve the quality of life for Southern Californians. To achieve the goals of Connect SoCal (identified in SEIR subsection 5.11, Land Use and Planning, Table 5.11-2, SCAG Connect SoCal Consistency Analysis), a wide range of land use and transportation strategies are included in the *Connect SoCal* technical reports. Of particular note are multiple strategies included in Chapter 3 of *Connect SoCal* intended to support implementation of the regional SCS framed within the context of focusing growth near destinations and mobility options; promoting diverse housing choices; leveraging technology innovations; supporting implementation of sustainability policies; and promoting a Green Region.

C. Local

1. TOP 2050 Mobility Element

As the demand for travel by vehicle, foot, bicycle, and transit grows and changes, challenges such as traffic congestion and improving facilities to encourage walking, biking, and other non-motorized modes of travel must be considered in the City's long-range plan. The City's Mobility Element provides detailed policy guidance for the following topics:

- The Roadway System
- Bicycle & Pedestrians (Active Transportation)
- Public Transit
- Goods Movement
- Regional Transportation

- Airport Planning

The goals and policies addressing the City's circulation system, and the Project's consistency with these goals and policies are addressed in Table 5.16-3, TOP 2050 Consistency Analysis - Circulation.

2. Ontario Municipal Code

Ontario Municipal Code Section 4-6.1304, Truck Routes, defines truck routes as a street the use of which is permitted by any vehicle exceeding a maximum gross weight limit of five tons. However, provisions of Section 4-6.1304 shall not prohibit the operator of any vehicle exceeding a maximum gross weight of five tons from coming from a truck route having ingress and egress by direct route to and from restricted streets when necessary for the purpose of making pickups or deliveries of goods, wares, and merchandise from or to any building or structure located on such restricted streets or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling, or construction of any building or structure upon such restricted streets for which work a building permit has previously been obtained.

3. Development Impact Fees

The City maintains development impact fees (DIF) for projects in the Old Model Colony and Ontario Ranch area of the City. The fees are updated periodically and include fees assessed per dwelling unit, per hotel room, or per square foot and includes fees for regional and local street improvements. The City's *Development Impact Fee Calculation and Nexus Report* was last updated in July 2022 (RCS, 2022).

4. Traffic and Transportation Guidelines

Engineered drawings, otherwise known as plans, submitted by private design engineers to the City for plan check are required to adhere to the City's *Traffic and Transportation Guidelines*, last updated in January 2020, whenever the plans involve signing and striping, street lights, traffic signals, or temporary traffic control. (City of Ontario, 2020b)

5.16.3 Basis for Determining Significance

The City of Ontario evaluates transportation impacts based on thresholds of significance included in Appendix G of the CEQA Guidelines. The proposed Project would result in a significant transportation impact to air quality if the Project or any Project-related component would:

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.

5.16.4 Project Vehicle Trip Generation and Distribution

1. Vehicle Trip Generation

As previously identified, information from the Project-specific Transportation Study was used in this SEIR to support the analysis of potential impacts related to vehicle trips generated by the Project (e.g., air quality emissions, greenhouse gas emissions, traffic-related noise, etc.), as discussed in the respective sections of this SEIR. This supporting information includes Project vehicle trip generation and distribution.

Vehicle trip generation represents the amount of traffic that is associated with a development project. Determining traffic generation for a specific project is, therefore, based upon forecasting the amount of traffic that is expected to be both attracted to and produced by the specific land uses proposed by a given project. Project vehicle trips were estimated using methods published using the *Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition, 2021)*, and ITE trip generation rates identified in Section 4.1, Project Trip Generation, of the Transportation Study included in Appendix M of this SEIR. The estimated trip generation summary for development pursuant to the approved Subarea 29 Specific Plan and for development pursuant to the proposed Subarea 29 Specific Plan Amendment (Project) are presented in Table 5.16-1, Approved Subarea 29 Specific Plan Project Trip Generation Estimates, and Table 5.16-2, Proposed Project Trip Generation Estimates, respectively. The trip generation estimates include reductions for internalization, which accounts for trips beginning and ending within the Amendment Area, and pass-bys, which are trips assumed to already be traveling on Archibald Avenue that stop at a near-by/convenient commercial development and are not considered new trips on the road. The method for determining trip reductions is described in Section 4.2, Trip Generation Reductions, of the Transportation Study.

As shown in Table 5.16-2, buildout pursuant to the proposed Subarea 29 Specific Plan Amendment, which would involve 1,470 additional units, would generate 41,344 daily trips, including approximately 3,205 net external trips (1,028 inbound/2,177 outbound) during the AM peak hour, and approximately 3,697 net external trips (2,301 inbound/1,396 outbound) during the PM peak hour. This represents a net increase of 14,257 more net external daily trips than development pursuant to the approved Subarea 29 Specific Plan, including approximately 1,317 more net external trips (444 inbound/873 outbound) during the AM peak hour, and approximately 1,357 more net external trips (851 inbound/506 outbound) during the PM peak hour.

Table 5.16-1 Approved Subarea 29 Specific Plan Project Trip Generation Estimates

Trip Type	Daily	AM			PM		
		In	Out	Total	In	Out	Total
Total Project Trips[1]	30,922	872	1,592	2,464	1,730	1,161	2,891
Total Internalized Trips[3]	(3,835)	(288)	(288)	(576)	(223)	(223)	(446)
Total External Vehicle Trips	27,087	584	1,304	1,888	1,507	938	2,445
Pass-by[2]	-	-	-	-	(57)	(48)	(105)
Net External Vehicle Trips	27,087	584	1,304	1,888	1,450	890	2,340

1. Trip Generation, 11th Edition (Institute of Transportation Engineers, 2021).
2. Trip Generation Handbook 3rd Edition (Institute of Transportation Engineers, 2017).
3. MXD +, Fehr & Peers, 2022.

Source: (Fehr & Peers, 2023, Table 4)

Table 5.16-2 Proposed Project Trip Generation Estimates

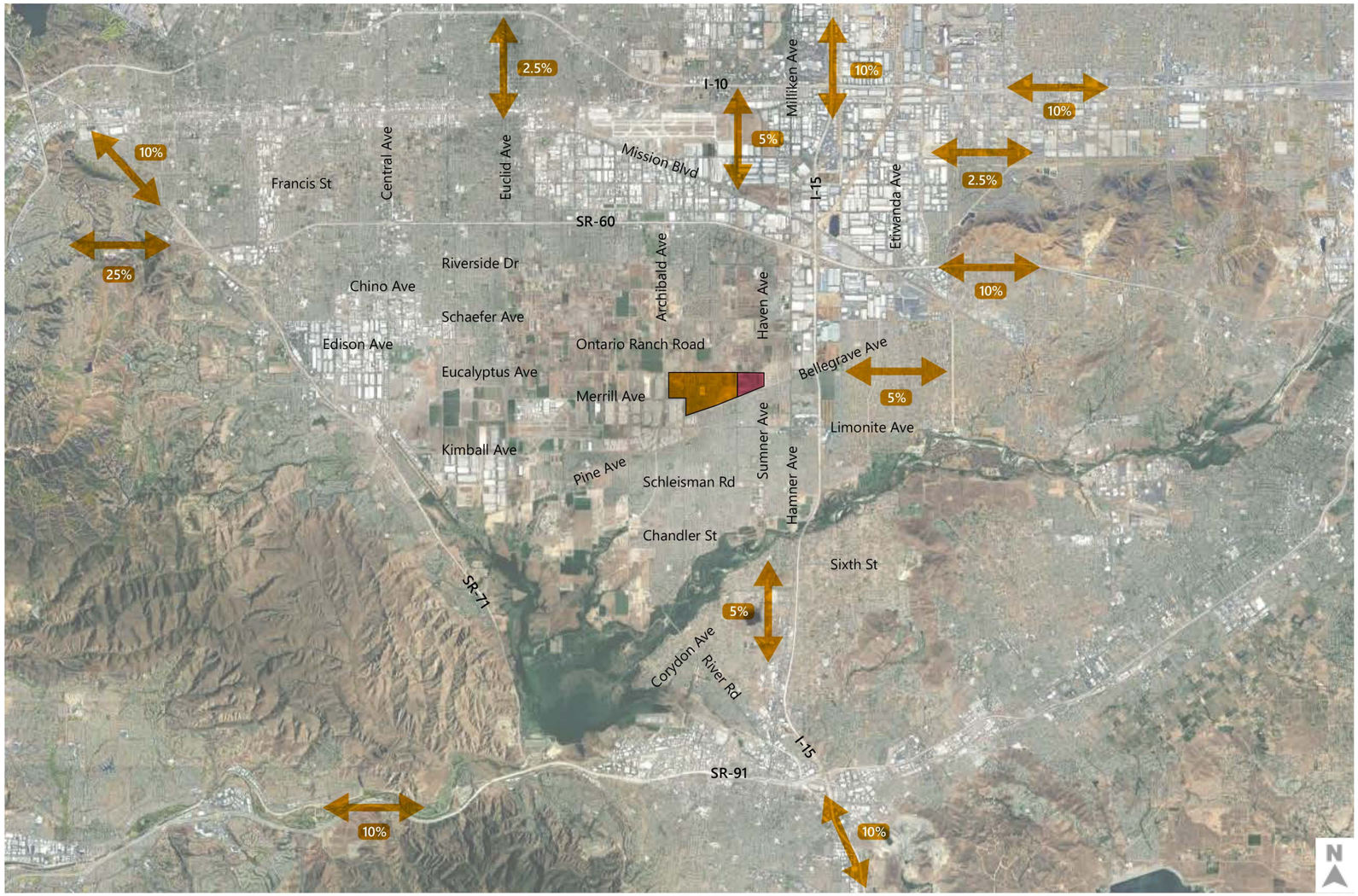
Trip Type	Daily	AM			PM		
		In	Out	Total	In	Out	Total
Total Project Trips[1]	47,304	1,574	2,723	4,297	2,687	1,766	4,453
Total Internalized Trips[3]	(5,960)	(546)	(546)	(1,092)	(338)	(338)	(676)
Total External Vehicle Trips	41,344	1,028	2,177	3,205	2,349	1,428	3,777
Pass-by[2]	-	-	-	-	(48)	(32)	(80)
Net External Vehicle Trips	41,344	1,028	2,177	3,205	2,301	1,396	3,697

1. Trip Generation, 11th Edition (Institute of Transportation Engineers, 2021).
2. Trip Generation Handbook 3rd Edition (Institute of Transportation Engineers, 2017).
3. MXD +, Fehr & Peers, 2022.

Source: (Fehr & Peers, 2023, Table 5)

2. Vehicle Trip Distribution

Project trip distribution refers to the directions of approach and departure that vehicles would use to travel to and from the Amendment Area. Local knowledge of the study area, travel pattern data and statistics, and professional judgment were used to develop a project trip distribution for the project as shown in Figure 5.16-3, Project Trip Distribution. Based on the trip generation and trip distribution estimates developed and described above, Project trips were assigned to the study area roadway network. Internalized Project trips were assigned between residential uses and school and commercial uses on internal roadways within the Specific Plan Area. Under cumulative conditions, the build out of the TOP 2050 roadway network significantly increases capacity and connectivity in the Ontario Ranch area. This includes developing Edison Avenue/Ontario Ranch Road as an eight-lane principal arterial.



Source(s): Fehr & Peers (May 2023)

Figure 5.16-3

Not to Scale

Project Trip Distribution

5.16.5 Environmental Impacts and Mitigation

A. *Applicable 2006 EIR Mitigation*

The following mitigation measures (MMs) from the 2006 EIR are applicable to the environmental impacts evaluated in this section. Intersection improvements for intersection impacts identified in the 2006 EIR are not included in this section as LOS impacts no longer constitute a significant environmental effect under CEQA.

It should be noted that MM Trans 5 is not applicable to the Project as it requires the City's coordination with Omnitrans, and MM Trans 6 is not applicable as it requires establishment of a Transportation System Management Program, which is not applicable to residential and school uses.

MM Trans 1 Construction of full width of internal roadways and ½ width adjacent roadways not implemented as specified in the Design Considerations of the project such that they shall comply with City of Ontario standards.

MM Trans 2 Sight distance at the project entrance roadways should be reviewed with respect to the City of Ontario sight distance standards at the time of preparation of final grading, landscape and street improvement plans.

MM Trans 3 Signing/striping should be implemented in conjunction with detailed construction plans for the project site.

MM Trans 4a Intersection, median opening, and traffic signal spacing shall be in accordance with the City of Ontario **Engineering Department Traffic and Transportation Division, Traffic and Transportation Guidelines** ~~New Model Colony Access Guidelines~~.

MM Trans 7 The project shall participate in the cost of off-site improvements through the payment of "fair-share" development impact fees. These fees should be collected and utilized as needed by the City of Ontario to maintain acceptable levels of service.

B. *Impact Analysis*

Threshold a:	***Would the Project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?***

1. Summary of Previous Environmental Analysis

The 2006 EIR identified that there were no specific bus routes planned to serve the Specific Plan Area; however, the design of parkways would not preclude future bus stops or turnouts. Additionally, the 2006 EIR identified that the approved Subarea 29 Specific Plan included bikeways/sidewalks (Class I bikeway) along Archibald Avenue, Bellegrave Avenue, and Haven Avenue in compliance with the City's requirements, and would not preclude the use of Merrill Avenue as designated Class III bike route. The 2006 EIR concluded that implementation of the adopted Subarea 29 Specific Plan would

not conflict with a program, plan, ordinance or policy addressing alternative transportation, such as transit, bicycle, and pedestrian facilities. Additionally, cumulative impacts were determined to be less than significant.

2. Project Impact Analysis

Regional

Connect SoCal (2020-2045 RTP/SCS)

The fundamental goals of SCAG's *Connect SoCal* are to make the SCAG region a better place to live, work, and play for all residents regardless of race, ethnicity, or income class. SEIR Section 5.11, Land Use and Planning, addresses the Project's consistency with *Connect SoCal*. As demonstrated through that analysis, implementation of the Project would be consistent with the goals of SCAG's *Connect SoCal*, including the following goals related to vehicular and non-vehicular circulation applicable to the Project:

- Goal 2: Improve mobility, accessibility, reliability, and travel safety for people and goods.
- Goal 4: Increase person and goods movement and travel choices within the transportation system.

Local

TOP 2050 Mobility Element

The TOP 2050 Mobility Element identifies that because the City is strategically located within a regional transportation network that includes an international airport with passenger and air cargo operations, three freeways, three freight rail lines, commuter and passenger rail services, public transit and a local network of streets and multi-purpose trails, it provides multimodal transportation options for those traveling within, to or through the City. Table 5.16-3, TOP 2050 Consistency Analysis - Circulation, provides an analysis of the Project's consistency with applicable Mobility Element policies addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities and related policies provided in other TOP 2050 elements. The State's general rule for a General Plan consistency determination is that "an action, program, or project is consistent with the General Plan if, considering all its aspects, it will further the objectives and policies of the General Plan and not obstruct their attainment." (OPR, 2017) As identified, the Project does not conflict with any policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

Table 5.16-3 TOP 2050 Consistency Analysis - Circulation

Goals and Policies	Project Consistency
Land Use Element	
Goal LU-1: 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.	
LU-1.4. Multimodal Mobility. We require development and urban design, where appropriate, that reduces reliance on the automobile and capitalizes on active transportation, transit, electric vehicles, and multimodal transportation opportunities.	**No Conflict.** The Subarea 29 Specific Plan encourages multimodal mobility. An off-street pedestrian circulation would be available throughout the Specific Plan area, including the proposed Amendment Area, with an interconnected paved sidewalk system within the roadway right-of-way separated from vehicular travel lanes by a landscaped parkway. There is an existing Class I bikeway (multipurpose trail) along the west side of Haven Avenue, which would be accessible to Project residents. Additionally, Class II (on-street striped) bike lanes would be constructed along Eucalyptus Avenue and Bellegrave Avenue, adjacent to the proposed Amendment Area, and a multipurpose trail would be installed along Mill Creek Avenue. A bus turnout would be installed along Haven Avenue in the northbound direction, north of Bellegrave Avenue. The Subarea 29 Specific Plan also includes a multi-purpose pedestrian and bicycle trail within the SCE corridor/easement extending between Eucalyptus Avenue and the County Line Channel. This multi-purpose trail would provide a link within the City´s Master Planned trail system proposed for SCE easements and corridors throughout the City.
Mobility Element	
Goal M-1: A system of roadways that meets the mobility needs of a dynamic and prosperous Ontario.	
M-1.1. Roadway Design and Maintenance. We require our roadways to: 1. Comply with federal, state, and local design and safety standards; 2. Meet the needs of multiple transportation modes and users; 3. Handle the capacity envisioned in the City of Ontario Master Plan of Streets and Highways; 4. Be maintained in accordance with best practices; 5. Be compatible with the streetscape and surrounding land uses; and 6. Promote the efficient flow of all modes of traffic through the implementation of intelligent transportation systems and travel demand management strategies.	**No Conflict.** These policies are intended to guide City actions and are not particularly applicable to individual development project; however, the Project would not conflict with these polices. As discussed in SEIR Section 3.0, Project Description, and as required by 2006 EIR MM Trans 1, the Project would involve implementation of roadway improvements for site-adjacent roadways. Pursuant to 2006 EIR MM Trans 2, MM Trans 3, and MM Trans 4a, roadway improvements would be designed and implemented accordance with City requirements, including requirements related to roadway design, sight distance, signing/striping, intersections, median openings, and traffic signal spacing. Although intersection operations are no longer the basis for determining transportation impacts pursuant to

Goals and Policies	Project Consistency
M-1.4. Complete Streets. We work to provide a complete, balanced, context-aware, multimodal transportation network that meets the needs of all users of streets, roads, and highways, including motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods, and users of public transportation. We prioritize implementation of complete streets improvements in environmental justice areas to facilitate opportunities for residents to use active transportation systems.	CEQA, the Project Applicant would also be required to pay development impact fees or make fair share payments for off-site intersection improvements required pursuant to the Transportation Study included in Appendix M of this SEIR to address intersection deficiencies resulting from the Project. The Project Applicant's responsibility will be included the Project Conditions of Approval to be imposed by the City. Refer to the consistency analysis for Policy LU-1.4, which addresses the implementation of a multimodal transportation system. The Amendment Area is not within a census tract designated as a disadvantaged community (CalEPA, 2022). However, with the provision of an interconnected multimodal transportation system designed and constructed in accordance with the City's requirements, and Subarea 29 Specific Plan requirements related to vehicular and non-vehicular circulation, landscaping, etc. the Project would provide complete street improvement and would facilitate opportunities for residents to use active transportation systems.
M-1.2. Mitigation of Impacts. We require development to mitigate its traffic impacts. **M-1.5. Level of Service.** Maintain a peak hour Level of Service (LOS) E or better at all intersections. Maintain Level of Service D or better on arterial streets in the City. Develop and maintain a list of locations where LOS E or LOS F are considered acceptable and would be exempt from this level of service policy. Considerations for LOS exemption include being restricted by environmental constraints, lacking available right-of-way, deterring an increase in VMT, or degrading other modes of travel (such as bicycle or pedestrian infrastructure).	**No Conflict.** As demonstrated through the analysis presented in this section, implementation of the proposed Subarea 29 Specific Plan Amendment would not result in any traffic impacts requiring mitigation pursuant to CEQA. Notwithstanding, applicable mitigation measures from the 2006 EIR identified above would be incorporated into the Project, including the requirement to pay development impact fees, which would be collected and used by the City to maintain acceptable LOS (refer to 2006 EIR MM Trans 7). Further, although LOS is no longer the metric for determining a project's transportation impacts pursuant to CEQA, the City requires a traffic analysis based on LOS, which the City uses in part to determine transportation improvement obligations of development project. The required traffic study has been prepared and is included in SEIR Technical Appendix M; required improvements would be included in the Project's conditions of approval.
M-1.6. Reduce Vehicle Miles Traveled. We will strive to reduce VMT through a combination of land use, transportation projects, travel demand management strategies, and other trip reduction measures in coordination with development projects and public capital improvement projects.	**No Conflict.** As discussed under Threshold "b" above, the VMT per service population (SP), which is the sum of residents and employees, with the Project would be lower than the Citywide average. Specifically, the VMT/SP for PAs 30 through 34 would be 23.85 compared to the citywide threshold of 29.42 VMT/SP.

Goals and Policies	Project Consistency
	Further the VMT/SP for the total Specific Plan Area (PAs 1 through 34) would be 26.4, also lower than the Citywide average.
Goal M-2: A system of trails and corridors that facilitate and encourage active modes of transportation.	
M-2.1. Active Transportation. We maintain our Active Transportation Master Plan to create a comprehensive system of on- and off-street bikeways and pedestrian facilities that are safe, comfortable, and accessible and connect residential areas, businesses, schools, parks, and other key destination points. **M-2.2. Bicycle System.** We provide off-street multipurpose trails and Class II bikeways as our preferred paths of travel and use the Class III for connectivity in constrained circumstances. When truck routes and bicycle facilities share a right-of-way, we prefer Class I bicycle facilities. We require new development to include bicycle facilities, such as bicycle parking and secure storage areas **M-2.4. Network Opportunities.** We use public rights-of-way and easements, such as utility easements, levees, drainage corridors, road rights-of-way, medians, and other potential options to maintain and expand our bicycle and pedestrian network. In urban, mixed-use, and transit-oriented Place Types, we encourage the use of underutilized public and private spaces to expand our public realm and improve pedestrian and bicycle connectivity	**No Conflict.** As described in Section 5.15.1.D above, and shown on Figure 3-11, Master Circulation Plan, there is an existing Class II multipurpose along the west side of Haven Avenue adjacent to the Amendment Area, and there are existing Class II bikeways in the vicinity of the Amendment Area. Existing bikeways would be retained, and the Project would include the construction of Class II (on-street striped) bike lanes along Eucalyptus Avenue and Bellegrave Avenue, adjacent to the proposed Amendment Area. The Project would also include the construction of a multi-purpose pedestrian and bicycle trail within the SCE corridor extending between PAs 30 and 31. This multi-purpose trail would provide a link within the City´s Master Planned trail system proposed for SCE easements and corridors throughout the City. As the Ontario Ranch area builds out consistent with the City´s Master Planned trail system, the Project would be part of a well-connected bicycle network.
M-2.3. Pedestrian Walkways. We require streets to include sidewalks and visible crosswalks at major intersections where necessary to promote safe and comfortable mobility between residential areas, businesses, schools, parks, recreation areas, and other key destination points.	**No Conflict.** The Project proposes to develop a network of paved sidewalks separated from vehicular travel lanes by landscaped parkway throughout the Amendment Area. Sidewalks are proposed on both sides of local streets with bulb-outs at local street intersections to reduce crossing distances. The Project proposes a local neighborhood street design as traffic calming to assist in reducing speeds and cut-through traffic.
Goal M-3: A public transit system that is a viable alternative to automobile travel and meets basic transportation needs of the transit-dependent.	
M-3.2. Alternative Transit Facilities at New Development. We require new development adjacent to an existing or planned transit stop to contribute to the creation of transit facilities, such as bus shelters, transit bays and turnouts, and bicycle facilities, such as secure storage areas.	**No Conflict.** A new bus turnout would be installed along Haven Avenue in the northbound direction, north of Bellegrave Avenue.
Community Design Element	
Goal CD-2: A high level of design quality resulting in neighborhoods, commercial areas, public spaces, parks, and streetscapes that are attractive, safe, functional, human- scale, and distinct.	

Goals and Policies	Project Consistency
CD-2.5. Streetscapes. We design new and, when necessary, retrofit existing streets to improve walkability, bicycling and transit integration, strengthen connectivity, and enhance community identity through improvements to the public right-of-way such as sidewalks, street trees, parkways, curbs, street lighting and street furniture.	**No Conflict.** As discussed above, the Project would involve construction of bicycle, pedestrian and transit facilities. As required by the Subarea 29 Specific Plan, landscaping would be installed throughout the Specific Plan Area, including along the roadways and pathways, to maintain a cohesive community identity, which is accomplished through the landscape guidelines.
CD-2.6. Connectivity. We promote development of local street patterns, multimodal networks, and connected public spaces that create and unify neighborhoods, rather than divide them, and create cohesive and continuous corridors, rather than independent "islands" through the following means: 1. Local street networks that provide access both between subdivisions and within neighborhoods and discourage through traffic; 2. A local street system that is logical and understandable for the user. A grid system is preferred to avoid circuitous and confusing travel paths between internal neighborhood areas and adjacent arterials and to provide adequate emergency and evacuation access; and, 3. Pedestrian and bicycle networks that provide convenient access to neighborhoods and nearby destinations, such as schools, parks, other public spaces, commercial areas, and transit stops.	**No Conflict.** Refer to the consistency analysis for Policies LU-1.4, and policies under Goals M-1 and M-2 above, which addresses the connectivity of the Project. The Project would include construction of on-site and site-adjacent roadways that would improve the connectivity within the Specific Plan Area and further connect the Specific Plan area with the existing neighborhoods.
CD-2.16. Transit Stops. We require transit stops be conveniently located, well lit, safe, and clearly accessible to pedestrians, bicyclists, and people of all abilities.	**No Conflict.** A new bus turnout would be installed along Haven Avenue in the northbound direction, north of Bellegrave Avenue. The bus turnout would be easily accessible from existing and planned sidewalks and bikeways along Haven Avenue. Haven Avenue improvements would comply with City requirements related to lighting, accessibility, etc.
Goal CD-3: 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.	
CD-3.3. Complete and Connected Network. We require that pedestrian, vehicular, and bicycle circulation on both public and private property be coordinated to provide connections internally and externally to adjacent neighborhoods and properties (existing and planned) through a system of local roads and trails that promote walking and biking to nearby destinations (including existing and planned parks, commercial areas, and transit stops) and are designed to maximize safety, comfort, and aesthetics.	**No Conflict.** The Subarea 29 Specific Plan Design Guidelines promote development, which is pedestrian oriented, interconnected, and encourages sustainable neighborhood design principles. The Project would include the construction of roadways, pedestrian, bicycle facilities that provide direct connections to internal and external transportation facilities. This would encourage and facilitate bicycle and pedestrian travel within the area, including to nearby destinations.

Ontario Municipal Code

In accordance with Ontario Municipal Code Section 4-6.1304, Truck Routes, trucks exceeding the maximum gross weights traveling to/from the Project site, including during construction, would use designated truck routes. In the vicinity of the Amendment Area, Merrill Avenue (west of Archibald Avenue), Edison Avenue, Archibald Avenue, Alessandro Boulevard, and Milliken Avenue/Hamner Avenue are designated truck routes. As required, other roadways within and surrounding the Amendment Area would only be used by truck traffic as necessary for the purpose of making pickups or deliveries of goods, wares, and merchandise from or to any building or structure located on such restricted streets or for the purpose of delivering materials to be used for permitted construction activities. The Project would not conflict with OMMC truck route requirements.

Conclusion

Based on the foregoing analysis, the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Impacts would be less than significant, consistent with the conclusion of the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

Threshold b: Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

1. Summary of Previous Environmental Analysis

The analysis of VMT impacts was not required or included in the 2006 EIR.

2. Project Impact Analysis

Consistent with the City's adopted VMT Impact Analysis Resolution No. 2020-071, Project-level and cumulative VMT assessments were performed. The required VMT Assessment is included in SEIR Technical Appendix L. The San Bernardino Traffic Analysis Model (SBTAM) was utilized to estimate VMT for the analysis scenarios[1]. The VMT Assessment provides a detailed description of the methods

[1] SBTAM began as the SCAG regional travel demand forecasting model and underwent a subarea model development to add detail and refinement within San Bernardino County. The SBTAM roadway network and socio-economic data within the City were updated to be consistent with TOP 2050 EIR scenario modeling for Base Year (2019) and Approved General Plan Buildout (2050). Outside of the City of Ontario, this model assumes datasets consistent with the SCAG 2016 RTP/SCS, with a base year of 2012

and assumptions used for the Project analysis. For the Project-level assessment, VMT was estimated using the Origin/Destination (OD) method. In summary, the OD method for calculating VMT sums all weekday VMT generated by trips with at least one trip end in the study area and tracks those trips from their estimated origins to their estimated destinations.

The City of Ontario has adopted the following thresholds of significance related to VMT for land use plans:

- A significant impact would occur if the project VMT/SP (for the land use plan) exceeds the Citywide average for service population under General Plan Buildout Conditions.

Project-level VMT estimates for the Subarea 29 Specific Plan were performed using the approved TOP 2050 Buildout (2050) model using the Socio-Economic Data (SED) input data shown in Table 5.16-4. As shown, Planning Areas 1-29 would remain the same as they are not included as part of the proposed Subarea 29 Specific Plan Amendment. Planning Areas 30 through 34 were isolated in different Traffic Analysis Zones (TAZs) in the model to evaluate the Subarea 29 Specific Plan as a whole and Planning Areas 30-34 separately. The original SED in the Project TAZs were referenced to estimate persons per household assumptions for the Project. The student and teacher ratio were collected from nearby TAZs with schools to estimate the education employment for the Project.

Table 5.16-4 Land Use Data Summary

Land Use	Planning Areas 1-29	Planning Areas 30-34	Total Proposed Specific Plan
Households	**2,221**	**1,667**	**3,888**
Population	**8,878**	**6,664**	**15,542**
Total Employment	**263**	**56**	**319**
Retail Employment	205	0	205
Entertainment Employment	25	0	25
Educational Employment	33	56	89

Source: (Fehr & Peers, 2022, Table 1)

The VMT estimates performed for the Project are presented in Table 5.16-5. As shown, the OD VMT/SP for both Planning Areas 30-34 and for the total Specific Plan Area is lower than the Citywide average OD VMT per service population under General Plan Buildout Conditions. Therefore, the VMT impact would be less than significant.

and future year of 2040. SBTAM does not have an available dataset consistent with the SCAG 2020 RTP/SCS. At the time of this analysis, SBTAM was in the process of being updated with the SCAG 2020 RTP/SCS data, but the data was not available. This analysis uses the most current, available SBTAM model version consistent with the City of Ontario's VMT Impact Resolution.

Table 5.16-5 VMT Summary

Land Use	Proposed Specific Plan		
	Planning Areas 1-29	Planning Areas 30-34	Total Specific Plan (Planning Areas 1 – 34)
Population	8,878	6,664	15,542
Employment	263	56	319
Total SP	**9,141**	**6,720**	**15,861**
Total OD VMT	258,655	160,272	418,927
OD VMT/SP	**28.30**	**23.85**	**26.4**
Citywide Threshold VMT/SP	29.42		

SP: Service Population; OD: Origin/Destination
Source: (Fehr & Peers, 2022, Table 2)

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

Threshold c: ***Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?***

1. Summary of Previous Environmental Analysis

The 2006 EIR identified that the Specific Plan area is in an area transitioning from agriculture/dairy uses to urban uses and agricultural equipment may use local roadways as long as the dairy operations continue, resulting in a potential hazard. With the implementation of MM Trans 1 through MM Trans 3, this potentially significant impact was reduced to a level considered less than significant. Additionally, cumulative impacts were determined to be less than significant.

2. Project Impact Analysis

Construction-Related Transportation Hazards

Construction traffic resulting from the Project would primarily be associated with construction workers commuting to and from the Amendment Area; delivery of building materials; and transport of construction equipment (including large equipment). Construction workers would travel to the Amendment Area by passenger vehicle and construction equipment and building materials deliveries would arrive by medium- and heavy-duty trucks. The amount of construction traffic would vary daily depending on the nature of the activity. Construction workers do not typically commute during peak hours as they arrive prior to morning peak hours and leave prior to the evening peak hours. The use of

heavy trucks for the transport and disposal of building materials, equipment, and soils would occur periodically throughout the workday but largely outside of peak hours.

During construction, trucks traveling to and from the Amendment Area would adhere to applicable regulations associated with truck travel, as previously discussed in Section 5.16.2 above, including the use of designated truck routes. Construction activities associated with the Project would result in the temporary closure of traffic lanes and/or roadway segments along the Amendment Area's adjacent roadways during various construction activities, including, but not limited to, construction of roadway improvements and access driveways, and installation of utility infrastructure (including utility connections). The reduction of roadway capacity, the narrowing of traffic lanes, and the occasional interruption of traffic flow on streets associated with Project-related construction activities could pose hazards to vehicular traffic due to localized traffic congestion, decreased turning radii, or the condition of roadway surfaces. However, Project-related construction traffic would be required to comply with a temporary traffic control plan that meets the applicable requirements of the California Manual on Uniform Traffic Control Devices for construction work within public rights-of-way. Preparation of the required traffic control plan would be required prior to issuance of encroachment permits. Implementation of the required traffic control plan, and adherence to City requirements, including the use of designated truck routes, would ensure that potential hazards to transportation during construction would be less than significant. Implementation of the Project would not result in any new or more severe significant impacts related to transportation hazards than those disclosed in the 2006 EIR.

Operational Transportation Hazards

As described in SEIR Section 3.0, Project Description, implementation of the Project would involve the development of the Amendment Area with residential and school uses consistent with the current General Plan and zoning designations. The roadway classifications for the roadways adjacent to the Amendment Area were established in consideration of this type of development. Roadway and site improvements incorporated into the Project to ensure that adequate ingress and egress to the Amendment Area would be provided as described in SEIR Section 3.0, Project Description. Access to PA 30 and 31 would be the same as that anticipated in the approved Subarea 29 Specific Plan (from Eucalyptus Avenue, Haven Avenue and Parkview Street). As shown on Figure 3-11, Master Circulation Plan, access to the Expansion Area would be provided from Eucalyptus Avenue, Haven Avenue, Bellegrave Avenue, and Mill Creek Avenue, and new on-site private roadways.

The Project would generate primarily passenger cars vehicle trips, consistent with other residential and public facility uses in the area. The undeveloped area north of the Amendment Area remains undeveloped and subject to agricultural activities and will continue to transition to urban uses as anticipated by the TOP 2050. Consistent with the analysis presented in the 2006 EIR, while the area continues to transition from agricultural to urban uses there would be the potential for hazards associated with the interaction between farm equipment and passenger vehicles on the roadway system. However, the Project would not substantially increase this activity. Additionally, as described in SEIR Section 3.0, Project Description, the Project would involve the construction of roadways within and adjacent to the Amendment Area. As required by 2006 EIR MM Trans 1, MM Trans 2, MM Trans 3,

and MM Trans 4a, roadway improvements and driveways would be constructed in conformance with City design standards, including, but not limited to, for roadways, sight distance, and signing/striping. The City has reviewed the Project's application materials and determined that no hazardous transportation design features would be introduced by the Project. Accordingly, the Project would not create or substantially increase safety hazards due to a design feature or incompatible use. Impacts would be less than significant, and the Project would not result in any new or more severe significant impacts related to transportation hazards than those disclosed in the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

Threshold d: Would the Project result in inadequate emergency access?

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that implementation of the Subarea 29 Specific Plan would improve emergency access by completing roadway improvements, resulting in a less than significant impact. Additionally, cumulative impacts were determined to be less than significant.

2. Project Impact Analysis

As described in SEIR subsection 5.9, Hazards and Hazardous Materials, the City adopted its current Local Hazard Mitigation Plan (LHMP) in 2018. The LHMP identifies interstates (e.g., I-15) as emergency evacuation routes for the City. As identified in TOP 2050 EIR Figure 5.17-5, Evacuation Routes, the nearest evacuation routes to the Amendment Area are Edison Avenue to the north, and Bellegrave Avenue, which forms the southern boundary of the Amendment Area (City of Ontario, 2022). During construction and long-term operation, the Project would be required to maintain adequate emergency access for emergency vehicles. Further, the Project involves the completion of roadways adjacent to and within the Amendment Area, which would enhance emergency access. The Project would not substantially impede emergency response in the local area. Further, future development plans/plot plans would be reviewed by the City to ensure adherence to City requirements for emergency vehicle access, including street width and turnaround requirements. Therefore, the Project would not result in inadequate emergency access and this impact would be less than significant. Implementation of the Project would not result in any new or more severe significant impacts related to emergency access than those disclosed in the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

5.16.6 Cumulative Impact Analysis

As identified in the analysis presented under Threshold "a", the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Cumulative development projects would be reviewed for consistency with adopted programs, plans, ordinances, or policies, including but not limited to the *Connect SoCal* (SCAG RTP/SCS) and TOP 2050, as applicable. Even if cumulative development projects are in conflict, the Project would not contribute to a cumulative impact and thus would not be cumulatively considerable because the Project does not conflict with a program, plan, ordinance, or policy addressing the circulation system, as identified through the analysis presented in this section.

With respect to VMT impacts, the City of Ontario has adopted the following threshold of significance related to cumulative VMT impacts for land use plans:

- A significant impact would occur if the project caused total daily VMT/SP within the City to be higher than the no project alternative under cumulative conditions.

Since the Project is consistent with the General Plan land use designations, there is no difference between the Future No Project and Future With Project conditions and therefore there is no forecast change in daily VMT within the City under cumulative conditions. Therefore, the Project's cumulative VMT impact would be less than significant.

The Project Applicant would develop the Amendment Area with uses consistent with the TOP 2050 land use designations. The Project would have less than significant impacts related to hazards from design or incompatible uses during construction and operation, and with respect to emergency access, with adherence to applicable requirements. Cumulative projects would also be required to comply with applicable regulations related to the use of designated truck routes for construction, roadway and access design, and emergency access, which are in place to ensure impacts are less than significant. Additionally, cumulative development in the area would continue the transition from agricultural to urban uses, reducing the potential conflict between farming equipment and vehicles. Therefore, the Project would not result in a considerable contribution to cumulative impacts for these issues, when considered with the cumulative projects that are planned, proposed, or under construction in the vicinity of the Amendment Area.

5.16.7 References

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5.17 TRIBAL CULTURAL RESOURCES

This section identifies the potential for the Amendment Area to contain tribal cultural resources and evaluates the Project's potential impacts to tribal cultural resources. Other potential impacts to prehistoric resources, and disturbance of human remains are evaluated in SEIR Section 5.5, Cultural Resources. This section is primarily based on the *Cultural Resources Assessment Subarea 29 Specific Plan Amendment Project Ontario, California, Planning Areas 30-34* (Cultural Resources Study), prepared by VCS Environmental (VCS) (November 2022), which is included in Technical Appendix D of this Subsequent Environmental Impact Report (SEIR) (VCS, 2022).

Confidential information was redacted from SEIR Technical Appendix D for purposes of public review. In addition, much of the written and oral communication between Native American tribes, the City, and VCS is considered confidential in respect to places that have traditional tribal cultural significance (California Government Code Section 65352.4), and although relied upon in part to inform the preparation of this section, those communications are treated as confidential and are not available for public review. Under existing law, environmental documents must not include information about the location of archeological sites or sacred lands or any other information that is exempt from public disclosure pursuant to the Public Records Act (California Code Regulations Section 15120[d]).

5.17.1 EXISTING CONDITIONS

Refer to SEIR Section 5.5, Cultural Resources, for a discussion of the prehistoric period. The ethnographic setting for the region is restated below.

A. Ethnography

At the time of European contact in 1769, when Gaspar de Portolá's expedition crossed the Los Angeles Basin, what were to be named the Gabrieliño Native Americans by the Spanish occupied the area around the Specific Plan Area, including the Amendment Area. While the term Gabrieliño identifies those Native Americans who were under the control of the Spanish Mission San Gabriel Archángel, the number of people in these areas were of the same ethnic nationality and language (Takic) group. Their territory extended from northern Orange County north to the San Fernando Valley in Los Angeles County and eastward to the San Bernardino area.

The current Gabrieliño comprise at least five bands that are recognized Tribes by the State of California including the Gabrieleño Band of Mission Indians – Kizh Nation; the Gabrieliño Tongva Indians of California Tribal Council; the Gabrieleño-Tongva San Gabriel Band of Mission Indians; the Gabrieliño-Tongva Tribe; and the Gabrieliño/Tongva Nation. The terms the Native Americans in Southern California used to identify themselves have, for the most part, been lost; therefore, the names do not necessarily identify specific ethnic or Tribal groups. Some currently refer to themselves as Tongva, while others prefer the term Kizh. The term Gabrieliño will be used herein.

The Gabrieliño arrived in the Los Angeles Basin possibly as early as 1,500 BCE as part of the so-called Shoshonean (Takic speaking) Wedge from the Great Basin region. The Gabrieliño gradually displaced

the indigenous peoples, who were most likely Hokan speakers. Large, permanent villages were established in the fertile lowlands along rivers and streams and in sheltered areas along the coast. Eventually, Gabrieliño territory encompassed the greater Los Angeles Basin, coastal regions from Topanga Canyon in the north to perhaps as far south as Aliso Creek, and the islands of San Clemente, San Nicholas, and Santa Catalina. Recent studies suggest the population may have numbered as many as 10,000 individuals at their peak in the Precontact Period.

Gabrieliño populations are difficult to reconstruct; however, at any one time, as many as 50 to 100 villages were simultaneously occupied. Like the prehistoric culture before them, the Gabrieliño were a hunter/gatherer group who lived in small sedentary or semi-sedentary groups of 50 to 100 persons, termed rancherias. These rancherias were occupied by at least some of the people all of the time. Location of the encampment was determined by water availability. Houses were circular in form and constructed of sticks covered with thatch or mats. Each village had a sweat lodge as well as a sacred enclosure. Most of the Gabrieliño villages were abandoned around 1805 due to rapid decline from European-introduced diseases. The Gabrieliño community of Pashiinonga is known to have been located west of the Amendment Area. The village of Wapijanga, later known as Guapa (or Juapa Ranch), was somewhat further to the east on the banks of the Santa Ana River. Both villages were situated on the Rancho del Chino. The inhabitants of Pashiinonga were forcibly relocated to Mission San Gabriel. Most of the Gabrieliño villages were abandoned around 1805 due to rapid decline from European-introduced diseases.

Most trade between settlements was through reciprocity (barter). Gabrieliño and Juaneño from the mainland probably traded trade beads, game, and plant foods in exchange for shell beads and steatite, and plant foods from the islanders. There is also evidence of trade between the Arizona Hohokam and the Gabrieliño, probably with the Mojave people as middleman. Both inhumation (burial in a grave) and cremation were practiced by the Gabrielino. During cremations, the goods and hut of the deceased were often buried with him. Annual mourning ceremonies were held in the late summer for all who had died during the previous year.

B. Tribal Cultural Resources

As described in SEIR Section 5.5, Cultural Resources, VCS conducted a literature review of documents on file at the South Central Coastal Information Center (SCCIC) at California State University, Fullerton on March 2, 2022. The records search provided data on known archaeological resources as well as previous studies within one-half mile of the Amendment Area. Data sources consulted at the SCCIC included but were not limited to archaeological records, and Archaeological Determinations of Eligibility (DOE). No previously identified archaeological resources or tribal cultural resources within the Amendment Area. The cultural resources study prepared to support the *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009) in October 2006 (referred to herein as the "2006 EIR") resulted in the discovery of two archaeological isolates—basalt flakes—in a recently plowed field, which were not determined to be significant resources (City of Ontario, 2006).

VCS also conducted a field survey of the Amendment Area on March 16, 2022. The western portion of the Amendment Area, west of Haven Avenue, was inspected visually utilizing 5- to 10-meter-wide spaced survey transects, walking in a north-south direction across the western and eastern portions of PAs 30 and 31, beginning in the northwest corner. These areas were open, clear fields with approximately 80 percent visibility. The middle portion of PAs 30 and 31 is the Van Dam Dairy farm, which was not inspected directly. The proposed Expansion Area was inspected visually beginning in the southwest corner and then easterly. Foundations, concrete brick walls, concrete rubble, and other remnants of a dairy were present in the extreme eastern end of the proposed Expansion Area. The western portion of the Expansion Area is under active cultivation and was not surveyed. No archaeological resources were discovered during the field survey.

During preparation of the Cultural Resources Study, and as further discussed under Threshold "a.ii," below, VCS requested a records search of the Sacred Lands Files (SLFs) from the Native American Heritage Commission (NAHC). Further, the City of Ontario provided a notification of the Project as required by Assembly Bill (AB) 52 and Senate Bill (SB) 18 and entered into consultation with one tribe that requested consultation (Gabrieleño Band of Mission Indians – Kizh Nation). The results of this Native American outreach/consultation did not reveal the presence of any tribal cultural resources within the Amendment Area or off-site improvement areas.

5.17.2 Regulatory Background

A. State

1. Traditional Tribal Cultural Places Act (Senate Bill 18 [SB 18])

Senate Bill 18 (SB 18) requires local (city and county) governments to consult with California Native American tribes to aid in the protection of traditional tribal cultural places ("cultural places") through local land use planning. SB 18 also requires the Governor's Office of Planning and Research (OPR) to include in the General Plan Guidelines advice to local governments for how to conduct these consultations.

The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places. The purpose of involving tribes at these early planning stages is to allow consideration of cultural places in the context of broad local land use policy, before individual site-specific, project-level land use decisions are made by a local government.

SB 18 requires local governments to consult with tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process. These consultation and notice requirements apply to adoption and amendment of both general plans (defined in Government Code Section 65300 et seq.) and specific plans (defined in Government Code Section 65450 et seq.). Although SB 18 does not specifically mention consultation or notice requirements for adoption or amendment of specific plans, existing state planning law requires local governments to use the same processes for adoption and amendment of specific plans as for general plans (see Government Code

Section 65453). Therefore, where SB 18 requires consultation and/or notice for a general plan adoption or amendment, the requirement extends also to a specific plan adoption or amendment.

2. Assembly Bill 52 (AB 52)

California Assembly Bill 52 (AB 52) (2014) Chapter 532 amended Section 5097.94 of, and added Sections 21073, 21074, 21080.3.1, 21080.3.2, 21802.3, 21083.09, 21084.2, and 21084.3 to the California Public Resources Code (PRC), relating to Native Americans. AB 52 was approved on September 25, 2014. By including tribal cultural resources early in the California Environmental Act (CEQA) process, the legislature intended to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources. By taking this proactive approach, the legislature also intended to reduce the potential for delay and conflicts in the environmental review process.

The PRC now establishes that "[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." (PRC Section 21084.2.) To help determine whether a project may have such an effect, the PRC requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. That consultation must take place prior to the determination of whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project. (PRC Section 21080.3.1.) If a lead agency determines that a project may cause a substantial adverse change to tribal cultural resources, the lead agency must consider measures to mitigate that impact. These rules apply to projects that have a notice of preparation for an environmental impact report or negative declaration or mitigated negative declaration filed on or after July 1, 2015.

PRC Section 21074 defines "tribal cultural resources." In brief, in order to be considered a "tribal cultural resource," a resource must be either:

1. listed, or determined to be eligible for listing, on the national, state, or local register of historic resources, or
2. a resource that the lead agency chooses, in its discretion, to treat as a tribal cultural resource.

In the latter instance, the lead agency must determine that the resource meets the criteria for listing in the state register of historic resources. In applying those criteria, a lead agency must consider the value of the resource to the tribe.

3. California Health and Safety Code (Sections 7050.5, 7051, and 7054)

These sections of the *California Health and Safety Code* collectively address the illegality of interference with human burial remains (except as allowed under applicable sections of the *California Public Resources Code* [PRC]). These sections also address the disposition of Native American burials in archaeological sites and protect such remains from disturbance, vandalism, or inadvertent

destruction. Procedures to be implemented are established for (1) the discovery of Native American skeletal remains during construction of a project; (2) the treatment of the remains prior to, during, and after evaluation; and (3) reburial.

Section 7050.5 of the *California Health and Safety Code* specifically provides for the disposition of accidentally discovered human remains. Section 7050.5 states that, if human remains are found, no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined the appropriate treatment and disposition of the human remains.

4. California Public Resources Code Section 5097.8

As identified in Section 15064.5(d) of the CEQA Guidelines, when the existence of, or the probable likelihood, of Native American human remains within the project is identified, a lead agency is required to work with the appropriate Native Americans as identified by the Native American Heritage Commission (NAHC) as provided in PRC Section 5097.98. PRC Section 5097.98 states that, if remains are determined by the Coroner to be of Native American origin, the Coroner must notify the NAHC within 24 hours. When the NAHC receives notification of a discovery of Native American human remains from a County Coroner, it shall immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. This regulation also requires that, upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations and all reasonable options regarding the descendants' preferences for treatment. This section of the PRC has been incorporated into Section 15064.5(e) of the CEQA Guidelines.

5.17.3 Basis for Determining Significance

The City of Ontario evaluates impacts to tribal cultural resources based on thresholds of significance included in Appendix G of the CEQA Guidelines. A significant impact to tribal cultural resources would occur if the Project or any Project-related component would:

a. *Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is*

i. *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or*

ii. *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

5.17.4 Environmental Impacts and Mitigation

A. Applicable 2006 EIR Mitigation

There were no mitigation measures (MMs) from the 2006 EIR specifically applicable to tribal cultural resources. However, 2006 EIR MM Cultural 1 and MM Cultural 2 in SEIR Section 5.5, Cultural Resources, address protection of cultural resources and human remains.

B. Impact Analysis

Threshold a.i.: Would the Project cause a substantial adverse change in the significance of a tribal cultural resource…and that is 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)?

1. Summary of Previous Environmental Analysis

The analysis of impacts on tribal cultural resources was not required at the time of preparation for the 2006 EIR. Therefore, impacts on tribal cultural resources were not specifically addressed in the 2006 EIR.

2. Project Impact Analysis

As discussed in Threshold "a" in SEIR Section 5.5, Cultural Resources, a records search and literature review of the Amendment Area and off-site improvement areas was undertaken at the EIC at Cal State Fullerton. Based on this search and review of existing literature related to cultural and historic resources within the Amendment area and surrounding areas, no tribal cultural resources listed or eligible for listing in the CRHR or in a local register of historical resources were identified. Further, there were no tribal cultural resources eligible for listing in the CRHR or in a local register of historical resources identified during the AB 52 and SB 18 consultation process. Accordingly, no impact would occur.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

No impact would occur.

Threshold a.ii.: ***Would the Project cause a substantial adverse change in the significance of a tribal cultural resource…and that is 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.***

1. Summary of Previous Environmental Analysis

The analysis of impacts on tribal cultural resources was not required at the time of preparation for the 2006 EIR. Therefore, impacts on tribal cultural resources were not specifically addressed in the 2006 EIR.

2. Project Impact Analysis

As part of the SB 18/AB 52 consultation process required by State law, on December 7, 2021, the City requested a list of Native American tribes to contact from the NAHC. Also on December 7, 2021, the City sent notification of the Project to Native American tribes with possible traditional or cultural affiliation to the Amendment Area, which included tribes identified by the NAHC for a previous project in the Subarea 29 Specific Plan Area received by the City on February 5, 2021. An additional request for a list of tribes to contact pursuant to AB 52 and SB 18 was sent to NAHC on January 7, 2022. The list for SB 18 was provided by the NAHC on January 26, 2022, and the list for AB 52 was provided on March 17, 2022. The SB 18 and AB 52 lists are the same and included the following tribes:

- Agua Caliente Band of Cahuilla Indians
- Gabrieleño Band of Mission Indians – Kizh Nation
- Gabrieleño/Tongva San Gabriel Band of Mission Indians
- Gabrieliño/Tongva Nation
- Gabrieliño Tongva Indians of California Tribal Council
- Gabrieliño-Tongva Tribe
- Quechan Tribe of the Fort Yuma Reservation
- Santa Rose Band of Cahuilla Indians
- Soboba Band of Luiseno Indians

On February 1, 2022, the City sent Project notification letters to those tribes that were not previously notified. The City received responses from Agua Caliente Band of Cahuilla Indians, Gabrieleño Band of Mission Indians – Kizh Nation, Gabrielino Tongva Indians of California Tribal Council, Quechan Tribe of the Fort Uma Reservation. The City also sent a Project notification letter to the San Manuel Band of Mission Indians, which is included on the City's master project contact list; the San Manuel Band of Mission Indians responded that no consultation for the Project was required.

The Gabrieleño Band of Mission Indians – Kizh Nation was the only tribe to request consultation. Through this consultation, which involved a consultation meeting held on April 13, 2022, the City and Gabrieleño Band of Mission Indians – Kizh Nation agreed that although no tribal cultural resources are known to exist with this Amendment Area or off-site improvement areas, with implementation of Project-level MM 5.17-1 and MM 5.17-2, listed below, potentially significant impacts to unknown tribal cultural resources would be less than significant. MM 5.17-1 allows a Native American Monitor approved by the Gabrieleño Band of Mission Indians – Kizh Nation be present during ground-disturbing activity, and MM 5.17-2 identifies requirements for the preservation in place treatment of tribal cultural resources, and archaeological data recovery excavations if preservation is place is not feasible. The required consultation between the City and Gabrieleño Band of Mission Indians – Kizh Nation was officially determined to be complete on April 13, 2022.

Additional Project-Level Mitigation Measures

MM 5.17-1 Prior to the commencement of any ground disturbing activity at the Amendment Area or off-site improvement areas (Project site), the Project Applicant shall request a Native American Monitor approved by the Gabrieleño 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"). If a monitoring contract is declined by the Gabrieleño Band of Mission Indians-Kizh Nation, a qualified tribal monitor shall be retained. A copy of the executed monitoring 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.

MM 5.17-2 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.

Level of Significance After Mitigation

Less than significant impact with mitigation incorporated.

5.17.5 Cumulative Impact Analysis

The Amendment Area is located within a Native American traditional use area that stretches across San Bernardino County. Other development projects within this traditional use area would have a similar potential as the Project to adversely affect tribal cultural resources. As noted previously, the City conducted Native American consultation with potentially culturally affiliated tribes, as required by AB 52 and SB 18. As a result of this consultation effort, no tribal cultural resources were identified within the Amendment Area or off-site improvement areas. However, it is possible that buried prehistoric artifacts or tribal cultural resources could be present within the area. The Project includes mitigation measure to ensure proper identification, treatment, and preservation of tribal cultural resources. Implementation of these measures would reduce the potential for the Project's adverse impacts on tribal cultural resources. Each future Project considered for approval by the City would be

required to do its own consultation and include mitigation measures to protect resources if they are uncovered during grading activities. Neither the Project nor other cumulative developments are expected to result in significant impacts to tribal cultural resources provided site-specific surveys are conducted and required measures to protect the tribal cultural resources are implemented. As such, the Project would not result in a cumulatively considerable contribution to a significant cumulative impact to tribal cultural resources.

5.17.6 REFERENCES

City of Ontario. 2006. *Environmental Impact Report for Subarea 29 (Hettinga) Specific Plan City of Ontario, San Bernardino County, California (State Clearinghouse Number: 2004011009),* certified October 2006. https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Reports/environmental-reports/subarea-29.pdf

VCS Environmental (VCS). 2022. *Cultural Resources Assessment Subarea 29 Specific Plan Amendment Project, Ontario, CA, Planning Areas 30-34*. November 2022.

5.18 UTILITIES AND SERVICE SYSTEMS

This section addresses the following utilities and service systems: water supply and distribution systems; wastewater (sewage) collection and treatment; storm drainage systems; dry utility infrastructure; and solid waste collection and disposal services. Impacts related to energy can be found in Section 5.6, Energy. References used to prepare this section are listed in Section 5.18.6, References.

5.18.1 EXISTING CONDITIONS

A. Water Supply and Demand

A *Water Supply Assessment and Written Verification of Sufficient Water Supply Subarea 29 Specific Plan Amendment (2021) Project* (WSA) was prepared by Albert A Webb Associates (Webb) (November 17, 2021) (Webb, 2021), and is included as SEIR Technical Appendix N. Following is a summary of the current water supply and demand information from the WSA and 2020 Urban Water Management Plan (UWMP) (OMUC, 2021) relevant to the proposed Subarea 29 Specific Plan Amendment.

Ontario Municipal Utilities Company (OMUC) has the following sources of water supply: City wells in the Chino Groundwater Basin; treated groundwater from the Chino Desalter Authority (CDA); recycled water from Inland Empire Utilities Agency (IEUA); purchased water from San Antonio Water Company (SAWCo); and imported wholesale water from the Water Facilities Authority (WFA). Based on the 2020 UWMP, approximately 46 percent of OMUC's water supply came from groundwater, 34 percent from imported water, and 20 percent of supply was recycled water. A discussion of the City's water sources is provided below based on information presented in the OMUC 2020 UWMP.

- **Chino Basin.** The Chino Basin is adjudicated and managed by the Chino Basin Watermaster. There are three stakeholder groups, designated as Pools, that are governed by the Chino Basin Judgment, which include the Appropriative Pool (local cities, public water district, and private water companies), Overlying Agricultural Pool (dairymen, farmers, and State of California) and Overlying Non-Agricultural pool (area industries). The City has appropriative rights of approximately 21 percent of the safe operating yield from the Appropriative Pool. This amounted to 8,470 acre-feet per year (AFY) in 2020. The City is also entitled to water rights due to groundwater recharge with stormwater and recycled water in the Chino Basin, and the City has rights to store water in the Chino Basin. As of June 2020, the City had 96,544 AF in storage pursuant to Appropriative Rights and 3,461 acre-feet (AF) in storage pursuant to Overlying Non-Agricultural Rights. The availability of additional storage in the basin allows the City to take advantage of wet years by storing additional water for use in dry years.
- **Chino Desalter Authority.** The City receives treated groundwater for potable uses from the CDA, which is a joint powers authority consisting of the cities of Chino, Chino Hills, Norco, and Ontario; the Jurupa Community Services District; the Santa Ana River Water Company; IEUA; and the Western Municipal Water District. The CDA operates and manages Chino Desalters I and II, which remove salts from brackish groundwater extracted from the lower

Chino Basin. The City has an agreement to receive 8,533 AFY of treated water. In 2020, the City received 6,636 AF, which is approximately 17 percent of its water supply.

- **IEUA Recycled Water Supply.** OMUC purchases recycled water supplies from IEUA, which treats the City's wastewater at its four regional wastewater reclamation plants. IEUA provides wastewater treatment services to seven Contracting Agencies, including the City of Ontario. Currently, recycled water is used in the City for agricultural irrigation, landscape irrigation, golf course irrigation and industrial purposes. In 2020, the City obtained 7,812 AF from the IEUA for direct use. Recycled water is received from IEUA's water recycling plants RP-1 and RP-5 and then distributed through the City's recycled water system.
- **MWD Imported Water.** WFA purchases untreated imported water from IEUA, who in turn obtains it from The Metropolitan Water District of Southern California (MWD). WFA and IEUA are both wholesale water suppliers and IEUA is a member agency of MWD. MWD is a wholesaler and contractor for State Water Project water imported from northern California. The City purchases treated, imported surface water from the WFA. The WFA is a joint powers authority consisting of the cities of Chino, Chino Hills, Ontario, and Upland and the Monte Vista Water District. The surface water is treated at the WFA-operated Agua de Lejos Treatment Plant in Upland. In 2020, the City purchased 6,513 AF of treated water from the WFA, which is approximately 16 percent of its total water supply. The imported water supplies from the WFA may be impacted during multi-year drought conditions, which limits MWD from delivering sufficient water supplies to all its member agencies. In anticipation of a reduction in supplies, MWD developed a Water Supply Allocation Plan, which provides a means of equitably providing reduced water supplies during drought conditions.
- **Other Purchased Water.** The City also purchases water from the SAWCo, which delivers domestic and irrigation water to a variety of shareholders. The City has an entitlement of 600 AF based on the active share entitlements. SAWCo's water supply sources include surface water from San Antonio Canyon, water from the San Antonio tunnel, and groundwater sources from the Chino Basin, Six Basins, and Cucamonga Basin. Most of SAWCo's water supplies are obtained from groundwater produced in the Cucamonga Basin and surface water from San Antonio Creek. In 2020, the City purchased 565 AF of water from SAWCo, which is approximately 1.4 percent of its total water supply.

In fiscal year (FY) 2019/20, the total potable water demand in the OMUC service area was 32,109 AF and the recycled water demand was 7,812 AF. Over the past ten years, the City's total water demands (including potable and recycled water demand) have ranged from 36,036 AFY to 45,196 AFY with an average of 40,831 AFY (Webb, 2021).

Existing PAs 30 and 31 are occupied by structures associated with dairy farming and agriculture uses, and farm structures that supported previous agricultural activities, which are served by private wells on site. The western portion of the proposed Expansion Area is currently used for agricultural production, which is served by private wells on site, and the southern portion is disturbed and was previously occupied by a trucking company. The eastern portion of the proposed Expansion Area is

disturbed and vacant. According to the WSA, to calculate ultimate water demand for Ontario Ranch, which includes the Amendment Area, the City's 2020 Water Master Plan and 2020 UWMP assumed the land uses of approved Specific Plans, including the Subarea 29 Specific Plan, and where there was none, land uses consistent with the General Plan land use plan was assumed. At the time the 2020 UWMP was prepared, the TOP adopted in 2010 was the adopted General Plan for the City. Based on the assumptions in the 2020 UWMP, the water demand for the Amendment Area is estimated to be 539 AFY (potable and recycled water) (Webb, 2021). A breakdown of the Amendment Area's current estimated water demand is provided in Table 5.18-1, Amendment Area Existing Water Demand, below.

Table 5.18-1 Amendment Area Existing Water Demand

Planning Area	Potable Water Demand (AFY)	Recycled Water Demand (AFY)	Total Water Demand (AFY)
PAs 30 and -31	109	35	144
PAs 32, 33, and 34	267	128	395
Total	376	163	539

Source: (Webb, 2021, Table 2-4)

B. Water and Recycled Service

The City's distribution system consists of approximately 584 miles of water mains that are between 2 and 42 inches in diameter, and 12 active reservoirs store a total of 75 million gallons. Additionally, the City has 6 booster pump stations and 17 groundwater wells with a total production capacity of about 56 million gallons per day. The City provides an average supply of 33.14 mgd of water to its service area. (City of Ontario, 2022)

The Amendment Area is within the City's Water 925' Pressure Zone. As shown on Figure 3-21, Conceptual Domestic Water Master Plan, in Section 3.0, Project Description, of this Subsequent Environmental Impact Report (SEIR), there are existing 12-inch water lines beneath Mill Creek Avenue and Haven Avenue adjacent to the Expansion Area, and an existing 24-inch water line beneath Eucalyptus Avenue. The 24-inch water line beneath Eucalyptus Avenue extends to the east adjacent to Planning Areas (PAs) 30 and 31.

The Amendment Area is within the City's Recycled Water 930' Zone. As shown on SEIR Figure 3-22, Conceptual Recycled Water Master Plan, adjacent to the Amendment Area, there is an existing 12-inch recycled water line beneath Eucalyptus Avenue, and 8-inch recycled water lines along Mill Creek Avenue and Haven Avenue (generally adjacent to PAs 32 and 34). There is also an existing 16-inch recycled water line along Eucalyptus Avenue west of Haven Avenue, adjacent to PAs 30 and 31.

C. Sewer/Wastewater Service

OMUC operates and maintains the sewer collection system for the City. The sewer collection system consists of approximately 425 miles of sewer mains. The system operates largely by gravity but also includes four primary pump stations and approximately 11,000 feet of associated force mains. The

existing wastewater flow is approximately 10.4 mgd. The sewer lines range in size from 4 inches up to 48 inches in diameter (City of Ontario, 2022).

Wastewater disposal within existing PAs 30 and 31 is currently provided through septic tanks and subsurface disposal fields. The proposed Expansion Area does not have any existing structures that generate wastewater or generate wastewater conveyance and treatment demands. As shown on SEIR Figure 3-23, Conceptual Sewer Master Plan, adjacent to the Amendment Area there is an existing 15-inch sewer line in Haven Avenue, an 18-inch sewer line in Mill Creek Avenue, and a 24-inch sewer line in Bellegrave Avenue. There is also an existing 8-inch sewer line in Parkview Street, south of PAs 30 and 31.

Wastewater generated in the City, including the Amendment Area, is treated by the IEUA, and is collected within the City's local sewer collection system. The City's local sewers tie into IEUA's regional trunk sewers, including 90 miles of regional sewage interceptors. The regional sewer lines deliver wastewater to one or more regional plants owned by IEUA for treatment. The Eastern Trunk Sewer located along Archibald Avenue is 36- and 42-inches within and adjacent to the Subarea 29 Specific Plan, and then extends east along Bellegrave Avenue (42-inch line east).

IEUA operates four wastewater treatment plants (WWTPs) that provide recycled water to the western part of San Bernardino County. IEUA's WWTPs collectively treated approximately 50.1 million gallon per day (mgd) of wastewater during FY 2020-21 (IEUA, 2021a). The total estimated amount of wastewater collected within the City's service area during FY 2019-20 was approximately 12,650 AFY (OMUC, 2021).

The Specific Plan Area is serviced by one of the IEUA WWTP, RP-5, which serves the cities of Chino, Chino Hills, and Ontario. RP-5 has a current capacity of 16.3 mgd, which will increase to 22.5 mgd with its planned expansion project that is currently under construction with an estimated completion date in 2025. Wastewater treatment by this facility is either discharged to Chino Creek, delivered to industrial users, or pumped to basins for groundwater recharge. RP-5 is located in the City of Chino at 6063 Kimball Avenue (IEUA, 2022).

D. Stormwater Conveyance Facilities

The City owns and maintains over 136 miles of storm drains. All the storm drains convey runoff to several regional backbone facilities owned and operated by the San Bernardino County Flood Control District (SBCFCD). The City is in Zone 1 of the SBCFCD. The three major regional channels that convey stormwater from the City are the San Antonio Channel, Cucamonga Channel, and Day Creek Channel. The Specific Plan area, including the Amendment Area, drains to the Cucamonga Channel, described below.

The Cucamonga Channel and a number of its tributary systems convey runoff from the central portion of the City. The regional SBCFCD storm drain systems that are tributary to Cucamonga Channel are:

- West Cucamonga Channel System, including the 8th Street Basins, Princeton Basin, East State Street Storm Drain, Francis Street Storm Drain, and Ely Basin
- Riverside Drive Storm Drain #2 and Lower Cucamonga Spreading Grounds
- Deer Creek Channel and Turner Basins Lower Deer Creek Channel, Commerce Center Storm Drain, and Chris Basin
- County Line Channel

Storm water runoff from the Amendment Area is generally by sheet flow. As further described in SEIR Section 5.10, there are existing storm drains beneath Haven Avenue and Mill Creek Avenue, which flow to the County Line Channel drainage facility beneath Bellegrave Avenue. The storm drain lines along Haven Ave and Mill Creek confluence with the County Line Channel. From the County Line Channel, runoff is ultimately discharged into Cucamonga Channel.

E. Dry Utilities

1. Electrical Power

Southern California Edison (SCE) would provide electric service to the Project; existing electric facilities consist of overhead 500 kV and 220kV and 66 kV transmission lines located in the SCE corridor between PAs 30 and 31. There are also 12 kV distribution lines on wooden poles on the north side of Eucalyptus Avenue and the east side of Haven Avenue adjacent to the Amendment Area. Along the east side of Mill Creek Avenue there is an underground SCE system that is in a joint trench with communications utilities.

2. Natural Gas

Southern California Gas (SoCalGas) provides natural gas service to the Amendment Area, and currently has an 8-inch gas line along the west side of Haven Avenue as well as an 8-inch gas stub going east from Haven Avenue at Eucalyptus Avenue.

3. Telecommunications

Frontier, Charter/Spectrum and Ontario City Fiber would provide communications services to the Amendment Area. There are existing stubs for Frontier, Charter/Spectrum and Ontario City Fiber at the southwest corner of Parkview Street and Haven Avenue that can be used as the point of connection for these facilities. There is also an underground communication system on the east side of Mill Creek Avenue.

F. Solid Waste Collection and Disposal

The City of Ontario provides its own solid waste collection service. The Integrated Waste Department (IWD), which is part of OMUC, provides its customers with blue containers for recyclables, green containers for grass clippings, leaves, and brush; and black containers for all nonrecyclable materials.

In 2020 (the last year data was available), the City implemented 46 programs to reduce solid waste generation and achieve the increased solid waste diversion required. These programs involve composting, facility recovery, household hazardous waste (HHW), policy incentives, public education, recycling, source reduction, special waste materials, and transformation (CalRecycle, 2022c). The IWD has also developed a Refuse and Recycling Planning Manual to assist developers with meeting the City's requirements for refuse and recycling storage and access for service and addressing the City's recycling goals. The manual provides standards for residential, commercial, and industrial container storage and vehicle access, minimum weekly service requirements, and Ontario and San Bernardino County code requirements. The City also provides a household hazardous waste facility for residents at 1430 S. Cucamonga Avenue. Residents can recycle used computers, televisions, and other electronic waste free of charge (City of Ontario, 2022).

Household and business refuse, green waste, and recycling collected in the City are sent to the West Valley Materials Recovery Facility in Fontana for processing, recycling, or landfilling; the facility is operated by Burrtec. Over 98 percent of the solid waste collected from the City was taken to either Badlands Sanitary Landfill or El Sobrante Landfill. Badlands Landfill is owned and operated by the Riverside County Department of Waste Resources, and the El Sobrante Landfill is owned and operated by USA Waste of California, a subsidiary of Waste Management, Inc. A description of the facilities is provided in Table 5.18-2, Existing Landfill Facilities, below.

Table 5.18-2 Existing Landfill Facilities

Landfill	Remaining Capacity (million cubic yards)	Maximum Permitted Capacity (million cubic yards)	Maximum Permitted Throughput (tons per day)	Average Daily Disposal 2022 (tons)	Estimated Cease Date
Badlands Sanitary Landfill 31125 Ironwood Avenue Moreno Valley, CA 92555	7.8	34.4	4,800	2,655.7	1/1/2026
El Sobrante Landfill 10910 Dawson Canyon Rd Corona, CA 91719	144	209.9	16,054	10,710.4	1/1/2051
Total	**151.8**	**244.3**	**20,854**	**13,366.1**	**--**

Source: (CalRecycle, 2022a; CalRecycle, 2022b)

Collectively, the Badlands and El Sobrante Landfill have an excess capacity of 7,487.9 tons per day (tpd), with an excess of 2,144.3 tons at the Badlands Landfill and an excess of 5,343.6 tons at the El Sobrante Landfill.

Compliance with Assembly Bill (AB) 939 discussed below is measured by actual disposal rates compared to target rates for residents and employees, respectively; actual disposal rates at or below target rates are consistent with AB 939. Target disposal rates for the City are 9.9 pounds per day (ppd) per resident and 16.4 ppd per employee, and the actual disposal rates in 2020 (the most current data

available) were 9.1 ppd per resident and 13.5 ppd per employee (CalRecycle, 2022d), in compliance with AB 939.

5.18.2 Regulatory Background

A. State

1. Urban Water Management Planning Act

The Urban Water Management Planning Act (UWMP Act) was proposed and adopted to ensure that water planning is conducted at the local level, as the State of California recognized that two water agencies in the same region could have very different impacts from a drought. The UWMP Act requires water agencies to develop Urban Water Management Plans (UWMPs) over a 20-year planning horizon, and further requires UWMPs to be updated every five years. UWMPs are exempt from compliance with CEQA.

The UWMPs provide a framework for long-term water planning and inform the public of a supplier's plans for long-term resource planning that ensures adequate water supplies for existing and future demands. This part of the California Water Code (CWC) requires urban water suppliers to report, describe, and evaluate: water deliveries and uses, water supply sources, efficient water uses, demand management measures, and water shortage contingency planning. As such, UWMPs serve as an important role in documenting water supply availability and reliability for purposes of compliance with Senate Bill (SB) 610 and SB 221, which link water supply sufficiency to large land use development project approvals. The City adopted its 2020 UWMP in July 2021.

2. Water Conservation in Landscaping Act of 2006

The Water Conservation in Landscaping Act (AB 1881) required the State Department of Water Resources to update the State of California's Model Water Efficient Landscape Ordinance (MWELO) by 2009. Under AB 1881, cities and counties were required to adopt the MWELO by January 31, 2010, or to adopt a different ordinance that is at least as effective in conserving water as the MWELO. The MWELO was revised in July 2015 via Executive Order B-29-15 to address the ongoing drought and to build resiliency for future droughts. The 2015 revisions to the MWELO increased water efficiency standards for new and retrofitted landscapes through more efficient irrigation systems, greywater usage, on-site stormwater capture, and limiting the portion of landscapes that can be covered in turf. The City of Ontario complies with the State's current MWELO and has implemented landscape development standards. Developers are required to submit landscape plans and complete water efficient landscape worksheets prepared by a certified landscape architect prior to the start of construction.

3. California SB 610

The California Water Code (Water Code) Sections 10910 through 10915 were amended by the enactment of SB 610 in 2002. SB 610 requires an assessment of the sufficiency of available water supplies to serve the demand generated by a proposed project, as well as the reasonably foreseeable

cumulative demand in the region over the next 20 years under average normal year, single dry year, and multiple dry year conditions. Under SB 610, water supply assessments must be furnished to local governments for inclusion in any environmental documentation for certain projects (as defined in Water Code Section 10912 [a]) subject to CEQA. For the purposes of SB 610, "project" means any of the following:

(1) A proposed residential development of more than 500 dwelling units.

(2) A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space.

(3) A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space.

(4) A proposed hotel or motel, or both, having more than 500 rooms.

(5) A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area.

(6) A mixed-use project that includes one or more of the projects specified in this subdivision.

(7) 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.

A WSA is required for the Project and is included in SEIR Technical Appendix N.

4. Government Code Section 66473.7(b)(2) (SB 221)

Under SB 221, approval by a city or county of residential subdivisions of more than 500 units requires an affirmative written verification of sufficient water supply. SB 221 is intended as a 'fail safe' mechanism to ensure that collaboration on finding the needed water supplies to serve a new large subdivision occurs before construction begins. SB 221 requires the legislative body of a city or county or the advisory agency, to the extent that it is authorized by local ordinance to approve, conditionally approve, or disapprove a tentative map, to include as a condition in any tentative map that includes a subdivision a requirement that a sufficient water supply shall be available. A water supply verification is required for the Project and is provided through the WSA provided in SEIR Technical Appendix N.

5. California Solid Waste Integrated Waste Management Act (AB 939)

The California Integrated Waste Management Act was enacted by the California Legislature in 1989 with the goal of reducing dependence on landfills for the disposal of solid waste and to ensure an effective and coordinated system for the safe management of all solid waste generated within the state. AB 939 mandated a reduction in the amount of solid waste disposed of by jurisdictions and required diversion goals of 25% by 1995 and 50 percent by the year 2000. The Integrated Waste Management Act established a hierarchy of preferred waste management practices, which include (1) source reduction, (2) recycling and composting, and (3) environmentally safe disposal by transformation or landfilling. It addresses all aspects related to solid waste regulation, including the details regarding the

lead enforcement agency's requirements and responsibilities; the permit process, including inspections and denials of permits; enforcement; and site clean-up and maintenance. It requires that each county prepare a countywide integrated waste management plan that is reviewed at least once every 5 years to assure that waste management practices remain consistent with the practices defined in the California Public Resources Code (PRC).

6. Waste Reuse and Recycling Act (AB 1327)

The Waste Reuse and Recycling Act (WRRA) required the CIWMB to approve a model ordinance for adoption by any local government for the transfer, receipt, storage, and loading of recyclable materials in development projects by March 1, 1993. The WRRA also required local agencies to adopt a local ordinance by September 1, 1993, or allow the model ordinance to take effect. The WRRA requires all development projects that are commercial, industrial, institutional, or marina in nature and where solid waste is collected and loaded, to provide an adequate area for collecting and loading recyclable materials over the lifetime of the project. The area is required to be provided before building permits are issued.

7. Solid Waste Disposal Measurement Act of 2008

The purpose of the Solid Waste Disposal Measurement Act of 2008 (SB 1016) is to make the process of goal measurement (as established by AB 939) simpler, timelier, and more accurate. SB 1016 builds on AB 939 compliance requirements by implementing a simplified measure of jurisdictions' performance. SB 1016 accomplishes this by changing to a disposal-based indicator—the per capita disposal rate—which uses only two factors: (1) a jurisdiction's population (or in some cases employment) and (2) its disposal, as reported by disposal facilities. Each year CalRecycle calculates each jurisdiction's per capita (per resident or employee) disposal rates. If a business is the dominant source of a jurisdiction's waste generation, CalRecycle may use the per-employee disposal rate. Each year's disposal rate will be compared to that jurisdiction's 50 percent per capita disposal target. As such, jurisdictions will not be compared to other jurisdictions or the statewide average, but they will only be compared to their own 50 percent per capita disposal target. Among other benefits, per capita disposal is an indicator that allows for jurisdiction growth because, as residents or employees increase, report-year disposal tons can increase and still be consistent with the 50 percent per capita disposal target. A comparison of the reported annual per capita disposal rate to the 50 percent per capita disposal target will be useful for indicating progress or other changes over time.

8. Mandatory Commercial Recycling Program (AB 341)

AB 341 (Chapter 476, Statutes of 2011 [Chesbro, AB 341]) directed CalRecycle to develop and adopt regulations for mandatory commercial recycling. The final regulation was approved by the Office of Administrative Law on May 7, 2012. AB341 was designed to help meet California's recycling goal of 75 percent by the year 2020. AB 341 requires all commercial businesses and public entities that generate four cubic yards (cy) or more of waste per week to have a recycling program in place. In addition, multi-family apartments with five or more units are also required to form a recycling program.

9. AB 1826

AB 1826 requires jurisdictions to implement an organic waste recycling program for businesses, including outreach, education, and monitoring of affected businesses. Additionally, each jurisdiction is to identify a multitude of information, including barriers to siting organic waste recycling facilities, as well as closed or abandoned sites that might be available for new organic waste recycling facilities. AB 1826 defines "organic waste" as food waste, green waste, landscape and pruning waste, non-hazardous wood waste, and food-soiled paper waste that is mixed in with food waste. It also defines a "business" as a commercial or public entity, including, but not limited to, a firm, partnership, proprietorship, joint stock company, corporation, or association that is organized as a for-profit or nonprofit entity, or a multifamily residential dwelling consisting of five or more units. As of January 1, 2017, businesses that generate four cy or more of organic waste per week are subject to this requirement. Commencing January 1, 2019, businesses that generate four cy or more of commercial solid waste per week also are required to arrange for organic waste recycling services.

10. SB 1383

SB 1383 (2016) requires a 50 percent reduction in disposal of organic waste from the 2014 level by 2020, and a 75 percent reduction by 2025. The law grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025. Increasing food waste prevention, encouraging edible food rescue, and expanding the composting and in-vessel digestion of organic waste throughout the state will help reduce methane emissions from organic waste disposed in California's landfills. Additionally, compost has numerous benefits including water conservation, improved soil health, and carbon sequestration.

11. Title 24. Part 6, Energy-Efficiency Standards and California Green Building Standards

California Code of Regulations (CCR) Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings (Building Energy Efficiency Standards), was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy-efficient technologies and methods. Energy-efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases greenhouse gas (GHG) emissions.

CCR, Title 24, Part 11: California Green Building Standards Code (CALGreen Code), is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect in 2009, and is administered by the California Building Standards Commission. 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 positive environmental impact and encouraging sustainable construction practices in the following categories: (1) planning and design; (2) energy efficiency; (3) water efficiency and conservation; (4) material conservation and resource efficiency; and (5) environmental air quality.

CALGreen Code Sections 4.408 and 5.408 pertain to construction waste reduction disposal and recycling. The requirements mandate that, in the absence of a more stringent local ordinance, a minimum of at least 65 percent of the nonhazardous construction and demolition waste generated during most new construction must be recycled or salvaged. CALGreen requires developers to prepare and submit a waste management plan for on-site sorting of construction debris, which is submitted to the City for approval, or use a waste management company with verifiable documentation. The waste management plan must: identify the materials to be diverted from disposal by recycling, reuse on the project, or salvage for future use or sale; specify if materials will be sorted on site or mixed for transportation to a diversion facility; and identify the diversion facility where the material collected can be taken.

The Title 24 Building Energy Efficient Standards and CALGreen Code are updated on a regular basis, with the most recent approved updates consisting of the 2022 Building Energy Efficiency Standards and 2022 CALGreen Code, which will become effective on January 1, 2023.

B. Regional

1. San Bernardino County Integrated Waste Management Plan

The preparation of the Countywide Integrated Waste Management Plan (CIWMP) is one of the requirements of the Integrated Waste Management Act. The CIWMP consists of four elements and a Summary Plan. Each jurisdiction (cities and the County) prepared the first three elements:

- Source Reduction and Recycling Element: which analyzed the local waste stream to determine where to focus diversion efforts, and developed diversion programs and funding;
- Household Hazardous Waste Element: which provides a framework for recycling, treatment, and disposal practices; and
- Non-disposal Facility Element: which lists planned and existing facilities such as material recovery facilities and composting facilities that recover waste from the waste stream.

The County prepared the Countywide Siting Element which demonstrates that there is at least 15 years of remaining disposal capacity to serve all the jurisdictions within the County. The Countywide Summary Plan, the final element of the CIWMP, contains goals and policies as well as a summary of integrated waste management issues faced by the County. It summarizes waste management programs and the steps needed to cooperatively implement programs among the County's jurisdictions to continue to meet the statewide diversion mandates. The Countywide Summary Plan is to be updated every five years along with any other affected elements of the CIWMP.

2. Inland Empire Utilities Agency Water Quality Control Plants NPDES Permit

Wastewater discharge requirements for IEUA RP-5 are detailed in Order No. RS-2015-0036 NPDES No. CA8000409. The permit includes the conditions needed to meet minimum applicable technology-

based requirements. The permit includes limitations that are more stringent than applicable federal technology-based requirements where necessary to achieve the required water quality standards.

C. Local

1. City of Ontario 2020 Urban Water Management Plan

The City is required to prepare an UWMP pursuant to Water Code Sections 10610 through 10656 of the UWMP Act, discussed above. The City's 2020 UWMP outlines current water demands, sources, and supply reliability to the City by forecasting water use based on climate, demographics, and land use changes in the City. The 2020 UWMP also provides demand management measures to increase water use efficiency for various land use types and details a water supply contingency plan in case of shortage emergencies. As concluded in the 2020 UWMP, the City anticipates that it will be able to meet projected demand for water within its service boundaries through the year 2045 in all types of climate conditions including normal, dry, and multiple consecutive dry weather years.

Even with highly reliable supplies, events such as statewide water use restrictions or a catastrophic natural disaster (such as an earthquake) that disrupts imported water supplies may require the City to temporarily reduce water demands. As required by Executive Order N-7-22, the City will be required to prepare an Annual Water Supply and Demand Assessment (Annual Assessment) and submit an Annual Water Shortage Assessment Report (Annual Shortage Report) to the California Department of Water Resources (DWR) each year, beginning July 1, 2022. The Annual Assessment and Annual Shortage Report are intended to meet requirements of Water Code Section 10632.1 and present an assessment of the likelihood of a water shortage occurring during the next 12 months. The City submitted their Annual Assessment and Annual Shortage Report on June 20, 2022; the assessment period for the Annual Assessment and Annual Shortage Report started on July 1, 2022, and ends June 30, 2023.

2. City of Ontario Water and Sewer Design Guidelines

The City Water and Sewer Design Development Guidelines ensure that water and sewer facilities constructed in the City are complete, correctly operating, and in compliance with government codes and good water and wastewater industry practice. The guidelines also provide interested parties with the City's procedures, policies, and requirements for the design and construction of new water and wastewater infrastructure.

3. City of Ontario Refuse and Recycling Planning Manual

The Integrated Waste Department's Refuse & Recycling Planning Manual assists developers in meeting the City of Ontario's requirements on refuse and recycling storage and access for service, as well as addressing the City's recycling goals.

4. City of Ontario Landscape Development Guidelines

The City's Landscape Development Guidelines assure that the State's current MWELO is being implemented in the City. The guidelines include water conservation measures that need to be incorporated into landscape designs, the different elements that need to be incorporated into preliminary landscape plans, and the required landscape construction documents. Construction documents need to include a water efficient landscape worksheet, grading design, erosion control measures, and a maintenance schedule.

5. City of Ontario Municipal Code

Title 6, Chapter 3, Integrated Waste Management, of the Ontario Municipal Code (OMC) sets forth uniform requirements and regulations for the direct and indirect users of the refuse and recycling collection services of the City. It also allows for the City to comply with all applicable State and federal laws, including, but not limited to, The Integrated Waste Management Act of 1989, California Code Title 14 Division 7, and any subsequent amendments to each.

The purpose of OMC Title 6, Chapter 8C (Ordinance 2689), Recycled Water Use, is to establish procedures, specifications, and limitations for the safe and orderly development and operation of recycled water facilities and systems within the City's service area and adopt rules and regulations controlling such use. City Ordinance No. 2689 requires all new development to connect to, and use recycled water for all approved uses, including but not limited to landscape irrigation.

Most of the regulations pertaining to wastewater are in OMC Chapter 7, Public Sewer System. Article 2 contains prohibited discharges and limitations on industrial waste discharges, and Article 3 provides the requirements for industrial wastewater permits. Article 4 has specifications for pretreatment and monitoring facilities, and Article 5 provides monitoring, reporting, and inspection requirements. Article 6 covers enforcement, and Article 7 provides a schedule of fees and charges for sewer connections and for maintaining service with the City's sewer system.

The purpose of the Water Conservation Plan in OMC Title 6, Chapter 8A, is to minimize the potential for a water shortage through the practice of water conservation, and to minimize the effect of a shortage of water supplies on the water customers of the City. The chapter adopts provisions that will significantly reduce the inefficient consumption of water, thereby extending the available water resources necessary for domestic, sanitation, and fire protection of the community to the greatest extent possible. The purpose of Water Services, under OMC Title 8B, is to describe rules and regulations regarding service connections, payments and fees, and conditions for pressure, as well as emergency response for repairs and regulations.

Additionally, OMC Title 9, Chapter 6, Division 6.08 sets forth rules and regulations for the subdivision and/or development of real property pursuant to the provisions of the Subdivision Map Act of the State of California and the Ontario Municipal Code. This includes but is not limited to regulation associated with the construction of utility infrastructure as part of the development projects.

5.18.3 Basis for Determining Significance

The City of Ontario evaluates impacts to utilities and service systems based on thresholds of significance included in Appendix G of the CEQA Guidelines. A significant impact related to utilities and service systems would occur if the Project would:

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. *Not 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 does not have 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. *Not comply with federal, state, and local management and reduction statutes and regulations related to solid waste.*

5.18.4 Environmental Impacts and Mitigation

A. Applicable 2006 EIR Mitigation

It should be noted that 2006 EIR mitigation measures (MMs) Util 2, 6 and 7 were previously completed and are not applicable to the Project.

MM Util 1 All water and sewer pipelines within and adjacent to the project boundaries shall be constructed based on the NMC Infrastructure Master Plans and to the satisfaction of the City.

MM Util 3 Off-site water lines, tanks, interconnectors, and other facilities required in the Water Master Plan to provide water to the site shall be in place and operational prior to issuance of the first certificate of occupancy. The applicant shall participate on a fair share basis in the development of these off-site facilities.

MM Util 4 Prior to obtaining grading permit(s), the project proponent shall coordinate with the applicable natural gas, electrical, and telephone utility providers for the project site to ensure that all existing underground and overhead lines are not damaged during project construction.

MM Util 5 To reduce the quantity of energy used and to conserve water resources, the project developer and City of Ontario should work to include sustainable systems for use of water and energy within the project design.

B. Impact Analysis

Threshold a: ***Would the Project 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?***

1. Summary of Previous Environmental Analysis

The 2006 EIR described and evaluated the utility infrastructure (water, sewer, wastewater treatment, storm drain, electric, and natural gas) that would be required to serve the approved Subarea 29 Specific Plan pursuant to infrastructure master plans, or concluded that the required infrastructure was being implemented by others and was previously evaluated in separate environmental documentation prepared pursuant to CEQA. The 2006 EIR MMs Util 1, Util 3 and Util 4 were required to ensure infrastructure was in place and operational prior to the operation of the proposed uses, and MM Util 5 recommended incorporation of water and energy conservation features into the Project. The 2006 EIR concluded that impacts related to construction of new utility infrastructure would be less than significant. Cumulative impacts were also determined to be less than significant.

2. Project Impact Analysis

Existing agricultural activities are currently served by private wells on site. As discussed in SEIR Section 5.9, Hazards and Hazardous Materials, these wells would be abandoned and properly destroyed prior to site development in accordance with City of Ontario Building Safety requirements.

As identified previously, backbone infrastructure required to serve the uses allowed by the approved Subarea 29 Specific Plan, including residential development in PAs 30 and 31, has been installed pursuant to applicable master plans. Following is a description of utility infrastructure improvements that would be constructed as part of the Project to serve the additional residential uses proposed within the Amendment Area.

- **Water.** The Project would include construction of a 12-inch water main in Bellegrave Avenue, and a network of on-site 8-inch water mains, which would connect to existing and proposed mains within Eucalyptus Avenue, Haven Avenue, Millcreek Avenue and Bellegrave Avenue.
- **Recycled Water.** The Project would include construction of 8-inch recycled water lines in Haven Avenue and Bellegrave Avenue, and within the Amendment Area. The on-site recycled water lines would connect to the existing recycled water lines in the roadways adjacent to the Amendment Area.
- **Sewer.** Based on the *Ontario Ranch East Master Plan Line Sewer Analysis Results* (Sewer Analysis) prepared by L.D. King, Inc. (LDK) (October 2022) (LDK, 2022), which is included

in SEIR Technical Appendix O, the existing 15-inch sewer line in Haven Avenue, existing 18-inch sewer line in Mill Creek Avenue, and existing 24-inch sewer line in Bellegrave Avenue are adequately sized to support the Project. No new or expanded backbone sewer lines would be needed. Within the Amendment Area, a network of 8-inch sewer lines would be installed.

- **Storm Drain and Water Quality Features.** The Project would include the construction of a 48-inch RCP in Eucalyptus Avenue. Storm drains would also be installed within the Amendment Area to convey the on-site flows to the existing and proposed Master Planned lines. As discussed above, only treatment for gross solid pollutants originating in PAs 32, 33 and 34 would be required prior to discharge into the MCW. BMPs to remove gross solids that would be incorporated into the proposed development may include, but not be limited to: nutrient separating baffle boxes (NSBB), Contech continuous deflective separation (CDS) units, catch basin screens, and other approved screening devices. Site design BMPs and source control BMPs would also be implemented, as required to comply with applicable water quality regulations. The requirements for water quality treatment for PAs 30 and 31 would be the same as for PAs 32, 33, and 34, and the same types of BMPs may be installed. Storm water runoff from PAs 30 and 31 could be included in the MCW mitigation bank. Alternately, BMPs in compliance with applicable Santa Ana RWQCB MS4 permit requirements would be installed within PAs 30 and 31 to address sediment, metals, bacteria, and nutrient removal.
- **Dry Utilities.** On-site electric, natural gas, and telecommunications facilities would be constructed within the Amendment Area and would connect to the existing electrical facilities along the roadways adjacent to the Amendment Area to provide service to the proposed residential and school uses. As required by City Development Code Chapter 6.08.035, the 12kV electric distribution facilities along Haven Avenue would be placed underground in a joint trench with phone and cable television. The 8-inch natural gas line along Haven Avenue would be extended to the east to serve PA 32 and PA 33.

The utility infrastructure would be installed in accordance with the requirements outlined in the City's Development Code (Title 9, Section 6.08), including but not limited to installation of drainage facilities required to minimize flooding of public streets, the installation of sewer facility and water supply improvements, and the requirement to underground dry utilities. Additionally, in accordance with 2006 EIR MM Util 1, the proposed water and sewer lines would be installed in compliance with the infrastructure Master Plans and to the satisfaction of the City, and in accordance with 2006 EIR MM Util 3, the Project Applicant would ensure that Master Plan infrastructure for water service is in place and operational prior to the construction and operation of the Project. In accordance with 2006 EIR MM Util 4, the Project Applicant would coordinate with the applicable natural gas, electrical, and telephone utility providers to ensure that existing underground and overhead lines are not damaged during Project construction.

No expansion, extension, re-construction, or other modifications to existing off-site utility infrastructure would be required beyond that identified above. Construction activities associated with installation of new utility infrastructure would be within the physical impact area identified for the Project and evaluated throughout this SEIR (refer to the construction and physical impact discussions

in Sections 4.1 through 4.19 of this SEIR). As identified, the installation of utility lines has the potential to cause construction-related environmental effects (e.g., short-term air pollutant emissions, noise, impacts to biological, cultural, and paleontological resources, and traffic movement disruptions), which are an inherent part of the Project's construction process. In instances where the Project's construction phase would result in specific, significant impacts, feasible mitigation measures are provided. Accordingly, impacts would be less than significant, consistent with the conclusions of the 2006 EIR, and additional mitigation measures beyond those identified throughout other sections of this SEIR would not be required.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impacts.

Threshold b: ***Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?***

1. Summary of Previous Environmental Analysis

Based on the WSA prepared for the approved Subarea 29 Specific Plan, the 2006 EIR concluded that the City would have sufficient water supply from existing and future entitlements available to serve the anticipated development. Cumulative impacts were also determined to be less than significant.

2. Project Impact Analysis

As previously discussed, OMUC would provide potable water to the Project. Present and future water supplies available to the OMUC to provide potable water service within its service area include City wells in the Chino Groundwater Basin; treated groundwater from the CDA; recycled water from the IEUA; purchased water from the SAWCo; and imported wholesale water from the WFA.

A WSA was prepared for the Project to assess the Project's effect on OMUC's ability to provide adequate water service to its customers during normal, dry, and multiple dry years. The WSA Water Supply Verification, provided as SEIR Technical Appendix N, was prepared in accordance with SB 610 and SB 221. According to the WSA, in the 2020 UWMP, the demand projections for the parcels covering the Amendment Area were estimated based on the existing land use designation at the time the WSA was prepared, which reflects The Ontario Plan (TOP) approved in 2010. These uses would have an estimated total water demand (potable water and recycled water) of 539 AFY. According to the WSA, the estimated total water demand for the Project, using the City's current water demand factors for potable and recycled water is 831 AFY. The Project would result in a net increase of 292

AFY in total water demand. A breakdown of the Project's estimated water use is provided in Table 5.18-3, Project Water Demand, below.

Table 5.18-3 Project Water Demand

Planning Area	Potable Water Demand (AFY)	Recycled Water Demand (AFY)	Total Water Demand (AFY)
PAs 30 and 31	47	5	52
PAs 32, 33, and 34	659	120	779
Total	**706**	**125**	**831**

Source: (Webb, 2021, Table 2-5)

The 292 AFY increase in total water demand between what was assumed in the 2020 UWMP and the Project is primarily the increase in potable water demand in the Expansion Area at a higher-density land use type. The increased water demand for the Project was not included in the 2020 UWMP. OMUC produced 18,395 AF of groundwater in FY 19/20 (refer to Table 5.18-4), and OMUC has annual production rights in the Chino Groundwater Basin that currently total 36,515 AFY, as well as groundwater storage accounts that total 96,544 AF (refer to Table 5.18-5). The water supply production capacity from City wells is currently 62,269 AFY[1], which is projected to increase to 110,337 AFY to meet demand (refer to Table 5.18-6 and Table 5.18-7). OMUC holds shareholder entitlements to potable water from SAWCo in the amount of 600 AFY, and capacity rights to imported water from the WFA in the amount of approximately 28,000 AFY. OMUC also has capacity rights to potable water from the CDA in the amount of 8,533 AFY (refer to Table 5.18-4 and Table 5.18-6). In FY 19/20, OMUC purchased 565 AF from SAWCo, 6,513 AF from WFA, and 6,636 AF from CDA. Further, OMUC is entitled to the recycled water generated by IEUA from the City's annual share of sewer flows. In FY 19/20, the City delivered 12,645 AF to IEUA treatment plants, of which 7,812 AF was put to non-potable direct recycled water use (refer to Table 5.18-4). As of FY 19/20, citywide potable and recycled water demands were 32,109 AF and 7,812 AF, respectively (refer to Table 5.18-8), and the ultimate potable and recycled water demands are projected to be 57,609 AFY and 16,059 AFY, respectively (refer to Table 5.18-9). In summary, the current production capacities are greater than needed to meet the average day demands under citywide buildout conditions. Additional wells are planned to supply the anticipated ultimate maximum day demand (Webb, 2021).

[1] Assuming wells operate 24 hours per day for 365 days per year.

Table 5.18-4 OMUC Water Supplies

Source	2000	2005	2010	2015	FY 19/20	Form of Right	Amount of Right
Wells	36,862	28,799	20,955	19,544	18,395	Appropriative	Varies (see Sec. 4)
Purchased WFA	9,258	13,406	8,923	6,413	6,513	Capacity Ownership	25 mgd (31.4% of plant capacity)
CDA	-	-	5,000	3,543	6,636	Capacity Ownership	8,533 AFY
SAWCo	-	-	-	443	565	Shareholder Entitlement	600 AFY
Subtotal Potable	46,120	42,205	34,878	29,943	32,109	--	--
Recycled	700	-	1,547	7,208	7,812	Contract	Ontario's share of sewer flows.
Total Supply	46,820	42,205	36,425	37,151	39,921	--	--

Notes: WFA = Water Facilities Authority; CDA = Chino Basin Desalter Authority; SAWCo = San Antonio Water Company; FY = fiscal year; AFY = acre-feet per year; mgd = million gallons per day.
Source: (Webb, 2021, Table 3-2)

Table 5.18-5 Ontario Groundwater Rights Summary

Right	Current FY 2019-2020 (AFY)	Future (AFY)	Notes
Assigned Share of OSY	9,299.5 (20.742% of OSY)	8,470 (20.742% of OSY)	OSY determined by Watermaster.
Safe Yield Reduction	1,037.1	Varies	Part of New Ag Pool Reallocation.
Land Use Conversions	4,254.1	16,602	Varies annually. Part of New Ag Pool Reallocation.
Annual Early Transfer	5,177.6	20.742% of Early Transfer	Subject to change. Part of New Ag Pool Reallocation.
Groundwater Recharge Credits	0	9,600 (in 2035)	Based on volume of stormwater and/or recycled water recharged.
Fontana Recycled Water Rights	0	At least 3,000	Contract to purchase.
Annual Production Right for Appropriative Pool Subtotal (AFY)	29,067.7	±37,672	
Annual Production Right for Overlying Non-Agricultural Pool[a]	7,447.2	At least 3,920.6 (53.338% of SY)	Assigned share of safe yield is 3,920.6 AF (53.338% of SY). Actual production in FY19/20 was 1,552.7 AF.
SAWCo	600 (295 shares)	At least 600	Entitlement. Volume per share subject to change.
Total (AFY)	37,115	±42,193	
Groundwater Storage Accounts	39,261 (Excess Carry Over)	Varies (Excess Carry Over)	Dependent on annual availability of un- pumped OSY water, stormwater, imported water, and recycled water.
	57,283 (Local Supplemental)	Varies (Local Supplemental)	
Total Storage (AF)	96,544	±85,000	

Note: AF = acre-feet; AFY = acre-feet per year; OSY = operating safe yield; SY = safe yield.
Source: (Webb, 2021, Table 4-1)

Table 5.18-6 Existing (2020) Supply Capacities

Source	AFY	mgd	gpm
Existing Wells	62,269	55.6	38,604
WFA at Aqua de Lejos WTP	17,259	15.4	10,700
CDA from Chino I & II Desalter	8,533	7.62	5,290
Total Existing Capacity	88,061	78.62	54,594

Note: AFY = acre-feet per year; mgd = million gallons per day; gpm = gallons per minute.
Source: (Webb, 2021, Table 3-4)

Table 5.18-7 Ultimate Supply Capacities

Source	AFY	mgd	gpm
Existing Wells	62,269	55.6	38,604
Future Wells	48,068	42.9	29,800
Subtotal[a]	110,337	99	68,404
WFA at Aqua de Lejos WTP	17,259	15.4	10,700
CDA from Chino I & II Desalter	8,533	7.62	5,291
Total	136,129	121.52	84,395

Note: AFY = acre-feet per year; mgd = million gallons per day; gpm = gallons per minute.
Source: (Webb, 2021, Table 3-5)

Table 5.18-8 Existing Citywide Water Demand

Customer Type	2005		2010		2015		FY 19/20	
	Volume (AFY)	No. of Connections	Volume (AFY)	No. of Connections	Volume (AFY)	No. of Connections	Volume (AFY)	No. of Connections
Single-Family Residential	16,421	28,932	13,253	29,473	10,941	26,838	12,502	31,626
Multi-Family Residential	6,147	2,244	5,425	2,069	4,839	1,968-	5,068	2,164
Commercial	8,369	3,095	6,692	3,285	6,584	3,201-	5,359	3,255
Industrial	2,402	327	2,044	278	1,471	268-	2,078	332
Governmental	1,178	320	0	-	-	-	538	-
Landscape	6,813	1,246	7,170	1,245	4,564	1,100	4,631	1,469
Agriculture	0	0	0	-	-	-	-	0
Other	378	161	819	308	340	66	368	
Loss	3,154	-	-	-	-	-	1,565	
S/T/E	0	-	0	-	206	-	-	
Subtotal	44,863	36,325	35,403	36,658	28,945	33,441-	32,109	38,846
Recycled Water	1,829	-	1,547	178	7,208	279	7,812	444
Total	**46,692**	**36,325**	**36,950**	**36,836**	**36,153**	**33,720**	**39,921**	**39,290**

Note: AFY = acre feet per year; S/T/E = sales/transfers/exchanges.
Source: (Webb, 2021, Table 2-2)

Table 5.18-9 Future Citywide Water Demand

Customer Type	2025	2030	2035	2040	2045
Single Family Residential	15,723	17,540	19,109	22,431	22,431
Multifamily Residential	6,374	7,110	7,746	9,093	9,093
Commercial	6,740	7,519	8,191	9,615	9,615
Industrial	2,613	2,915	3,176	3,728	3,728
Institutional / Governmental	677	755	822	965	965
Landscape	5,824	6,497	7,078	8,309	8,309
Losses	1,968	2,196	2,392	2,808	2,808
Other	463	5156	562	660	660
Subtotal Potable Demand	40,382	45,048	49,076	57,609	57,609
Recycled Water Demand	12,168	13,465	14,762	16,059	16,059
Total Water Demand	**52,550**	**58,513**	**63,838**	**73,668**	**73,668**

Source: (Webb, 2021, Table 2-3)

Therefore, OMUC has forecasted excess water supplies will be available to meet citywide demand during single-dry and multiple dry water years over the next 20 years (refer to Table 3-9 and Table 3-10 of the WSA). The WSA concludes that the total projected potable and recycled water supplies available to the OMUC during normal, single dry, and multiple dry water years over a 20-year projection will be sufficient to meet the projected water demand associated with the Project in addition to the water supplier's existing and planned future uses, including agricultural and manufacturing uses. State mandated conservation efforts will reduce demand in the future (Webb, 2021).

Additionally, as with all new development in the City, the Project, in accordance with 2006 EIR MM Util 5, would incorporate water conserving features. Further as discussed under Threshold "a," the Project would include the installation of water infrastructure needed to serve the Project, as required by OMUC.

Based on the foregoing, implementation of the Project would not cause OMUC to be unable to meet the demands of existing and future service obligations during normal, dry, and multiple dry years. Impacts would be less than significant, consistent with the conclusion of the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

Threshold c: ***Would the Project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?***

1. Summary of Previous Environmental Analysis

The 2006 EIR identified that the wastewater generated by implementation of the approved Subarea 29 Specific Plan would represent less than 10 percent of the then current available capacity at RP-5, and that IEUA has the funds available to expand RP-5 as the proposed development and other development warrants expansion. Therefore, implementation of the approved Subarea 29 Specific Plan would not require expansion or construction of new wastewater treatment facilities, and impacts were determined to be less than significant. Cumulative impacts were determined to be less than significant.

2. Project Impact Analysis

As previously discussed, the Amendment Area is within the wastewater treatment service area for IEUA. Wastewater generated by the Project would be treated at RP-5, which currently has a treatment capacity of 16.3 MGD. According to IEUA, during FY 2020/21, RP-5 treated 8.2 MGD and had an excess capacity of 7.8 MGD (IEUA, 2021b).

The Project would involve a net increase of 1,470 units (5,876 residents) and a middle school with a capacity of 1,200 students within the Amendment Area. Based on the Sewer Analysis, the Project would generate 270,650 gpd (0.27 MGD) average dry weather flow of wastewater requiring treatment, which represents approximately 3.5 percent of the excess treatment capacity at RP-5. Currently, RP-5 has sufficient existing excess capacity to treat wastewater generated by the Project. No new treatment facilities would be required as a result of the Project. Impacts would be less than significant, consistent with the conclusion of the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

Threshold d: ***Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?***

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that the solid waste generated during construction and operation of the uses allowed under the approved Subarea 29 Specific Plan would not substantially exceed the permitted capacity of the landfills serving the Specific Plan Area, and the solid waste stream would be reduced

overtime with adherence to regulations addressing solid waste management. Therefore, impacts were determined to be less than significant at a project-level.

Notwithstanding the less than significant project-level impact, the 2006 EIR concluded the cumulative impact from solid waste generation would be significant and unavoidable, consistent with the conclusion presented in the Final EIR for the New Model Colony General Plan Amendment, and for which a statement of overriding considerations was adopted.

2. Project Impact Analysis

Since the adoption of the 2006 EIR, the El Sobrante Landfill has increased its maximum permitted capacity from 6,000 tpd (analyzed in the 2006 EIR) to 16,054 tpd (as of 2022) and the Badlands Landfill also receives solid waste from the City. Additionally, *The Ontario Plan 2050 Final Supplemental Environmental Impact Report* (SCH No. 2021070364) certified by the City in 2022 (herein referred to as "TOP 2050 SEIR") concluded that build out of the TOP 2050, which includes the development proposed by the current Subarea 29 Specific Plan Amendment, would result in less than significant project-level and cumulative impacts related to landfill capacity (City of Ontario, 2022).

Construction Impact Analysis

Solid waste is anticipated to be generated by the Project's construction process, primarily comprising discarded materials and packaging. The current CALGreen Code requires that at least 65 percent of construction and demolition debris be diverted from landfills through recycling, reuse, and/or salvage. The non-recyclable construction debris generated during Project construction would be disposed of at the Badlands Landfill or El Sobrante Landfill. As described previously, the Badlands Landfill and El Sobrante Landfill receive substantially below their maximum permitted daily tonnage; thus, the Project's construction waste would not result in these landfills exceeding their maximum permitted daily disposal volume. Furthermore, these landfills are not anticipated to reach their total maximum capacities during the Project's construction period. The Badlands Landfill and El Sobrante Landfill, have sufficient daily capacity to accept solid waste generated by the Project's construction phase; thus, impacts to landfill capacity associated with near-term Project construction activities would be less than significant, consistent with the conclusion of the 2006 EIR.

Operational Impact Analysis

Based on the City's current disposal rate per capita (9.1 ppd), which takes into consideration implementation of required solid waste recycling and diversion programs, it is estimated that the Project's increase in residential population (estimated 5,876 new residents) would generate approximately 53,472 lbs of solid waste per day (approximately 26.7 tons per day) requiring disposal in a landfill. The proposed school employees (estimated 56 employees) would generate approximately 756 lbs of solid waste per day (approximately 0.38 tons per day). Collectively, the residential population and employees would generate approximately 27.1 tons per day of non-recyclable solid

waste requiring disposal in a landfill. Non-recyclable waste generated by the Project would be disposed of at the Badlands Landfill or El Sobrante Landfill. The Project's collective estimated solid waste generation represents approximately 0.4 percent of the combined remaining daily capacities of these landfills.

The Project's long-term solid waste generation is not in excess of State or local disposal standards, or in excess of the local infrastructure capacity to handle the waste disposal. As described above, the Badlands Landfill and El Sobrante Landfill are below their maximum permitted daily disposal volume. Thus, waste generated by the Project's operation is not anticipated to cause the landfills to exceed their maximum permitted daily disposal volume. Because the Project would generate a relatively small amount of solid waste per day as compared to the permitted daily capacity of the landfills, impacts to landfill facilities during the Project's long-term operational activities would be less than significant, consistent with the conclusion of the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impacts.

Threshold e: Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

1. Summary of Previous Environmental Analysis

The 2006 EIR concluded that development pursuant to the adopted Subarea 29 Specific Plan would comply with the City's requirements for recycling and household hazardous waste and would not significantly contribute to inadequate landfill capacity that does not comply with federal and state regulations. Therefore, development would also comply with federal, state, and local regulations related to solid waste resulting in a less than significant project-level impact. However, as discussed above, cumulative impacts were determined to be significant and unavoidable and a statement of overriding considerations was adopted.

2. Project Impact Analysis

Federal, State, and local statutes and regulations regarding solid waste generation, transport, and disposal, which are discussed in Section 5.18.2 above, are intended to decrease solid waste generation through mandatory reductions in solid waste quantities (e.g., through recycling and composting of green waste) and the safe and efficient transport of solid waste. The City conducts waste collection in the City, and future residents and employees within the Amendment Area would be required to participate in the City collection programs for recyclables (e.g., paper, plastics, glass, and aluminum), and organic materials in accordance with local and State regulations. As discussed above, in 2020, the

City implemented 46 programs to reduce solid waste generation and achieve the increased solid waste diversion required. The City had an average disposal rate of 9.1 ppd per resident and 13.5 ppd per employee. These disposal rates are less than the established disposal rate of 9.9 ppd per resident and 16.4 ppd per employee (i.e., the less solid waste is generated). Contractors would also be required to comply with OMC Chapter 3, Section 6-3.602, Construction and Demolition Recycling Plan.

Adherence to the mandatory solid waste management requirements would reduce the amount of solid waste generated during construction and operation of the proposed uses, and ultimately diverted to landfills, which in turn would aid in the extension of the life of affected disposal sites. Therefore, impacts related to solid waste statutes and regulations would be less than significant, consistent with the conclusion of the 2006 EIR.

Additional Project-Level Mitigation Measures

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

Less than significant impacts.

5.18.5 Cumulative Impact Analysis

The geographic context for the cumulative impact analysis for utilities and infrastructure systems for water systems and supply, sewer systems, storm drains, and solid waste services is the City. The geographic context for the cumulative impact analysis for dry utilities is the service area for the respective service providers (SCE, SoCalGas, Frontier, Charter/Spectrum and Ontario City Fiber). The cumulative impact area for wastewater treatment impacts is the service area for RP-5.

As with the Project, individual cumulative development projects would require the construction of necessary infrastructure (water and wastewater lines, storm drain facilities, dry utility infrastructure, and others) to serve the projects. However, the infrastructure needed for the Project would be limited to previously planned Master Plan utility infrastructure, and relatively small distribution and collection lines, which would occur within the Project's identified construction impact area. No new or expanded off-site infrastructure is required to be implemented as part of the Project, beyond the utility infrastructure to be constructed adjacent to the Amendment Area. The Project's proposed utility infrastructure would serve the Project and would not facilitate additional development in the area beyond that already anticipated by the respective Master Plans. The environmental impacts associated with construction of utility infrastructure to be installed as part of the Project have been addressed throughout this SEIR and would be less than significant with mitigation. The Project and all new development would have to coordinate with service providers to obtain services, and connections to existing utility lines would be made in accordance with the applicable requirements of the utility provider and the City, as applicable. Further, the payment of service fees to the respective service providers is expected to ensure adequate services to individual developments. The Project in

conjunction with cumulative development would not result in significant impacts related to the construction and installation of utility infrastructure and would not result in a cumulative impact. Therefore, the Project would not have a cumulatively considerable contribution to a significant cumulative impact associated with construction of utility infrastructure.

As discussed under Threshold "b," the analysis in the Project's WSA (included in SEIR Technical Appendix N), which is based on the City's 2020 UWMP, demonstrates that with implementation of the Project and other cumulative developments, the City would have adequate water supplies through the year 2045 during normal, dry, and multiple dry years. Therefore, there would be a less than significant cumulative impact, and the Project would not have a cumulatively considerable contribution to a significant cumulative impact associated with water supply.

Under long-term, cumulative conditions, IEUA anticipates future increases in the demand for wastewater treatment services as the population within their service area grows. As discussed under Threshold "c," the Project would not result in the need for expanded wastewater treatment facilities, as RP-5 has sufficient existing capacity to handle wastewater generated by the Project and other cumulative development. Any proposed changes to capacity of the IEUA or any facility maintained by IEUA are reviewed throughout the year by IEUA. For all new development within the EMWD service area, connection and service fees are allocated to assist in the financing of any future collection and disposal facilities and any future new/modified water and sewer treatment plant facilities. Therefore, IEUA would have adequate wastewater treatment capacity for wastewater generation by the Project and cumulative developments in its service area and there would be less than significant cumulative impact. The wastewater generated by the Project would not exceed the capacity of the RP-5 and the Project would not have a cumulatively considerable contribution to a significant cumulative impact associated with wastewater treatment.

The solid waste generated by construction and operation of the Project would represent a nominal portion of the daily disposal capacity at the landfills serving the City. These landfills have sufficient daily capacity to handle solid waste during the Project construction and operation and the Project and would not directly result in the need for expanded solid waste disposal facilities. Further, the Project would adhere to applicable local and State regulations during both construction and long-term operations. Other cumulative development would also be required to comply with such regulations. Solid waste management regulations are more stringent now compared to when the 2006 EIR was prepared. Therefore, notwithstanding the significant and unavoidable impact conclusion reached in the 2006 EIR, TOP 2050 SEIR concluded the buildout of the 2050, which includes the development anticipated by the proposed Subarea 29 Specific Plan Amendment would result in less than significant cumulative impacts related to solid waste (landfill capacity and no conflict with solid waste management regulations). Consistent with the conclusion of the TOP 2050 SEIR, the Project combined with cumulative projects would not have a cumulative impact, and the Project would not have a cumulatively considerable contribution to a significant cumulative impact related to solid waste disposal and compliance with regulations addressing the reduction of solid waste generation and disposal.

5.18.6 REFERENCES

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5.19 WILDFIRE

This section of the Subsequent Environmental Impact Report (SEIR) evaluates the Project's potential to result in the exacerbation of wildfire risk in the City of Ontario (City).

5.19.1 EXISTING CONDITIONS

A wildfire is an uncontrolled fire that burns in the wildland vegetation, often in rural areas. Wildfires have grown in frequency and intensity throughout the western United States during the past several years, particularly in California, where prolonged drought and hot, dry temperatures have been common. Wildfires can occur from natural origins, such as lightning, and can be human-caused, such as arson.

The severity of a wildfire hazard is based on fuel classification, topography (steepness of slope), and critical fire weather frequency. According to the California Department of Forestry and Fire Protection (CalFire), a fire hazard is defined as a "measure of the likelihood of an area burning and how it burns." (CalFire, 2022b) The City's local topography, relative proximity to Cajon Pass, and Santa Ana winds pose the greatest fire hazard to the City (City of Ontario, 2018). There have been 2 major wildfire events in the City, which include the 1958 Pole Line Fire and 2007 Walker fire (City of Ontario, 2018). According to CalFire's Incident Archive, since 2013, there have been no wildfire incidents in the City (CalFire, 2022c).

The City is not within a State Responsibility Area (SRA), which is an area where CalFire is the primary emergency response agency responsible for fire suppression and prevention. The City and adjacent areas are within a Local Responsibility Area (LRA) (CalFire, 2022a). As further discussed in SEIR Section 5.15, Public Services and Recreation, fire protection for the City is the responsibility of the Ontario Fire Department (OFD). According to CalFire's Fire Hazard Severity Zone Viewer, there are no areas within the City mapped within the Very High Fire Hazard Severity Zone (VHFHSZ). The nearest VHFHSZ to the Amendment Area is within LRAs (cities of Norco and Riverside), approximately 3.5 miles to the southeast (CalFire, 2022a).

The City's Local Hazard Mitigation Plan (LHMP) maps areas at risk of a wildfire event in the City and identifies scattered areas within the northern portion of the Ontario Ranch (south of Riverside Drive and north of Schaefer Avenue), as high risk. The majority of the Ontario Ranch, which includes the Amendment Area, is identified as Non-Wildland/Non-Urban (City of Ontario, 2018). Further, the California Public Utilities Commission (CPUC) does not identify any portion of the Ontario Ranch as being within a high fire-threat district. The only area in the City within a CPUC high fire threat district is north of Interstate (I)-10 generally between Vineyard Avenue and Archibald Avenue, and the nearest CPUC high fire threat district is in the City of Chino, approximately 3.2 miles southwest of the Amendment Area (CPUC, 2022).

5.19.2 Regulatory Background

A. State

1. California Government Code (CGC) Sections 51178 and 51182

CGC Section 51178 specifies that the Director of CalFire, in cooperation with local fire authorities, shall identify areas that are VHFHSZs in LRAs, based on consistent statewide criteria, and the expected severity of fire hazard. Per CGC Section 51178, a local agency may, at its discretion, exclude from the requirements of Section 51182 an area within its jurisdiction that has been identified as a VHFHSZ, if it provides substantial evidence in the record that the requirements of Section 51182 are not necessary for effective fire protection within the area. Alternatively, local agencies may include areas not identified as VHFHSZ by CalFire, following a finding supported by substantial evidence in the record that the requirements of Section 51182 are necessary for effective fire protection within the new area. According to Section 51182, such changes made by a local agency shall be final and shall not be rebuttable by CalFire.

CGC Section 51182 identifies actions required to be taken by a person who owns, leases, controls, operates, or maintains an occupied dwelling or occupied structure in, upon, or adjoining a mountainous area, forest-covered land, brush-covered land, grass-covered land, or land that is covered with flammable material, which area or land is within a Very High FHSZ designated by the local agency pursuant to Section 51179, to protect against wildfires.

2. California Office of Emergency Services

The California Office of Emergency Services (CalOES) was established on January 1, 2009, and created by Assembly Bill (AB) 38, which merged the duties, powers, purposes, and responsibilities of the former Cal OES with those of the Governor's Office of Homeland Security. CalOES is responsible for the coordination of State agency response to major disasters in support of local governments. CalOES is responsible for ensuring the State's readiness to respond to and recover from all hazards—natural, man-made, emergencies, and disasters—and for assisting local governments in their emergency preparedness, response, recovery, and hazard mitigation efforts. In 2018, CalOES completed a State Hazard Mitigation Plan, which designates FHSZs and Wildland Urban Interface (WUI) areas.

3. California Public Utilities Commission (CPUC)

In 2007, wildfires in southern California were ignited by overhead utility power lines and aerial communication facilities near power lines. In response, the CPUC began considering and adopting regulations to protect the public from fire hazards posed by overhead power lines and nearby aerial communication facilities. The CPUC published a fire threat map—under Rulemaking 15-05-006 following procedures in Decision 17-01-009 revised by Decision 17-06-024—that adopted a work plan for the development of a utility high-fire-threat district where enhanced fire safety regulations in Decision 17-12-024 apply. The fire regulations require electrical utilities to:

- Prioritize the correction of safety hazards.
- Correct nonimmediate fire risks in "Tier 2" (elevated fire threat) areas in the CPUC high fire-threat district within 12 months, and in "Tier 3" (extreme fire threat) areas within 6 months.
- Maintain increased clearances between vegetation and power lines in the high fire-threat district.
- Maintain stricter wire-to-wire clearances for new and reconstructed facilities in Tier 3 areas.
- Conduct annual inspections of overhead distribution facilities in rural areas of Tier 2 and Tier 3 areas.
- Prepare a fire prevention plan annually if overhead facilities exist in the high fire-threat district.

B. Local

1. Ontario Local Hazard Mitigation Plan

In 2018, the City prepared a Local Hazard Mitigation Plan (LHMP) to identify the City's hazards, review and assess past disaster occurrences, estimate the probability of future occurrences, and set goals to reduce or eliminate long-term risk to people and property from natural and man-made hazards. Wildfire hazard is rated the highest risk of the 23 hazards evaluated, followed by flooding. The LHMP contains a series of goals and mitigation programs to address each of the hazards.

5.19.3 Basis for Determining Significance

The City of Ontario evaluates impacts related to wildfire based on thresholds of significance included in Appendix G of the CEQA Guidelines. The Project would result in a significant impact to wildfire if the Project would be located in or near state responsibility areas or lands classified as very high fire hazard severity zones, and would:

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?

5.19.4 Environmental Impact and Mitigation

A. Applicable 2006 Final EIR Mitigation

The *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009) certified by the City in October 2006 (referred to herein as the "2006 EIR") did not identify any mitigation measures related to wildfire.

B. Impact Analysis

If located in or near State Responsibility Areas (SRAs) or lands classified as very high fire hazard severity zones:

Threshold a: ***Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?***

Threshold b: ***Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, would the Project thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?***

Threshold c: ***Would the Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?***

Threshold d: ***Would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?***

1. Summary of Previous Environmental Analysis

The 2006 EIR was prepared prior to the 2018 amendments to the CEQA Guidelines that created a new section in Appendix G of the CEQA Guidelines and established new standards of significance pertaining to wildfire. However, the 2006 Final EIR evaluated potential impacts associated with wildland fires in Section II and concluded that the development pursuant to the Subarea 29 Specific Plan would not pose a wildland fire threat, and no impacts would occur.

2. Project Impact Analysis

Based on CalFire's FHSZ Viewer and the City's LHMP, the Amendment Area and surrounding areas are not within an SRA or within lands classified as being within a VHFHSZ. The nearest lands classified as VHFHSZ are located in the LRAs for the cities of Norco and Riverside, approximately 3.5 miles southeast of the Amendment Area. Given that the Amendment Area is not within or near an SRA, does not have lands classified as VHFHSZ, is not within or near a VHFHSZ, and developed areas or vacant lots being used primarily for agricultural purposes provide a buffer between the Amendment Area and VHFHSZs, the Project would not result in impacts related to wildfires or exacerbate wildfire hazards. No impacts would occur.

Additional Project-Level Mitigation Measure

No additional Project-level mitigation measures are required.

Level of Significance After Mitigation

No impact, consistent with the conclusion of the 2006 EIR.

5.19.5 Cumulative Impact Analysis

The Amendment Area is not within an SRA and is not within lands classified as VHFHSZ and no wildfire impacts would occur with implementation of the Project. Therefore, the Project would not contribute to cumulative wildfire impacts.

5.19.6 References

California Department of Forestry and Fire Protection (CalFire). 2022a. Website: *Fire Hazard Severity Zone (FHSZ) Viewer*. https://egis.fire.ca.gov/FHSZ/

California Department of Forestry and Fire Protection (CalFire). 2022b. Website: *Fire Hazard Severity Zones*. https://osfm.fire.ca.gov/divisions/community-wildfire-preparedness-and-mitigation/wildfire-preparedness/fire-hazard-severity-zones/

California Department of Forestry and Fire Protection (CalFire). 2022c. Website: *Incidents Overview*. https://www.fire.ca.gov/incidents/

City of Ontario. 2018. *City of Ontario, California, 2018 Hazard Mitigation Plan*. https://www.ontarioca.gov/sites/default/files/Ontario-Files/Fire/Ready%20Ontario/city_of_ontario_2018_hmp.pdf

California Public Utilities Commission (CPUC). 2022. *CPUC High Fire Threat District*. https://capuc.maps.arcgis.com/apps/webappviewer/index.html?id=5bdb921d747a46929d9f00dbdb6d0fa2

6.0 OTHER CEQA CONSIDERATIONS

6.1 EFFECTS FOUND NOT TO BE SIGNIFICANT DURING THE EIR SCOPING PROCESS

The California Environmental Quality Act (CEQA) Guidelines Section 15128 requires that an environment impact report (EIR) "…contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR." As discussed in Section 2.0, Introduction, of this Subsequent EIR (SEIR) and as identified in the Notice of Preparation (NOP) for this SEIR included in Technical Appendix A, the City determined that each of the 20 topical issues identified in Appendix G of the CEQA Guidelines should be evaluated in the SEIR.

6.2 SIGNIFICANT ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED IF THE PROJECT IS IMPLEMENTED

The CEQA Guidelines require that an EIR disclose the significant environmental effects of a project which cannot be avoided if the proposed project is implemented (CEQA Guidelines Section 15126(b)). As identified through the topical issues analysis provided in SEIR Section 5.0, Environmental Analysis, the proposed Subarea 29 Specific Plan Amendment Project (Project) is anticipated to result in impacts to the environment that cannot be reduced to below a level of significance after the consideration of compliance with applicable federal, State and local regulations; incorporation of applicable mitigation measures from *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009) certified by the City of Ontario (City) in 2006 (referred to herein as the "2006 EIR"); incorporation of applicable mitigation measures from *The Ontario Plan 2050 Final Supplemental Environmental Impact Report* (SCH No. 2021070364) certified by the City in August 2022 (referred to herein as the "TOP 2050 SEIR"); and implementation of the Project-level mitigation measures identified in this SEIR. The significant impacts that cannot be mitigated to a level below thresholds of significance consist of the following:

- **Loss of Prime Farmland (Project and Cumulative Impact).** Although the proposed conversion of agricultural land in the City is consistent with the projected decline in agricultural productivity of the region, and is anticipated in TOP 2050, development of PA 30 and the associated off-site impact area would result in the loss of Prime Farmland consistent with the determination identified in the 2006 EIR and TOP 2010 EIR. Consistent with the conclusion of the 2006 EIR, mitigation remains infeasible.

- **Air Quality Management Plan [AQMP] Conflict.** The Project's operational-source emissions would exceed the regional thresholds of significance for volatile organic compounds (VOC), nitrogen oxides (NO_X), and carbon monoxide (CO) emissions. VOC and NO_X are precursors for ozone (O_3); thus, Project operational activities would contribute a substantial volume of pollutants to the South Coast Air Basin (SoCAB) that could delay the attainment of federal and State ozone standards. Consequently, the Project is conservatively assumed to

generate operational-source emissions not reflected within the current 2022 AQMP regional emissions inventory for the SoCAB. As such, the Project is considered to have the potential to conflict with the 2022 AQMP. Project impacts due to a conflict with the 2022 AQMP would be significant and unavoidable.

- **Cumulatively Considerable Increase in Criteria Pollutant During Operation.** After the application of mandatory regulatory requirements, and feasible mitigation measures, maximum daily emissions from Project operations would exceed the SCAQMD CEQA significance thresholds for NOx, VOC, and CO, and cannot be effectively reduced to a level below the SCAQMD thresholds of significance. Because NO_X and VOC are O_3 precursors, this could also result in additional violations of the State and federal O_3 standards. O_3 is a nonattainment pollutant. There are no additional feasible mitigation measures beyond those identified in SEIR Section 5.3, Air Quality, that would reduce the Project's NO_X, VOC, and CO emissions to a less than significant level. Therefore, the Project's operational air quality impacts are significant and unavoidable, and the Project would result in a cumulatively considerable net increase in a criteria pollutant for which the Project region is in non-attainment, which is a significant and unavoidable impact.

- **Off-site Traffic Noise Impacts (Project and Cumulative Impact).** The Project would result in increased traffic noise levels along Eucalyptus Avenue west of Hamner Avenue, which would exceed the City's established threshold of significance (allowable increase of 5 dBA) under the Existing Plus Project and Opening Year 2025 traffic scenarios. This would be considered a significant impact. The use of rubberized open graded asphalt hot mix can provide the noise attenuation needed to reduce this impact to a less than significant level, however, the City of Ontario pavement standards require the use of rubberized gap graded asphalt, which would not result a sufficient noise reduction. Since the City does not allow for the use of rubberized open graded asphalt, the mitigation is not considered feasible, and this impact is considered significant and unavoidable under the Existing Plus Project and Opening Year 2025 traffic scenarios; the Opening Year 2025 traffic scenario considers cumulative traffic.

6.3 Significant Irreversible Environmental Changes Which Would be Caused by the Project Should it be Implemented

Section 15126.2(d) of the CEQA Guidelines requires a discussion of any significant irreversible environmental changes that would be caused by a proposed project and states:

> "Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible, since a large commitment of such resources makes removal or non-use thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

Generally, a project will result in significant irreversible environmental changes if the following occurs:

- The primary and secondary impacts would generally commit future generations to similar uses;
- The project would involve a large commitment of nonrenewable resources;
- The project involves uses in which irreversible damage could result from any potential environmental accidents associated with the project; and
- The proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy)."

Determining whether the Project may result in significant irreversible effects requires a determination of whether key non-renewable resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. PAs 30 and 31 are developed with structures associated with former dairy farming operation. An existing SCE easement bisects existing PAs 30 and 31. The western portion of the proposed Expansion Area is disturbed; specifically, the northern portion was used for agricultural purposes and the southern portion was previously occupied by a trucking company. The eastern portion of the proposed Expansion Area is undeveloped. The Amendment Area and surrounding area has historically been used for agricultural purposes; however, agricultural activities at the Amendment Area ceased in 2009, except for the western portion of the proposed Expansion Area. There are no non-renewable resources present at the Amendment Area; therefore, conversion of the land from its current state to residential and school uses would not degrade or destroy non-renewable resources in such a way that there would be little possibility of restoring them.

Construction and long-term operation of the Project would require the commitment and reduction of non-renewable and/or slowly renewable resources, including petroleum fuels and natural gas (for vehicle emissions, construction, lighting, heating, and cooling of structures) as well as lumber, sand/gravel, steel, copper, lead, and other metals (for use in building and roadway construction and utility infrastructure). Other resources that are slow to renew and/or recover from environmental stressors would also be impacted by Project implementation; these include air quality (through the combustion of fossil fuels and production of greenhouse gases) and water supply (through the increased potable water demands for drinking, cleaning, landscaping, and general maintenance needs). The Project is required by law to comply with federal, State, and local building requirements addressing energy conservation. Compliance with these requirements reduces a building operation's energy volume that is produced by fossil fuels. A more detailed discussion of energy consumption is provided in SEIR Section 5.6, Energy. The consumption of non-renewable resources to construct and operate the Project over the long-term would likely commit subsequent generations to the same use of the land and similar patterns of energy consumption. It is improbable that the Amendment Area would revert to permanently undeveloped conditions due to the large capital investment that would already have been committed. However, the Project is not expected to reduce the availability of any natural resources as a result of long-term operational activities.

TOP 2050 and the Ontario zoning ordinance anticipate that development within the Amendment Area would eventually support residential and school uses in accordance with the underlying zoning classification and land use designations. Implementation of the Project would commit the Amendment Area to residential uses and one middle school. These uses are compatible with the existing and planned uses that surround the Amendment Area. The Project and its environmental effects would not compel or commit surrounding properties to land uses other than those that are existing today or those that are planned by TOP 2050 and the zoning ordinance. For this reason, the Project would not result in a significant, irreversible change to nearby, off-site properties.

SEIR Section 5.9, Hazards and Hazardous Materials, provides an analysis of the Project's potential to transport or handle hazardous materials which, if released into the environment, could result in irreversible damage to the environment. As concluded in the analysis, compliance with federal, State, and local regulations related to hazardous materials would be required of all contractors working at the Amendment Area during the Project's construction and of all occupants that occupy the Project's buildings. As such, construction and long-term operation of the Project would not cause significant irreversible damage to the environment that could result if hazardous materials were released from the site, including damage that may result from upset or accident conditions.

Lastly, an increased commitment of public services (e.g., police and fire) would also be required. However, as discussed in SEIR Section 5.15, Public Services and Recreation, the Project would not require or result in the unplanned construction of new or alteration of existing fire or police protection facilities to maintain an adequate level of service to the Amendment Area, and no physical environmental impacts would result.

6.4 GROWTH-INDUCING IMPACTS

CEQA requires a discussion of ways in which the Project could be growth inducing. The State CEQA Guidelines identify a project as growth inducing if it fosters economic or population growth or if it encourages the construction of additional housing either directly or indirectly in the surrounding environment (State CEQA Guidelines, Section 15126.2[e]). New residents and employees from the future residential and school uses, which would be allowed by the proposed Subarea 29 Specific Plan Amendment, represent direct forms of growth. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area, placing additional demands on public services and infrastructure systems, and in the generation of a variety of environmental impacts, which are addressed in SEIR Section 5.1 through Section 5.19.

To address this issue, potential growth-inducing effects are examined through analysis of the following questions:

1. Would this project remove obstacles to growth (e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area or through changes in existing regulations pertaining to land development)?

2. Would this project result in the need to expand one or more public services to maintain desired levels of service?
3. Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?
4. Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

A project could indirectly induce growth by reducing or removing barriers to growth, or by creating a condition that attracts additional population or new economic activity. However, a project's potential to induce growth does not automatically result in growth. Growth can only happen through capital investment in new economic opportunities by the private or public sectors. Under CEQA, growth inducement is not considered necessarily detrimental, beneficial, or of little significance to the environment. This issue is presented to provide additional information on ways in which the proposed project could contribute to significant changes in the environment, beyond the direct consequences of implementing the Project examined in the preceding sections of this SEIR.

1. **Would this project move obstacles to growth (e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area, or through changes in existing regulations pertaining to land development)?** The Project would result in the completion of roadway improvements along the roadways that abut the Amendment Area and new roadways built on site would serve the Project but would not provide additional capacity to induce unplanned growth. Additionally, the Project would not involve development that would establish an essential unplanned public service or utility/service system. The Amendment Area and surrounding areas are already served by essential public services and an extensive network of utility/service systems and other infrastructure necessary to accommodate or allow the existing conditions and planned growth.

   The existing and planned utility/service systems in the roadways adjacent to or near the Amendment area can serve the development proposed within the Amendment Area with connections to these existing facilities. The utility infrastructure installed as part of the Project would be sized and located expressly to serve the onsite uses, and would not, therefore, induce unplanned growth in the Project vicinity.

   The Project involves the development of residential uses in PAs 30 through 33, and a middle school in PA 34, consistent with the land use designations for the Amendment Area identified in the TOP 2050 Policy Plan Land Use Plan. The proposed residential uses would be development in accordance with applicable Subarea 29 Specific Plan requirements and City development standards, and the proposed middle school would be developed in accordance with applicable state requirements for school uses. The Project implements growth and development anticipated by TOP 2050 and would not change existing regulations pertaining to land development. Therefore, the Project is not considered to be growth inducing with respect to the removal of obstacles to growth.

2. **Would this project result in the need to expand one or more public services to maintain desired levels of service?** As discussed in SEIR Section 5.15, Public Services and Recreation, the Project would increase the demand for public services (police, fire, schools, libraries, and parks and recreational facilities). The proposed residential and school uses would create the typical range of service calls for police and fire services that occur with these types of uses, and the proposed middle school implements a school that has already been planned to serve school demands in the Ontario Ranch. Therefore, the Project would not necessitate the unplanned construction of new or the expansion of existing public service facilities in order to maintain desired levels of service. Additionally, funding mechanisms are in place through existing regulations and standard practices to accommodate growth in the City, including the Project. This Project would not, therefore, have significant growth-inducing consequences with respect to public services.

3. **Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?** During Project construction, a number of design, engineering, and construction-related jobs would be created. This would last until Project construction is completed. This would be an indirect, growth-inducing effect of the Project.

   As further described in SEIR Section 3.0, Project Description, for purposes of analysis in this SEIR, it is anticipated the Project would result in the development of 1,470 net new residential units and one middle school on 20 acres. It is estimated that this development could generate up to 5,876 new residents and approximately 56 new employment opportunities. As discussed in SEIR subsection 5.14, Population and Housing, the Project would not exceed the growth projections for the City or the region. The increase in housing/population and employment generation at the Amendment Area was anticipated in TOP 2050, which estimates the buildout conditions for the City (by 2050). Further, it is expected that the short-term construction jobs and new positions during operation would be filled by workers who already reside in the local area or region.

   As development occurs onsite, Project residents and employees would seek shopping, entertainment, employment, home improvement, auto maintenance, and other economic opportunities in the surrounding area. The Project is located near existing employment and retail areas, which would help serve the employment and shopping needs of the future residents. However, the increased demand for such economic goods and services could encourage the creation of new businesses and/or the expansion of existing businesses that address these economic needs. This growth may be experienced in the areas in proximity to the Amendment Area that are either currently undeveloped or underutilized. However, this type of growth is already anticipated in TOP 2050, and as identified on Figure 4.0-1, Cumulative Projects Location Map, is already being proposed. Therefore, implementation of residential and school uses allowed by the Project would support existing uses in the area and could encourage or facilitate the growth envisioned in TOP 2050.

4. **Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?** As identified above, there are no proposed changes to the type of uses allowed by TOP 2050 and zoning ordinance. Further, no changes to any of the City's building safety standards (i.e., building, grading, plumbing, mechanical, electrical, fire codes) are proposed or required to implement this Project. As identified in SEIR Sections 5.1 through 5.19, the Project would be implemented in accordance with applicable regulations and identified mitigation measures, which would ensure there are no conflicts with adopted land development regulations, and environmental impacts are minimized. The Project does not propose any precedent-setting actions that, if approved, would specifically allow, or encourage other projects and resultant growth to occur. Furthermore, the Project is not extending any infrastructure or facilitating further development. Accordingly, the Project's potential influence on other nearby properties to redevelop at greater intensities and/or different uses than TOP 2050 and zoning ordinance allow is speculative. CEQA does not require the analysis of speculative effects (CEQA Guidelines Section 15145). If any other property owner were to propose development or redevelopment of a property in the Project vicinity or in any part of the City, that project would require evaluation under CEQA based on its own merits, including an analysis of direct and cumulatively considerable effects.

7.0 ALTERNATIVES

7.1 INTRODUCTION

An environmental impact report (EIR) must identify ways to mitigate or avoid the significant effects that a proposed project may have on the environment. In compliance with Section 15126.6(a) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (State CEQA Guidelines), an EIR must "describe 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 would avoid or substantially lessen any significant effects of the project and evaluate the comparative merits of the alternatives." The City, as the CEQA lead agency, is responsible for selecting a range of project alternatives. This section identifies potential alternatives to the proposed project and evaluates them, as required by CEQA.

Key provisions of the State CEQA Guidelines on alternatives (Sections 15126.6[b]–15126.6[f]) are summarized below to explain the foundation and legal requirements for the alternatives analysis in the EIR.

- "The discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly" (Section 15126.6[b]).
- "The specific alternative of 'no project' shall also be evaluated along with its impact" (Section 15126.6[e][1]).
- "The 'no project' analysis shall discuss the existing conditions at the time the Notice of Preparation is published, and at the time the environmental analysis is commenced, as well as 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 environmentally superior alternative is the 'no project' alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives" (Section 15126.6[e][2]).
- "The range of alternatives required in an EIR is governed by the 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project. The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision making. Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire,

control or otherwise have access to the alternative site (or the site is already owned by the proponent)" (Section 15126.6[f]).

- For alternative locations, "only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR" (Section 15126.6[f][2][A]).
- "If the lead agency concludes that no feasible alternative locations exist, it must disclose the reasons for this conclusion, and should include the reasons in the EIR. For example, in some cases there may be no feasible alternative locations for a geothermal plant or mining project which must be in close proximity to natural resources at a given locations" (Section 15126.6[f][2][B]).
- "An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative" (Section 15126.6[f][3]).

Pursuant to the guidelines stated above, a range of alternatives to the Subarea 29 Specific Plan Amendment Project (Project) is considered and evaluated in this Draft Subsequent Environmental Impact Report (SEIR). These alternatives were developed in in accordance with the CEQA Guidelines discussed above and in consideration of the previous analysis included in *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009) certified by the City of Ontario in October 2006 (2006 EIR). The discussion in this section provides the following:

- A description of alternatives considered.
- A comparative analysis of the alternatives under consideration and the Project. The focus of this analysis is to determine if alternatives are capable of eliminating or reducing the significant environmental effects of the Project to a less than significant level.
- An analysis of whether and the degree to which the alternatives meet the objectives of the project (as presented in Section 3.3 of this Draft SEIR and restated below)

7.2 Previous Alternatives Analysis

As provided in Section 15163(b) of the State CEQA Guidelines, an SEIR need contain only the information necessary to make the previous EIR adequate for the project, as applicable. The 2006 EIR included an alternatives analysis in accordance with Section 15126.6(a) of the State CEQA Guidelines.

The following alternatives were considered in the 2006 EIR but eliminated from further analysis:

- Alternatives that did not implement the land use designations and policies of the General Plan Amendment for the New Model Colony (NMC; now referred to as "Ontario Ranch").
- Alternatives that require less developed land (e.g., higher densities) so that agricultural land can be retained on the site; these alternatives were determined to be infeasible due to: a) the

lack of long-term viability for commercial agriculture within the Chino Basin; and, b) the lack of such an alternative's ability to meet General Plan policies, land plan, and goals for development of the Ontario Ranch.

- Alternative site(s) within the Chino Basin or Ontario Ranch because they would not provide avoidance or mitigation of significant impacts resulting from the Approved Project.
- Alternatives that potentially avoid significant impacts related to air quality and noise but do not include residential and commercial development, because General Plan goals cannot be met without commercial and residential development at the site.

The 2006 EIR included an evaluation of the following alternatives:

- Alternative 1 – No Project – Continued Agricultural Use of the Site
- Alternative 2 – Reduced Density Alternative (maximum of 2,141 residential units compared to 2,293 units with the Approved Project)
- Alternative 3 – Residential Only Alternative (replaced commercial retail uses with residential uses resulting in a maximum of 2,348 residential units)
- Alternative 4 – Current General Plan Alternative (included development of the site with the configuration of roads and land uses identified in the NMC General Plan Amendment, which would allow for 1,937 dwelling units)

The No Project Alternative was determined to be the environmentally superior alternative. Other than the No Project Alternative, none of the alternatives reduced one or more potentially significant environmental impacts of the Approved Project to less than significant levels. Alternative 3 (Residential Only Alternative) was determined to be environmentally superior to the Approved Project when considering the "build alternatives" because it reduced air quality emissions by up to 20 percent, which was the most substantial reduction among the alternatives. However, Alternative 3 did not avoid the Approved Project's significant unavoidable impacts related to air quality (operational and cumulative), and agricultural resources (project and cumulative) and was not consistent with the City's General Plan goals and policies for the New Model Colony.

7.3 PROJECT OBJECTIVES

As described in SEIR Section 3.3, the following objectives have been established for the Project and will aid decision makers in their review of the Project, the Project alternatives, and associated environmental impacts. The objectives that have been established for the Project are consistent with those presented in the 2006 EIR, that are applicable to the Project.

1. Develop a project consistent with the vision for Ontario Ranch.
2. Develop a specific plan that incorporates General Plan land use principles; standards and distribution of land uses relative to residential, open space, recreation, and public uses.

3. Provide adequate school sites to serve Subarea 29 and adjoining Subareas.
4. Maximize housing opportunities to assist in meeting City of Ontario regional housing allocation requirements.
5. Provide neighborhoods which are identifiable from each other, with public and private amenities, linked by a network of pedestrian trails.
6. Create a community with a sense of place, walkability, and livability. Include pedestrian and bicycle trails to link neighborhoods and districts; short blocks to promote ease of access and neighborhood activity; use variable setbacks and reduced garage emphasis; and curb-separated landscaped parkways.
7. Create small neighborhoods with a wide range of lot sizes and street frontages among the various neighborhoods (not within neighborhoods).
8. Establish clearly defined "edges" and "entries" that contribute to a district neighborhood identity.
9. Develop a project that responds well to market demand and meets a range of housing types and affordability.
10. Develop a project with good regional access.
12. Minimize the use of walls as sound barriers along arterials and high traffic roadways through the use of landscaped setbacks and structures designed to attenuate sound, or a combination thereof, to promote visual quality and sound attenuation.

7.4 SUMMARY OF SIGNIFICANT AND UNAVOIDABLE IMPACTS

The analysis in Section 5.0 of this SEIR concludes that, despite implementation of mitigation measures, significant environmental impacts would result from the construction and operation of the Project. As previously mentioned, an EIR should consider a range of feasible alternatives that would attain most of a project's objectives while reducing one or more of the significant and unavoidable impacts of the project. Significant and unavoidable impacts that would result from implementation of the Project include those listed below.

- **Loss of Prime Farmland (Project and Cumulative Impact).** The southwest portion of existing Planning Area (PA) 30 includes land mapped as Prime Farmland, and the loss of this Prime Farmland was evaluated in the 2006 EIR. Although the proposed conversion of agricultural land in the City is consistent with the projected decline in agricultural productivity of the region, and is anticipated in The Ontario Plan (TOP) 2050, development of PA 30 and the associated off-site improvement area would result in the loss of Prime Farmland consistent with the determination identified in the 2006 EIR and TOP 2010 EIR.
- **Air Quality Management Plan [AQMP] Conflict.** The Project's operational-source emissions would exceed the regional thresholds of significance for volatile organic compounds (VOC), nitrogen oxides (NO_X), and carbon monoxide (CO) emissions. VOC and NO_X are

precursors for ozone (O_3); thus, Project operational activities would contribute a substantial volume of pollutants to the South Coast Air Basin (SoCAB) that could delay the attainment of federal and State ozone standards. Consequently, the Project is conservatively assumed to generate operational-source emissions not reflected within the current South Coast Air Quality Management District (SCAQMD) 2022 AQMP regional emissions inventory for the SoCAB. As such, the Project is considered to have the potential to conflict with the 2022 AQMP. Project impacts due to a conflict with the 2022 AQMP would be significant and unavoidable.

- **Cumulatively Considerable Increase in Criteria Pollutant During Operation.** After the application of mandatory regulatory requirements, and feasible mitigation measures, maximum daily emissions from Project operations would exceed the SCAQMD CEQA significance thresholds for NOx, VOC, and CO, and cannot be effectively reduced to a level below the SCAQMD thresholds of significance. Because NO_X and VOC are O_3 precursors, this could also result in additional violations of the State and federal O_3 standards. O_3 is a nonattainment pollutant. There are no additional feasible mitigation measures beyond those identified in SEIR Section 5.3, Air Quality, that would reduce the Project's NO_X, VOC, and CO emissions to a less than significant level. Therefore, the Project's operational air quality impacts are significant and unavoidable, and the Project would result in a cumulatively considerable net increase in a criteria pollutant for which the Project region is in non-attainment, which is a significant and unavoidable impact.

- **Off-site Traffic Noise Impacts (Project and Cumulative Impact).** The Project would result in increased traffic noise levels along Eucalyptus Avenue west of Hamner Avenue, which would exceed the City's established threshold of significance (allowable increase of 5 dBA) under the Existing Plus Project and Opening Year 2025 traffic scenarios. The use of rubberized open graded asphalt hot mix can provide the noise attenuation needed to reduce this impact to a less than significant level, however, the City of Ontario pavement standards require the use of rubberized gap graded asphalt, which would not result in a sufficient noise reduction. Since the City does not allow for the use of rubberized open graded asphalt, the mitigation is not considered feasible, and this impact is considered significant and unavoidable under the Existing Plus Project and Opening Year 2025 traffic scenarios; the Opening Year 2025 traffic scenario considers cumulative traffic.

7.5 Alternatives Considered and Rejected

The following is a discussion of the land use alternatives considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in this SEIR.

- **Alternative Site.** The Project Applicant does not own any other land in the Ontario Ranch area that is not already entitled and identified as a growth area in TOP 2050 that would serve as an Alternative Site and accommodate the Project. Further, consistent with the conclusion of the 2006 EIR, significant and unavoidable impacts resulting from implementation of the Project likely would not be avoided with development at an alternative site.

- **Farmland Impact Avoidance Alternative.** A Farmland Avoidance Alternative would involve avoiding the loss of Farmland in existing PA 30 of the Subarea 29 Specific Plan. Development of PA 30 would occur under the existing Subarea 29 Specific Plan, and the loss of Farmland within the previously approved Specific Plan Area was already evaluated in the 2006 EIR. The proposed increase in units in PA 30 as proposed by the Project would not change the physical impacts that would occur with development pursuant to the existing Specific Plan as evaluated in the 2006 EIR. As determined in the 2006 EIR, an alternative that avoids the loss of Farmland does not require further evaluation due to: a) the lack of long-term viability for commercial agriculture within the Chino Basin and Ontario Ranch; and, b) the lack of such an alternative's ability to meet General Plan policies, land plan, and goals for development of the Ontario Ranch.

Thus, the Alternative Site and Farmland Impact Avoidance Alternatives have been rejected from further consideration for the Project consistent with the conclusion of the 2006 EIR.

7.6 ALTERNATIVES ANALYSIS

As described in Sections 5.1 through 5.19 of this Draft SEIR, the potentially significant impacts of the Project can be mitigated to a less than significant level with the exception of agricultural resources (site-specific and cumulative impacts related to conversion of Farmland to non-agricultural uses), air quality (conflict with the AQMP and operational impacts), and noise (traffic-related noise along a roadway segment under Existing plus Project and Opening Year 2025 conditions).

Based on the Project objectives listed above, the alternatives described below have been determined to represent a reasonable range of alternatives to the Project. With respect to the No Project alternatives, Section 15126.6€ of the State CEQA Guidelines requires than an EIR evaluate a "no project" alternative to allow decision makers to compare the impacts of approving a proposed project with the impacts of not approving that project. Section 15126.6(e)(3) of the State CEQA Guidelines describes the two general types of no project alternative: (a) when the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the no project alternative would be the continuation of that plan; and (b) when the project is other than a land use/regulatory plan (such as a specific development on an identifiable property), the no project alternative is the circumstance under which the project does not proceed.

The development alternatives evaluated in this section focus on reduced development scenarios that would reduce vehicle trips and associated air pollutant emissions and traffic-related noise. As with the Project, each development alternative is consistent with the land uses anticipated by the TOP 2050 Policy Plan (General Plan) land use designation and zoning for the Amendment Area. Therefore, each development alternative evaluated in this section effectively is an alternative that meets the CEQA requirement to evaluate a "No Project" alternative consistent with the existing land use plan.

The alternatives considered in this Draft SEIR include the following:

- No Project/No Development Alternative
- Reduced Density/Expansion Area Only Alternative
- Reduced Density Alternative

7.6.1 No Project/No Development Alternative

A. Description of the Alternative

Under the No Project/No Development Alternative, the Amendment Area (PAs 30 through PA 34) would remain in its current condition. Existing uses within PAs 30 and 31 include dairy farming and agriculture uses, and farm structures that supported previous agricultural activities; no agricultural activities currently occur, and the structures have been vacated. The entire area was disturbed, and the vegetation communities are limited to agricultural and ruderal. The southwest corner of the Expansion Area includes a disturbed lot formerly occupied by a trucking company. The western portion of the Expansion Area is used for agriculture production and the eastern portion of the Expansion Area is disturbed and undeveloped.

Development of PAs 30 and 31 pursuant to the existing approved Subarea 29 Specific Plan is addressed in Section 7.6.2, No Project/Development Pursuant to Existing Zoning Alternative, below.

B. Comparative Analysis of Environmental Impacts

1. Aesthetics

The Amendment Area does not contain any unique aesthetic resources, nor does it serve as a prominent scenic vista. The No Project/No Development Alternative does not involve any development or change in the current condition of the Amendment Area; therefore, there would be no change to the visual quality or character of the Amendment Area, or surrounding areas. With adherence to Standards and Guidelines outlined in the Subarea 29 Specific Plan and Project-specific mitigation measures, impacts would be less than significant under the Project. The No Project/No Development Alternative would avoid the Project's less than significant impact.

2. Agricultural and Forestry Resources

Under the No Project/No Development Alternative, no construction or development in the Amendment Area would occur; and the Amendment Area would remain in its current condition, including existing agricultural operations in the Expansion Area. There are no forestry resources within the Amendment Area; therefore, under both the No Project/No Development Alternative and the Project, impacts to forestry resources would not occur. Existing Prime Farmland in PA 30 would not be converted to non-agricultural uses under the No Project/No Development Alternative. Therefore, the significant and unavoidable and cumulative impacts of the Project related to agricultural resources would not occur with this Alternative.

3. *Air Quality*

The No Project/No Development Alternative would not involve any construction activities (including grading). Therefore, construction-related air quality emissions resulting from the Project would not occur. However, the Project's air quality impacts during construction were determined to be less than significant with implementation of Subarea 29 Specific Plan EIR and TOP EIR mitigation measures. Because no development would occur within the Amendment Area, operational activities, and associated trip generation, would not occur. SCAQMD thresholds for long-term operational emissions would not be exceeded and there would not be a conflict with the AQMP. Therefore, the No Project/No Development Alternative would avoid significant long-term and cumulative unavoidable operational air quality impacts that would occur with implementation of the Project.

4. *Biological Resources*

No grading or development would occur under this Alternative, and there would be no potential impacts to sensitive wildlife species and migratory and nesting birds that may be present. Therefore, the No Project/No Development Alternative would avoid on- and off-site disturbances. The Project would have a less than significant impact on biological resources after implementation of 2006 EIR mitigation measures. Therefore, the No Project/No Development Alternative would avoid the Project's less than significant impacts to biological resources.

5. *Cultural Resources*

No historic resources are present within the Amendment Area; thus, no impacts to historic resources would occur with the Project or the No Project/No Development Alternative. The No Project/No Development Alternative would not involve any excavation or grading activities. Therefore, the potential to discover previously unidentified archaeological resources is eliminated. With incorporation of the applicable Subarea 29 Specific Plan EIR mitigation measures, the impacts from the Project would be less than significant. Therefore, the No Project/No Development Alternative would avoid the less than significant impacts to cultural resources resulting from implementation of the Project.

6. *Energy*

The No Project/No Development Alternative would leave the Amendment Area in its existing condition and would not demand any energy beyond the de minimis amount needed for routine maintenance activities and continued agricultural activities (row crops) in a portion of the Expansion Area. In the absence of construction activities and operation of the proposed uses, the No Project/No Development Alternative would require no new demand for near-term or long-term energy or fuel use within the Amendment Area. The No Project/No Development Alternative would avoid the Project's near- and long-term energy use and would avoid the Project's less than significant energy impacts.

7. Geology and Soils

The No Project/No Development Alternative would leave the Amendment Area in its existing condition, which would include periodic ground disturbances related to periodic onsite maintenance activities and agricultural operations. These activities have the potential to result in water and/or wind erosion of exposed soils that would not occur with the Project. No new development would occur under the No Project/No Development Alternative. Therefore, there would be no potential for additional workers, building and structures to experience seismic ground shaking, liquefaction, lateral spreading, subsidence, or collapse within the Amendment Area. This Alternative would avoid the Project's less than significant impacts related to geology and soils but would have greater impacts associated with potential for erosion.

Regarding paleontological resources, this Alternative would not result in impacts to paleontological resources since no grading would occur. Therefore, the No Project/No Development Alternative would avoid the less than significant impacts to paleontological resources resulting from implementation of the Project.

8. Greenhouse Gas Emissions

Under the No Project/No Development Alternative, no development would occur within the Amendment Area. Therefore, there would be no new sources of near-term or long-term greenhouse gas (GHG) emissions under the No Project/No Development Alternative, and this Alternative would avoid the Project's less than significant impacts associated with GHG emissions.

9. Hazards and Hazardous Materials

Because no development would occur under the No Project/No Development Alternative, no impacts related to hazards or hazardous materials would occur. The agricultural uses would remain onsite, and the other portions of the Project site would remain vacant and disturbed. The Project would have a less than significant impact on hazards and hazardous materials with incorporation of the 2006 EIR mitigation measures incorporated. The No Project/No Development Alternative would avoid the Project's less than significant impacts related to hazards and hazardous materials.

10. Hydrology and Water Quality

Under the No Project/No Development Alternative, existing hydrology patterns and characteristics of the Amendment Area and water quality conditions would remain unchanged. The Project would result in an increase in impervious surface, which would increase the amount of storm water runoff from the Amendment Area and potentially increase the amount of urban pollutants entering the storm water compared to existing conditions. However, the Project impacts would be less than significant with incorporation of applicable 2006 EIR mitigation measures and compliance with existing regulatory requirements. Under the No Project/No Development Alternative, the storm water leaving the Amendment Area would continue to contain sediment and other potential pollutants, as occurs under existing conditions. Overall, the No Project/No Development Alternative would have fewer hydrology

and water quality impacts compared to the Project. However, the impacts from the Project would be less than significant.

11. Land Use and Planning

The No Project/No Development Alternative would not divide an established community and would not result in any new development that would indirectly result in environmental impacts due to a conflict with an existing land use plan. Accordingly, selection of the No Project/No Development Alternative would result in no impacts to land use and planning; however, the Project's impacts would be less than significant.

12. Mineral Resources

The No Project/No Development Alternative would leave the Project site in its existing condition. The Project site does not contain any known mineral resources. Therefore, under both the No Project/No Development Alternative and the Project, there would be no impacts to mineral resources.

13. Noise

The No Project/No Development Alternative would not involve any grading or construction activities. Therefore, noise and vibration effects associated with construction activities would not occur under this Alternative. However, the construction-related noise impacts from the Project would be less than significant after implementation of the 2006 EIR mitigation measures. The increase in long-term, traffic-related, and operational noise levels associated with the Project, including the significant and unavoidable traffic noise impact along one roadway segment would not occur under the No Project/No Development Alternative.

14. Population and Housing

Under the No Project/No Development Alternative, the Amendment Area would remain in its current condition and would not increase the population or employment in the City. Accordingly, this Alternative would avoid the Project's less than significant impacts related to population and housing.

15. Public Services and Recreation

Under the No Project/No Development Alternative, the Amendment Area would remain in its current condition. There would be no increase in demand for fire, police, school, or park/recreation services and the No Project/No Development Alternative would have no impact on public services or recreation facilities. Accordingly, this Alternative would avoid the Project's less than significant impacts related to the increased demand for public services and recreation and would avoid the Project's less than significant impacts associated with construction of onsite recreational facilities.

16. Transportation

The No Project/No Development Alternative would not change the existing circulation conditions because no new development would occur and circulation improvements anticipated by TOP 2050 that

would be constructed as part of the Project would not be implemented (including roadway, bicycle, pedestrian and transit improvements). No long-term (operational) vehicle trips would be generated under the No Project/No Development Alternative. The Project would have less than significant impacts related to consistency with plans and programs addressing circulation, vehicle miles traveled (VMT), potential hazards, and emergency access. Therefore, the No Project/No Development Alternative would avoid the Project's less than significant impacts related to transportation.

17. Tribal Cultural Resources

The No Project/No Development Alternative would leave the Amendment Area in its existing condition, with ongoing maintenance and agricultural activities. No grading would occur under the No Project/No Development Alternative and there would be no potential impacts to subsurface tribal cultural resources that may exist. Therefore, the No Project/No Development Alternative would avoid new disturbances and would avoid the potential for Project construction activities to damage buried tribal cultural resources, although Project impacts are less than significant with implementation of the identified mitigation measures.

18. Utilities and Service Systems

The No Project/No Development Alternative would not place any new demands on local and regional utilities and service systems because no new development would occur. Under this Alternative, no new utilities would be constructed, and no physical impacts would result. Accordingly, this Alternative would avoid the Project's less than significant impacts related to utilities and service systems.

19. Wildfire

The Amendment Area is not within or near a State Responsibility Area (SRA), does not have lands classified as a very high fire hazard severity zone (VHFHSZ), is not near a VHFHSZ, and developed areas or vacant lots being used primarily for agricultural purposes provide a buffer between the Amendment Area and VHFHSZs. As such, the Project would not result in impacts related to wildfires or exacerbate wildfire hazards. Under both the Project and No Project/No Development Alternative no impacts would occur.

20. Conclusions

Avoid or Substantially Lessen the Significant Impacts of the Project

The No Project/No Development Alternative would avoid significant and unavoidable impacts resulting from implementation of the Project on agricultural resources (site-specific and cumulative impacts related to conversion of Farmland to non-agricultural uses), air quality (conflict with the AQMP and operational impacts), and noise (traffic-related noise along a roadway segment under Existing plus Project and Opening Year 2025 conditions). Additionally, because no development would occur under the No Project/No Development Alternative, less than significant impacts resulting from the Project for the following environmental topics would be avoided: aesthetics, biological

resources, cultural resources, energy, geology, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, population and housing, public services and recreation, transportation, tribal cultural resources, utilities and service systems, and wildfire.

Attainment of Project Objectives

The No Project/No Development Alternative would not involve any development in the Amendment Area. This alternative would not attain any of the Project Objectives identified above in Section 7.3, including goals and policies relevant related to the development of housing in the Ontario Rancho, including the Amendment Area, to assist the City in meeting its RHNA requirements.

7.6.2 Reduced Density/Expansion Area Only Alternative

A. Description of the Alternative

The Reduced Density/Expansion Area Only Alternative would reduce the number of residential units compared to the Project by retaining the existing Specific Plan development assumptions for PAs 30 and 31 (not implementing the proposed Specific Plan Amendment for these PAs) and proceeding with the proposed Specific Plan Amendment associated with the Expansion Area (PAs 32, 33, and 34). As shown in Table 7-1, this Alternative would involve the development of 1,512 dwelling units within PAs 30 through 33 and would result in an overall reduction of 155 dwelling units in PAs 30 through 33 compared to the Project (1,667 units) (a reduction of approximately 9%).

The Project would result in a net increase of 1,470 units within the Specific Plan area compared to the approved Specific Plan (an increase from 2,418 units to 3,888 units), and this would be reduced to a net increase of 1,315 units with this Alternative. New home types to provide a variety of housing types that promote higher density and more choice in floorplans, and that provide more attainable options for a greater range of residents as well as options for different household compositions would be provided in the Expansion Area. However, the allowed home types in PAs 30 and 31 would remain the same as the previously approved Subarea 29 Specific Plan. The proposed school in PA 34, and roadway and infrastructure improvements to be implemented with the Project would also be implemented under this Alternative.

Table 7-1 Reduced Density/Expansion Area Only Alternative Compared to the Project

Planning Area	Reduced Density/Expansion Area Only Alternative		Proposed Specific Plan Amendment	
	Specific Plan Land Use	Units	Specific Plan Land Use	Units
30	Conventional Large Lot	110	Mixed Residential	180
31	Conventional Medium Lot	87	Mixed Residential	172
32	Mixed Residential	671	Mixed Residential	671
33	Mixed Residential	644	Mixed Residential	644
34	School	-	School	-
	Total	1,512		1,667

B. Comparative Analysis of Environmental Impacts

1. Aesthetics

As with the Project, the Reduced Density/Expansion Area Only Alternative would involve the development of residential uses and school uses; PAs 30 and 31 would be developed pursuant to the approved Specific Plan and the Expansion Area would be developed consistent with the proposed Specific Plan Amendment. Although there would be a reduction of residential uses, the visual character of the development would be similar to the Project since the development would be required to adhere to the Standards and Guidelines outlined in the Subarea 29 Specific Plan and the Ontario Municipal Code. As with the Project, this Alternative would have less than significant impacts related to impact to a scenic vista, and conflict with goals or policies outlined in the General Plan or Ontario Municipal Code requirements that regulate scenic quality, and no impact related to degrading scenic resources within a State Scenic Highway. Furthermore, both the Project and this Alternative would include mitigation to reduce impacts related to construction lighting to a less than significant level. Therefore, impacts would be less than significant under both the Project and the Reduced Density/Expansion Area Only Alternative.

2. Agricultural and Forestry Resources

Under the Reduced Density/Expansion Area Only Alternative, the physical impact area would be the same as the Project, and Prime Farmland in PAs 30 and 31 would be converted to non-agricultural uses, consistent with the City's land use designation and zoning, which do not anticipate continued agricultural activities. Therefore, the significant and unavoidable Project and cumulative impacts to agricultural resources resulting from the Project would also occur with this Alternative, consistent with the conclusion of the 2006 EIR and TOP 2010 EIR.

3. Air Quality

As with the Project, Reduced Density/Expansion Area Only Alternative would be consistent with the TOP 2050 growth projections and would not conflict with growth assumptions in the SCAQMD AQMP. However, as with the Project, the Reduced Density/Expansion Area Only Alternative would result in VOC, NO_X, and CO emissions that exceed the SCAQMD regional significance thresholds, resulting in a significant impact even with mitigation. This would contribute to a delay in the attainment of federal and State O_3 standards in the SoCAB. As such, as with the Project, the Reduced Density/Expansion Area Only Alternative would be considered to have the potential to conflict with the SCAQMD AQMP, thereby resulting in a significant and unavoidable impact.

Implementation of the Reduced Density/Expansion Area Only Alternative would have the same physical impact area as the Project, and the construction assumptions with respect to the intensity of construction would be similar. Therefore, local and regional construction emissions and associated impacts would be less than significant with mitigation, similar to the Project. The relationship of proposed uses under this Alternative would be the same as with the Project, and potential impacts to

sensitive receptors during construction and operation would be less than significant with the Project and this Alternative.

As shown on Table 5.3-10 of SEIR Section 5.3, Air Quality, the Project is estimated to generate a maximum of 144.93 pounds per day (lbs/day) of VOC compared to the threshold of 55 lbs/day, 112.20 lbs/day of NOx compared to the threshold of 55 lbs per day, and 802 lbs/day of CO compared to the threshold of 550 lbs/day. As previously identified, the Reduced Density/Expansion Area Only Alternative would have an approximately 9% reduction in residential units compared to the Project (155 fewer residential units). Thus, total operational emissions (which include area, energy, and mobile sources) including NOx, VOC, and CO emissions would be lower with the Reduced Density/Expansion Area Only Alternative compared to the Project. With the reduction in residential units under this Alternative, and assuming a similar 9% reduction in emissions from mobile[1] and other sources, there would still be an exceedance of VOC, NOx, and CO operational emission thresholds established by the SCAQMD. An approximate 9% emissions reduction would not be sufficient to reduce the emissions of NOx, VOC and CO below the SCAQMD CEQA thresholds of significance. As with the Project, even with implementation of mitigation measures identified in SEIR Section 5.3, the amount of emissions reduction would not reduce emissions to below the established threshold of significance. Long-term operational emissions of NOx and VOC, which are O_3 precursors, would be cumulatively considerable, resulting in a significant impact. Therefore, although the amount of emissions would be reduced, the Reduced Density/Expansion Area Only Alternative would not eliminate the Project's significant and unavoidable operational and cumulative air quality impacts resulting from operational emissions.

The Reduced Density/Expansion Area Only Alternative and Project would involve development of the same types of uses, and would have less than significant impacts related to other emissions, such as those leading to odors, that would adversely affect a substantial number of people.

4. Biological Resources

The Reduced Density/Expansion Area Only Alternative would have the same physical impact area as the Project. As with the Project, this Alternative would have no impact to riparian habitat or wetlands and would comply with local requirements for protection of trees. Potential significant impacts to sensitive wildlife species and migratory and nesting birds would be the same under the Project and this Alternative. The Project would have a less than significant impact on biological resources after implementation of 2006 EIR mitigation measures. With incorporation of the identified mitigation measures, the impacts to biological resources would be less than significant with this Alternative and the Project.

[1] The Project-specific Air Quality Impact Analysis included in Appendix B of this EIR calculated mobile source emissions based on an estimated trip generation of 14,357 net new external trips from 1,470 additional dwelling units (8.66 daily trips per dwelling unit) and the 1,200-student middle school (1.355 daily trips per student). Using the same trip generation factors, the Reduced Density/Expansion Area Only Alternative with 155 fewer residential units and the proposed middle school would generate approximately 13,015 daily trips.

5. Cultural Resources

No historic resources are present within the Amendment Area. Therefore, no impact to historic resources would occur with implementation of the Project or the Reduced Density/Expansion Area Only Alternative. This Alternative would involve the same physical impact area as the Project. Therefore, this Alternative would result in the same potential impacts to unknown archaeological resources as the Project. With incorporation of the identified mitigation measures, this Alternative would have similar, less than significant impacts as the Project related to cultural resources.

6. Energy

Implementation of the Reduced Density/Expansion Area Only Alternative would result in similar types of energy demand during construction and operation of the residential and school uses as the Project due to the same physical impact area, and type of uses to be developed. However, energy demand for construction and operation of the residential uses would be reduced due to the reduction in the number of units. Therefore, this Alternative would have reduced energy impacts than the Project; however, the Project's energy impacts are less than significant.

7. Geology and Soils

The Reduced Density/Expansion Area Only Alternative would have the same physical impact area as the Project and would result in the same potential impacts related to geology and soils and seismic hazards as the Project. With implementation of the 2006 EIR mitigation measures, which require adherence to applicable building codes and incorporation of the recommendations from the site-specific geotechnical studies, the Project and this Alternative would not expose people or structures to substantial safety risks associated with geologic hazards. Further, because the physical impact area would be the same as the Project, this Alternative would also have the potential to impact subsurface paleontological resources and the impact would be reduced to a less than significant level with mitigation. Therefore, with incorporation of the identified mitigation measures, and adherence to applicable regulations, geology and soils impacts would be less than significant with implementation of this Alternative and the Project.

8. Greenhouse Gas Emissions

The Reduced Density/Expansion Area Only Alternative would involve similar construction activities, and the development of the same type of uses as the Project. Therefore, the sources of GHG emissions would be the same, although there would be an overall reduction in GHG emissions due to the reduction in residential units (155 fewer residential units; a reduction of approximately 9% compared to the Project). As with the Project, development under the Reduced Density/Expansion Area Only Alternative would be consistent with the City's Community Climate Action Plan (CCAP) Update, and therefore, impacts related to GHG emissions would be less than significant.

9. Hazards and Hazardous Materials

The Reduced Density/Expansion Area Only Alternative would have the same physical impact area as the Project and would involve the development of the same types of uses (residential and school). Thus, similar impacts to hazards and hazardous materials would occur. Based on the location and condition of the Project site and types of uses proposed, the Reduced Density/Expansion Area Only Alternative and the Project would have no impact related to location on a hazardous materials site or wildland fire, and a less than significant impact related to hazardous emissions within 0.25 mile of a school. Land uses that would occur onsite under this Alternative would have a similar potential to handle and store hazardous materials as the Project resulting in a less than significant impact, and similar less than significant impacts related to hazards associated with the Ontario International Airport (ONT) and Chino Airport, and emergency response/evacuation. Impacts associated with the potential to encounter septic tanks and water wells, potential methane gas, and hazardous building materials (asbestos and lead) would also be less than significant for the Project and this Alternative with implementation of the 2006 EIR mitigation measures.

10. Hydrology and Water Quality

The Reduced Density/Expansion Area Only Alternative would involve development of the same area that would occur with implementation of the Project, and the development of the same types of uses. Both the Reduced Density/Expansion Area Only Alternative and the Project would result in an increase in impervious surface, which would increase the amount of storm water runoff and potentially increase the amount of pollutants entering the storm water. As with the Project, storm water runoff would flow to existing drainage and water quality treatment facilities that have sufficient capacity to accommodate storm runoff and water quality treatment requirements from development of this Alternative. Hydrology and water quality impacts would be less than significant for the Project with implementation of 2006 EIR mitigation measures and compliance with existing regulatory requirements and would also be less than significant for the Reduced Density/Expansion Area Only Alternative.

As with the Project, the Reduced Density/Expansion Area Only Alternative would not involve excavation at depths that would encounter groundwater and would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge.

Because the development area would be the same, the Reduced Density/Expansion Area Only Alternative and the Project would have the same less than significant impacts related to inundation, and no impacts related to flood hazard.

11. Land Use and Planning

The Reduced Density/Expansion Area Only Alternative would involve the same area of development as the Project, which is already planned for development pursuant to the approved Subarea 29 Specific and the TOP 2050. Additionally, development has already occurred to the east and west and south. The Reduced Density/Expansion Area Only Alternative and the Project would not divide an established community.

The Reduced Density/Expansion Area Only Alternative would involve development of PAs 30 and 31 pursuant to the approved Subarea 29 Specific Plan, and development of the Expansion Area with residential uses and a middle school, consistent with the land uses anticipated by the TOP 2050 Policy Plan. Further the current zoning for existing PAs 30 and 31 is Specific Plan (SP) District (Subarea 29 Specific Plan), and the zoning for the Expansion Area is SP (Specific Plan) with an AG (Agriculture) Overlay, which anticipates development pursuant TOP 2050 Policy Plan and the underlying zoning district. Residential and school uses are currently allowed by the existing Subarea 29 Specific Plan, and the residential and school uses that would be developed under this Alternative would be implemented in accordance with the Development Standards and Design Guidelines outlined in the Subarea 29 Specific Plan, as amended with the Project. The Reduced Density/Expansion Area Only Alternative would not provide the minimum number of dwelling units anticipated by TOP 2050 in PAs 30 and 31. Even though there would be a reduction in dwelling units developed in the City, as with the Project, the Reduced Density/Expansion Area Only Alternative would not conflict with the TOP 2050 Policy Plan, the Ontario Municipal Code, or Southern California Association of Governments (SCAG) Connect SoCal, and specifically would not conflict with applicable environmental plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect. Impacts would be less than significant with implementation of this Alternative and the Project.

12. Mineral Resources

The Amendment Area does not contain mineral resources of regional or statewide importance and is not designated as a mineral recovery site. The Reduced Density/Expansion Area Only Alternative would have the same physical impact area as the Project, and as with the Project would have no impact to mineral resources.

13. Noise

The Reduced Density/Expansion Area Only Alternative would involve similar construction activities as the Project and noise and vibration impacts would be less than significant with adherence to the City's Noise Ordinance as identified in the 2006 EIR mitigation measures. Because the types of uses developed under the Reduced Density/Expansion Area Only Alternative and the Project would be the same, the operational onsite noise sources would also be the same and would be less than significant.

As discussed in Section 7.4 above, the Project would result in increased traffic noise levels along Eucalyptus Avenue west of Hamner Avenue, which would exceed the City's established threshold of significance (allowable increase of 5 dBA) under the Existing Plus Project and Opening Year 2025 traffic scenarios (noise increase of 8.0 dBA and 6.4 dBA, respectively). As identified in SEIR Section 5.11, *Noise*, a 3 dB increase is a doubling of acoustic energy and is the threshold of perceptibility. With an approximate 9% reduction in trip generation associated with the reduction in units, and similar trip distribution on the roadway network, the traffic noise reduction along Segment 46 would be approximately 0.4 dBA, which would not avoid the significant noise impact (there would be an estimated 6.7 dBA increase in noise compared to the 5 dBA threshold of significance). Therefore, as with the Project, the traffic-related noise impact along this roadway segment under the Reduced

Density/Expansion Area Only Alternative would be significant and unavoidable because there is no feasible mitigation to reduce this impact to a less than significant level.

As with the Project, onsite uses under the Reduced Density/Expansion Area Only Alternative would not be subjected to excessive noise levels from ONT or Chino Airport operations, resulting in a less than significant impact.

14. Population and Housing

The Reduced Density/Expansion Area Only Alternative would result in the development of 155 fewer residential units compared to the Project and would include development of the proposed middle school. Thus, development of the Reduced Density/Expansion Area Only Alternative would result in 620 fewer residents (5,260 new residents compared to 5,880 new residents with the Project), and the same number of new employees (56 employees). Population growth under the Project was determined to be within the growth projections for the area and impacts to related population and housing were determined to be less than significant. Therefore, as with the Project, the Reduced Density/Expansion Area Only Alternative would not induce substantial unplanned growth resulting in a less than significant impact. Because the Amendment Area is not occupied, the Reduced Density/Expansion Area Only Alternative and the Project would not displace existing people or housing.

15. Public Services and Recreation

The Reduced Density/Expansion Area Only Alternative would result in the development of 155 fewer residential units compared to the Project and would include development of the proposed middle school. Thus, development of the Reduced Density/Expansion Area Only Alternative would result in a reduced demand for public services and recreational facilities. As with the Project, with incorporation of the 2006 EIR mitigation measures, the Reduced Density/Expansion Area Only Alternative would not require the construction of new or expanded fire, police, school or library facilities that would result in physical environmental impacts, resulting in a less than significant impact. Additionally, with adherence to the City's parkland requirements impacts to recreational facilities would be less than significant. Therefore, the Reduced Density/Expansion Area Only Alternative and the Project would have a less than significant impact related to public services and recreation.

16. Transportation

The Reduced Density/Expansion Area Only Alternative would involve implementation of the same roadway, bikeway, pedestrian and transit improvements as the Project, and would comply with City requirements relative to the circulation system. Therefore, as with the Project, the Reduced Density/Expansion Area Only Alternative would not conflict with TOP 2050 Policy Plan Mobility Element policies related to transportation and circulation, Ontario Municipal Code requirements, or SCAG's Connect SoCal transportation-related goals. Additionally, this Alternative and the Project would not create hazards through design and would not result in inadequate emergency access. Therefore, the Reduced Density/Expansion Area Only Alternative and the Project would have a less

than significant impact related to conflict with plans addressing the circulation system, transportation-related hazards and emergency access.

The latest research provided in the California Air Pollution Control Officers Association (CAPCOA) *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity*, published in December 2021 (CAPCOA, 2021), details the increase in VMT and VMT per capita associated with decreased density of dwelling units (T-1 Increase Residential Density). Decreased densities affect the distance people travel and provide lesser options for the mode of travel they choose. Decreasing residential density results in longer and more trips by single-occupancy vehicles and thus an increase in VMT. Table 7-2 presents the VMT Summary for the Reduced Density/Expansion Area Only Alternative. As shown, the Origin/Destination (OD) VMT per Service Population (SP) for both Planning Areas 30-34 (24.39) and for the total Specific Plan Area (26.7) is lower than the Citywide average OD VMT per service population under General Plan Buildout Conditions. For comparison, the Project OD VMT per SP would be 23.85 for PAs 30 through 34 and 26.4 for the total Specific Plan Area. Therefore, there would be a slight increase in VMT with buildout of the Subarea 29 Specific Plan under this Alternative; however, as with the Project, the Project's VMT impact would be less than significant. Cumulative VMT impacts would also be less than significant for this Alternative and the Project because the proposed development would be consistent with TOP 2050 land use designations.

Table 7-2 Reduced Density/Expansion Area Only Alternative VMT Summary

Land Use	Reduced Density/Expansion Area Only Alternative		
	Planning Areas 1-29	Planning Areas 30-34	Total Specific Plan (Planning Areas 1 – 34)
Units	2,221	1,512	3,733
Population	8,878	6,044	14,922
Employment	263	56	319
Total SP	**9,141**	**6,100**	**15,241**
Total OD VMT	258,655	148,775	407,430
OD VMT/SP	**28.30**	**24.39**	**26.7**
Citywide Threshold VMT/SP	29.42		

SP: Service Population; OD: Origin/Destination

17. Tribal Cultural Resources

There are no known tribal cultural resources located within the Amendment Area. Therefore, no impact to known tribal cultural resources would occur with implementation of the Reduced Density/Expansion Area Only Alternative or the Project. This Alternative would involve the same physical impact area as the Project. Therefore, this Alternative would result in the same potential impacts to unknown tribal cultural resources as the Project. With incorporation of the identified mitigation measures, the Reduced Density/Expansion Area Only Alternative would have similar, less than significant impacts as the Project related to tribal cultural resources.

18. Utilities and Service Systems

As with the Project, the Reduced Density/Expansion Area Only Alternative would increase the water demand, wastewater generation, and electric demand at the Project site compared to existing conditions. Additionally, as discussed above under Hydrology and Water Quality, the Reduced Density/Expansion Area Only Alternative would involve development of the same area that would occur with implementation of the Project and would generate a similar amount of storm water runoff. Although the total number of residential units would be reduced, the overall utility infrastructure needed to serve the Reduced Density/Expansion Area Only Alternative would be the same as the Project and would be located within the same construction impact area. Therefore, as with the Project, the Reduced Density/Expansion Area Only Alternative would have similar, less than significant impacts as the Project related to the installation of utility infrastructure.

The Reduced Density/Expansion Area Only Alternative would have a reduced water demand than the Project due to the reduction in residential units. Therefore, the conclusions of the Project-specific Water Supply Assessment (WSA) would be applicable to this Alternative, and the Ontario Municipal Utilities Company (OMUC) would have sufficient water to serve the Reduced Density/Expansion Area Only Alternative. Similarly, with a reduction in wastewater generation, there would be adequate capacity in the Inland Empire Utilities Agency (IEUA) wastewater treatment facilities to treat wastewater generated. The Reduced Density/Expansion Area Only Alternative and Project would have less than significant impacts related to water supply and wastewater treatment.

As with the Project, construction and operation of the proposed residential and school uses under the Reduced Density/Expansion Area Only Alternative would comply with applicable local and state regulations related to solid waste management and diversion of solid waste from landfills. The Reduced Density/Expansion Area Only Alternative and Project would have less than significant impacts related to solid waste.

19. Wildfire

The Amendment Area is not within or near an SRA or VHFSZ. Therefore, under both the Reduced Density/Expansion Area Only Alternative and the Project, wildfire impacts would not occur.

20. Conclusions

Avoid or Substantially Lessen the Significant Impacts of the Project

The Reduced Density/Expansion Area Only Alternative would not avoid any of the significant and unavoidable impacts resulting from implementation of the Project on agricultural resources (site-specific and cumulative impacts related to conversion of Farmland to non-agricultural uses), air quality (conflict with the AQMP and operational impacts), and noise (off-site traffic-related noise along one roadway segment under Existing plus Project and Opening Year 2025 conditions). The Reduced Density/Expansion Area Only Alternative would reduce the Project's less than significant impacts to energy, public services and recreation, and utilities and service systems. The total VMT per capita

would increase under this Alternative; however, the impact would remain less than significant. All other impacts from the Reduced Density/Expansion Area Only Alternative (biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, population and housing, mineral resources, tribal cultural resources, and wildfire would be similar to the Project.

Attainment of Project Objectives

The Reduced Density/Expansion Area Only Alternative would involve the development of 155 fewer dwelling units compared to the Project by not including the increase in units proposed in existing Subarea 29 Specific Plan PAs 30 and 31. This represents an approximately 9% reduction in dwelling units compared to the Project. This alternative would meet most of the Project Objectives identified above in Section 7.3; however, it would not meet the following objectives, or not meet the objectives to the same extent as the Project:

2. Develop a specific plan that incorporates General Plan land use principles; standards and distribution of land uses relative to residential, open space, recreation, and public uses.

   The proposed Subarea 29 Specific Plan Amendment incorporates the land use changes for existing PAs 30 and 31 included in TOP 2050 Policy Plan. While the Reduced Density/Expansion Area Only Alternative would include the proposed Specific Plan Amendment for the Expansion Area, it would not include the proposed Specific Plan Amendment for PAs 30 and 31 and would not meet this objective to the same extent as the Project and would conflict with TOP 2050 as it relates to the anticipated density of housing in PAs 30 and 31.

4. Maximize housing opportunities to assist in meeting City of Ontario regional housing allocation requirements.

   The Reduced Density/Expansion Area Only Alternative would have 155 fewer dwelling units than the Project and would not maximize housing opportunities; therefore, this objective would not be met.

9. Develop a project that responds well to market demand and meets a range of housing types and affordability.

   The proposed Subarea 29 Specific Plan Amendment introduces new home types to provide a variety of housing types that promote higher density and more choice in floorplans, and that provide more attainable options for a greater range of residents as well as options for different household compositions. While these new home types would be implemented in the Specific Plan Area under the Reduced Density/Expansion Area Only Alternative, the allowed home types in PAs 30 and 31 would remain the same. Therefore, this Alternative would not be meet this objective to the same extent as the Project.

7.6.3 REDUCED DENSITY ALTERNATIVE

A. Description of the Alternative

As shown on SEIR Figure 4-2, Existing TOP 2050 Policy Plan Land Use Designations, the Amendment Area includes land designated for Low Density Residential (2.1-5 du/ac), Low-Medium Density Residential (5.1-11), and Medium Density Residential. The Reduced Density Alternative would involve the same proposed Subarea 29 Specific Plan Amendment as the Project for PAs 30 through 34, which would be consistent with the TOP 2050 Policy Plan; however, the PAs would be built out at the lower end of the allowed density range for each TOP 2050 Policy Plan land use designation. As shown in Table 7-3, this Alternative would involve the development of 794 dwelling units within PAs 30 through 33 and would result in an overall reduction of 873 dwelling units in PAs 30 through 33 compared to the Project (1,667 units) (a reduction of approximately 53%). The Project would result in a net increase of 1,470 units within the Specific Plan area, and this would be reduced to net increase of 597 units with the Alternative. The proposed school in PA 34, and roadway and infrastructure improvements to be implemented with the Project would also be implemented under this Alternative.

Table 7-3 Reduced Density Alternative Compared to the Project

Planning Area	Reduced Density Alternative		Proposed Specific Plan Amendment	
	Specific Plan Land Use	Units	Specific Plan Land Use	Units
30	Mixed Residential	90	Mixed Residential	180
31	Mixed Residential	119	Mixed Residential	172
32	Mixed Residential	327	Mixed Residential	671
33	Mixed Residential	258	Mixed Residential	644
34	School	-	School	-
	Total	794		1,667

B. Comparative Analysis of Environmental Impacts

1. Aesthetics

As with the Project, the Reduced Density Alternative would involve the development of residential uses and school uses consistent with the TOP 2050 Policy Plan land use designation. Although there would be a reduction of residential uses, the visual character of the development would be similar to the Project since the development would be required to adhere to the Standards and Guidelines outlined in the Subarea 29 Specific Plan and the Ontario Municipal Code. As with the Project, this Alternative would have less than significant impacts related to impact to a scenic vista, and conflict with goals or policies outlined in the TOP 2050 Policy Plan or Ontario Municipal Code requirements that regulate scenic quality, and no impact related to degrading scenic resources within a State Scenic Highway. Furthermore, both the Project and this Alternative would include mitigation to reduce impacts related to construction lighting to a less than significant level. Therefore, impacts would be less than significant under both the Project and the Reduced Density Alternative.

2. *Agricultural and Forestry Resources*

Under the Reduced Density Alternative, the physical impact area would be the same as the Project, and Prime Farmland in PAs 30 and 31 would be converted to non-agricultural uses, consistent with the City's land use designation and zoning, which do not anticipate continued agricultural activities. Therefore, the significant and unavoidable Project and cumulative impacts to agricultural resources resulting from the Project would also occur with this Alternative, consistent with the conclusion of the 2006 EIR and TOP 2010 EIR.

3. *Air Quality*

As with the Project, the Reduced Density Alternative would be consistent with the TOP 2050 growth projections and would not conflict with growth assumptions in the SCAQMD AQMP. However, as with the Project, the Reduced Density Alternative would result in VOC emissions that exceed the SCAQMD regional significance thresholds, resulting in a significant impact even with mitigation. This would contribute to a delay in the attainment of federal and State O_3 standards in the SoCAB. As such, as with the Project, the Reduced Density Alternative would be considered to have the potential to conflict with the SCAQMD AQMP, thereby resulting in a significant and unavoidable impact.

Implementation of the Reduced Density Alternative would have the same physical impact area as the Project; however, with an approximately 53% reduction in residential units, construction activities would be reduced and there would be reduced air pollutant emissions during construction. Therefore, local and regional construction emissions and associated impacts would be less than significant with mitigation, similar to the Project. The relationship of proposed uses under this Alternative would be the same as with the Project, and potential impacts to sensitive receptors during construction and operation would be less than significant with the Project and this Alternative.

As shown on Table 5.3-10 of SEIR Section 5.3, Air Quality, the Project is estimated to generate a maximum of 144.93 pounds per day (lbs/day) of VOC compared to the threshold of 55 lbs/day, 112.20 lbs/day of NOx compared to the threshold of 55 lbs per day, and 802 lbs/day of CO compared to the threshold of 550 lbs/day. The Reduced Density Alternative would have an approximately 53% reduction in residential units compared to the Project (873 fewer residential units). Thus, total operational emissions (which include area, energy, and mobile sources) including NOx, VOC, and CO emissions would be lower with the Reduced Density Alternative compared to the Project. With the reduction in residential units under this Alternative, and assuming a similar 53% reduction in emissions from residential mobile and other sources, there would still be an exceedance of VOC operational emission thresholds established by the SCAQMD. It is estimated that NOx and CO emissions would be reduced to a level that would not exceed the SCAQMD threshold avoiding this impact; however, the SoCAB is not in nonattainment for CO. As with the Project, even with implementation of mitigation measures identified in SEIR Section 5.3, the amount of VOC emissions reductions would not reduce emissions to below the established threshold of significance. Long-term operational emissions of VOC, which is an O_3 precursor, would be cumulatively considerable, resulting in a significant impact. Therefore, although the amount of emissions would be reduced, the Reduced Density Alternative

would not eliminate the Project's significant and unavoidable operational and cumulative air quality impacts resulting from operational emissions.

The Reduced Density Alternative and Project would involve development of the same types of uses, and would have less than significant impacts related to the other emissions, such as those leading to odors, that would adversely affect a substantial number of people.

4. Biological Resources

The Reduced Density Alternative would have the same physical impact area as the Project. As with the Project, this Alternative would have no impact to riparian habitat or wetlands and would comply with local requirements for protection of trees. Potential significant impacts to sensitive wildlife species and migratory and nesting birds would be the same under the Project and this Alternative. The Project would have a less than significant impact on biological resources after implementation of 2006 EIR mitigation measures. With incorporation of the identified mitigation measures, the impacts to biological resources would be less than significant with this Alternative and the Project.

5. Cultural Resources

No historic resources are present within the Amendment Area. Therefore, no impact to historic resources would occur with implementation of the Project or the Reduced Density Alternative. This Alternative would involve the same physical impact area as the Project. Therefore, this Alternative would result in the same potential impacts to unknown archaeological resources as the Project. With incorporation of the identified mitigation measures, this Alternative would have similar, less than significant impacts as the Project related to cultural resources.

6. Energy

Implementation of the Reduced Density Alternative would result in similar types of energy demand during construction and operation of the residential and school uses as the Project due to the same physical impact area, and type of uses to be developed. However, energy demand for construction and operation of the residential uses would be reduced due to the reduction in the number of units. Therefore, this Alternative would have reduced energy impacts than the Project; however, the Project's energy impacts are less than significant.

7. Geology and Soils

The Reduced Density Alternative would have the same physical impact area as the Project and would result in the same potential impacts related to geology and soils and seismic hazards as the Project. With implementation of the 2006 EIR mitigation measures, which require adherence to applicable building codes and incorporation of the recommendations from the site-specific geotechnical studies, the Project and this Alternative would not expose people or structures to substantial safety risks associated with geologic hazards. Further, because the physical impact area would be the same as the Project, this Alternative would also have the potential to impact subsurface paleontological resources

and the impact would be reduced to a less than significant level with mitigation. Therefore, with incorporation of the identified mitigation measures, and adherence to applicable regulations, geology and soils impacts would be less than significant with implementation of this Alternative and the Project.

8. Greenhouse Gas Emissions

The Reduced Density Alternative would involve similar construction activities, and the development of the same type of uses as the Project. Therefore, the sources of GHG emissions would be the same, although there would be an overall reduction in GHG emissions due to the reduction in residential units (873 fewer residential units; a reduction of approximately 53% compared to the Project). As with the Project, the Reduced Density Alternative would be consistent with the City's Community Climate Action Plan (CCAP) Update, and therefore, impacts related to GHG emissions would be less than significant.

9. Hazards and Hazardous Materials

The Reduced Density Alternative would have the same physical impact area as the Project and would involve the development of the same types of uses (residential and school). Thus, similar impacts to hazards and hazardous materials would occur. Based on the location and condition of the Project site and types of uses proposed, the Reduced Density Alternative and the Project would have no impact related to location on a hazardous materials site or wildland fire, and a less than significant impact related to hazardous emissions within 0.25 mile of a school. Land uses that would occur onsite under this Alternative would have a similar potential to handle and store hazardous materials as the Project resulting in a less than significant impact, and similar less than significant impacts related to hazards associated with the Ontario International Airport (ONT) and Chino Airport, and emergency response/evacuation. Impacts associated with the potential to encounter septic tanks and water wells, potential methane gas, and hazardous building materials (asbestos and lead) would also be less than significant for the Project and this Alternative with implementation of the 2006 EIR mitigation measures.

10. Hydrology and Water Quality

The Reduced Density Alternative would involve development of the same area that would occur with implementation of the Project, and the development of the same types of uses, although the density of the residential uses would be reduced. Both the Reduced Density Alternative and the Project would result in an increase in impervious surface, which would increase the amount of storm water runoff and potentially increase the amount of pollutants entering the storm water. As with the Project, storm water runoff would flow to existing drainage and water quality treatment facilities that have sufficient capacity to accommodate storm runoff and water quality treatment requirements from development of this Alternative. Hydrology and water quality impacts would be less than significant for the Project with implementation of 2006 EIR mitigation measures and compliance with existing regulatory requirements and would also be less than significant for the Reduced Density Alternative.

As with the Project, the Reduced Density Alternative would not involve excavation at depths that would encounter groundwater and would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge.

Because the development area would be the same, the Reduced Density Alternative and the Project would have the same less than significant impacts related to inundation, and no impacts related to flood hazard.

11. Land Use and Planning

The Reduced Density Alternative would involve the same area of development as the Project, which is already planned for development pursuant to the approved Subarea 29 Specific and the City's TOP 2050. The Reduced Density Alternative and the Project would not divide an established community.

The Reduced Density Alternative would involve development consistent with the land uses anticipated by the TOP 2050. Further the current zoning for existing PAs 30 and 31 is Specific Plan (SP) District (Subarea 29 Specific Plan), and the zoning for the Expansion Area is SP (Specific Plan) with an AG (Agriculture) Overlay, which anticipates development pursuant TOP 2050 and the underlying zoning district. Residential and school uses are currently allowed by the existing Subarea 29 Specific Plan, and the residential and school uses that would be developed under this Alternative would be implemented in accordance with the Development Standards and Design Guidelines outlined in the Subarea 29 Specific Plan, as amended with the Project. Therefore, even though there would be a reduction in dwelling units developed in the City, as with the Project, the Reduced Density Alternative would not conflict with the TOP 2050, the Ontario Municipal Code, or SCAG Connect SoCal, and specifically would not conflict with applicable environmental plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect. Impacts would be less than significant with implementation of this Alternative and the Project.

12. Mineral Resources

The Amendment Area does not contain mineral resources of regional or statewide importance and is not designated as a mineral recovery site. The Reduced Density Alternative would have the same physical impact area as the Project, and as with the Project would have no impact to mineral resources.

13. Noise

The Reduced Density Alternative would involve similar construction activities as the Project and noise and vibration impacts would be less than significant with adherence to the City's Noise Ordinance as identified in the 2006 EIR mitigation measures. Because the types of uses developed under the Reduced Density Alternative and the Project would be the same, the operational onsite noise sources would also be the same and would be less than significant.

As in Section 7.4 above, the Project would result in increased traffic noise levels along Eucalyptus Avenue west of Hamner Avenue, which would exceed the City's established threshold of significance

(allowable increase of 5 dBA) under the Existing Plus Project and Opening Year 2025 traffic scenarios (noise increase of 8.0 dBA and 6.4 dBA, respectively). As identified in SEIR Section 5.11, *Noise*, a 3 dB increase is a doubling of acoustic energy and is the threshold of perceptibility. With an approximate 53% reduction in trip generation associated with the reduction in units under this Alternative, and similar trip distribution on the roadway network, the traffic noise reduction along Segment 46 would be approximately 3 dBA. Therefore, the noise level increase along Segment46 would be approximately 5.0 dBA and 3.4 dBA with this Alternative. Therefore, this Alternative would avoid the Project's significant and unavoidable off-site traffic noise impact for the Opening year 2020 traffic scenario, but the impact under the Existing Plus Project traffic scenario would remain significant and unavoidable.

As with the Project, onsite uses under the Reduced Density Alternative would not be subjected to excessive noise levels from ONT or Chino Airport operations, resulting in a less than significant impact.

14. Population and Housing

The Reduced Density Alternative would result in the development of 873 fewer residential units compared to the Project and would include development of the proposed middle school. Thus, development of the Reduced Density Alternative would result in 2,704 fewer residents (3,176 new residents compared to 5,880 new residents with the Project), and the same number of new employees (56 employees). Population growth under the Project was determined to be within the growth projections for the area and impacts to related population and housing were determined to be less than significant. Therefore, as with the Project, the Reduced Density Alternative would not induce substantial unplanned growth, resulting in a less than significant impact. Because the Amendment Area is not occupied, the Reduced Density Alternative and the Project would not displace existing people or housing.

15. Public Services and Recreation

The Reduced Density Alternative would result in the development of 873 fewer residential units compared to the Project and would include development of the proposed middle school. Thus, development of the Reduced Density Alternative would result in a reduced demand for public services and recreational facilities. As with the Project, with incorporation of the 2006 EIR mitigation measures, the Reduced Density Alternative would not require the construction of new or expanded fire, police, school or library facilities that would result in physical environmental impacts, resulting in a less than significant impact. Additionally, with adherence to the City's parkland requirements, impacts to recreational facilities would be less than significant. Therefore, the Reduced Density Alternative and the Project would both have a less than significant impact related to public services and recreation.

16. Transportation

The Reduced Density Alternative would involve implementation of the same roadway, bikeway, pedestrian and transit improvements as the Project, and would comply with City requirements relative

to the circulation system. Therefore, as with the Project, the Reduced Density Alternative would not conflict with TOP 2050 Mobility Element policies related to transportation and circulation, Ontario Municipal Code requirements, or SCAG's Connect SoCal transportation-related goals. Additionally, this Alternative and the Project would not create hazards through design and would not result in inadequate emergency access. Therefore, the Reduced Density Alternative and the Project would have a less than significant impact related to conflict with plans addressing the circulation system, transportation-related hazards and emergency access.

As previously identified, decreasing residential density results in longer and more trips by single-occupancy vehicles and thus an increase in VMT. Table 7-3 presents the VMT Summary for the Reduced Density Alternative. As shown, the OD VMT per SP for the total Specific Plan Area under this Alternative (28.6) is lower than the Citywide average OD VMT per SP under General Plan Buildout Conditions, resulting in a less than significant impact as with the Project. However, the OD VMT per SP under this Alternative would be higher than buildout of the Specific Plan with implementation of the Project (26.4).

The Project OD VMT per SP for the Project (23.85) is less than the Citywide average resulting in a less than significant. Under this Alternative, with 873 fewer residents, the OD VMT per SP for PA 30 through 34 would be 29.62, which exceeds the Citywide average, resulting in a significant impact that would not occur with the Project. Therefore, at a Project-level, the Reduced Density Alternative would have greater VMT impacts than the Project.

Cumulative VMT impacts would be less than significant for this Alternative and the Project because the proposed development would be consistent with TOP 2050 land use designations.

Table 7-4 Reduced Density Alternative VMT Summary

Land Use	Reduced Density/Expansion Area Only Alternative		
	Planning Areas 1-29	**Planning Areas 30-34**	**Total Specific Plan (Planning Areas 1 – 34)**
Units	2,221	794	3,015
Population	8,878	3,174	12,052
Employment	263	56	319
Total SP	**9,141**	**3,230**	**12,371**
Total OD VMT	258,655	95,672	354,327
Reduced Density Alternative OD VMT/SP	**28.30**	**29.62**	**28.6**
Project OD VMT/SP	*28.30*	*23.85*	*26.4*
Citywide Threshold VMT/SP	29.42		

SP: Service Population; OD: Origin/Destination

17. Tribal Cultural Resources

There are no known tribal cultural resources located within the Amendment Area. Therefore, no impact to known tribal cultural resources would occur with implementation of the Reduced Density

Alternative or the Project. This Alternative would involve the same physical impact area as the Project. Therefore, this Alternative would result in the same potential impacts to unknown tribal cultural resources as the Project. With incorporation of the identified mitigation measures, the Reduced Density Alternative would have similar, less than significant impacts as the Project related to tribal cultural resources.

18. Utilities and Service Systems

As with the Project, the Reduced Density Alternative would increase the water demand, wastewater generation, and electric demand at the Project site compared to existing conditions. Additionally, as discussed above under Hydrology and Water Quality, the Reduced Density Alternative would involve development of the same area that would occur with implementation of the Project and would generate a similar amount of storm water runoff. Although the total number of residential units would be reduced, the overall utility infrastructure needed to serve the Reduced Density Alternative would be the same as the Project and would be located within the same construction impact area. Therefore, as with the Project, the Reduced Density Alternative would have similar, less than significant impacts as the Project related to the installation of utility infrastructure.

The Reduced Density Alternative would have a reduced water demand than the Project due to the reduction in residential units. Therefore, the conclusions of the Project-specific Water Supply Assessment (WSA) would be applicable to this Alternative, and the Ontario Municipal Utilities Company (OMUC) would have sufficient water to serve the Reduced Density Alternative. Similarly, with a reduction in wastewater generation, there would be adequate capacity in the Inland Empire Utilities Agency (IEUA) wastewater treatment facilities to treat wastewater generated. The Reduced Density Alternative and Project would have less than significant impacts related to water supply and wastewater treatment.

As with the Project, construction and operation of the proposed residential and school uses under the Reduced Density Alternative would comply with applicable local and state regulations related to solid waste management and diversion of solid waste from landfills. The Reduced Density Alternative and Project would have less than significant impacts related to solid waste.

19. Wildfire

The Amendment Area is not within or near an SRA or VHFSZ. Therefore, under both the Reduced Density Alternative and the Project, wildfire impacts would not occur.

20. Conclusions

Avoid or Substantially Lessen the Significant Impacts of the Project

The Reduced Density Alternative would not avoid the significant and unavoidable impacts resulting from implementation of the Project related to agricultural resources (site-specific and cumulative

impacts related to conversion of Farmland to non-agricultural uses). The Reduced Density Alternative would not result in CO emissions that exceed the SCAQMD thresholds of significance; however, this Alternative would not avoid the significant and unavoidable air quality impacts associated with VOC and NOx emissions in exceedance of the SCAQMD thresholds of significance (conflict with the AQMP and operational impacts). The Reduced Density Alternative would avoid the Project's off-site traffic-related noise along one roadway segment under Existing plus Project and Opening Year 2025 conditions.

The total VMT per capita would increase under this Alternative and would be significant for PAs 30 through 34 (the Amendment Area) but would remain less than significant for buildout of the Subarea 29 Specific Plan and with respect to cumulative VMT impacts.

Due to the reduction in residential units, the Reduced Density Alternative would reduce the Project's less than significant impacts to energy, public services and recreation, and utilities and service systems. All other impacts from the Reduced Density Alternative (biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, population and housing, mineral resources, tribal cultural resources, and wildfire) would be similar to the Project.

Attainment of Project Objectives

The Reduced Density Alternative would involve the development of 873 fewer dwelling units compared to the Project. This represents an approximately 53% reduction in dwelling units compared to the Project. This alternative would meet most of the Project Objectives identified above in Section 7.3; however, it would not meet the following objectives, or not meet the objectives to the same extent as the Project:

4. Maximize housing opportunities to assist in meeting City of Ontario regional housing allocation requirements.

   The Reduced Density Alternative would have 873 fewer dwelling units than the Project and would not maximum housing opportunities; therefore, this objective would not be met.

9. Develop a project that responds well to market demand and meets a range of housing types and affordability.

   The proposed Subarea 29 Specific Plan Amendment introduces new home types to provide a variety of housing types that promote higher density and more choice in floorplans, and that provide more attainable options for a greater range of residents as well as options for different household compositions. While the proposed Specific Plan Amendment introducing new home types would still occur under the Reduced Density Alternative, with 873 fewer units, there would be fewer types of units developed, and the density of the residential development would be reduced. With reduced density development, home prices would be higher. Therefore,

although the provision of housing under this Alternative would meet this objective to a certain extent, this objective would be met to a substantially lesser degree than with the Project.

7.7 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives shall identify an environmentally superior alternative among the alternatives evaluated in the EIR. In general, the environmentally superior alternative as defined by CEQA should minimize adverse impacts to the project site and its surrounding environment.

As discussed above, the No Project/No Development Alternative would avoid or reduce all of the Project's significant and less than significant environmental impacts and, therefore, can be considered environmentally superior to the Project. While this Alternative would avoid the significant effects of the Project, none of the Project objectives would be met. If a "no project" alternative is identified as the environmentally superior alternative, then the EIR must also identify an environmentally superior alternative among the other alternatives (see CEQA Guidelines Section 15126.6(e)(2)).

As presented in the analysis above, the Reduced Density Alternative would be the environmentally superior alternative compared to the Project and the Reduced Density/Expansion Area Only Alternative. The Reduced Density Alternative would have the same physical impact area as the Project; therefore, it would not reduce the Project's significant and unavoidable impacts to agricultural resources. The reduction in impacts for the Reduced Density Alternative is due to that fact that this Alternative would generate approximately 873 fewer dwelling units than the Project (a reduction of approximately 53%), which would reduce operational impacts (e.g., air quality and GHG emissions, energy demand, trip generation, noise, etc.). Comparatively, the Reduced Density/Expansion Area Only Alternative would result in 155 fewer dwelling units compared to the Project, a reduction of approximately 9%.

As with the Reduced Density/Expansion Area Only Alternative, the Reduced Density Alternative would not avoid the significant and unavoidable impacts resulting from implementation of the Project on agricultural resources (site-specific and cumulative impacts related to conversion of Farmland to non-agricultural uses), air quality (conflict with the AQMP and operational impacts), or traffic-related noise impact along one roadway segment under Existing plus Project condition. Due to the reduction in dwelling units, the Reduced Density Alternative would result in a significant VMT impact for development within PAs 30 through 34 (Amendment Area). Although the overall OD VMT per SP at buildout of the Specific Plan would be higher under the Reduced Density Alternative compared to the Reduced Density/Expansion Area Only Alternative and the Project, the impact would be less than significant.

For the other impact categories, the level of impact would be similar to or less than the Project.

Although the Reduced Density Alternative is environmentally superior to the Project, it does not meet key Project Objectives to the same extent as the Project, including maximizing housing opportunities

to assist in meeting City RHNA allocation requirements, and developing a range of housing types and affordability.

7.8 REFERENCES

California Air Pollution Control Officers Association (CAPCOA), 2021. *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity*. https://www.caleemod.com/documents/handbook/full_handbook.pdf

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