

**Addendum**  
**to the Ontario Plan 2050 SEIR for the**  
**Watermarke Planned Unit Development Project**

(SCH No. 2021070364)

Prepared for:

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## 1.0 INTRODUCTION

### 1.1 PURPOSE

This Addendum has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA) (California Public Resources Code [PRC] Section 21000 et seq.); the CEQA Guidelines (Title 14, California Code of Regulations [CCR] Section 15000 et seq.); and the rules, regulations, and procedures for implementing CEQA as set forth by the City. The City is the lead agency under the CEQA.

Section 15164(a) of the CEQA Guidelines states that “the lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.” Pursuant to Section 15162(a) of the CEQA Guidelines, a subsequent Environmental Impact Report (SEIR) or Negative Declaration is only required when:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
  - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The Ontario Plan 2050 (TOP 2050), is an updated to the City’s General Plan, The Ontario Plan, used to guide the City’s development and conservation for the next 30 years through 2050. This Addendum to TOP 2050, with the inclusion of the Project, describes how the potential environmental effects of the proposed Project are appropriately and adequately addressed in the Supplemental Environmental Impact Report (SEIR) for the TOP 2050, approved in August 2022 (Approved SEIR). The Approved SEIR adopted in

August 2022, addressed the environmental effects associated with implementation of the updated to The Ontario Plan. The focus of the analysis is the adequacy of the previously Approved SEIR, relative to the Project in its current environmental context.

## **1.2 INTENDED USE OF THIS ADDENDUM, PROJECT DISCRETIONARY ACTIONS**

This Addendum will serve as the City of Ontario's (City's) environmental review of the Watermarke Ontario Planned Unit Development (PUD) Project (Project) as required under CEQA. The City may also employ this Addendum in any subsequent review or consideration of the individual development proposals within the Project area.

Discretionary actions, permit and related consultation(s) necessary to approve and implement the Project include, but are not limited to, the following.

CEQA Section 15124 states in pertinent part that if "a public agency must make more than one decision on a project, all its decisions subject to CEQA should be listed." Requested decisions, or discretionary actions, necessary to realize the Project include the following:

- Certification of this Addendum to The Ontario Plan 2050 Supplemental Environmental Impact Report (Approved SEIR) adopted in August 2022;
- Adoption of the -Watermarke Ontario Mixed Use Development Plan (File no. PDEV22-042);
- Approval of Infrastructure Improvement Plan, including but not limited to: roads, sewer, water, and stormwater management systems;
- Approval of Planned Unit Development (File No. PUD22-006).

CEQA Section 15124 also states that environmental documentation should, to the extent known, list other permits or approvals required to implement the Project. Based on the current Project design concept, in addition to City permits and approvals, anticipated permits necessary to realize the proposal will likely include, but are not limited to the following:

- Permitting may be required by/through the Regional Water Quality Control Board (RWQCB) pursuant to requirements of the City's National Pollutant Discharge Elimination System (NPDES) Permit;
- Permitting may be required by/through the South Coast Air Quality Management District (SCAQMD) for certain equipment or land uses that may be implemented within the Project area;
- Various construction, grading, and encroachment permits allowing implementation of the Project facilities.

## **1.3 PROJECT BACKGROUND**

This Addendum to the Approved SEIR has been prepared in response to the application of the Project which will establish development standards for the existing zoning district designations and zoning standards that apply to the Project site. The Project is located in the northwestern portion of the City, within the County of San Bernardino (County).



The Ontario Plan (TOP 2050) was adopted in 2022. The TOP 2050 is intended to guide the City's development and conservation for the next 30 years through 2050. TOP 2050 describes the community's direction at a point in time (2009) and integrates it into a single guidance system that would shape Ontario 20 years or more into the future with a horizon year of 2050. TOP 2050 is the City's policy and implementation framework that guides the long-term growth and improvement of the Ontario community through six interrelated components of city governance:

A **Vision** that provides a sense of purpose and mission for city governance and sets the tone for the other components of TOP. The Vision's central theme is a sustained, community-wide prosperity that continuously adds value and yields benefits.

A **Governance Manual** that establishes a set of goals and policies to promote consistent City leadership based on the principles of regional leadership, transparency, long-term value, accountability, and inclusivity.

A **Policy Plan** that serves as the City's legally required general plan and that states long-term goals, principles, and policies to achieve Ontario's Vision. This component acts as the direct guide for continued growth and development within the City and fully defines each aspect of life within the City. The policy plan addresses each aspect of life within the City through nine elements:

- Land Use
- Housing
- Parks and Recreation
- Environmental Resources
- Community Economics
- Safety
- Mobility
- Community Design
- Social Resources

A list of **City Council Priorities** that shape the City's ongoing annual budgeting process, with a focus on a variety of short- and long-term goals and objectives.

An **Implementation Plan** that identifies the actions needed to carry out TOP's policies. This includes initiatives by the City such as establishing consistent land use zoning and creating objective development and design standards, as well as decisions on public and private development projects, and City activity programs.

A **Tracking and Feedback** system that charts the City's progress toward achieving the Policy Plan goals, providing data and analysis that enables decision makers to make strategic course corrections in response to changing circumstances and monitor ongoing operational effectiveness.

The Project is located within the Mixed-Use Neighborhood Activity Hubs (MU-NH) land use designation. The TOP 2050 contains goals and policies which apply to the MU-NH land use designations. The MU-NH land use designation is intended to allow for the development of low-rise mixtures of retail and residential uses that could serve the surrounding residents. The Project area is currently zoned as Mountain/Fourth Mixed Use (MU-8b) Zoning District. A MU-8b zone accommodates commercial uses at a maximum density of 1.0 Floor Area Ratio (FAR) and residential uses of 20 to 75 dwelling units per acre (du/ac). Additionally,

the TOP 2050 Figure LU-03 estimates that future buildout for the MU-NH land use area specific to Mountain and Fourth would include the development of up to 251 residential units, and 75,008 square feet of nonresidential uses.<sup>1</sup> As previously stated, the Project allow for the development of 357 residential units and 3,800 sq ft of nonresidential uses. Although the Project would exceed the estimated residential buildout of the Approved SEIR for the Mountain/Fourth Mixed Use (MU-8b) Zoning District by 106 units, the Project's nonresidential uses would be below the buildout estimates by 71,208 sq ft. Additionally, the Project would remain consistent with the development density standards of MU-NH land use areas.<sup>2</sup>

The Project is designed to achieve the purpose of this land use designation and complies with all applicable goals and policies. The Project would function as a set of planning and design principles, development regulations, and performance standards to guide and govern the development within the Project site.

### The Ontario Plan (TOP) 2050 SEIR<sup>3</sup>

TOP 2050 focuses on technical updates to the Policy Plan to comply with state housing mandates and conform with new state laws related to community health, environmental justice, climate adaptation, resiliency, and mobility. The majority of updates created through TOP 2050 is located throughout the nine broad categories of the existing structure of the Policy Plan including, the land use element, housing element, parks and recreation element, environmental resources element, community economics element, safety element, mobility element, community design element, and social resources element. Furthermore, the land use designations for TOP 2050 are the same as the TOP 2010 Certified EIR.

TOP 2050 would increase population, dwelling units, and nonresidential buildings but would result in a small decrease in employment. The decrease in employment at buildout is largely because of automation in the industrial sector, with large warehousing and logistics buildings expected to create fewer new jobs through 2050 than a similarly sized industrial building was expected to create at the time of TOP 2010. TOP 2050 land use changes are intended to improve growth areas by encouraging the use of alternative forms of transportation and promoting healthier communities through land use planning that encourages walking and biking, promotes vibrant communities, puts residents in proximity to resources (i.e., jobs, grocery stores, retail), and aligns growth with planned infrastructure improvements and regional transportation goals.

## 1.4 DOCUMENT ORGANIZATION

This Addendum is presented in four (4) sections, as follows:

- **Section 1.0**, "Introduction," provides an overview of the Project, its context, and environmental documentation applicable to the proposed development. An Environmental Impact Analysis summary from TOP 2050 is included in this section, and mitigation measures applicable to the Project are identified. No new or substantially modified mitigation measures are required.

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<sup>1</sup> City of Ontario. 2022. City of Ontario Policy Plan Land Use Element. Figure LU-03 Future Buildout Table. Page 19. Retrieved from: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/Land%20Use/Figure%20LU-03%20Future%20Buildout%20Table\\_5.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/Land%20Use/Figure%20LU-03%20Future%20Buildout%20Table_5.pdf)

<sup>2</sup> City of Ontario. 2022. City of Ontario Policy Plan Land Use Element. Figure LU-03 Future Buildout Table. Page 19. Retrieved from: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/Land%20Use/Figure%20LU-03%20Future%20Buildout%20Table\\_5.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/Land%20Use/Figure%20LU-03%20Future%20Buildout%20Table_5.pdf)

<sup>3</sup> The Ontario Plan 2050 Draft Supplemental Environmental Impact Report. Page 3-13 through 3-23

- **Section 2.0**, “Description of Proposed Project,” presents the Project in greater detail, and describes its relationship to existing and anticipated location.
- **Section 3.0**, “Environmental Analysis,” assesses potential environmental impacts of the Project. The analysis considers potential effects of the Project for all environmental topics addressed in Approved EIR.
- **Section 4.0**, “Determination,” presents the determination regarding the appropriate environmental document for the Project.

## 2.0 DESCRIPTION OF PROPOSED PROJECT

### 2.1 PROJECT SETTING AND LOCATION

The Project site is located in the City, within the County of San Bernardino. The Project area occupies 5.81 acres of the northeast corner of Mountain Avenue and Fourth Street and includes four parcels (APNs 1008-513-16, 1008-522-01, 1008-522-02, and 1008-522-03); refer to **Figure 1: Regional Vicinity** and **Figure 2: Local Vicinity**, which provides an aerial view of the Project site and surrounding land uses. Regional access to the Project area is provided by Interstate 10 (I-10) approximately 0.6 miles north of the Project site, and State Route 83 (SR- 83) approximately 0.9 miles east of the Project site.

OmniTrans Transit Agency provides local transit service throughout San Bernardino County, including Ontario. OmniTrans provides countywide bus service and currently has five bus routes in the City that provide connections between rail stations, Ontario International Airport, major employment and shopping centers, and residential areas. Additionally, commuter train service in the City is provided by Metrolink, the Riverside County Line runs between Los Angeles Union Station and downtown Riverside, passing through the City. There is one Metrolink station in the City, located approximately 5.6 miles southeast of the Project site off of Haven Avenue on Francis Street.

The Project site is currently disturbed and developed with commercial and governmental uses. The southern portion of the Project site contains a strip mall structure occupied by commercial businesses, and the northwestern portion of the Project site contains a United States Post Office Building. The Post Office Building is in active use as of September 2023. The remainder of the Project site is paved with portions painted with parking stalls. Vegetation is present within the landscaped portions of the Project perimeter along Mountain Avenue and Fourth Street. Additionally, two trees are present within planters in the eastern portion of the Project site away from West Fourth Street.

An existing church and single-family residences are located immediately north of the Project site, and single-family residences are located immediately east of the Project site. Additional commercial uses are located west and south of the Project site.

The surrounding land use designations include:

**North:** Low Density Residential

**South:** Neighborhood Commercial

**East:** Neighborhood Commercial

**West:** Low Density Residential

### 2.2 PROJECT SITE GENERAL PLAN AND ZONING

The Project site's General Plan land use and zoning designations are as follows:

- General Plan Land Use: Mixed Use – Neighborhood Activity Hubs (MU-NH)
- Zoning: Mountain/Fourth Mixed Use (MU-8b)

This land use designation permits the Project to develop multifamily residential units as well as multiple retail and neighborhood commercial uses.

## 2.3 PROJECT DESCRIPTION

### 2.3.1 Proposed Planned Unit Development

Chapter 4 of the City Development Code §4.01.030 “Planned Unit Developments (PUD) and Amendments” establishes the regulations and procedures for the approval of a PUD with the following intent:

#### A. Purpose

2. The PUD is intended to:
  - a. Secure a fuller realization of the Policy Plan component of The Ontario Plan than would result from the strict application of present zoning district regulations;
  - b. Promote high standards in urban design;
  - c. Encourage the development of exceptionally high quality, mixed-use, high intensity projects, while establishing regulations and standards for uses with unique regulatory and design needs; and
  - d. Ensure harmonious relationships with surrounding land uses.

The PUD would follow closely to the existing City Development Code standards and provisions and would also provide additional standards and guidelines that only apply to the Project site.

#### Proposed Development Regulations

The purpose of these standards is to encourage a high-quality residential development. These standards establish flexible guidelines to encourage such development, ensure that it is of a minimum standard of appearance, and compatible with the neighborhoods. However, the Project would also comply with TOP 2050 land use designations. The specific objectives are:

- Allow flexibility in lot size and configuration, and facilitate residential development within acceptable densities;
- Provide clear development standards that promote compatibility between new and existing development; and
- Encourage efficient land use by facilitating compact, motorcourt style single-family units.

**Table 1: Summarized Development Standards** summarizes the development standards present within the entire Project PUD. These development standards are based on those found in the City Development Code. In the event of discrepancies between the development standards presented in the Project PUD and those in the City Development Code, this document will act as the primary regulatory document.

**Table 1: Summarized Development Standards**

Definition	City Requirement	Project Standard
Maximum Residential Density	20 – 75 du/ac	61.5 du/ac
Maximum Nonresidential Density	1.0 FAR	0.02 FAR
Maximum Building Height	Up to 5 Stories	Maximum building height of 65 feet or 5 stories
Minimum Residential Parking Ratio	1.2 spaces per bedroom	1.4 spaces per bedroom
Minimum Retail Parking Ratio	1 space per 250 sq ft (16 required)	16 spaces provided
Minimum Bicycle Parking Ratio	1 per 30 residential parking spaces  5% of retail spaces (2 minimum)  Total 22 racks required	22 racks provided
Minimum Landscaping	The entirety of the project site (excluding areas devoted to building area, paving, and/or outdoor loading and storage areas that are screened from public view)	Same as City Requirement
Notes: du = dwelling unit ac = acre FAR = Floor Area Ratio sf = square feet		

### 2.3.2 Proposed Development

The Project would develop 357 multifamily residential units along with 3,800 square feet (sq ft) of retail uses on an approximately 5.8-acre site. The Project would include the following open space areas: three courtyards, one pocket park, intimate seating areas, a lounge deck, and retail frontage. The West Courtyard would function as a communal outdoor dining space for residents and would include a built-in barbecue grill structure and a large communal dining table. The Pool Courtyard would provide a private pool for residents to use. The Hangout Courtyard would provide a recreational setting for the Project residents. The Pocket Park would provide a small open space for Project residents to use. The Fourth Level Lounge would include a lounge and dining area for residents. The retail frontage would include the development of an outdoor seating area with café tables and umbrellas.

The Project would consist of a four-story wrap style building circling a six-level centralized parking structure. The Project's 357 proposed residential units would consist of 50 studio units, 202 one-bedroom units, and 105 two-bedroom units (refer to **Figure 3: Ground Level Floor Plan** through **Figure 9: Basement Level Floor Plan** for a diagram of each floor level; and **Figure 10: North Elevation** through **Figure 13: West Elevation** for a diagram of each elevation). In addition, the Project would include a total of 659 parking spaces, 643 of the spaces would be parking designated for the residential units, and 16 parking spaces would be for retail use. The Project would also include 22 racks for resident and retail bicycle parking on the basement and second level of the central parking structure. The 22 bicycle parking racks would be provided based on a ratio of 1 bicycle rack per 30 parking stalls; each bicycle rack provides parking for 8 to 12 bicycles. California Green Building Standards Code (CALGreen), Title 24, Part 11, Section A4.106.9.2 requires that multifamily buildings provide bicycle spaces at a rate of one space per two dwelling units.

This would require approximately 179 bicycle spaces for the 357-unit Project. CALGreen Title 24, Part 11, Section 5.106.4.1.1 requires the placement of bicycle parking nearby nonresidential uses at a rate of 5 percent of provided nonresidential parking spaces, with a minimum of one 2-space bicycle rack. The Project would therefore provide 2 bicycle parking spaces based on the 16 nonresidential parking spaces provided.

Based on a conservative estimate of eight spaces per bicycle rack, the 22 bicycle Project would provide 176 total bicycle spaces. However, eight-space bicycle racks are the lowest capacity bicycle racks proposed for the Project. The majority of Bicycle racks have a 10-bicycle capacity and would therefore provide for two additional bicycle spaces per rack. One 12-space bicycle parking rack would be provided on the second story of the central parking structure to accommodate the two retail spaces required for the Project.

### **2.3.3 Project Design**

The Project would consist of one large multifamily building with integrated retail and parking uses. The Project would be developed as a wrapped style development with one central multilevel parking structure surrounded on all sides by residential units, retail uses, and amenities. The Project would include amenity spaces, courtyards, and additional pedestrian accessways. The main side would be oriented toward Fourth Street. The rear entry of the Project building, adjacent to Mountain Avenue, would be a secondary elevation/frontage. Residential units would have their entryways oriented toward the inside of the building with balconies and windows facing the exterior. Pathways to each residential unit would connect with separate pedestrian pathways that lead to external portions of the building. As discussed above, the Project would include the following open space areas: three courtyards, one pocket park, intimate seating areas, a lounge deck, and retail frontage.

The Project would have a maximum building height of 63 feet. The Project's building would include a break in design between the first floor and the remaining floors to create a separation between the commercial uses on the ground floor and the residential uses in second, third, and fourth floors. The Project would be designed in a contemporary modern style with geometric symmetry between features and units and a mixture of colors, and materials such as: stone veneer finish, cement board tiles, decorative metal panel railing, metal picket railing, plaster finish, storefront, wood-like siding accent, and vinyl windows.

### **2.3.4 Sustainability**

The Project site would utilize a mix of Water Use Classification of Landscape Species (WUCOLS) plants throughout the Project site. Throughout the Project site 40 percent of trees would be classified by WUCOLS as low water use, and 60percent of trees would be classified by WUCOLS as moderate water use. Additionally, 25 percent of trees used throughout the Project area would be a California native species. The Project would also utilize recycled water resources for nonpotable and irrigation uses, further reducing potable water demand on the Project site.

In addition, shrubs used throughout the Project site would be mainly low water use species. The Project site would also use a drip irrigation system with recycled water to water landscaping. The Project would also incorporate energy efficient measures such as LED or metal halide lighting. The Project would also comply with the California Energy Commission (CEC) Building Energy Efficiency Standards, which

encourage efficient electric heat pumps, establishes electric-ready requirements for new efficient electric heat pumps, expands solar photovoltaic and battery storage standards for residential development.<sup>4</sup>

### Project Access

Regional access to the Project area would be facilitated through Interstate 10 (I-10) approximately 0.6 miles north of the Project site, and State Route 83 (SR- 83) approximately 0.9 miles east of the Project site.

### Local

Local access to the Project site is provided via two entry driveways along Fourth Street and Mountain Avenue. The main entryway to the Project connects to Fourth Street via a 28.5-ft wide driveway that would continue into a 26-ft wide gated entry to the central parking garage. A 20-ft wide guest drop-off lane is attached to the main entryway. The main entry to the parking garage and the guest drop-off lane will be separated by a 6-ft wide landscape island. The secondary entryway would connect to Mountain Avenue via a 24-ft wide driveway leading to the central parking structure and continuing east and transitioning into an Emergency Vehicle Access (EVA) lane. Additionally, the Project is served by OmniTrans and Metrolink. The closest OmniTrans bus route to the Project site is Route 83. There is a bus stop for this route at Euclid Avenue and Fourth Street approximately 0.96 mile to the east of the Project site. There is one Metrolink station in the City, located 5.6 miles to the southeast of the Project site off of Haven Avenue on Francis Street, this station is served by OmniTrans Bus Route 81.

Additionally, a new circulation network would be created as part of the Project and would include a two-lane gated entry along Fourth Street to the south of the Project area. A secondary driveway would connect to Mountain Avenue and continue east to the rear entrance of the central parking structure. The driveway would become the EVA lane once past the northern parking structure entrance and would continue east, terminating at Harvard Place.

Internal roadways would also include a network of ramps within the central wrapped parking structure to allow access to each parking level. Each ramp would allow for a bidirectional flow of traffic. The first and sixth level of the parking structure would include a turnaround space for vehicles to change direction to continue upwards or downwards the ramp. The Project would provide a total of 659 parking spaces within the central parking structure, with 16 of these spaces reserved for retail parking. The retail parking would be located on the ground floor of the six-story parking structure with the remaining spaces utilized for residential parking. Retail bicycle spaces would be located on the second floor of the central parking structure, with residential bicycle parking available on the second floor and basement level of the central parking structure.

### Pedestrian Access

Pedestrian access to the Project site would connect to existing pedestrian sidewalks along Fourth Street and Mountain Avenue. The Project site would also include a Leasing Office and retail stores on the ground floor that are accessible from the Fourth Street parking structure entrance.

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<sup>4</sup> California Energy Commission. 2023. 2022 Building Energy Efficiency Standards. Retrieved from: <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency>. (Accessed September 2023).



Internal pedestrian circulation would include outdoor pathways between buildings, and internal hallways residential units, and the parking structure. Residents will be able to access all Project areas, including amenity areas, through ground level walking paths and paved sidewalks. Pathways within the Project site which are adjacent to amenities and open space areas would be created with various materials, including stone, concrete, and wood paneling. Vehicular traffic will be limited to the central parking structure, its entryways, and external roadways.

### **2.3.5 Infrastructure and Utilities**

Utility Infrastructure improvements within the Project area include the placement of underground water, sanitary sewer, and stormwater facilities.

The Project includes the placement of one domestic water meter, one domestic water master meter, and one domestic water backflow in the southern portion of the Project site. One underground retarding basin and one underground infiltration chamber will be placed on the western and southwestern portions of the Project site, respectively. A dry well will be placed in the southeastern portion of the site and will connect to the proposed onsite storm drain system. The Project includes a new recycled water meter connection along the southern portion of the site which would connect to the existing recycled water main below Fourth Street. The Project also proposes a new fire water line connection to the existing domestic water line beneath Mountain Avenue via a double check detector assembly (DCDA).

Sewer infrastructure proposed for the Project site will run along the secondary northern driveway and continue along the EVA lane before terminating at a sewer lateral on the northwestern portion of the EVA lane. An additional sewer line will branch from the northern line at the secondary entrance of the central parking structure and cross the site from north to south, connecting to a proposed line below Fourth Street. The Project proposed public sewer main below Fourth Street connecting to an existing sewer main below the intersection of Mountain Avenue and Fourth Street. Multiple sewer lateral connections will be made to the existing sewer main within the sanitary sewer easement adjacent to the eastern border of the Project site.

New storm drainage lines will connect to existing storm drain facilities below Mountain Avenue. The Project storm drain lines will run along the inner perimeter of the Project area. An underground infiltration chamber will be placed below the southwestern corner of the Project site. Additionally, an underground retarding basin will be placed below Courtyard 3. A modular wetland, a pump, and a flow control structure will be placed along the southeastern portion of the Project area.

Water, sewer, telecommunication, and electricity utility lines would be buried underneath roadways to not only shield them from public view, but also to ensure their protection from hazards such as precipitous weather and rodents. Each utility would be buried at varying depths to create a separated, identifiable system.

### **2.3.6 Open Space and Amenities**

The Project would include the development of three courtyards on the ground level, one pocket park, intimate seating areas, a lounge deck, and a fourth story outdoor lounge facing the corner of Mountain Avenue and Fourth Street. The West Courtyard would function as a communal outdoor dining space for

residents, and would include a built-in barbecue grill structure and a large communal dining table. The West Courtyard would also include an attached yard that would provide multipurpose uses with lounge seating and an open lawn area.

The Pool Courtyard would provide a private pool and spa for residents. The area surrounding the pool and spa would include lounge chairs, chaise lounges, and pool chairs. Additional amenities within the Pool Courtyard would include an outdoor fitness area directly outside the indoor fitness room, and shaded dining areas. The Pool Courtyard includes an adjacent seating area for residents along internal pathways leading from the pool area to Fourth Street.

The third courtyard, the Hangout Courtyard would allow for recreational activity within a multi-activity game lawn.

The Pocket Park would be adjacent to the eastern boundary of the Project area, on the ground floor, and would provide small open spaces for residents to access. The Fourth Level Lounge would be located in the southwest corner of the Project building's fourth level and would include a lounge and dining area for residents. This lounge area would include larger and smaller group seating areas, a built-in barbecue for meal preparation, and a large banquet style island table. The outer perimeter of the lounge would be landscaped to provide a more natural aesthetic and create a sense of privacy within the lounge area. The Project courtyards and pocket park would provide approximately 28,000 square feet of community open space to allow for passive and active types of recreation, along with Project site landscaping amenities for future residents and their guests.

## **Landscaping**

Landscaping within and along the perimeter of the Project site would consist of ornamental trees, shrubs, and fruiting and edible plant species. The Project would utilize native trees and non-native trees throughout its landscaped areas. In addition to these trees, a mixture of large and medium shrubs would be utilized throughout the Project site.

### **2.3.7 Lighting and Signage**

All lighting of facades, decorative fixtures, store window interiors, awnings, and signs for the Project site would be designed in accordance with the criteria set forth in Ontario's Development Code. Exterior lighting fixtures would be decorative and reinforce the architectural style of the Project site building. Additionally, outdoor lighting within the Project area would consist of warm color temperatures except for security or emergency lighting in order to remain unobtrusive to surrounding residential developments and internal residential developments. On-site lighting would be directed away and shielded from adjacent streets and adjacent properties. Exterior lighting on the Project side would be indirect, placed under eaves and canopies, or ground level within landscaped areas. Light within Project site communal areas would be warm colored and unobtrusive. Light sources for the Project would be LED or metal halide.

Additionally, all signs for the Project would be subject to the requirements of the City Development Code Chapter 8.0 Sign Regulations.<sup>5</sup>

### 2.3.8 Site Excavation and Grading Activities

Construction of the Project would require 5,147 cubic yards (cy) of cut soil and 12,200 cy of fill soil. As such, the Project is anticipated to import approximately 7,063 cy of soil; refer to **Figure 14: Conceptual Grading Plan East** and **Figure 15: Conceptual Grading Plan West**.

### 2.3.9 Construction Schedule

Construction is anticipated to begin in June 2024 and is anticipated to require 2.5 years (30 months), concluding in December 2026 (est.).

### 2.3.10 Project Approvals

The City is the Lead Agency as set forth in CEQA Statute Section 21067 and is responsible for reviewing and approving the Addendum to TOP 2050 with the addition of the Project. In addition to the Addendum, the City will consider the following discretionary approvals for the Project:

**Development Plan (PDEV22-042):** Approval of the proposed modifications to the site and building improvements including the proposed site plan and architectural designs for the development of 357 residential multi-family units, and up to 3,800 sq ft of retail uses.

**Planned Unit Development (PUD22-006):** Approval of the PUD would allow the Project PUD to serve as the underlying standards and requirements and contain design and development standards, provisions, procedures, and permitted uses for the Project.

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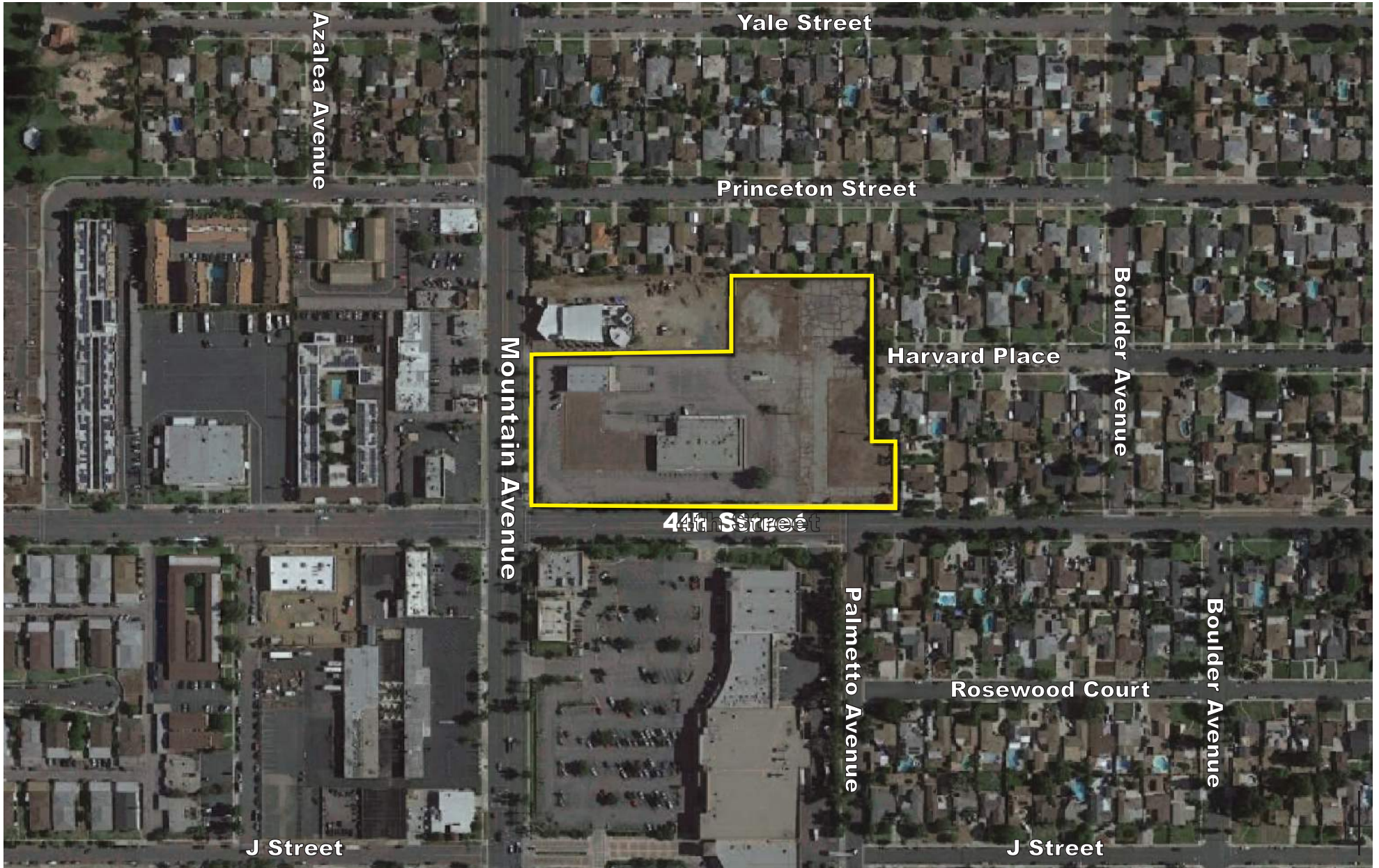
<sup>5</sup> City of Ontario. 2020. Ontario Development Code – Chapter 8.0 Sign Regulations. Retrieved from: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Documents/Development%20Code/Development%20Code%202021%20Updates/Chapter%208.0%20-%20Sign%20Regulations\\_Rev%2012-01-2020.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Documents/Development%20Code/Development%20Code%202021%20Updates/Chapter%208.0%20-%20Sign%20Regulations_Rev%2012-01-2020.pdf). (Accessed September 2023).



Source: ArcGIS Pro World Street Map

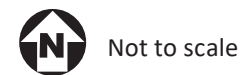
**Figure 1:** Regional Vicinity  
*Watermarke Ontario Planned Unit Development Project*

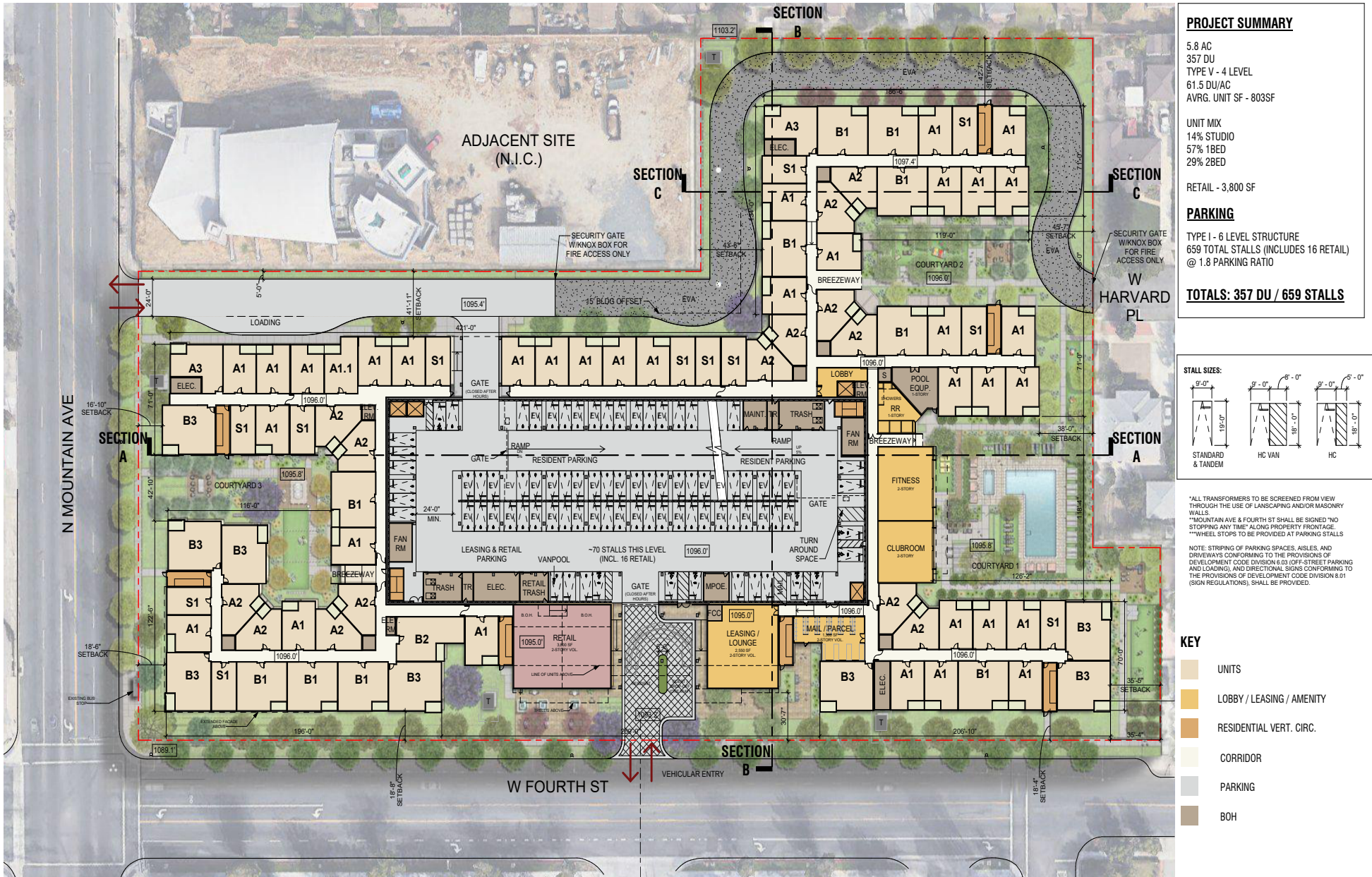




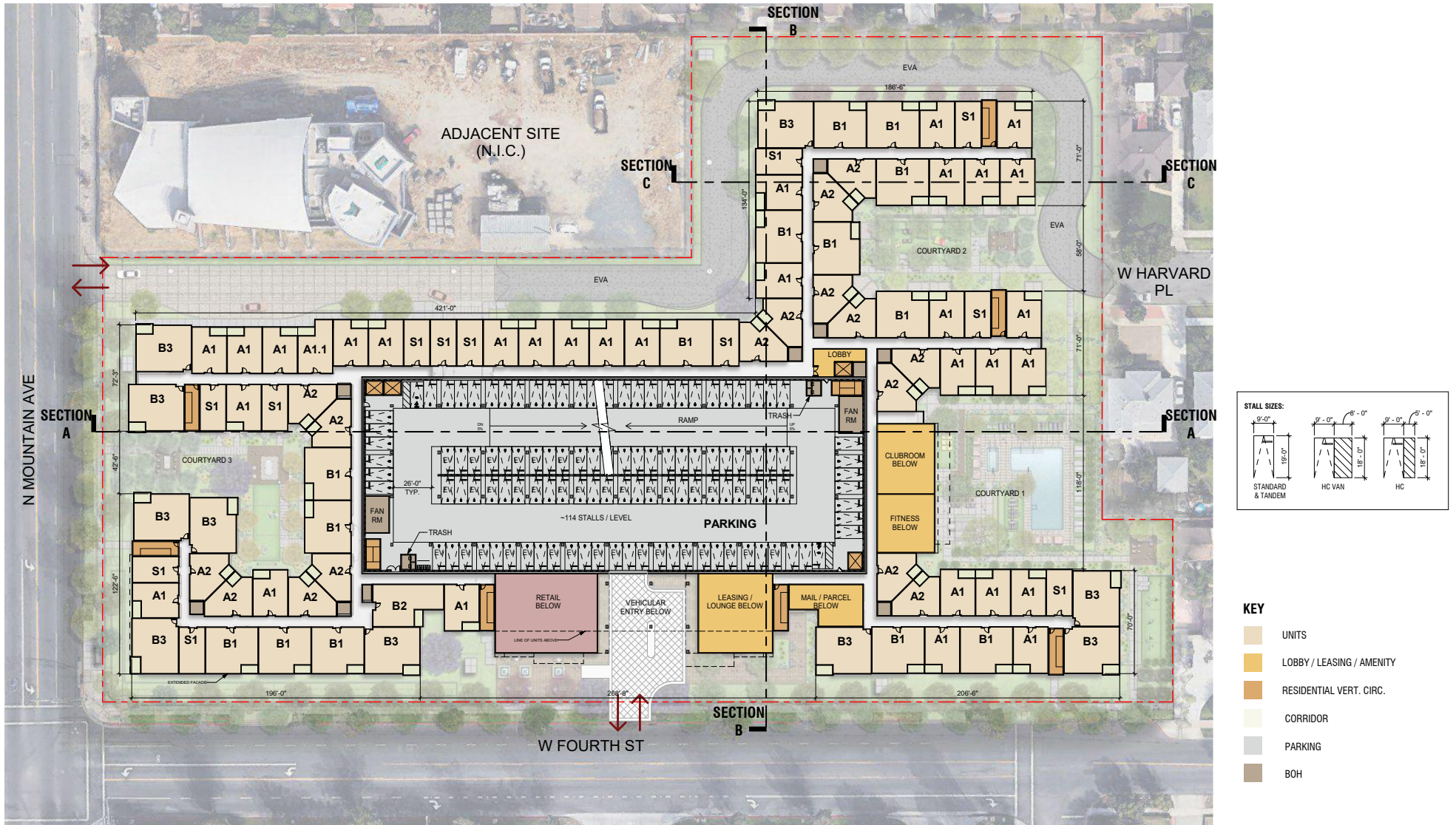
Source: Google Earth

**Figure 2:** Local Vicinity  
*Watermarke Ontario Planned Unit Development Project*

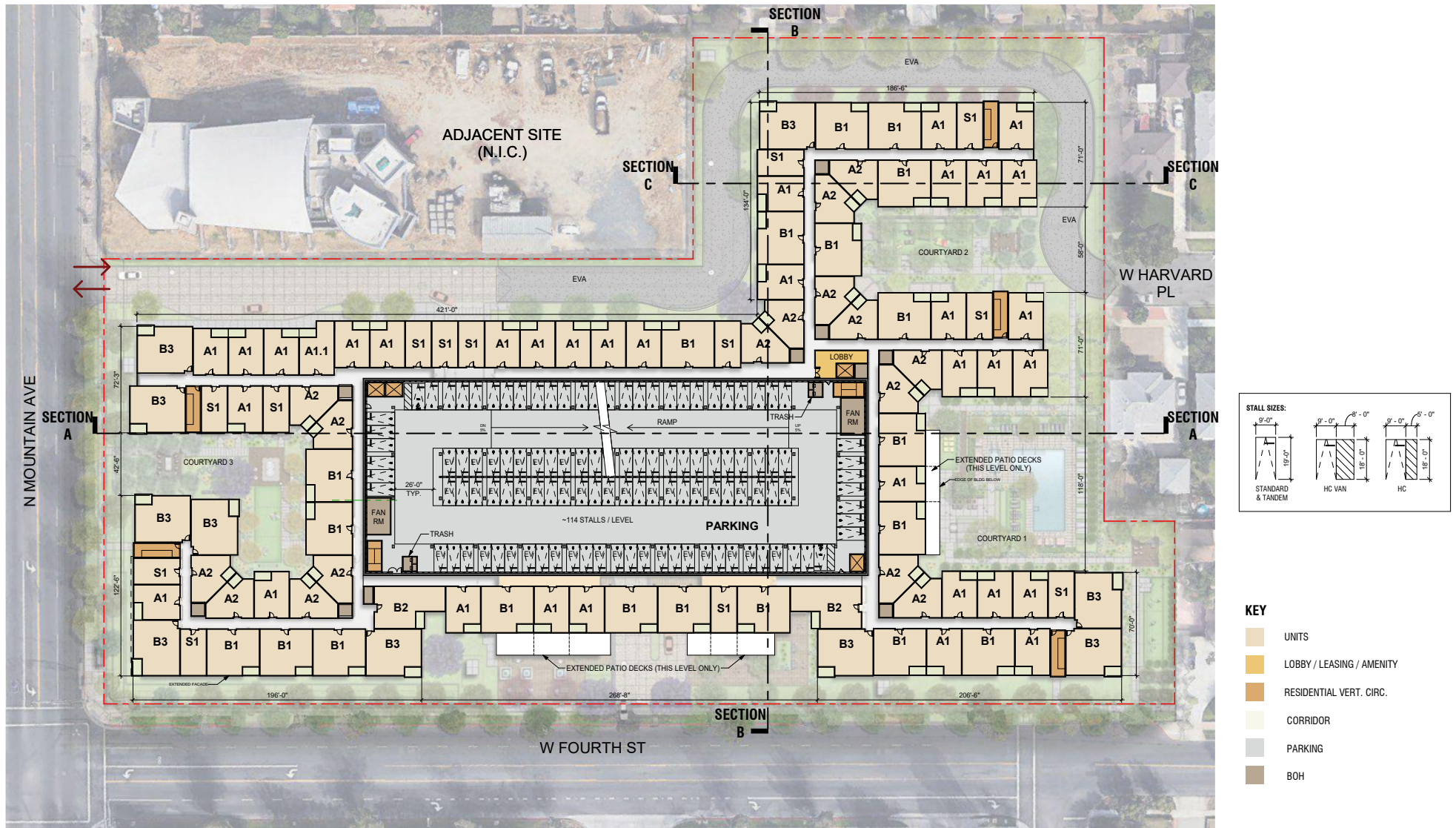




**FIGURE 3:** Ground Level Floor Plan  
 Watermarke Ontario Planned Unit Development Project

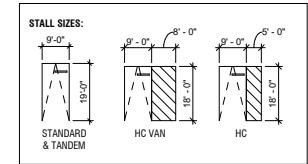
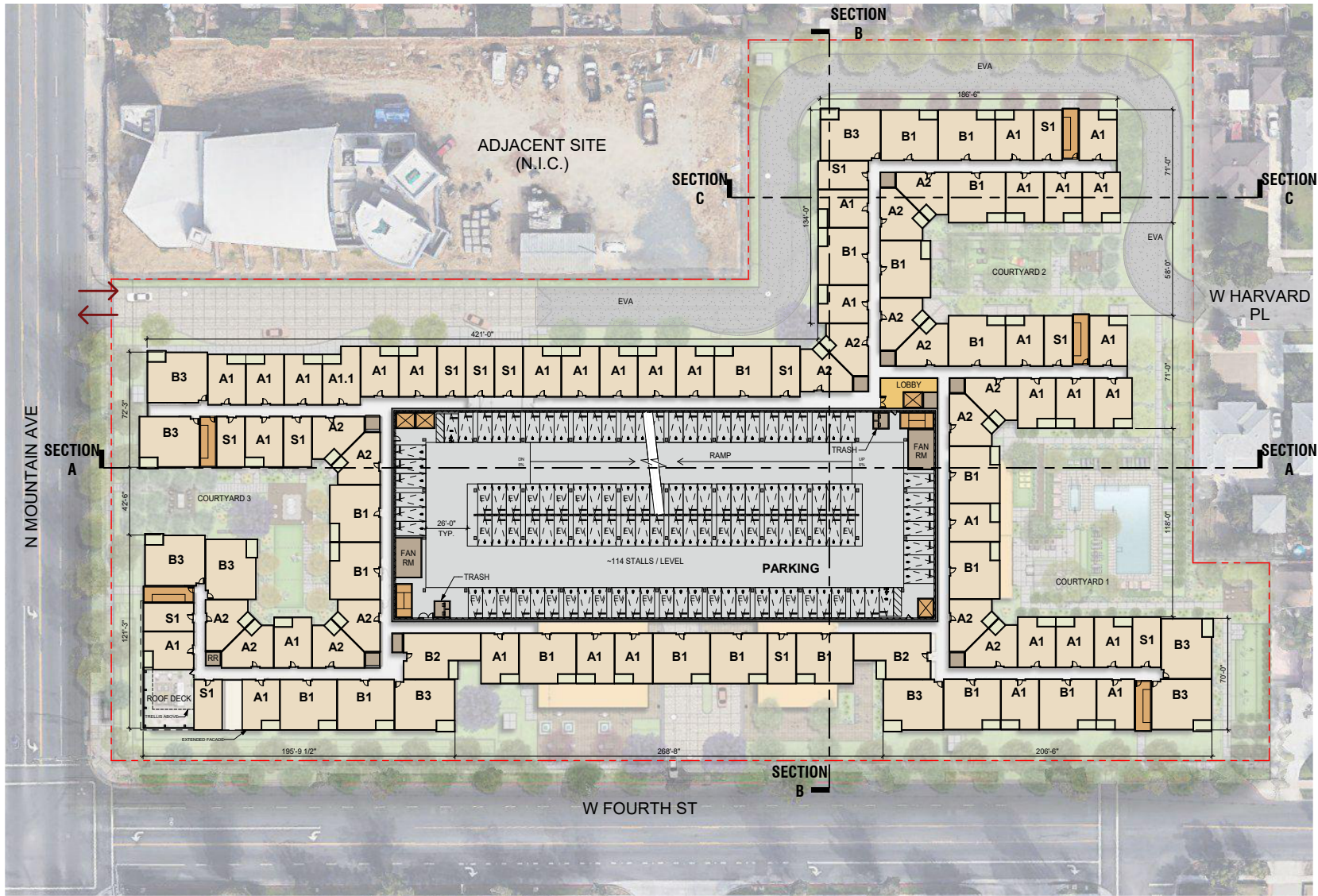


**FIGURE 4:** Second Level Floor Plan  
 Watermarke Ontario Planned Unit Development Project



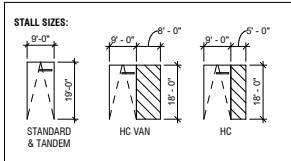
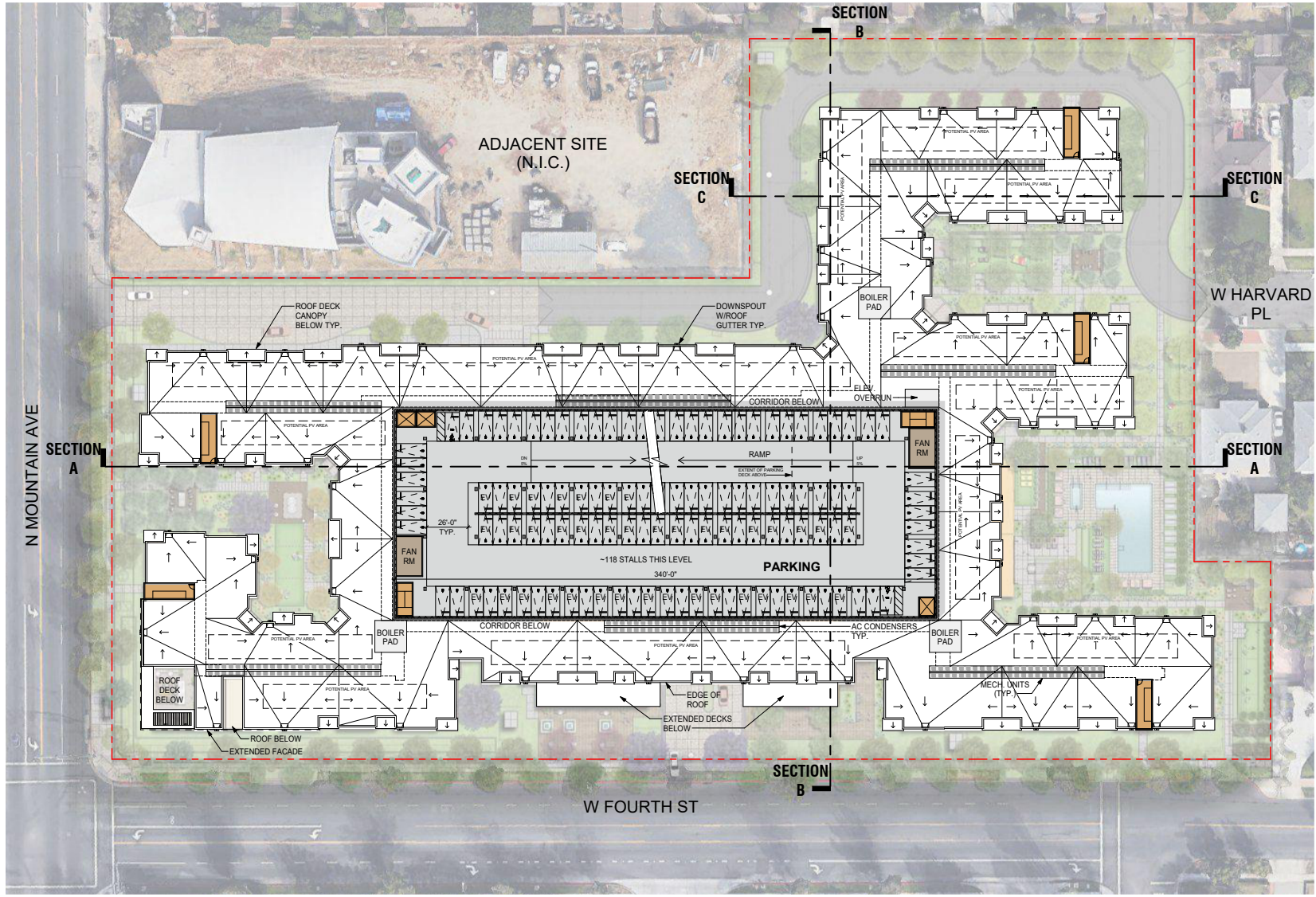
**FIGURE 5:** Third Level Floor Plan  
*Watermarke Ontario Planned Unit Development Project*





- KEY**
- UNITS
  - LOBBY / LEASING / AMENITY
  - RESIDENTIAL VERT. CIRC.
  - CORRIDOR
  - PARKING
  - BOH

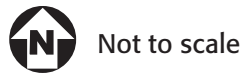
**FIGURE 6:** Fourth Level Floor Plan  
*Watermarke Ontario Planned Unit Development Project*

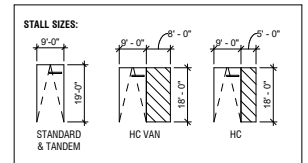
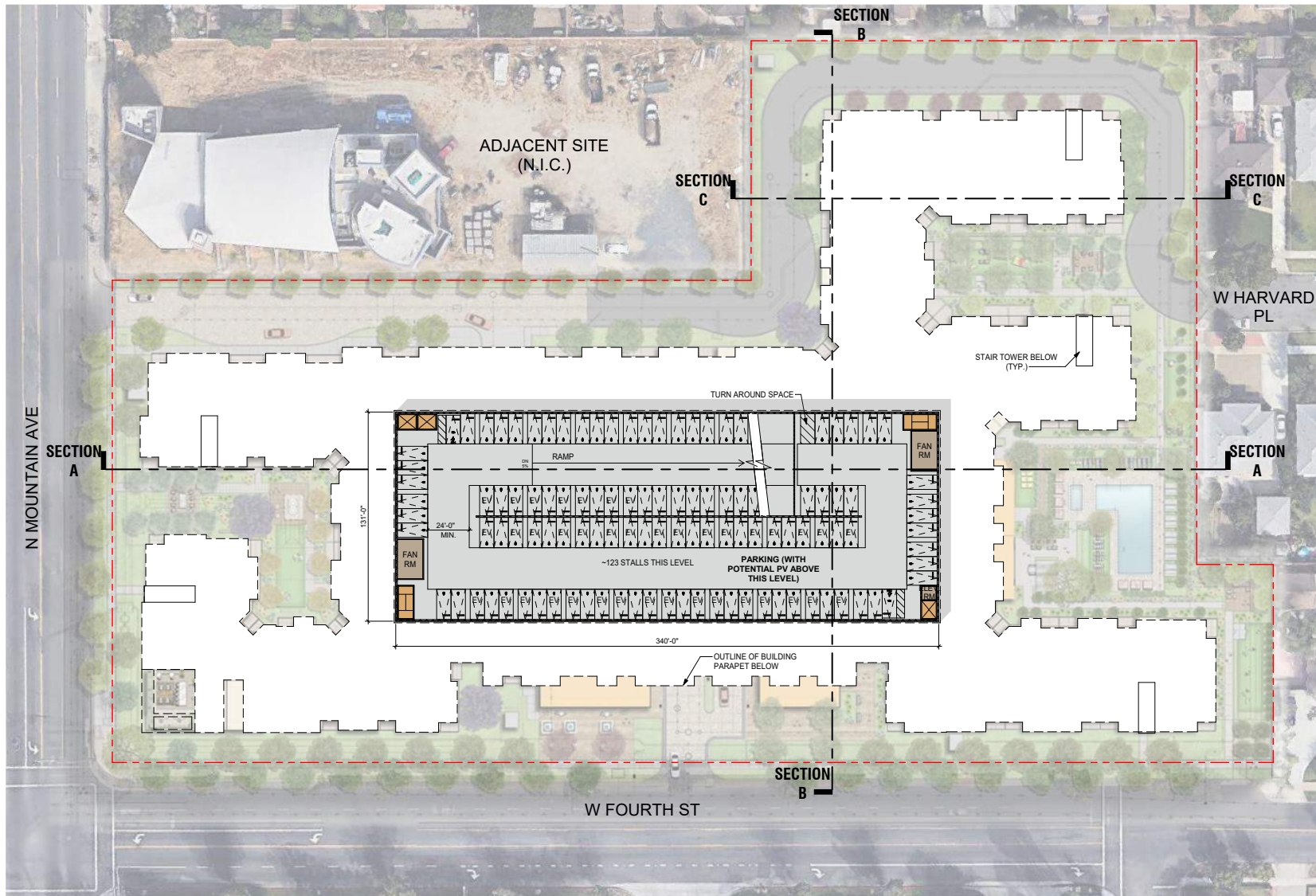


NOTE: ROOFING MATERIAL TO BE SINGLE PLY TPO.

- KEY**
- UNITS
  - LOBBY / LEASING / AMENITY
  - RESIDENTIAL VERT. CIRC.
  - CORRIDOR
  - PARKING
  - BOH

**FIGURE 7:** Fifth Level Floor Plan  
*Watermarke Ontario Planned Unit Development Project*

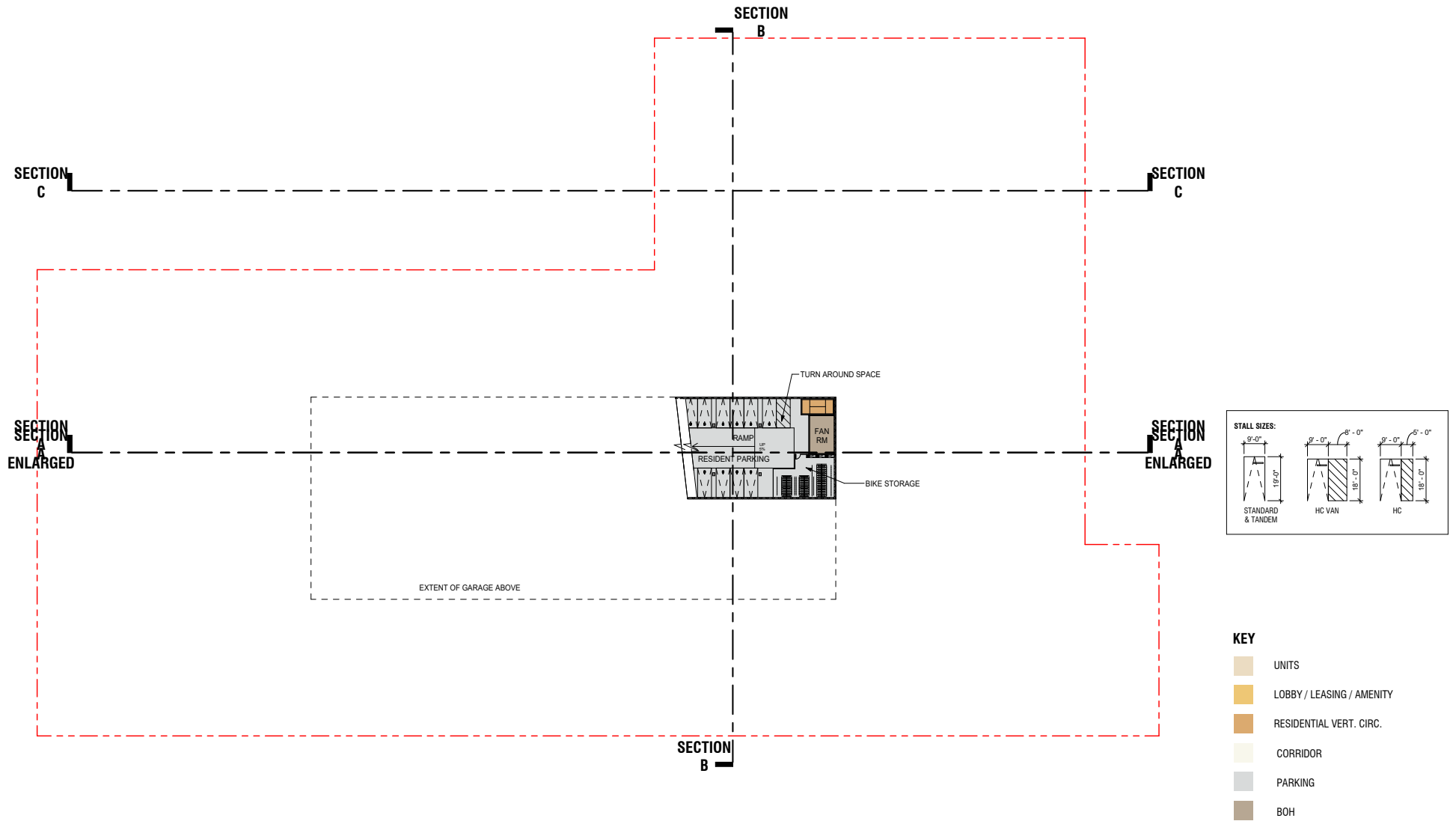




\*WHEEL STOPS TO BE PROVIDED AT PARKING STALLS

- KEY**
- UNITS
  - LOBBY / LEASING / AMENITY
  - RESIDENTIAL VERT. CIRC.
  - CORRIDOR
  - PARKING
  - BOH

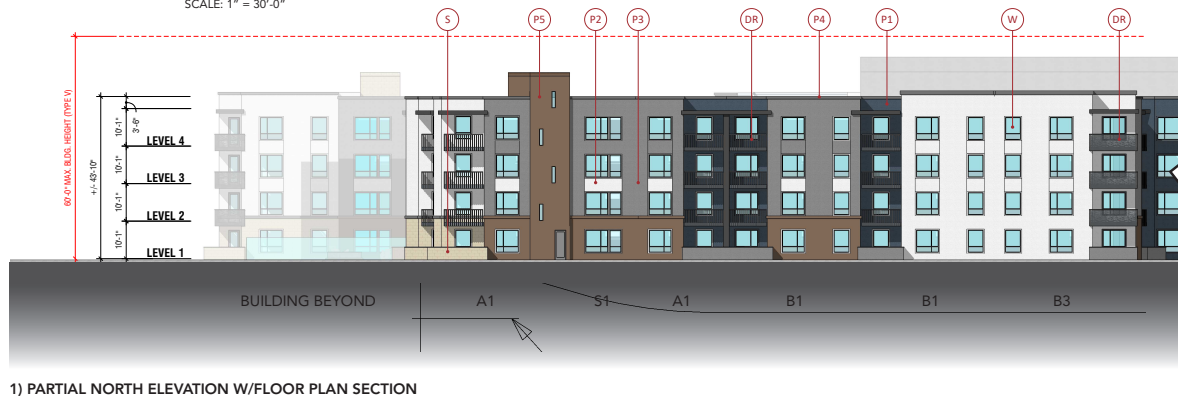
**FIGURE 8:** Sixth Level Floor Plan  
*Watermarke Ontario Planned Unit Development Project*



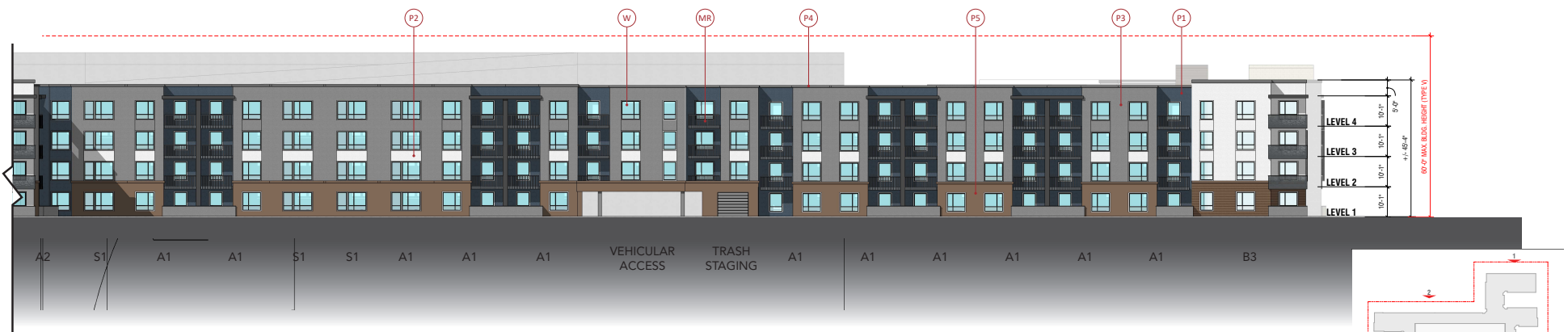
**FIGURE 9:** Basement Floor Plan  
Watermarke Ontario Planned Unit Development Project



1) & 2) FULL NORTH ELEVATION  
SCALE: 1" = 30'-0"



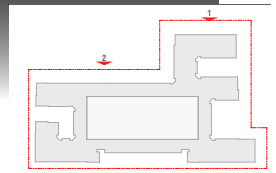
1) PARTIAL NORTH ELEVATION W/FLOOR PLAN SECTION



2) PARTIAL NORTH ELEVATION W/FLOOR PLAN SECTION

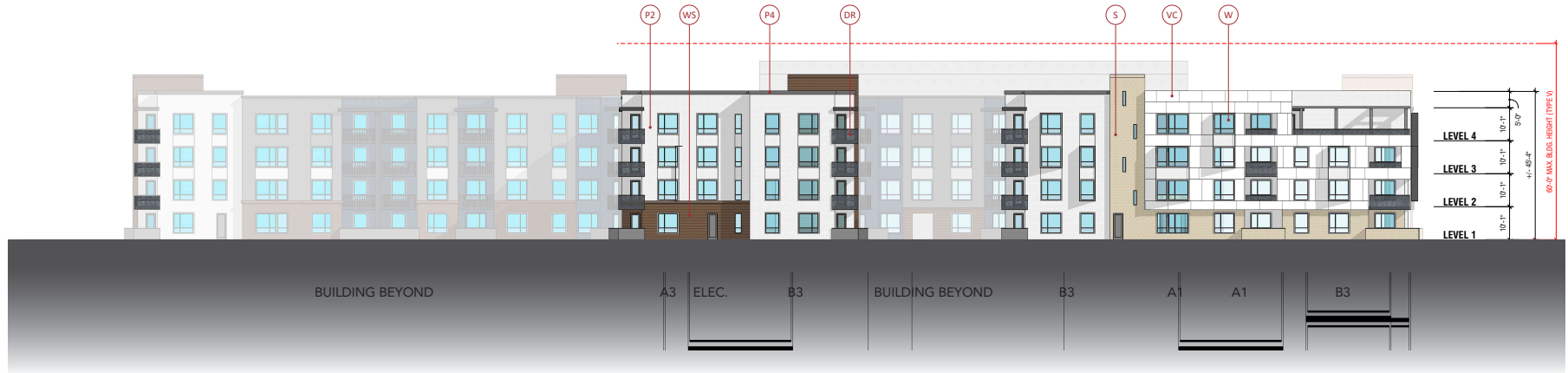
**MATERIAL LEGEND**

- |                                    |                             |
|------------------------------------|-----------------------------|
| S- STONE VENEER FINISH             | P- PLASTER FINISH           |
| VC- CEMENT BOARD TILES             | SF- STOREFRONT              |
| DR- DECORATIVE METAL PANEL RAILING | WS- WOOD-LIKE SIDING ACCENT |
| MR- METAL PICKET RAILING           | W- VINYL WINDOW             |

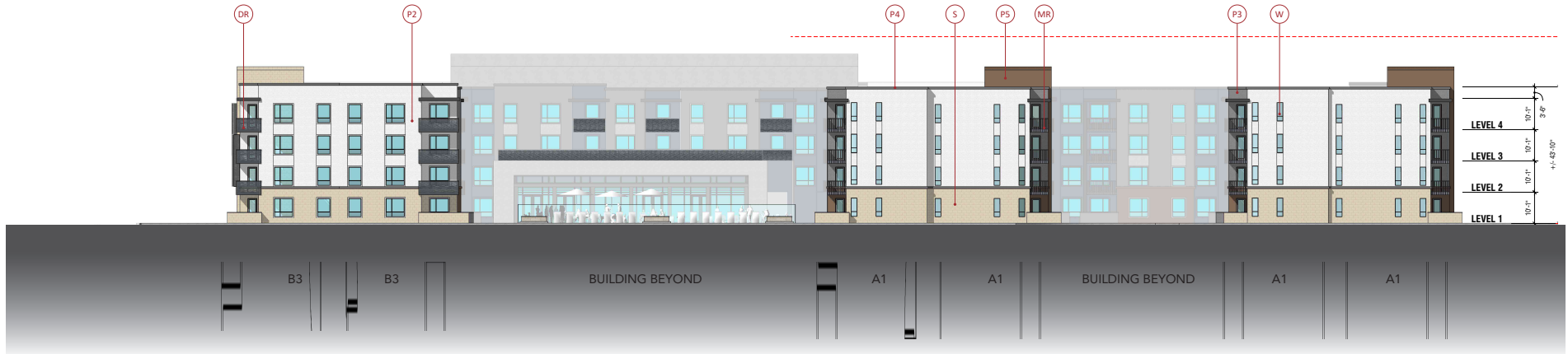


KEY MAP

**FIGURE 10: North Elevation**  
*Watermarke Ontario Planned Unit Development Project*



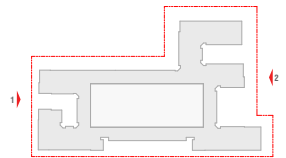
1) WEST ELEVATION W/FLOOR PLAN SECTION



2) EAST ELEVATION W/FLOOR PLAN SECTION

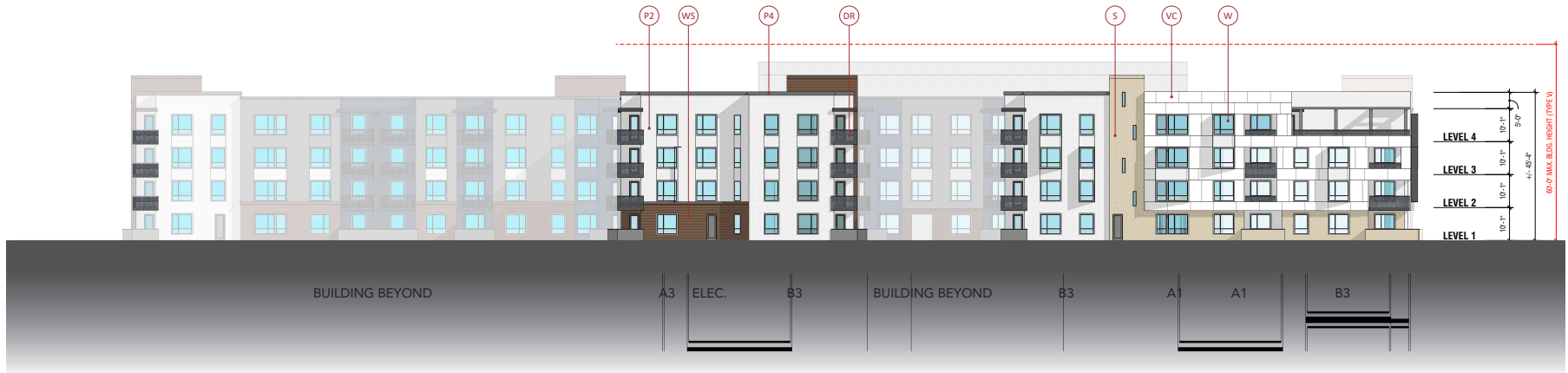
**MATERIAL LEGEND**

S- STONE VENEER FINISH	P- PLASTER FINISH
VC- CEMENT BOARD TILES	SF- STOREFRONT
DR- DECORATIVE METAL PANEL RAILING	WS- WOOD-LIKE SIDING ACCENT
MR- METAL PICKET RAILING	W- VINYL WINDOW

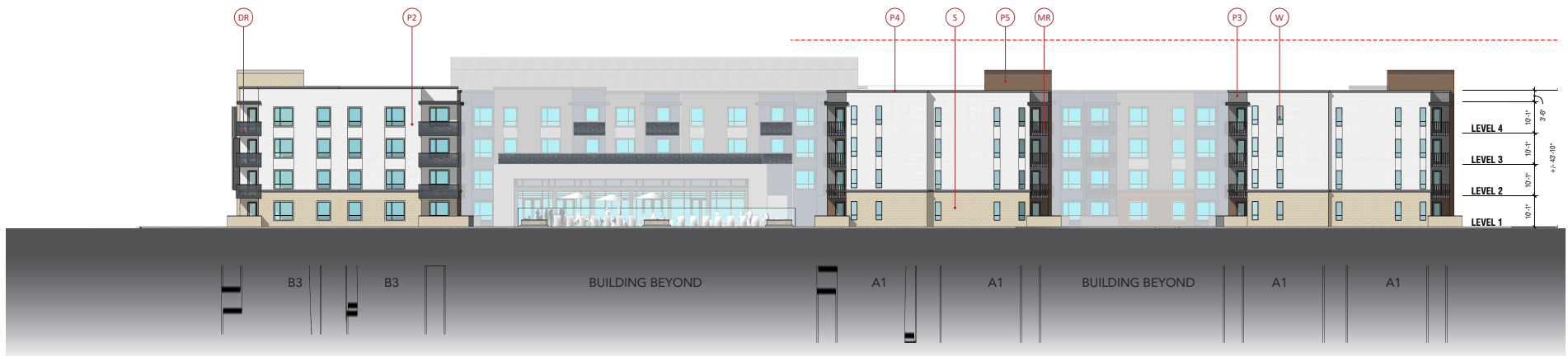


KEY MAP

**FIGURE 11:** South Elevation  
Watermarke Ontario Planned Unit Development Project



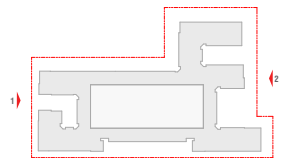
1) WEST ELEVATION W/FLOOR PLAN SECTION



2) EAST ELEVATION W/FLOOR PLAN SECTION

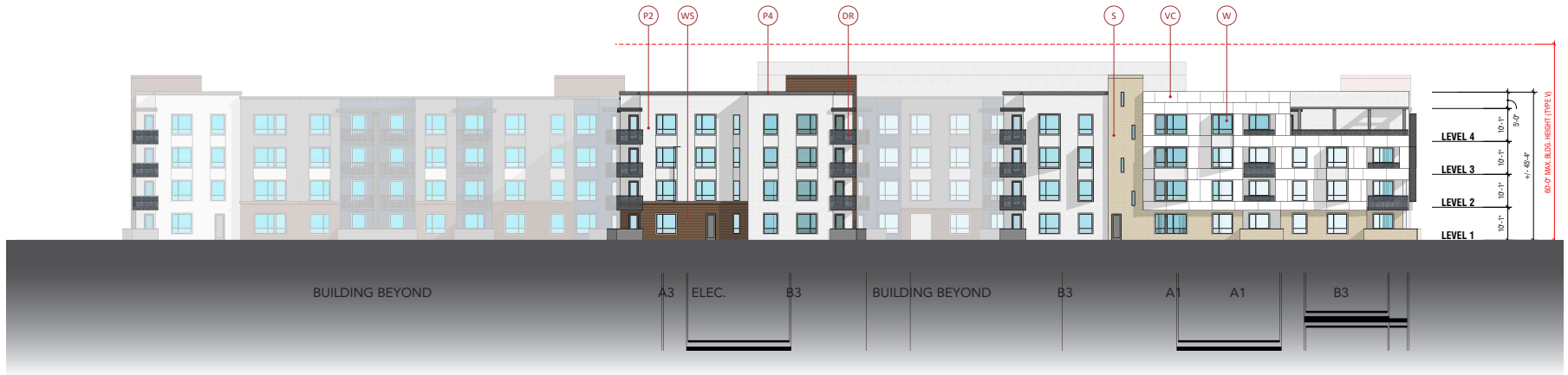
**MATERIAL LEGEND**

- |                                    |                             |
|------------------------------------|-----------------------------|
| S- STONE VENEER FINISH             | P- PLASTER FINISH           |
| VC- CEMENT BOARD TILES             | SF- STOREFRONT              |
| DR- DECORATIVE METAL PANEL RAILING | WS- WOOD-LIKE SIDING ACCENT |
| MR- METAL PICKET RAILING           | W- VINYL WINDOW             |

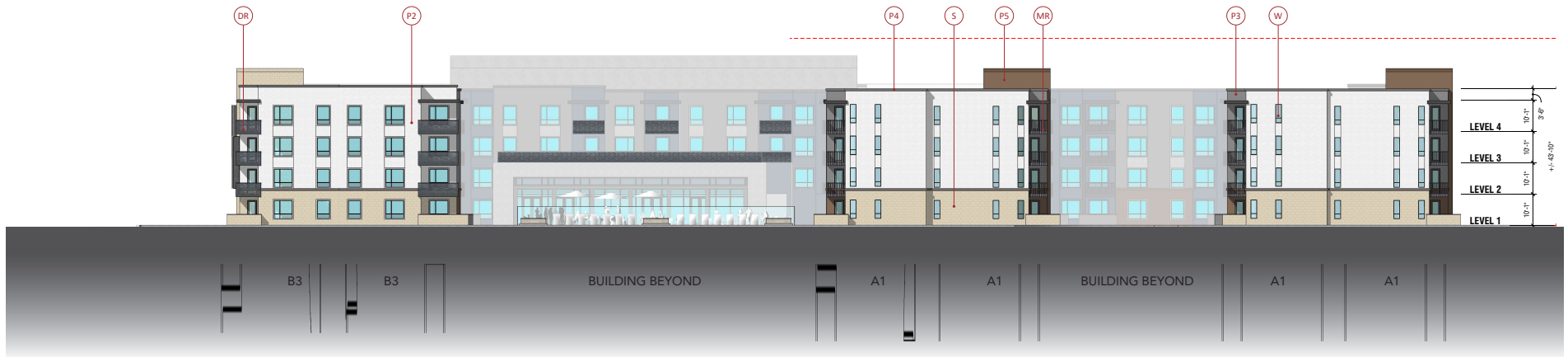


KEY MAP

**FIGURE 12:** East Elevation  
Watermarke Ontario Planned Unit Development Project



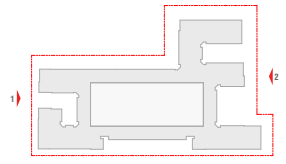
1) WEST ELEVATION W/FLOOR PLAN SECTION



2) EAST ELEVATION W/FLOOR PLAN SECTION

**MATERIAL LEGEND**

S- STONE VENEER FINISH	P- PLASTER FINISH
VC- CEMENT BOARD TILES	SF- STOREFRONT
DR- DECORATIVE METAL PANEL RAILING	WS- WOOD-LIKE SIDING ACCENT
MR- METAL PICKET RAILING	W- VINYL WINDOW

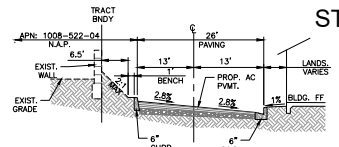
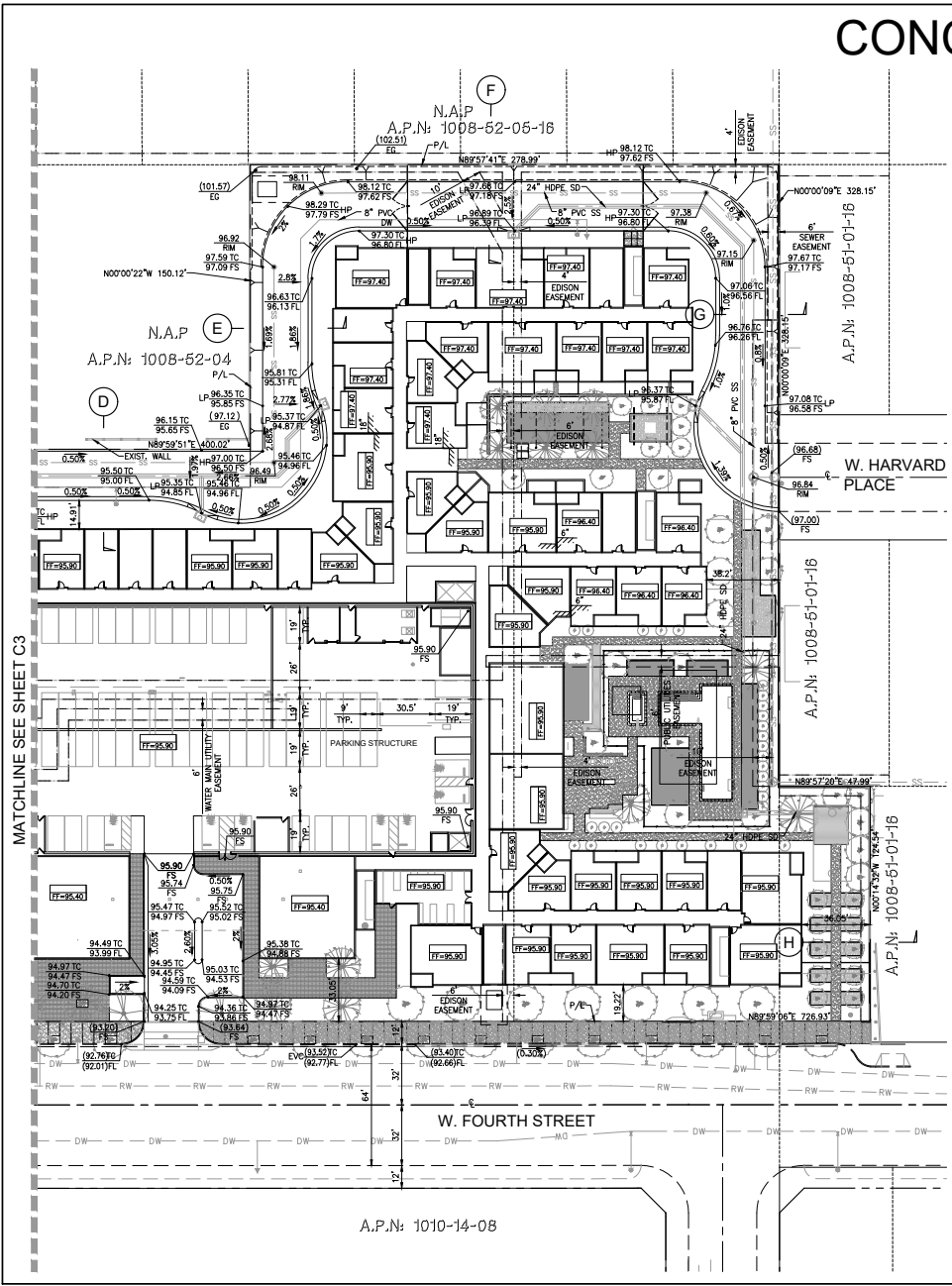


**FIGURE 13:** West Elevation  
Watermarke Ontario Planned Unit Development Project

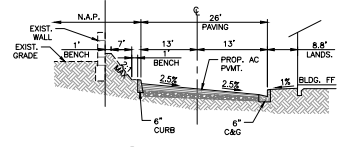


# CONCEPTUAL GRADING AND DRAINAGE PLAN DEVELOPMENT PLAN

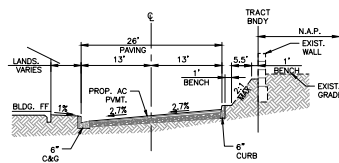
IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO  
STATE OF CALIFORNIA



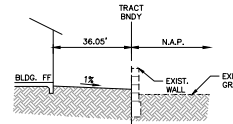
**E SECTION E**  
N.T.S.



**F SECTION F**  
N.T.S.

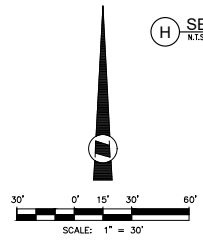


**G SECTION G**  
N.T.S.



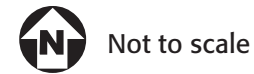
**H SECTION H**  
N.T.S.

**NOTE:**  
ADD 1000 FEET TO ALL TWO DIGIT ELEVATIONS STARTING WITH ZERO TO OBTAIN CURRENT DATUM. (I.E. 89.67 IS 1009.67)



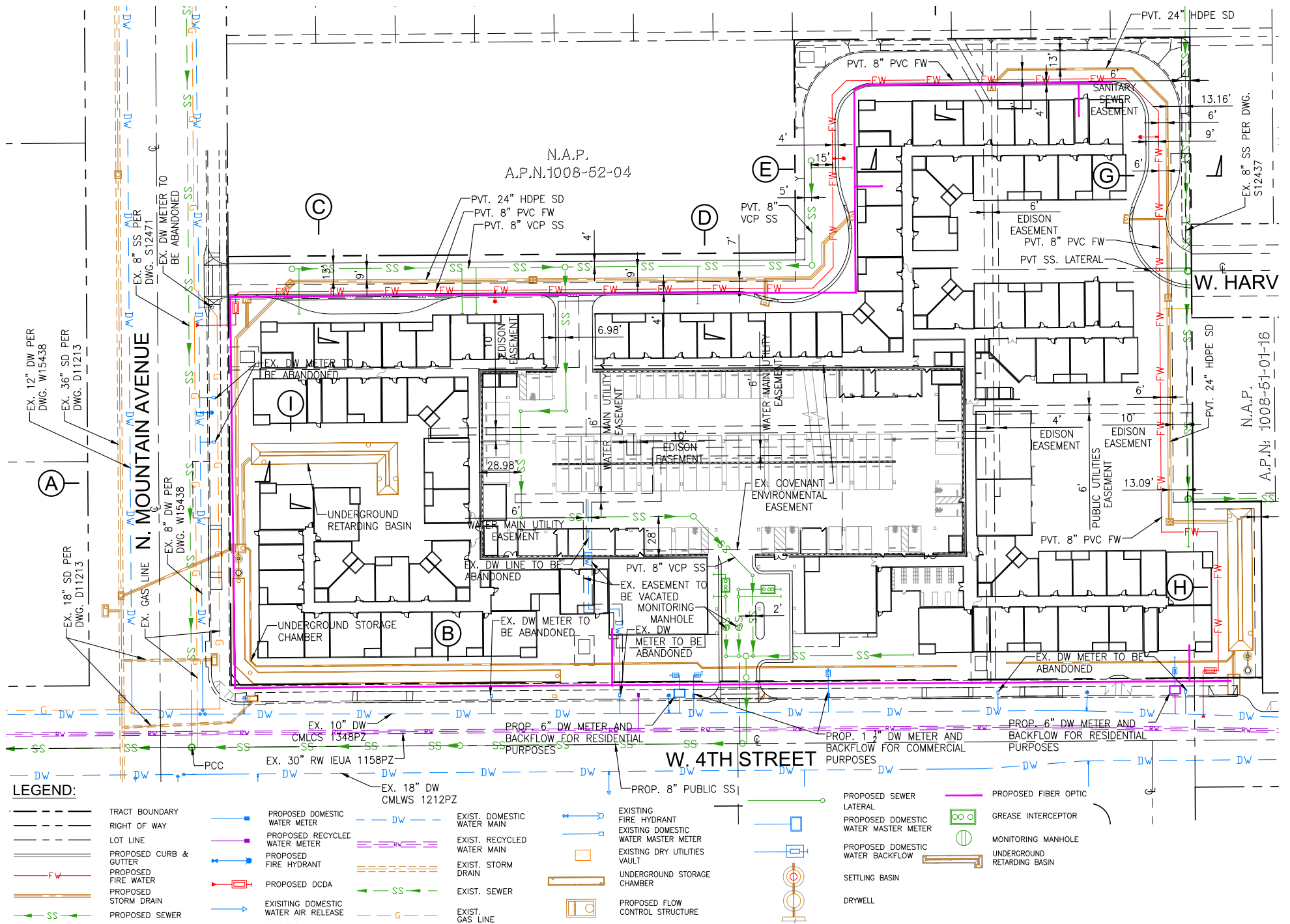
<p><b>DEVELOPER/OWNER:</b> WATERMARKE PROPERTIES, INC. 211 W. RINCON STREET, #108 ONTARIO, CA 91765 (909)911-9003</p>	<p><b>PREPARED BY:</b> <b>FUSCOE</b> 2000 Inland Empire Blvd., Suite B Ontario, California 91776 Phone: (909) 981-0900 Fax: (909) 981-0909 City Engineer &amp; Land Surveyor Lic. Number: 508-003 Ex. Number: 5002</p>	<p><b>DEVELOPMENT PLAN SITE PLAN PRODUCT : APARTMENTS</b></p>
<p>REVIEWED BY: _____ DATE: _____</p>	<p>PREPARED BY: _____ REVIEWED BY: _____</p>	<p>DATE PREPARED: AUGUST, 2022 <span style="float: right;">SHEET C4</span></p>

**FIGURE 14: Conceptual Grading Plan East**  
Watermarke Ontario Planned Unit Development Project

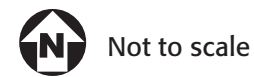








**FIGURE 17: Project Utility Layout**  
 Watermarke Ontario Planned Unit Development Project



### **3.0 TOP 2050 SEIR ENVIRONMENTAL IMPACT ANALYSIS SUMMARY**

#### **No Impact:**

- Aesthetics (Impacts 5.1-2)
- Agriculture and Forestry Resources (Impacts 5.2-1 and 5.2-3)

#### **Less Than Significant Impact:**

- Aesthetics (Impacts 5.1-1, 5.1-3, 5.1-4)
- Agriculture and Forestry Resources (Impacts 5.2-2 and 5.2-4)
- Air Quality (Impact 5.3-5)
- Biological Resources (Impacts 5.4-1 through 5.4-5)
- Cultural Resources (Impact 5.5-3)
- Energy (Impacts 5.6-1 through 5.6-2)
- Geology and Soils (Impacts 5.7-1 through 5.7-5)
- Greenhouse Gas Emissions (Impacts 5.8-1 through 5.8-2)
- Hazards and Hazardous Materials (Impacts 5.9-1 through 5.9-5)
- Hydrology and Water Quality (Impacts 5.10-1 through 5.10-5)
- Land Use and Planning (Impacts 5.11-1 through 5.11-2)
- Mineral Resources (Impact 5.12-1)
- Noise (Impact 5.13-2)
- Population And Housing (Impacts 5.14-1 through 5.14-2)
- Public Services (Impacts 5.15-1 through 5.15-4)
- Recreation (Impacts 5.16-1 through 5.16-2)
- Transportation (Impacts 5.17-1 and 5.17-3)
- Utilities and Service Systems (Impacts 5.19-1 through 5.19-4)
- Wildfire (Impacts 5.20-1 through 5.20-2)

#### **Less Than Significant Impact with Incorporation of Mitigation:**

- Cultural Resources (Impact 5.5-2)
- Geology and Soils (Impact 5.7-6)
- Tribal Cultural Resources (Impact 5.18-1)

#### **Significant and Unavoidable Impact:**

- Air Quality (Impacts 5.3-1 through 5.3-4)

- Cultural Resources (Impact 5.5-1)
- Noise (Impact 5.13-1 and 5.13-3 and 5.13-4)
- Transportation (Impact 5.17-2)

## 4.0 ENVIRONMENTAL ANALYSIS

### 4.1 INTRODUCTION

The scope of the City's review of the Project is set forth in CEQA and the CEQA Guidelines. This review is limited to evaluating the environmental effects associated with the Project when compared to TOP 2050. This Addendum also reviews new information, if any, of substantial importance that was not known and could not have been known with the exercise of reasonable due diligence at the time the SEIR was approved. This evaluation includes a determination as to whether the changes proposed for the Project would result in any new significant impacts or more severe significant impact.

Although CEQA Guidelines Section 15164 does not stipulate the format or content of an Addendum, the topical areas identified in top 2050 were used as guidance for this Addendum. In addition, Section 15164 (c) of the CEQA Guidelines states that "A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the Project, or elsewhere in the record. The explanation must be supported by substantial evidence." This comparative analysis provides the City with the factual basis for determining whether any changes in the Project, any changes in circumstances, or any new information since the Approved SEIR was certified would require additional environmental review or preparation of an SEIR.

Pursuant to CEQA Guidelines Section 15162, the City has determined, on the basis of substantial evidence in the light of the whole record, that implementation of the Project does not propose substantial changes to the Approved SEIR, no substantial changes in circumstances would occur which would require major revisions to the Approved SEIR, and no new information of substantial importance has been revealed since the certification of Approved SEIR that would result in either new significant effects or an increase in the severity of previously analyzed significant effects.

A Mitigation Monitoring and Reporting Program (MMRP) was adopted as a part of the Approved SEIR that minimized impacts associated with implementation of the Approved SEIR. The previously adopted Approved SEIR mitigation measures applicable to the Project would be collectively imposed as the Project's MMRP, which is contained in **Appendix A**.

## 4.2 AESTHETICS

### 4.2.1 Summary of Previous Environmental Analysis

The Approved SEIR concluded impacts associated with scenic resources, long-term visual character, and light/glare were determined to be less than significant. No mitigation measures were deemed necessary.

### 4.2.2 Analysis of Proposed Project

#### Threshold (a) Have a substantial adverse effect on a scenic vista? [Approved SEIR Impact 5.1-1]

**No New or More Severe Impacts:** The Project would not have a more severe or substantial adverse effect on a scenic vista than what was originally analyzed in TOP. The Approved SEIR cited the San Gabriel Mountains as the main scenic vista visible from the City. The Approved SEIR noted that compliance with the City's Municipal Code and policies would ensure that increased development in the City would not impact scenic vistas.<sup>6</sup> Additionally, it is not likely that development within low-lying areas of the City would alter scenic views of the San Gabriel Mountains as the peaks rise to 7,000 feet above mean sea level.<sup>7</sup>

Development associated with the Project would occur within City limits and would not require zoning or land use amendments for the property parcels. The PUD would allow for the development of structures one story higher than current zoning standards allow. However, the PUD would ensure minimal effects on views by requiring the placement of the taller parking structure in the center of the Project site, surrounded by the Project residential building. This would obscure views of the taller parking structure behind the outer residential structure based on pedestrian-level lines of sight from the street at the Perimeter of the Project site. Further, the Project would comply with Policy CD-1.5 which would ensure major north-south streets would be designed and redeveloped to feature views of the San Gabriel Mountains. The maximum Project building height would be 63 feet. While panoramic views of the San Gabriel Mountains would from public vantage points immediately south of the Project site would be impacted by Project development, the Project would only exceed allowed building heights by one story. Additionally, the sixth and final story of the Project would be comprised of the top of the central parking structure, with the highest point being approximately 9.5 feet higher than the ceiling of the fourth floor. Assuming a consistent 10-foot height for each story, this would account for a 1.5-foot shorter fifth story and would otherwise be within allowed building heights. While the Project does introduce new taller structures in the Project site, in comparison to existing structures, newly proposed structures do not substantially exceed allowed standards for the area and would not exceed the height of an average 5-story building. The Approved SEIR analysis was based on a maximum building height of 5 stories or 65 feet for buildings within the Project's land use designation. The Project would exceed this by one story. However, the Project's sixth story is comprised of an open final level of the central Parking structure. The final enclosed story is the fifth story of the central parking structure. Additionally, the Project does not propose improvements within the public ROW which would affect views north/south of the San Gabriel

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<sup>6</sup> City of Ontario. 2021. *The Ontario Plan 2050 Draft Supplemental Environmental Impact Report*. Page 5.1-5 Retrieved from: [https://www.ontario.ca/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final\\_DraftSEIR\\_TOP2050.pdf](https://www.ontario.ca/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final_DraftSEIR_TOP2050.pdf). (Accessed September 2023).

<sup>7</sup> Ibid.



Mountains along Mountain Avenue. Therefore, the Project would not result in new or a substantial increase in magnitude of impacts.

### **Mitigation Measures**

None identified in the Approved SEIR.

### **Conclusion**

Although the Project proposes increased building heights compared to existing conditions, the maximum building height would be 63 feet (the central parking structure) and would not obscure scenic views of the San Gabriel Mountains. Additionally, the sixth story would constitute the upper level of a parking structure, with the final average height enclosed story being the fifth story. The Project would result in a less than significant impact. Therefore, no new and/or modified mitigation measures are required for issues related to scenic vistas. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

**Threshold (b) Substantially damage scenic resources, including, but not limited to, trees, rock, outcroppings, and historic buildings within a scenic highway? [Approved SEIR Impact 5.1-2]**

**Threshold (c) Conflict with zoning or other regulations governing scenic quality? [Approved SEIR Impact 5.1-3]**

**No New or More Severe Impacts:** As discussed in the Approved SEIR, the City does not have any state scenic highways through or in the vicinity of the City.<sup>8</sup> The closest designated state scenic highway is a portion of State Route 142 in Chino Hills, approximately five miles west of the City limit and approximately 7 miles southwest of the Project site.<sup>9</sup> The Euclid Avenue corridor and the Mission Boulevard corridor are the primary scenic corridors located in the City and are not near the Project Site as the Euclid Avenue corridor is located approximately one mile east of the Project site and the Mission Boulevard Corridor is located approximately three miles southeast of the Project site. These corridors are not designated as state scenic highways.<sup>10</sup>

The Project fulfills most requirements of the MU-8b zoning district only exceeding the 5-story limitation of the MU-8B zone. The Project does, however, include the preparation of a site-specific PUD. The Project PUD was prepared in accordance with PUD requirements set forth in City Development Code Section 4.01.030 (Planned Unit Developments and Amendments). The Project PUD will act as primary development standards for the Project site in cases where conflicts exist between the PUD and the existing zone standards. Additionally, MU-8b zoning districts allow for the development of retail uses and residential uses such as those proposed by the Project.

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<sup>8</sup> City of Ontario. 2021. *The Ontario Plan 2050 Draft Supplemental Environmental Impact Report*. Page. 5.1-6 Retrieved from: [https://www.ontario.ca/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final\\_DraftSEIR\\_TOP2050.pdf](https://www.ontario.ca/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final_DraftSEIR_TOP2050.pdf). (Accessed September 2023).

<sup>9</sup> Ibid.

<sup>10</sup> California State Scenic Highway System Map. 2023. Retrieved from: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>. (Accessed April 2023).

The Project would be consistent with policies presented in TOP 2050 to ensure new development would be compatible with the existing community. Specifically, the Project would be consistent with Policy CD-2.1 which would encourage all development to have visual interest and character through the use of exterior building materials that are high quality and appropriate for the geometric architectural style that would be carried out in all aspects of building and Project site design, as well as incorporating appropriate scale and proportions in building design. The Project would also comply with Policy CD-2.2 which would create neighborhoods that include floorplans that encourage views onto the street instead of facing garages. Furthermore, Policy CD-2.10 would ensure landscaping is included in parking areas to make them more aesthetically pleasing. Policy CD-3.5 encourages the use of lively pedestrian streetscapes that require business and residential entrances, outdoor dining, and storefronts to be located on ground floors adjacent to sidewalks and public spaces for a more aesthetically pleasing environment. Therefore, the Project would not result in new or a substantial increase in magnitude of impacts.

### **Mitigation Measures**

None identified in the Approved SEIR.

### **Conclusion**

Although the Project proposes six stories of building development compared to five stories assumed for the Project land use type, the Project would be developed as a wrapped style development with the tallest structure (six story central multilevel parking structure) would be surrounded on all sides by four story residential buildings, ground level-retail uses, and community amenities. Each side of the proposed buildings would be designed to be aesthetically pleasing, and provide visual appeal to the community and surrounding area. Furthermore, ground-level view of the sixth story of the central parking structure would be obscured by the surrounding four-story residential structures; shielding it from general public view. Therefore, Project would result in a less than significant impact and, no new and/or modified mitigation measures are required for issues related to scenic vistas. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

### **Threshold (d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? [Approved SEIR Impact 5.1-4]**

**No New or More Severe Impacts:** The Project would have the potential to result in new sources of light and glare from new development. The PUD, and subsequent Project, would require adequate shielding of outdoor light sources, including parking lighting, security lighting, entry lighting, residential balconies, and lighting in common areas. Additionally, the Project would include the addition of building materials, such as windows, which could produce glare. All lighting facades, decorative fixtures, store window interiors, awnings, and signs would be in compliance with the City Development Code.

Lighting located on the Project site would be directed or shielded away from adjacent streets and properties and exterior lighting would be indirect in nature, coming from under eaves and canopies, or at ground level within landscaped areas. Light sources within communal areas would be warm colored and unobtrusive. Furthermore, light sources would be LED or metal halide. Additionally, reflective surfaces, such as windows, would be treated to minimize glare. However, as noted in the Approved SEIR adherence

to the design standards of the City Development Code would ensure that light and glare from new development would be minimized, and significant impacts would not occur.

### **Mitigation Measures**

None identified in the Approved SEIR.

### **Conclusion**

Although the Project proposes additional lighting and reflective surfaces compared to current conditions, lighting would remain shielded and reflective surfaces would be minimized per City design standards and consistent with the conditions analyzed in the Approved SEIR. Therefore, Project would result in a less than significant impact and, no new and/or modified mitigation measures are required for issues related to light and glare. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

#### **4.2.3 Overall Aesthetics Impact Conclusion**

With regard to CEQA Statute Section 21166 and the CEQA Guidelines Section 15162(a), the Project would not result in any new or more severe impacts with respect to aesthetics. Therefore, the preparation of a SEIR is not warranted.

## 4.3 AGRICULTURE AND FORESTRY RESOURCES

### 4.3.1 Summary of TOP 2050 Analysis

The Approved SEIR concluded the City has no land designated for agricultural use, and the existing agricultural uses exist as non-conforming uses. TOP 2050 re-designated agricultural land to nonagricultural land uses provided that equivalent Important Farmland is preserved elsewhere, or funds associated with the 1988 Park Bond Act are returned. Consequently, buildout of TOP 2050 would ultimately result in the conversion of all existing Important Farmland within the City to nonagricultural uses. However, because the City's land use plan does not designate agricultural uses in the City, TOP 2050 does not convert Prime Farmland, Unique farmland, and Farmland of Statewide Importance to nonagricultural uses. Additionally, the Approved SEIR does not consider any lands within the City to be forest lands, therefore development would not result in the loss or conversion of timberland to non-forest uses.

### 4.3.2 Analysis of Proposed Project

**Threshold (a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance in Ontario to nonagricultural use? [Approved SEIR Impact 5.2-1]**

**Threshold (b) Conflict with existing zoning for agricultural use or a Williamson Act contract? [Approved SEIR Impact 5.2-2]**

**Threshold (c) Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production? [Approved SEIR Impact 5.2-3]**

**Threshold (d) Result in the loss of forest land or conversion of forest land to non-forest use? [Approved SEIR Impact 5.2-4]**

**Threshold (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? [Approved SEIR Impact 5.2-5]**

**No New or More Severe Impacts:** The 2010 Certified EIR for the TOP disclosed that buildout of the TOP would result in significant and unavoidable impacts to Prime Farmland, Unique Farmland, and Farmland of Statewide Importance because it converted all of the then-existing land under these categories to residential, commercial, mixed-use, and industrial land uses. Because the City of Ontario's land use plan no longer designates agricultural land uses in the City, and the TOP was the baseline for the TOP 2050 SEIR, TOP 2050 SEIR – the Approved SEIR - disclosed that TOP 2050 would not, itself, plan for the conversion of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance to nonagricultural uses and would have no impact on land zoned for the purpose of agricultural uses.<sup>11</sup>

The Project site consists of nonagricultural uses and is surrounded by urban lands. The Project is not located in land used for Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

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<sup>11</sup> City of Ontario. 2021. *The Ontario Plan 2050 Draft Supplemental Environmental Impact Report*. Page. 5.2-12 Retrieved from: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final\\_DraftSEIR\\_TOP2050.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final_DraftSEIR_TOP2050.pdf). (Accessed September 2023).

Additionally, the Project is not located on forest land, timberland, or timberland zoned Timberland Production. The Project site is zoned MU-8b and is able to accommodate the commercial and residential uses. The Approved SEIR concluded that any land held in a Williamson Act contract would have to be filed for nonrenewal, and the contract would have to be allowed to expire before development.<sup>12</sup> The Approved SEIR resulted in the cancellation or nonrenewal of Williamson Acts contracts, and therefore there were no further impacts to Williamson Act lands.<sup>13</sup> The Approved SEIR also noted that there are no land use designations or zoning for forest land, timberland, or timberland zoned Timberland Production in the City.<sup>14</sup> Therefore, the Project would not result in the loss of agricultural or forest lands, or conversion of forest land to non-forest use. Therefore, the Project would not result in new or a substantial increase in magnitude of impacts.

### **Mitigation Measures**

None identified in the Approved SEIR.

### **Conclusion**

As previously stated, the Project site is not located on agricultural lands or forest land. Therefore, the Project would not result in impacts and no new and/or modified mitigation measures are required. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

### **4.3.3 Overall Agriculture and Forestry Resources Impact Conclusion**

With regard to CEQA Statute Section 21166 and CEQA Guidelines Section 15162(a), the changes proposed by the Project would not result in any new or more severe impacts with respect to agricultural and forestry resources. Therefore, preparation of a SEIR is not warranted.

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<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

<sup>14</sup> Ibid, Page 5.2-13

## 4.4 AIR QUALITY

### 4.4.1 Summary of TOP 2050 Analysis

The Approved SEIR concluded that air quality would be temporarily impacted during construction activities and project-related construction emissions could potentially exceed the South Coast Air Quality Management District (SCAQMD) significance thresholds on a project-by-project and cumulative basis. Additionally, development under TOP 2050 would generate toxic air contaminants (TACs) that could contribute to elevated levels of risk.

### 4.4.2 Analysis of Proposed Project

#### Threshold (a) Conflict with or obstruct implementation of the applicable air quality plan? [Approved SEIR Impact 5.3-1]

##### No New or More Severe Impacts:

In compliance with Mitigation Measure (MM) AQ-1 of the Approved SEIR, an Air Quality analysis was created for the Project. As part of its enforcement responsibilities, the Environmental Protection Agency (EPA) requires each state with nonattainment areas to prepare and submit a State Implementation Plan that demonstrates the means to attain the federal standards. The State Implementation Plan must integrate federal, state, and local plan components and regulations to identify specific measures to reduce pollution in nonattainment areas, using a combination of performance standards and market-based programs. Similarly, under state law, the California Clean Air Act (CCAA) requires an air quality attainment plan to be prepared for areas designated as nonattainment regarding the state and federal ambient air quality standards. Air quality attainment plans outline emissions limits and control measures to achieve and maintain these standards by the earliest practical date.

The Project is located within the South Coast Air Basin (SCAB), which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD is required, pursuant to the Federal Clean Air Act (FCAA), to reduce emissions of criteria pollutants for which the SCAB is in nonattainment. To reduce such emissions, the SCAQMD drafted the 2016 Air Quality Management Plan (AQMP) and 2022 AQMP. The 2016 AQMP establishes a program of rules and regulations directed at reducing air pollutant emissions and achieving California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS). The primary purpose of the 2022 AQMP is to identify, develop, and implement strategies and control measures to meet the 2015 8-hour ozone NAAQS. Air quality management planning is a regional and multi-agency effort including the SCAQMD, the California Air Resources Board (CARB), the Southern California Association of Governments (SCAG), and the EPA. The plan's pollutant control strategies are based on the latest scientific and technical information and planning assumptions, including SCAG's 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), updated emission inventory methodologies for various source categories, and SCAG's latest growth forecasts. SCAG's latest growth forecasts were defined in consultation with local governments and with reference to local general plans. The Project is subject to the SCAQMD's AQMP.

Criteria for determining consistency with the AQMP are defined by the following indicators:

- **Consistency Criterion No. 1:** The Project will not result in an increase in the frequency or severity of existing air quality violations, or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.
- **Consistency Criterion No. 2:** The Project will not exceed the assumptions in the AQMP or increments based on the years of the Project build-out phase.

According to the SCAQMD's CEQA Air Quality Handbook, the purpose of the consistency finding is to determine if a project is inconsistent with the assumptions and objectives of the regional air quality plans, and thus if it would interfere with the region's ability to comply with CAAQS and NAAQS.

The violations to which Consistency Criterion No. 1 refers are exceedances of CAAQS and NAAQS. As shown in **Table 2: Construction-Related Emissions** and **Table 3: Operational Emissions**, the Project would not exceed construction or operation emission standards. Therefore, the Project would not contribute to an existing air quality violation. Thus, the Project is consistent with the first criterion.

Concerning Consistency Criterion No. 2, the AQMP contains air pollutant reduction strategies based on SCAG's latest growth forecasts, and SCAG's growth forecasts were defined in consultation with local governments and with reference to local general plans.

The Project site is currently designated as Mixed-Use Neighborhood Activity Hub (MU-NH) which allows for 20 to 75 du/ac and 1.0 FAR for retail uses. Therefore, the Project is to be consistent with the current AQMP regional emissions inventory for the SCAB. Thus, the Project is consistent with the second criterion. As noted above (and discussed further in Threshold 5.3-2, below), Project implementation would not result in air pollutant emissions that exceed SCAQMD's construction and operational emission thresholds. In addition, the Project would also not delay timely attainment of air quality standards or interim emission reductions specified in the AQMP. Therefore, the Project would be consistent with the AQMP, resulting in a less than significant impact.

Additional mitigation measures from the Approved SEIR would be applied to further reduce potential impacts associated with Project implementation. Specifically, MM 3-2 would be applied through the Project's inclusion of internal and external pedestrian connections as well as the placement of bicycle racks and the Project's proximity to multiple bus stations. Additionally, the Air Quality Assessment is included as Appendix B to this Addendum, per MM AQ-1 and MM 3-1.

### **Mitigation Measures**

The Approved SEIR includes measures to reduce potential impacts associated with the implementation of TOP 2050. The following measures from the Approved SEIR are applicable to the proposed Project:

- 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 SCAQMD methodology for assessing air quality impacts. If construction-related criteria air

pollutants are determined to have the potential to exceed the SCAQMD 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 may include:

- Require fugitive dust control measures that exceed SCAQMD 's Rule 403, such as:
  - Requiring use of nontoxic soil stabilizers to reduce wind erosion.
  - Applying water every four hours to active soil disturbing activities
  - Tarping and/or maintaining a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials.
- Using construction equipment rated by U.S. EPA as having Tier 4 interim or higher exhaust emission limits.
- Ensuring construction equipment is properly serviced and maintained to the manufacturer's standards.
- Limiting nonessential idling of construction equipment to no more than five consecutive minutes.
- Using Super-Compliant VOC paints for coating of architectural surfaces whenever possible. A list of Super-Compliant architectural coating manufacturers can be found on the SCAQMD's website.

These 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.

In compliance with MM 3-1, An Air Quality Assessment was prepared for the Project in August 2023 that analyzes the construction-phase-related air quality impacts of the Project, for additional information see **Appendix B**.

**MM 3-2** The City of Ontario shall evaluate new development proposals within the City and require all developments to include access or linkages to alternative modes of transportation, such as transit stops, bike paths, and/or pedestrian paths (e.g., sidewalks).

In compliance with MM 3-2, the Project design has included pedestrian connections to the Project site from Mountain Avenue and Fourth Street to existing pedestrian sidewalks.

**MM AQ-1** Prior to discretionary approval by the City of Ontario for development projects subject to CEQA 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 SCAQMD methodology in assessing air quality impacts. If operation-related air pollutants are determined to have the potential to exceed the SCAQMD-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 (13 CCR 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.

In compliance with **MM AQ-1**, an Air Quality analysis was created for the Project in August 2023 that analyzes the operation-phase-related air quality impacts of the Project, for additional information see **Appendix B**.

### **Conclusion**

Air quality impacts related to the proposed Project are less than the significant and unavoidable impacts identified in Approved SEIR (Approved SEIR Impacts 5.3-1, 5.3-2, 5.3-3, and 5.3-4) and would not directly require mitigation. Regardless, the implementation of mitigation measures from the Approved SEIR would further reduce impacts. The Project would comply with **MM 3-1**, **MM 3-2**, and **MM AQ-1**, an Air Quality Assessment was conducted for the Project and is included as **Appendix B1** and the Project would undergo City review. No new impact relative to air quality or a substantial increase in the severity of a previously identified significant impact evaluated in the Approved SEIR would occur. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

## Threshold (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? [Approved SEIR Impact 5.3-2]

### Construction Emissions

**No New or More Severe Impacts:** Construction associated with the Project would generate short-term emissions of criteria air pollutants. The criteria pollutants of primary concern within the Project area include Ozone (O<sub>3</sub>)-precursor pollutants (i.e., Reactive Organic Gases (ROG) and Nitrogen Oxides (NO<sub>x</sub>)) and Particulate Matter 10 microns or less (PM<sub>10</sub>) and Particulate Matter 2.5 microns or less (PM<sub>2.5</sub>). Construction-generated emissions are short term and of temporary duration, lasting only as long as construction activities occur, but would be considered a significant air quality impact if the volume of pollutants generated exceeds the SCAQMD's thresholds of significance.

Construction results in the temporary generation of emissions resulting from Project site grading, road paving, motor vehicle exhaust associated with construction equipment and worker trips, and the movement of construction equipment, especially on unpaved surfaces. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with Project site preparation activities as well as weather conditions and the appropriate application of water. Fugitive dust emissions may have a substantial, temporary impact on local air quality. In addition, fugitive dust may be a nuisance to those living and working in the Project vicinity. Uncontrolled dust from construction can become a nuisance and potential health hazard to those living and working nearby.

The Project's construction emissions were calculated using the CARB-approved CalEEMod computer program, which is designed to model emissions for land use development projects, based on typical construction requirements. See **Appendix B** for more information regarding the construction assumptions used in this analysis. Predicted maximum daily construction-generated emissions for the Project are summarized in in **Table 2: Construction-Related Emissions**.

**Table 2: Construction-Related Emissions**

Construction Year	Emissions (Maximum Pounds Per Day) <sup>1</sup>					
	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Year 2024	8.48	83.3	79.7	0.13	13.0	7.3
Year 2025	33.0	22.8	54.7	0.06	7.03	2.14
Year 2026	2.73	14.3	41.2	0.04	5.98	1.72
<i>SCAQMD Threshold</i>	<i>75</i>	<i>100</i>	<i>550</i>	<i>150</i>	<i>150</i>	<i>55</i>
<b>Exceed SCAQMD Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
ROG = Reactive Organic Gases; NO <sub>x</sub> = Nitrogen Oxides; CO = Carbon Monoxide; SO <sub>2</sub> = Sulfur Dioxide; PM <sub>10</sub> = Particulate Matter 10 microns in diameter or less; PM <sub>2.5</sub> = Particulate Matter 2.5 microns in diameter or less 1. SCAQMD Rule 403 Fugitive Dust applied. The Rule 403 reduction/credits include the following: properly maintain mobile and other construction equipment; water exposed surfaces three times daily; and limit speeds on unpaved roads to 15 miles per hour. Reductions percentages from the SCAQMD CEQA Handbook (Tables XI-A through XI-E) were applied. No mitigation was applied to construction equipment. Refer to Appendix B for Model Data Outputs.						
Source: CalEEMod version 2022.1.1.14. Refer to Appendix B for model outputs.						

As shown in **Table 2: Construction-Related Emissions**, all criteria pollutant emissions would remain below their respective thresholds.

## Operational Emissions

**No New or More Severe Impacts:** Project-generated emissions would be primarily associated with motor vehicle use and area sources, such as the use of landscape maintenance equipment and architectural coatings. Long-term operational emissions attributable to the Project are summarized in **Table 3: Operational Emissions**.

**Table 3: Operational Emissions**

Source	Emissions (Maximum Pounds Per Day)					
	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Mobile	4.63	3.84	33.3	0.08	6.82	1.77
Area Source Emissions	11.0	5.33	34.3	0.03	0.43	0.44
Energy Emissions	0.06	1.01	0.44	0.01	0.08	0.08
<b>Total Emissions</b>	15.69	10.18	68.04	0.12	7.33	2.29
<i>SCAQMD Threshold</i>	55	55	550	150	150	55
<b>Exceeds Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
<small>ROG = Reactive Organic Gases; NO<sub>x</sub> = Nitrogen Oxides; CO = Carbon Monoxide; SO<sub>2</sub> = Sulfur Dioxide; PM<sub>10</sub> = Particulate Matter 10 microns in diameter or less; PM<sub>2.5</sub> = Particulate Matter 2.5 microns in diameter or less</small>						
<small>Source: CalEEMod version 2020.4.0. Refer to Appendix B for model outputs.</small>						

As shown in **Table 3: Operational Emissions**, all criteria pollutant emissions would remain below their respective thresholds.

## Cumulative Short-Term Emissions

**No New or More Severe Impacts:** The SCAB is designated nonattainment for Ozone (O<sub>3</sub>), Particulate Matter 10 microns in diameter or less (PM<sub>10</sub>), and Particulate Matter 2.5 microns in diameter or less (PM<sub>2.5</sub>) for state standards and nonattainment for O<sub>3</sub> and PM<sub>2.5</sub> for Federal standards. Appendix D of the SCAQMD White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution (2003) notes that projects that result in emissions that do not exceed the project specific SCAQMD regional thresholds of significance should result in a less than significant impact on a cumulative basis unless there is other pertinent information to the contrary. Therefore, if a project is estimated to result in emissions that do not exceed the thresholds, the project's contribution to the cumulative impact on air quality in the SCAB would not be cumulatively considerable. As shown in **Table 3: Operational Emissions**, construction emissions of the Project would not exceed the SCAQMD significance thresholds, and the construction impacts would be less than significant levels. Therefore, the Project would not generate a cumulatively considerable contribution to air pollutant emissions during construction.

## Cumulative Long-Term Impacts

**No New or More Severe Impacts:** The SCAQMD has not established separate significance thresholds for cumulative operational emissions. The nature of air emissions is largely a cumulative impact. As a result, no single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, individual project emissions contribute to existing cumulatively significant adverse air quality impacts. The SCAQMD developed the operational thresholds of significance based on the level above which individual project emissions would result in a cumulatively considerable contribution to the SCAB's existing air quality conditions. Therefore, a project that exceeds the SCAQMD operational thresholds would also be a cumulatively considerable contribution to a significant cumulative impact.

As shown in **Table 3: Operational Emissions**, the Project operational emissions would not exceed SCAQMD thresholds. As a result, operational emissions associated with the Project would not result in a cumulatively considerable contribution to significant cumulative air quality impacts. Additionally, adherence to SCAQMD rules and regulations would alleviate potential impacts related to cumulative conditions on a project-by-project basis. Project operations would not contribute a cumulatively considerable net increase of any nonattainment criteria pollutant.

### **Plans, Programs, and Policies:**

The following includes existing requirements that are based on local, State, or federal regulations or laws that are frequently required independent of CEQA review. Typical standard conditions and requirements include compliance with the provisions of the Building Code, SCAQMD Rules, etc. The City may impose additional conditions during the approval process, as appropriate. Because these requirements are neither project specific nor a result of project development, they are not Mitigation Measures.

**PPP AIR-1** New buildings are required to achieve the current California Building Energy Efficiency Standards (Title 24, Part 6) and California Green Building Standards Code (CALGreen) (Title 24, Part 11).

**PPP AIR-2** Construction activities will be conducted in compliance with 13 California Code of Regulations (CCR) Section 2499, which requires that nonessential idling of construction equipment is restricted to five minutes or less.

**PPP AIR-3** Construction activities will be conducted in compliance with any applicable SCAQMD rules and regulations, including but not limited to the following:

- Rule 403, Fugitive Dust, for controlling fugitive dust and avoiding nuisance.
- Rule 402, Nuisance, which states that a project shall not “discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.”
- Rule 1113, which limits the volatile organic compound content of architectural coatings.

As stated in Impact 4.4.2(a) above, an Air Quality Assessment was created for the Project in August 2023 and is included as **Appendix B** to this Addendum, in keeping with MM AQ-1 and MM 3-1.

### **Mitigation Measures**

Refer to **MM 3-2** and **AQ-1** from Approved SEIR, discussed above under Threshold (a).

### **Conclusion**

The Project’s emissions would not exceed the SCAQMD thresholds during both construction and operations. Thus, the impact would not be cumulatively considerable. With the implementation of mitigation measure measures in the TOP 2050 SEIR air quality impacts related to the proposed Project are

less than the significant and unavoidable impacts identified in the Approved SEIR (Approved SEIR Impacts 5.3-1, 5.3-2, 5.3-3, and 5.3-4). No new impacts or a substantial increase in the severity of a previously identified significant impact evaluated in the Approved SEIR would occur. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

### Threshold (c) Expose sensitive receptors to substantial pollutant concentrations? [Approved SEIR Impact 5.3-3]

#### Localized Construction Significance Analysis

**No New or More Severe Impacts:** The nearest sensitive receptors are single-family residential dwellings located adjacent to the north and east of the Project site. To identify impacts to sensitive receptors, the SCAQMD recommends addressing Local Significant Thresholds (LSTs) for construction. LSTs were developed in response to SCAQMD Governing Boards' Environmental Justice Enhancement Initiative (I-4). The SCAQMD provided the Final Localized Significance Threshold Methodology (dated June 2003 [revised 2008]) for guidance. The LST methodology assists lead agencies in analyzing localized impacts associated with Project-specific emissions.

Since CalEEMod calculates construction emissions based on the number of equipment hours and the maximum daily soil disturbance activity possible for each piece of equipment, **Table 4: Equipment-Specific Grading Rates**, Equipment-Specific Grading Rates is used to determine the maximum daily disturbed acreage for comparison to LSTs. The appropriate SRA for the localized significance thresholds is the Southwest San Bernardino Valley (SRA 33) since this area includes the Project. LSTs apply to NO<sub>2</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub>. The SCAQMD produced look-up tables for projects that disturb areas less than or equal to five acres in size. Project construction is anticipated to disturb a maximum of four acres in a single day. As the LST guidance provides thresholds for projects disturbing 1-, 2-, and 5-acres in size and the thresholds increase with size of the Project site, the LSTs for a 3.5-acre threshold were interpolated and utilized for this analysis.

**Table 4: Equipment-Specific Grading Rates**

Construction Phase	Equipment Type	Equipment Quantity	Acres Graded per 8-Hour Day	Operating Hours per Day	Acres Graded per Day
Site Preparation	Tractors	4	0.5	8	2.0
	Graders	0	0.5	8	0.0
	Dozers	3	0.5	8	1.5
	Scrapers	0	1	8	0.0
	<b>Total Acres Graded per Day</b>				

Source: CalEEMod version 2022.1.1.14. Refer to Appendix B for model outputs.

The SCAQMD's methodology states that "off-site mobile emissions from the Project should not be included in the emissions compared to LSTs." Therefore, only emissions included in the CalEEMod "on-site" emissions outputs were considered. LST thresholds are provided for distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. SCAQMD's LST guidance recommends using the 25-meter threshold for receptors located 25 meters or less from the Project site. Therefore, the LSTs for 3.5 acres at 25 meters were used for the construction analysis which is consistent with the SCAQMD LST methodology. **Table 5:**

**Localized Significance of Construction Emissions** presents the results of unmitigated localized emissions during each construction activity. **Table 5: Localized Significance of Construction Emissions** shows that emissions of these pollutants on the peak day of construction would not result in significant concentrations of pollutants at nearby sensitive receptors.

**Table 5: Localized Significance of Construction Emissions**

Construction Activity	Emissions (Maximum Pounds Per Day) <sup>1</sup>			
	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Demolition (2024)	24.9	21.7	2.1	1.2
Site Preparation (2024)	36.0	32.9	6.7	4.1
Grading (2024)	18.2	18.8	3.7	1.7
Building Construction (2024)	11.2	13.1	0.5	0.5
Building Construction (2025)	10.4	13.0	0.4	0.4
Paving (2025)	7.5	10.0	0.4	0.3
Architectural Coating (2025)	0.9	1.1	0.03	0.03
Combined Building Construction / Paving (2025)	17.9	23	0.8	0.7
Combined Building Construction / Architectural Coating (2025)	11.3	14.1	0.4	0.4
Building Construction (2026)	9.9	13.0	0.4	0.4
<b>Maximum Daily Emissions</b>	<b>36.0</b>	<b>32.9</b>	<b>6.7</b>	<b>4.1</b>
<i>SCAQMD Localized Screening Threshold (adjusted for 3.5 acres at 25 meters)</i>	220	1,713	11	7
<b>Exceed SCAQMD Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
NO <sub>x</sub> = Nitrogen Oxides; CO = Carbon Monoxide; PM <sub>10</sub> = Particulate Matter 10 microns in diameter or less; PM <sub>2.5</sub> = Particulate Matter 2.5 microns in diameter or less				
1. SCAQMD Rule 403 Fugitive Dust applied. The Rule 403 reduction/credits include the following: properly maintain mobile and other construction equipment; water exposed surfaces three times daily; and limit speeds on unpaved roads to 15 miles per hour. Reductions percentages from the SCAQMD CEQA Handbook (Tables XI-A through XI-E) were applied. No mitigation was applied to construction equipment. Refer to Appendix B for Model Data Outputs.				
Source: CalEEMod version 2022.1.1.14. Refer to Appendix B for model outputs.				

### Localized Operational Significance Analysis

The operational phase LST protocol applies to on-site emissions sources (area and energy sources). It is noted that the SCAQMD's LSTs are screening thresholds for localized emissions based on location, distance, and Project site size. LSTs thresholds for receptors located at 25 meters or less in SRA 33 were utilized in this analysis because the closest receptor is located adjacent to the east. Although the Project site is approximately 5.8 acres, the 5-acre LST threshold was also conservatively used for the Project, as the LSTs increase with the size of the site. **Table 6: Localized Significance of Operational Emissions** shows that the maximum daily emissions of these pollutants during operations would not result in significant concentrations of pollutants at nearby sensitive receptors.

**Table 6: Localized Significance of Operational Emissions**

Activity	Emissions (Maximum Pounds Per Day)			
	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
On-Site Emissions	6.3	34.7	0.5	0.5
<i>SCAQMD Localized Screening Threshold (adjusted for 5 acres at 25 meters)</i>	220	1,713	3	2
<b>Exceed SCAQMD Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
NO <sub>x</sub> = Nitrogen Oxides; CO = Carbon Monoxide; PM <sub>10</sub> = Particulate Matter 10 microns in diameter or less; PM <sub>2.5</sub> = Particulate Matter 2.5 microns in diameter or less				
Source: CalEEMod version 2022.1.1.14. Refer to Appendix B for model outputs.				

## Criteria Pollutant Health Impacts

On December 24, 2018, the California Supreme Court issued an opinion identifying the need to provide sufficient information connecting a project's air emissions to health impacts or explain why such information could not be ascertained (*Sierra Club v. County of Fresno* (2018) 6 Cal.5<sup>th</sup> 502). The SCAQMD has set its CEQA significance thresholds based on the FCAA, which defines a major stationary source (in extreme O<sub>3</sub> nonattainment areas such as the SCAB) as emitting 10 tons per year. The thresholds correlate with the trigger levels for the federal New Source Review (NSR) Program and SCAQMD Rule 1303 for new or modified sources. The NSR Program<sup>15</sup> was created by the FCAA to ensure that stationary sources of air pollution are constructed or modified in a manner that is consistent with attainment of health-based federal ambient air quality standards. The federal ambient air quality standards establish the levels of air quality necessary, with an adequate margin of safety, to protect the public health. Therefore, projects that do not exceed the SCAQMD's LSTs and mass emissions thresholds would not violate any air quality standards or contribute substantially to an existing or projected air quality violation and no criteria pollutant health impacts.

NO<sub>x</sub> and ROG are precursor emissions that form O<sub>3</sub> in the atmosphere in the presence of sunlight where the pollutants undergo complex chemical reactions. It takes time and the influence of meteorological conditions for these reactions to occur, so O<sub>3</sub> may be formed at a distance downwind from the sources. Breathing ground-level O<sub>3</sub> can result health effects that include reduced lung function, inflammation of airways, throat irritation, pain, burning, or discomfort in the chest when taking a deep breath, chest tightness, wheezing, or shortness of breath. In addition to these effects, evidence from observational studies strongly indicates that higher daily O<sub>3</sub> concentrations are associated with increased asthma attacks, increased hospital admissions, increased daily mortality, and other markers of morbidity. The consistency and coherence of the evidence for effects upon asthmatics suggests that O<sub>3</sub> can make asthma symptoms worse and can increase sensitivity to asthma triggers.

The SCAQMD's 2022 AQMP focuses on the 2015 8-hour ozone standard with achieving attainment in 2037. The largest source of NO<sub>x</sub> emissions (an O<sub>3</sub> precursor) in 2018 were related to on-road sources. The 2022 AQMP also emphasizes a shift in focus beyond on-road emissions to off-road sources. The 2022 AQMP identifies a 67 percent NO<sub>x</sub> reduction beyond what we would achieve through current programs by 2037 and about 83 percent below current levels. In order to achieve this, the SCAQMD identifies the need for widespread adoption of zero emissions (ZE) technologies across all mobile sectors and stationary sources.

The control strategy for the 2022 AQMP includes aggressive new regulations and the development of incentive programs to support early deployment of advanced technologies. The two key areas for incentive programs are (1) promoting widespread deployment of available ZE and low NO<sub>x</sub> technologies and (2) developing new ZE and ultra-low NO<sub>x</sub> technologies for use in cases where the technology is not currently available. SCAQMD will prioritize distribution of incentive funding in environmental justice (EJ) areas and seek opportunities to focus benefits on the most disadvantaged communities. The 2022 AQMP includes a total of 49 control measures. In addition to the NO<sub>x</sub> measures, the 2022 AQMP relies on co-

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<sup>15</sup> Code of Federal Regulation (CFR) [i.e. PSD (40 CFR 52.21, 40 CFR 51.166, 40 CFR 51.165 (b)), Non-attainment NSR (40 CFR 52.24, 40 CFR 51.165, 40 CFR part 51, Appendix S)]

benefits from climate and energy efficiency programs for further reductions, limited strategic measures for VOC reductions, and other actions.

The SCAQMD's air quality modeling demonstrates that NOX reductions prove to be much more effective in reducing O3 levels and will also lead to significant improvement in PM2.5 concentrations. NOX-emitting stationary sources regulated by the SCAQMD include Regional Clean Air Incentives Market (RECLAIM) facilities (e.g., refineries, power plants, etc.), natural gas combustion equipment (e.g., boilers, heaters, engines, burners, flares) and other combustion sources that burn wood or propane.

There are significant challenges with correlating specific health effects that will occur as a result of a project's significant criteria air pollutant emissions. Generally, models that correlate criteria air pollutant concentrations with specific health effects focus on regulatory decision-making that will apply throughout an entire air basin or region. These models focus on the region-wide health effects of pollutants so that regulators can assess the costs and benefits of adopting a proposed regulation that applies to an entire category of air pollutant sources, rather than the health effects related to emissions from a specific proposed project or source. Because of the scale of these analyses, any one project is likely to have only very small incremental effects which may be difficult to differentiate from the effects of air pollutant concentrations in an entire air basin. In addition, such modeling efforts are costly, and the value of a project-specific analysis may be modest in relation to that cost. Furthermore, the results, while costly to produce, may not be particularly useful. For regional pollutants, it is difficult to trace a particular project's criteria air pollutant emissions to a specific health effect. Moreover, the modeled results may be misleading because the margin of error in such modeling is large enough that, even if the modeled results report a given health effect, the model is sufficiently imprecise that the actual effect may differ from the reported results; that is, the modeled results suggest precision, when in fact available models cannot be that precise on a project level.

As discussed above, the mass emissions thresholds developed by SCAQMD and used by CEQA lead agencies throughout southern California to determine potential significance of project-related regional changes in the environment are not directly indicative of exceedances of applicable ambient air standards. Meteorology, the presence of sunlight, and other complex chemical factors all combine to determine the ultimate concentration and location of O3 or PM. The effects on ground-level ambient concentrations of pollutants that may be breathed by people are also influenced by the spatial and temporal patterns of the emission sources. In other words, the effect on O3 and PM concentrations from a given mass of pollutants emitted in one location may vary from the effect if that same mass of pollutants was emitted in an entirely different location in the SCAB. The same effect may be observed when the daily and seasonal variation of emissions is taken into account. Regional-scale photochemical modeling, typically performed only for NAAQS attainment demonstration and rule promulgation, account for these changes in the spatial, temporal, and chemical nature of regional emissions.

Emissions from the construction and operation of the Project would vary by time of day, month, and season, and the majority of Project-related emissions, being generated by mobile sources driving to and from the Project site, would be emitted throughout a wide area defined by the origins and destinations



of people traveling to and from the Project. As SCAQMD has stated, “it takes a large amount of additional precursor emissions to cause a modeled increase in ambient ozone levels over an entire region.”<sup>16</sup>

Specifically, for extremely large regional projects, the SCAQMD states that it has been able to correlate potential health outcomes for very large emissions sources – as part of their rulemaking activity, specifically 6,620 pounds per day of NOX and 89,180 pounds per day of VOC were expected to result in approximately 20 premature deaths per year and 89,947 school absences due to O3. Based on its recent experiences applying regional scale models to relatively small increase in emissions, SCAQMD’s Amicus Brief in the Friant Ranch case stated: “[A] project emitting only 10 tons per year of NOX or VOC is small enough that its regional impact on ambient ozone levels may not be detected in the regional air quality models that are currently used to determine ozone levels.” The Brief makes it clear that SCAQMD does not believe that there must be a quantification of a project's health risks in CEQA documents prepared for individual projects since it would be difficult to quantify health impacts for criteria pollutants. Also, the Project does not generate anywhere near 6,620 pounds per day of NOX or 89,190 pounds per day of ROG (VOC) emissions, which SCAQMD stated was a large enough emission to quantify O3-related health impacts. Therefore, the Project’s emissions are not sufficiently high enough to use a regional modeling program to correlate health effects on a basin-wide level.

As previously discussed, localized effects of on-site Project emissions on nearby receptors for the Project would be less than significant (refer to **Table 5: Localized Significance of Construction Emissions** and **Table 6: Localized Significance of Operational Emissions**). The LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable state or federal ambient air quality standard. The LSTs were developed by the SCAQMD based on the ambient concentrations of that pollutant for each SRA and distance to the nearest sensitive receptor. The ambient air quality standards establish the levels of air quality necessary, with an adequate margin of safety, to protect public health, including protecting the health of sensitive populations. However, as discussed above, neither the SCAQMD nor any other air district currently have methodologies that would provide Lead Agencies and CEQA practitioners with a consistent, reliable, and meaningful analysis to correlate specific health impacts that may result from a proposed project’s mass emissions. Information on health impacts related to exposure to ozone and particulate matter emissions published by the U.S. EPA and CARB have been summarized above and discussed in the Regulatory Framework section. Health studies are used by these agencies to set the NAAQS and CAAQS.

Although it may be misleading and unreliable to attempt to specifically and numerically quantify the Project’s health risks, this analysis provides extensive information concerning the Project's potential health risks. While the Project is expected to exceed the SCAQMD’s numeric regional mass daily thresholds for ROG and NOX, this does not in itself constitute a significant health impact to the population adjacent to the Project and within the SCAB. The reason for this is that the mass daily thresholds are in pounds per day emitted into the air whereas health effects are determined based on the concentration of emissions in the air at particular receptor (e.g., parts per million by volume of air, or micrograms per cubic meter of air).

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<sup>16</sup> Ibid. Page 34.

The NAAQS and CAAQS were developed to protect the most susceptible population groups from adverse health effects and were established in terms of parts per million or micrograms per cubic meter for the applicable emissions. As stated earlier, the mass emission thresholds were established primarily in conjunction with federal permitting “major source” thresholds. If emissions were below these “de minimis” emission rates, then the proposed Project is presumed to conform with the NAAQS. While based on the status of an air basin level of attainment of the health-based NAAQS, emissions in excess of the mass emission thresholds from one project does not mean the air basin would experience measurably higher ground level concentrations, or more frequent occurrences of ground level concentrations in exceedance of standards or delay timely attainment of a particular NAAQS.

Ozone concentrations are dependent upon a variety of complex factors, including the presence of sunlight and precursor pollutants, natural topography, nearby structures that cause building downwash, atmospheric stability, and wind patterns. Because of the complexities of predicting ground-level ozone concentrations in relation to the NAAQS and CAAQS, none of the health-related information can be directly correlated to the pounds/day or tons/year of emissions estimated from a single, proposed project. Therefore, it is impossible to correlate significant criteria pollutants from an individual project to health risk. **Table 2: Construction-Related Emissions** includes a list of criteria pollutants and summarizes common sources and effects. Thus, this analysis is reasonable and intended to foster informed decision making. Due to the uncertainty in the relationship between project-level mass emissions and regional ozone formation as well as limitations with currently available technical tools, the resulting health effects associated with the Project cannot be identified. Given this is speculative, no meaningful conclusion can be drawn with respect to potential health effects from the criteria pollutant emissions of the proposed Project.

### **Carbon Monoxide Hotspots**

An analysis of CO “hot spots” is needed to determine whether the change in the level of service of an intersection resulting from the Project would have the potential to result in exceedances of the CAAQS or NAAQS. It has long been recognized that CO exceedances are caused by vehicular emissions, primarily when vehicles are idling at intersections. Vehicle emissions standards have become increasingly stringent in the last 20 years. Currently, the CO standard in California is a maximum of 3.4 grams per mile for passenger cars (requirements for certain vehicles are more stringent). With the turnover of older vehicles, introduction of cleaner fuels, and implementation of control technology on industrial facilities, CO concentrations have steadily declined. Accordingly, with the steadily decreasing CO emissions from vehicles, even very busy intersections do not result in exceedances of the CO standard.

The SCAB was re-designated as attainment in 2007 and is no longer addressed in the SCAQMD’s AQMP. The 2003 AQMP is the most recent version that addresses CO concentrations. As part of the SCAQMD CO Hotspot Analysis, the Wilshire Boulevard and Veteran Avenue intersection, one of the most congested intersections in Southern California with an average daily traffic (ADT) volume of approximately 100,000 vehicles per day, was modeled for CO concentrations. This modeling effort identified a CO concentration high of 4.6 ppm, which is well below the 35-ppm Federal standard. The Project considered herein would not produce the volume of traffic required to generate a CO hot spot in the context of SCAQMD’s CO Hotspot Analysis. As the CO hotspots were not experienced at the Wilshire Boulevard and Veteran Avenue

intersection even as it accommodates 100,000 vehicles daily, it can be reasonably inferred that CO hotspots would not be experienced at any vicinity intersections resulting from 1,269 additional total vehicle trips attributable to the Project and distributed throughout the roadway network. Therefore, impacts would be less than significant.

As stated in Impact 4.4.2(a) above, the Air Quality Assessment is included as an appendix to this Addendum, per **MM AQ-1** and **MM 3-1**.

### **Mitigation Measures**

Refer to **MM 3-1** and **AQ-1** from Approved SEIR, discussed above under Threshold (a).

### **Conclusion**

Air quality impacts related to the proposed Project are less than the significant and unavoidable impacts identified in the Approved SEIR. With the implementation of mitigation measure measures in the TOP 2050 SEIR no new impact relative to air quality or a substantial increase in the severity of a previously identified significant impact evaluated in the Approved SEIR would occur. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

### **Threshold (d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)? [Approved SEIR Impact 5.3-4]**

#### **Construction**

**No New or More Severe Impacts:** Odors that could be generated by construction activities are required to follow SCAQMD Rule 402 to prevent odor nuisances on sensitive land uses. SCAQMD Rule 402, Nuisance, states:

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

During construction, emissions from construction equipment, such as diesel exhaust, and volatile organic compounds from architectural coatings and paving activities may generate odors. However, these odors would be temporary, are not expected to affect a substantial number of people and would disperse rapidly. Therefore, impacts related to odors associated with the Project's construction-related activities would be less than significant.

#### **Operations**

**No New or More Severe Impacts:** The SCAQMD *CEQA Air Quality Handbook* identifies certain land uses as sources of odors. These land uses include agriculture (farming and livestock), wastewater treatment plants, food processing plants, chemical plants, composting facilities, refineries, landfills, dairies, and

fiberglass molding. The Project would not include any of the land uses that have been identified by the SCAQMD as odor sources. Therefore, the Project would not create objectionable odors.

### **Mitigation Measures**

No mitigation measures are required, and impacts would be less than significant.

### **Conclusion**

Odors and other emissions related to the proposed Project are similar to the less than significant impacts identified in Approved SEIR. No new impact relative to air quality or a substantial increase in the severity of a previously identified significant impact evaluated in the Approved SEIR would occur. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

#### **4.4.3 Overall Air Quality Impact Conclusion**

With regard to CEQA Statute Section 21166 and CEQA Guidelines Section 15162(a), the changes proposed by the Project would not result in any new impacts, or increase the severity of the previously identified impacts, with respect to air quality. Therefore, preparation of a SEIR is not warranted.

## 4.5 BIOLOGICAL RESOURCES

### 4.5.1 Summary of TOP 2050 Analysis

The City is almost completely developed with urban and agricultural uses, with no large open areas of native habitat. TOP 2050 includes policies to ensure that special-status species and habitat are protected through compliance with state and federal regulations (e.g., Policies ER-5.1 and ER-5.2). Projects under TOP 2050 that undergo independent CEQA review would be required to determine whether there is potential habitat on-site for sensitive species. If potential habitat were found on-site, focused surveys for those sensitive species potentially present would be required.

Implementation of TOP 2050 would not result in direct vegetation removal in surface water areas in the City; however, projects approved pursuant to TOP 2050 could indirectly result in such removal.

### 4.5.2 Analysis of Proposed Project

**Threshold (a) Have a substantial effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? [Approved SEIR Impact 5.4-1]**

**Threshold (b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? [Approved SEIR Impact 5.4-2]**

**Threshold (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? [Approved SEIR Impact 5.4-3]**

**No New or More Severe Impacts:** The Project is located within TOP 2050 Mixed Use – Neighborhood Activity Hubs (MU-NH). The Approved SEIR indicated that much of the City is developed with urban and agricultural uses, with very little native habitat remaining. Vacant land in the City would have low habitat value, because much of it is barren ground and does not support vegetation, and many areas of vacant land are small, surrounded by developed urban uses, and isolated from other vacant areas.<sup>17</sup> TOP 2050 includes policies to ensure that special-status species and habitat are protected through compliance with state and federal regulations. The Approved SEIR found that implementation of TOP 2050 would not result in direct vegetation removal in surface water areas in the City. Additionally, adherence to Policy ER-5.1 of TOP 2050 would support avoidance of adverse impacts to protected wetlands, waters of the United States, and waters of the State. Per the Approved SEIR detention basins would be designated as Open Space-Non-recreation or Open Space-Parkland.<sup>18</sup> Surface waters in the City such as detention basins and man-made lakes are assumed to contain sensitive natural communities if they support plants such as

<sup>17</sup> City of Ontario. 2021. *The Ontario Plan 2050 Draft Supplemental Environmental Impact Report*. Page. 5.4-29 Retrieved from: [https://www.ontario.ca/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final\\_DraftSEIR\\_TOP2050.pdf](https://www.ontario.ca/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final_DraftSEIR_TOP2050.pdf). (Accessed September 2023).

<sup>18</sup> Ibid, Page 30.

mulefat and willow.<sup>19</sup> As the Project site is not designated Open Space-Non-recreation or Open Space-Parkland, it would not contain habitat classifiable as naturally sensitive basin. Furthermore, the Project site has been developed with active use structures and contains paved surfaces over the majority of the area. Therefore, no new impacts to riparian habitat or other sensitive natural community would be caused by Project implementation.

### **Mitigation Measures**

None identified in the Approved SEIR.

### **Conclusion**

The Project would not result in a new or more severe impact on natural habitats and sensitive species. A less than significant impact was identified in the Approved SEIR with respect to natural habitats and sensitive species. The Project would be designed consistent with the applicable guidelines and standards within the Approved SEIR, and City Development Code. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

### **Threshold (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? [Approved SEIR Impact 5.4-4]**

**No New or More Severe Impacts:** As previously discussed much of the City is developed, and no regional wildlife movement corridors have been identified in the City.<sup>20</sup> The flood control channels and the Southern California Edison (SCE) corridors could serve as local corridors for movement within the City and between the San Gabriel Mountains to the north and the Prado Basin to the south.<sup>21</sup> There are trees and shrubs scattered throughout the City that may be used for nesting or roosting by migrating birds. The Project site contains two ornamental trees which could potentially form a habitat for nesting birds. However, Project construction and operation would be required to comply with the Migratory Bird Treaty Act (MBTA) [California Fish and Game Code Sections 3503, 3503.5, 3511, and 3513] which prohibits the take, possession, or destruction of birds, their nests or eggs. Therefore, the proposed Project would not result in new impacts or a substantial increase in the magnitude of impacts to wildlife movement.

### **Mitigation Measures**

None identified in the Approved SEIR.

### **Conclusion**

The Project would not result in a new or more severe impact on wildlife movement and migratory patterns. A less than significant impact was identified in the Approved SEIR with respect to natural habitats and sensitive species. Additionally, no new information of substantial importance that was not known and

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<sup>19</sup> Ibid.

<sup>20</sup> Ibid, Page 5.4-33

<sup>21</sup> Ibid.

could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

**Threshold (e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? [Approved SEIR Impact 5.4-5]**

**Threshold (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? [Approved SEIR Impact 5.4-5]**

**No New or More Severe Impacts:** There is one habitat conservation plan (HCP) in the City, a 19-acre area near the intersection of Greystone Drive and the eastern city boundary established to protect the Delhi Sands Flower-Loving Fly (DSFLF).<sup>22</sup> This HCP area would remain designated Industrial under TOP 2050. Additionally, any project proposed for development within this HCP pursuant to TOP 2050 would be required to consult with the USFWS regarding project impacts on DSFLF and mitigation of any such impacts. As previously discussed, the Project is located in the MU-8b zoning district of the City, out of the HCP and therefore would not impact the DSFLF HCP.

#### **Mitigation Measures**

None identified in the approved SEIR.

#### **Conclusion**

The Project would not result in new or more severe impact to established policies, plans, or ordinances protecting biological resources and no new or more severe impact to approved local, regional, or state habitat conservation plans. A less than significant impact was identified in the Approved SEIR with respect to established policies and plans. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

#### **4.5.3 Overall Biological Resources Impact Conclusion**

With regard to CEQA Statute Section 21166 and CEQA Guidelines Section 15162(a), the changes proposed by the Project would not result in any new or more severe impacts with respect to biological resources. Therefore, preparation of a SEIR is not warranted.

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<sup>22</sup> Ibid, Page 5.4-34

## 4.6 CULTURAL RESOURCES

### 4.6.1 Summary of TOP 2050 Analysis

TOP 2050 determined, with compliance to local, state and federal regulations restricting alteration, relocation, and demolition of historical resources, would ensure development would not result in adverse impacts to identified historic and cultural resources. Regulatory compliance would also ensure impacts to archaeological and paleontological resources would be less than significant. Additionally, no known native American gravesites or cemeteries are located in the City, although grading activities could potentially disturb human remains, including those outside of formal cemeteries. However Regulatory compliance would reduce impacts to be less than significant.

### 4.6.2 Analysis of Proposed Project

A Cultural Resources Assessment (CRA) was prepared for the Project by BCR Consulting LLC (BCR) in October 2023. The CRA was prepared based on research conducted through both a field survey of the Project area as well as record searches of the National Register of Historic Places (National Register), the California Register of Historic Places (California Register), and documents and inventories published by the California Office of Historic Preservation (COHP). The results of the CRA are summarized herein and included as Appendix C to this Addendum.

#### **Threshold (a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5? [Approved SEIR Impact 5.5-1]**

**No New or More Severe Impacts:** The Approved SEIR found that despite implementation of mitigation measures, buildout of the Approved SEIR would still present a significant impact to historical resources.

A records search conducted for the Project found that six cultural resources studies had taken place within a half-mile of the Project site. However, no cultural resources were identified. BCR's field survey of the Project site was conducted in April 2023 and May 2023. During the field survey, one historic-period Post Office, and one historic-period commercial retail building were identified.<sup>23</sup> The historic-period buildings were evaluated based on the four National Register criteria for historical landmarks:

1. It is associated with the events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the U.S.;
2. It is associated with the lives of persons important to local, California, or U.S. history;
3. It embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of a master, possesses high artistic values; and/or;
4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

The two historic period structures were also evaluated against the City Development Code's (City Development Code §9-2615) criteria:

- a. It exemplifies or reflects special elements of the City's history;

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<sup>23</sup> BCR Consulting LLC. 2023. *Cultural Resource Assessment Euclid Mixed Use Specific Plan Project*. Page. 10.



- b. It is identified with persons or events significant in local, state, or national history;
- c. It is representative of the work of a notable builder, designer, architect, or artist;
- d. It embodies distinguishing architectural characteristics of a style, type, period, or method of construction;
- e. It is a noteworthy example of the use of indigenous materials or craftsmanship;
- f. It embodies elements that represent a significant structural, engineering, or architectural achievement or innovation;
- g. It has a unique location, a singular physical characteristic, or is an established and familiar visual feature of a neighborhood, community or the City; or
- h. It is one of the few remaining examples in the City, region, state, or nation possessing distinguishing characteristics of an architectural or historical type or specimen.

Based on the previously listed criteria for both the National Register and the City's Development Code, it was determined that both historical period structures were not eligible for the California Register, and would not qualify as a City Historical Landmark. Department of Parks and Recreation (DPR) 523 forms were also completed for each historic era building. These forms include digital photographs of each structure, a summary description of each structure, and a cataloguing of resources present for each structure. Additional cultural data collected on the Project site as well as all completed DPR 523 forms are included in **Appendix C**. Neither the historic-period Post Office or commercial retail building meet the criteria for listing on the California Register, and do not qualify as a historical resource under Section 15064.5.<sup>24</sup> Therefore, impacts would be less than significant.

### **Mitigation Measures**

#### **Mitigation Measures from TOP 2050 SEIR**

The Approved SEIR includes measures to reduce potential impacts associated with the implementation of TOP 2050. The following measures from the Approved SEIR are applicable to the proposed Project:

**MM 5-1** Historic or potentially historic resources in the City shall be evaluated for historic significance through the City's tier system prior to the issuance of plan or development approvals. Pursuant to City's Development Code (Chapter 4, Permits, Actions, and Decisions, and Chapter 7, Historic Preservation), mitigation measures for all Tier III Historic Resources shall include the following:

- a) Each historic resource shall be fully documented and cataloged pursuant to Historic American Building Survey/Historic American Engineering Record (HABS/HAER) standards, to provide a record of the resource, including but not limited to: [i] the preparation of site plans, floor plans, exterior and interior elevations, and detail drawings of character defining features (such as moldings, stairs, etc.); and [ii] photographs of the resource, including the exterior, interior, and interior and exterior character defining features (such as moldings, light fixtures, trim patterns, etc.).

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<sup>24</sup> BCR Consulting LLC. 2023. *Cultural Resource Assessment Euclid Mixed Use Specific Plan Project*. Page. 11.

- b) A mitigation fee established pursuant to Section 7.01.030 (Historic Preservation Mitigation Fee) shall be paid to the City prior to the issuance of a demolition permit for Tier III historic resources. Fees for Tier I and II historic resources shall be determined during the Environmental Impact Report process. The fees established for Tier III will be used as a reference point for establishing fees for Tier I and II historic resources.
- c) A Certificate of Appropriateness shall not be issued for the demolition of an historic resource, either in whole or in part, until such time that a demolition permit application and a replacement structure has been approved by the City, and appropriate permits have been issued for its construction, unless: [i] a waiver is granted pursuant to Subsection H (Replacement Structure Waiver for Historic Resources Located within Industrial Zoning Districts) of Section 4.02.050; [ii] a deferral of the replacement structure requirement is granted pursuant to Subsection G (Replacement Structure Deferral) of Section 4.02.050; or [iii] demolition is required pursuant to Section 7.01.050 (Unsafe or Dangerous Conditions) of this Development Code.
- d) In an effort to preserve features and artifacts from historic resources, a determination whether items within or on the resource should be salvaged must be made by the Planning Department and may include the local historical society prior to the issuance of the demolition permit. The applicant shall be responsible for the removal, relocation, storage, and donation of such items selected for salvaging. The applicant shall provide an inventory of salvaged items to the Planning Department, and shall include a list of each item name, description, and dimension as necessary, and the location of each item on a floor plan.

In compliance with **MM 5-1**, a CRA was prepared for the Project in October 2023 which analyzed the two historic period structures on the Project site. Based on criteria for both the National Register and the City's Development Code, both historical period structures were not eligible for the California Register, and would not qualify as a City Historical Landmark. See **Appendix C** for additional details.

### **Conclusion**

With the implementation of mitigation measures in the Approved SEIR, the Project would not result in a new or more severe impact to historical resources. A significant and unavoidable impact was identified in the Approved SEIR with respect to historical resources. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

### **Threshold (b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? [Approved SEIR Impact 5.5-2]**

**No New or More Severe Impacts:** The Approved SEIR found that after compliance with existing federal, state, local regulations, and mitigation measures impacts to archeological resources or paleontological resources would be less than significant.

The CRA determined that significant archaeological deposits were not present on the Project site during the records search and field survey. However, ground-disturbing activities have the potential to reveal buried deposits not observed on the surface. In keeping with MM 5-2 of the Approved SEIR, prior to the initiation of ground-disturbing activities, field personnel should be alerted to the possibility of buried prehistoric or historic cultural deposits. In the event that field personnel encounter buried cultural material, work in the immediate vicinity of the find should cease and a qualified archaeologist should be retained to assess the significance of the find. The qualified archaeologist should have the authority to stop or divert construction excavation as necessary. If the qualified archaeologist finds that any cultural resources present meet eligibility requirements for listing on the California Register or the National Register, plans for the treatment, evaluation, and mitigation of impacts to the find will need to be developed. Despite the lack of known archeological resources on the Project site, compliance with mitigation measures and State regulations would lead to a less than significant impact.

### **Mitigation Measures from TOP 2050 SEIR**

The Approved SEIR includes measures to reduce potential impacts associated with the implementation of TOP 2050. The following measures from the Approved SEIR are applicable to the proposed Project:

**MM 5-2** In areas of documented or inferred archeological and/or paleontological resources presence, City staff shall require applicants for development permits to provide studies to document the presence/absence of such resources. On properties where resources are identified, such studies shall provide a detailed mitigation plan, including a monitoring program and recovery and/or in situ preservation plan, based on the recommendations of a qualified cultural preservation expert. The mitigation plan shall include the following requirements:

- a) Archeologists and/or paleontologist shall be retained for the project and will be on call during grading and other significant ground-disturbing activities.
- b) Should any cultural resources be discovered, no further grading shall occur in the area of the discovery until the Planning Director or designee is satisfied that adequate provisions are in place to protect these resources.
- c) Unanticipated discoveries shall be evaluated for significance by a San Bernardino County Certified Professional Archeologist/Paleontologist. If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates, and other special studies; submit materials to a museum for permanent curation; and provide a comprehensive final report including catalog with museum numbers.

In compliance with **MM 5-2**, a CRA was prepared for the Project site in October 2023 and determined that significant archaeological deposits were not present on the Project site during the records search and field survey. Prior to ground disturbing activities the Project site developer would alert field personnel to the possibility of buried prehistoric or historic cultural deposits, see **Appendix C** for additional details.

### **Conclusion**

With the implementation of mitigation measure measures in the TOP 2050 SEIR the Project would not result in a new or more severe impact to archaeological resources. A less than significant impact with mitigation was identified in the Approved SEIR with respect to archaeological resources. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

### **Threshold (c) Disturb any human remains, including those interred outside of dedicated cemeteries? [Approved SEIR Impact 5.5-3]**

**No New or More Severe Impacts:** If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are prehistoric, the Coroner will notify the NAHC to determine a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. Human remains were not identified during field exploration of the Project site. Additionally, the disturbed state of the Project site further reduces the potential to encounter buried remains. However, ground disturbing activities have the potential to reveal unknown human remains. Despite this, proper compliance with State Health and Safety Code Section 7050.5 would ensure proper handling and treatment of the remains. Impacts would, therefore, remain less than significant.

### **Mitigation Measures**

None identified in the Approved SEIR.

### **Conclusion**

The Project would not result in a new or more severe impact to the disturbance of human remains. A less than significant impact was identified in the Approved SEIR. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

### **4.6.3 Overall Cultural Resources Impact Conclusion**

With regard to CEQA Statute Section 21166 and CEQA Guidelines Section 15162 (a), the Project would not result in any new or more severe impacts with respect to cultural resources. Therefore, preparation of an SEIR is not warranted.

## 4.7 ENERGY

### 4.7.1 Summary of TOP 2050 Analysis

The Approved SEIR concluded that upon implementation of regulatory requirements, standard conditions of approval, and mitigation measures impacts to energy would be less than significant.

### 4.7.2 Analysis of Proposed Project

**Threshold (a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? [Approved SEIR Impact 5.6-1]**

#### Construction Impacts

Project construction would create temporary increased demands for electricity and vehicle fuels compared to existing conditions and would result in short-term transportation-related energy use. Energy consumption during construction (2024 through 2026) was calculated using the CalEEMod, Version 2022.1 computer model, and the results are shown in **Table 7: Construction-Related Fuel Usage**.

**Table 7: Construction-Related Fuel Usage**

Project Component	Gasoline (Gallons)	Diesel (Gallons)
Construction Worker Commute	152,741	0
Construction Hauling/Vendor Trips	0	77,047
Construction Off-Road Equipment	0	87,694
<b>Total</b>	<b>195,564</b>	<b>164,741</b>
Notes: Refer to Appendix D for Model Data Outputs.		
Source: CalEEMod Version 2022.1;		

#### Electrical Energy

Construction activities associated with the land uses accommodated under the Project would require electricity use to power the construction equipment. The electricity use during construction would vary during different phases of construction, where the majority of construction equipment during demolition and grading would be gasoline-powered or diesel-powered, and the later construction phases would be electricity-powered, such as interior construction and architectural coatings. Overall, the use of electricity would be temporary in nature and would fluctuate according to the phase of construction. Additionally, it is anticipated that the majority of electric-powered construction equipment would be hand tools (e.g., power drills, table saws, compressors) and lighting, which would result in minimal electricity usage during construction activities. Therefore, Project-related construction activities would not result in wasteful or unnecessary electricity demands and impacts would be less than significant.

#### Natural Gas Energy

It is not anticipated that construction equipment used for the Project would be powered by natural gas, and no natural gas demand is anticipated during construction. Therefore, impacts would be less than significant with respect to natural gas usage.

### Transportation Energy

Transportation energy use depends on the type and number of trips, Vehicular Miles Traveled (VMT), fuel efficiency of vehicles, and travel mode. Transportation energy used during construction would come from the transport and use of construction equipment, delivery vehicles and haul trucks, and construction employee vehicles that would use diesel fuel and/or gasoline. It is anticipated that the majority of off-road construction equipment, such as those used during demolition and grading activities, would be gasoline-powered or diesel-powered.

The use of energy resources by vehicles and equipment would fluctuate according to the phase of construction. To limit wasteful and unnecessary energy consumption, the construction contractors are anticipated to minimize non-essential idling of construction equipment during construction in accordance with Section 2449 of the CCR, Title 13, Article 4.8, Chapter 9. In addition, electrical energy would be available for use during construction from existing power lines and connection, which could minimize or avoid the use of generators that are less efficient than tying into existing SCE infrastructure. Furthermore, construction trips would not result in unnecessary use of energy since the Project site is centrally located and is served by numerous regional freeway systems (e.g., Interstate 10 [I-10], State Route 83 [SR 83], and State Route 60 [SR 60]) that provides the most direct and shortest routes from various areas of the region. Moreover, all construction-equipment operation would cease upon completion of Project construction. Thus, impacts related to transportation energy use during construction would be temporary and would not require expanded energy supplies or the construction of new infrastructure. Additionally, over time as fuel efficiencies and fuel technologies improve, it is likely that transportation energy consumption will decrease. Overall, it is expected that construction fuel associated with land use developments accommodated under the Project would not be any more inefficient, wasteful, or unnecessary than similar development projects. Therefore, impacts would be less than significant with respect to transportation energy.

### **Operational Impacts**

Project operation would create additional demands for electricity and natural gas compared to existing conditions and would result in increased transportation energy use. Operational use of energy would include heating, cooling, and ventilation of buildings; water heating; operation of electrical systems, use of on-site equipment and appliances; and indoor, outdoor, perimeter, and parking lot lighting.

### Electrical Energy

Operation of the existing facility consumes electricity for various purposes, including, but not limited to heating, cooling, and ventilation of buildings, water heating, operation of electrical systems, security and control center functions, lighting, and use of on-site equipment and appliances. The proposed electricity consumption for the apartments, retail use, and associated parking lot are shown in **Table 8: Electricity Consumption**.

**Table 8: Electricity Consumption**

Land Use	Electricity
Apartments	1,540,870
Retail	118,686
Parking Structure	740,570
Proposed Project Total	2,400,126
Source: CalEEMod Version 2022.1	
Notes: kWh = kilowatt hour Refer to Appendix D for Model Data Outputs.	

Electrical service to the Project would be provided by SCE through connections to existing offsite electrical lines and new on-site infrastructure. As shown in the table, the Project would have an annual electricity demand of 2,400,126 kilowatt hours (kWh)/year. While the Project would increase energy demand at the Project site compared to existing conditions, it would be required to comply with the applicable Building Energy Efficiency Standards and the CALGreen Code. Because the Project would be consistent with the requirements of these energy-related regulations, it would not result in wasteful or unnecessary electricity demands. Therefore, the Project would not result in a significant impact related to electricity.

### Natural Gas Energy

The proposed natural gas consumption for the Project site is shown in **Table 9: Natural Gas Consumption**. As seen in the table, natural gas demand would total 4,012,198 kilo-British Thermal Units (kBTU)/year with the Project. Because the Project would be built to meet the Building Energy Efficiency Standards, it would not result in wasteful or unnecessary natural gas demands. Therefore, operation of the Project would result in less than significant impacts with respect to natural gas usage.

**Table 9: Natural Gas Consumption**

Land Use	Natural Gas (kBTU/year)
Apartment	3,940,273
Retail	71,925
Parking Structure	0
Proposed Project Total	4,012,198
Notes: kBTU = kilo-British thermal unit Refer to Appendix D for Model Data Outputs.	
Source: CalEEMod Version 2022.1	

### Transportation Energy

The Project would consume transportation energy during operations from the use of motor vehicles. Because the efficiency of the motor vehicles in use, such as the average miles per gallon for motor vehicles involved with the Project are unknown, estimates of transportation energy use is assessed based on the overall VMT and related transportation energy use. The Project-related VMT would primarily come from future employees and for the commercial uses. As seen in **Table 10: Operation-Related Fuel Usage**, the VMT for the Project is estimated to be 3,479,538. However, the Project would involve the construction of residential and retail uses that would provide more opportunities for employment for residents of the City

and would be within an urbanized area with nearby amenities such as regional parks and public transit options like OmniTrans and Metrolink. Two bus stops are within 100 feet of the Project and Anthony Munoz Park is approximately 0.2 miles west of the Project site. Overall, it is expected that operation-related fuel usage associated with the Project would not be any more inefficient, wasteful, or unnecessary than similar development projects. Therefore, impacts would be less than significant with respect to operation-related fuel usage.

**Table 10: Operation-Related Fuel Usage**

Vehicle Type	Gasoline		Diesel	
	VMT	Gallons	VMT	Gallons
Passenger Vehicles	3,206,728	148,460	0	0
Light/Medium Trucks	0	0	210,228	12,223
Heavy Trucks	0	0	62,582	10,259
Total	3,206,728	148,460	272,810	22,482
Notes: Refer to Appendix D for Model Data Outputs.				
Source: CalEEMod Version 2022.1				

### **Mitigation Measures**

None identified in the Approved SEIR.

### **Conclusion**

The Project would not result in new or more severe impact due to energy and electricity usage and production. A less than significant impact was identified in the Approved SEIR with respect to established policies and plans. The Project would be designed consistent with the applicable guidelines and standards within the Approved SEIR, and City Development Code. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

### **Threshold (b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? [Approved SEIR Impact 5.6-2]**

#### **Local Plans**

##### City of Ontario Community Climate Action Plan (CAP)

The primary purpose of the City's Community CAP is to design a feasible strategy to reduce GHG emissions generated by community activities that is consistent with statewide CARB Scoping Plan GHG reduction efforts. The City has identified a series of reduction measures to be implemented by the City. These reduction measures include programs that relate to the energy efficiency of projects within the City. As shown in **Table 15: Community Climate Action Consistency**, the Project would comply and would not conflict with the measures and goals established by the City's Community CAP. Therefore, implementation of the project would be consistent with the energy efficiency and renewable energy standards of a City's local plan.



Top 2050

**Table 11: Consistency with the TOP** evaluates the consistency of the Project to the applicable policies of TOP. As shown in the table, the Project would generally be consistent with the applicable policies of TOP. For example, the sustainable design strategies in the Approved SEIR includes use of energy efficient LEDs, implementation of passive design such as building orientation, landscaping, and strategic colors to improve building energy performance, and use of high-performance dual pane window glazing in retail storefronts. Therefore, overall, the Project would be consistent and would not interfere with the Approved SEIR.

**Table 11: Consistency with the TOP**

Goal/Policy No.	Goal/ Policy	Consistency
Policy ER3-1	<b>Conservation Strategy:</b> Require conservation as the first strategy to be employed to meet applicable energy saving standards.	<b>Consistent:</b> The proposed Project incorporates energy-saving conservation strategies into its design guidelines by addressing lighting, bicycle parking, sustainable landscaping, and energy efficiency. Sustainable design strategies include incorporation of LED or metal halide lighting and energy efficient appliances.
Policy ER3-2	<b>Green Development – Communities:</b> Encourage the use of LEED Neighborhood Development rating system, or similar mechanism, to guide the planning and development of all new communities.	<b>Consistent:</b> Development of land uses accommodated under the Project would comply with the CALGreen Code, and implement strategies such as the use of low water use landscaping, and modern Heating, Ventilation, and Air Conditioning (HVAC) systems.
Policy ER3-3	<b>Building and Site Design:</b> 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.	<b>Consistent:</b> The proposed Project includes the use of passive design to improve building energy performance through low water use landscaping. Additionally, the development of land uses accommodated under the proposed Project would also be designed in compliance with the CALGreen Code.
Policy ER3-4	<b>Green Development – Public Buildings:</b> We require all new and substantially renovated City buildings in excess of 10,000 sq ft achieve a LEED Silver Certification standard, as determined by the U.S. Green Building Council.	<b>Not Applicable:</b> This policy is applicable to City-owned buildings.
Policy ER3-5	<b>Fuel Efficient and Alternative Energy Vehicles and Equipment:</b> We purchase and use vehicles and equipment that are fuel efficient and meet or surpass state emissions requirements and/or use renewable sources of energy.	<b>Not Applicable:</b> This policy is applicable to City-owned vehicles and equipment.
Source: City of Ontario. 2022. <i>TOP 2050, Environmental Resources Element</i> . <a href="https://www.ontarioca.gov/about-ontario-ontario-plan-policy-plan/environmental-resources">https://www.ontarioca.gov/about-ontario-ontario-plan-policy-plan/environmental-resources</a> . (Accessed August 2023).		

The State's electricity grid is transitioning to renewable energy under California's RPS Program. Renewable sources of electricity include wind, small hydropower, solar, geothermal, biomass, and biogas. The statewide RPS requirements do not directly apply to individual development projects, but to utilities and energy providers such as SCE, whose compliance with RPS requirements would contribute to the State of

California objective of transitioning to renewable energy. SCE's Pathway 2045 concludes that reaching California's 2045 GHG goals requires the decarbonization of electricity, electrification of transportation, electrification of buildings, and utilization of low carbon fuels.<sup>25</sup> Achieving 100 percent renewable energy would be feasible with continued technical advances including the following:<sup>26</sup>

- Better weather forecasting technology is making it much easier for grid operators to precisely how much wind or solar generation we can depend on at any given time.
- The cost of zero-carbon generation sources like wind and solar have dramatically decreased in the past decade and continue to decline.
- The cost of energy storage technologies, which will help us be able to use renewables when the wind isn't blowing and the sun isn't shining, also continues to decline.
- New advancements in the ability of large and small electricity users to shift usage towards times when electricity is cheaper and when the supply of renewables is most abundant are helping to make the grid more flexible and able to accommodate very high levels of renewable energy.
- Grid operators around the western United States are coordinating to gain access to larger markets for renewables and other carbon-free flexible grid resources.
- Targeting energy efficiency during times of the day when renewables are less abundant (after the sun sets) will also help the grid operate more efficiently.

As discussed herein, the Project would comply with the Building Energy Efficiency Standards, the CALGreen Code, and energy efficiency measures implemented by the City CAP. Consistent with the CAP, the buildings developed under the Project would have rooftops that can support solar panels (i.e., solar-ready) which will comply with solar ready requirements of the Building Energy Efficiency Standards, which would enable future tenants to install a PV system. Therefore, implementation of the Project would support the statewide goal of decarbonization by 2045.

### **Mitigation Measures**

None identified in the Approved SEIR.

### **Conclusion**

The Project would not result in a new or more severe impact due to conflicts with fossil fuel energy or renewable energy plan. A less than significant impact was identified in the Approved SEIR with respect to fossil fuel energy or renewable energy plans. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

#### **4.7.3 Overall Energy Impact Conclusion**

With regard to CEQA Statute Section 21166 and CEQA Guidelines Section 15162(a), the changes proposed by the Project would not result in any new or more severe impacts with respect to energy resources. Therefore, preparation of a SEIR is not warranted.

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<sup>25</sup> Southern California Edison. 2023. Carbon Neutrality by 2045. Retrieved from: <https://www.edison.com/our-perspective/pathway-2045>. (Accessed August 2023).

<sup>26</sup> SB 100. 2023. 100% Clean Energy FAQs. Retrieved from: <https://focus.senate.ca.gov/sb100/faqs>. (Accessed August 2023).

## 4.8 GEOLOGY AND SOILS

### 4.8.1 Summary of TOP 2050 Analysis

The Approved EIR concluded that upon implementation of regulatory requirements, standard conditions of approval, and mitigation measures impacts to geology and soils would be less than significant.

### 4.8.2 Analysis of Proposed Project

**Threshold (a) Directly or indirectly cause potential substantial adverse effects, including the risk loss, injury, or death involving: [Approved SEIR Impact 5.7-1]**

- (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.**
- (ii) **Strong seismic ground shaking**
- (iii) **Seismic-related ground failure, including liquefaction**
- (iv) **Landslides**

No New or More Severe Impacts: There are no Alquist-Priolo Earthquake Fault Zone's located within the City.<sup>27</sup> The southern section of the San Andreas Fault is estimated to be capable of generating the greatest magnitude earthquake, 8.0. However, projects considered for approval under TOP 2050 would be required to comply with seismic safety provisions of the California Building Code (CBC) (Title 24, Part 2 of the California Code of Regulations).<sup>28</sup> Compliance with these regulations would reduce hazards arising from ground shaking to less than significant.

The Project site is in a developed area of the City and is not on or near a hillside. The Project site is relatively flat with a slight gradient to the southwest.<sup>29</sup> Therefore, the Project is not located in an area susceptible to landslides. The Approved SEIR found that groundwater levels throughout the City are greater than 50 feet below ground surface, so there is currently no potential for liquefaction in the City. In addition, the Approved SEIR found that implementation of projects in the pursuant to TOP 2050 could indirectly increase the number of people and structures in the City that could be subjected to earthquake-related hazards.<sup>30</sup> Projects developed pursuant to TOP 2050 would be required to meet the most current seismic safety requirements in the CBC. Although the proposed Project would result in an increased development compared to existing land uses, proposed development within the Project site would be within the assumptions made in the Approved SEIR and would not result in development of new,

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<sup>27</sup> City of Ontario. 2021. *The Ontario Plan 2050 Draft Supplemental Environmental Impact Report*. Page. 5.7-18. Retrieved from: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final\\_DraftSEIR\\_TOP2050.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final_DraftSEIR_TOP2050.pdf). (Accessed September 2023).

<sup>28</sup> Ibid.

<sup>29</sup> GeoKinetics. 2022. Phase I Environmental Site Assessment Ontario Plaza 1000 – 1060 West Fourth Street & 1118 – 1126 North Mountain Avenue Ontario, Page 6. California. Irvine, CA: GeoKinetics

<sup>30</sup> City of Ontario. 2021. *The Ontario Plan 2050 Draft Supplemental Environmental Impact Report*. Page. 5.7-19. Retrieved from: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final\\_DraftSEIR\\_TOP2050.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final_DraftSEIR_TOP2050.pdf). (Accessed September 2023).

previously undeveloped areas of Ontario. After compliance with safety provisions of the CBC, implementation of the Project would have less than significant impacts from seismic hazards.

### **Mitigation Measures**

None found relevant to this Project.

### **Conclusion**

The Project would not result in a new or more severe impact due to the exacerbation or exposure to hazards associated with seismicity, liquefaction, and landslide. A less than significant impact was identified in the Approved SEIR. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

### **Threshold (b) Result in substantial soil erosion or the loss of topsoil? [Approved SEIR Impact 5.7-2]**

**No New or More Severe Impacts:** Per the Approved SEIR underlying the City is young alluvial sediment and wind-blown sand that is generally granular, poorly consolidated, and very susceptible to erosion.<sup>31</sup> Grading will increase the potential for erosion by removing protective vegetation, changing natural drainage patterns, and constructing slopes. In addition, per the Approved SEIR the City requires an erosion/dust control plan for projects located within this area. Future projects' adoption of National Pollutant Discharge Elimination System (NPDES) permits and accompanied Stormwater Pollution Prevention Plans (SWPPPs) would reduce potential risks of erosion. The Project would comply with all requirements set forth in the NPDES permit for construction activities (e.g., implementation of Best Management Practices [BMPs] through preparation of a SWPPP), reducing potential impacts to less than significant levels. Additionally, compliance with the CBC and review of grading plans for individual projects by the City Engineer would ensure no significant impacts would occur. The Project site is currently developed and paved. Renovation of the Project site would involve earthmoving activities which could expose soil, but these activities would be temporary. Permanent ground covering structure and improvements would be placed which would generate a minimal chance of erosion. Therefore, after compliance with the safety provisions of the City's applicable regulations CBC, and appropriate implementation of development practices, the proposed Project would have less than significant impacts from soil erosion.

### **Mitigation Measures**

No mitigation measures are required in TOP 2050, and impacts would be less than significant.

### **Conclusion**

Erosion impacts related to the proposed Project are less than the significant. The Project would not result in a new or more severe impact relative to erosion, a less than significant impact was identified in the

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<sup>31</sup> City of Ontario. 2021. *The Ontario Plan 2050 Draft Supplemental Environmental Impact Report*. Page. 5.7-19. Retrieved from: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final\\_DraftSEIR\\_TOP2050.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final_DraftSEIR_TOP2050.pdf). (Accessed September 2023).

Approved SEIR. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would later the Approved SEIR's significance finding.

**Threshold (c) Be located on a geological 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? [Approved SEIR Impact 5.7-3]**

**Threshold (d) Be located on expansive soil, as defined in Table 18-1B of the Uniform building Code (1994), creating substantial direct or indirect risks to life or property? [Approved SEIR Impact 5.7-4]**

**Threshold (e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water? [Approved SEIR Impact 5.7-5]**

**No New or More Severe Impacts:** Projects considered for approval under TOP 2050 could expose structures or persons to potentially significant hazards from ground subsidence and expansive soils.<sup>32</sup> However, compliance with CBC and review of grading plans for individual projects by the City Building Official would ensure that impacts would be minimal.<sup>33</sup> The young sediments underlying the City are generally dry and loose in the upper few feet, and are susceptible to compression.<sup>34</sup> Therefore, projects approved pursuant to TOP 2050 could expose persons or structures to potentially significant hazards from compressible soils.<sup>35</sup> However, as previously mentioned compliance with the CBC and review of grading plans for individual projects by the City Building Official would lead to less than significant impacts.

The proposed Project does not propose the use of septic tanks and would connect to existing sewer lines. Therefore, the Project would not result in new impacts or a substantial increase in the magnitude of impacts to geology and soils.

### **Mitigation Measures**

No mitigation measures are required in TOP 2050, and impacts would be less than significant.

### **Conclusion**

Soil hazard impacts related to the proposed Project are less than significant. The Project would not result in a new or more severe impact relative to soil hazards, a less than significant impact was identified in the Approved SEIR. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

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<sup>32</sup> City of Ontario. 2021. *The Ontario Plan 2050 Draft Supplemental Environmental Impact Report*. Page. 5.7-20. Retrieved from: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final\\_DraftSEIR\\_TOP2050.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final_DraftSEIR_TOP2050.pdf). (Accessed September 2023).

<sup>33</sup> Ibid.

<sup>34</sup> Ibid, Page 5.7-21

<sup>35</sup> Ibid.

### **Threshold (f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature? [TOP 2050 5.7-6]**

**No New or More Severe Impacts:** The Approved SEIR found that buildout of the TOP 2050 would not result in impacts to paleontological resources with the implementation of **MM 5-2**. Ontario is underlain by deposits of Quaternary and upper-Pleistocene sediments deposited during Pliocene and early Pleistocene time. Quaternary Older Alluvial sediments may contain significant, nonrenewable, paleontological resources and are therefore considered to have high sensitivity. Grading and construction activities associated with TOP 2050 in undeveloped areas or redevelopment that requires more intensive soil excavation than in the past could potentially cause the disturbance of paleontological resources. Therefore, future development that would be accommodated by TOP 2050 could potentially unearth previously unrecorded resources. Paleontological resources are recognized as nonrenewable and receive protection under the California Public Resources Code (Section 21083.2) and CEQA. Review and protection of paleontological resources are also afforded by CEQA for individual development projects that would be accommodated by TOP 2050, would be subject to discretionary actions that are implemented in accordance with the land use plan of TOP 2050. With implementation of **MM 5-2** Project impacts to unique paleontological resources or unique geological features would be less than significant.

#### **Mitigation Measures**

The Approved SEIR includes measures to reduce potential impacts associated with the implementation of TOP 2050. **MM 5-2** from the Approved SEIR would be applied to the proposed Project.

In compliance with **MM 5-2**, a CRA was prepared for the Project in October 2023 that provides recommendations should archaeological and/or paleontological resources be discovered during ground disturbing activities. However, no archeological or paleontological resources were identified. See **Appendix C** for additional details.

#### **Conclusion**

The Project would not result in a new or more severe impact to a unique paleontological resource or site or unique geological feature. A less than significant impact was identified in the Approved SEIR with respect to paleontological resources or site or unique geological features. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

#### **4.8.3 Overall Geology and Soils Impact Conclusion**

With regard to CEQA Statute Section 21166 and CEQA Guidelines Section 15162(a), the changes proposed by the Project would not result in any new or more severe impacts with respect to geology and soils. Therefore, preparation of a SEIR is not warranted.

## 4.9 GREENHOUSE GAS EMISSIONS

### 4.9.1 Summary of TOP 2050 Analysis

TOP 2050 includes an update to the City's Community Climate Action Plan (CCAP) which was adopted in 2014. The CCAP is a plan to reduce greenhouse gas (GHG) emissions and improve community resilience to hazardous conditions associated with climate change. The update to the CCAP includes updated emissions inventories; updated emissions forecasts; identifies GHG emissions reduction targets to achieve the GHG reduction goals of the City, 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.

### 4.9.2 Analysis of Proposed Project

**Threshold (a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. [Approved SEIR Impact 5.8-1]**

#### Construction Greenhouse Gas Emissions

**No New or More Severe Impacts:** The Project would result in direct emissions of Carbon Dioxide (CO<sub>2</sub>), Nitrous Oxide (N<sub>2</sub>O), and Methane (CH<sub>4</sub>) from construction equipment and the transport of materials and construction workers to and from the Project site. The GHG emissions only occur during temporary construction activities and would cease once construction is complete. The total GHG emissions (in Carbon Dioxide Equivalent [CO<sub>2</sub>e]) generated during construction are shown in **Table 12: Construction-Related Greenhouse Gas Emissions**.

**Table 12: Construction-Related Greenhouse Gas Emissions**

Category	MTCO <sub>2</sub> e	30-Year Amortized MTCO <sub>2</sub> e
Construction Year 2024	587	19.57
Construction Year 2025	1,245	41.50
Construction Year 2026	1,118	37.27
<i>Total Construction Emissions</i>	<i>2,950</i>	<i>98.33<sup>1</sup></i>
Note: Total does not sum due to rounding. Source: CalEEMod version 2020.4.0. Refer to Appendix B for model outputs.		

As shown in **Table 12: Construction-Related Greenhouse Gas Emissions**, the Project would result in the generation of approximately 2,950 Metric Tons of Carbon Dioxide Equivalent (MTCO<sub>2</sub>e) over the course of construction. Construction GHG emissions are typically summed and amortized over a 30-year period and then added to the operational emissions. The amortized Project construction emissions would be 98.33 MTCO<sub>2</sub>e per year. Once construction is complete, the generation of these GHG emissions would cease.

#### Operational Greenhouse Gas Emissions

**No New or More Severe Impacts:** Operational emissions occur over the life of the Project. GHG emissions would result from direct emission sources such as Project generated vehicular traffic, on-site combustion of natural gas, and operation of any landscaping equipment. Operational GHG emissions would also result

from indirect sources, such as off-site generation of electrical power, the energy required to convey water to, and wastewater from the Project, the emissions associated with solid waste generated from the Project, and any fugitive refrigerants from air conditioning or refrigerators.

Prior to issuance of a building permit, the City would review and verify that future development plans within the Project area demonstrate compliance with the current version of the Building and Energy Efficiency Standards. Development would also be required to adhere to the provisions of CALGreen, which establishes planning and design standards for sustainable Project site development, and energy efficiency. Construction activities would be required to monitor air quality emissions using applicable regulatory guidance such as the SCAQMD Rules.

GHG emissions associated with the Project are summarized in **Table 13: Operational Greenhouse Gas Emissions**. As shown in **Table 13: Operational Greenhouse Gas Emissions**, the Project's emissions would be 2,186.85 MTCO<sub>2</sub>e annually from both construction and operations.

**Table 13: Operational Greenhouse Gas Emissions**

Emissions Source	Annual Emissions
	MTCO <sub>2</sub> e per Year
Total Construction Emissions Amortized Over 30 Years	98.3
Area Source	84.3
Energy	593.0
Mobile	1,285.0
Waste	86.5
Water and Wastewater	39.4
Refrigerants	0.35
<b>Total</b>	<b>2,186.85</b>
Emissions per Dwelling Unit	6.13
2022 CCAP Update Threshold for residential developments completed between 2020 and 2030, emissions per Dwelling Unit	5.85
<b>Exceeds Threshold?</b>	<b>Yes</b>

Source: CalEEMod version 2020.4.0. Refer to Appendix B for model outputs.

The Project includes 357 dwelling units; therefore, annual GHG emissions would equal 6.13 MTCO<sub>2</sub>e per unit, exceeding the 5.85 MTCO<sub>2</sub>e per unit threshold for residential projects completed before 2030. As such, the Project must achieve a minimum of 100 points on the Screening Table to show consistency with the 2022 CCAP Update.

### Screening Table

To show consistency with 2022 CCAP Update the Project shall include selected Screening Table Measures that achieve a minimum of 100 points. The City shall verify that Screening Table Measures achieving a minimum of 100 points are incorporated in development plans prior to the issuance of building permit(s)



and/or Project site plans. The City shall also verify implementation of the selected Screening Table Measures prior to the issuance of Certificate(s) of Occupancy. By achieving the 100-point minimum, the Project would be consistent with the 2022 CCAP Update and thus the Project is considered to have a less than significant individual and cumulatively considerable impact on GHG emissions. An example of how the proposed Project could achieve a minimum of 100 Screening Table Points is provided in **Table 14: Example of GHG Performance Standards for Multi-Family Development.**

**Table 14: Example of GHG Performance Standards for Multi-Family Development**

Reduction Measure	Description	Feature	Points
Measure 1: Building Electrification	Replacement of gas appliance with efficient electric appliance	Electric Space Heater	6
		Electric Water Heater	8
		Electric Stove	5
		Electric Dryer	1
<i>Total for measure</i>			<b>20</b>
Measure 4: Transit Oriented Communities	New development is located in a transit-oriented community	Development site is located within ½ mile radius of one or more of the following: a Bus Rapid Transit (BRT) stop, bus transit center, light rail station, the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods, and/or High Quality Transit Corridor defined as a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.	10
			<i>Total for measure</i>
Measure 6: Vehicle Electrification	Installation of EV charging stations for resident vehicle parking space	Installation of Level 2 EV or higher charging stations at a rate of 5-10% of required vehicle parking spaces.	10
			<i>Total for measure</i>
Measure 7: Active Transportation	Installation or improvement of bicycle facilities	Bicycle parking facilities with 1:1 ratio of bicycle parking to guest vehicle parking space.	3
			Installation or improvement of pedestrian facilities
<i>Total for measure</i>			
Measure 10: Waste Diversion	Design and plan multi-family housing developments to include onsite areas for municipal compost/green waste and recycling bins/containers	Site design allocates sufficient space for storage and collection of green waste, organic waste, and recyclables.	33
			<i>Total for measure</i>

Reduction Measure	Description	Feature	Points
Measure 11: Water Conservation	Implement indoor water efficiency measures	Implement water efficient showerheads and faucets.	1
		Install on-demand water circulators on all showers/baths	2
	Incorporate outdoor water efficiency measures	Design and plan outdoor landscapes planted with drought-tolerant, low maintenance plants with a 1) drip irrigation system or 2) sprinkler irrigation system with a weather-based irrigation controller.	4
<i>Total for measure</i>			<b>7</b>
Additional Measures	AR-1: Meet CalGreen	CalGreen Tier 2 Compliance	10
	AR-2: Generate energy from on-site solar PV	Solar PV that generates 30%-49% of residential energy needs on multifamily residential buildings that are 4 stories in height or taller.	5
<i>Total for measure</i>			<b>15</b>
<b>TOTAL POINTS</b>			<b>101</b>
Source: City of Ontario, <i>Ontario Community Climate Action Plan: Greenhouse Gas Emissions Screening Tables</i> , Table 3, page 10. <a href="https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/CCAP/Screening%20Table/Ontario-CCAP_Screening-Tables-MARCH%202023.pdf">https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/CCAP/Screening%20Table/Ontario-CCAP_Screening-Tables-MARCH%202023.pdf</a> . (Accessed August 2023).			

## Conclusion

GHG emission impacts related to the proposed Project are similar to the less than significant impacts identified in Approved SEIR. No new impact relative to GHG emissions or a substantial increase in the severity of a previously identified significant impact evaluated in the Approved SEIR would occur. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

## Mitigation Measures

None provided in the Approved SEIR.

## Conclusion

The Project would not result in a new or more severe impact to GHG emissions, a less than significant impact was identified in the Approved SEIR with respect to GHG. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

## Threshold (b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. [Approved SEIR Impact 5.8-2]

### City of Ontario Community Climate Action Plan Consistency

**No New or More Severe Impacts:** The primary purpose of the City's Community Climate Action Plan (CCAP) is to design a feasible strategy to reduce GHG emissions generated by community activities that is consistent with statewide Scoping Plan GHG reduction efforts. The City has identified a series of reduction measures to be implemented by the City. These reduction measures include programs that improve

building energy efficiency, increase use of public and active transit, and decrease VMT, increase use of alternative-fueled vehicles, increase use of renewable energy, reduce water consumption, and reduce waste.

**Table 15: Community Climate Action Plan Consistency**, evaluates the consistency of the proposed Project to the applicable measures of the CCAP. As discussed in the table, the proposed Project would be consistent with all applicable measures. By using energy more efficiently, harnessing renewable energy to power buildings, recycling waste, and enhancing access to sustainable transportation modes, the City can keep dollars in local economy, create new green jobs, and improve community quality of life. As shown in **Table 15: Community Climate Action Plan Consistency**, the Project would not conflict with the goals of the CCAP.

**Table 15: Community Climate Action Plan Consistency**

CCAP Measure Name	Measure Description	Consistency	
<b>Energy</b>			
Energy – Strategy 1	<b>Building electrification.</b> Promote and incentivize the phase-out of gas appliances in new and existing homes and businesses throughout the community to advance GHG reductions, increase energy efficiency, and protect public safety and environmental health.	N/A:	This measure is to be taken at the City level. However, implementation of the Project would not conflict with this strategy.
Energy – Strategy 2	<b>Onsite solar energy for existing residential development.</b> Continue to support and facilitate installation of rooftop solar photovoltaic and onsite solar energy systems in existing residential development.	N/A:	This measure only applies to existing residential development.
Energy – Strategy 3	<b>Onsite Solar Energy Systems for Nonresidential Development:</b> Ensure new large non-residential development, including City facilities, includes onsite renewable energy to support the site's energy needs by requiring solar photovoltaic panels or other appropriate onsite renewable energy generation systems for the following types of projects: <ul style="list-style-type: none"> <li>New commercial and office buildings, or existing commercial and office building expansions greater or equal to 45,000 sq ft in size.</li> <li>New industrial or existing industrial buildings expansions greater or equal to 100,000 sq ft in size.</li> </ul>	N/A:	The Project Proposes the development of a large residential structure with smaller (3,800 sq ft) of retail uses.
Energy – Strategy 4	<b>Green roofs.</b> Promote and incentivize residents and business owners to install green roofs to conserve energy and reduce surface water runoff.	N/A:	This measure is to be taken at the City level. However, implementation of the Project would not conflict with this strategy.
Energy – Strategy 5	<b>Urban Cooling:</b> Maintain and expand the City's existing tree canopy, with a goal of planting 500 trees annually through 2050 and promote the use of pervious concrete and cool pavement for pavement projects.	Consistent:	The Proposed Project would include landscape installation and pervious concrete pavement.
Energy – Strategy 6	<b>Energy efficiency retrofits for low-income households.</b> Promote and incentivize voluntary energy efficiency	N/A:	This measure is not applicable to the proposed Project, as

CCAP Measure Name	Measure Description	Consistency	
	retrofits of homes to reduce natural gas and electricity usage, with the goal of retrofitting 9,000 low-income homes by 2050. Partner with community services agencies to fund energy efficiency projects, including heating, ventilation, air conditioning, indoor lighting, water heating equipment, insulation, and weatherization for low-income residents.		retrofits only apply to existing structures.
Energy – Strategy 7	<b>Energy efficiency retrofits.</b> Promote and incentivize voluntary energy efficiency retrofits to reduce in natural gas and electricity usage. Partner with regional agencies to expand access to existing energy efficiency and conservation opportunities, incentives, and technical assistance for residents and businesses.	N/A:	This measure is not applicable to the proposed Project, as retrofits only apply to existing structures.
Energy – Strategy 8	<b>Smart Growth and Infill.</b> Encourage revitalization of neighborhoods through higher-density, mixed-use, infill development and creative reuse of underutilized sites within the urban core.	Consistent:	The Project would construct multifamily residential and commercial retail land uses on an underutilized site in the City.
<b>Transportation</b>			
Transportation – Strategy 9	<b>Transit-Oriented Development:</b> Encourage development of compact, mixed-use, and transit-oriented development to improve the regional jobs-housing balance, especially on corridors served by high-ridership transit and bus rapid transit, such as Holt Avenue.	Consistent:	The proposed Project would provide a mixed-use development along a Mountain Avenue, a high-volume corridor with existing public transit.
Transportation – Strategy 10	<b>Increase Transportation Ridership.</b> Ensure a reliable and responsive transit system with dedicated and secure funding and resources to support increased ridership.	N/A:	This measure is to be taken at a City level. However, implementation of the Project would not conflict with this strategy.
Transportation – Strategy 11	<b>Traffic signal synchronization and roadway management.</b> Implement traffic and roadway management strategies to improve mobility and efficiency and reduce associated emissions.	N/A:	This measure is to be taken at the City level. However, implementation of the Project would not conflict with this strategy.
Transportation – Strategy 12	<b>Community vehicle electrification.</b> Promote and incentivize the adoption of electric vehicles (EV) citywide, including light-duty and heavy-duty vehicles, for municipal, commercial, and residential uses.	N/A:	This measure is to be taken at the City level. However, implementation of the Project would not conflict with this strategy.
Transportation – Strategy 13	<b>Active Transportation Networks:</b> Work with transit agencies, school districts, and employers to facilitate an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car sharing, bicycling, and walking.	Consistent:	The proposed Project would develop multifamily residential units near public transportation provided by OmniTrans.
Transportation – Strategy 14	<b>Vehicle Idling:</b> Limit idling of heavy-duty trucks. Support the SCAMQD and CARB anti-idling requirements and provide signage in key areas where	Consistent:	Commercial motor vehicles are required to comply with California Code of Regulations Section 2485 which would limit the idling of Diesel fueled

CCAP Measure Name	Measure Description	Consistency	
	idling that is not consistent with SCAMQD or CARB requirements might occur.		vehicles to no more than five minutes.
Transportation – Strategy 15	<b>Parking policy and event parking.</b> Adopt a comprehensive parking policy that encourages carpooling and the use of alternative transportation, including providing parking spaces for car-share vehicles at convenient locations with access to public transportation.	N/A:	This measure is to be taken at a City level. However, implementation of the Project would not conflict with this strategy.
<b>Off-road Equipment</b>			
Off-Road Equipment – Strategy 16	<b>Electrification of construction and landscaping equipment.</b> Promote and incentivize the transition to electric construction and landscaping equipment.	N/A:	This measure is to be taken at the City level. However, implementation of the Project would not conflict with this strategy.
Off-Road Equipment – Strategy 17	<b>Idling Ordinance for Construction Equipment:</b> Limit idling of heavy-duty off-road construction equipment to reduce air pollution and GHG emissions from construction activity.	Consistent:	Construction would be required to comply with California Code of Regulations Section 2485 and 2499 which would limit the idling of heavy-duty construction equipment to no more than five minutes.
<b>Waste</b>			
Waste – Strategy 18	<b>Methane capture at landfills.</b> Support efforts to reduce methane emissions from regional landfills.	N/A:	This measure is not applicable to the proposed Project.
Waste – Strategy 19	<b>Waste Diversion:</b> Exceed waste diversion goals recommended by AB 939 and CALGreen by adopting a citywide diversion target of at least 75 percent of waste.	Consistent:	The proposed Project would be subject to all applicable local, State, and federal waste diversion requirement.
Waste – Strategy 20	<b>Construction and Demolition Waste Recovery Ordinance:</b> Increase the amount of waste recycled during construction and demolition of buildings.	Consistent:	Contractors are required to comply with CALGreen Code Sections 4.408 and 5.408, requiring the recycling of a minimum of 65 percent of construction and demolition waste, refer to <b>PPP GHG-3</b> .
<b>Water</b>			
Water – Strategy 21	<b>Indoor water efficiency.</b> Encourage water-efficient retrofits of new and existing buildings by working with water providers and regional agencies.	Consistent:	The Project would comply with CALGreen Code Section 4.303 and require the installation of low flow fixtures.
Water – Strategy 22	<b>Water Efficient Landscapes and Water Recycling:</b> Promote drought-tolerant and fire-wise landscaping. Encourage increased use of reclaimed water for landscape irrigation, agricultural, and industrial use.	Consistent:	The proposed Project plans to incorporate native drought tolerant landscaping and would use recycled water to irrigate landscape areas as required by the City of Ontario Recycled Water Master Plan.
Water – Strategy 23	<b>Water system and wastewater operations efficiency.</b> Maximize efficiency at drinking water treatment,	N/A:	This measure is not applicable to the proposed Project.

CCAP Measure Name	Measure Description	Consistency	
	pumping, and distribution facilities, including development of off-peak demand schedules for heavy commercial and industrial users.		
Water – Strategy 24	<b>Methane capture for wastewater treatment.</b> Work with Inland Empire Utilities Agency (IEUA), the local wastewater treatment provider, to increase methane capture rate.	N/A:	This measure is not applicable to the proposed Project.
<b>Other</b>			
Strategy 25	<b>Methane capture for dairy operations.</b> Encourage and incentivize local dairy operations to reduce methane emissions through methane capture technology.	N/A:	This measure is not applicable to the proposed Project.
Strategy 26	<b>Climate change awareness and education.</b> Promote climate change awareness and GHG reduction community-wide through a variety of mechanisms, including through support of climate change education in schools or community colleges.	N/A:	This measure is to be taken at the City level.
Strategy 27	<b>Carbon sequestration.</b> Establish a citywide carbon sequestration project and sequestration goal of 5,000 MT CO <sub>2</sub> per year.	N/A:	This measure is to be taken at the City level.
Strategy 28	<b>Green jobs.</b> Support green job trainings and opportunities to create sustainable, living wage, quality employment opportunities.	N/A:	This measure is to be taken at the City level.
Source: City of Ontario, 2022. <i>Ontario Community Climate Action Plan</i> . Retrieved from: <a href="https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/CCAP/Ontario-CCAP_Adopted_20220816.pdf">https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/CCAP/Ontario-CCAP_Adopted_20220816.pdf</a> . (Accessed August 2023).			

### SCAG's Connect SoCal

On September 3, 2020, SCAG's Regional Council adopted Connect SoCal (*2020 - 2045 Regional Transportation Plan/Sustainable Communities Strategy* [2020 RTP/SCS]). The RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. The RTP/SCS embodies a collective vision for the region's future and is developed with input from local governments, county transportation commissions, tribal governments, nonprofit organizations, businesses, and local stakeholders in the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. SCAG's RTP/SCS establishes GHG emissions goals for automobiles and light-duty trucks for 2020 and 2035 as well as an overall GHG target for the Project region consistent with both the target date of AB 32 and the post-2020 GHG reduction goals of Executive Orders 5-03-05 and B-30-15.

The RTP/SCS contains over 4,000 transportation projects, ranging from highway improvements, railroad grade separations, bicycle lanes, new transit hubs and replacement bridges. These future investments were included in county plans developed by the six county transportation commissions and seek to reduce traffic bottlenecks, improve the efficiency of the region's network, and expand mobility choices for everyone. The RTP/SCS is an important planning document for the region, allowing project sponsors to qualify for federal funding.

The plan accounts for operations and maintenance costs to ensure reliability, longevity, and cost effectiveness. The RTP/SCS is also supported by a combination of transportation and land use strategies that help the region achieve state GHG emissions reduction goals and FCAA requirements, preserve open space areas, improve public health and roadway safety, support our vital goods movement industry, and utilize resources more efficiently. GHG emissions resulting from development-related mobile sources are the most potent source of emissions, and therefore Project comparison to the RTP/SCS is an appropriate indicator of whether the Project would inhibit the post-2020 GHG reduction goals promulgated by the state. The Project's consistency with the RTP/SCS goals is analyzed in detail in **Table 16: Regional Transportation Plan/Sustainable Communities Strategy Consistency**.

**Table 16: Regional Transportation Plan/Sustainable Communities Strategy Consistency**

SCAG Goals		Compliance	
GOAL 1:	Encourage regional economic prosperity and global competitiveness.	Consistent:	The Project would draw new residents and retail businesses to the area, contributing to regional economic prosperity.
GOAL 2:	Improve mobility, accessibility, reliability, and travel safety for people and goods.	Consistent:	Although this Project is not a transportation improvement project, the Project is located near an existing transportation route along I-10.
GOAL 3:	Enhance the preservation, security, and resilience of the regional transportation system.	N/A:	This is not a transportation improvement project and is therefore not applicable.
GOAL 4:	Increase person and goods movement and travel choices within the transportation system.	N/A:	This is not a transportation improvement project and is therefore not applicable. However, implementation of the Project would not conflict with this goal.
GOAL 5:	Reduce greenhouse gas emissions and improve air quality.	Consistent:	The Project is located within an urban area in proximity to existing transportation routes and freeways. Location of the project within a developed area would reduce trip lengths, which would reduce GHG and air quality emissions. Additionally, the Project would achieve a minimum of 100 points on the City GHG Screening Table, thereby reducing GHG emission impacts to less than significant levels.
GOAL 6:	Support healthy and equitable communities	Consistent:	The Project includes a mix of uses including housing and neighborhood-serving retail proximate to employment, reducing vehicle miles traveled (VMT), promoting walkability, and contributing to a jobs/housing balance.
GOAL 7:	Adapt to a changing climate and support an integrated regional development pattern and transportation network.	Consistent:	The Project would be an infill development in an underutilized area which will provide housing in close proximity to designated public transit facilities and routes. Specifically, two OmniTrans bus stops are located within 100 feet of the Project site.
GOAL 8:	Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	N/A:	This is not a transportation improvement project and is therefore not applicable. However, implementation of the Project would not conflict with this goal.

SCAG Goals	Compliance
GOAL 9: Encourage development of diverse housing types in areas that are supported by multiple transportation options.	Consistent: The Project involves development of a mix of uses (residential and commercial) that would provide diverse housing options that would be served by OmniTrans bus service on the southwest corner of the Project site, and approximately 60 feet southwest of the Project site.
GOAL 10: Promote conservation of natural and agricultural lands and restoration of habitats.	Consistent: The Project proposes a mix of residential and commercial land uses in an urbanized area and would therefore not interfere with conservation of natural or agricultural lands. The Project site is not considered vital habitat land and therefore would not conflict with restoration of habitats.
Source: Southern California Association of Governments, <i>Connect SoCal (2020 - 2045 Regional Transportation Plan/Sustainable Communities Strategy, 2020</i> .	

The goals stated in the RTP/SCS were used to determine consistency with the planning efforts previously stated. As shown in **Table 16: Regional Transportation Plan/Sustainable Communities Strategy Consistency**, the Project would be consistent with the stated goals of the RTP/SCS. Therefore, the Project would not result in any significant impacts or interfere with SCAG's ability to achieve the region's post-2020 mobile source GHG reduction targets.

### California Air Resource Board Scoping Plan Consistency

Adopted December 15, 2022, CARB's *2022 Scoping Plan for Achieving Carbon Neutrality* (2022 Scoping Plan) sets a path to achieve targets for carbon neutrality and reduce anthropogenic GHG emissions by 85 percent below 1990 levels by 2045 in accordance with AB 1279. To achieve the targets of AB 1279, the 2022 Scoping Plan relies on existing and emerging fossil fuel alternatives and clean technologies, as well as carbon capture and storage. Specifically, the 2022 Scoping Plan focuses on zero-emission transportation; phasing out use of natural gas use for heating homes and buildings; reducing chemical and refrigerants with high GWP; providing communities with sustainable options for walking, biking, and public transit; displacement of fossil-fuel fired electrical generation through use of renewable energy alternatives (e.g., solar arrays and wind turbines); and scaling up new options such as green hydrogen. 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 (i.e., Climate Action Plan) consistent with CEQA Guidelines section 15183.5.

The key elements of the 2022 CARB Scoping Plan focus on transportation. Specifically, the 2022 Scoping Plan aims to rapidly move towards zero-emission (ZE) transportation (i.e., electrifying cars, buses, trains, and trucks), which constitutes California's single largest source of GHGs. The regulations that impact the transportation sector are adopted and enforced by CARB on vehicle manufacturers and are outside the jurisdiction and control of local governments. The 2022 Scoping Plan accelerates development of new regulations as well as amendments to strengthen regulations and programs already in place. Statewide strategies to reduce GHG emissions in the latest 2022 Scoping Plan include:

- Implementing SB 100 (achieve 100 percent clean electricity by 2045);
- Achieving 100 percent zero emission vehicle sales in 2035 through Advanced Clean Cars II; and



- Implementing the Advanced Clean Fleets regulation to deploy zero-emission vehicle (ZEV) buses and trucks.

Additional transportation policies include the Off-Road Zero-Emission Targeted Manufacturer rule, Clean Off-Road Fleet Recognition Program, In-use Off-Road Diesel-Fueled Fleets Regulation, Clean Off-Road Fleet Recognition Program, and Amendments to the In-use Off-Road Diesel-Fueled Fleets Regulation. The 2022 Scoping Plan would continue to implement SB 375. GHGs would be further reduced through the Cap-and-Trade Program carbon pricing and SB 905. SB 905 requires CARB to create the Carbon Capture, Removal, Utilization, and Storage Program to evaluate, demonstrate, and regulate carbon dioxide removal projects and technology.

As indicated above, GHG reductions are also achieved as a result of State of California energy and water efficiency requirements for new residential developments. These efficiency improvements correspond to reductions in secondary GHG emissions. For example, in 2021 approximately 38 percent of the total electricity net generation in California was derived from natural gas combustion. Therefore, energy saving measures, such as Title 24, reduces GHG emissions from the power generation facilities by reducing load demand.

#### Scoping Plan Appendix D, Local Actions

Included in the 2022 Scoping Plan is a set of Local Actions (2022 Scoping Plan Appendix D) aimed at providing local jurisdictions without a CEQA-qualified CAP with the tools needed to reduce GHGs and assist the state in meeting the ambitious targets set forth in the 2022 Scoping Plan. CARB Scoping Plan Appendix D 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.<sup>36</sup> CARB specifically states that Appendix D does not address other land uses (e.g., industrial).<sup>37</sup> However, CARB plans to explore new approaches for other land use types in the future.<sup>38</sup>

CARB Scoping Plan Appendix D lists potential actions that support the State's climate goals. However, the Scoping Plan notes that the applicability and performance of the actions may vary across the regions. The document is organized into two categories (A) examples of plan-level GHG reduction actions that could be implemented by local governments and (B) examples of on-site project design features, mitigation measures, that could be required of individual projects under CEQA, if feasible, when the local jurisdiction is the lead agency.

Appendix D notes that project consistency with the Scoping Plan can be determined through consistency with a qualified CAP, and absent consistency with a qualified CAP the State recommends that residential and mixed-use projects meet the following three priority areas will reduce GHG emissions and should accommodate growth in a manner consistent with State GHG reduction and equity prioritization goals. These project attributes are intended to help local jurisdictions qualitatively identify projects that are

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<sup>36</sup> California Air Resources Board, 2022 Scoping Plan for Achieving Carbon Neutrality, Appendix D: Local Actions, Page 21, November 2022.

<sup>37</sup> California Air Resources Board, 2022 Scoping Plan for Achieving Carbon Neutrality, Appendix D: Local Actions, Page 4, November 2022.

<sup>38</sup> California Air Resources Board, 2022 Scoping Plan for Achieving Carbon Neutrality, Appendix D: Local Actions, Page 21, November 2022.

clearly consistent with the Scoping Plan. Appendix D also notes that lead agencies may determine, with adequate additional supporting evidence, that projects that incorporate some, but not all, of the key project attributes are consistent with the State's climate goals.<sup>39</sup>

- **Transportation Electrification.** Table 3 in the 2022 Scoping Plan, Appendix D, notes that to be clearly consistent with the State's goals, projects should provide EV charging infrastructure that, at minimum, meets the most ambitious voluntary standard in the CALGreen code.
- **VMT Reduction.** The Scoping Plan notes that to be consistent with the VMT reduction attribute, projects should be located on sites that are surrounded by existing urban uses and reuses or redevelops previously undeveloped or underutilized land; do not result in the loss or conversion of natural and working lands; and consist of transit-supportive densities (minimum of 20 residential dwelling units per acre).
- **Building Decarbonization.** Building decarbonization involves maximizing energy efficiency and reducing the use of fossil fuel energy.

However, as discussed previously, the City of Ontario has adopted a CEQA-qualified CAP and as shown in **Table 15: Community Climate Action Consistency**, the Project is consistent with the Ontario CCAP. As noted in Scoping Plan Appendix D, consistency with a qualified CAP ensures consistency with the Scoping Plan. Therefore, the Project is consistent with 2022 Scoping Plan and would comply with all applicable regulatory requirements.

## Conclusion

The Project would be consistent with the Ontario CCAP, SCAG's RTP/SCS, and the CARB Scoping Plan. The Project would be required to comply with all existing regulations, including applicable measures from the City's General Plan.

As shown in **Table 13: Operational Greenhouse Gas Emissions**, approximately 86 percent of the Project Total GHG emissions are from energy and mobile sources which would be further reduced by the 2022 Scoping Plan goals (including achieve 100 percent clean electricity by 2045 [SB 100], achieving 100 percent zero emission vehicle sales in 2035 [Advanced Clean Cars II], and implementing the Advanced Clean Fleets regulation [ZEV buses and trucks]). Mobile source emissions would further decline in the future due to statewide measures discussed above (including the reduction in fuels' carbon content, CARB's Advanced Clean Car Program, CARB's Mobile Source Strategy, fuel efficiency standards, etc.), as well as cleaner technology and fleet turnover. SCAG's 2020 RTP/SCS is also expected to help California reach its GHG reduction goals, with reductions in per capita transportation emissions of 19 percent by 2035.<sup>40</sup> The Project includes a mix of a residential and commercial land uses that would potentially reduce the need to travel long distances for some residents and reduce associated GHG emissions.

At this time, it is not possible to quantify the emissions savings from future regulatory measures that have not yet been developed; nevertheless, it can be anticipated that Project operations would benefit from applicable measures are enacted to meet State GHG reduction goals. The Project would not impede the

<sup>39</sup> California Air Resources Board, *2022 Scoping Plan for Achieving Carbon Neutrality, Appendix D: Local Actions*, Page 23, November 2022.

<sup>40</sup> California Air Resources Board, *SB 375 Regional Plan Climate Targets*, Retrieved from: <https://ww2.arb.ca.gov/our-work/programs/sustainable-communities-program/regional-plan-targets>.

State's progress towards carbon neutrality by 2045 under the 2022 Scoping Plan. The Project would be required to comply with applicable current and future regulatory requirements promulgated through the 2022 Scoping Plan.

In addition, the Ontario CCAP establishes a points system that assigns values for each GHG emissions mitigation design element or operational program feature incorporated into a given development project. The CCAP Screening Tables point values correspond to the minimum GHG emissions reduction expected from each feature. Projects with features that yield at least 100 Screening Table points are considered consistent with the reduction quantities anticipated in the City's CCAP. Such projects would be determined to have a less than significant individual and cumulative GHG emissions impact. Achieving 100 points ensures that the Project would not impede California's statewide GHG reduction goals for 2030 and 2050.

In conclusion, the Project does not conflict with the applicable plans that are discussed above and therefore, the Project does not have a significant impact.

#### **Mitigation Measures**

None provided in the Approved SEIR.

#### **Conclusion**

GHG emission impacts related to the proposed Project are less than significant. The Project would not result in a new or more severe impact relative to GHG emissions, a less than significant impact was identified in the Approved SEIR. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

#### **4.9.3 Overall Greenhouse Gas Emissions Impact Conclusion**

With regard to CEQA Section 21166 and CEQA Guidelines Section 15162(a), the changes proposed by the Project would not result in any new impacts, or increase the severity of the previously identified impacts, with respect to GHG emissions. Therefore, preparation of a SEIR is not warranted.

## 4.10 HAZARDS AND HAZARDOUS MATERIALS

### 4.10.1 Summary of TOP 2050 Analysis

The Approved EIR concluded that upon implementation of regulatory requirements and TOP policies and programs, impacts to hazards and hazardous materials would be less than significant.

### 4.10.2 Analysis of Proposed Project

#### **Threshold (a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? [Approved SEIR Impact 5.9-1]**

**No New or More Severe Impacts:** Implementation of the Project would increase the number of businesses and residents in the City, thereby increasing the amount of hazardous materials being transported, stored, and manufactured, and the number of people exposed to these materials. The Approved SEIR concluded that buildout of TOP 2050 would result in an increase in the frequency of transport, use, and disposal of hazardous materials associated with commercial and industrial growth in the City.<sup>41</sup> The storage, handling, use, and disposal of these materials are regulated by Federal and State requirements. The proposed Project would adhere to these regulations, including the Federal Occupational Safety and Health Act and Hazardous Materials Transportation Act; Title 8 of the California Code of Regulations (CalOSHA), and the State Unified Hazardous Waste and Hazardous Materials Management Regulatory Program. As a result, potential effects stemming from the routine transport and use of hazardous materials during construction would be reduced and would not be substantial. Therefore, impacts are anticipated to be less than significant and would not pose new or additional impacts compared to the Approved SEIR.

#### **Mitigation Measures**

None provided in the Approved SEIR.

#### **Conclusion**

The routine transport of hazardous materials impacts related to the proposed Project are less than significant. The Project would not result in a new or more severe impact relative to the routine transport of hazardous materials, a less than significant impact was identified in the Approved SEIR. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

#### **Threshold (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? [Approved SEIR Impact 5.9-1]**

#### **Threshold (c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substance, or waste within one-quarter mile of an existing or proposed school? [Approved SEIR Impact 5.9-1]**

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<sup>41</sup> City of Ontario. 2021. *The Ontario Plan 2050 Draft Supplemental Environmental Impact Report*. Page. 5.9-37. Retrieved from: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final\\_DraftSEIR\\_TOP2050.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final_DraftSEIR_TOP2050.pdf). (Accessed September 2023).

**Threshold (d) Be located on a site which is included on a list of hazardous materials compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment [Approved SEIR Impact 5.9-2]**

**No New or More Severe Impact:** A Phase I Environmental Site Assessment (ESA) was prepared for Project in August 2022 by GeoKinetics Geotechnical and Environmental Engineers (GeoKinetics) (refer to **Appendix E**). GeoKinetics prepared their ESA using data collected via a reconnaissance survey of the Project site; an evaluation of historical uses of the Project site and surrounding uses; and the review of available federal, state, and local environmental records.

The ESA concluded that the Project site contained no underground storage sites (USTs) or above-ground storage tanks (ASTs). Asbestos containing materials (ACMs) may be encountered on the Project site during demolition activities due to the age of the structures (some structures like the post office are older than 1978). Lead Based Paint (LBP) may also be encountered on the Project site during demolition of existing structures due to their age. LBPs may be present in some structures such as the post office which were constructed prior to the limitation of lead content paints by the Department of Consumer affairs in 1987.

A dry-cleaning operation was previously operational on the Project site and has since been closed and left vacant. The area which the dry-cleaning operation formerly occupied has undergone several phases of subsurface investigations and remedial actions through the Department of Toxic Substance Control's (DTSC's) Voluntary Cleanup Program (VCP). Tetrachloroethene (PCE) contaminants were discovered in harmful concentrations during soil gas testing, groundwater sampling, and indoor air sampling. Based on the results of the samplings, it was recommended that the western portion of the Project site be designated for commercial redevelopment. Additionally, it was recommended that an additional four semi-annual soil gas confirmation sampling events be performed in 2013 and 2014. PCE concentrations in soil gas were noted to be stable, or decreasing over the four sampling events except at a few locations where the detections were already below the Risk-Based Target Concentration (RBTC) levels. The DTSC issued a No Further Action (NFA) letter on December 15, 2017, for Area B (essentially the area of the Ontario Plaza Building) and established a commercial/industrial land use deed restriction and an unrestricted "no further action" designation for Area A (the remainder of the site) (refer to **Figure 16: Deed Restriction Overlay**). All future Project site development must follow the guidelines in existing the Land Use Covenant, the deed restriction, and the NFA Letter. No other hazardous materials or waste was discovered on the Project site.<sup>42</sup>

Hazardous materials which would be encountered on the Project site have been previously remediated and has been designated as no further action by the DTSC. Furthermore, as shown in **Figure 16: Deed Restriction Overlay**, the Project parking garage would occupy the entire area formerly restricted to commercial and industrial uses, further separating future residential structures from being erected within the area containing the commercial/industrial deed restriction. Furthermore, the Project would be required to comply with federal and state regulations, City ordinances, and TOP 2050 policies guiding construction activities and adequate treatment of hazardous materials such as LBPs and ACMs. Compliance with federal and state regulations would require adequate handling of hazardous substances

<sup>42</sup> GeoKinetics. 2022. Phase I Environmental Site Assessment Ontario Plaza 1000 - 1060 West Fourth Street & 1118 - 1126 North Mountain Avenue Ontario, California. Irvine, CA: GeoKinetics

to reduce potential releases; exposure; and risks of transporting, storing, treating, and disposing of hazardous materials and wastes. Therefore, impacts associated with additional hazardous waste transport, use, and/or disposal that would occur would be less than significant with adherence to the existing regulations.

### **Mitigation Measures**

None provided in the Approved SEIR.

### **Conclusion**

Hazardous materials impacts related to the proposed Project are less than the significant. The Project would not result in a new or more severe impact, a less than significant impact was identified in the Approved SEIR with respect to hazardous materials. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

### **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 result in a safety hazard or excessive noise for people residing or working in the project area? [Approved SEIR Impact 5.9-3]**

**No New or More Severe Impacts:** The Federal Aviation Administration and Caltrans Division of Aeronautics provide guidance for land use safety near airports. With adherence to these guidelines, high concentrations of people are not exposed to potential airplane accidents along runways or near airports while airplanes are departing and arriving. The Project is within the Airport Influence Area (AIA) of the Ontario International Airport and therefore should be consistent with the adopted ONT ALUCP and should meet standards and recommendations of Part 77 of the FAA, adopted through Ordinance 2758 in the Ontario Municipal Code.<sup>43</sup> A consistency determination analysis for ONT was prepared by the City and submitted to ONT-IAC, and it was found that TOP 2050 is consistent with ALUCP for the Ontario International Airport (ONT-IAC 2022).<sup>44</sup> The Chino Airport is predominantly a recreational airport.<sup>45</sup> Since the airport is not planned for expansion and would remain primarily recreational, and only lower elevation buildings surround it and would continue to surround it upon project implementation, the Chino Airport poses no unique hazards.<sup>46</sup> Additionally, the Project site is outside of any of the ONT ALUCP safety zones.<sup>47</sup> Thus, TOP 2050 ensures compatibility with ONT and Chino Airport. The Proposed project would not result in new or a substantial increase in magnitude of impacts.

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<sup>43</sup> Ontario Airport Planning. 2018. Ontario International Airport Land Use Compatibility Plan, Map 2-1: Compatibility Policy Map: Airport Influence Area. Retrieved from: <https://www.ont-iac.com/wp-content/uploads/2019/02/ONT-AIA-policy-map-2-1.pdf> (Accessed September 2023).

<sup>44</sup> City of Ontario. 2021. *The Ontario Plan 2050 Draft Supplemental Environmental Impact Report*. Page. 5.9-39. Retrieved from: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final\\_DraftSEIR\\_TOP2050.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final_DraftSEIR_TOP2050.pdf). (Accessed September 2023).

<sup>45</sup> Ibid, Page 5.9-40.

<sup>46</sup> Ibid.

<sup>47</sup> Ontario Airport Planning. 2018. Ontario International Airport Land Use Compatibility Plan, Map 2-2: Compatibility Policy Map: Safety Zones. Retrieved from: <https://www.ont-iac.com/wp-content/uploads/2019/02/ONT-AIA-policy-map-2-2.pdf> (Accessed September 2023).

### **Mitigation Measures**

None provided in the Approved SEIR.

### **Conclusion**

The Project would not result in a new or more severe impact due to proximity to an airport or airport land use plan, a less than significant impact was evaluated in the Approved SEIR. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

### **Threshold (f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? [Approved SEIR Impact 5.9-4]**

**No New or More Severe Impacts:** As part of TOP 2050, a Vulnerability Analysis was conducted that determined, the threat of flood is Ontario's greatest hazard as large portions of the City are within a flood zone.<sup>48</sup> The City's Roadway Classification map identifies that there are substantial improvements in transportation infrastructure planned to accommodate the increase in population in the City in the event of an emergency. Additionally, the Ontario Fire Department reviews development applications to ensure that adequate emergency accessibility is provided based on local and state guidance. The Project would include the placement of an EVA lane which allows emergency personnel access to the Project in moments of emergency. Therefore, the Project would not result in new impacts or a substantial increase in the magnitude of impacts.

### **Mitigation Measures**

None proposed in the Approved SEIR.

### **Conclusion**

The Project would not result in a new impact relative to established emergency plans, a less than significant impact was evaluated in the Approved SEIR. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

### **Threshold (g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires? [Approved SEIR Impact 5.9-5]**

**No New or More Severe Impacts:** The City is outside of the State Responsibility Area (SRA), but the California Department of Fire and Forestry (CAL FIRE) has determined that the City contains no areas subject to very high wildfire risk.<sup>49</sup> However, the City acknowledges that even though fuel loading is light and fire risk comes primarily from urban fires, not wildfires, there is some risk related to wildfires.<sup>50</sup> There are many resources available to address wildland fires should they arise, including the CAL FIRE 2019 *Strategic Fire Plan for California*, the California Fire Code, County of San Bernardino Multi-jurisdiction

<sup>48</sup> City of Ontario. 2021. *The Ontario Plan 2050 Draft Supplemental Environmental Impact Report*. Page. 5.7-41. Retrieved from: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final\\_DraftSEIR\\_TOP2050.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final_DraftSEIR_TOP2050.pdf). (Accessed September 2023).

<sup>49</sup> Ibid.

<sup>50</sup> Ibid.

Hazard Management Plan, the Ontario LHMP, and fire services from the Ontario Fire Department. With adherence to these building practices, development of the Project would not exacerbate risk or result in post-wildfire hazards (landslides, mudflows, and flooding).

### **Mitigation Measures**

None proposed in the Approved SEIR.

### **Conclusion**

Wildfire risk impacts related to the proposed Project are less than the significant, a less than significant impact was evaluated in the Approved SEIR. The Project would not result in a new impact relative to wildfire risk. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

#### **4.10.3 Overall Hazards and Hazardous Materials Impact Conclusion**

With regard to CEQA Section 21166 and CEQA Guidelines Section 15162(a), the changes proposed by the Project would not result in any new impacts, or increase the severity of the previously identified impacts, with respect to hazards or hazardous materials. Therefore, preparation of a SEIR is not warranted.



## 4.11 HYDROLOGY AND WATER QUALITY

### 4.11.1 Summary of TOP 2050 Analysis

The Approved SEIR concluded that compliance with the MS4 permit includes implementation of Project site design and source control BMPs that reduce the potential for pollutants to enter runoff and treatment control BMPs that remove pollutants from stormwater. Additionally, after compliance with permits impacts would be less than significant.

### 4.11.2 Analysis of Proposed Project

#### Threshold (a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? [Approved SEIR Impact 5.10-1]

**No New or More Severe Impacts:** Implementation of TOP 2050 was found to not substantially alter the amount of developed land in the City. However, most of Ontario Ranch is agricultural land which is designated for future urban use development by the TOP 2050. Based on the Approved SEIR findings, implementation of National Pollution Discharge Elimination System (NPDES) and Stormwater Pollution Prevention Plan (SWPPP) Best Management Practices (BMPs) would effectively minimize the construction impacts associated with water quality. BMPs included in these permits may include actions such as:

- Project site design standards that maximize permeable areas, use porous pavements, and focus on natural drainage systems;
- Structural source control that minimizes pollution of stormwater by such means as paving trash storage areas and fueling areas with impervious surfaces, and grading such areas to block run-off; and
- Treatment Control measures that Remove pollutants from stormwater by filtration, media absorption, or other means.

Additionally, the Project would be required to control pollutants in discharges of stormwater from postconstruction activities through preparation of a Water Quality Management Plan (WQMP). As discussed in 4.10, Hazards and Hazardous Materials above, hazardous contamination found in the groundwater within the Project area was remediated and found to require no further action according to DTSC.<sup>51</sup>

During Project operation, the residential and retail uses within the Project site would utilize newly placed sewer systems improved within the site, including a grease interceptors and additional sewer facilities.

The Project would comply with Federal, state, and local regulations regarding the maintenance of water quality standards and therefore impacts would be less than significant.

#### **Mitigation Measures**

None identified in the Approved SEIR.

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<sup>51</sup> GeoKinetics. 2022. Phase I Environmental Site Assessment Ontario Plaza 1000 – 1060 West Fourth Street & 1118 – 1126 North Mountain Avenue Ontario, California. Irvine, CA: GeoKinetics

## **Conclusion**

Water quality degradation impacts related to the proposed Project are less than the significant. The Project would not result in a new or more severe impact relative to water quality, a less than significant impact was evaluated in the Approved SEIR. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

### **Threshold (b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? [Approved SEIR Impact 5.10-2]**

**No New or More Severe Impacts:** Nearly all of the Project site is impermeable surfaces which are unideal for groundwater recharge. Regardless, projects considered for approval under TOP 2050 would have to meet the following requirements for limiting impacts to groundwater recharge:

- BMPs for compliance with NPDES regulations, for instance, preservation of existing vegetation.
- Preparation of project-specific hydrology studies estimating project impacts on drainage, in accordance with procedures in the *San Bernardino County Technical Guidance Document for WQMPs (2013)*.

According to the Approved SEIR the TOP 2050 contains policies that would promote infiltration of runoff and groundwater recharge, that encourage the use of low impact development (LID) strategies to intercept runoff, slow the discharge rate, increase infiltration, and ultimately reduce discharge volumes to traditional storm drain systems.<sup>52</sup> Application of these policies would further lead to less than significant impacts due to groundwater resources. Furthermore, the Chino Groundwater Basin is adjudicated and is considered by DWR to be a very low priority groundwater basin.<sup>53</sup> Therefore, the Project would not deplete or otherwise substantially degrade surface or groundwater quality, nor would it substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basins. Therefore, the proposed Project would not result in a new or a substantial increase in magnitude of impacts that would impede sustainable groundwater management of the basin.

## **Mitigation Measures**

No mitigation measures are required in the Approved SEIR, and impacts would be less than significant.

## **Conclusion**

Groundwater supply impacts related to the proposed Project are less than the significant. The Project would not result in a new impact or more severe relative to groundwater supply, a less than significant impact was evaluated in the Approved SEIR. Additionally, no new information of substantial importance

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<sup>52</sup> City of Ontario. 2021. *The Ontario Plan 2050 Draft Supplemental Environmental Impact Report*. Page. 5.10-22. Retrieved from: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final\\_DraftSEIR\\_TOP2050.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final_DraftSEIR_TOP2050.pdf). (Accessed September 2023).

<sup>53</sup> Ibid, Page. 5.10-23.

that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

**Threshold (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: [Approved SEIR Impact 5.10-3]**

- i) Result in a substantial erosion or siltation on- or off-site.**
- ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite.**
- iii) Create or contribute to 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.**

**No New or More Severe Impacts:** Future development associated with the Project would involve site improvements that require grading, excavation, and soil exposure during construction, with the potential for erosion or siltation to occur. To minimize these impacts and as discussed in the Approved SEIR, the Project would be required to comply with the requirements in the State Water Resources Control Board's (SWRCB's) Construction General Permit (CGP) including the preparation of a notice of intent and SWPPP prior to the start of construction activities. Additionally, to comply with MS4 Permit and San Bernardino County Stormwater Program, the Project would also be mandated to install stormwater treatment BMP's that retain the 2-year, 24-hour rainfall event.

As previously discussed, the Project would be required to attain an NPDES permit and associated SWPPP. These two processes and the associated BMPs would adequately minimize potential off-site water quality impacts. Construction-related BMPs would be identified based on site-specific conditions during preparation of a SWPPP for the Project. Long term operational BMPs would be identified through issuance of an NPDES permit through the RWQCB and would include water quality features to ensure that runoff is treated prior to discharge into the storm drain or regional conveyance facilities. The Project would also include the development of stormwater facilities designed to adequately convey and manage stormwater flows experienced within the Project site.

Additionally, according to the Federal Emergency Management Act (FEMA) National Flood Hazards Map, the Project is located in an area of minimal flood hazard.<sup>54</sup> Additionally, only small portions of the City adjacent to flood control channels, detention basins, and creeks are in the 100-year flood plain. However, as discussed above the proposed Project is located in an area of minimal flood hazard.<sup>55</sup>

The Project would include connections to existing stormwater systems but would not include modifications to stormwater facilities which would impede or redirect stormwater flows. As well, the Project site is currently disturbed with impermeable surfaces over the majority of the site. The development of the Project would not introduce substantial amounts of impermeable surfaces beyond

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<sup>54</sup> FEMA's National Flood Hazard Layer. 06071C8608H. Retrieved at: <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>. (Accessed July 2023)

<sup>55</sup> Ibid.

what exists on the Project site currently. See **Figure 17: Project Utility Layout** for a diagram of utilities proposed for the Project.

As such, the Project would result in no new or more severe impact from erosion or siltation and would not create or contribute runoff water that would exceed the capacity of existing drainage systems. The Project site is not located in an area prone to the previously mentioned natural or manmade disasters. Thus, the Project would not substantially alter the existing drainage pattern of the Project 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 create the above-mentioned disasters. A less than significant impact is anticipated from Project implementation. No new impact or increase in the severity of an identified impact would therefore occur with implementation of the Project.

### **Mitigation Measures**

None identified in the Approved SEIR.

### **Conclusion**

Drainage pattern impacts related to the proposed Project are less than significant. The Project would not result in a new or more severe impact relative to drainage patterns, a less than significant impact was evaluated in the Approved SEIR. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

### **Threshold (d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation. [Approved SEIR Impact 5.10-4]**

**No New or More Severe Impacts:** The Approved SEIR determined that only small portions of Ontario are in the 100-year floodplain, adjacent to flood control channels, detention basins, and creeks. Under TOP 2050, to reduce impacts of potential developments within 100-year flood zones the City will require any new development partially or entirely in 100-year flood zones to provide detailed floodplain mapping for 100- and 200-year storm events as part of the development process. The City will also require that facilities using hazardous materials comply with state and federal law and do not permit facilities using, storing, or otherwise involved with substantial quantities of onsite hazardous materials to be located in the 100-year or 500-year flood zone unless all standards of elevation, floodproofing, and storage have been implemented to the satisfaction of the Building Department. As discussed above the Project site is located in an area of minimal flood hazard. Nevertheless, the Project would comply with all applicable policies of the TOP 2050.

Additionally, there are no large bodies of water that would result in a seiche during seismic activity. The reservoirs/aboveground water tanks within the City are enclosed, thereby minimizing the possibility of a seiche. The Project location is inland and approximately 30 miles from the ocean and is not at risk of flooding from tsunamis. Therefore, impacts associated with release of pollutants due to inundation would be less than significant. No new impact or increase in the severity of an identified impact would therefore occur with implementation of the Project.

### **Mitigation Measures**

None identified in the Approved SEIR.

### **Conclusion**

Tsunami and flood hazard impacts related to the proposed Project are less than significant. The Project would not result in a new or more severe impact relative to tsunami and flood hazard, a less than significant impact was evaluated in the Approved SEIR. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

### **Threshold (e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. [TOP 2050 Impact 5.10-5]**

**No New or More Severe Impacts:** The City's groundwater supplies are from the Chino Groundwater Basin, which is adjudicated and managed by the Chino Basin Watermaster. The Chino Basin is exempt from legislative requirements under the Sustainable Groundwater Management Act (SGMA) because it is an adjudicated basin and is not required to prepare a groundwater sustainability plan. As discussed in the Approved SEIR, projects approved under TOP 2050 would be required to comply with the Santa Ana River Basin Plan and to control pollutants in discharges of stormwater from postconstruction activities under NPDES Permit No. CAS618036 through preparation of a WQMP identifying BMPs for prevention of stormwater pollution during the post-construction phase, including site-design, source-control, and/or treatment of BMPs. Additionally, adherence to the State CGP, implementation of the SWPPP, and adherence to the City's Erosion and Sediment Control Plan requirements, would ensure that surface and groundwater quality are not adversely impacted during construction of the Project. Therefore, the proposed Project would not obstruct or conflict with the RWQCB's Basin Plan or any groundwater management plan, and impacts would be less than significant.

### **Mitigation Measures**

None identified in the Approved SEIR.

### **Conclusion**

Water quality control plan impacts related to the proposed Project are less than significant. A less than significant impact was evaluated in the Approved SEIR. The Project would not result in a new or more severe impact relative to water quality control plans. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

#### **4.11.3 Overall Hydrology and Water Quality Impact Conclusion**

With regard to CEQA Section 21166 and CEQA Guidelines Section 15162(a), the changes proposed by the Project would not result in any new impacts, or increase the severity of the previously identified impacts, with respect to hydrology and water quality. Therefore, preparation of a SEIR is not warranted.

## 4.12 LAND USE AND PLANNING

### 4.12.1 Summary of TOP 2050 Analysis

According to the Approved SEIR, implementation of the TOP 2050 would not divide an established community. Additionally, the Approved SEIR concluded that implementation of the TOP 2050 would not conflict with established plans adopted for the purpose of avoiding or mitigating an environmental effect.

### 4.12.2 Analysis of Proposed Project

#### Threshold (a) Physically divide an established community? [Approved SEIR Impact 5.11-1]

**No New or More Severe Impacts:** According to TOP 2050, the Project would be built on land zoned for multi-family mixed use development and is surrounded by a variety of urban land uses. Thus, Project implementation would not physically divide an established community. The Project would be developed consistently with the preferred land uses of the MU-NH land use designation and the MU-8b zoning district. Therefore, there are no new or more severe impacts.

#### Mitigation Measures

None identified in the Approved SEIR.

#### Conclusion

Land use and planning impacts related to the division of an established community related to the proposed Project are less than significant. The Project would not result in a new or more severe impact relative to land use and planning, a less than significant impact was evaluated in the Approved SEIR. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

#### Threshold (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? [Approved SEIR Impact 5.11-2]

**No New or More Severe Impacts:** As discussed in the Approved SEIR, TOP 2050 is intended to be a framework for planning and development in the City for the next 30 or more years. Additionally, buildout of TOP 2050 Land Use Plan would provide sufficient dwelling units, population, and employment capacity to exceed SCAG's projections for 2050.

Less than significant impacts related to land use and planning are identified in the Approved SEIR. Specifically, the Approved SEIR concluded that the TOP 2050 Land Use Plan would not introduce incompatible land uses to the City and would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The Project would remain consistent with the vision and goals of the TOP 2050 by providing additional dwelling units and employment opportunities and would not require a modification of land use designation for the Project site. Additionally, the TOP 2050 encouraged the development of mixed-use developments within the Project site through the implementation of a MU-NH land use

designation. Specifically, the TOP 2050 estimated that future buildout of the MU-NH Mountain and Fourth land use area would allow for the development of 251 dwelling units and 75,008 square feet of nonresidential uses. While the Project would exceed estimated residential buildout by 106 units, the Project's nonresidential uses would be below the buildout estimates by 71,208 sq ft. Additionally, the Project would remain consistent with the development density standards of MU-NH land use areas.<sup>56</sup>

The Project would be developed within the standards of this land use designation and would not propose or necessitate a general plan amendment due to conflicts with the goals or standards of this land use type. Furthermore, the Project would further the City's goal of generating manageable growth that can be accommodated by commercial or amenity uses within the City.

Furthermore, the Project would include the creation of a PUD, as required by the City Development Code, to designate site-specific development standards for the Project site which would act as the presiding standards for this Project and future developments. These standards are able to vary from established standards within the City Development Code but would be required to remain consistent with the TOP 2050. Additionally, **Table 11: Consistency with the TOP**, **Table 15: Community Climate Action Consistency**, and **Table 16: Regional Transportation Plan/Sustainable Communities Strategy Consistency** summarize the Project's consistency with established regional and local land use plans. Therefore, development of the roadway with open space amenities would not create new impacts.

### **Mitigation Measures**

None identified in the Approved SEIR

### **Conclusion**

Land use and planning impacts related to the proposed Project are less than significant. The Project would not result in a new or more severe impact relative to land use and planning, a less than significant impact was evaluated in the Approved SEIR. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

#### **4.12.3 Overall Land Use Impact Conclusion**

With regard to CEQA Section 21166 and CEQA Guidelines Section 15162(a), the changes proposed by the Project would not result in any new impacts, or increase the severity of the previously identified impacts, with respect to hydrology and land use and planning. Therefore, preparation of a SEIR is not warranted.

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<sup>56</sup> City of Ontario. 2022. City of Ontario Policy Plan Land Use Element. Figure LU-03 Future Buildout Table. Page 19. Retrieved from: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/Land%20Use/Figure%20LU-03%20Future%20Buildout%20Table\\_5.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/Land%20Use/Figure%20LU-03%20Future%20Buildout%20Table_5.pdf)

## 4.13 MINERAL RESOURCES

### 4.13.1 Summary of TOP 2050 Analysis

The Approved EIR concluded that buildout associated with TOP 2050 would not impact mineral resources of statewide, regional, or local value. Additionally, the TOP 2050 would allow mineral extraction only in areas both within Mineral Resource Zone-2 (MRZ-2) and within a Mineral Resource Sector. Areas which do not have both classifications would not be available for mineral extraction.

### 4.13.2 Analysis of Proposed Project

**Threshold (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? [Approved SEIR Impact 5.12-1]**

**Threshold (b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? [Approved SEIR Impact 5.12-1]**

**No New or More Severe Impacts:** As described in Section 5.12.2 of the Approved SEIR there are two areas in Ontario that are designated MRZ-2, where significant mineral resources are known or are likely. The remainder of the City is designated MRZ-3, where the significance of mineral deposits is unknown. The Project development in an MRZ-3 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. Additionally, the Project site would fall outside of a Mineral Resource Sector and would not allow for mineral extraction. Therefore, the Project would not result in the loss of availability of a known mineral resource in Ontario and impacts to mineral resources would be less than significant.

#### **Mitigation Measures**

None identified in the Approved SEIR

#### **Conclusion**

Mineral resource impacts related to the proposed Project are less than significant. The Project would not result in a new or more severe impact relative to mineral resources, a less than significant impact was evaluated in the Approved SEIR. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

### 4.13.3 Overall Mineral Resources Impact Conclusion

With regard to CEQA Section 21166 and CEQA Guidelines Section 15162(a), the changes proposed by the Project would not result in any new impacts, or increase the severity of the previously identified impacts, with respect to hydrology and land use and planning. Therefore, preparation of a SEIR is not warranted.



## 4.14 NOISE

### 4.14.1 Summary of TOP 2050 Analysis

The Approved SEIR concluded that buildout associated with TOP 2050 would contribute to considerable increases in ambient and construction-related noise. Additionally, TOP 2050 concluded that since details of individual development projects in the City are currently unknown, potentially significant impacts may not be reduced to less than significant levels by **MM 12-2** and **MM 12-4**.

### 4.14.2 Analysis of Proposed Project

**Threshold (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. [Approved SEIR Impact 5.13-1 and Impact 5.13-2]**

#### Construction

Construction noise typically occurs intermittently and varies depending on the construction activity's nature or phase (e.g., land clearing, grading, excavation, paving). Noise generated by construction equipment, including earth movers, material handlers, and portable generators, can reach high levels. During construction, exterior noise levels could affect noise-sensitive receptors near the construction site. The nearest sensitive receptors to the Project site construction area are existing residential uses to the north and east, adjacent to the Project property boundary. However, it is noted that construction activities would occur throughout the Project site and would not be concentrated at a single point near noise-sensitive receptors.

Construction activities would include demolition, Project site preparation, grading, building construction, paving, and architectural coating. Such activities would require:

- Industrial saws, excavators, and dozers during demolition;
- Dozers and tractors during Project site preparation;
- Excavators, graders, dozers, and tractors during grading;
- Cranes, forklifts, generators, tractors, and welders during building construction;
- Pavers, rollers, and paving equipment during paving; and
- Air compressors during architectural coating.

Typical noise levels associated with individual construction equipment are listed in **Table 17: Typical Construction Noise Levels**. For safety reasons, heavy duty construction equipment and machinery are assumed to stay a minimum of 25 feet from the boundaries of occupied properties.

**Table 17: Typical Construction Noise Levels**

Equipment	Typical Noise Level (dBA) at 50 feet from Source	Typical Noise Level (dBA) at 25 feet from Source <sup>1</sup>
Air Compressor	80	86
Backhoe	80	86
Compactor	82	88
Concrete Mixer	85	91
Concrete Pump	82	88
Concrete Vibrator	76	82
Crane, Mobile	83	89
Dozer	85	91
Generator	82	88
Grader	85	91
Impact Wrench	85	91
Jack Hammer	88	94
Loader	80	86
Paver	85	91
Pneumatic Tool	85	91
Pump	77	83
Roller	85	91
Saw	76	82
Scraper	85	91
Shovel	82	88
Truck	84	90

1. Calculated using the inverse square law formula for sound attenuation:  $dBA_2 = dBA_1 + 20\log(d_1/d_2)$   
Where:  $dBA_2$  = estimated noise level at receptor;  $dBA_1$  = reference noise level;  $d_1$  = reference distance;  $d_2$  = receptor location distance  
Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, September 2018.

Although the construction equipment noise levels in **Table 17: Typical Construction Noise Levels** are from the Federal Transit Administration's (FTA's) 2018 *Transit Noise and Vibration Impact Assessment Manual*, the noise levels are based on measured data from an EPA report which uses data from the 1970s,<sup>57</sup> the Federal Highway Administration (FHWA) Roadway Construction Noise Model (RCNM) which uses data from the early 1990s, and other measured data. Since that time, construction equipment has been required to meet more stringent emissions standards and the additional necessary exhaust systems also reduce noise from what is shown in the table.

Section 5-29.09 (Construction Activity Noise Regulations) of the City of Ontario Municipal Code restricts noise sources associated with construction activities between the hours of 7:00 AM to 6:00 PM on weekdays and 9:00 AM to 6:00 PM on Saturday. While the City establishes limits to the hours during which construction activity may take place, it does not identify specific noise level limits for construction noise levels. The City's permitted hours of construction are required in recognition that construction activities undertaken during daytime hours are a typical part of living in an urban environment and do not cause a significant impact.

<sup>57</sup> U.S. Environmental Protection Agency, Noise from Construction Equipment and Operations, Building Equipment and Home Appliances, NTID300.1, December 31, 1971.

Quantitative Construction Noise Assessment

However, this analysis conservatively uses the FTA's threshold of 80 A-weighted decibels (dBA) and 85 dBA (8-hour Equivalent Continuous Sound Pressure Level [ $L_{eq}$ ]) to evaluate construction noise impacts for residential and commercial uses, respectively.<sup>58</sup> It should be noted that although **Table 17: Typical Construction Noise Levels** shows that some equipment would exceed 80 dBA at 25 feet, the FTA's noise threshold is measured over an eight hour period, meaning that a single piece equipment would need to be stationary and operating continuously for eight hours to exceed the 80 dBA threshold. In addition, standard construction provides 25 dBA of exterior-to-interior noise attenuation with windows closed and 15 dBA with windows open.<sup>59</sup> Therefore, it can be assumed that exterior noise levels of 94 dBA (jackhammer) would equal 69 dBA when measured from the interior with windows closed.

Following FTA's methodology for quantitative construction noise assessments, construction-generated noise levels associated with the Project were calculated using FHWA's RCNM computer program. RCNM enables the prediction of construction noise levels for a variety of construction operations based on a compilation of empirical data and the application of acoustical propagation formulas. When calculating construction noise, all construction equipment is assumed to operate simultaneously at the center of the active construction zone to represent an average distance throughout the day. See Noise Modeling Data in **Appendix G** for more information regarding the construction assumptions used in this analysis.

The noise levels calculated in **Table 18: Project Construction Noise Levels**, show estimated exterior construction noise. Construction noise would increase ambient noise in the Project's vicinity. Generally, noise increases of less than 3 dBA is barely perceptible to people, while a 5-dBA increase is readily noticeable. Therefore, ambient noise level increases greater than 5 dBA would be considered significant. As shown in **Table 18: Project Construction Noise Levels**, construction noise would lead to an increase in ambient noise levels by a maximum of 15.6 dBA. However, the combined noise level would remain below the 80 dBA construction threshold for residential uses. Thus, construction noise would be considered less than significant.

**Table 18: Project Construction Noise Levels**

Construction Phase	Modeled Exterior Construction Noise Level at Nearest Residence (dBA $L_{eq}$ )	Noise Threshold (dBA $L_{eq}$ ) <sup>1</sup>	Exceed Threshold?	Ambient Noise Level (dBA $L_{eq}$ )	Construction + Ambient Combined Noise Level (dBA $L_{eq}$ )	Exceed Threshold?
Demolition	71.5	80	No	57.2	71.7	No <sup>4</sup>
Site Preparation	72.7		No		72.8	No <sup>4</sup>
Grading	72.3		No		72.4	No <sup>4</sup>
Combined Building Construction and Paving <sup>2</sup>	71.8		No		71.9	No <sup>4</sup>
Combined Building Construction and Architectural Coating <sup>3</sup>	71.1		No		71.3	No <sup>4</sup>

1. Federal Transit Administration noise threshold of 80 dBA for residences.

<sup>58</sup> Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, Table 7-2, Page 179, September 2018.

<sup>59</sup> United States Environmental Protection Agency, *Protective Noise Levels (EPA 550/9-79-100)*, 1979.

Construction Phase	Modeled Exterior Construction Noise Level at Nearest Residence (dBA L <sub>eq</sub> )	Noise Threshold (dBA L <sub>eq</sub> ) <sup>1</sup>	Exceed Threshold?	Ambient Noise Level (dBA L <sub>eq</sub> )	Construction + Ambient Combined Noise Level (dBA L <sub>eq</sub> )	Exceed Threshold?
2. Based on the construction schedule, building construction and paving activities are anticipated to overlap. Therefore, the equipment from these two activities have been combined. 3. Based on the construction schedule, building construction and architectural coating activities are anticipated to overlap. Therefore, the equipment from these two activities have been combined. 4. Combined Noise level remains below the 80 dBA construction noise threshold for residential uses.						
Source: Federal Highway Administration, <i>Roadway Construction Noise Model</i> , 2006. Refer to Appendix G for noise modeling results.						

## Operations

Project implementation would create new sources of noise in the site vicinity. The mixed-use development's major noise sources including the following:

- Stationary Noise Sources - mechanical equipment (i.e., trash compactors, air conditioners, etc.);
- Parking areas (i.e., car door slamming, car radios, engine start-up, and car pass-by); and
- Off-site traffic noise.

### Stationary Noise Sources

The Project site is located near residential properties to the north and east, while properties to the south and west are primarily commercial. The nearest sensitive receptors are located to the north and east, adjacent to the Project's property boundary. Potential stationary noise sources related to long-term operation of the Project site would include mechanical equipment. Mechanical equipment (e.g., heating ventilation and air conditioning [HVAC] equipment) typically generates noise levels of approximately 52 dBA at 50 feet<sup>60</sup>. At the closest sensitive receptor, approximately 160 feet away, mechanical equipment noise levels would attenuate to 41.9 dBA, which is below the City's ambient noise standards of 60 to 65 dBA for residential receptors. The ambient noise level at Sensitive Receptor 1 was measured at 57.2 dBA and would increase by 0.1 dBA with the inclusion of the HVAC equipment. This increase would be below the 3 dBA perceptibility threshold.

### Parking Noise

All parking would be provided on the Project site with a six level above grade parking structure. Traffic associated with parking lots is typically not of sufficient volume to exceed community noise standards, which are based on a time-averaged scale such as the Community Noise Equivalent Level (CNEL) scale. The instantaneous maximum sound levels generated by a car door slamming, engine starting up, and car pass-bys range from 53 to 61 dBA.<sup>61</sup> Conversations in parking areas may also be an annoyance to adjacent sensitive receptors. Sound levels of speech typically range from 33 dBA at 50 feet for normal speech to 50 dBA at 50 feet for very loud speech.<sup>62</sup> It should be noted that parking lot noises are instantaneous noise levels compared to noise standards in the hourly L<sub>eq</sub> metric, which are averaged over the entire duration

<sup>60</sup> Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden, *Noise Navigator Sound Level Database with Over 1700 Measurement Values*, July 6, 2010.

<sup>61</sup> Kariel, H. G., *Noise in Rural Recreational Environments*, Canadian Acoustics 19(5), 3-10, 1991.

<sup>62</sup> Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden, *Noise Navigator Sound Level Database with Over 1700 Measurement Values*, July 6, 2010.

of a time period. As a result, actual noise levels over time resulting from parking lot activities would be far lower than the reference levels identified above.

For the purpose of providing a conservative, quantitative estimate of the noise levels that would be generated from the vehicles entering and exiting the parking lot, the methodology recommended by FTA for the general assessment of stationary transit noise sources is used. Using the methodology, the Project's peak hourly noise level that would be generated by the on-site parking levels was estimated using the following FTA equation for a parking lot:

$$L_{eq(h)} = SEL_{ref} + 10 \log (NA/1,000) - 35.6$$

Where:

$L_{eq(h)}$  = hourly  $L_{eq}$  noise level at 50 feet

$SEL_{ref}$  = reference noise level for stationary noise source represented in sound exposure level (SEL) at 50 feet

NA = number of automobiles per hour

35.6 is a constant in the formula, calculated as 10 times the logarithm of the number of seconds in an hour.

Based on the peak hour trip generation rates in the Traffic Study, approximately 76 trips during the AM peak hour and 81 trips during the PM peak hour would be made to the Project site each day. Using the FTA's reference noise level of 92 dBA SEL<sup>63</sup> at 50 feet from the noise source, the Project's highest peak hour vehicle trips would generate noise levels of approximately 45.5 dBA  $L_{eq}$  at 50 feet from the parking lot. The nearest residential property is 180 feet north of the parking structure entrance, on the opposite side of the church (currently under construction). Based strictly on distance attenuation, parking lot noise at the nearest receptor would be 34.4 dBA which is below the City's residential and residential noise standards of 65 dBA daytime and 45 dBA nighttime noise standards. The ambient noise level at Sensitive Receptor 2, which is located nearest to a parking structure entrance/exit, was measured at 52.0 dBA and would increase by 0.1 dBA with the inclusion of parking structure noise. This increase would be below the 3 dBA perceptibility threshold.

### Off-Site Traffic Noise

Implementation of the Project would generate increased traffic volumes along nearby roadway segments. According to the Traffic Analysis, the Project Buildout would generate a total of 8,820 daily trips which would result in noise increases on Project area roadways. In general, a traffic noise increase of less than 3 dBA is barely perceptible to people, while a 5 dBA increase is readily noticeable. Generally, traffic volumes on Project area roadways would have to approximately double for the resulting traffic noise levels to increase by 3 dBA. Therefore, permanent increases in ambient noise levels of less than 3 dBA are considered to be less than significant.

<sup>63</sup> Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, September 2018.

Traffic noise levels for roadways primarily affected by the Project were calculated using the FHWA's Highway Noise Prediction Model (FHWA-RD-77-108). Traffic noise modeling was conducted for conditions With and Without the Project, based on traffic volumes from the Traffic Analysis. **Table 19: Project Traffic Noise Levels** identifies Project traffic-generated noise levels. Noise levels on Project area roadways would range between 44.3 dBA CNEL and 66.5 dBA CNEL at 100 feet from the centerline, and the Project would result in a maximum increase of 0.2 dBA CNEL along 4<sup>th</sup> Street. Noise impacts from off-site traffic would be less than significant.

**Table 19: Project Traffic Noise Levels**

Roadway	Segment	Opening Year		Opening Year Plus Project		Project Change from No Build Conditions	Significant Impact?
		ADT	dBA CNEL <sup>1</sup>	ADT	dBA CNEL <sup>1</sup>		
Mountain Avenue	North of 4 <sup>th</sup> Street	25,605	66.4	26,035	66.5	0.1	No
	South of 4 <sup>th</sup> Street	21,715	65.7	21,845	65.7	0.0	No
4 <sup>th</sup> Street	West of Mountain Avenue	7,320	58.5	7,450	58.6	0.1	No
	Mountain Avenue to Palmetto Avenue	9,106	59.4	9,366	59.6	0.2	No
	East of Palmetto Avenue	8,866	59.3	8,996	59.4	0.1	No
Palmetto Avenue	South of 4 <sup>th</sup> Street	1,004	44.3	1,004	44.3	0.0	No
ADT = average daily traffic; dBA = A-weighted decibels; CNEL = community noise equivalent level							
1. Traffic noise levels are at 100 feet from the roadway centerline. The actual sound level at any receptor location is dependent upon such factors as the source-to-receptor distance and the presence of intervening structures, barriers, and topography.							
Source: <i>Traffic Study for the Proposed Watermarke Ontario Project in the City of Ontario</i> , prepared by Kimley-Horn and Associates, 2023. Refer to Appendix G for traffic noise modeling assumptions and results.							

The Approved SEIR includes measures to reduce potential impacts associated with the implementation of TOP 2050. The following measures from the Approved SEIR are applicable to the proposed Project:

### **Mitigation Measures**

The Approved SEIR includes measures to reduce potential impacts associated with the implementation of TOP 2050. The following measures from the Approved SEIR are applicable to the Project:

**MM 12-4** Construction activities associated with new development that occurs near sensitive receptors shall be evaluated for potential noise impacts. Construction contractors shall implement the following measures for construction activities conducted in the City of Ontario. Construction plans submitted to the City shall identify these measures on demolition, grading, and construction plans submitted to the City. The City of Ontario Planning and Building Departments shall verify that grading, demolition, and/or construction plans submitted include these notations prior to issuance of demolition, grading, and/or building permits.

- Construction activity is limited to the hours: Between 7:00 AM and 6:00 PM Monday through Friday and 9:00 AM to 6:00 PM Saturdays and Sundays, as prescribed in Municipal Code Section 5-29.09.

- During the entire active construction period, equipment and trucks used for Project construction shall use the best-available noise control techniques (e.g., improved mufflers, equipment re-design, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds) wherever feasible.
- Impact tools (e.g., jackhammers and hoe rams) shall be hydraulically or electronically powered whenever possible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools.
- Stationary equipment, such as generators and air compressors shall be located as far as feasible from nearby noise-sensitive uses.
- Stockpiling shall be located as far as feasible from nearby noise-sensitive receptors.
- Construction traffic shall be limited, to the extent feasible, to approved haul routes established by the City's Engineering Department.
- At least 10 days prior to the start of construction activities, a sign shall be posted at the entrance(s) to the job site, clearly visible to the public, that includes permitted construction days and hours, as well as the telephone numbers of the City's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint. If the authorized contractor's representative receives a complaint, he/she shall investigate, take appropriate corrective action, and report the action to the City.
- Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All other equipment shall be turned off if not in use for more than 5 minutes.
- During the entire construction period and to the extent feasible, the use of noise-producing signals, including horns, whistles, alarms, and bells, shall be safety warning purposes only. The construction manager shall use smart back-up alarms, which automatically adjust the alarm level based on the background noise level or switch of back-up alarms and replace with human spotters in compliance with all safety requirements and laws.
- Erect temporary noise barriers (at least as high as the exhaust of equipment and breaking line-of-sight between noise sources and sensitive receptors) as necessary and feasible, to maintain construction noise levels at or below the performance standard of 80 dBA  $L_{eq}$ . Barriers shall be constructed with a solid material that has a density of at least 1.5 pounds per square foot with no gaps from the ground to the top of the barrier and may be lined on the construction side with an acoustical blanket, curtain, or equivalent absorptive material.

In compliance with MM 12-4, the City Planning and Building Departments would verify that Project grading, demolition, and/or construction plans submitted for review include the measures described above to limit noise impacts to the surrounding area, prior to issuance of demolition, grading, and/or building permits.

## **Conclusion**

As demonstrated in **Table 18: Project Construction Noise Levels** and **Table 19: Project Traffic Noise Levels**, implementation of the Project would not result in substantial temporary or permanent increases in ambient noise levels. **Table 18: Project Construction Noise Levels** confirms that construction of the Project would not exceed construction noise thresholds. In addition, **Table 19: Project Traffic Noise Levels** demonstrates that operational noise levels from the Project would not exceed applicable noise standards during the Project's opening year. Noise impacts related to the proposed Project are less than the significant and unavoidable impacts identified in Approved SEIR. No new impacts or a substantial increase in the severity of a previously identified significant impact evaluated in the Approved SEIR would occur. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

## **Threshold (b) Generation of excessive groundborne vibration or groundborne noise levels. [Approved SEIR Impact 5.13-3]**

### **Construction Vibration**

**No New or More Severe Impacts:** Construction can generate varying degrees of ground vibration, depending on the construction procedures and equipment. Operation of construction equipment generates vibrations that spread through the ground and diminish with distance from the source. Construction on the Project site would have the potential to result in varying degrees of temporary groundborne vibration, depending on the specific construction equipment used and the operations involved.

The FTA has published standard vibration velocities for construction equipment operations. In general, the FTA architectural damage criterion for continuous vibrations (i.e., 0.2 in/sec) appears to be conservative. The types of construction vibration impacts include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet. This distance can vary substantially depending on the soil composition and underground geological layer between vibration source and receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment. For example, for a building that is constructed with reinforced concrete with no plaster, the FTA guidelines show that a vibration level of up to 0.20 in/sec is considered safe and would not result in any construction vibration damage.

**Table 20: Typical Construction Equipment Vibration Levels**, lists vibration levels at 25 feet for typical construction equipment and at 5 feet, the distance from the Project boundary to the nearest existing structure (Sensitive Receptor 1). In addition, vibration levels at 23 feet, the distance from the nearest construction area to an existing structure is also included, as heavy construction equipment would not be operated at the Project boundary next to sensitive receptors. As indicated in **Table 20: Typical Construction Equipment Vibration Levels**, based on FTA data, vibration velocities from typical heavy



construction equipment operations that would be used during Project construction range from 0.003 to 0.101 in/sec Peak Particle Velocity (PPV) at 23 feet from the source of activity.

**Table 20: Typical Construction Equipment Vibration Levels**

Equipment	Peak Particle Velocity at 25 Feet (in/sec)	Peak Particle Velocity at 5 Feet (in/sec) <sup>1</sup>	Peak Particle Velocity at 100 Feet (in/sec) <sup>1</sup>
Large Bulldozer	0.089	0.9951	0.101
Caisson Drilling	0.089	0.9951	0.101
Loaded Trucks	0.076	0.8497	0.086
Jackhammer	0.035	0.3913	0.040
Small Bulldozer/Tractors	0.003	0.0335	0.003
1. Calculated using the following formula: $PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$ , where: $PPV_{equip}$ = the peak particle velocity in in/sec of the equipment adjusted for the distance; $PPV_{ref}$ = the reference vibration level in in/sec from Table 7-4 of the Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, 2018; D = the distance from the equipment to the receiver.			
Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, 2018.			

**Table 20: Typical Construction Equipment Vibration Levels** shows that at 23 feet, the vibration velocities from construction equipment would exceed 0.101 in/sec PPV which is below the FTA's 0.20 in/sec PPV threshold for building damage. It is also acknowledged that construction activities would occur throughout the Project site and would not be concentrated at the point closest to the nearest structure. Therefore, vibration impacts associated with Project construction would be less than significant.

### Operational Vibration

**No New or More Severe Impacts:** Once operational, the Project would not be a significant source of groundborne vibration. Groundborne vibration surrounding the Project currently result from heavy-duty vehicular travel (e.g., refuse trucks, heavy duty trucks, delivery trucks, and transit buses) on the nearby local roadways. Operations of the proposed Project would include activities associated with residential development that typically would not cause excessive ground-borne vibrations. Due to the rapid drop-off rate of groundborne vibration and the short duration of the associated events, vehicular traffic-induced groundborne vibration is rarely perceptible beyond the roadway right-of-way, and rarely results in vibration levels that cause damage to buildings in the vicinity. According to the FTA Noise and Vibration Manual, trucks rarely create vibration levels that exceed 70 VdB (equivalent to 0.012 in/sec PPV) when they are on roadways. Therefore, automobiles accessing the Project site or traveling along surrounding roadways would not exceed FTA thresholds for building damage. Vibration impacts associated with Project operations would be less than significant in this regard.

### Mitigation Measures

The Approved SEIR includes measures to reduce potential impacts associated with the implementation of TOP 2050. The following measures from the Approved SEIR are applicable to the Project:

**MM 12-2** Prior to issuance of a building permit, individual projects that involve vibration-intensive construction activities, such as pile drivers, jackhammers, and vibratory rollers near sensitive receptors shall be evaluated for potential vibration impacts. Construction within 135 feet of fragile structures, such as historical resources, 100 feet of non-engineered

timber and masonry buildings (e.g., most residential buildings), or within 75 feet of engineered concrete and masonry (no plaster); or a vibratory roller within 25 feet of any structure, the project applicant shall prepare a noise and vibration analysis to assess and mitigate potential noise and vibration impacts related to these activities. This noise and vibration analysis shall be conducted by a qualified and experienced acoustical consultant or engineer. The vibration levels shall not exceed FTA architectural damage thresholds (e.g., 0.12 in/sec PPV for fragile or historical resources, 0.2 in/sec PPV for non-engineered timber and masonry buildings, and 0.3 in/sec PPV for engineered concrete and masonry). If vibration levels would exceed this threshold, alternative uses such as drilling piles as opposed to pile driving and static rollers as opposed to vibratory rollers shall be used. If necessary, construction vibration monitoring shall be conducted to ensure vibration thresholds are exceeded.

In compliance with **MM 12-2**, an Acoustical Assessment was conducted for the Project, that analyzes vibration impacts associated with Project site construction. See **Appendix G** for additional details. Additionally, the City would review grading, demolition, and/or construction plans prior to the issuance of demolition, grading, and/or building permits.

### **Conclusion**

As demonstrated in **Table 20: Typical Construction Equipment Vibration Levels** and discussed above, implementation of the Project would not result in excessive groundborne vibration levels. Vibration impacts related to the proposed Project are less than the significant and unavoidable impacts identified in the Approved SEIR. No new impacts or a substantial increase in the severity of a previously identified significant impact evaluated in the Approved SEIR would occur. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

**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, if the project would expose people residing or working in the project area to excessive noise levels. [Approved SEIR Impact 5.13-4]**

**No New or More Severe Impacts:** The nearest airport to the Project site is the Ontario International Airport located approximately three miles to the southeast. Although the Project is within the AIA of the Ontario International Airport, the Project is not within two miles of the Ontario Airport, and is also outside the 60-65 CNEL noise contour.<sup>64</sup> Additionally, there are no private airstrips located within the Project vicinity. An acoustical assessment prepared for the Project in August 2023 and determined As such, the Project would remain consistent with **MM 12-1** proposed within the Approved SEIR. Therefore, the Project would not expose people working in the Project area to excessive airport related noise levels and no mitigation is required.

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<sup>64</sup> City of Ontario, The Ontario Plan 2050, Safety Element, S-4 Noises Hazards. Figure S-06c Airport Noise Contours, 2020.

### **Mitigation Measures**

The Approved SEIR includes measures to reduce potential impacts associated with the implementation of TOP 2050. The following measures from the Approved SEIR are applicable to the proposed Project.

- MM 12-1** Prior to the issuance of building permits for any project that involves a noise-sensitive use within the 65 dBA CNEL contour of the Ontario International Airport, the Project property owner/developers shall retain an acoustical engineer to conduct an acoustic analysis and identify, where appropriate, site design features and/or required building acoustical improvements (e.g., sound transmission class rated windows, doors, and attic baffling), to ensure compliance with the City's Noise Compatibility Criteria and the California State Building Code and California Noise Insulation Standards (Titles 24 and 21 of the California Code of Regulations)

### **Conclusion**

The Project site is located outside the Ontario International Airport noise contours and Project impacts are less than the significant unavoidable impacts identified in Approved SEIR. No new impact relative to airport noise or a substantial increase in the severity of a previously identified significant impact evaluated in the Approved SEIR would occur. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

#### **4.14.3 Overall Noise Impact Conclusion**

With regard to CEQA Section 21166 and CEQA Guidelines Section 15162(a), the changes proposed by the Project would not result in any new impacts, or increase the severity of the previously identified impacts, with respect to noise. Therefore, preparation of a SEIR is not warranted.

## 4.15 POPULATION AND HOUSING

### 4.15.1 Summary of TOP 2050 Analysis

According to the Approved SEIR, implementation of the TOP 2050 SEIR would not result in any significant impacts to population and housing. As such, the Approved SEIR concluded that impacts in this regard would be less than significant, and no mitigation measures were recommended.

### 4.15.2 Analysis of Proposed Project

**Threshold (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). [Approved SEIR Impact 5.14-1]**

**No New or More Severe Impacts:** One of the purposes of TOP 2050 is to adequately plan and accommodate future growth. Implementation of TOP 2050 was determined to generate and accommodate population growth through land use designations, goals, and policies that provide a vision and guide growth in the city. Additionally, the Approved SEIR concluded that through implementation of TOP 2050 the City's jobs-housing ratio would be more closely aligned to the Southern California Association of Governments (SCAG) projections. As discussed in the Approved SEIR implementation of TOP 2050 would also promote growth that is consistent with SCAG's Connect SoCal Priority Growth Areas, as the land changes under TOP 2050 would encourage walking and biking, put residents in proximity to resources, and align future growth in the City with planned infrastructure improvements and regional transportation goals.

The Project would be consistent with the proposed densities of MU-NH land use areas, and MU-8b zoning districts. Both the MU-NH and MU-8b allow for a maximum residential density of 75 du/ac and a maximum nonresidential density of 1.0 FAR. As shown in **Table 1: Summarized Development Standards** the Project would allow for the development of residential uses at a scale of 61.5 du/ac and a nonresidential density of 0.02 FAR. The Project densities would be within the scale of development assumed for the TOP 2050 and the Approved SEIR. Therefore, the Project would not induce substantial unplanned population growth in an area and impacts would be less than significant.

#### Mitigation Measures

None identified in the Approved SEIR.

#### Conclusion

Population growth impacts related to the proposed Project are less than significant. The Project would not result in a new or more severe impact relative to population growth, a less than significant impact was evaluated in the Approved SEIR. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

**Threshold (b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? [Approved SEIR Impact 5.14-2]**

**No New or More Severe Impacts:** Under the TOP 2050 Land Use Plan, land use changes would increase opportunities for housing in the City. The Project would involve the redevelopment of the Project area from commercial and public uses to mixed use residential uses. The Project site does not contain existing residential uses. Therefore, the Project would not displace existing housing in a manner that would necessitate the construction of additional housing elsewhere.

#### **Mitigation Measures**

None identified in the Approved SEIR

#### **Conclusion**

Displacement of existing housing impacts related to the proposed Project are less than significant. The Project would not result in a new or more severe impact relative to housing, a less than significant impact was evaluated in the Approved SEIR. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

#### **4.15.3 Overall Population and Housing Conclusion**

With regard to CEQA Section 21166 and CEQA Guidelines Section 15162(a), the changes proposed by the Project would not result in any new impacts, or increase the severity of the previously identified impacts, with respect to noise. Therefore, preparation of a SEIR is not warranted.

## 4.16 PUBLIC SERVICES

### 4.16.1 Summary of TOP 2050 Analysis

Buildout associated with TOP 2050 would require and involve the future expansion of City public services as the population would continue to grow. However, these impacts were anticipated to remain less than significant since the City would review each future project on a case-by-case basis for consistency with City policies, including development fees.

### 4.16.2 Analysis of Proposed Project

**Threshold (a) Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services, police protection services, school services, parks services, and other public facilities? [Approved SEIR Impact 5.15-1, 5.15-2, 5.15-3, 5.15-4]**

**No New or More Severe Impacts:** The Project would allow the development of 357 residential units at a residential density of 61.5 du/ac and a nonresidential FAR of 0.02. While the proposed residential uses would exceed residential buildout estimates of the Mountain and Fourth area by 106 units, the Project's nonresidential uses would be below the buildout estimates by 71,208 sq ft.<sup>65</sup> Despite this, the allowed density of the MU-NH land use designation implemented in the TOP 2050 and analyzed in the Approved SEIR allows for greater residential development than estimated in the future buildout table. This is due to the buildout table's use of expected growth trends which are not strictly based on a full buildout per the standards of the MU-NH land use designated areas. However, due to the Project's consistency with the Project area's land use standards, growth and service demands associated with development of the Project area would be consistent with what was analyzed in the Approved SEIR. Additionally, the Project's payment of the General City Development Impact Fees, a portion of which is allocated to the fire department(s), would aid in offsetting any potential impacts.

The Project does not include or require construction of any new or physically altered fire protection, police protection, school, or other public facilities. Prior to commencement of construction activities, the Project plans would be reviewed by applicable local agencies to ensure compliance with the City of Ontario Municipal Code, as well as all applicable regulations to ensure adequate site signage, lighting, and other crime safety preventative measures. Additionally, to help minimize impacts to public services the Project developer would be required to pay a Development Impact Fee of \$5.026 per sq ft.<sup>66</sup> The nearest Ontario Fire Department (OFD) station is OFD Station 3 located approximately 500 feet southwest of the Project site. The Ontario Police Department (OPD) station is approximately 5.2 miles southeast of the Project site.

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<sup>65</sup> City of Ontario. 2022. City of Ontario Policy Plan Land Use Element. Figure LU-03 Future Buildout Table. Page 19. Retrieved from: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/Land%20Use/Figure%20LU-03%20Future%20Buildout%20Table\\_5.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/Land%20Use/Figure%20LU-03%20Future%20Buildout%20Table_5.pdf).

<sup>66</sup> City of Ontario. 2023. *Development Impact Fees*. Retrieved from: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Building/Development%20Impact%20Fees%20\(Effective%2001.01.23\).pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Building/Development%20Impact%20Fees%20(Effective%2001.01.23).pdf) (accessed October 2023).

Construction of the Project would not result in adverse physical impacts associated with the provision of or need for new or physically altered public facilities. The Project does not include the removal of existing public service facilities, including fire and police stations, school facilities, or libraries. A post office structure present on site would be removed as a part of the Project. However, the United States Postal Service would vacate their lease of the structure prior to Project initiation and would relocate elsewhere within the City. The Project would not directly cause the removal of post office uses in the Project site. Additionally, the Project is consistent with the assumed development of the Project area, growth and service demands associated with development of the Project area would be consistent with what is analyzed in the Approved SEIR. Compliance with applicable local regulations would ensure that Project construction would result in a less than significant impact to public services.

The Project would be developed within the development intensity required by the MU-NH land use designation and subsequently analyzed by the Approved SEIR. As such, the Project would be consistent with the City's development growth estimates and public service facility needs. Therefore, the Project would not uniquely necessitate additional public service facilities such as police and fire stations due to its specific implementation. Additionally, since the Project site is already served by the existing fire and police station, and the Project would be constructed pursuant to existing California Fire Code regulations, the Project would not result in the need for new or physically altered police and/or fire department facilities that could cause significant environmental impacts. As discussed in the Approved SEIR the OFD recommends that three additional fire stations would be needed in the Ontario Ranch region of the City. The police services required to cover the new development and population growth in the City would be assessed and acquired appropriately based on the needs of the City. It is possible that buildout of TOP 2050 would require additional facilities to support the OPD. While the construction of the future facilities could result in potential environmental impacts, future environmental review would occur once specific locations have been determined. Without a definitive location for the development of future facilities, the analysis of potential impacts is too speculative.

Additionally, the Project site is within the Chaffey Joint Union High School District (CJUHS) and Ontario-Montclair School District (OMSD) area. As discussed in the Approved SEIR, the CJUHS has existing capacity to accommodate additional residential development in the City. While, the OMSD indicated that an increase in residential development would impact OMSD school facilities; further assessment would be needed to ensure accommodations for increased populations. Information provided by OMSD showed that most of its schools can accommodate the District's projections for the next 10 years, some schools would not be able to accommodate projected increase capacity over the next 10 years. Therefore, it is possible that OMSD would need additional facilities by 2050. Despite this, the Project is consistent with the development standards of the Project site and therefore would not introduce conditions which would uniquely generate impacts to school capacity. Although the increased demand on school facilities would have the potential to impact one or more of the school districts that serve the City, payment of impact fees in compliance with SB 50 would further reduce impacts to an acceptable level.

The Approved SEIR concluded that implementation of TOP 2050 would have less than significant impacts on other public facilities, such as libraries. The City has one library facilities within its library system: the Ovitt Family Community Library at 215 East C Street. An additional joint use library facility is also located within the City: the Lewis Family Branch at 3850 East Riverside Drive. The Project would result in an

increase in demand for library services in the City based on an increase in population. Environmental impacts could result from the construction of future facilities; however, future library development would not uniquely be driven by the Project since it would be developed according to the standards analyzed in the Approved SEIR. In addition, future projects would be reviewed by the City on an individual basis and would be required to comply with requirements in effect at the time building permits are issued (i.e., payment of development impact fees).

Therefore, impacts to fire protection, police protection, schools, and other public facilities are anticipated to be less than significant.

### **Mitigation Measures**

None identified in the Approved SEIR.

### **Conclusion**

Impacts to public services would be less than significant and would be similar to the Approved SEIR. The Project would not result in new or more severe impacts to public services. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would later the Approved SEIR's significance finding.

#### **4.16.3 Overall Public Services Impact Conclusion**

With regard to CEQA Statute Section 21166 and CEQA Guidelines Section 15162(a), the changes proposed by the Project would not result in any new impacts, or increase the severity of the previously identified impacts, with respect to public services. Therefore, preparation of a SEIR is not warranted.



## 4.17 RECREATION

### 4.17.1 Summary of TOP 2050 Analysis

TOP 2010 generated additional residents, which in turn increased the use of existing park and recreational facilities and could result in environmental impacts from the provision of new and/or expanded recreational facilities. However, TOP 2010 implemented regulatory compliance and impacts were less than significant. TOP 2050 provides land use opportunities for public parks to be developed in line with future development and is in compliance with relevant goals, policies, and programs that align with the demographic trends and recreational needs of the City residents. TOP 2050 would not result in new impacts or a substantial increase in the magnitude of impacts to the use of existing park and recreational facilities compared to TOP 2010 Certified EIR.

### 4.17.2 Analysis of Proposed Project

**Threshold (a) Would 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? [Approved SEIR Impact 5.16-1]**

**No New or More Severe Impacts:** Currently, the City uses the established parkland standard of three acres per 1,000 residents but strives for five acres per 1,000 residents for parks in Ontario Ranch. The City has approximately 481 acres of parkland, based on a population of 179,597 the City currently requires 539 acres of parkland. Buildout of the Project would generate additional residents in the City. However, the Project would include common open space including: three courtyards, one pocket park, intimate seating areas, and a lounge deck for residents of the Project. As the Project would provide recreational resources for its future residents, demand for external recreational facilities would be minimized. Additionally, the Quimby Act is a funding mechanism for parkland acquisition. Under this Act and pursuant to the City's Municipal Code, residential subdivisions must dedicate parkland or pay in-lieu fees to enable the City to acquire a ratio of three acres of parkland per 1,000 residents. The Project does not include the development of parkland to offsite the City's existing parkland deficit. After payment of development impact fees, the Project would not result in new impacts or a substantial increase in the magnitude of impacts to the use of existing park and recreational facilities.

#### Mitigation Measures

None identified in the Approved SEIR.

#### Conclusion

Recreational facility impacts related to the proposed Project are less than significant and similar to the Approved SEIR. The Project would not result in a new impact relative to recreational facilities. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

**Threshold (b) Includes recreational facilities or requires the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? [Approved SEIR Impact 5.16-2]**

**No New or More Severe Impacts:** The proposed Project includes construction of the following open space areas: three courtyards, one pocket park, intimate seating areas, and a lounge deck. Development of the Project, inclusive of these recreational areas are discussed throughout this Addendum SEIR. Consequently, the proposed Project would not result in significant impacts in this regard.

#### **Mitigation Measures**

None identified in the Approved SEIR

#### **Conclusion**

Recreational facilities impacts related to the proposed Project are less than significant and similar to the Approved SEIR. The Project would not result in a new or more severe impact relative to recreational facilities. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

#### **4.17.3 Overall Recreation Impact Conclusion**

With regard to CEQA Statute Section 21166 and CEQA Guidelines Section 15162(a), the changes proposed by the Project would not result in any new impacts, or increase the severity of the previously identified impacts, with respect to recreation. Therefore, preparation of a SEIR is not warranted.

## 4.18 TRANSPORTATION

### 4.18.1 Summary of TOP 2050 Analysis

The TOP 2050 analysis identified that the increase in total vehicle miles traveled (VMT) would create a potentially significant impact. Buildout of TOP 2050 would increase traffic in residential land use throughout the City, mitigation measure 12-1 was proposed to reduce this impact. Potential impacts due to the implementation of the Project relating to plans addressing the City circulation system, increased hazards due to geometric design features, and inadequate emergency vehicle access were found to be less than significant without the need for mitigation.

### 4.18.2 Analysis of Proposed Project

#### Threshold (a) Would the Proposed Project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. [Approved SEIR Impact 5.17-1]

**No New or More Severe Impacts:** The TOP 2050 established classifications for the Project site's surrounding roadways. Mountain Avenue is classified as a six-lane principal arterial roadway, and Fourth Street is classified as a two-lane collector roadway.<sup>67</sup> These roadways allow for a greater volume of vehicles. Additionally, TOP 2050 classifies Mountain Avenue as a Class I multipurpose trail, and Fourth Street as a Class III bike route. Both roadways contain infrastructure which allows for pedestrian traversal along roadways.<sup>68</sup> The Project is consistent with these road classifications and does not propose alterations to the existing surrounding roadways. Furthermore, Project development would not include reductions to roadway capacity or the removal of pedestrian or bicycle infrastructure.

The Project would include a new internal circulation network within the Project area which would include a two-lane gated entry along West Fourth Street to the south of the Project area. A secondary driveway connecting to North Mountain Avenue and would connect to the northern entrance of the central parking structure and continue east across the Project site as an EVA lane terminating at Harvard Place. Vehicular traffic within the Project site would be limited to the central parking structure, its entryways, and external roadways.

The City has presented requirements for vehicle and bicycle parking within the Project site. **Table 21: Project Parking Consistency** summarizes the Project's consistency with the City's standards.

**Table 21: Project Parking Consistency**

Standard	Requirement	Project Consistency
Residential Parking Ratio	1.2 spaces per bedroom (1.2 spaces per studio unit)	1.4 spaces per bedroom (including studio units)
Minimum Residential Spaces	555 Spaces	643 Spaces
Minimum Retail/Office Parking Ratio	1 space per 250 sf	
Minimum Retail/Office Parking Spaces	16 Spaces	16 Spaces
Minimum Bicycle Parking Ratio	Residential: 1 rack per 30 stalls Retail (short term): 5% of stalls (2 minimum)	
Minimum Residential Bicycle Racks	22 Racks	22 Racks
Minimum Bicycle Racks	2 Racks	2 Racks

<sup>67</sup> City of Ontario. 2021. The Ontario Plan 2050 Draft Supplemental Environmental Impact Report. Figure 5.17-3. Page 5.17-15. Retrieved from: [https://www.ontario.ca/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final\\_DraftSEIR\\_TOP2050.pdf](https://www.ontario.ca/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final_DraftSEIR_TOP2050.pdf) (Accessed September 2023)

<sup>68</sup> Ibid. Page 5.17-21

As shown in **Table 21: Project Parking Consistency**, the Project would provide parking and bicycle facilities at a rate equal or greater than required by the City.

The Project would include 22 bicycle racks for resident and retail bicycle storage on the basement and second level of the central parking structure. One 12-space bicycle parking rack would be provided on the second story of the central parking structure to accommodate the two retail spaces required for the Project with the remainder located in the basement level. The 22 residential bicycle parking racks would be provided based on a ratio of 1 bicycle rack per 30 parking stalls; each bicycle rack provides parking for 8 to 12 bicycles. California Green Building Standards Code (CALGreen), Title 24, Part 11, Section A4.106.9.2 requires that multifamily buildings provide bicycle spaces at a rate of one space per two dwelling units. This would require approximately 179 bicycle spaces for the 357-unit Project. CALGreen Title 24, Part 11, Section 5.106.4.1.1 requires the placement of bicycle parking nearby nonresidential uses at a rate of 5 percent of provided nonresidential parking spaces, with a minimum of one 2-space bicycle rack. The Project would therefore provide 2 bicycle parking spaces based on the 16 nonresidential parking spaces provided.

Based on a conservative estimate of eight spaces per bicycle rack, the 22 bicycle Project would provide 176 total bicycle spaces. However, eight-space bicycle racks are the lowest capacity bicycle racks proposed for the Project. The majority of Project bicycle racks have a 10-bicycle capacity and would therefore provide for two additional bicycle spaces per rack.

Pedestrian connections would be provided to each building and dwelling unit from the public street within the Project site. The Project would make use of the existing pedestrian network which provides sidewalks along Fourth Street and Mountain Avenue. The Project pedestrian network would include pathways between buildings and dwelling units and the parking structure. Residents would have access to all areas of the Project, including amenity areas, through walking paths and paved sidewalks.

The Project does not propose roadway improvements that would modify pedestrian, mass transit, or bicycle infrastructure outside of the Project site. Roadways would continue to function under their current form. Additionally, internal roadways and infrastructure would be developed consistently with City standards. Therefore, no new or more significant impacts are anticipated.

### **Mitigation Measures**

None applicable to this impact.

### **Conclusion**

The Project would not conflict with traffic plans established within the City. No new impacts or a substantial increase in the severity of the previously identified significant impact evaluated in the approved SEIR would occur. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified that would impact the prior finding under this issue area.

### **Threshold (b) Would the Proposed Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). [Approved SEIR Impact 5.17-2]**

**No New or More Severe Impacts:** Kimley-Horn completed a VMT Screening Memorandum in May 2023 which concluded that the Project would screen out of VMT analysis (refer to **Appendix H**). Per the City's Resolution adopting Vehicle Miles Traveled Thresholds, a project would screen out of VMT if it would meet one of four screening thresholds:

1. Transit Priority Area (TPA) Screening
2. Low VMT Area Screening
3. Low Trip Generating Uses
4. Project Type Screening by Land Use Type

According to the VMT screening memorandum, the Project would qualify for screening under the Low VMT Area criteria. According to the City's Resolution adopting Vehicle Miles Traveled Thresholds, a project located within a low VMT generating area as determined by the City's guidelines and the San Bernardino County Transportation Authority (SBCTA) VMT Screening Tool would be considered to have a less-than-significant transportation impact. Based on the SBCTA VMT Screening Tool results (see **Appendix H**), the Project is located within a low VMT area (<-15% below County Baseline).

Therefore, with respect to CEQA Guidelines section 15064.3 regarding the Project's VMT impact, the Project is screened out from VMT. The Approved SEIR concluded a significant and unavoidable impact regarding VMT due to the projected growth of residential uses within the City. As such, the Project would result in a less than significant transportation impact, and no additional VMT analysis is required. The TOP 2050 would have significant and unavoidable impacts because there would be a significant transportation impact related to VMT, primarily due to population increase from TOP 2050 buildout.

#### **Mitigation Measures**

None applicable to the proposed Project.

### **Threshold (c) Would the Proposed Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? [Approved SEIR Impact 5.17-3]**

### **Threshold (d) Would the Proposed Project result in inadequate emergency access? [Approved SEIR Impact 5.17-3]**

**No New or More Severe Impacts:** An all-way stop warrant analysis was conducted for the Project at the request of the City, see **Appendix H** for additional information. The analysis was conducted for the existing side-street stop-controlled (SSSC) intersection of Palmetto Avenue and Fourth Street. The warrant analysis was based on the methodologies noted in Section 2B.07 of the California Manual on Uniform Traffic Control Devices (CA MUTCD). The analysis outlines criteria that would be used to add project improvements to be "considered" as part of a roadway improvement engineering. The analysis also identifies Project intersections which would be otherwise hazardous for vehicular traffic and which may need modification or mitigation. The Project did not satisfy any of the three criterion which would create

a consideration for additional roadway improvements. As such, the Project's intersections would not be considered dangerous in a manner which would require additional safety modifications and, therefore, additional roadway improvements would not be required as a component of the Project (refer to **Appendix H**).

A review of emergency access is included as part of the City's Design Review process. According to the City's Local Hazard Mitigation Plan, interstate highways would serve as major emergency response and evacuation routes.<sup>69</sup> OFD also reviews development applications to ensure that adequate emergency accessibility is provided based on local and state guidance. In addition, to ensure adequacy emergency access the Project's design would include the development of an EVA lane that connects to the secondary entryway, continuing to a controlled gate at Harvard Place.

### **Mitigation Measures**

None applicable to the proposed Project.

### **Conclusion**

The Project would not conflict with traffic plans established within the City. No new impacts or a substantial increase in the severity of the previously identified significant impact evaluated in the approved SEIR would occur. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified that would impact the prior finding under this issue area.

### **4.18.3 Overall Transportation Impact Conclusion**

With regard to CEQA Statute Section 21166 and CEQA Guidelines Section 15162(a), the changes proposed by the Project would not result in any new impacts, or increase the severity of the previously identified impacts, with respect to transportation. Therefore, preparation of a SEIR is not warranted.

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<sup>69</sup> City of Ontario. 2018. City of Ontario Local Hazard Mitigation Plan. Pg. 4-102. Retrieved from: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Fire/Ready%20Ontario/city\\_of\\_ontario\\_2018\\_hmp.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Fire/Ready%20Ontario/city_of_ontario_2018_hmp.pdf). (Accessed August 2023).

## 4.19 TRIBAL CULTURAL RESOURCES

### 4.19.1 Summary of TOP 2050 Analysis

As part of the TOP 2050 update process, the City requested a local government tribal consultation list from the NAHC on June 9, 2021. The tribal consultation list was requested in accordance with SB 18 and AB 52 requirements. The NAHC responded on June 22, 2021, and provided a list of tribes for the City to contact regarding a potential consultation. The City was also notified by the NAHC that the result of the Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was negative. The City sent initial notification letters to California Native American tribes and tribal contacts on July 2, 2021. None of the tribes contacted as part of the TOP 2050 update requested consultation.

### 4.19.2 Analysis of Proposed Project

**Threshold (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 that is: [Approved SEIR Impact 5.18-1]**

- 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.**

**No New or More Severe Impacts:** Assembly Bill (AB) 52, does not apply to this Project as this document is an Addendum to the Approved SEIR and not subject to the provisions of AB 52. Furthermore, record searches and the field survey did not reveal the presence of tribal cultural resources or burial sites within the area.

As part of analysis for the Approved SEIR and in accordance with AB 52 and SB 18, the City sent invitation letters to the Native American contacts provided by the Native American Heritage Commission (NAHC) on July 2, 2021, formally inviting tribes to consult with the City on the general plan update. The Agua Caliente Band of Cahuilla Indians and the Quechan Tribe of the Fort Yuma Reservation both responded that the City is not within the tribe's traditional use area, and they defer to other tribes in the area. The Gabrieleño Band of Mission Indians-Kizh Nation responded stating that the tribal government concurs with the updated plan and in the event of future construction or any ground disturbance, the tribal government would like to consult with the lead agency. The San Manuel Band of Mission Indians responded that TOP 2050 may impact projects in Serrano ancestral territory, and therefore is of interest to the tribe. The tribe requested additional information concerning whether the general plan updates would include any plans for museums, cultural enters or interpretive sites. The tribe saw no conflicts with zoning changes;

however, when specific projects are planned and implemented, the tribe might have comments and/or request formal consultation with the lead agency pursuant to CEQA and PRC 21080.3.1. Additionally, an SLF search conducted for the Approved SEIR resulted in a negative determination.

Evidence collected during the creation of the CRA indicated a lack of tribal cultural resources, thereby minimizing potential for the discovery of previously undocumented cultural resources within the Project area. However, Standard Condition No. 1 from Public Resources Code Section 5097.98 would be implemented to ensure that any tribal cultural resource encountered during Project development would be handled correctly and respectfully. Based on the above, and with the implementation of **MM 5-4**, **MM TCR-1**, and **MM TCR-2**, a less than significant impact would occur.

### **Mitigation Measures**

#### **Mitigation Measures from TOP 2050 SEIR**

TOP 2050 incorporates **MM 5-4** from the Cultural Resources section that was taken directly from the 2010 Certified EIR. Additionally, TOP 2050 incorporates new **MM TCR-1** and **MM TCR-2**. The new mitigation measures would incorporate an archaeological monitoring plan (AMP), and a plan for treatment and disposition of cultural resources. **MM 5-4** and new **MMs TCR-1** and **TCR-2**, would be implemented to reduce impact levels.

**MM 5-4** Prior to the issuance of grading permits for a proposed project for which the CEQA document defines cultural resource mitigation for potential tribal resources, the project applicant shall contact the designated tribe(s) to notify them of the grading, excavation, and monitoring program. The applicant shall coordinate with the City and the tribal representative(s) to develop mitigation measures that address the designation, responsibilities, and participation of tribal monitors during grading, excavation, and ground-disturbing activities; scheduling; terms of compensation; and treatment and final disposition of a cultural resources, sacred sites, and human remains discovered on the site. The City shall be the final arbiter of the conditions for project's within the City's jurisdiction.

In compliance with **MM 5-4**, tribal consultation was conducted for the Approved SEIR. As discussed above AB 52 does not apply to this Project as this document is an Addendum to the Approved SEIR and not subject to the provisions of AB 52.

**MM TCR-1** Tribal Cultural Resources Monitoring. The project archaeologist, in consultation with interested tribes, the developer, and the City of Ontario, shall develop an archaeological monitoring plan (AMP) to address the details, timing, and responsibility of archaeological and cultural activities that will occur on the project site. Details in the AMP shall include:

- Project-related ground disturbance (including, but not limited to, brush clearing, grading, trenching, etc.) and development scheduling;
- The development of a rotating or simultaneous schedule in coordination with the developer and the project archeologist for designated Native American Tribal Monitors from the consulting tribes during grading, excavation and ground disturbing



activities on the site: including the scheduling, safety requirements, duties, scope of work, and Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with all project archaeologists (if the tribes cannot come to an agreement on the rotating or simultaneous schedule of tribal monitoring, the Native American Heritage Commission shall designate the schedule for the onsite Native American Tribal Monitor for the proposed project);

- The protocols and stipulations that the developer, City, Tribes, and project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.

At least 30 days prior to application for a grading permit and before any brush clearance, grading, excavation, and/or ground disturbing activities on the site, the developer shall retain a tribal cultural monitor to monitor all ground disturbing activities in an effort to identify any unknown archaeological resources.

Pursuant to the AMP, a tribal monitor from the consulting tribe shall be present during the initial grading activities. If tribal resources are found during grubbing activities, the tribal monitoring shall be present during site grading activities.

In compliance with **MM TCR-1**, the Project site developer would develop an AMP and retain a tribal cultural monitor at least 30 days prior to application for a grading permit or grubbing activities.

**MM TCR-2** Treatment and Disposition of Cultural Resources. In the event that Native American cultural resources are inadvertently discovered during the course of any ground-disturbing activities, including but not limited to brush clearance, grading, trenching, etc., for the proposed project, the following procedures will be carried out for treatment and disposition of the discoveries:

- Temporary Curation and Storage: During the course of construction, all discovered resources shall be temporarily curated in a secure location on-site or at the offices of the project archaeologist. The removal of any artifacts from the project site will need to be thoroughly inventoried with tribal monitor oversight of the process;
- Treatment and Final Disposition: The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and nonhuman remains as part of the required mitigation for impacts to cultural resources. The applicant shall relinquish the artifacts through one or more of the following methods and provide the City of Ontario with evidence of same:
- Accommodate the process for on-site reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing, basic analysis, other analyses as recommended by the project archaeologist and approved by consulting tribes, and basic recordation have been completed; all documentation should be at a level of standard professional practice to allow the writing of a report of professional quality;

- A curation agreement with an appropriate qualified repository in San Bernardino County that meets federal standards per 36 CFR Part 79, and therefore the resource would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility in San Bernardino County, to be accompanied by payment of the fees necessary for permanent curation;
- For purposes of conflict resolution, if more than one Native American tribe or band is involved with the project and cannot come to an agreement as to the disposition of cultural materials, materials shall be curated at the San Bernardino County Museum by default;
- At the completion of grading, excavation, and ground-disturbing activities on the site, a Phase IV Monitoring Report shall be submitted to the City documenting monitoring activities conducted by the project archaeologist and Native Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held during the required pregrade meeting; and, in a confidential appendix, include the daily/weekly monitoring notes from the archaeologist. All reports produced will be submitted to the City, County Museum, and consulting tribes.

In compliance with **MM TCR-2**, in the event that Native American cultural resources are discovered during ground-disturbing activities as part of the Project site development, the Project site developer would comply with the requirements described above.

### **Conclusion**

The Project would not result in a new or more severe impact to tribal cultural resources. A less than significant impact with mitigation was identified in the Approved SEIR with respect to tribal cultural resources. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would alter the Approved SEIR's significance finding.

## 4.20 UTILITIES AND SERVICE SYSTEMS

### 4.20.1 Summary of TOP 2050 Analysis

The Approved SEIR determined that implementation of TOP 2050 would not lead to an inadequate capacity for wastewater treatment, solid waste capture, or water supply. Despite the need for expanded utility infrastructure, the impacts were determined to be less than significant since the future infrastructure projects would require City review and approval prior to their development. Additionally, fair share costs would be leveraged to aid in the expansion or renovation of utility facilities.

### 4.20.2 Analysis of Proposed Project

**Threshold (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? [Approved SEIR Impact 5.19-1; 5.19-2; 5.19-3; 5.19-4]**

**No New or More Severe Impacts:** The TOP 2050 includes the establishment of a revised land use map which shows the scale of development for parcels throughout the City. The Project would be developed at an intensity consistent with what was assumed for MU-NH land use categories within the associated Project parcels. Additionally, as discussed in the Approved SEIR TOP 2050 has policies in place to require improvements to sewer infrastructure as part of new development and redevelopment projects and has processes in place to ensure that any sewer improvement projects are implemented prior to or during new development. In regards to wastewater treatment, the City is served by two Inland Empire Utilities Agency (IEUA) facilities (RP-1 and RP-5). The current combined capacity of these two facilities is 60.3 mgd and would increase to 66.5 mgd once the expansion project that is currently under construction at RP-5 is completed. The two facilities would have capacity to handle the additional flow rate from buildout of TOP 2050.

The Project would include the placement of new water, wastewater, stormwater, energy, and telecommunications facilities within the Project site and form connections to existing facilities within the public Right-of-Way (ROW) (See **Figure 17: Project Utility Layout**). These improvements would include conveyance facilities for water, wastewater, and stormwater, as well as wiring and line connections for electricity, natural gas, and telecommunications. The majority of these improvements would occur within the Project site. ROW improvements would amount to service connections and would have minimal effect on exterior infrastructure (See **Figure 17: Project Utility Layout**). Each utility would be buried at varying depths, based on City standard. Effects stemming from utility improvements have been accounted for in impact discussion throughout Sections 4.2 through 4.21 of this Addendum EIR. Additionally, the Project has undergone design review by the City, including utility plan review under Project number PDEV22-042. While the Project does propose new utility infrastructure within the public ROW, the Project does not propose the expansion of existing utility infrastructure beyond the Project site or the public ROW. Therefore, no new or more severe impact from a previously identified significant impact evaluated in the Approved SEIR would occur.

## Mitigation Measures

None identified in the Approved SEIR.

## Conclusion

The Project would not result in a new or more severe impact as it pertains to placement of utilities and service systems, a less than significant impact was evaluated in the Approved SEIR. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would impact the prior finding of no significant impact.

## **Threshold (b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? [Approved SEIR Impact 5.19-2]**

**No New or More Severe Impacts:** The Approved SEIR determined that the City would have sufficient water supplies throughout the buildout of the TOP 2050. This determination was based on a water demand factor of 50 gallon/person/day (gpd) for all residential uses, and a required reduction 20 percent reduction in water use for nonresidential uses. However, as the Project would be developed prior to 2030, the 55 gpd requirement would be used.<sup>70</sup>

The California Department of Finance (DOF) estimated the City's average household size in 2023 to be 3.33 persons per household.<sup>71</sup> Conservatively assuming that each unit within the Project would be occupied by an entire household and generate water demand at a rate of 55 gpd, this would lead to a residential water demand of approximately 65,385 gpd, or approximately 74-acre feet of water per year (AFY). For the 3,800 sq ft of Project retail uses, an estimated 11 employees would generate a water demand of 605 gpd, or 0.7 AFY.<sup>72</sup> Total Project water demand would therefore be approximately 75 AFY. This would account for 0.1 percent of both the City's conservative 60,000 AFY estimate, and the Urban Water Management Plan (UWMP) 73,688 AFY estimate.<sup>73</sup> Water demands generated by the Project would therefore be negligible and would not create a substantial effect to the City's water supplies. Additionally, the Project would utilize recycled water for irrigation and landscaped areas, tying into existing recycled water facilities below Fourth Street.

Therefore, no new or more severe impact from a previously identified significant impact evaluated in the Approved SEIR would occur.

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<sup>70</sup> City of Ontario. 2021. *The Ontario Plan 2050 Draft Supplemental Environmental Impact Report*. Page 5.19-30. Retrieved from: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final\\_DraftSEIR\\_TOP2050.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final_DraftSEIR_TOP2050.pdf) (Accessed September 2023).

<sup>71</sup> California DOF. (2022). *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023, with 2020 Benchmark*. Sacramento, CA: Department of Finance. Retrieved from: <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2023/> (Accessed September 2023).

<sup>72</sup> Southern California Association of Governments. 2001. *Employment Density Study Summary Report*. Page 4. Retrieved from: <https://www.mwcog.org/file.aspx?A=QTTITR24POOOUIw5mPNzK8F4d8dJdJe4LF9Exj6IXOU%3D> (Accessed September 2023).

<sup>73</sup> City of Ontario. 2021. *The Ontario Plan 2050 Draft Supplemental Environmental Impact Report*. Page 5.19-30. Retrieved from: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final\\_DraftSEIR\\_TOP2050.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final_DraftSEIR_TOP2050.pdf) (Accessed September 2023).

**Mitigation Measures**

None identified in the Approved SEIR.

**Conclusion**

The Project would not result in a new or more severe impact as it pertains to water supply and demand. Impacts related to the Project would be similar to the Approved SEIR and would be less than significant. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would impact the prior finding of no significant impact.

**Threshold (c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? [Approved SEIR Impact 5.19-1]**

**No New or More Severe Impacts:** The Approved SEIR concluded that the City would have sufficient wastewater treatment infrastructure and capacity through implementation of TOP 2050. The City is in the Inland Empire Utilities Agency (IEUA) service area for wastewater treatment. Subsequently, the City utilizes the IEUA wastewater generation factor of 270 gpd per Equivalent Dwelling Unit (EDU).<sup>74</sup> The Project, being a multifamily residential use, per IEUA, would generate wastewater using a scale of 0.7 EDU per housing unit.<sup>75</sup> The Project's 357 units would therefore generate 67,473 gpd or 0.06 million gallons per day (mgd) of wastewater.

IEUA operates four WWTPs that provide recycled water to the western part of San Bernardino County. Two IEUA wastewater treatment plants (WWTPs) are utilized by the City. Regional Water Recycling Plant #1 (RP-1) and Regional Water Recycling Plant #5 (RP-5) currently process and treat the City's generated wastewater with a combined treatment capacity of 60.3 mgd. An expansion to RP-5 is anticipated to increase the wastewater treatment capacity in 2025.<sup>76</sup> **Table 22: Wastewater Treatment Capacity** summarizes the existing and planned WWTP capacity within the City as well as the Project's effects.

**Table 22: Wastewater Treatment Capacity**

Structure	Current Capacity (mgd)	2025 Expanded Capacity (mgd)
RP-1	44	44
RP-5	16.3	22.5
Total Capacity	60.3	66.5
Current Flow Rate	33	33
Remaining Capacity	27.3	33.5
Project Generation	0.06	0.06
Remaining Capacity	27.2	33.4
Source: City of Ontario. 2021. The Ontario Plan 2050 Draft Supplemental Environmental Impact Report. Page 5.19-30. Retrieved from: <a href="https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final_DraftSEIR_TOP2050.pdf">https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final_DraftSEIR_TOP2050.pdf</a> (Accessed September 2023)		

<sup>74</sup> Ibid Page 5.19-11

<sup>75</sup> Inland Empire Utilities Agency. 2023. Explanation of Fees. Retrieved from: <https://www.ieua.org/view-fees-rates/> (Accessed September 2023)

<sup>76</sup> Ibid. Page 5.19-10

Furthermore, the Project plans to use recycled water treated by the two RPs during irrigation and nonpotable uses. As shown in **Table 22: Wastewater Treatment Capacity** the Project would have a negligible effect on the City's ability to process wastewater. Therefore, no new or more severe impact from a previously identified significant impact evaluated in the Approved SEIR would occur.

### **Mitigation Measures**

None identified in the Approved SEIR.

### **Conclusion**

The Project would not result in a new or more severe impact as it pertains to wastewater generation. Impacts related to the Project would be similar to the Approved SEIR and would be less than significant. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would impact the prior finding of no significant impact.

**Threshold (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? [Approved SEIR Impact 5.19-3]**

**Threshold (e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? [Approved SEIR Impact 5.19-3]**

**No New or More Severe Impacts:** The Approved SEIR determined that the TOP 2050 would not result in significant impacts relative to solid waste. Implementation of the Project would be expected to generate additional waste during the temporary, short-term construction phase, as well as the long-term operational phase. However, as discussed in the Approved SEIR the combined excess capacity of the Badlands Sanitary Landfill and the El Sobrante Landfill is 7,046 tons/day. These landfills would easily accommodate the additional waste from buildout of TOP 2050, and both landfills have closure dates beyond 2050.

The City provides its own solid waste collection service via the City's Integrated Waste Department. Solid waste service for the City is collected and sent to the Badlands Sanitary Landfill located southeast of the City of El Sobrante Landfill located southeast of the City. Per the California Department of Resources Recycling and Recovery (CalRecycle), the Badlands Sanitary Landfill has a maximum throughput of 5,000 tons per day. This landfill has a maximum permitted capacity of approximately 82.3 million cubic yards, and the landfill has a remaining capacity of approximately 7.8 million cubic yards. The landfill has an expected operational life through 2058.<sup>77</sup> According to CalRecycle, the El Sobrante Landfill has a maximum throughput of 16,054 tons per day. This landfill has a maximum permitted capacity of approximately 209.9 million cubic yards, and the landfill has a remaining capacity of approximately 144 million cubic yards. The landfill has an expected operational life through 2051.<sup>78</sup>

<sup>77</sup> CalRecycle. 2021. SWIS Facility/Site Activity Details Badlands Sanitary Landfill (33-AA-0006) Retrieved from: <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2245?siteID=2367> (Accessed September 2023).

<sup>78</sup> CalRecycle. 2021. SWIS Facility/Site Activity Details El Sobrante Landfill (33-AA-0217) Retrieved from: <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2280?siteID=2402> (Accessed September 2023).

According to the Approved SEIR, solid waste is generated at a rate of 9.1 pounds per person per day (lbpd), and 13.5 lbpd per employee. Utilizing the DOF 3.33-person average household size as well as the estimated 11-employee retail uses would conclude a daily solid waste generation of approximately 11,900 pounds per day (lbd), or 5.95 tons per day. This would constitute approximately 0.04 percent of the El Sobrante Landfill daily throughput.

Additionally, the Project, as with all other development in the City, would be required to adhere to City ordinances with respect to waste reduction and recycling. As a result, no impacts related to State and local statutes governing solid waste are anticipated and no mitigation is required. Consistent with the Approved SEIR, the Project would have a less than significant impact.

### **Mitigation Measures**

None identified in the Approved SEIR.

### **Conclusion**

The Project would not result in new or more severe impact as it pertains to solid waste. Impacts related to the Project would be similar to the Approved SEIR and would be less than significant. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would impact the prior finding of no significant impact.

#### **4.20.3 Overall Utilities and Service Systems Impact Conclusion**

With regard to CEQA Statute Section 21166 and CEQA Guidelines Section 15162(a), the changes proposed by the Project would not result in any new impacts, or increase the severity of the previously identified impacts, with respect to utilities. Therefore, preparation of a SEIR is not warranted.

## 4.21 WILDFIRE

### 4.21.1 Summary of TOP 2050 Analysis

The Approved SEIR found that the TOP adequately addressed and accounted for emergency actions and protections in the case of wildfire risk. Additionally, the City was determined to be outside of wildfire hazard areas, especially those pertaining to woodland fires.

### 4.21.2 Analysis of Proposed Project

**Threshold (a) Substantially impair an adopted emergency response plan or emergency evacuation plan? [Approved SEIR Impact 5.20-1]**

**Threshold (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? [Approved SEIR Impact 5.20-2]**

**Threshold (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? [Approved SEIR Impact 5.20-2]**

**Threshold (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? [Approved SEIR Impact 5.20-2]**

**No New or More Severe Impacts:** The Approved SEIR assessed that the City was at increased risk of wildfire hazards due to its location within Southern California and that although the City's fire risk comes primarily from urban fires, not wildfires, there is some risk related to wildfires. However, the development of modern fire-resistant materials and tools have greatly reduced these risks. As well, the City's continued compliance with State Fire Codes further reduce the risks of wildfire. Additionally, a review of emergency access is included as part of the City's Design Review process. According to the City's Local Hazard Mitigation Plan (LHMP), interstate highways would serve as major emergency response and evacuation routes.

According to CAL FIRE's Fire and Resources Assessment Program (FRAP), the Project site is not located within or adjacent to land designated as a very high fire hazard severity zone (VHFHSZ).<sup>79</sup> Furthermore, the Project site is located in a flat/leveled area which does not include wild habitat and is not located near hillsides. The Project site is surrounded by a residential development to the north and east, as well as commercial development to the south and west. As previously discussed, the Project site is not exposed to flooding, landslides, runoff conditions. Finally, the Approved SEIR assessed that there are many resources available to address wildland fires should they arise – CAL Fire's 2019 Strategic Fire Plan for California, the CFC, County of San Bernardino Multi-Jurisdictional Hazard Mitigation Plan, the City LHMP,

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<sup>79</sup> CAL FIRE FRAP (2021). *Fire Hazard Severity Zone Viewer*. Retrieved from: <https://osfm.fire.ca.gov/divisions/community-wildfire-preparedness-and-mitigation/wildfire-preparedness/fire-hazard-severity-zones/> (Accessed September 2023).



and fire services from OFD. Therefore, with adherence to these building practices, a less than significant impact is expected to occur.

### **Mitigation Measures**

None identified in the Approved SEIR.

### **Conclusion**

The Project would not result in a new or more severe impact as it pertains to wildfire. Impacts related to the Project would be similar to the Approved SEIR and would be less than significant. Additionally, no new information of substantial importance that was not known and could not have been known at the time the Approved SEIR was certified is available that would impact the prior finding of no significant impact.

### **4.21.3 Overall Wildfire Impact Conclusion**

With regard to CEQA Statute Section 21166 and CEQA Guidelines Section 15162(a), the changes proposed by the Project would not result in any new impacts, or increase the severity of the previously identified impacts, with respect to wildfire hazards. Therefore, preparation of a SEIR is not warranted.

## 5.0 DETERMINATION OF APPROPRIATE CEQA DOCUMENTATION

The following discussion lists the appropriate subsections of Sections 15162 and 15164 of the State CEQA Guidelines and provides justification for the City to determine that the Addendum is the appropriate CEQA document for the Project, based on the environmental analysis provided above.

This section also includes a discussion of the revisions to the State CEQA Guidelines that have occurred since certification of the Approved SEIR, including the most recently adopted 2018 revisions. In 2018, the OPR transmitted its proposal for the comprehensive updates to the CEQA Guidelines to the California Natural Resources Agency. Included were proposed updates related to analyzing transportation impacts pursuant to SB 743, proposed updates to the analysis of GHG emissions, and revised Section 15126.2(a) in response to the California Supreme Court's decision in *California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal.4th 369. The updated Guidelines became effective on December 28, 2018.

### **CEQA Guidelines Section 15162 – Subsequent EIRs and Negative Declarations**

*(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that Project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:*

*(1) Substantial changes are proposed in the Project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.*

The City proposes to implement the Project within the context of the Approved SEIR, as described in this Addendum. As discussed in the Environmental Impact Analysis section of this Addendum, no new or more severe significant environmental effects beyond what was evaluated in the Approved SEIR would occur.

*(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.*

As documented herein, no circumstances associated with the location, type, setting, or operations of the Project have substantively changed beyond what was evaluated in the Approved SEIR; and none of the Project elements would result in new or more severe significant environmental effects than previously identified. No major revisions to the Approved SEIR are required.

*(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 environmental effects not discussed in the previous EIR or negative declaration;*

No new significant environmental effects beyond those addressed in the Approved SEIR were identified.

*(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;*

Significant Project-related effects previously examined would not be more severe than were disclosed in the Approved SEIR as a result of the Project. Impacts associated with all environmental resource areas would be the same as or less than disclosed in the adopted Approved SEIR. Implementation of the Project within the context of the Approved SEIR would not substantially increase the severity of previously identified impacts.

*(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*

No mitigation measures or alternatives were found infeasible in the certified Approved SEIR.

*(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

No other mitigation measures or feasible alternatives have been identified that would substantially reduce significant impacts.

*(b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subsection (a). Otherwise, the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.*

Subsequent to certification of the Approved SEIR in 2007, additional technical analyses were performed for the Project and are the subject of this Addendum. Based on the analyses in this document, the Project would not result in any new significant environmental effects nor would it increase the severity of significant effects previously identified in the Approved SEIR. None of the conditions listed under subsection (a) would occur that would require preparation of a subsequent EIR.

*(c) Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subsection (a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation, no other Responsible Agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted.*

None of the conditions listed in subsection (a) would occur as a result of the Project. No SEIR is required.

**CEQA Guidelines Section 15164 – Addendum to an EIR or Negative Declaration**

*(a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.*

As described above, none of the conditions described in the CEQA Guidelines Section 15162 calling for the preparation of a SEIR have occurred.

*(b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.*

None of the conditions described in Section 15162 calling for preparation of a subsequent EIR would occur as a result of the Project. Therefore, an addendum to the certified Approved SEIR is the appropriate CEQA document for the Project.

*(c) An addendum need not be circulated for public review but can be included in or attached to the Approved EIR or adopted negative declaration.*

This Addendum will be attached to the Approved SEIR and maintained in the administrative record files at the City.

*(d) The decision-making body shall consider the addendum with the Approved EIR or adopted negative declaration prior to making a decision on the project.*

The City will consider this Addendum with the Approved EIR prior to making a decision on the Project.

*(e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the Project, or elsewhere in the record. The explanation must be supported by substantial evidence.*

This document provides substantial evidence for City records to support the preparation of this Addendum for the Project.

## 6.0 CONCLUSION

The analysis presented in this document substantiates that the Approved SEIR for TOP 2050 is sufficient to satisfy CEQA requirements for the approval of the proposed PUD and development application. That is, implementation and operation of the proposed Project described herein would not result in any new or substantially more severe environmental impacts than were previously considered and addressed in the Approved SEIR. Further, the Project would implement all applicable mitigation measures presented in the Approved SEIR. As such, potential environmental impacts of the Project are considered to be adequately and appropriately addressed by analysis presented in the Approved SEIR. The Project does not require any major revision of the Certified SEIR, nor would the Project result in conditions that would require preparation of a Subsequent or Supplemental EIR as described in Sections 15162 and 15163 of the CEQA Guidelines.

## 7.0 REFERENCES

California Air Resources Board, 2022 Scoping Plan for Achieving Carbon Neutrality, Appendix D: Local Actions, November 2022.

California Air Resources Board, SB 375 Regional Plan Climate Targets. Retrieved from: <https://ww2.arb.ca.gov/our-work/programs/sustainable-communities-program/regional-plan-targets>.

California DOF. (2022). E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023, with 2020 Benchmark. Sacramento, CA: Department of Finance. Retrieved from: <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2023/>. (Accessed September 2023).

California Energy Commission. 2023. 2022 Building Energy Efficiency Standards. Retrieved from: <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency>. (Accessed September 2023).

CAL FIRE FRAP (2021). Fire Hazard Severity Zone Viewer. Retrieved from: <https://osfm.fire.ca.gov/divisions/community-wildfire-preparedness-and-mitigation/wildfire-preparedness/fire-hazard-severity-zones/>. (Accessed September 2023).

CalRecycle. 2021. SWIS Facility/Site Activity Details Badlands Sanitary Landfill (33-AA-0006) Retrieved from: <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2245?siteID=2367> (Accessed September 2023).

CalRecycle. 2021. SWIS Facility/Site Activity Details El Sobrante Landfill (33-AA-0217). Retrieved from: <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2280?siteID=2402>. (Accessed September 2023).

California State Scenic Highway System Map. 2023. Retrieved from: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>. (Accessed April 2023).

City of Ontario. 2018. City of Ontario Local Hazard Mitigation Plan. Retrieved from: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Fire/Ready%20Ontario/city\\_of\\_ontario\\_2018\\_hmp.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Fire/Ready%20Ontario/city_of_ontario_2018_hmp.pdf). (Accessed August 2023).

City of Ontario. 2023. Development Impact Fees. Retrieved from: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Building/Development%20Impact%20Fees%20\(Effective%2001.01.23\).pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Building/Development%20Impact%20Fees%20(Effective%2001.01.23).pdf) (Accessed October 2023).

City of Ontario. 2022. City of Ontario Policy Plan Land Use Element. Figure LU-03 Future Buildout Table. Page 19. Retrieved from: <https://www.ontarioca.gov/sites/default/files/Ontario->

Files/Planning/The%20Ontario%20Plann/Land%20Use/Figure%20LU-03%20Future%20Buildout%20Table\_5.pdf

City of Ontario. 2022. TOP 2050, Environmental Resources Element. Retrieved from: <https://www.ontarioca.gov/about-ontario-ontario-plan-policy-plan/environmental-resources>. (Accessed August 2023).

City of Ontario. 2021. The Ontario Plan 2050 Draft Supplemental Environmental Impact Report. Figure 5.17-3. Retrieved from: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final\\_DraftSEIR\\_TOP2050.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/EIR/Final_DraftSEIR_TOP2050.pdf). (Accessed September 2023).

City of Ontario. 2022. Ontario Community Climate Action Plan. Retrieved from: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/CCAP/Ontario-CCAP\\_Adopted\\_20220816.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/The%20Ontario%20Plann/CCAP/Ontario-CCAP_Adopted_20220816.pdf). (Accessed August 2023).

City of Ontario. Ontario Community Climate Action Plan: Greenhouse Gas Emissions Screening Tables, Table 3. Retrieved from: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/CCAP/Screening%20Table/Ontario-CCAP\\_Screening-Tables-MARCH%202023.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/CCAP/Screening%20Table/Ontario-CCAP_Screening-Tables-MARCH%202023.pdf). (Accessed August 2023).

City of Ontario, The Ontario Plan 2050, Safety Element, S-4 Noises Hazards. Figure S-06c Airport Noise Contours, 2020.

Code of Federal Regulation (CFR) [i.e., PSD (40 CFR 52.21, 40 CFR 51.166, 40 CFR 51.165 (b)), Non-attainment NSR (40 CFR 52.24, 40 CFR 51.165, 40 CFR part 51, Appendix S)

Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden, Noise Navigator Sound Level Database with Over 1700 Measurement Values, July 6, 2010.

Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, September 2018.

FEMA's National Flood Hazard Layer. 06071C8608H. Retrieved from: <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>. (Accessed July 2023).

GeoKinetics. 2022. Phase I Environmental Site Assessment Ontario Plaza 1000 – 1060 West Fourth Street & 1118 – 1126 North Mountain Avenue Ontario, California. Irvine, CA: GeoKinetics

Inland Empire Utilities Agency. 2023. Explanation of Fees. Retrieved from: <https://www.ieua.org/view-fees-rates/>. (Accessed September 2023).

Kariel, H. G., Noise in Rural Recreational Environments, Canadian Acoustics 19(5), 3-10, 1991.

- Ontario Airport Planning. 2018. Ontario International Airport Land Use Compatibility Plan, Map 2-1: Compatibility Policy Map: Airport Influence Area. Retrieved from: <https://www.ont-iac.com/wp-content/uploads/2019/02/ONT-AIA-policy-map-2-1.pdf>. (Accessed September 2023).
- Ontario Airport Planning. 2018. Ontario International Airport Land Use Compatibility Plan, Map 2-2: Compatibility Policy Map: Safety Zones. Retrieved from: <https://www.ont-iac.com/wp-content/uploads/2019/02/ONT-AIA-policy-map-2-2.pdf>. (Accessed September 2023).
- SB 100. 2023. 100% Clean Energy FAQs. Retrieved from: <https://focus.senate.ca.gov/sb100/faqs>. (Accessed August 2023).
- Southern California Association of Governments, Connect SoCal (2020 - 2045 Regional Transportation Plan/Sustainable Communities Strategy, 2020.
- Southern California Association of Governments. 2001. Employment Density Study Summary Report. Retrieved from: <https://www.mwcog.org/file.aspx?A=QTTITR24POOOUIw5mPNzK8F4d8djdJe4LF9Exj6IXOU%3D> (Accessed September 2023).
- Southern California Edison. 2023. Carbon Neutrality by 2045. Retrieved from: <https://www.edison.com/our-perspective/pathway-2045>. (Accessed August 2023).
- U.S. Environmental Protection Agency, Noise from Construction Equipment and Operations, Building Equipment and Home Appliances, NTID300.1, December 31, 1971.
- United States Environmental Protection Agency, Protective Noise Levels (EPA 550/9-79-100), 1979.