



Notice of Preparation

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

TO: Property Owners, Responsible Agencies, and Interested Parties

FROM: City of Ontario, Planning Department, 303 East "B" Street, Ontario, CA 91764

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report

NOTICE IS HEREBY GIVEN that the City of Ontario will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The Project description, location and the probable environmental effects are contained in the attached materials. A copy of the Initial Study is, is not, attached and is available at Ontario City Hall, Planning Department. Electronic format of the document can also be obtained online using the following link: <https://www.ontarioca.gov/Planning/Reports/EnvironmentallImpact>.

The proposed project is, is not, considered a project of statewide, regional, or area-wide significance. The proposed project will, will not, affect highways or other facilities under the jurisdiction of the State Department of Transportation. A scoping meeting will, will not, be held by the lead agency.

Scoping Meeting: If the project meets the criteria requiring the scoping meeting, or if the agency voluntarily elects to hold such a meeting, the date, time, and location of the scoping meeting are as follows:

Date and Time: October 27, 2022, at 6:00 p.m.

Location (this meeting will be held as a virtual meeting via Zoom): The Zoom meeting may be accessed online using the following link: <https://us02web.zoom.us/j/83565725981> ; Webinar ID: 835 6572 5981. Alternatively, the Zoom meeting may be attended via telephone: (for higher quality, dial a number based on your current location): +1 669 900 9128 or +1 669 444 9171 or +1 346 248 7799 or +1 719 359 4580 or +1 253 215 8782 or +1 564 217 2000 or +1 646 558 8656 or +1 646 931 3860 or +1 301 715 8592 or +1 309 205 3325 or +1 312 626 6799 or +1 386 347 5053 or 888 788 0099 (Toll Free) or 833 548 0276 (Toll Free) or 833 548 0282 (Toll Free) or 877 853 5247 (Toll Free)

Review Period: The 30-day review period for this Notice of Preparation begins on October 17, 2022. Comments will be received until the close of business day on November 15, 2022, at 5:30 p.m. Please send your response to the contact person identified below. Please be sure to include the name of a contact person for your agency.

Charles Mercier, Principal Planner
City of Ontario Planning Department
303 East B Street, Ontario, CA 91764
Phone: (909) 395-2425
Email: cmercier@ontarioca.gov


Project Title/File No.: PSPA22-001

Project Location: The Specific Plan area comprises approximately 584 acres of land located west of Interstate 15 (I-15), and south of State Route 60 (SR-60). The Specific Plan Area lies within the 8,200-acre Ontario Ranch area, bounded generally by Riverside Drive to the north, "Old" East Edison Avenue [alignment] to the south, Mill Creek Avenue and Hamner Avenue to the east, and Haven Avenue to the west, in the City of Ontario, County of San Bernardino.

Project Description: Under the proposed 2022 Rich-Haven Specific Plan Amendment, the Specific Plan Area would be developed with up to 7,194 dwelling units, up to 925,002 square feet of commercial space, and up to 2,767,148 square feet of light industrial uses.

Project Applicant: BrookCal Ontario LLC/Richland Developers, Inc., 3161 Michelson Drive, Suite 425, Irvine, CA 92612

Consulting firm retained to prepare Draft EIR: Applied Planning, Inc, 11762 De Palma Road, 1-C 310, Corona, CA 92883; Contact: Ross Geller (909) 937-0333

Signature: 	Date: 10/7/2022
Name: Charles H Mercier	Title: Principal Planner

Reference: California Code of Regulations, Title 14 (CEQA Guidelines) Sections 15082(a), 15103, and 15375.

Initial Study
for the
Rich-Haven Specific Plan, 2022 Amendment
(File No. PSPA22-001)

Prepared for:
City of Ontario
303 East B Street
Ontario, CA 91764

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

October 2022

INITIAL STUDY

for the

**Rich-Haven Specific Plan, 2022 Amendment
(File No. PSPA22-001)**

Prepared for:

City of Ontario
303 East B Street
Ontario, CA 91764

Prepared by:

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

October 2022

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1.0 INTRODUCTION

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1.1 BACKGROUND AND PROJECT OVERVIEW

The Rich-Haven Specific Plan (RHSP) was approved by the City of Ontario in 2015, with subsequent Specific Plan Amendments approved in 2016, 2018, and 2021. The current (2021) Rich-Haven Specific Plan (“2021 Specific Plan”) comprises approximately 584 acres located west of Interstate 15 (I-15), and south of State Route 60 (SR-60). The 2021 Specific Plan Area lies within the 8,200-acre Ontario Ranch area, bounded generally by Riverside Drive to the north, “Old” East Edison Avenue [alignment] to the south, Mill Creek Avenue and Hamner Avenue to the east, and Haven Avenue to the west.

The 2021 Specific Plan entitlements allow for development of up to 7,194 dwelling units (all residential types), up to 990,902 square feet of commercial/office space, up to 1,183,525 square feet of light industrial uses, approximately 27 acres of public parkland, and approximately 20 acres of Southern California Edison (SCE) Parcel open space and SCE Easements. The 2022 RHSP Specific Plan Amendment (2022 Specific Plan Amendment, Project) evaluated in this Initial Study (IS) proposes a new amendment of the RHSP.

Under the proposed 2022 RHSP Specific Plan Amendment, the Specific Plan Area would be developed with up to 7,194 dwelling units, up to 925,002 square feet of commercial space, and up to 2,767,148 square feet of light industrial uses. Other existing RHSP land uses, e.g., public parkland, Southern California Edison (SCE) Parcel open space and SCE Easements would not be substantively affected under the 2022 RHSP Specific Plan Amendment. This IS evaluates potential environmental impacts of entire buildout of the Specific Plan Area that would result from the 2022 RHSP Specific Plan Amendment.

In summary, the proposed 2022 Specific Plan Amendment would result in the following primary revisions to the 2021 Specific Plan:

1. Total residential development within the Specific Plan Area would be maintained at 7,194 dwelling units. Residential units and residential densities would however be reassigned within the Specific Plan Area.
2. Total commercial development would be reduced by approximately 65,900 square feet, an approximate 6.7 percent reduction in the 2021 Specific Plan commercial entitlements.
3. Total light industrial development would be increased by approximately 1,583,623 square feet, an approximate 134 percent increase from the 2021 Specific Plan Amendment.

Other aspects and attributes of the 2021 Specific Plan would be substantively maintained under the proposed 2022 Specific Plan Amendment.

1.2 PURPOSE AND DISPOSITION OF THIS DOCUMENT

This IS was prepared pursuant to Section 15063 of the California Environmental Quality Act (CEQA) Guidelines. Although this IS was prepared with consultant support, all analysis, conclusions, findings and determinations presented in the IS fully represent the independent judgment and position of the City of Ontario, acting as Lead Agency under CEQA. In accordance with the provisions of CEQA and the State and local CEQA Guidelines, as the Lead Agency, the City of Ontario is solely responsible for approval of the Project. As part of the decision-making process, the City is required to review and consider the Project's potential environmental effects. This IS is an informational document, providing the City of Ontario decision-makers, other public agencies, and the public with an assessment of the potential environmental impacts that could result from the Project.

The City of Ontario (Lead Agency) specifically recognizes previous Certified CEQA documentation¹ and analysis prepared for the RHSP and its Amendments – as well as related State *CEQA Guidelines* Section 15162 limits and mandates (excerpted below) governing preparation of EIRs when a previous EIR has been Certified for a project. Lead Agency findings (italicized) for these criteria are summarized following each of the listed considerations. Based on the Lead Agency findings presented below and supporting analysis presented in this IS, a new EIR will be prepared that will analyze and disclose potential environmental impacts of the proposed 2022 Specific Plan Amendment.

CEQA Guidelines Section 15162:

(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 the 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.

As substantiated in this IS, substantial changes to the previous project are proposed under the RHSP 2022 SPA. These changes include, but are not limited to: land use re-designations and land use reconfigurations, increased industrial development, and modified residential development. These changes could result in potentially new or different significant environmental impacts not considered or addressed in previous CEQA documentation prepared for the RHSP and its amendments.

¹ *Rich Haven Specific Plan Environmental Impact Report*, July 3, 2007 (SCH No. 2006051081); Rich Haven Specific Plan Amendments: 2015, 2016, 2018, 2021 - evaluated as Addendums to Certified EIRs.

Substantive changes proposed by the Project are detailed at IS Section 2.0, Project Description. IS Section 3.0, Environmental Evaluation discusses and evaluates potentially significant impacts that could result from the Project.

- (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.

Changes in circumstances warranting major revisions of the previous EIR include recent adoption of The Ontario Plan 2050 (TOP 2050) and associated General Plan Update. TOP 2050 and the General Plan Update represent a new context for the RHSP that could result in new significant environmental effects or a substantial increase in the severity of previously-identified significant effects presented in the previous RHSP EIR(s). Moreover, changes in circumstances from a regulatory perspective indicate that previous analyses for the RHSP and its Amendments have become increasingly decoupled from evolving CEQA analytic topics and protocols, diminishing the value and applicability of these analyses. These latter changes in circumstances contribute further to the likelihood that the Project could result in new or substantially different or increased impacts than were analyzed in the previous EIR.

- (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.

Please refer to discussions at preceding Items (a) (1) (2).

Based on the preceding, potential environmental impacts of the Project will be evaluated and documented in a Project-specific Environmental Impact Report (EIR).

This IS and accompanying Notice of Preparation (NOP) for the EIR will be available for review for 30 days from October 17, 2022 to November 15, 2022 and can be accessed or obtained by contacting:

City of Ontario
Planning Department
303 East "B" Street
Ontario, CA 91764
Attention: Charles Mercier, Principal Planner

The public is encouraged to contact the City of Ontario for information regarding the Project and related CEQA processes.

1.3 DOCUMENT ORGANIZATION

This IS includes the following sections:

Introduction: This Section (1.0) describes the CEQA context of the Project, the IS format, and provides a summary of the findings of the IS.

Project Description: This Section (2.0) describes the Project and its Objectives. Discretionary actions, permits, and consultation necessary to realize the Project are also identified.

Environmental Evaluation: This Section (3.0) provides background information regarding the Project and Lead Agency, and presents responses to each question on the CEQA Initial Study Checklist regarding the possible environmental impacts of the Project. Answers provided in the checklist are substantiated qualitatively in all instances, and quantitatively where feasible and appropriate.

Determination: This Section (4.0) summarizes the results of the IS, and presents the determination regarding the appropriate environmental document for the Project. Source information cited within this IS is available through, or by contacting, the City of Ontario Planning Department.

1.4 POTENTIAL ENVIRONMENTAL EFFECTS

The analysis presented in this IS indicates that the Project may result in or cause potentially significant effects related to:

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

Consistent with the conclusion and findings of this IS, an EIR will be prepared for the Project. At a minimum, the EIR will evaluate the Project's potential environmental impacts under the topical areas identified above. Additional issues or concerns that may be identified pursuant to the EIR NOP process and/or scoping meeting(s) conducted for the Project will also be evaluated and addressed in the EIR.

2.0 PROJECT DESCRIPTION

2.0 PROJECT DESCRIPTION

2.1 BACKGROUND AND PROJECT OVERVIEW

The Rich-Haven Specific Plan (RHSP) was approved by the City of Ontario in 2015, with subsequent Specific Plan Amendments approved in 2016, 2018, and 2021. The current (2021) Rich-Haven Specific Plan (“2021 Specific Plan”) comprises approximately 584 acres located west of Interstate 15 (I-15), and south of State Route 60 (SR-60). The 2021 Specific Plan Area lies within the 8,200-acre Ontario Ranch area, bounded generally by Riverside Drive to the north, “Old” East Edison Avenue [alignment] to the south, Mill Creek Avenue and Hamner Avenue to the east, and Haven Avenue to the west. Location of the 2021 Specific Plan is presented at Figure 2.1-1. The location and boundaries of the 2022 RHSP Specific Plan Amendment evaluated in this Initial Study (IS) coincide with the location and boundaries in the 2021 Specific Plan.

The 2021 Specific Plan entitlements allow for development of up to 7,194 dwelling units (all residential types), up to 990,902 square feet of commercial/office space, up to 1,183,525 square feet of light industrial uses, approximately 27 acres of public parkland, and approximately 20 acres of Southern California Edison (SCE) Parcel open space and SCE Easements. The 2022 RHSP Specific Plan Amendment (2022 Specific Plan Amendment, Project) evaluated in this Initial Study (IS) proposes a new amendment of the RHSP as described herein.



----- Specific Plan Boundary

NOT TO SCALE
Source: Google Earth; Applied Planning, Inc.



Figure 2.1-1
Specific Plan Location

Under the proposed 2022 RHSP Specific Plan Amendment, the Specific Plan Area would be developed with up to 7,194 dwelling units, up to 925,002 square feet of commercial space, and up to 2,767,148 square feet of light industrial uses. Other existing RHSP land uses, e.g., public parkland, Southern California Edison (SCE) Parcel open space and SCE Easements would not be substantively affected under the 2022 RHSP Specific Plan Amendment. This IS evaluates potential environmental impacts of entire buildout of the Specific Plan Area that would result from the 2022 RHSP Specific Plan Amendment.¹

In summary, the proposed 2022 Specific Plan Amendment would result in the following primary revisions to the 2021 Specific Plan:

1. Total residential development within the Specific Plan Area would be maintained at 7,194 dwelling units. Residential units and residential densities would however be reassigned within the Specific Plan Area.
2. Total commercial development would be reduced by approximately 65,900 square feet, an approximate 6.7 percent reduction in the 2021 Specific Plan commercial entitlements.
3. Total light industrial development would be increased by approximately 1,583,623 square feet, an approximate 134 percent increase from the 2021 Specific Plan Amendment.

Other aspects and attributes of the 2021 Specific Plan would be substantively maintained under the proposed 2022 Specific Plan Amendment. A summary of land uses and development by Planning Area is provided at Table 2.1-1.

¹ Potential environmental impacts of the Rich Haven Specific Plan were initially evaluated in *Rich Haven Specific Plan Environmental Impact Report*, July 3, 2007 (SCH No. 2006051081). Subsequent Rich Haven Specific Plan Amendments: 2015, 2016, 2018, 2021 have been evaluated as Addendums to Certified EIRs. While the City could have continued tiering off previous environmental documents in evaluation of the Project's potential environmental impacts, in order to provide a contemporary and comprehensive analysis of the Project's impacts, a new Project-level EIR will be developed.

Table 2.1-1
2022 Specific Plan Amendment Land Use Summary

Planning Area	Land Use	Acres (Gross)	Dwelling Units (Maximum)	Residential Density (Gross)	Comm./ Office (sf) (Maximum)	Light Industrial (sf) (Maximum)
1A	Low Density Residential	25.5	128	5.0	-	-
1B	Low-Medium Density Residential	24.5	294	12.0	-	-
1C	Medium Density Residential	60.6	1,031	17.0	-	-
SCE 1	Edison Parcel	20.0	-	-	-	-
2A	Public Park	27.0	-	-	-	-
2B	Low-Medium Density Residential	8.1	190	23.5	-	-
2C	Light Industrial	23.4	-	-	-	560,617
3A	Low-Medium Density Residential Open Space-Non Recreation	36.1 8.3	560	15.5	-	-
3B	Low-Medium Density Residential	8.6	190	22.1	-	-
3C	Light Industrial Open Space-Non Recreation	21.4 8.5	-	-	-	512,701
4A	Stand Alone Residential Overlay	45.0	1,099	24.4	-	-
4B	Regional Commercial Stand Alone Residential Overlay Open Space-Non Recreation	5.0 35.2 0.4	1,150	32.7	166,182	-
5A	Light Industrial Open Space-Non Recreation	21.3 3.7	-	-	-	510,305
5B	Regional Commercial Stand Alone Residential Overlay Open Space-Non Recreation	5.0 26.6 7.5	1,150	43.2	76,320	-
5C	Regional Commercial	1.0	-	-	7,500	-
6A	Light Industrial Open Space-Non Recreation	49.4 6.6	-	-	-	1,183,525
6B	Regional Commercial	25.1	-	-	300,000	-
7	Mixed Use Overlay	20.5	552	26.9	162,500	-
8	Regional Commercial	20.5	-	-	162,500	-
9	Stand Alone Residential Overlay	20.4	300	14.7	-	-
10A	Stand Alone Residential Overlay	16.9	550	32.5	-	-
10B	Regional Commercial	2.8	-	-	50,000	-
Total		584.9	7,194	-	925,002	2,767,148

Source: 2022 Rich Haven Specific Plan Amendment

The discussions presented in this IS reflect information in the preliminary 2022 Specific Plan Amendment, and reflect the range and types of uses envisioned under this Project. Based on the findings of this IS, the Project may result in certain potentially significant environmental impacts (see IS Section 3.0, *Environmental Evaluation*). Accordingly, potential environmental impacts of the Project will be evaluated and documented in a Project Environmental Impact Report (EIR). Within the subsequent Project EIR, discussions will be revised to reflect any substantive changes that may occur as the 2022 Specific Plan Amendment is further defined.

2.2 EXISTING CONDITIONS

2.2.1 THE ONTARIO PLAN (TOP) 2050

2.2.1.1 TOP 2050 Overview and Project Consistency with TOP 2050

The Project would be required to conform with applicable provisions of The Ontario Plan (TOP). TOP 2050 provides long-range guidance for the City of Ontario addressing development and conservation. TOP consists of a six-part component framework: 1) Vision, 2) Governance Manual, 3) Policy Plan (General Plan), 4) City Council Priorities, 5) Implementation, and 6) Tracking and Feedback. TOP 2050² represents the City's vision for the next 30 years.

The Project has been planned and designed to be consistent with TOP 2050. Within this analysis, unless otherwise noted, TOP 2050 and TOP 2050 SEIR are the basis for the Project's potential environmental impacts.

2.2.2 EXISTING LAND USES

Existing land uses within, and adjacent to, the Project site are illustrated at Figure 2.2-1 and are described below. Representative photos of existing Project site conditions are presented at Figures 2.2-2 through 2.2-5.

² TOP 2050 Draft SEIR, and TOP 2050 Final SEIR can be accessed at: <https://www.ontarioplan.org/top2050/>.



----- Specific Plan Boundary

NOT TO SCALE
 Source: Google Earth; Applied Planning, Inc.

Figure 2.2-1
 Existing Land Uses



Photograph 1: From Haven Avenue looking west, February 2022.



Photograph 2: From eastern boundary directly opposite Haven Avenue, looking east, February 2022.

Source: Harmsworth Associates, Inc.



Photograph 3: Central portion of site looking north, February 2022.



Photograph 4: Northwest corner of site looking southeast, February 2022.

Source: Harmsworth Associates, Inc.



Photograph 5: Central western boundary of site looking southeast, February 2022.



Photograph 6: Eastern boundary of site looking north, February 2022.

Source: Harmsworth Associates, Inc.



Photograph 7: Southeastern corner of site looking northwest, February 2022.



Photograph 8: Southwestern corner of site looking northeast, February 2022.

Source: Harmsworth Associates, Inc.

2.2.2.1 Project Site

Existing land uses within the Specific Plan Area include developed portions of the currently entitled 2021 Specific Plan, and entitled areas that are undeveloped. As of the date of this IS, approximately 468 residential units of the total 7,194 dwelling units entitled under the 2021 Specific Plan have been constructed and are occupied. Existing residential development within the Specific Plan Area is located generally northeast of the intersection of Haven Avenue and Ontario Ranch Road.

The remainder of the 2021 Specific Plan entitlements have yet to be developed. Existing land uses in these areas include a dairy farm in the northern portion of the Specific Plan area, and vacant/disturbed properties through the remaining portions of the site. Additionally, within the southern portion of the Specific Plan Area, Southern California Edison (SCE) transmission line easements exist along a generally east – west/northeast – southwest alignment within the Specific Plan Area.

2.2.2.2 Vicinity Land Uses

Land uses adjacent to northern portions of the Specific Plan Area include residential development, agricultural uses, and Colony High School. Adjacent to the central Specific Plan Area are an SCE Substation occupying approximately 160 acres to the east, and agricultural/dairy and residential development to the west. The southern portion of the Specific Plan Area is bounded by residential and commercial development to the west across Haven Avenue, and vacant disturbed properties, residences, and dairy farm uses to the south across “Old” Edison Avenue [alignment]. To the east, across Hamner Avenue, are City of Eastvale properties that are developed or are being developed with commercial and light industrial uses.

2.3 EXISTING and PROPOSED LAND USE DESIGNATIONS

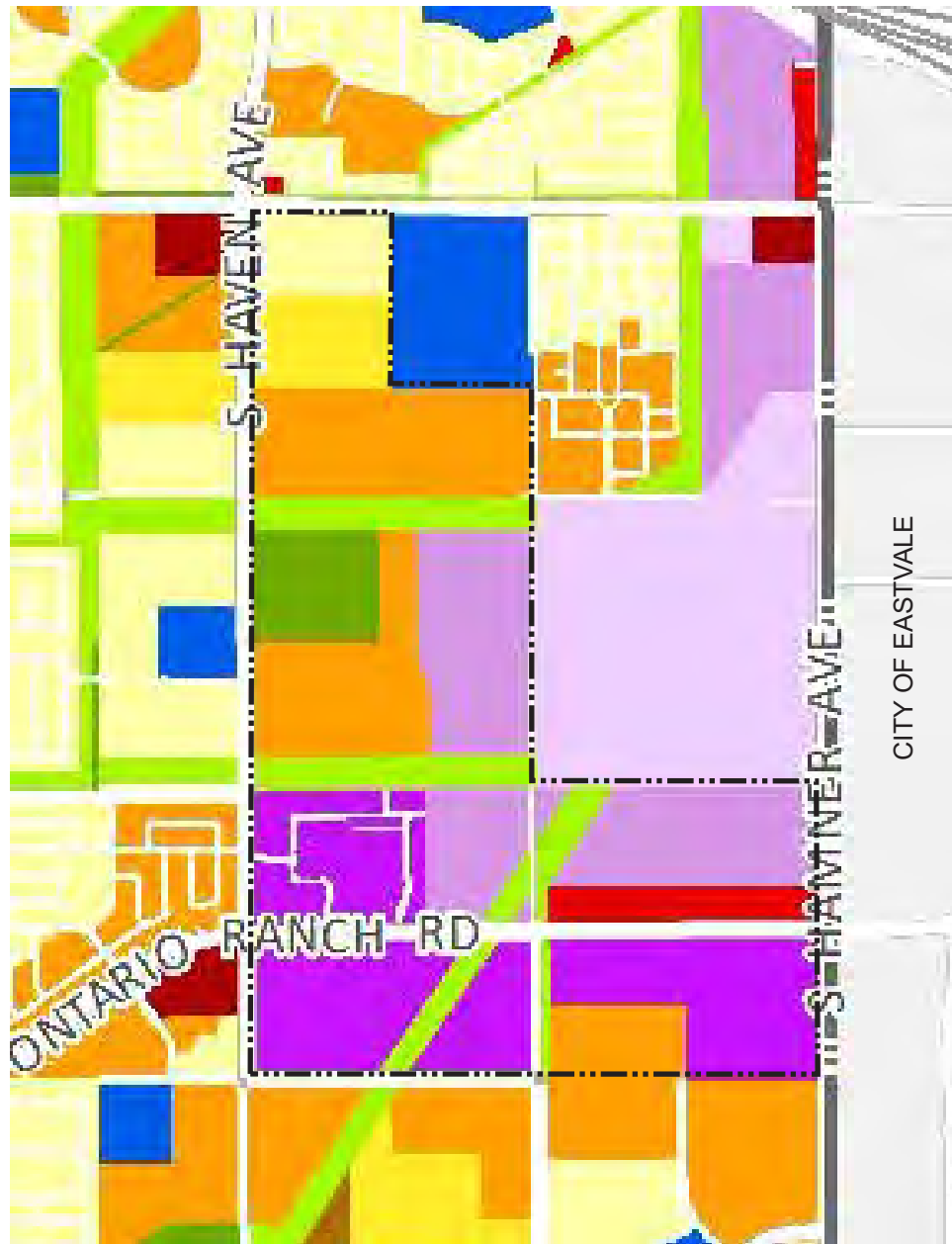
2.3.1 Project Site

Policy Plan Land Uses

TOP 2050 Policy Plan Land Use designations for the Project site and surrounding areas are presented at Figure 2.3-1. Policy Plan Land Uses proposed by the Project are consistent with TOP 2050 Policy Plan Land Use designations for the Project site.

Zoning Designations

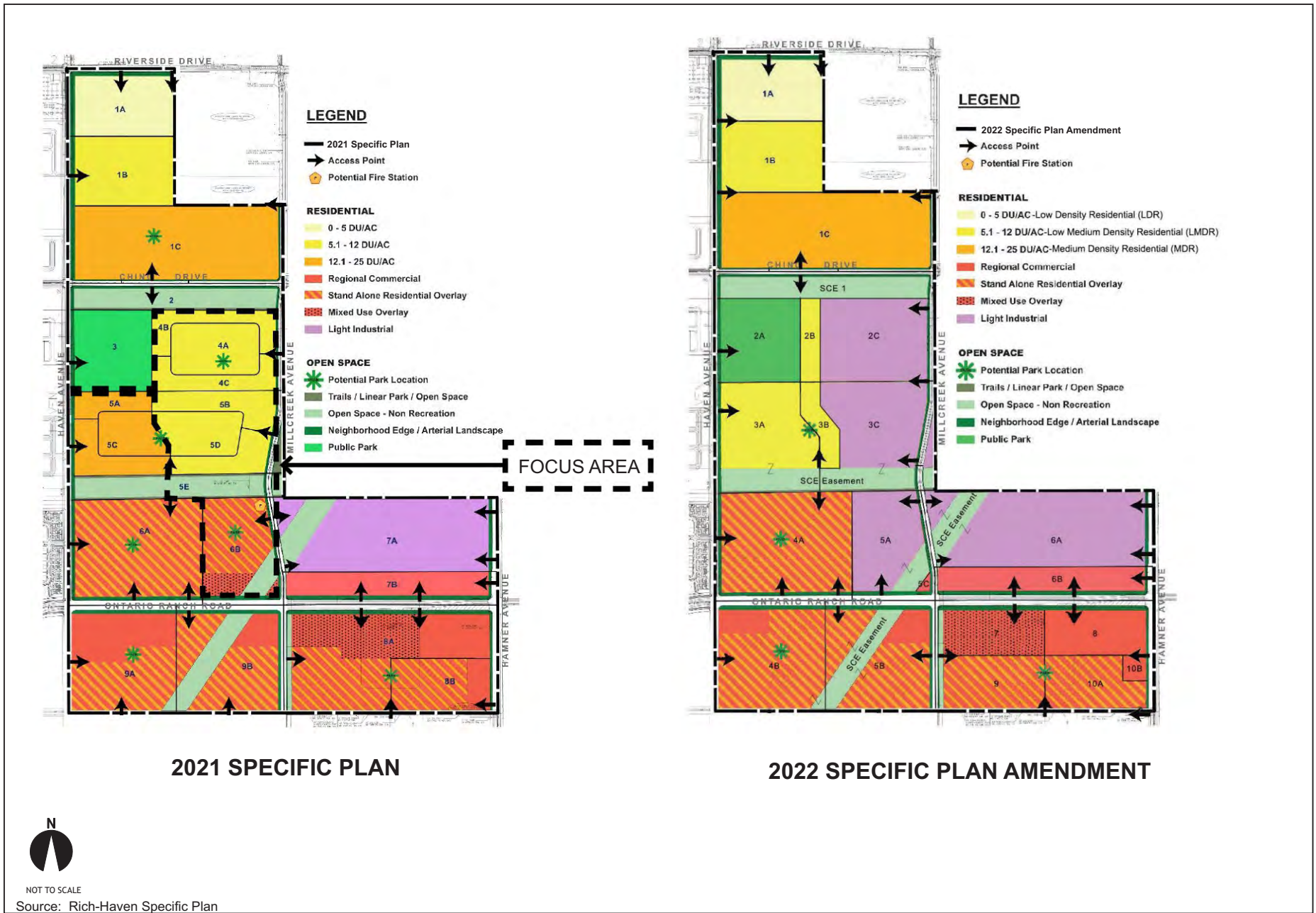
Existing Zoning of the Project site is established by the 2021 Specific Plan. Zoning of the Project site would be modified by the 2022 Specific Plan Amendment described herein. The 2021 Specific Plan and 2022 Specific Plan Amendment are compared at Figure 2.3-2.



- | | |
|-------------------------------------|------------------------------|
| Ontario City Boundary | NC Neighborhood Commercial |
| County Boundary | GC General Commercial |
| Rail Network | OC Office Commercial |
| Overlay Zones | HOS Hospitality |
| Business Park | Employment |
| Industrial | BP Business Park |
| Landfill Impact Area | IND Industrial |
| Proposed Land Use | Other |
| Residential | OS-NR Open Space - Non-Rec |
| RR Rural Residential | OS-R Open Space - Recreation |
| LDR Low Density Residential | OS-W Open Space - Water |
| LMDR Low Medium Density Residential | PF Public Facility |
| MDR Medium Density Residential | PS Public School |
| HDR High Density Residential | ARPT Airport |
| Mixed-Use | LF Landfill |
| MU Mixed Use | Rail |

N
 NOT TO SCALE
 Source: TOP 2050

Figure 2.3-1
TOP 2050 Policy Plan Land Use Designations



N
 NOT TO SCALE
 Source: Rich-Haven Specific Plan

Figure 2.3-2
 2021 Specific Plan vs. 2022 Specific Plan Amendment

2.3.2 Vicinity Properties

Policy Plan Land Use and Zoning designations of surrounding properties are summarized below. The Project would not affect Land Use and Zoning designations of surrounding properties. Unless noted otherwise, existing and proposed land use designations of vicinity properties are consistent under current and known or anticipated future conditions.

North (across Riverside Drive)

- Policy Plan Land Use Designations: Open Space – Non-Recreation (abutting Riverside Drive), General Commercial, Low Density Residential
- Zoning: Specific Plan (*Creekside Specific Plan*), CT (abutting Riverside Drive), Low Density Residential

South (across East Edison Avenue)

- Policy Plan Land Use Designations: Medium Density Residential, Open Space – Non-Recreation, Low Density Residential.
- Zoning: Specific Plan (*Esperanza Specific Plan*), Specific Plan w/Agricultural Overlay

East

- Across Hamner Avenue:
 - City of Eastvale General Plan: Light Industrial, Commercial Retail
 - City of Eastvale Zoning: Industrial Park, Specific Plan (*Goodman Commerce Center Specific Plan*)
- Across Mill Creek Avenue:
 - Policy Plan Land Use Designations: Medium Density Residential, Low Density Residential, Business Park
 - Zoning: Specific Plan (*Edenglen Specific Plan*), Specific Plan w/Agricultural Overlay (Developed as SCE Substation)
- Abutting to Northeast:
 - Policy Plan Land Use Designation: Public School
 - Zoning: Civic

West (across Haven Avenue)

- Policy Plan Land Use Designations: Office Commercial, Low Density Residential, Low Medium Density Residential, Medium Density Residential Public School, Open Space – Non-Recreation
- Zoning: Specific Plan (*West Haven Specific Plan*)

2.4 PROJECT OPERATIONS/OCCUPANCY SUMMARY

For the purposes of this analysis, it is assumed that all Project development will be complete and fully operational by 2025, the Project Opening Year. Operational attributes of the Project land uses are presented below. Please refer also to the 2022 Specific Plan Amendment for details regarding the proposed Land Use Plan, Design Guidelines, and Development Standards.

2.4.1 Light Industrial Land Use

The Project light industrial land uses would accommodate a mix of high-cube fulfillment warehouse uses, refrigerated warehouse uses, and business park uses. Configurations and mix of these uses will be identified in the EIR as the Project is further defined.

- All uses are assumed to be open and operational 7 days per week, 24 hours per day.
- Unless otherwise noted herein, all operations would occur internal to main buildings.
- On-site operations would include on-site cargo handling. The most common type of cargo handling equipment is the yard truck designed for moving cargo containers. Yard trucks are also known as yard goats, utility tractors (UTRs), hustlers, yard hostlers, and yard tractors. Any yard trucks based at the Project site would be non-diesel (e.g., gasoline and/or electric-powered).

2.4.2 Commercial Land Use

The Project commercial land uses are assumed to accommodate a variety of commercial/retail development.

- All uses are assumed to be open and operational 7 days per week, 24 hours per day.
- Unless otherwise noted herein, all operations would occur internal to main buildings.

2.4.3 Residential Land Uses

- Residential land uses are assumed to be developed at quantities and densities reflected in the 2022 Specific Plan Amendment.

2.4.4 Open Space/Park Land Uses

- All open space/park land uses are assumed to be developed only with site/surface improvements supporting outdoor recreational activities.

2.5 DEVELOPMENT CONCEPT

Development implemented under the Project would be required to conform to provisions of the 2022 Specific Plan Amendment. In instances where the 2022 Specific Plan Amendment is silent, development proposals within the Specific Plan Area would be required to conform to applicable provisions of the City Development Code. The following discussions reflect preliminary 2022 Specific Plan Amendment information available to date. Within the subsequent Project EIR, discussions will be revised to reflect any substantive changes that may occur as the 2022 Specific Plan Amendment is further defined.

2.5.1 DEVELOPMENT SEQUENCING

The Project land uses would be constructed contingent on the availability of supporting infrastructure (e.g., water, sewer, storm drains, roadways/access) and as market conditions warrant. Generally, the anticipated sequence of development is as follows:

1. Light industrial/commercial uses; and
2. Residential products and community amenities including parks/open space uses.

2.5.2 SITE DESIGN/ARCHITECTURAL CONCEPTS

All Project development proposals would be required to conform to requirements and implement guidance articulated at 2022 Specific Plan Amendment Section 5, *Development Regulations*; and Section 6, *Design Guidelines*. All final Project site plans and building designs would be subject to City review and approval, to include consistency analysis with applicable provisions of the 2022 Specific Plan Amendment.

2.5.3 ACCESS AND CIRCULATION

Access to and within the Specific Plan Area is summarized below. Please also refer to 2022 Specific Plan Amendment Section 4.1, *Circulation Plan*.

2.5.3.1 Roadways

Regional access to the City and the Specific Plan Area is provided by State Route 60 (E – W) and Interstate 15 (N – S). State Route 60 (SR-60) interchanges with Interstate 15 (I-15) approximately 1.5 miles northeast of the Specific Plan Area. Local access to the Specific Plan Area is provided by existing vicinity roadways. These roadways include Riverside Drive to the north, Haven Avenue to the west, Mill Creek Avenue (partial) to the east, Hamner Avenue to the east, and Ontario Ranch Road which traverses the southern portion of the Specific Plan Area.

Ultimate designs of roadway alignments, roadway configurations, and site access would be required to conform to applicable provisions of the 2022 Specific Plan Amendment and City Conditions of Approval; and would be subject to City review and approval.

Roadways within and abutting the Project site would be constructed to their respective ultimate cross-sections pursuant to the 2022 Specific Plan Amendment design standards and City requirements.³

³ The Specific Plan Amendment proposes modified design standards for Chino Avenue within the Project site, to include enhanced roadway sections with raised landscapes and roundabouts. These modified design standards would be subject to City review and approval as one component of the Specific Plan Amendment.

2.5.3.2 Bicycle and Pedestrian Access

The Project would construct bicycle and pedestrian access improvements consistent with the City Multipurpose Trails and Bikeway Corridor Plan.

Within the Project site, streets would be constructed with sidewalks, providing pedestrian access and inter-connectivity between various residential and mixed-use areas. Trail access would be provided to the various park facilities. As part of the City's Master Plan of Trails, the SCE Corridor Trail within the Project site would be extended within the linear park areas located within the existing SCE easements. Access to the SCE Corridor Trail would be provided at key points throughout the Project. On-street curb adjacent 5-foot bike lanes would be provided on both sides of the proposed modified/enhanced Chino Avenue section.

2.5.3.3 Bus Service

Bus service is available to the City via Omnitrans and the Riverside Transit Authority (RTA). No bus routes currently provide proximate service (within one-quarter mile) of the 2021 Specific Plan Area. Transit service providers periodically review and update schedules and routes to address ridership, budget, and community demands. The Applicant and City would coordinate Project final designs with Omnitrans and RTA to evaluate the potential for provision of bus services and bus amenities serving the 2021 Specific Plan Area. Omnitrans bus routes and schedules can be accessed at: <https://omnitrans.org>. RTA bus routes and schedules can be accessed at: <https://www.riversidetransit.com/index.php/riding-the-bus/maps-schedules>.

2.5.4 PARKING

The Project would be required to adhere to parking requirements established under the 2022 Specific Plan Amendment and the City of Ontario Development Code. Parking assignments and design of parking areas within the site would be subject to City review and approval.

2.5.5 LANDSCAPE/STREETSCAPE

The 2022 Specific Plan Amendment Landscape Concept is presented in detail at 2022 Specific Plan Amendment Section 7, *Landscape Plan*. All landscaping/streetscaping

implemented under the Project would be required to comply with applicable provisions of the 2022 Specific Plan Amendment and the City Municipal Code. The implemented landscape/streetscape concept would act to enhance perception of the site as developed under the Project, and to screen views of the site interior from off-site vantages. Landscape and streetscape elements would provide shade and visual interest, define entry/access points, and accentuate site and architectural features.

2.5.6 INFRASTRUCTURE/UTILITIES

2.5.6.1 Water Service

Potable (Domestic) Water

Potable water would be provided by the Ontario Municipal Utilities Company (OMUC).⁴ The Project lies within the OMUC 925 and 1010 Pressure Zones. Within the Project site, water service would be provided by a system of 8-inch to 12-inch water mains constructed within the backbone roadway system. Connecting 8-inch service lines would be provided to individual developments.

The on-site public water system sizing would be required to comply with provisions of a City-approved hydraulic analysis to be conducted at the project-level design stage. All water mains and wells internal to site would be constructed by the merchant builder(s). In-tract water system design will be provided at the time of subdivision. Final designs of water conveyance systems serving the Project would be required to conform to City and OMUC requirements. Please refer also to 2022 Specific Plan Amendment Section 4.2.1, *Domestic Water*.

⁴ Additionally, as discussed in the Specific Plan Amendment, “the Chino Basin Water Master Water Quality Map identifies the Rich-Haven [Project] area within an optimum water quality zone and requires that the owner/developer dedicate a total of two wells within the Specific Plan area to the City of Ontario for production of potable water.” Well dedications within the Project site would be provided if/as required by the City/OMUC.

Recycled Water

The Project area would be served by OMUC 930/1050 Pressure Zones for recycled water. A range of recycled water lines would be constructed both on-site and off-site to service the Project. All Master Plan recycled water improvements implemented to serve the Project would be required to conform to the incumbent City Recycled Water Master Plan. Please refer also to 2022 Specific Plan Amendment Section 4.2.2, *Recycled Water, Regional Recycled Water Plan*.

The Project would be required to comply with applicable provisions of City Municipal Code Chapter 8c: *Recycled Water Use*.⁵ Within the Project area, recycled water would be used for all approved applications, including but not limited to irrigation of parks, schools, street landscaping, recreational trails, HOA-maintained common areas and landscaping. An engineering report approved by the City and the California Department of Public Health is required prior to the use of recycled water.

Within the Project area, the backbone recycled water system would comprise 8-inch to 12-inch lines and would be located in the backbone street system. In-tract recycled water system design would be provided at the time of subdivision. It is noted here that *no* [emphasis added] recycled water can be used on single-family single lot ownership properties. Per the 2022 Specific Plan Amendment, a clear physical separation between potable and recycled water systems is required, such separations may comprise walls, fences, sidewalks, or mow strips. Please refer also to 2022 Specific Plan Amendment Section 4.2.2, *Recycled Water, Local Backbone Recycled Water Plan*.

2.5.6.2 Sewer Services

Sewer service would be provided by the City of Ontario. Master Plan sewer system improvements serving the Project and surrounding areas would be constructed consistent with the City's Sewer Master Plan. All Master Plan sewer improvements implemented to serve the Project would be required to conform to the incumbent City

⁵ See also: https://codelibrary.amlegal.com/codes/ontarioca/latest/ontario_ca/0-0-0-44580#JD_6-8.714

Sewer System Master Plan. Please refer also to 2022 Specific Plan Amendment Section 4.3, *Sewer Master Plan*.

2.5.6.3 Stormwater Management System

Storm Drains

Multiple City Master Plan of Drainage storm drain facilities would serve the Project site. All Master Plan storm water management system improvements implemented to serve the Project would be required to conform to the incumbent City Master Plan of Drainage. Under post-development conditions, existing southerly trending on-site drainage patterns would be maintained.

Within the Project site, individual developments would implement required stormwater management systems. On-site storm stormwater management system designs would be provided concurrent with development plan submittals. Final designs of stormwater management systems serving the Project would be required to conform to City requirements. Please refer also to 2022 Specific Plan Amendment Section 4.4, *Drainage Master Plan, Regional Backbone Drainage Plan*.

Water Quality Management Plan

On a regional level, stormwater quality management would be available via the regional Mill Creek Wetlands system. Within the Project site, complementary on-site stormwater management systems that would detain and treat stormwater discharges. Stormwater discharges from the Project would be required to comply with requirements and performance standards established under the incumbent San Bernardino County National Pollutant Discharge Elimination System (NPDES) Stormwater Program MS4 Permit and Water Quality Management Plan (WQMP). To these ends, developments within the Project site would implement Low Impact Development (LID) Site Design Best Management Practices (BMPs) to reduce pollutant transport and increase on-site stormwater infiltration. Additionally, all Priority Land Use (PLU) areas within the Project site would be required to comply with the statewide Trash Provisions adopted by the

State Water Resources Control Board (SWRCB) and trash requirements in the most current San Bernardino County Area-Wide MS4 Permit.

Non-structural and structural Source Control BMPs would be documented in the Project WQMPs. Final WQMPs, as approved by the City, would ensure that the Project stormwater management systems have been designed to convey and treat stormwater discharges and limit the post-development peak flows consistent with available storm drain capacities. Please refer also to 2022 Specific Plan Amendment Section 4.4, *Drainage Master Plan, Stormwater Quality Measures*.

2.5.6.4 Solid Waste Management

The City of Ontario provides solid waste collection services for the City and will service the Project.

2.5.6.5 Electricity

Southern California Edison (SCE) would provide electricity to the site from existing vicinity facilities. SCE facilities located within and adjacent to the Project site consist of 115kV, 66kV, 12kV, towers/power lines and attached communication lines. Facilities less than 34.5kV will be located underground if they are located adjacent to any streets proposed to be improved in conjunction with site improvements.

2.5.6.6 Natural Gas

The Gas Company will provide natural gas to the site. All proposed connections and modifications to Gas Company facilities would conform to Gas Company and City requirements.

2.5.6.7 Fiber Optics System

A backbone fiber optics system (conduits, tracer wire, and fiber) would be constructed within the Project backbone street system. Backbone fiber optic components (conduits, hand holes, tracer wire, and fiber) would be placed underground within a duct and structure system to be installed in a joint trench. In-tract fiber and conduit would be installed per the City's in-tract fiber optic design guidelines (see:

https://www.ontarioca.gov/sites/default/files/Ontario-Files/Information-Technology/2014-12-16_in-tract_designguidelines.pdf).

2.5.6.8 Communications Services

Communications services, including wired and wireless telephone and internet services, are available through numerous private providers and would be provided on an as-needed basis. To the extent practical and consistent with City Conditions of Approval, existing and proposed wires, conductors, conduits, raceways, and similar communications improvements within the Project area would be installed underground. Any necessary surface-mounted equipment, e.g., terminal boxes, transformers, meters, service cabinets, etc., would be screened and would conform to City building setback requirements.

2.5.7 ENERGY EFFICIENCY/SUSTAINABILITY

Energy-saving and sustainable design features and operational programs would be incorporated in all facilities developed pursuant to the Project. The Project would be required to comply with incumbent energy efficiency and performance standards established under the incumbent CALGreen Code and City of Ontario Climate Action Plan (CAP).

2.5.8 CONSTRUCTION AREA TRAFFIC MANAGEMENT PLAN

Temporary and short-term traffic detours and traffic disruptions could result during construction activities including implementation of access and circulation improvements noted above. Accordingly, the Applicant would be responsible for the preparation and submittal of a Construction Area Traffic Management Plan (Plan). Typical elements and information incorporated in the Plan would include, but not be limited to:

- **Name of on-site construction superintendent and contact phone number.**
- **Identification of Construction Contract Responsibilities** - For example, for excavation and grading activities, describe the approximate depth of excavation, and quantity of soil import/export (if any).

- **Identification and Description of Truck Routes** - to include the number of trucks and their staging location(s) (if any).
- **Identification and Description of Material Storage Locations (if any).**
- **Location and Description of Construction Trailer (if any).**
- **Identification and Description of Traffic Controls** - Traffic controls shall be provided per the Manual of Uniform Traffic Control Devices (MUTCD) if the occupation or closure of any traffic lanes, parking lanes, parkways or any other public right-of-way is required. If the right-of-way occupation requires configurations or controls not identified in the MUTCD, a separate traffic control plan must be submitted to the City for review and approval. All right-of-way encroachments would require permitting through the City.
- **Identification and Description of Parking** - Estimate the number of workers and identify parking areas for their vehicles.
- **Identification and Description of Maintenance Measures** - Identify and describe measures taken to ensure that the work site and public right-of-way would be maintained (including dust control).

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

2.5.9 OPENING YEAR

For the purposes of this analysis, the Project Opening Year is defined as 2025, by which time all proposed uses are assumed to be complete, occupied, and operational.

2.6 PROJECT OBJECTIVES

The broad vision of the 2022 Specific Plan Amendment is to create a community with a mixture of uses, connected through a series of trails, which provides opportunities for people to live, work and play. Supporting 2022 Specific Plan Amendment objectives are listed below.

Livable Neighborhood Development

- Incorporate Traditional Neighborhood Design guiding principles during the design phase to provide for opportunities to achieve the Project’s vision statement, including:
 - Connections. To provide a series of sidewalks and trails connecting community parks, civic uses, employment areas, mixed-use and transit stops designed to be pedestrian friendly to avoid unnecessary automobile trips.
 - Traditional Street Network. To design a hierarchy of streets connected in a grid network with a variety of routes for pedestrians and vehicles, as well as creating a visually favorable and comfortable environment for pedestrians and bicyclists.
 - Main Street Environment. To design commercial/retail areas to a human scale with storefronts oriented to the street providing a “Main Street” atmosphere for strolling and shopping, all within walking distance from most homes.
 - Public Spaces. To create plazas, parks, and community gathering places placed within centralized areas providing synergy between adjacent land uses.
 - Identifiable Neighborhoods. To design neighborhoods around a discernable center, which may include a small park, square, school, or mixed-use center, within a five-minute walking distance.
 - Mix of Housing. To provide neighborhoods with a range of household types: a variety of single-family detached homes, attached units for young families, and live/work units for small at-home businesses.
- Design a mixed-use environment to ensure compatible uses that are cohesive and integrate a diversity of residential neighborhoods, with a range of commercial uses, and supporting open spaces.

- Utilize transportation, utility, and greenways/open space networks to establish clear edges and boundaries.
- Accommodate residential, commercial, open space, public, and other uses in accordance with the generalized distribution of uses depicted within the City's TOP Land Use Plan.
- Implement elements that will ensure walkability throughout the Project Area to discourage automobile dependency and encourage walking, biking, and other forms of transportation. This is achieved through the incorporation of subarea greenways and pedestrian connections and through sensitive site design of mixed-use development.
- Implement technological advances within residential communities, including internet access, to allow residents to shop and work from home and to decrease reliance on automobiles.
- Provide opportunity for at least one major public plaza/square as a centerpiece of community activities, including events and celebrations, outdoor performances, community meetings, picnics, farmers markets, and similar functions.
- Establish a clearly defined "edge" for the City's TOP area, where appropriate, that avoids the use of walls and creation of a "walled" enclave.
- Incorporate electrical transmission corridors and similar elements to form "edges" for residential neighborhoods and centers and/or accommodate public greenways/trails/corridors.

Residential District Objectives

- Create a livable community with neighborhoods designed at a human scale and oriented for pedestrian access to mixed-use, educational, and recreational uses.
- Provide for a range and diversity of housing products (detached single-family, detached and attached condominiums, and townhomes) that respond to a variety of homeownership needs and desires.
- Design residential projects to complement the character of adjacent neighborhoods.
- Encourage interaction among residents through the provision of an organized, simple, and "neo-traditional" system of streets, pathways, and entries to allow

residents to walk or bike to parks, recreation, and public facilities (including schools).

- Promote outdoor activity and casual social contact among residents and neighbors by designing neighborhoods around a central park where they can gather.
- Provide a focal point of activity within each residential planning area that may include a park, school, common area, or public meeting facility.
- Encourage architectural styles and traditional design elements that reflect the historic and eclectic mixture of architecture, reflective of the greater Ontario area.
- Increase densities adjacent to commercial centers.
- Establish clear, defined “edges” and “entries” that contribute to neighborhood identity.
- Avoid the use of walls to separate residential areas from arterials and other high traffic volume streets by expanded landscape setbacks, frontage roads, and other appropriate techniques.
- Include clustered multi-family housing within the Residential District, in order to create a diverse range of housing products and opportunities, while still in keeping with the overall low-density residential designation.
- Locate higher-density residential uses that provide population to support adjacent regional commercial centers.
- Provide sufficient on-site recreational amenities within higher density developments.
- Include community-oriented uses such as public meeting rooms, plazas and courtyards, and similar uses.
- Establish visual and physical links among the individual multi-family developments to create a cohesive and continuous corridor.
- Design building elevations to promote visual interest.
- Provide linkages between community service facilities, multi-family corridors, and residential neighborhoods.

Regional Commercial/Mixed-Use District Objectives

- Accommodate a diversity of large-scale retail, community and neighborhood shopping, office, medical research, entertainment, hotel/motel, dining, housing,

cultural, public, and similar uses that will serve the Project area and neighboring Planning Areas.

- Function with a high level of activity and/or employment.
- Accommodate development of multi-family housing, mixed-use buildings that incorporate housing and retail/office, and live/work facilities.
- Accommodate single-use buildings and mixed-use structures containing a variety of uses from residential over retail or office-to-office over retail.
- Encourage traditional, mixed-use design of commercial buildings, by requiring a lower maximum floor area ration (FAR) for single-use buildings, and a higher maximum FAR for mixed-use buildings.
- Develop plaza areas and other amenities to provide places of social interaction.
- Include one or more public “squares” to serve as gathering places.
- Incorporate modulated building volumes, mass, height, and articulated facades to create individual spaces.
- Site a portion of the buildings on peripheral streets to provide connectivity to adjacent uses.
- Orient buildings towards the local streets whenever possible to create an urban edge and sense of arrival and place.
- Include sidewalks of sufficient width to accommodate pedestrian activity and outdoor restaurants, newsstands, and other uses.
- Create visual interest through the opening of streets and sidewalks/plazas towards building elevations.
- Incorporate landscaping to enhance the environment.
- Visually integrate parking structures to continue the intended design character of the district.
- Incorporate multi-family housing to create a cohesive and continuous corridor.
- Ensure an appropriate mix of uses (residential and commercial) that are compatible.
- Encourage pedestrian access and ease of use within the mixed-use area by designing pedestrian and bike paths.
- Create a “Main Street” environment with buildings designed to a human scale where pedestrian activity is not overwhelmed by automobile traffic.

- Utilize urban design to create a “Gateway” or portal to the Ontario Ranch.

Industrial District Objectives

- Incorporate transitions and/or buffers between commercial/mixed-use and industrial areas and adjacent residential areas.
- Contribute to the regional jobs to housing balance by providing employment opportunities while minimizing development impacts on surrounding neighborhoods.
- Create a high-quality industrial park development that attracts an array of businesses and provides employment opportunities within proximity to area residents.
- Provide safe and efficient access/circulation routes for the distribution/transportation of goods.

Circulation Objectives

- Provide a circulation system designed to promote pedestrian activity through a network of off-street pedestrian walkways linking each neighborhood to parks, mixed-use commercial, and residential uses.
- Design a hierarchy of streets connected in a grid network with a variety of routes for pedestrians and vehicles, creating a visually attractive, enhanced, and comfortable environment for pedestrians and bicyclists.
- Design streets to incorporate landscaped parkways and pedestrian walkways separated from the street to enhance safety and enjoyment of residents and visitors.
- Provide opportunities for transit connections and alternative modes of transportation.

Recreation/Trails Objectives

- Provide new recreational opportunities for residents through the development of a series of public and private parks.
- Provide a series of pedestrian trails connecting community parks, civic uses, mixed-use, and transit stops designed to be pedestrian friendly to avoid unnecessary automobile trips.

- Incorporate off-street multi-use trails within the Southern California Edison easements.
- Incorporate a system of on- and off-street bicycle pathways with access from the residences to mixed-use areas.
- Use landscaping and streetscape materials that are low maintenance in recreation and trail areas.
- Provide a system of on-street bikeways integrated throughout the Project to provide access to schools, parks, and commercial uses.
- Provide new recreational opportunities for residents through the development of a series of parks ranging in size.

Community Facilities Objectives

- Incorporate existing major utilities into the overall fabric of the community.
- Provide opportunities for incorporation of community facilities (e.g., schools, fire station) as identified by affected agencies.

2.7 DISCRETIONARY APPROVALS AND PERMITS

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

2.7.1 LEAD AGENCY DISCRETIONARY ACTIONS AND PERMITS

- EIR Certification;
- Approval of the 2022 Specific Plan Amendment;
- Approval of Tentative Parcel Maps;
- Approval of Development Agreements; and
- Approval of Development Plans.

2.7.2 OTHER CONSULTATION AND PERMITS

Anticipated consultation and permits necessary to realize the Project would or may include the following:

- Permitting by/through the Regional Water Quality Control Board (RWQCB) pursuant to requirements of the City's National Pollutant Discharge Elimination System (NPDES) Permit.
- Permitting by/through the South Coast Air Quality Management District (SCAQMD) for certain equipment or land uses that may be implemented pursuant to the Project.
- Permitting (i.e., utility construction and connection permits) from affected utility purveyors, notably the City of Ontario, IEUA, and SCE.

Other ministerial permits necessary to realize all on- and off-site improvements related to the development of the Project.

3.0 ENVIRONMENTAL EVALUATION

3.0 ENVIRONMENTAL EVALUATION

3.1 PROJECT TITLE

Rich-Haven Specific Plan Project (Project)
PSPA22-001

3.2 LEAD AGENCY NAME AND ADDRESS

City of Ontario, Planning Department
303 East "B" Street
Ontario, CA 91764
Contact: Charles Mercier, Principal Planner

3.3 PROJECT APPLICANT

BrookCal Ontario LLC/Richland Developers, Inc.
3161 Michelson Drive, Suite 425
Irvine, CA 92612

3.4 BACKGROUND AND PROJECT OVERVIEW

The Rich-Haven Specific Plan (RHSP) was approved by the City of Ontario in 2015, with subsequent Specific Plan Amendments approved in 2016, 2018, and 2021. The current (2021) Rich-Haven Specific Plan ("2021 Specific Plan") comprises approximately 584 acres located west of Interstate 15 (I-15), and south of State Route 60 (SR-60). The 2021 Specific Plan Area lies within the 8,200-acre Ontario Ranch area, bounded generally by Riverside Drive to the north, "Old" East Edison Avenue [alignment] to the south, Mill Creek Avenue and Hamner Avenue to the east, and Haven Avenue to the west. Location of the 2021 Specific Plan is presented at Figure 2.1-1. The location and boundaries of the 2022 RHSP Specific Plan Amendment evaluated in this Initial Study (IS) coincide with the location and boundaries in the 2021 Specific Plan.

The 2021 Specific Plan entitlements allow for development of up to 7,194 dwelling units (all residential types), up to 990,902 square feet of commercial/office space, up to 1,183,525 square feet of light industrial uses, approximately 27 acres of public parkland, and approximately 20 acres of Southern California Edison (SCE) Parcel open space and SCE Easements. The 2022 RHSP Specific Plan Amendment (Project, Project) evaluated in this Initial Study (IS) proposes a new amendment of the RHSP.

Under the proposed 2022 RHSP Specific Plan Amendment, the Specific Plan Area would be developed with up to 7,194 dwelling units, up to 925,002 square feet of commercial space, and up to 2,767,148 square feet of light industrial uses. Other existing RHSP land uses, e.g., public parkland, Southern California Edison (SCE) Parcel open space and SCE Easements would not be substantively affected under the 2022 RHSP Specific Plan Amendment. This IS evaluates potential environmental impacts of buildout of the Specific Plan Area that would result from the 2022 RHSP Specific Plan Amendment.¹

In summary, the proposed 2022 Specific Plan Amendment would result in the following primary revisions to the 2021 Specific Plan:

1. Total residential development within the Specific Plan Area would be maintained at 7,194 dwelling units. Residential units and residential densities would however be reassigned within the Specific Plan Area.
2. Total commercial development would be reduced by approximately 65,900 square feet, an approximate 6.7 percent reduction in the 2021 Specific Plan commercial entitlements.
3. Total light industrial development would be increased by approximately 1,583,623 square feet, an approximate 134 percent increase from the 2021 Specific Plan Amendment.

¹ Potential environmental impacts of the Rich Haven Specific Plan were initially evaluated in *Rich Haven Specific Plan Environmental Impact Report*, July 3, 2007 (SCH No. 2006051081). Subsequent Rich Haven Specific Plan Amendments: 2015, 2016, 2018, 2021 have been evaluated as Addendums to Certified EIRs. While the City could have continued tiering off previous environmental documents in evaluation of the Project's potential environmental impacts, in order to provide a contemporary and comprehensive analysis of the Project's impacts, a new Project-level EIR will be developed.

Other aspects and attributes of the 2021 Specific Plan would be substantively maintained under the proposed 2022 Specific Plan Amendment.

The discussions presented in this IS reflect preliminary 2022 Specific Plan Amendment information available to date, and reflect the range and types of uses envisioned under this Project. Based on the findings of this IS, the Project may result in certain potentially significant environmental impacts. Accordingly, potential environmental impacts of the Project will be evaluated and documented in a Project EIR. Within the subsequent Project EIR, discussions will be revised to reflect any substantive changes that may occur as the 2022 Specific Plan Amendment is further defined. Please refer also to the detailed discussion of the Project characteristics and attributes presented at IS Section 2.0, *Project Description*.

3.5 PREVIOUS ENVIRONMENTAL DOCUMENTATION, DOCUMENTS INCORPORATED BY REFERENCE

Section 15150 of the State *CEQA Guidelines* permits and encourages that an environmental document incorporate by reference other documents that provide relevant data. The documents outlined in this Section are hereby incorporated by reference, and the pertinent material is summarized throughout this Initial Study. All documents incorporated by reference are available through the City of Ontario Planning Department.

The Ontario Plan 2050 (TOP 2050), TOP 2050 Supplemental Environmental Impact Report (TOP 2050 SEIR), TOP 2050 Policy Plan (General Plan) Component

As one component of The Ontario Plan 2050 (TOP 2050), the City has updated the City Policy Plan (General Plan). Concurrent with the General Plan approval process, the City has certified the TOP 2050 Supplemental Environmental Impact Report (TOP 2050 SEIR) addressing the potential impacts of the General Plan as updated under TOP 2050. TOP 2050 and TOP 2050 SEIR² can be accessed at: <https://www.ontarioplan.org/top2050/>.

² TOP 2050 SEIR comprises TOP 2050 Draft SEIR, TOP 2050 Final SEIR, and all supporting technical analyses. These documents can be accessed at <https://www.ontarioplan.org/top2050/>, or by contacting the City of Ontario.

As noted at IS Section 2.0, *Project Description*, the Project has been planned and designed to be consistent with TOP 2050 and would therefore not likely result in impacts not currently identified and addressed in TOP 2050 SEIR. Within this analysis, unless otherwise noted, TOP 2050 and TOP 2050 SEIR are the basis for the Project's potential environmental impacts. TOP 2050 SEIR is a Supplemental EIR tiering off of TOP 2010 Certified EIR. TOP 2050 SEIR identifies potentially significant impacts resulting from TOP 2050 not already considered and addressed in TOP 2010 Certified EIR. As a corollary, impacts that are identified as less-than-significant under TOP 2050 SEIR are also less-than-significant under TOP 2010 Certified EIR.

2022 Rich-Haven Specific Plan Amendment

The 2022 Rich-Haven Specific Plan Amendment is the Project evaluated in this IS. To the extent practical, substantive provisions of the Project have been summarized in this IS (see: IS Section 2.0, *Project Description*). The 2022 Specific Plan Amendment is currently in draft form, and when completed, will be appended to the Project EIR.

3.6 EXPLANATION OF CHECKLIST CATEGORIES

"No Impact" applies where the impact simply does not apply to projects like the one involved. For example, if the project site is not located in a fault rupture zone, then the item asking whether the project would result in or expose people to potential impacts involving fault rupture should be marked as "No Impact."

"Less-Than-Significant Impact" applies where the impact would occur, but the magnitude of the impact is considered insignificant or negligible. For example, a development that would nominally increase the amount of surface water runoff generated at a project site would be considered to have a less-than-significant impact on surface water runoff.

"Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less-Than-Significant Impact." Incorporated mitigation measures should be outlined within the checklist and a discussion should be provided which explains how the

measures reduce the impact to a less-than-significant level. This designation is appropriate for a Mitigated Negative Declaration, where potentially significant issues have been analyzed and mitigation measures have been recommended.

“Potentially Significant Impact” applies where the project has the potential to cause a significant and unmitigable environmental impact. If there are one or more items marked as “Potentially Significant Impact,” an EIR is required.

3.7 INITIAL STUDY CHECKLIST AND SUBSTANTIATION

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to trees, rocks, outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In a non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect the day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Substantiation:

a, c) *Less-Than-Significant Impact.* There are no scenic vistas within the Project site, nor would the Project otherwise adversely affect a designated scenic vista. Views of the San Gabriel Mountains, located to the north of the City, are the dominant scenic resource in the area.

The Project is located in an urbanized area and would be subject to those provisions of TOP 2050 General Plan and City of Ontario Development Code governing scenic quality. TOP 2050 General Plan Community Development

Element establishes multiple policies that protect scenic resources and promote high quality, visually compatible development. For example, TOP General Plan 2050 Community Design Element Policy CD-1.5 requires that “all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountains, which are part of the City’s visual identity and a key to geographic orientation. Such views should be free of visual clutter, including billboards and may be enhanced by framing with trees”; Policy CD-2.1 encourages “all development projects to convey visual interest and character . . .”; Policy CD-2.15 supports “excellence in design and construction quality through collaboration with trade and professional organizations that provide expertise, resources and programs for developers, builders and the public” (TOP 2050 Policy Plan, p. 91).

TOP 2050 General Plan policies governing scenic quality, including those noted above, ensure protection of scenic resources and promote visually compatible and appealing development. These policies are implemented through the City of Ontario Development Code (Development Code Chapter 6.0 *Development and Subdivision Regulations*, et al.). The City would assure that the Project as implemented would conform to applicable provisions of the Project including the Project Development Regulations and Design Guidelines. The Project Development Regulations and Design Guidelines would, at a minimum, be required to conform to provisions of TOP 2050 General Plan and Development Code. Conformance with the Project would minimize the potential for the Project to adversely affect scenic resources or result in development that would conflict with applicable zoning and other regulations governing scenic quality.

Lastly, the Project has been designed to be consistent with TOP 2050, and by extension would not result in impacts not considered and addressed in the TOP 2050 SEIR. TOP 2050 SEIR concludes that the potential for TOP 2050 General Plan to adversely affect scenic vistas or conflict with zoning or other regulations governing scenic quality would be less-than-significant (TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.1, *Aesthetics*).

Based on the preceding, the potential for the Project to have a substantial adverse effect on a scenic vista or to conflict with applicable zoning and other regulations governing scenic quality is considered less-than-significant.

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

Lastly, the Project has been designed to be consistent with TOP 2050, and by extension would not result in impacts not considered and addressed in the TOP 2050 SEIR. TOP 2050 SEIR concludes that the potential for TOP 2050 General Plan to adversely affect scenic resources would be less-than-significant (TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.1, *Aesthetics*).

On this basis, the potential for the Project to substantially damage scenic resources, including, but not limited to trees, rocks, outcroppings, and historic buildings within a state scenic highway is considered less-than-significant.

- d) *Less-Than-Significant Impact.* The Project would create new sources of lighting, including ground, building-mounted, wall-mounted, and pole-mounted lighting fixtures. The Project would also provide illuminated exterior signs. The City would assure that the Project, as implemented, contains Development Regulations and Design Guidelines that would, at a minimum, conform to City regulations addressing lighting and light overspill (see: Development Code, Division 6.01 – *District Standards and Guidelines, Lighting*). All subsequent development within the Project area would be required to conform with the Project Regulations and Design

Guidelines addressing light, glare and overspill. Conformance with the Project would minimize the potential for the Project to result in adverse light and glare impacts.

Lastly, the Project has been designed to be consistent with TOP 2050, and by extension would not result in impacts not considered and addressed in the TOP 2050 SEIR. TOP 2050 SEIR concludes that the potential for TOP 2050 General Plan to create a new source of substantial light or glare, which would adversely affect the day or nighttime views in the area would be less-than-significant (TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.1, *Aesthetics*).

Based on the preceding, the potential for the Project to create a new source of substantial light or glare, which would adversely affect the day or nighttime views in the area is considered less-than-significant.

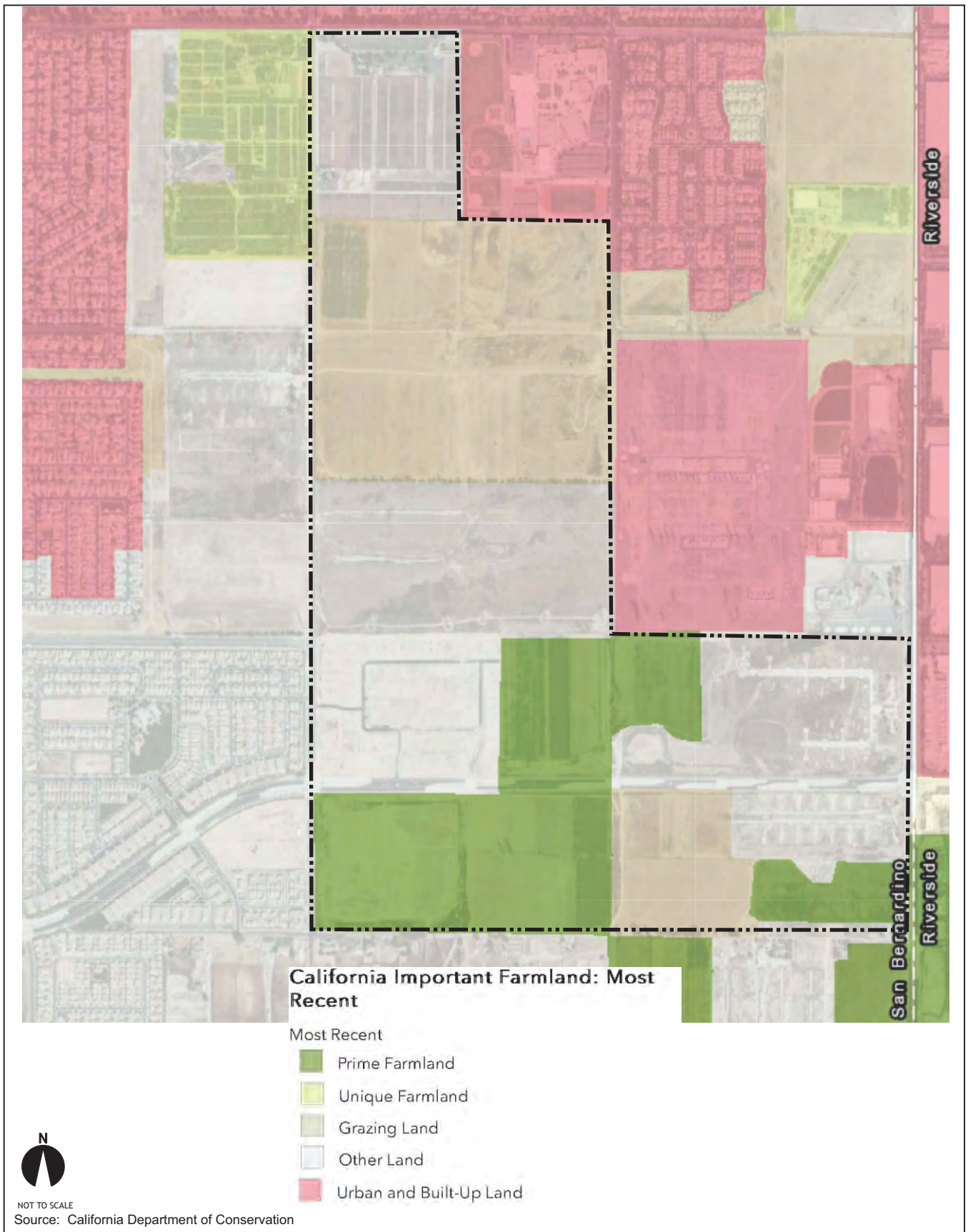
Sources: *City of Ontario Policy Plan, A Component of The Ontario Plan 2050 (Placeworks); The Ontario Plan 2050 DSEIR, SCH No. 2021070364 (Placeworks) May 2022; City of Ontario Development Code; Project Application Materials.*

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
II. AGRICULTURE AND FOREST RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy				

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the Project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Substantiation:

- a) *Less-Than-Significant Impact.* The California Department of Conservation (CDC) Farmland Mapping and Monitoring (FMMP) System designates properties within the Project site as: “Prime Farmland,” “Grazing Land,” and “Other Land.” Please refer to Figure II-1. See also: <https://maps.conservation.ca.gov/dlrp/ciff/>.



The City of Ontario does not prohibit the transition of agricultural land to urban uses. While existing agricultural uses are allowed to persist and are accommodated as transitional uses under the City's Agricultural Overlay District, the City Land Use Plan does not formally designate or allocate any areas of the City as "Agricultural" land uses.

The City of Ontario has acknowledged the planned transition of existing agricultural uses to urbanized uses pursuant to TOP 2050 Land Use Plan (Land Use Plan). As discussed in TOP 2050 DSEIR, "because former agriculture areas within Ontario are now already designated for nonagricultural uses and the current TOP is the baseline for this SEIR, the Proposed Project [TOP 2050] would not conflict with agricultural uses and would not result in conversion of farmland to nonagricultural use" (TOP 2050 DSEIR, p. 5.2-14).

The Project is consistent with TOP 2050 and with land uses and development anticipated under TOP 2050 SEIR. Further, the Project would implement provisions of the Project and requirements of the City Development Code that support buffering of, and separation between, agricultural and urban uses. These requirements support the City's planned orderly transition of existing agricultural uses to urban uses. These requirements include, but are not limited to:

- Project setback and screening standards that act to buffer and separate potentially incompatible uses.
- City of Ontario Development Code requirements including a minimum 100-foot separation between "a new residential, commercial or industrial development or structure used for public assembly and an existing animal feed trough, corral/pen or an existing dairy/feed lot including manure stockpiles and related wastewater detention basins" (Development Code Chapter 6 *Development and Subdivision Regulations*, p. 6.01-63).

Based on the preceding, the potential for the Project to result in adverse impacts related to conversion of Farmlands to non-agricultural use would be less-than-significant.

b) *Less-Than-Significant Impact.*

Agricultural Zoning

The Project site is Zoned “Specific Plan.” The Project does not propose or require uses or activities that would otherwise result in potentially adverse effects at agriculturally-zoned properties. Based on the preceding, Project impacts to or affecting agricultural-zoned properties would be less-than-significant.

Williamson Act Contracts

The California Land Conservation Act of 1965 (the Williamson Act, Government Code Sections 51200 through 51297.4) encourages the preservation of agricultural lands through tax incentives due to the increasing trend toward the conversion of agricultural lands to urban uses. The Act enables counties and cities to designate agricultural preserves (Williamson Act lands) and within these preserves offer preferential taxation to agricultural landowners based on the agricultural income-producing value of the property.

One property within the Project site (APN 0218-161-13) is currently under a Williamson Act Contract (Contract No. 71-235). Buildout of the Project site would require the cancellation or nonrenewal of Contract No. 71-235.

The Project has been designed to be consistent with TOP 2050. Buildout of the Project site and cancellation or nonrenewal of Contract No. 71-235 are consistent with development anticipated under TOP 2050 as evaluated in TOP 2020 SEIR. In this regard, TOP 2050 SEIR concluded that development of the City (including the Project site) pursuant to TOP 2050 would result in City-wide cancellation or nonrenewal of Williamson Act contracts. The Project would not result in further impacts to Williamson Act lands beyond those already considered and addressed in TOP 2050

SEIR. As such, impacts from the Project in this respect would be less than significant. See also: TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.2, *Agriculture and Forestry Resources*.

Based on the preceding, Project impacts to, or affecting, Williamson Act Contract properties would be less-than-significant.

- c, d) *No Impact*. There is currently no land in the City of Ontario that qualifies as forest land or timberland. Neither TOP 2050 General Plan nor the City’s Development Code provide such designations. As such, the Project would not conflict with existing zoning for, or cause rezoning of, forest land or timberland, or result in the loss or conversion of forest land.
- e) *No Impact*. The Project does not involve other changes to the environment that could result in the conversion of farmland or forest land to other uses beyond those identified under the preceding discussions.

Sources: *City of Ontario Policy Plan, A Component of The Ontario Plan 2050 (Placeworks); The Ontario Plan 2050 DSEIR, SCH No. 2021070364 (Placeworks) May 2022; City of Ontario Development Code; Project Application Materials.*

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
project region is non-attainment under an applicable federal or state ambient air quality standard?				
c) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Substantiation:

a) *Potentially Significant Impact.* The Project site is located within the South Coast Air Basin (Basin), which includes all of Orange County, and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties. The SCAQMD is locally responsible for administration and implementation of the Air Quality Management Plan (AQMP). Development of the Project could result in the production of additional criteria air pollutants which may interfere with, or obstruct, implementation of the AQMP. These potential impacts will be addressed in the Air Quality Impact Analysis (AQIA) prepared as part of the Project EIR. Mitigation measures will be developed to address any potentially significant impacts.

b, c) *Potentially Significant Impact.* Project demolition activities would result in site disturbance and generation of fugitive dust, and could also result in disturbance and release of asbestos, lead or other toxic materials that may be present in existing on-site structures or in subsurface improvements. Project construction activities would generate fugitive dust and construction equipment emissions.

The implemented Project land uses would generate vehicular trips and associated vehicular-source air pollutant emissions. Project truck traffic would generate diesel emissions and diesel particulate matter (DPM). DPM is a known carcinogen that could result in, or contribute to, adverse health effects. On-site Project operations

would result in energy consumption and byproduct air pollutant emissions. Construction-source and operational-source emissions resulting from the Project may contribute to existing and projected regional exceedances of criteria pollutants within the Basin. Localized concentrations of construction-source and operational-source emissions could adversely affect sensitive receptors.

These potential impacts will be addressed in the Project EIR AQIA. Mitigation measures will be developed to address any potentially significant impacts.

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

Uses typically considered to be sources of odors or other emissions that could adversely affect a substantial number of people include agricultural operations, cement plants, wastewater treatment plants, and the like. The Project proposes none of these. Rather, the Project would implement contemporary residential, commercial, light industrial, parks, and open-space uses.

Refuse generated by the Project uses could be a source of localized odors. Project refuse is required to be collected, contained, and disposed of as stipulated in the City of Ontario Municipal Code (see: Municipal Code, Chapter 3: *Integrated Solid Waste Management*). Per the Municipal Code, refuse is to be disposed of in covered receptacles and routinely removed, thereby limiting the escape of odors to the open

air. Any odors generated would be temporary and transient, with little or no potential to adversely affect a substantial number of people.

Further, all Project construction activities, uses and occupancies would be required to conform to SCAQMD Rule 402. Rule 402 provides in pertinent part that there shall be no “discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.”

Lastly, the Project has been designed to be consistent with TOP 2050, and by extension would not result in impacts not considered and addressed in the TOP 2050 SEIR. As concluded in TOP 2050 SEIR, the potential for TOP 2050 General Plan to result in other emissions (such as those leading to odors) adversely affecting a substantial number of people would be less-than-significant (TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.3, *Air Quality*).

Based on the preceding discussion, the potential for the Project to result in other emissions (such as those leading to odors) adversely affecting a substantial number of people is considered less-than-significant.

Sources: *City of Ontario Policy Plan, A Component of The Ontario Plan 2050* (Placeworks); *The Ontario Plan 2050 DSEIR, SCH No. 2021070364* (Placeworks) May 2022; City of Ontario Development Code; Code of Federal Regulations; SCAQMD Rule 402; Project Application Materials.

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the Project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) though direct removal, filling, hydrological interruption, or other means?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 wildlife nursery sites?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Substantiation:

a – f) *Potentially Significant Impact.* Historic and on-going ground-disturbing activities within, and in areas adjacent to, the Project site have substantially altered the Project site from its natural state. Notwithstanding, certain biological resources may be adversely affected by the Project. Special status species that have the potential to occur within the Project or that could be otherwise affected by Project construction and operations include, but are not limited to: the Delhi Sands Flower Loving Fly, the San Bernardino Kangaroo Rat, and the Burrowing Owl. Therefore, there is a potential for the Project to result in a range of potentially significant biological resources impacts. Accordingly, a Biological Resources Assessment will be conducted as part of the Project EIR. The Assessment will evaluate all potential biological resources impacts listed above that could result from Project construction and operations. The results of the Assessment, along with any necessary mitigation measures, will be presented in the Project EIR.

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Substantiation:

- a, b) *Potentially Significant Impact.* There are no known historic structures or archaeological resources located within the Project site nor would the Project affect any known off-site resources of historical or archaeological significance. However, TOP 2050 SEIR indicates the potential for discovery of as yet unknown archeological and paleontological resources within the General Plan area is high (TOP 2050 DSEIR, p. 5.7-23).

In areas affected by Project development, historic or archaeological resources may persist in a buried context. These resources could be disturbed during Project site-disturbing activities. The Project EIR will include a Cultural Resources Assessment of potential historical and archaeological resources impacts that could result from the Project. The Assessment will evaluate and address all potential on-site and off-site cultural resources impacts that could result from the Project. The results of the Assessment, along with any necessary mitigation measures, will be presented in the Project EIR.

- c) *Less-Than-Significant Impact.* There are no known formal cemeteries or informal burial sites within the Project site or in off-site areas that would likely be affected by Project construction activities. The likelihood of encountering human remains in the course of Project development is therefore considered minimal. Further, as required under California Health and Safety Code Section 7050.5 (b) should human remains be encountered in the course of Project development, “there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined . . . that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or

her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code.”

Additionally, California Health and Safety Code Section 7050.5 (c) provides that “[i]f the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.” All Project activities would be required to comply with provisions of the California Health and Safety Code and Public Resources Code as summarized above, minimizing or avoiding the potential to disturb human remains.

Lastly, the Project has been designed to be consistent with TOP 2050, and by extension would not result in impacts not considered and addressed in the TOP 2050 SEIR. As concluded in TOP 2050 SEIR, the potential for TOP 2050 General Plan to adversely affect human remains would be less-than-significant (TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.5, *Cultural Resources*).

Based on the preceding, the potential for the Project to disturb any human remains, including those interred outside of formal cemeteries would be less-than-significant.

Sources: *City of Ontario Policy Plan, A Component of The Ontario Plan 2050* (Placeworks); *The Ontario Plan 2050 DSEIR, SCH No. 2021070364* (Placeworks) May 2022; City of Ontario Development Code; California Health and Safety Code; California Public Resources Code; Project Application Materials.

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
VI. ENERGY. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Substantiation:

a, b) *Potentially Significant Impact.* The Project would allow for development and operation of various new residential, light industrial, and commercial uses. When compared to existing conditions, construction and operation of the Project would result in increased consumption of energy resources. The Project EIR will analyze the potential for Project consumption of energy resources to result in environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy. Potential for the Project to conflict with state or local energy plans for renewable energy or energy efficiency will also be evaluated in the Project EIR. Mitigation measures will be proposed for those impacts determined to be potentially significant.

Sources: Project Application Materials.

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
VII. GEOLOGY AND SOILS. Would the Project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Substantiation:

a. i) *Less-Than-Significant Impact.* TOP 2050 DSEIR Figure 5.7-2, *Regional Faults and Fault Zones* identifies active and/or potentially active fault zones in the region, none of which are located within the City. There are no active faults known with the Project site. The Project site is outside any Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Project does not propose actions or facilities that would otherwise exacerbate known or probable adverse earthquake fault conditions.

Lastly, the Project has been designed to be consistent with TOP 2050, and by extension would not result in impacts not considered and addressed in the TOP 2050 SEIR. As concluded in TOP 2050 SEIR, the potential for TOP 2050 General Plan to cause potential substantial adverse effects, including the risk of loss, injury or death involving rupture of a known earthquake fault would be less-than-significant (TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.7, *Geology and Soils*).

Based on the preceding, the potential for the Project to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving rupture of a known earthquake fault is considered less-than-significant.

a. ii – iii) *Potentially Significant Impact.* The Project does not propose actions or facilities that would exacerbate known or probable adverse strong seismic ground shaking, or seismic-related ground failure conditions. However, Southern California in general, including the Project site and surrounding areas, is generally susceptible to seismic events. Therefore, there is a potential for the Project to directly or indirectly

cause potential substantial adverse effects, including the risk of loss, injury or death involving strong seismic ground shaking, and/or seismic-related ground failure (including liquefaction). As part of the Project EIR, a Preliminary Geotechnical Investigation will be prepared, addressing these potential impacts. Mitigation will be proposed for any impacts determined to be potentially significant.

- a. iv) *Less-Than-Significant Impact*. The Project site topography evidences little internal difference, with a moderate northeast to southwest downward trending slope, averaging between +2.0 % to -2.3% (Google Earth Imagery 2022). The Project site is not considered internally susceptible to land sliding. Any slopes manufactured in the course of Project development would be subject to review and approval by the City Building Department to ensure their stability. Adjacent properties also present little topographic relief.

Lastly, the Project has been designed to be consistent with TOP 2050, and by extension would not result in impacts not considered and addressed in the TOP 2050 SEIR. As concluded in TOP 2050 SEIR, the potential for TOP 2050 General Plan to exacerbate geologic hazards in the City, such as on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse would be less-than-significant (TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.7, *Geology and Soils*).

Based on the preceding, the potential for the Project to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving landslides is considered less-than-significant.

- b) *Less-Than-Significant Impact*. Project construction activities would temporarily expose underlying soils, thereby increasing their susceptibility to erosion. Potential erosion impacts incurred during construction activities are mitigated below the level of significance through the Project's mandated compliance with a City-approved Storm Water Pollution Prevention Plan (SWPPP), as well as compliance with SCAQMD Rules that prohibit grading activities and site disturbance during

high wind events. At Project completion, potential soil erosion impacts in the area will be resolved, as pavement, roads, buildings, and landscaping are established, overcovering previously-exposed soils.

The Project does not propose altering existing topography in a manner that would result in substantial soil erosion or the loss of topsoil. All Project development plans would be subject to review and approval by the City. As part of this review, the City would ensure that permanent slopes and slope protection would conform to City requirements, thereby minimizing the potential for soil erosion over the life of the Project. City review and approval of development plans would also ensure that stormwater management systems are incorporated that would minimize potential erosion from stormwater runoff, both on-site and off-site.

Lastly, the Project has been designed to be consistent with TOP 2050, and by extension would not result in impacts not considered and addressed in the TOP 2050 SEIR. As concluded in TOP 2050 SEIR, the potential for TOP 2050 General Plan to result in substantial soil erosion or the loss of topsoil would be less-than-significant (TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.7, *Geology and Soils*).

Based on the preceding, the potential for the Project to result in substantial soil erosion or the loss of topsoil is considered less-than-significant.

c, d) *Potentially Significant Impact.* Adverse/unstable soils or subsurface conditions may exist within the Project site and would be considered potentially significant impacts. As part of the Project EIR, a Preliminary Geotechnical Investigation will be prepared, addressing these potential impacts. Mitigation will be proposed for any impacts determined to be potentially significant.

- e) *Less-Than Significant Impact.* The Project uses would be served by municipal sewer services. No septic tanks or other alternative wastewater disposal systems are proposed by the Project.

Moreover, the Project has been designed to be consistent with TOP 2050, and by extension would not result in impacts not considered and addressed in the TOP 2050 SEIR. As concluded in TOP 2050 SEIR, the potential for TOP 2050 General Plan to have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater would be less-than-significant (TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.7, *Geology and Soils*).

On this basis, the potential for the Project to affect or be affected by soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems would be less-than-significant.

- f) *Potentially Significant Impact.* No known paleontological resources or unique geological features exist within the Specific Plan area. However, such resources may exist within the Project site and could be affected by site-disturbing activities. As part of the Project EIR, a Paleontological Resources Assessment will be prepared. This Assessment, in combination with the Project Geotechnical Investigation, will evaluate and substantiate the potential for the Project to directly or indirectly destroy a unique paleontological resource or site or unique geological feature. Pending information indicating otherwise, there is the potential for the Project to directly or indirectly destroy a unique paleontological resource or site or unique geological feature. The Project EIR will evaluate these impacts and mitigation will be proposed for those impacts determined to be potentially significant.

Sources: *City of Ontario Policy Plan, A Component of The Ontario Plan 2050 (Placeworks); The Ontario Plan 2050 DSEIR, SCH No. 2021070364 (Placeworks) May 2022; City of Ontario Development Code; Project Application Materials.*

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
VIII. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Substantiation:

a, b) *Potentially Significant Impact.* Project construction and operations would generate Greenhouse Gas (GHG) emissions. The Project’s contribution to greenhouse gas emissions may be potentially significant, both as a source of environmental impacts and in context of applicable plans, policies and regulations adopted for the purpose of reducing GHGs. Accordingly, a Greenhouse Gas Analysis (GHGA) will be prepared as part of the Project EIR. The GHGA findings, together with any necessary mitigation measures, will be presented within the Project EIR.

Source: Project Application Materials.

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS.				
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for the people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Substantiation:

- a – c) *Potentially Significant Impact.* Implementation of the Project would not require the transportation, use, storage, or disposal of hazardous or potentially hazardous materials beyond those typically employed for the construction and maintenance of the Project uses. However, the Project site could be affected by or could result in potentially significant hazards/hazardous materials impacts due to structure demolition, potential presence of methane gas, presence of organic materials, and general hazards or hazardous conditions associated with current and historic agricultural and dairy farming uses.

Prior to, or concurrent with construction of the Project facilities, remediation of existing significant hazards/hazardous materials conditions would be required. These remedial actions could create a significant hazard to the public or the environment through the routine transport or disposal of hazardous materials; could create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment; and could emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The Project EIR will evaluate these potential impacts and will propose mitigation for those impacts determined to be potentially significant.

- d) *Less-Than-Significant Impact.* The subject site is not included on the hazardous materials sites list compiled pursuant to Government Code Section 65962.5. Additionally, the Project would be required to comply with applicable federal, state, and local regulations, ensuring that hazards/hazardous materials impacts are maintained at levels that would be less-than-significant.

Moreover, the Project has been designed to be consistent with TOP 2050, and by extension would not result in impacts not considered and addressed in the TOP 2050 SEIR. As concluded in TOP 2050 SEIR, the potential for TOP 2050 General Plan to

result in development of sites that are included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment would be less-than-significant (TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.9, *Hazards and Hazardous Materials*).

On this basis, the potential for the Project to be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 is considered less-than-significant.

- e) *Less-Than-Significant Impact*. The Project site is located within the area subject to provisions of the ONT Airport Land Use Compatibility Plan (ALUCP, July 2018). The ALUCP defines the ONT Airport Influence Area (AIA) as an area in which current and future airport-related noise, overflight, safety, and airspace protection factors may significantly affect land uses or necessitate restriction on those uses. The Project site is located outside the ONT safety zones (see: TOP 2050 DSEIR Figure 5.9-2, *Airport Safety Zones*). All Project development would be required to comply with ALUCP requirements, thereby precluding or minimizing potential airport/aircraft-related hazards. The Project does not propose or require uses that would contribute to potential airport/aircraft-related hazards.

Moreover, the Project has been designed to be consistent with TOP 2050, and by extension would not result in impacts not considered and addressed in the TOP 2050 SEIR. As concluded in TOP 2050 SEIR, the potential for TOP 2050 General Plan to expose developments or populations to airport/aircraft-related hazards would be less-than-significant (TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.9, *Hazards and Hazardous Materials*).

Based on the preceding, the potential for the Project to result in a safety hazard for the people residing or working in the project area is considered less-than-significant.

Please refer also to discussions addressing airport/aircraft-source noise presented at Checklist Item XIII. *Noise (c)*.

- f) *Less-Than-Significant Impact*. The Project does not propose or require permanent alteration of vehicle circulation routes, and would not interfere with any identified emergency response or emergency evacuation plan. Consistent with City policies, coordination with the local fire and police departments during pre-construction review of Project plans would ensure that potential interference with emergency response plans and evacuation plans are avoided.

Moreover, the Project has been designed to be consistent with TOP 2050, and by extension would not result in impacts not considered and addressed in the TOP 2050 SEIR. As concluded in TOP 2050 SEIR, the potential for TOP 2050 General Plan to impair implementation of or physically interfere with an adopted emergency response plan would be less-than-significant (TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.9, *Hazards and Hazardous Materials*).

Based on the preceding, the potential for the Project to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan is considered less-than-significant.

- g) *Less-Than-Significant Impact*. The Project site is located in an urbanizing area, and no wildlands are located in the vicinity of the Project site. Fire protection services are provided to the City and the Project site by the Ontario Fire Department. Pre-construction coordination with Fire Department staff and adherence to local fire regulations during construction and operation of the Project would be required. The City and Fire Department would require that fire prevention/fire suppression measures are incorporated in the Project designs and that water delivery systems serving the Project site provide adequate fire flow. Creation and maintenance of firebreaks and fire-defensible spaces adjacent to building and roadways as required by the City and Fire Department would further reduce the potential for exposure to

wildland fires and the spread of wildland fires. The City would also enforce weed abatement measures, minimizing potential fire fuel loads. Additionally, development of the Project site would act to reduce fire hazards by eliminating existing fire fuel loads such as manure, hay, and weeds; while improving area fire protection infrastructure systems.

Lastly, the Project has been designed to be consistent with TOP 2050, and by extension would not result in impacts not considered and addressed in the TOP 2050 SEIR. As concluded in TOP 2050 SEIR, the potential for TOP 2050 General Plan to expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires would be less-than-significant (TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.9, *Hazards and Hazardous Materials*).

Based on the preceding, the potential for the Project to result in significant risk of loss, injury or death involving wildland fires is considered less-than-significant. Please also refer also to the discussions at subsequent Checklist Item XX, *Wildfire*.

Sources: *City of Ontario Policy Plan, A Component of The Ontario Plan 2050 (Placeworks); The Ontario Plan 2050 DSEIR, SCH No. 2021070364 (Placeworks) May 2022; City of Ontario Development Code; Project Application Materials.*

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:				
(i) result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(iv) impede or redirect flood flows?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Substantiation:

a, e) *Potentially Significant Impact.* Runoff from the Project area may include oils from paved areas and other chemicals which may contribute to degradation of surface and groundwater quality. The Project may also conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan, thereby resulting in potentially significant environmental impacts. Analysis of potential impacts in regard to water quality standards/waste

discharge requirements, and consistency with an applicable water quality control plan and/or sustainable groundwater management plan will be included in the Project EIR. Mitigation measures will be incorporated to address any potentially significant impacts.

- b) *Less-Than-Significant Impact*. Direct additions or withdrawals of groundwater are not proposed by the Project. Further, construction proposed by the Project will not involve substructures or other intrusions at depths that would significantly impair or alter the direction or rate of flow of groundwater. Water is provided throughout the City by the City of Ontario Utilities Department.³ Groundwater which may be consumed by the Project and the City of Ontario, as a whole, would be recharged pursuant to the Department's policies and programs. The Project site is not a designated groundwater recharge area. The Project does not propose or require facilities or operations that would otherwise adversely affect designated recharge areas.

Moreover, the Project has been designed to be consistent with TOP 2050, and by extension would not result in impacts not considered and addressed in the TOP 2050 SEIR. As concluded in TOP 2050 SEIR, the potential for TOP 2050 General Plan to substantially decrease groundwater supplies or interfere substantially with groundwater recharge and thereby impede sustainable groundwater management of the basin would be less-than-significant (TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.10, *Hydrology and Water Quality*).

Based on the preceding, the potential for the Project to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin is considered less-than-significant.

³ Water supply availability to the Project generally is discussed at Checklist Item XIX, *Utilities and Service Systems*.

- c (i) *Less-Than-Significant Impact*. Please refer to previous discussions at Checklist Item VII, *Geology and Soils* (b).
- c (ii, iv) *Potentially Significant Impact*. The Project would implement new structures and surface improvements that could result in substantially increased rates of surface runoff, with resulting increased on-site or off-site flooding potential. Similarly, Project structures and surface improvements could alter existing area stormwater runoff patterns in a manner that would create, impede, or redirect flood flows. The Project EIR will address these potential impacts. Mitigation will be proposed for impacts determined to be potentially significant.
- c (iii) *Potentially Significant Impact*. The increase in impervious surfaces created by development of the Project site would result in decreased absorption rates and increased surface runoff. Development of the Project site could also substantially alter the existing drainage pattern of the site or area in a manner that could create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. The Project EIR will address these potential impacts. Mitigation will be proposed for impacts determined to be potentially significant.
- d) *Potentially Significant Impact*. As shown at TOP 2050 DSEIR Figure 5.10-2, *Flood Hazard Zones*, the Project site is not located proximate to a 100-year flood plain. The Project site does however lie within the dam inundation zone for the potential San Antonio Dam (see: TOP 2050 DSEIR Figure 5.10-3, *Dam Inundation Zones*). The Project uses would include limited on-site storage of conventional materials such as petroleum products, landscape fertilizer, cleaning products, etc. that could be released should the Project site be inundated. On this basis, there is a potential risk of release of pollutants due to inundation of the Project site. This impact will be evaluated in the Project EIR. Mitigation will be proposed if the impact is determined to be potentially significant.

Sources: *City of Ontario Policy Plan, A Component of The Ontario Plan 2050 (Placeworks); The Ontario Plan 2050 DSEIR, SCH No. 2021070364 (Placeworks) May 2022; City of Ontario Development Code; Project Application Materials.*

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
XI. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Substantiation:

a) *Less-Than-Significant Impact.* The developed Project would establish a pattern of cohesive and complementary land uses. The Project configuration and orientation of land uses, combined with integral development standards and design guidelines, act to preclude division or disruption of an established community, whether that community be internal or external to the Project site.

Physical arrangement of surrounding areas would not be modified or otherwise affected by the Project. Based on the preceding discussion, the Project’s potential to disrupt or divide the physical arrangement of an established community is considered less-than-significant.

b) *Potentially Significant Impact.* The Project comprises an amendment to the current Rich-Haven Specific Plan. The proposed Specific Plan Amendment is intended to achieve land use designations that best represent the development and land use activities contemplated by the Project.

When a project includes amendments to the applicable land use designation(s), inconsistency with the existing designation(s) is an element of the project itself, which then requires a legislative policy decision of the agency. The request and subsequent approval of a change in designation in this regard does not of itself signify a potential environmental effect. Land use changes proposed by the Project could however result in physical changes translating to potentially significant environmental impacts, as discussed elsewhere in this IS. These potential impacts, as well as Project consistency with applicable land use policies addressing environmental effects, will be evaluated in the Project EIR.

Sources: *City of Ontario Policy Plan, A Component of The Ontario Plan 2050 (Placeworks); The Ontario Plan 2050 DSEIR, SCH No. 2021070364 (Placeworks) May 2022; City of Ontario Development Code; Project Application Materials.*

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
XII. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and to the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Substantiation:

a, b) *Less-Than-Significant Impact.* Mineral resources in the City are limited to construction aggregates such as sand and gravel. There are currently no permitted mining operations located within the City (TOP 2050 DSEIR, p. 5.12-2). TOP 2050 DSEIR at Figure 5.12-1, *Areas of Mineral Resource Significance*, indicates that the Project site is

classified pursuant to the California Geological Survey as Mineral Resource Zone 3 (MRZ-3). The Project does not propose or require facilities or operations that would affect the availability of locally important or regionally important mineral resources.

Moreover, the Project has been designed to be consistent with TOP 2050, and by extension would not result in impacts not considered and addressed in the TOP 2050 SEIR. As concluded in TOP 2050 SEIR, the potential for TOP 2050 General Plan to result in the loss of availability of a known mineral resource would be less-than-significant (TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.12, *Mineral Resources*).

On this basis, the potential for the Project to result in the loss of availability of a known mineral resource that would be of value to the region and to the residents of the state; or result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan is considered less-than-significant.

Sources: *City of Ontario Policy Plan, A Component of The Ontario Plan 2050 (Placeworks); The Ontario Plan 2050 DSEIR, SCH No. 2021070364 (Placeworks) May 2022; Project Application Materials.*

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
XIII. NOISE. Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
b) Generation of excessive groundborne vibration or groundborne noise?				
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Substantiation:

a - c) *Potentially Significant Impact.* Construction of the Project would temporarily increase localized noise levels, and occupation of Project facilities will establish long-term stationary operational noise sources. These noise sources could adversely affect sensitive receptors. Further, Project traffic may increase noise levels along affected area roadways, with potentially adverse effects at receiving land uses. Additionally, there is the potential for the Project land uses to be adversely affected by noise generated by operations of the Ontario International Airport.

Accordingly, a Noise Impact Analysis will be prepared as part of the Project EIR. The Analysis will evaluate and address all Project-source noise impacts. The Analysis will also address potential effects of noise generated by Ontario International Airport operations. Mitigation measures will be proposed for impacts determined to be potentially significant.

Sources: *City of Ontario Policy Plan, A Component of The Ontario Plan 2050 (Placeworks); The Ontario Plan 2050 DSEIR, SCH No. 2021070364 (Placeworks) May 2022; City of Ontario Development Code; Project Application Materials.*

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
XIV. POPULATION AND HOUSING. Would the project:				
a) Induce substantial unplanned population growth in the area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through the extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Substantiation:

- a) *Less-Than-Significant Impact.* The Project proposes new and reconfigured residential uses that would directly contribute to population growth. Additionally, the Project light industrial and commercial uses would create additional employment opportunities that could indirectly contribute to population growth. Development proposed by the Project responds globally to existing and anticipated market demands of the City and region, and employment generated by the Project would be a byproduct of this anticipated growth. The Project represents a component of development and growth anticipated by the City, as reflected by the site’s TOP 2050 General Plan Land Use designations.

Moreover, the Project has been designed to be consistent with TOP 2050, and by extension would not result in impacts not considered and addressed in the TOP 2050 SEIR. As concluded in TOP 2050 SEIR, the potential for TOP 2050 General Plan to induce substantial unplanned population growth in the area would be less-than-significant (TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.14, *Population and Housing*).

Based on the preceding, the potential for the Project to result in or induce substantial unplanned population growth, either directly or indirectly is considered less-than-significant.

- b) *Less-than-Significant Impact.* The Project would maintain net residential development within the Specific Plan Area when compared to land uses and development entitled under the 2021 Specific Plan. That is, under both the 2021 Specific Plan and the proposed 2022 SPA, 7,194 dwelling units (all residential types) would be entitled. Locations and configurations of entitled residential uses would however be amended under the 2022 SPA. These amendments would not eliminate housing, diminish the potential for new housing, or displace persons from existing housing.

Moreover, the Project would be implemented consistent with TOP 2050. TOP 2050 SEIR concludes that the potential for TOP 2050 General Plan to displace people or housing, necessitating construction of replacement housing would be less-than-significant (TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.14, *Population and Housing*).

Based on the preceding, the potential for the Project to displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere is considered less-than-significant.

Sources: *City of Ontario Policy Plan, A Component of The Ontario Plan 2050* (Placeworks); *The Ontario Plan 2050 DSEIR, SCH No. 2021070364* (Placeworks) May 2022; City of Ontario Development Code; Project Application Materials.

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
XV. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of the new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Substantiation:

- a) *Less-Than-Significant Impact.* Fire suppression and emergency response services for the Project would be provided by the Ontario Fire Department (OFD). TOP 2050 SEIR recognizes the potential for development pursuant to The Ontario Plan, including development of the area encompassing the Project site to result in increased demands for fire protection services (TOP 2050 DSEIR, p. 5.15-3). TOP 2050 SEIR also recognizes that evaluation of potential environmental impacts resulting from the construction or expansion of new or modified fire protection facilities would be speculative until such time the location(s) of such facilities are determined. The Project provides for potential location of a new fire station at the northwest corner of Ontario Ranch Road (E – W) at Mill Creek Avenue (N – S). Ultimate need for and location of this fire station would be subject to review and

approval by the City and Fire Department. Environmental review of this facility would be conducted when and as required by the City.

Additionally, the Project would pay General City (GC) Development Impact Fees, a portion of which is available to offset incremental fire protection service demands generated by the Project. The Project Applicant would pay incumbent Development Impact Fees at issuance of building permit(s).

To the satisfaction of the OFD, the Project would comply with City and OFD fire prevention and suppression requirements, including building/site design requirements, substantiated fire flow adequacy, and provisions for emergency access, thereby reducing potential increased demands for fire protection services.

Lastly, the Project has been designed to be consistent with TOP 2050, and by extension would not result in impacts not considered and addressed in the TOP 2050 SEIR. TOP 2050 SEIR concludes that the potential for TOP 2050 General Plan to result in substantial adverse physical impacts associated with the provision of the new or physically altered fire protection and emergency services would be less-than-significant (TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.15, *Public Services*).

Based on the preceding, the potential for the Project to result in substantial adverse physical impacts associated with the provision of the new or physically altered fire protection facilities is considered less-than-significant.

- b) *Less-Than-Significant Impact*. The Project does not propose or require construction or modification of police protection facilities. The Project site is not designated or proposed as the location for new or modified police protection facilities. Incremental police protection service demands generated by the Project are offset through Project payment of City of Ontario General City (GC) Development Impact Fees. A portion of the City's GC Development Impact Fees are allocated for police protection

services. The Project Applicant would pay incumbent Development Impact Fees at issuance of building permit(s).

Additionally, the Project site plan concept and proposed building designs would be reviewed by the Ontario Police Department (OPD) to ensure incorporation of appropriate safety and security elements. Such design features would include secure building designs, defensible spaces, and area and facility security lighting. These design features would act to reduce Project demands for police protection services.

Lastly, the Project has been designed to be consistent with TOP 2050, and by extension would not result in impacts not considered and addressed in the TOP 2050 SEIR. TOP 2050 SEIR concludes that the potential for TOP 2050 General Plan to result in substantial adverse physical impacts associated with the provision of the new or physically altered police protection services would be less-than-significant (TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.15, *Public Services*).

Based on the preceding, the potential for the Project to result in substantial adverse physical impacts associated with the provision of the new or physically altered police protection facilities is considered less-than-significant.

- c) *Less-Than-Significant Impact*. Public school services for the City of Ontario are provided by the following school districts:
- Chino Valley Unified School District;
 - Cucamonga Elementary School District;
 - Mountain View Elementary School District; and
 - Ontario-Montclair Elementary School District.

Occupancy of the Project residential uses would directly contribute to demands on school services. Indirectly, the Project may contribute to area demands for school

services if Project employees and their school age children would relocate to school districts serving the City.

The Project does not propose or require construction or modification of school facilities. The Project site is not designated or proposed as the location for new or modified school facilities.

Project incremental impacts to school services would be offset through mandated payment of school impact fees. The Project Applicant would pay incumbent school impact fees at issuance of building permit(s). Payment of school impact fees would reduce the Project's potential impacts to school services to levels that would be less-than-significant.

Lastly, the Project has been designed to be consistent with TOP 2050, and by extension would not result in impacts not considered and addressed in the TOP 2050 SEIR. TOP 2050 SEIR concludes that the potential for TOP 2050 General Plan to result in substantial adverse physical impacts associated with the provision of the new or physically altered school facilities would be less-than-significant (TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.15, *Public Services*).

Based on the preceding, the potential for the Project to result in substantial adverse physical impacts associated with the provision of the new or physically altered school facilities is considered less-than-significant.

- d) *Less-Than-Significant Impact*. The Project includes parks and open space non-recreation areas that would complement and support development of the Specific Plan Area generally. Potential environmental effects of construction of these facilities are reflected in the scope on analysis of environmental impacts of the Project in total.

Moreover, the Project has been designed to be consistent with TOP 2050, and by extension would not result in impacts not considered and addressed in the TOP 2050 SEIR. TOP 2050 SEIR concludes that the potential for TOP 2050 General Plan to result in substantial adverse physical impacts associated with the provision of the new or physically altered parks, recreational facilities, or recreational services would be less-than-significant (TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.16, *Recreation*).

Of themselves, environmental impacts of parks and open space non-recreation areas that would be constructed as part of the Project are considered less-than-significant.

- e) *Less-Than-Significant Impact*. Development of the Project would require established public agency oversight including, but not limited to, various plan check and permitting actions by the City. Impacts of the Project would fall within routine tasks of these agencies/departments and are paid for via plan check and inspection fees. Impacts of the Project would not be of such magnitude that new or physically altered facilities would be required. There are no known or probable other public facilities that would be substantially affected by the Project.

Based on the preceding, the potential for the Project to result in substantial adverse physical impacts associated with the provision of the new or physically altered other public facilities is considered less-than-significant.

Sources: *City of Ontario Policy Plan, A Component of The Ontario Plan 2050* (Placeworks); *The Ontario Plan 2050 DSEIR, SCH No. 2021070364* (Placeworks) May 2022; Project Application Materials.

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
XVI. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Substantiation:

a, b) *Less-Than-Significant Impact*. The Project includes parks and open space non-recreation areas that would complement and support development of the Specific Plan Area generally. Potential environmental effects of construction of these facilities are reflected in the scope on analysis of environmental impacts of the Project in total. Of themselves, environmental impacts of parks and open space non-recreation areas that would be constructed as part of the Project are considered less-than-significant. New residential development within the City is required to pay GC Development Impact Fees, a portion of which would be allocated for parks facilities, acting to offset incremental demands on neighborhood and regional parks or other recreational facilities. The Applicant would pay all requisite GC Development Impact Fees.

Moreover, the Project has been designed to be consistent with TOP 2050, and by extension would not result in impacts not considered and addressed in the TOP 2050 SEIR. TOP 2050 SEIR concludes that the potential for TOP 2050 General Plan to result in substantial adverse physical impacts associated with the provision of the new or physically altered parks, recreational facilities, or recreational services

would be less-than-significant (TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.16, *Recreation*). Please refer also to discussions presented at Checklist Item XV. *Public Services* (d).

Based on the preceding, the potential for the Project to increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial deterioration of the facility would occur or be accelerated; or to require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment is considered less-than-significant.

Sources: *City of Ontario Policy Plan, A Component of The Ontario Plan 2050* (Placeworks); *The Ontario Plan 2050 DSEIR, SCH No. 2021070364* (Placeworks) May 2022; Project Application Materials.

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
XVII. TRANSPORTATION. Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Substantiation:

- a) *Potentially Significant Impact.* The Project would generate auto, transit, pedestrian, and bicycle trips. The Project has the potential to result in increased demand on the local transportation system, including the roadway network, transit service, pedestrian and bicycle facilities.

New or modified land uses proposed under the Project could result in various changes to circulation patterns. Based on the preceding, the Project would have the potential to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

The Project EIR will evaluate and assess the potential for the Project to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, and thereby result in potentially significant environmental impacts.

- b) *Potentially Significant Impact.* Project traffic may result in substantial additional vehicle miles traveled (VMT). The EIR will evaluate Project VMT impacts against per capita, per service population, or other VMT significance thresholds implemented by the Lead Agency. Mitigation will be developed for impacts determined to be potentially significant.

For informational purposes, and to facilitate Lead Agency planning of area transportation system improvements, the Project EIR will also present a summary of anticipated level-of-service (LOS) deficiencies, together with recommended improvements to address identified deficiencies.

- c, d) *Potentially Significant Impact.* Although preliminary review of the Project does not indicate elements or aspects that would be considered hazardous design features or result in inadequate emergency access, these considerations will be further evaluated in the Project EIR. Mitigation will be developed for impacts determined to be potentially significant.

Source: Project Application Materials.

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
XVIII. TRIBAL CULTURAL RESOURCES.				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(i) Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Substantiation:

a. i, ii) *Potentially Significant Impact.* There are no known Tribal Cultural Resources (TCRs) within the Project site. Nor is it anticipated that the Project would adversely affect off-site TCRs. However, detailed surveys confirming the presence or absence of these resources has not yet been conducted. A Tribal Cultural Resources Assessment of the Project site and potentially affected off-site areas will be prepared as an element of the Project EIR. Tribal Resources consultation with requesting Tribes will be conducted as provided for under *AB 52, Gatto. Native Americans: California Environmental Quality Act.* Pending completion of the Project Cultural Resources survey and any requested Tribal Consultation(s), the potential for the Project to cause a substantial adverse change in the

significance of a tribal cultural resource is considered potentially significant. The Project EIR will address these potential impacts. Mitigation will be proposed for impacts determined to be potentially significant.

Source: Project Application Materials.

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
XIX. UTILITIES AND SERVICE SYSTEMS.				
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Substantiation:

- a) *Potentially Significant Impact.* The Project would require new or altered infrastructure improvements for: water delivery, wastewater collection, storm water management, electric power distribution, natural gas service, and telecommunications service. Construction of or alteration of these facilities has the potential to cause significant environmental effects. The Project EIR will evaluate these potential impacts. Mitigation will be proposed for impacts determined to be potentially significant.

- b) *Potentially Significant Impact.* The City of Ontario water supply is derived from a combination of local and imported water, obtained primarily from Ontario wells and treatment in the Chino Groundwater Basin, the Chino Desalter Authority (CDA) wells and treatment in the Chino Groundwater Basin, treated State Water Project water from the Water Facilities Authority (WFA), and recycled water from the Inland Empire Utilities Agency (IEUA), a member agency of the Metropolitan Water District of Southern California (MWD).

The Project uses could increase demands on available water supplies. Water supply and availability are recognized as general issues of concern. The City will prepare a Water Supply Assessment (WSA) pursuant to the requirements of SB 610. The results of the WSA will be summarized within the Project EIR.

Pending completion of the Project WSA, the Project's potential impacts to water supplies and potential effects on the availability of water are considered potentially significant, and will be further addressed in the Project EIR. Mitigation measures will be proposed for those impacts determined to be potentially significant.

- c) *Potentially Significant Impact.* The City maintains a wastewater collection system and contracts with the Inland Empire Utilities Agency (IEUA) for wastewater treatment. The Project uses could result in increased wastewater treatment

demands that could exceed available wastewater treatment capacities. The Project EIR will evaluate the potential for the Project to generate wastewater exceeding available treatment capacities. Mitigation will be proposed for impacts determined to be potentially significant.

- d, e) *Potentially Significant Impact.* Solid waste collection services are currently provided to City residents by the City of Ontario Solid Waste Department. Solid Waste generated by the Project would be disposed of at the Mid-Valley Sanitary Landfill, located in the City of Rialto. Implementation of the Project would result in increased solid waste generation. The Project EIR will evaluate the potential for Project uses to generate waste in excess of state or local standards, or to conflict with federal, state, and local management and reduction statutes and regulations related to solid waste. Mitigation will be proposed for impacts determined to be potentially significant.

Sources: *City of Ontario Policy Plan, A Component of The Ontario Plan 2050 (Placeworks); The Ontario Plan 2050 DSEIR, SCH No. 2021070364 (Placeworks) May 2022; Project Application Materials.*

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Substantiation:

a - d) *Less-Than-Significant Impact.* CAL FIRE maintains California Fire Hazard Severity Zone Maps, including maps for State responsibility areas, as well as local responsibility areas.⁴ As shown on the State responsibility map for southwestern San Bernardino County, the City of Ontario is located within a local responsibility area. According to the local responsibility map, Ontario is located in a non-very high fire hazard severity zone (Non-VHFHSZ).

As such, the Project is not located within or near a state responsibility area, or within an area classified as a very high fire hazard severity zone. All development would be required to comply with City building and Fire Codes. All building plans within the City are reviewed by the Ontario Fire Department to ensure their compliance with the City’s fire code.

Moreover, the Project has been designed to be consistent with TOP 2050, and by extension would not result in impacts not considered and addressed in the TOP 2050 SEIR. TOP 2050 SEIR concludes that the potential for TOP 2050 General Plan to result in substantial adverse wildfire impacts would be less-than-significant

⁴ <https://egis.fire.ca.gov/FHSZ/>

(TOP 2050 DSEIR Table ES-2, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*; TOP 2050 DSEIR Section 5.20, *Wildfire*).

Based on the preceding, the potential for the Project to substantially impair an adopted emergency response or evacuation plan, expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire, involve infrastructure that may exacerbate fire risk, or result in significant post-fire risks is considered less-than-significant.

Sources: CAL FIRE; *City of Ontario Policy Plan, A Component of The Ontario Plan 2050* (Placeworks); *The Ontario Plan 2050 DSEIR, SCH No. 2021070364* (Placeworks) May 2022; Project Application Materials.

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
XXI. MANDATORY FINDINGS OF SIGNIFICANCE.				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when reviewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Substantiation:

- a) *Potentially Significant Impact.* Certain biological and cultural resources may be adversely affected by the Project. Potential impacts in this regard will be addressed within the Project EIR.
- b) *Potentially Significant Impact.* The Project has the potential to result in cumulatively considerable impacts. As discussed in the previous environmental evaluation, implementation of the Project may result in potentially significant impacts under the environmental topics of:
- Air Quality;
 - Biological Resources;
 - Cultural/Tribal Resources;
 - Energy;
 - Geology and Soils;
 - Greenhouse Gas Emissions;
 - Hazards/Hazardous Materials;
 - Hydrology/Water Quality;
 - Land Use and Planning;
 - Noise;
 - Transportation; and
 - Utilities and Service Systems.

Impacts of the Project, together with impacts of other known or probable related projects, may have considerably cumulative effects under the above-noted

environmental topics. The Project EIR will identify the Project's contribution to, and context within, potentially significant cumulative environmental impacts.

c) *Potentially Significant Impact.* As indicated by this IS evaluation, the Project may cause or result in certain potentially significant environmental effects, resulting in potentially adverse effects to human beings. While adverse environmental effects that could affect human beings could, to some degree, be substantiated under all CEQA issue areas, Project impacts considered to be potentially significant and that could directly affect human beings include:

- Air Quality;
- Energy;
- Geology and Soils;
- Greenhouse Gas Emissions;
- Hazards/Hazardous Materials;
- Hydrology/Water Quality;
- Land Use;
- Noise;
- Transportation; and
- Utilities and Service Systems.

The Project EIR will address these environmental topics and present mitigation measures addressing potentially significant impacts.

4.0 DETERMINATION

4.0 DETERMINATION

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	<input type="checkbox"/>
I find that although the project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described previously have been added to the project. A NEGATIVE DECLARATION will be prepared.	<input type="checkbox"/>
I find that the project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.	<input checked="" type="checkbox"/>
I find that the project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on an earlier analysis as described on attached sheets. If the effect is a potentially significant impact or potentially significant unless mitigated an ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that need to be addressed.	<input type="checkbox"/>
I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.	<input type="checkbox"/>

City of Ontario:

Signature _____



Date 10/10/2022

Printed Signature: Charles Mercier, City of Ontario Principal Planner

From: [Vega, Jaqueline](#)
To: [Charles Mercier](#)
Subject: PSPA22-001
Date: Friday, November 4, 2022 2:08:27 PM
Attachments: [image001.png](#)

Hello Charles,

Thank you for transmitting the above referenced project to ALUC for review. Please note that the proposed project may be influenced by Ontario International Airport. Please contact them for there procedures, additionally it seems like the project is outside the County and not in our jurisdiction.

Should you have any questions, please contact me.

Jackie Vega
Urban Regional Planner I



Riverside County Airport Land Use Commission
4080 Lemon Street, 14th Floor
Riverside, Ca 92501
(951) 955-0982
Javega@RIVCO.ORG
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NOVEMBER 16, 2022

VIA EMAIL: CMERCIER@ONTARIOCA.GOV

Charles Mercier, Principal Planner
City of Ontario Planning Department
303 East B Street
Ontario, CA 91764

Dear Mr. Mercier:

INITIAL STUDY AND NOTICE OF PREPERATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE 2022 RICH-HAVEN SPECIFIC PLAN AMENDMENT PROJECT, SCH# 2022100425

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Initial Study and Notice of Preparation of a Draft Environmental Impact Report for the 2022 Rich-Haven Specific Plan Amendment Project (Project). The Division monitors farmland conversion on a statewide basis, provides technical assistance regarding the Williamson Act, and administers various agricultural land conservation programs. We offer the following comments and recommendations with respect to the project's potential impacts on agricultural land and resources.

Project Description

The Rich-Haven Specific Plan (RHSP) was approved by the City of Ontario in 2015, with subsequent Specific Plan Amendments approved in 2016, 2018, and 2021. The current (2021) Rich-Haven Specific Plan comprises approximately 584 acres located west of Interstate I-15, and south of State Route SR-60. The 2021 Specific Plan Area lies within the 8,200-acre Ontario Ranch area, bounded generally by Riverside Drive to the north, "Old" East Edison Avenue to the south, Mill Creek Avenue and Hamner Avenue to the east, and Haven Avenue to the west. The location and boundaries of the 2022 RHSP Specific Plan Amendment evaluated in the Initial Study coincide with the location and boundaries in the 2021 Specific Plan.

In summary, the proposed 2022 Specific Plan Amendment would result in the following primary revisions to the 2021 Specific Plan:

1. Total residential development within the Specific Plan Area would be maintained at 7,194 dwelling units. Residential units and residential densities would however be reassigned within the Specific Plan Area.

2. Total commercial development would be reduced by approximately 65,900 square feet, an approximate 6.7 percent reduction in the 2021 Specific Plan commercial entitlements.

3. Total light industrial development would be increased by approximately 1,583,623 square feet, an approximate 134 percent increase from the 2021 Specific Plan Amendment.

Department Comments

The conversion of agricultural land represents a permanent reduction and significant impact to California's agricultural land resources. CEQA requires that all feasible and reasonable mitigation be reviewed and applied to projects. Under CEQA, a lead agency should not approve a project if there are feasible alternatives or feasible mitigation measures available that would lessen the significant effects of the project.

All mitigation measures that are potentially feasible should be included in the project's environmental review. A measure brought to the attention of the lead agency should not be left out unless it is infeasible based on its elements.

Consistent with CEQA Guidelines, the Department recommends the County consider agricultural conservation easements, among other measures, as potential mitigation. (See Cal. Code Regs., tit. 14, § 15370 [mitigation includes "compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements."])

Mitigation through agricultural easements can take at least two forms: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural easements. The conversion of agricultural land should be deemed an impact of at least regional significance. Hence, the search for replacement lands should not be limited strictly to lands within the project's surrounding area.

A helpful source for regional and statewide agricultural mitigation banks is the California Council of Land Trusts. They provide helpful insight into farmland mitigation policies and implementation strategies, including a guidebook with model policies and a model local ordinance. The guidebook can be found at:

[California Council of Land Trusts](#)

Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered. Indeed, the recent judicial opinion in *King and Gardiner Farms, LLC v. County of Kern* (2020) 45 Cal.App.5th 814 ("KG Farms") holds that agricultural conservation easements on a 1 to 1 ratio are not alone sufficient to adequately mitigate a project's conversion of agricultural land. KG Farms does not stand for the proposition that agricultural

conservation easements are irrelevant as mitigation. Rather, the holding suggests that to the extent they are considered, they may need to be applied at a greater than 1 to 1 ratio, or combined with other forms of mitigation (such as restoration of some land not currently used as farmland).

Conclusion

The Department recommends further discussion of the following issues:

- Type, amount, and location of farmland conversion resulting directly and indirectly from implementation of the proposed project.
- Impacts on any current and future agricultural operations in the vicinity; e.g., land-use conflicts, increases in land values and taxes, loss of agricultural support infrastructure such as processing facilities, etc.
- Incremental impacts leading to cumulative impacts on agricultural land. This would include impacts from the proposed project, as well as impacts from past, current, and likely future projects.
- Proposed mitigation measures for all impacted agricultural lands within the proposed project area.
- Projects compatibility with lands within an agricultural preserve and/or enrolled in a Williamson Act contract.
- If applicable, notification of Williamson Act contract non-renewal and/or cancellation.

Conclusion

Thank you for giving us the opportunity to comment on the Initial Study and Notice of Preparation of a Draft Environmental Impact Report for the 2022 Rich-Haven Specific Plan Amendment Project. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Associate Environmental Planner via email at Farl.Grundy@conservation.ca.gov.

Sincerely,

Monique Wilber

Monique Wilber
Conservation Program Support Supervisor



NATIVE AMERICAN HERITAGE COMMISSION

RECEIVED

NOV 07 2022

City of Ontario
Planning Department

October 24, 2022

Lorena Meija, Senior Planner
City of Ontario
303 East B Street
Ontario, CA 91764CHAIRPERSON
Laura Miranda
LuiseñoVICE CHAIRPERSON
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MiwokCOMMISSIONER
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Buffy McQuillen
Yokayo Pomo, Yuki,
NomlakiCOMMISSIONER
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KumeyaayCOMMISSIONER
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**Raymond C.
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1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov**Re: 2022100425, Rich-Haven Specific Plan, 2022 Amendment Project, San Bernardino County**

Dear Ms. Meija:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).

 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:

Cameron.Vela@nahc.ca.gov.

Sincerely,

Cameron Vela

Cameron Vela
Cultural Resources Analyst

cc: State Clearinghouse



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November 14, 2022

Charles H Mercier, Principal Planner
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E-mail: cmmercier@ontarioca.gov

RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the Rich-Haven Specific Plan Amendment [SCAG NO. IGR10750]

Dear Charles H Mercier,

Thank you for submitting the Notice of Preparation of a Draft Environmental Impact Report for the Rich-Haven Specific Plan Amendment (“proposed project”) to the Southern California Association of Governments (SCAG) for review and comment. SCAG is responsible for providing informational resources to regionally significant plans, projects, and programs per the California Environmental Quality Act (CEQA) to facilitate the consistency of these projects with SCAG’s adopted regional plans, to be determined by the lead agencies.¹

Pursuant to Senate Bill (SB) 375, SCAG is the designated Regional Transportation Planning Agency under state law and is responsible for preparation of the Regional Transportation Plan (RTP) including the Sustainable Communities Strategy (SCS). SCAG’s feedback is intended to assist local jurisdictions and project proponents to implement projects that have the potential to contribute to attainment of Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) goals and align with RTP/SCS policies. Finally, SCAG is the authorized regional agency for Intergovernmental Review (IGR) of programs proposed for Federal financial assistance and direct Federal development activities, pursuant to Presidential Executive Order 12372.

SCAG staff has reviewed the Notice of Preparation of a Draft Environmental Impact Report for the Rich-Haven Specific Plan Amendment in San Bernardino County. The proposed project includes a Specific Plan Amendment that would allow development of up to 7,194 dwelling units, up to 925,002 square feet (SF) of commercial space, and up to 2,767,148 SF of light industrial uses on a 584-acre site.

When available, please email environmental documentation to IGR@scag.ca.gov providing, at a minimum, the full public comment period for review.

If you have any questions regarding the attached comments, please contact the Intergovernmental Review (IGR) Program, attn.: Annaleigh Ekman, Associate Regional Planner, at (213) 630-1427 or IGR@scag.ca.gov. Thank you.

Sincerely,

Frank Wen, Ph.D.
Manager, Planning Strategy Department

¹ Lead agencies such as local jurisdictions have the sole discretion in determining a local project’s consistency with the 2020 RTP/SCS (Connect SoCal) for the purpose of determining consistency for CEQA.

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**COMMENTS ON THE NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE
RICH-HAVEN SPECIFIC PLAN AMENDMENT [SCAG NO. IGR10750]**

CONSISTENCY WITH CONNECT SOCIAL

SCAG provides informational resources to facilitate the consistency of the proposed project with the adopted 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS or Connect SoCal). For the purpose of determining consistency with CEQA, lead agencies such as local jurisdictions have the sole discretion in determining a local project’s consistency with Connect SoCal.

CONNECT SOCIAL GOALS

The SCAG Regional Council fully adopted [Connect SoCal](#) in September 2020. Connect SoCal, also known as the 2020 – 2045 RTP/SCS, builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. The long-range visioning plan balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health. The goals included in Connect SoCal may be pertinent to the proposed project. These goals are meant to provide guidance for considering the proposed project. Among the relevant goals of Connect SoCal are the following:

SCAG CONNECT SOCIAL GOALS	
Goal #1:	<i>Encourage regional economic prosperity and global competitiveness</i>
Goal #2:	<i>Improve mobility, accessibility, reliability and travel safety for people and goods</i>
Goal #3:	<i>Enhance the preservation, security, and resilience of the regional transportation system</i>
Goal #4:	<i>Increase person and goods movement and travel choices within the transportation system</i>
Goal #5:	<i>Reduce greenhouse gas emissions and improve air quality</i>
Goal #6:	<i>Support healthy and equitable communities</i>
Goal #7:	<i>Adapt to a changing climate and support an integrated regional development pattern and transportation network</i>
Goal #8:	<i>Leverage new transportation technologies and data-driven solutions that result in more efficient travel</i>
Goal #9:	<i>Encourage development of diverse housing types in areas that are supported by multiple transportation options</i>
Goal #10:	<i>Promote conservation of natural and agricultural lands and restoration of habitats</i>

For ease of review, we encourage the use of a side-by-side comparison of SCAG goals with discussions of the consistency, non-consistency or non-applicability of the goals and supportive analysis in a table format. Suggested format is as follows:

SCAG CONNECT SOCIAL GOALS	
Goal	Analysis
Goal #1: <i>Encourage regional economic prosperity and global competitiveness</i>	<i>Consistent: Statement as to why; Not-Consistent: Statement as to why; Or Not Applicable: Statement as to why; DEIR page number reference</i>
Goal #2: <i>Improve mobility, accessibility, reliability and travel safety for people and goods</i>	<i>Consistent: Statement as to why; Not-Consistent: Statement as to why; Or Not Applicable: Statement as to why; DEIR page number reference</i>
etc.	etc.

Connect SoCal Strategies

To achieve the goals of Connect SoCal, a wide range of land use and transportation strategies are included in the accompanying twenty (20) technical reports. Of particular note are multiple strategies included in Chapter 3 of Connect SoCal intended to support implementation of the regional Sustainable Communities Strategy (SCS) framed within the context of focusing growth near destinations and mobility options; promoting diverse housing choices; leveraging technology innovations; supporting implementation of sustainability policies; and promoting a Green Region. To view Connect SoCal and the accompanying technical reports, please visit the [Connect SoCal webpage](#). Connect SoCal builds upon the progress from previous RTP/SCS cycles and continues to focus on integrated, coordinated, and balanced planning for land use and transportation that helps the SCAG region strive towards a more sustainable region, while meeting statutory requirements pertinent to RTP/SCSs. These strategies within the regional context are provided as guidance for lead agencies such as local jurisdictions when the proposed project is under consideration.

The 2020 Connect SoCal also identifies a goods movement system in the SCAG region and develops strategies to address expected growth trends and demands in goods movement. For further information on the goods movement strategies, please see the [2020 Connect SoCal Goods Movement Technical Report](#). For further information on industrial development and warehousing in Southern California, please see [Industrial Warehousing in the SCAG Region](#).

Connect SoCal identified Key Connections that lie at the intersection of land use, transportation and innovation meant to advance policy discussions and strategies to leverage new technologies and create better partnerships to increase progress on the regional goals. Accelerated Electrification is one of the Key Connections and was established to create a holistic and coordinated approach to de-carbonizing or electrifying passenger vehicles, transit, and goods movement vehicles. The Accelerated Electrification Key Connection sets a vision to reduce both the local and global emissions associated with multiple modes of transportation by deploying clean mobility solutions and the infrastructure needed to support them. SCAG staff encourages the lead agency to incorporate clean mobility solutions and supporting infrastructure into the project, as appropriate.

DEMOGRAPHICS AND GROWTH FORECASTS

A key, formative step in projecting future population, households, and employment through 2045 for Connect SoCal was the generation of a forecast of regional and county level growth in collaboration with expert demographers and economists on Southern California. From there, jurisdictional level forecasts were ground-truthed by subregions and local agencies, which helped SCAG identify opportunities and barriers to future development. This forecast helps the region understand, in a very general sense, where we are expected to grow, and allows SCAG to focus attention on areas that are experiencing change and may have increased transportation needs. After a year-long engagement effort with all 197 jurisdictions one-on-one, 82 percent of SCAG’s 197 jurisdictions provided feedback on the forecast

of future growth for Connect SoCal. SCAG also sought feedback on potential sustainable growth strategies from a broad range of stakeholder groups – including local jurisdictions, county transportation commissions, other partner agencies, industry groups, community-based organizations, and the general public. Connect SoCal utilizes a bottom-up approach in that total projected growth for each jurisdiction reflects feedback received from jurisdiction staff, including city managers, community development/planning directors, and local staff. Growth at the neighborhood level (i.e., transportation analysis zone (TAZ) reflects entitled projects and adheres to current general and specific plan maximum densities as conveyed by jurisdictions (except in cases where entitled projects and development agreements exceed these capacities as calculated by SCAG). Neighborhood level growth projections also feature strategies that help to reduce greenhouse gas emissions (GHG) from automobiles and light trucks to achieve Southern California’s GHG reduction target, approved by the California Air Resources Board (CARB) in accordance with state planning law. Connect SoCal’s Forecasted Development Pattern is utilized for long range modeling purposes and does not supersede actions taken by elected bodies on future development, including entitlements and development agreements. SCAG does not have the authority to implement the plan -- neither through decisions about what type of development is built where, nor what transportation projects are ultimately built, as Connect SoCal is adopted at the jurisdictional level. Achieving a sustained regional outcome depends upon informed and intentional local action. To access jurisdictional level growth estimates and forecasts for years 2016 and 2045, please refer to the [Connect SoCal Demographics and Growth Forecast Technical Report](#). The growth forecasts for the region and applicable jurisdictions are below.

	Adopted SCAG Region Wide Forecasts				Adopted City of Ontario Forecasts			
	Year 2020	Year 2030	Year 2035	Year 2045	Year 2020	Year 2030	Year 2035	Year 2045
Population	19,517,731	20,821,171	21,443,006	22,503,899	192,072	221,806	236,012	269,050
Households	6,333,458	6,902,821	7,170,110	7,633,451	51,841	60,602	64,787	74,521
Employment	8,695,427	9,303,627	9,566,384	10,048,822	124,571	143,699	152,116	169,331

MITIGATION MEASURES

SCAG staff recommends that you review the [Final Program Environmental Impact Report](#) (Final PEIR) for Connect SoCal for guidance, as appropriate. SCAG’s Regional Council certified the PEIR and adopted the associated Findings of Fact and a Statement of Overriding Considerations (FOF/SOC) and Mitigation Monitoring and Reporting Program (MMRP) on May 7, 2020 and also adopted a PEIR Addendum and amended the MMRP on September 3, 2020 (please see the [PEIR webpage](#) and scroll to the bottom of the page for the PEIR Addendum). The PEIR includes a list of project-level performance standards-based mitigation measures that may be considered for adoption and implementation by lead, responsible, or trustee agencies in the region, as applicable and feasible. Project-level mitigation measures are within responsibility, authority, and/or jurisdiction of project-implementing agency or other public agency serving as lead agency under CEQA in subsequent project- and site- specific design, CEQA review, and decision-making processes, to meet the performance standards for each of the CEQA resource categories.

SENT VIA E-MAIL:

November 11, 2022

cmercier@ontarioca.gov

Charles Mercier, Principal Planner

City of Ontario

Planning Department

303 East B Street

Ontario, California 91764

**Notice of Preparation of a Draft Environmental Impact Report for the
PSPA22-001**

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. Our comments are recommendations on the analysis of potential air quality impacts from the Proposed Project that should be included in the Draft Environmental Impact Report (EIR). Please send a copy of the Draft EIR upon its completion and public release directly to South Coast AQMD as copies of the Draft EIR submitted to the State Clearinghouse are not forwarded. **In addition, please send all appendices and technical documents related to the air quality, health risk, and greenhouse gas analyses and electronic versions of all emission calculation spreadsheets, and air quality modeling and health risk assessment input and output files (not PDF files). Any delays in providing all supporting documentation for our review will require additional review time beyond the end of the comment period.**

CEQA Air Quality Analysis

Staff recommends that the Lead Agency use South Coast AQMD's CEQA Air Quality Handbook and website¹ as guidance when preparing the air quality and greenhouse gas analyses. It is also recommended that the Lead Agency use the CalEEMod² land use emissions software, which can estimate pollutant emissions from typical land use development and is the only software model maintained by the California Air Pollution Control Officers Association.

South Coast AQMD has developed both regional and localized significance thresholds. South Coast AQMD staff recommends that the Lead Agency quantify criteria pollutant emissions and compare the emissions to South Coast AQMD's CEQA regional pollutant emissions significance thresholds³ and localized significance thresholds (LSTs)⁴ to determine the Proposed Project's air quality impacts. The localized analysis can be conducted by either using the LST screening tables or performing dispersion modeling.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of

¹ South Coast AQMD's CEQA Handbook and other resources for preparing air quality analyses can be found at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>.

² CalEEMod is available free of charge at: www.caleemod.com.

³ South Coast AQMD's CEQA regional pollutant emissions significance thresholds can be found at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.

⁴ South Coast AQMD's guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips, and hauling trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers and air pollution control devices), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis. Furthermore, emissions from the overlapping construction and operational activities should be combined and compared to South Coast AQMD's regional air quality CEQA *operational* thresholds to determine the level of significance.

If the Proposed Project generates diesel emissions from long-term construction or attracts diesel-fueled vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead Agency perform a mobile source health risk assessment⁵.

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants and include schools, daycare centers, nursing homes, elderly care facilities, hospitals, and residential dwelling units. The Proposed Project will include, among others, 7,194 residential units and is located in close proximity to Interstate 15 and State Route 60, and to facilitate the purpose of an EIR as an informational document, it is recommended that the Lead Agency perform a mobile source health risk assessment⁵ to disclose the potential health risks⁶.

In the event that implementation of the Proposed Project requires a permit from South Coast AQMD, South Coast AQMD should be identified as a Responsible Agency for the Proposed Project in the Draft EIR. The assumptions in the air quality analysis in the EIR will be the basis for evaluating the permit under CEQA and imposing permit conditions and limits. Questions on permits should be directed to South Coast AQMD's Engineering and Permitting staff at (909) 396-3385.

The California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective*⁷ is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process with additional guidance on strategies to reduce air pollution exposure near high-volume roadways available in CARB's technical advisory⁸.

The South Coast AQMD's *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning*⁹ includes suggested policies that local governments can use in their General Plans or through local planning to prevent or reduce potential air pollution impacts and protect public health. It is recommended that the Lead Agency review this Guidance Document as a tool when making local planning and land use decisions.

Mitigation Measures

In the event that the Proposed Project results in significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize these impacts. Any impacts resulting from mitigation measures must also be analyzed. Several resources to

⁵ South Coast AQMD's guidance for performing a mobile source health risk assessment can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

⁶ *Ibid.*

⁷ CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>.

⁸ CARB's technical advisory can be found at: <https://www.arb.ca.gov/ch/landuse.htm>.

⁹ South Coast AQMD. 2005. *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning*. Available at: <http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf>.

assist the Lead Agency with identifying potential mitigation measures for the Proposed Project include South Coast AQMD's CEQA Air Quality Handbook,¹⁰ South Coast AQMD's Mitigation Monitoring and Reporting Plan for the 2022 Air Quality Management Plan,¹¹ and Southern California Association of Government's Mitigation Monitoring and Reporting Plan for the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy.¹²

Mitigation measures for operational air quality impacts from mobile sources that the Lead Agency should consider in the Draft EIR may include the following:

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks such as the Advanced Clean Trucks Rule¹³ and the Heavy-Duty Low NOx Omnibus Regulation¹⁴, ZE and NZE trucks will become increasingly more available to use. The Lead Agency should require a phase-in schedule to incentive the use of these cleaner operating trucks to reduce any significant adverse air quality impacts. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency. At a minimum, require the use of 2010 model year¹⁵ that meet CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. Include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the CEQA document, where appropriate. Include the requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards, and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance.
- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final CEQA document. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the Proposed Project through CEQA prior to allowing this higher activity level.
- Provide electric vehicle (EV) charging stations or at a minimum, provide the electrical infrastructure and electrical panels should be appropriately sized. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment.

¹⁰ <https://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>

¹¹ South Coast AQMD's 2022 Air Quality Management Plan can be found at: <http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan> (Chapter 4 - Control Strategy and Implementation).

¹² Southern California Association of Governments' 2020-2045 RTP/SCS can be found at:

https://www.connectsocal.org/Documents/PEIR/certified/Exhibit-A_ConnectSoCal_PEIR.pdf.

¹³ CARB. June 25, 2020. *Advanced Clean Trucks Rule*. Accessed at: <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-trucks>.

¹⁴ CARB has recently passed a variety of new regulations that require new, cleaner heavy-duty truck technology to be sold and used in state. For example, on August 27, 2020, CARB approved the Heavy-Duty Low NOx Omnibus Regulation, which will require all trucks to meet the adopted emission standard of 0.05 g/hp-hr starting with engine model year 2024. Accessed at: <https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox>.

¹⁵ CARB adopted the statewide Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. More information on the CARB's Truck and Bus Regulation is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

Mitigation measures for operational air quality impacts from other area sources that the Lead Agency should consider in the Draft EIR may include the following:

- Maximize use of solar energy by installing solar energy arrays.
- Use light colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
- Use of water-based or low VOC cleaning products that go beyond the requirements of South Coast AQMD Rule 1113.

Design considerations for the Proposed Project that the Lead Agency should consider to further reduce air quality and health risk impacts include the following:

- Clearly mark truck routes with trailblazer signs, so that trucks will not travel next to or near sensitive land uses (e.g., residences, schools, day care centers, etc.).
- Design the Proposed Project such that truck entrances and exits are not facing sensitive receptors and trucks will not travel past sensitive land uses to enter or leave the Proposed Project site.
- Design the Proposed Project such that any check-in point for trucks is inside the Proposed Project site to ensure that there are no trucks queuing outside.
- Design the Proposed Project to ensure that truck traffic inside the Proposed Project site is as far away as feasible from sensitive receptors.
- Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the Proposed Project site.

On May 7, 2021, South Coast AQMD's Governing Board adopted Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program, and Rule 316 – Fees for Rule 2305. Rules 2305 and 316 are new rules that will reduce regional and local emissions of nitrogen oxides (NO_x) and particulate matter (PM), including diesel PM. These emission reductions will reduce public health impacts for communities located near warehouses from mobile sources that are associated with warehouse activities. Also, the emission reductions will help the region attain federal and state ambient air quality standards. Rule 2305 applies to owners and operators of warehouses greater than or equal to 100,000 square feet. Under Rule 2305, operators are subject to an annual WAIRE Points Compliance Obligation that is calculated based on the annual number of truck trips to the warehouse. WAIRE Points can be earned by implementing actions in a prescribed menu in Rule 2305, implementing a site-specific custom plan, or paying a mitigation fee. Warehouse owners are only required to submit limited information reports, but they can opt in to earn Points on behalf of their tenants if they so choose because certain actions to reduce emissions may be better achieved at the warehouse development phase, for instance the installation of solar and charging infrastructure. Rule 316 is a companion fee rule for Rule 2305 to allow South Coast AQMD to recover costs associated with Rule 2305 compliance activities. Since the Proposed Project consists of the development of up to 2,767,148-square-foot light industrial use area, if the Proposed Project's light industrial use is for warehouse, the owners and operators will be required to comply with Rule 2305 once the warehouse is occupied. Therefore, South Coast AQMD staff recommends that the Lead Agency review South Coast AQMD Rule 2305 to determine the potential WAIRE Points Compliance Obligation for future operators and explore whether additional project requirements and CEQA mitigation measures can be identified and implemented at the Proposed Project that may help future warehouse operators meet their compliance obligation¹⁶. South Coast AQMD staff is available to answer questions concerning Rule 2305 implementation and compliance by phone or email at

¹⁶ South Coast AQMD Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xxiii/r2305.pdf>.

(909) 396-3140 or waire-program@aqmd.gov. For implementation guidance documents and compliance and reporting tools, please visit South Coast AQMD's WAIRE Program webpage¹⁷.

Health Risk Reduction Strategies

Many strategies are available to reduce exposures, including, but are not limited to, building filtration systems with MERV 13 or better, or in some cases, MERV 15 or better is recommended; building design, orientation, location; vegetation barriers or landscaping screening, etc. Enhanced filtration units are capable of reducing exposures. However, enhanced filtration systems have limitations. For example, in a study that South Coast AQMD conducted to investigate filters¹⁸, a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter panel. The initial start-up cost could substantially increase if an HVAC system needs to be installed and if standalone filter units are required. Installation costs may vary and include costs for conducting site assessments and obtaining permits and approvals before filters can be installed. Other costs may include filter life monitoring, annual maintenance, and training for conducting maintenance and reporting. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy consumption that the Lead Agency should evaluate in the Draft EIR. It is typically assumed that the filters operate 100 percent of the time while residents are indoors, and the environmental analysis does not generally account for the times when the residents have their windows or doors open or are in common space areas of the project. These filters have no ability to filter out any toxic gases. Furthermore, when used filters are replaced, replacement has the potential to result in emissions from the transportation of used filters at disposal sites and generate solid waste that the Lead Agency should evaluate in the Draft EIR. Therefore, the presumed effectiveness and feasibility of any filtration units should be carefully evaluated in more detail prior to assuming that they will sufficiently alleviate exposures to diesel particulate matter emissions.

South Coast AQMD staff is available to work with the Lead Agency to ensure that air quality, greenhouse gas, and health risk impacts from the Proposed Project are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact me at swang1@aqmd.gov.

Sincerely,

Sam Wang

Sam Wang
Program Supervisor, CEQA IGR
Planning, Rule Development & Implementation

SW
SBC221018-15
Control Number

¹⁷ South Coast AQMD WAIRE Program. Accessed at: <http://www.aqmd.gov/waire>.

¹⁸ This study evaluated filters rated MERV 13 or better. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see 2012 Peer Review Journal article by South Coast AQMD: <https://onlinelibrary.wiley.com/doi/10.1111/ina.12013>.



City of Ontario
303 East "B" Street
Ontario, CA 91764-4196

November 16, 2022

Attention: Planning Department

Subject: PSPA22-001

Our review of the subject subdivision of PSPA22-001 reveals that the proposed development may interfere with easement rights, and/or facilities held by Southern California Edison within or adjacent to the subdivision boundaries. Until such time as arrangements have been made with the developer to eliminate this interference, the development of the subdivision may unreasonably interfere with the complete and free exercise of Edison's rights.

One copy of the following maps with scaled plans (1"=50' maximum), including all maps submitted in hard copies or emailed in pdf format: including grading, drainage, landscape and street improvement plans are required to be submitted by the developer to determine the extent of the interference. The Edison facilities and the easements should be plotted on the above reference maps. Included with the above referenced plans, the developer must state the proposed method to eliminate any interference.

Plans should be emailed to following address:

Southern California Edison Company
Sharat.misra@sce.com

If you have any questions or need additional information in connection with the subject subdivision, please contact me at (909) 274-1078.

Jeff Clark
Title and Valuation
Vegetation & Land Management

cc:

Rich-Haven Specific Plan Amendment (File No. PSPA22-001)

Summary

SCH Number	2022100425
Lead Agency	City of Ontario
Document Title	Rich-Haven Specific Plan Amendment (File No. PSPA22-001)
Document Type	NOP - Notice of Preparation of a Draft EIR
Received	10/20/2022
Present Land Use	Zoning - Rich-Haven Specific Plan / General Plan: TOP 2050 - LDR, LMDR, OS-NR, OS-R, MU, IND, GC
Document Description	The Project proposes a new amendment of the 2021 Rich-Haven Specific Plan (RHSP) and would be developed with up to 7,194 dwelling units, up to 925,002 square feet of commercial space, and up to 2,767,148 square feet of light industrial uses.

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Location

Counties	San Bernardino
Regions	Citywide
Cross Streets	Riverside Drive, Haven Avenue
Zip	91764
Total Acres	584
State Highways	SR-60, I-15
Airports	Ontario International Airport

Notice of Completion

State Review Period Start	10/20/2022
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State Review Period End	11/19/2022
State Reviewing Agencies	California Air Resources Board (ARB), California Department of Conservation (DOC), California Department of Fish and Wildlife, Inland Deserts Region 6 (CDFW), California Department of Forestry and Fire Protection (CAL FIRE), California Department of Housing and Community Development (HCD), California Department of Parks and Recreation, California Department of Transportation, District 8 (DOT), California Department of Transportation, Division of Aeronautics (DOT), California Department of Transportation, Division of Transportation Planning (DOT), California Department of Water Resources (DWR), California Governor's Office of Emergency Services (OES), California Highway Patrol (CHP), California Native American Heritage Commission (NAHC), California Natural Resources Agency, California Public Utilities Commission (CPUC), California Regional Water Quality Control Board, Santa Ana Region 8 (RWQCB), Department of Toxic Substances Control, Office of Historic Preservation, State Water Resources Control Board, Division of Drinking Water, District 13
Development Types	Residential (Units 7194, Acres 307.5), Commercial (Employment is unknown at this time and will be analyzed in DEIR)(Sq. Ft. 925002, Acres 59.4, Employees 1), Industrial (Employment is unknown at this time and will be analyzed in DEIR)(Sq. Ft. 1767148, Acres 115.5, Employees 1)
Local Actions	Specific Plan, Site Plan
Project Issues	Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Cumulative Effects, Drainage/Absorption, Flood Plain/Flooding, Geology/Soils, Greenhouse Gas Emissions, Hazards & Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Mandatory Findings of Significance, Noise, Population/Housing, Public Services, Recreation, Sewer Capacity, Transportation, Tribal Cultural Resources, Utilities/Service Systems
Local Review Period Start	10/20/2022
Local Review Period End	11/19/2022

Attachments

**Notice of Completion
[NOC] Transmittal form**

PSPA22-001_NOC_20221019

PDF

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PSPA22-001_NOP_20221019

PDF

112 K

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