

**CEQA FINDINGS OF FACT AND
STATEMENT OF OVERRIDING CONSIDERATIONS
REGARDING THE
FINAL ENVIRONMENTAL IMPACT REPORT
FOR THE ONTARIO REGIONAL SPORTS COMPLEX
ENVIRONMENTAL IMPACT REPORT
STATE CLEARINGHOUSE NO. 2023110328**

Exhibit B

I. SUMMARY OF FINDINGS

The City Council hereby finds that it has been presented with the Environmental Impact Report (EIR), which it has reviewed and considered, and further finds that the EIR is an accurate and objective statement that has been completed in full compliance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. The City Council finds that the EIR reflects the independent judgment and analysis of the City. The City Council declares that no evidence of new significant impacts or any new information of “substantial importance,” as defined by State CEQA Guidelines Section 15088.5, has been received by the City after circulation of the Draft EIR that would require recirculation. Therefore, the City Council hereby certifies the EIR based on the entirety of the record of proceedings.

II. PROCEDURAL COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City published a Draft EIR on April 4, 2024. A Final EIR was prepared in June of 2024 in compliance with CEQA requirements. The Final EIR has been prepared in accordance with CEQA and the CEQA Guidelines, as amended. As authorized in State CEQA Guidelines Section 15084(d)(2), the City retained a consultant to assist with the preparation of the environmental documents. City staff from multiple departments, representing the Lead Agency, have directed, reviewed, and modified where appropriate all material prepared by the consultant. The Final EIR reflects the City’s independent analysis and judgement. The key milestones associated with the preparation of the EIR are summarized below. As presented below, an extensive public involvement and agency notification effort was conducted to solicit input on the scope and content of the EIR and to solicit comments on the results of the environmental analysis presented in the Draft EIR.

A. PUBLIC NOTIFICATION AND OUTREACH

In conformance with CEQA, the State CEQA Guidelines, and the City of Ontario CEQA Guidelines, the City of Ontario conducted an extensive environmental review of the Proposed Project.

- Completion of a Notice of Preparation (NOP) for a Draft Subsequent EIR (SEIR) on September 15, 2023. The public review period extended from September 15, 2023, to October 16, 2023. The NOP was published in the *Inland Valley Daily Bulletin* on September 15, 2023. The NOP was posted at the San Bernardino County Clerk’s office on September 14, 2023. Copies of the NOP were

made available for public review at the City of Ontario Planning Department and the City's website.

- Completion of the scoping process where the public was invited by the City to participate in a scoping meeting for the Draft SEIR was held on Wednesday, September 27, 2023, at 6:00 pm at the Westwind Community Center in the City of Ontario. The notice of a public scoping meeting was included in the NOP.
- After the scoping meeting process for the Draft SEIR, the City decided to proceed with a new EIR rather than a Subsequent EIR for the Proposed Project. An NOP for the Draft EIR was reissued on November 14, 2023. The public review period extended from November 14, 2023, to December 15, 2023. The NOP was published in the *Inland Valley Daily Bulletin* on November 14, 2023. The NOP was posted at the San Bernardino County Clerk's office on November 14, 2023. Copies of the NOP were made available for public review at the City of Ontario Planning Department and the City's website.
- A scoping meeting for the Draft EIR was held virtually on Wednesday December 6, 2023, at 6:00 pm. The notice of a public scoping meeting was included in the NOP.
- Preparation of a Draft EIR, which was made available for a 45-day public review period beginning April 4, 2024, and ending May 20, 2024. The scope of the Draft EIR was determined based on the CEQA Guidelines Appendix G Checklist, comments received in response to both NOPs, and comments received at the scoping meetings conducted by the City of Ontario. Chapter 5, *Environmental Analysis*, of the Draft EIR describes the issues identified for analysis in the Draft EIR. The Notice of Availability (NOA) for the Draft EIR was sent to interested persons and organizations, sent to the State Clearinghouse in Sacramento for distribution to public agencies, posted at the City of Ontario, and published in the *Inland Valley Daily Bulletin*. The NOA was posted at the San Bernardino County Clerk's office and published in the *Inland Valley Daily Bulletin* on April 4, 2024. Additionally, copies of the Draft EIR were made available for review at the City Hall and Ovitt Family Community Library as well as on the City's website.
- Preparation of a Final EIR, including the responses to comments to the Draft EIR. The Final EIR was released for a 10-day agency review period prior to certification of the Final EIR.
- Public hearings on the Proposed Project, including a Planning Commission hearing and a City Council hearing.

In summary, the City conducted all required noticing and scoping for the Proposed Project in accordance with Section 15083 of the CEQA Guidelines, and conducted the public review for the EIR, which exceeded the requirements of Section 15087 of the CEQA Guidelines.

B. FINAL ENVIRONMENTAL IMPACT REPORT AND CITY COUNCIL PROCEEDINGS

The City prepared a Final EIR, including Responses to Comments to the Draft EIR. The Final EIR/Response to Comments contains comments on the Draft EIR, responses to those comments,

revisions to the Draft EIR, and appended documents. A total of seven comment letters were received. Of the seven comment letters, five letters were from public agencies and/or tribes, and two letters were from residents and/or organizations.

The Final EIR found that prior to mitigation, implementation of the Proposed Project will result in potentially significant impacts to Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas (GHG) Emissions, Hazards and Hazardous Materials, Noise, Transportation, Tribal Cultural Resources (TCRs), and Wildfire. However, mitigation measures have been developed to avoid or reduce all of these impacts to levels considered less than significant, with the exception of Agricultural Resources, Air Quality, GHG Emissions, Noise, and Transportation. The Final EIR found that despite the implementation of recommended mitigation measures, impacts to these categories were significant and unavoidable. A Statement of Overriding Considerations was prepared for the Council's consideration.

Members of the public can view searchable agendas for scheduled City Council meetings and access agenda-related City information and services directly on the following website:
<https://www.ontarioca.gov/Agendas/CityCouncil>.

The Final EIR document will be posted on the City's website for viewing and download with the previously posted Draft EIR prior to the City's consideration of the Final EIR and project recommendations.

A date for consideration of the Final EIR and project recommendations at the City Council was set for the Proposed Project, and notice of the meeting was provided consistent with the Brown Act (Government Code Sections 54950 et seq.). The City Council will take testimony on the Proposed Project and may continue on its calendar to a subsequent meeting date in its discretion.

C. RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the Record of Proceedings for the Proposed Project consists of the following documents and other evidence, at a minimum:

- The NOPs, NOA, and all other public notices issued by the City in conjunction with the Proposed Project.
- The Draft EIR and Final EIR for the Proposed Project.
- All written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR.
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR.
- All written and verbal public testimony presented during a noticed public hearing for the Proposed Project.
- The Mitigation Monitoring and Reporting Program.

- The Statement of Overriding Considerations.
- The reports and technical memoranda included or referenced in the Final EIR.
- All documents, studies, EIRs, or other materials incorporated by reference in the Draft EIR and Final EIR.
- The Resolutions adopted by the City in connection with the Proposed Project, and all documents incorporated by reference therein, including comments received after the close of the comment period and responses thereto.
- Matters of common knowledge to the City, including but not limited to federal, state, and local laws and regulations.
- Any documents expressly cited in these Findings.
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e).

D. CUSTODIAN AND LOCATION OF RECORDS

The documents and other materials that constitute the administrative record for the City's actions related to the Proposed Project are at the City of Ontario's City Hall at 303 East B Street, Ontario, CA 91764. The City Planning Department is the custodian of the administrative record for the project. Copies of these documents, which constitute the record of proceedings, are and at all relevant times have been and will be available upon request at the offices of the Planning Department. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and Guidelines Section 15091(e).

E. PROJECT DESCRIPTION

The Ontario Regional Sports Complex (ORSC) would allow for development of a variety of recreational opportunities on an approximately 199-gross-acre site (ORSC site) in the City of Ontario. This includes a semi-professional Minor League Baseball stadium, retail, and hospitality area in addition to a new City recreation center and aquatics center surrounded by a variety of baseball/softball, soccer, and multiuse fields. Development on the ORSC site would require installation of a sewer line in the Vineyard Avenue right-of-way (Offsite Improvement Area). The ORSC also requires a concurrent General Plan Amendment and Rezoning (GPA and Rezone) to offset the potential loss in residential capacity in The Ontario Plan (TOP) of 1,471 units from the ORSC site when it is redesignated and rezoned to accommodate the uses of the ORSC. To offset this loss, 94 acres along the Vineyard Corridor south of the ORSC site would be assigned a more intense land use designation, changing from Low Density Residential (LDR) to Medium Density Residential (MDR) to comply with Senate Bill (SB) 330 and SB 166. The development on the ORSC site and Offsite Improvement Area and concurrent GPA and Rezone are referred to as the Proposed Project.

The ORSC site is in the southern portion of Ontario, which is known as the Ontario Ranch. The ORSC site is on the southeast corner of Vineyard Avenue and Riverside Drive in the Armstrong Ranch

Specific Plan area. The ORSC site is bounded to the north by Riverside Drive, to the south by Chino Avenue, to the west by the unimproved right-of-way for Vineyard Avenue, and to the east by the Cucamonga Creek Flood Control Channel. Much of the ORSC site is presently vacant and was primarily used for agricultural purposes, including the raising of livestock and dairy farming. Other land uses on the ORSC site include a nursery east of Ontario Avenue. Vineyard Avenue currently terminates at Riverside Drive.

Ontario Regional Sports Complex

The ORSC would provide a variety of experiences, including a 6,000-capacity, semipro, Minor League Baseball stadium with supportive retail/hospitality uses and a new city regional park and community recreation facilities, including a new recreational center; aquatics center; and baseball, softball, and soccer fields. The land use plan under the ORSC comprises seven planning areas (PA)—Baseball Stadium (PA 1); Commercial Retail (PA 2); Baseball Stadium Retail-Hospitality (PA 3), Baseball Stadium Retail-Hospitality South (PA 4); City Park–Active Fields (PA 5); City Park–Indoor Athletic Facility (PA 6); and Community Recreation Center (PA 7). The amenities are shown in Table 1, *Ontario Regional Sport Complex Amenities Summary*. As shown in Table 1, the ORSC would result in 540,750 square feet of commercial building space, 450,000 square feet of stadium space (110,000 square feet of conditioned space and 340,000 square feet of unconditioned space), and 272,000 square feet of parking structures.

Table 1 Ontario Regional Sport Complex Amenities Summary

Land Use	Acres	Building Square Feet			Number of Amenities
		Commercial	Parking	Stadium	
PA 1 BASEBALL STADIUM	16.01	—	185,000	450,000	6,000 Capacity 1,600 Parking Spaces
Baseball Field Facility	11.33	—	—	—	6,000 capacity
Conditioned Space	—	—	—	110,000	—
Unconditioned Space	—	—	—	340,000	—
Parking Structure A (3-stories)	4.68	—	185,000	—	1,600 parking spaces
PA 2 COMMERCIAL RETAIL	19.62	45,000	—	—	1,500 Parking Spaces
Retail/Commercial, East	5.06	45,000	—	—	—
Surface Parking, East	14.56	—	—	—	1,500 parking spaces
PA 3 BASEBALL STADIUM RETAIL Stadium Retail and Hospitality	4.58	91,000	—	—	100 Rooms
Retail/Commercial	2.17	21,000	—	—	—
Hotel	2.41	70,000	—	—	100 Rooms
PA 4 BASEBALL STADIUM RETAIL and Hospitality South	8.54	114,000	—	—	250 Parking Spaces
Retail/Commercial	6.54	114,000	—	—	—
Surface Parking, South	2.00	—	—	—	250 Parking Spaces
PA 5 CITY PARK, Active Fields	110.90	23,300	—	—	2,000 Parking Spaces
Multipurpose Fields (Soccer/Football)	41.13	—	—	—	13 Fields
Multiuse Fields (Baseball/Softball/Little League)	45.11	—	—	—	8 Fields

Table 1 Ontario Regional Sport Complex Amenities Summary

Land Use	Acres	Building Square Feet			Number of Amenities
		Commercial	Parking	Stadium	
Park	10.87	23,300	—	—	—
Parking Structure B (4 stories)	3.59	—	87,000	—	1,000 Parking Spaces
Surface Parking, South	10.2	—	—	—	1,000 Parking Spaces
PA 6 CITY PARK, Indoor Athletic Facility	7.58	159,450	—	—	388 Parking Spaces
Indoor Athletic Facility	4.46	159,450	—	—	16 max. Courts
Surface Parking	3.12	—	—	—	388 Parking Spaces
PA 7 COMMUNITY RECREATION CENTER	15.68	108,000	—	—	525 Parking Spaces
Community Center/ Admin Building	3.46	70,000	—	—	—
Activity Area	8.05	38,000	—	—	1 Field/8 Courts
Recreation Surface Parking	4.17	—	—	—	525 parking spaces
Right-of-Way	16.10	—	—	—	—
TOTAL	199.01	540,750	272,000	450,000	6,000 Capacity 100 Rooms 6,263 Parking Spaces

The Ontario Plan (TOP) Land Use Amendments and Zone Changes

The Land Use Element of the Policy Plan establishes two land use designations in the ORSC site, Low-Density Residential and Medium Density Residential. The Proposed Project would require changing the existing land use and zoning to allow for recreational facilities and regional-serving entertainment, retail, and service uses, including hotels/motels, and restaurants. The Proposed Project would:

- Convert 134.42 acres of Low Density Residential (LDR) and Medium Density Residential (MDR) to Open Space-Parkland (OS-R).
- Convert 51.57 acres of Low Density Residential (LDR) to Hospitality (HOS) for a baseball stadium, ancillary/supportive retail, and lodging uses.

Approval of the ORSC would also rescind the Armstrong Ranch Specific Plan and rezone the ORSC site with traditional zoning designations (see Table 2, *Proposed Land Use Designations*).

Table 2 Proposed Land Use Designations

Land Use	Zoning	Acres
Ontario Regional Sports Park Complex (Onsite Land Use Changes)		
Hospitality (HOS)	Convention Center Support Retail (CCS)	51.57
Open Space–Parkland (OS-R)	Open Space–Recreation	134.42
Right-of-Way (ROW) ¹		13.01
Proposed Project (Onsite) Total		199.00
Offsite Land Use Changes (Senate Bills 330 and 166 Compliance)		
Medium-Density Residential (MDR)	No proposed zoning change SP/AG (Specific Plan)	74.75
Medium-Density Residential (MDR)	SP/AG/AH (Specific Plan with Affordable Housing Overlay)	19.25
Senate Bill 330 (Offsite) Total		94.00
Notes: SP = Specific Plan, AG = Agricultural, AH = Affordable Housing		
¹ ROW is consistent with TOP 2050 estimates; it is not based on Table 3-1.		

Because the ORSC would replace areas planned for residential use with nonresidential uses, the loss in residential capacity must be offset by increasing the residential capacity by an equal amount elsewhere in the city to comply with SB 330, which mandates no net loss of residential capacity citywide, and SB 166, which mandates that a jurisdiction maintain an inventory of sites suitable to fulfill its low and very low Regional Housing Needs Assessment obligation at all times.

TOP 2050 planned for a total of 1,471 units in the areas designated LDR and MDR in ORSC site. To offset this loss, 94 acres along the Vineyard Corridor, south of the ORSC site, would be assigned a more intense land use designation, changing from LDR to MDR. The current land use designation in the Vineyard Corridor, LDR, allowed up to 424 units under TOP 2050. Because of SB 330, the combined capacity for the ORSC site and the Vineyard Corridor parcels must be maintained, meaning the Vineyard Corridor parcels must support a minimum capacity of 1,895 units (1,471 units to offset the Proposed Project plus 424 units to account for the existing capacity on the parcels where growth potential would be reallocated). To achieve this, the Proposed Project requires a general plan amendment designating the Vineyard Corridor parcels (94 acres) as MDR instead of LDR, creating capacity for 2,075 units, 180 units more than required to comply with SB 330.

SB 166 requires that the 194 affordable units that were allocated to the ORSC site must be reallocated to other suitable sites in the city. To comply with this requirement, two of the parcels in the Vineyard Corridor (19.25 of 94.00 acres) that were identified to accept the units reallocated from the ORSC site for SB 330 compliance would be added to the Housing Element’s sites inventory; their Assessor’s Parcel Numbers are: 218-18-102 and 218-18-115.

F. PROJECT OBJECTIVES

Objectives for the Project will aid decision-makers in their review of the project and associated environmental impacts:

1. Support the community’s vision for a “premier” city by providing the opportunity to incorporate comprehensive public facilities programing, including the development of a sports complex with associated mixture of uses.
2. Consolidate City sports park operation.
3. Expand recreational opportunities in support of youth and adult soccer, baseball, softball, basketball, and volleyball.
4. Broaden sports programs to include aquatics, tennis and pickleball programs for youth and adults.
5. Provide a high-quality stadium for a minor league sports team.
6. Allow for safe, convenient transit access from the Stadium to OmniTrans bus stops on Riverside Drive.
7. Prioritize development away from sensitive receptors.

III. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

A. INTRODUCTION

CEQA requires that a number of written findings be made by the lead agency in connection with certification of an environmental impact report (EIR) prior to approval of the project pursuant to Sections 15091 and 15093 of the CEQA Guidelines and Section 21081 of the Public Resources Code. This document provides the findings required by CEQA. The potential environmental effects of the Ontario Regional Sports Complex and associated offsite infrastructure improvements and land use changes (Proposed Project) have been analyzed in a Draft EIR (State Clearinghouse [SCH] 2023110328) dated April 2024. A Final EIR (Final EIR) has also been prepared that incorporates the Draft EIR and contains comments received on the Draft EIR, responses to the individual comments, revisions to the Draft EIR including any clarifications based on the comments and the responses to the comments, and the Mitigation Monitoring and Reporting Program (MMRP) for the Proposed Project. This document provides the findings required by CEQA for approval of the Proposed Project.

Statutory Requirements for Findings

The CEQA (Pub. Res. Code Section 21000 et seq.) and the State CEQA Guidelines (Guidelines) (14 Ca. Code Regs Section 15000 et seq.) promulgated thereunder require that the environmental impacts of a project be examined before a project is approved. Specifically, regarding findings, Guidelines Section 15091 provides:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
- (b) The findings required by subsection (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

The “changes or alterations” referred to in Section 15091(a)(1) above, that are required in, or incorporated into, the project which mitigate or avoid the significant environmental effects of the project, may include a wide variety of measures or actions as set forth in Guidelines Section 15370, including:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.

- (e) Compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements.

As indicated above, Public Resources Code Section 21002 requires an agency to “avoid or substantially lessen” significant adverse environmental impacts. Thus, mitigation measures that “substantially lessen” significant environmental impacts, even if not completely avoided, satisfy section 21002’s mandate. (*Laurel Hills Homeowners Assn. v. City Council* (1978) 83 Cal.App.3d 515, 521 [“CEQA does not mandate the choice of the environmentally best feasible project if through the imposition of feasible mitigation measures alone the appropriate public agency has reduced environmental damage from a project to an acceptable level”]; *Las Virgenes Homeowners Fed., Inc. v. County of Los Angeles* (1986) 177 Cal. App. 3d 300, 309 [“[t]here is no requirement that adverse impacts of a project be avoided completely or reduced to a level of insignificance . . . if such would render the project unfeasible”].)

While CEQA requires that lead agencies adopt feasible mitigation measures or alternatives to substantially lessen or avoid significant environmental impacts, an agency need not adopt infeasible mitigation measures or alternatives. (Pub. Resources Code Section 21002.1(c) [if “economic, social, or other conditions make it infeasible to mitigate one or more significant effects on the environment of a project, the project may nonetheless be carried out or approved at the discretion of a public agency”]; see also State CEQA Guidelines, Section 15126.6(a) [an “EIR is not required to consider alternatives which are infeasible.”]) CEQA defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors” (Pub. Resources Code, Section 21061.1). The State CEQA Guidelines add “legal” considerations as another indicium of feasibility. (State CEQA Guidelines, Section 15364.) Project objectives also inform the determination of “feasibility.” (*Jones v. U.C. Regents* (2010) 183 Cal. App. 4th 818, 828-829.) “[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417; see also *Sequoiah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) “Broader considerations of policy thus come into play when the decision making body is considering actual feasibility[.]” (*Cal. Native Plant Soc’y v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1000; see also Pub. Resources Code, Section 21081(a)(3) [“economic, legal, social, technological, or other considerations” may justify rejecting mitigation and alternatives as infeasible.])

Environmental impacts that are less than significant do not require the imposition of mitigation measures. (*Leonoff v. Monterey County Board of Supervisors* (1990) 222 Cal.App.3d 1337, 1347.)

The California Supreme Court has stated, “[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 576.) In addition, perfection in a project or a project’s environmental alternatives is not required; rather, the requirement is that sufficient information be produced “to permit a reasonable choice of alternatives so far as environmental aspects are concerned.” Outside agencies (including courts) are not to “impose unreasonable extremes or to interject

[themselves] within the area of discretion as to the choice of the action to be taken.” (*Residents Ad Hoc Stadium Com. v. Board of Trustees* (1979) 89 Cal.App.3d 274, 287.)

Findings

Having received, reviewed, and considered the EIR for the No. 2023110328, as well as other information in the record of proceedings on this matter, the City of Ontario Council adopts the following Findings in its capacity as the legislative body for the City of Ontario (City), which is the CEQA Lead Agency. The Findings set forth the environmental and other bases for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the Proposed Project.

In addition, the City of Ontario City Council (City Council) hereby makes findings pursuant to and in accordance with Section 21081 of the California Public Resources Code and State CEQA Guidelines Sections 15090 and 15091 and hereby certifies that:

- (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the final EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Project Environmental Report and Discretionary Actions

The Final EIR addresses the direct, indirect, and cumulative environmental effects of construction and operation activities associated with the Proposed Project. The Final EIR provides the environmental information necessary for the City to make a final decision on the requested discretionary actions for all phases of this project. The Final EIR was also intended to support discretionary reviews and decisions by other responsible agencies.

Discretionary actions to be considered by the City may include, but are not limited to, the following:

- Approve the Proposed Project; adopt the MMRP, finding that the MMRP is adequately designed to ensure compliance with the mitigation measures during project implementation; and determine that the significant adverse effects of the project either have been reduced to an acceptable level, or are outweighed by the specific overriding considerations of the project as outlined in the CEQA Findings of Fact, as set forth herein.
- Approve the Proposed Project and related discretionary actions.

Format

Section 15091 of the CEQA Guidelines requires that a Lead Agency make a finding for each significant effect for the project. This section summarizes the significant environmental impacts of the project, describes how these impacts are to be mitigated, and discusses various alternatives to the Proposed Project, which were developed in an effort to reduce the remaining significant environmental impacts. All impacts are considered potentially significant prior to mitigation unless otherwise stated in the findings.

The remainder of this section is divided into the following subsections:

Section III B, Findings Regarding Environmental Impacts Not Requiring Mitigation, presents topical areas in the Draft EIR that would result in no impact or less than significant impacts.

Section III C, Findings on Significant Environmental Impacts That Can Be Reduced to Less Than Significant, presents significant impacts of the Proposed Project that were identified in the Final EIR, the mitigation measures identified in the MMRP, and the rationales for the findings.

Section III D, Significant Unavoidable Impacts That Cannot Be Mitigated to Below the Level of Significance, presents significant unavoidable impacts of the Proposed Project that were identified in the Final EIR, the mitigation measures identified in the MMRP, and the rationales for the findings.

Section III E, Program Environmental Impacts of the Offsite General Plan Amendments and Rezone, presents the summary of the program-level environmental impacts associated with the General Plan Amendments (GPA) and Rezone triggered by Senate Bill (SB) 330 and SB 166.

Section III F, Cumulative Impacts, presents the summary of cumulative impacts of the Proposed Project.

Section IV, Alternatives to the Proposed Project, presents alternatives to the project and evaluates them in relation to the findings set forth in Section 15091(a)(3) of the State CEQA Guidelines, which allows a public agency to approve a project that would result in one or more significant environmental effects if the project alternatives are found to be infeasible because of specific economic, social, or other considerations.

Section V, Additional CEQA Considerations, presents additional CEQA considerations, including significant irreversible changes due to the Proposed Project and growth-inducing impacts of the Proposed Project.

Section VI, Findings on Responses to Comments on the Draft EIR and Revisions to the Final EIR, presents the City's findings on the response to comments and revisions to Final EIR, and decision on whether a recirculated Draft EIR is necessary or not.

Section VII, Statement of Overriding Considerations, presents a description of the Proposed Project's significant and unavoidable adverse impacts and the justification for adopting a statement of overriding consideration.

Section VIII, Mitigation Monitoring Reporting Program, presents the Mitigation Monitoring and Reporting Program.

Section IX, Certification, identifies the requirements for certification of the EIR.

B. FINDINGS REGARDING ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

Issues Deemed No Impact or Less Than Significant Impact

Pursuant to CEQA Guidelines Section 15060(d) and 15063 that allow a lead agency to begin work directly on the EIR process, an NOP was issued without an Initial Study.

Findings on “No Impact” and “Less Than Significant Impacts”

Based on the environmental assessments in the Final EIR, the City determined that the Proposed Project would have no impact or less than significant impacts, including direct, indirect, and cumulative impacts, for the environmental issues summarized below. The rationale for the conclusion that no significant impact would occur in each of the issue areas is based on the environmental evaluation in the listed topical EIR sections in Chapter 5 of the Draft EIR, which include Environmental Setting, Environmental Impacts, Cumulative Impacts, and Mitigation Measures.

The EIR concluded that all or some of the impacts of the Proposed Project with respect to the following issues either will not be significant or will be reduced to below a level of significance by implementing project design features or existing plans, programs, and policies as detailed in Chapter 5 of the Draft EIR. Those issues include the following topical areas in their entirety or portions thereof: Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Utilities and Service Systems, and Wildfire.

CEQA Guidelines Section 15901 mandates that an EIR may not be certified for a project which has one or more significant environmental effects unless one of three possible findings is made for each significance effect. Since the following environmental issue areas were determined to have no impact or a less than significant impact, the findings for these issues are not required but are provide informationally.

1. Aesthetics

Impact 5.1-1: The ORSC would not have an adverse impact on scenic vistas.

TOP 2050 recognizes the San Gabriel Mountains as a scenic resource for the City. The San Gabriel Mountains are visible to the north of the ORSC site and views of the Santa Ana Mountains are visible to the south. The ORSC proposes a baseball stadium at the northeastern portion of the ORSC site west of Ontario Avenue, which would include the tallest structures (light poles) among the proposed uses of the ORSC site. The stadium’s concourse level would be at ground level, and the field and

dugout levels would be below ground level. The following summarizes the heights of the stadium levels from ground level, both above ground level (agl) and below ground level (bgl):

- Roof: 33 feet agl
- Low Roof: 29 feet, 6 inches agl
- Club: 15 feet, 6 inches agl
- Concourse: ground level
- Field Level: 14 feet, 6 inches bgl
- Dugout Level: 17 feet, 4 inches bgl

While the highest point of the stadium structure is the roof at 33 feet agl, the stadium lighting fixtures would be mounted at approximately 99 to 110 feet agl. The lighting fixtures for all other parts of the ORSC would not exceed the lighting heights for the stadium. The agl heights for lighting at the multiuse baseball fields, soccer fields, and Community Recreation Center (Planning Area 7) are:

- Multiuse Baseball Fields: 60 to 80 feet agl
- Soccer Fields: 55 to 85 feet agl
- Community Recreation Center: 40 to 50 feet agl

In addition to the 33 foot-tall stadium, the heights of the other buildings and structures proposed for the ORSC include the following:

- Parking Structure A: 33 feet agl
- Parking Structure B: 44 feet agl
- Hotel: 24 feet agl
- Ancillary Retail/Commercial: 14 feet agl
- Community Center: 24 feet agl
- Gym: 25 feet agl

Parking Structure B (at 44 feet) and the sports field lighting fixtures (at a maximum of 110 feet) would be the tallest features across the ORSC site. While the San Gabriel and Santa Ana Mountains are visible to the north and south of the ORSC site, there are no protected public views within the vicinity of the ORSC site. The City's major scenic corridors, Euclid Avenue and Mission Boulevard, are approximately two miles away from the ORSC site. Additionally, the ORSC would comply with TOP 2050 Policy CD-1.5 which requires that all major north-south streets be designed to feature views of the San Gabriel Mountains and to avoid visual clutter, including billboards.

The ORSC site buildings and structures would be spread over the ORSC site and would not obstruct views of the mountains from north-south streets in the vicinity of the ORSC site including Ontario Avenue and Vineyard Avenue. To ensure that the stadium is compatible with the scale of the surrounding neighborhood, the site is being graded to lower the field elevations, which reduces the height of the stadium structures, including the stands. Additionally, existing electrical power lines partially obscure views of the mountains across the northern and southern boundaries of the ORSC site on Chino Avenue and Riverside Drive. The proposed sports lighting poles would result in similar

viewing conditions at the ORSC site, and the mountains would continue to be visible due to the narrowness of the poles, though partially obstructed.

The ORSC would comply with the City's policies protecting scenic views and corridors would not obstruct any protected public views. Therefore, impacts to scenic resources would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to scenic vistas. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.1-23)

Impact 5.1-2: The ORSC would not alter scenic resources within a state scenic highway.

There are no State-designated scenic highways through or in the vicinity of the City and ORSC site. The nearest eligible state highway is SR-142, located seven miles southwest of the ORSC site, and the closest officially designated scenic highway is SR-91 in Anaheim, approximately 21 miles southwest of the ORSC site. Therefore, development of the ORSC site would not damage scenic resources, including trees, rock outcroppings, and historic buildings, within a state scenic highway.

Finding. The Proposed Project would have no direct or indirect impacts relating to scenic resources within a state scenic highway. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.1-23)

Impact 5.1-3: The ORSC would alter the visual appearance of the ORSC site.

The ORSC site is largely agricultural in character, containing fields, nurseries, a dairy farm, and interspersed single-family homes originating from the mid-20th century. Properties to the west and south of the ORSC site contain similar agricultural uses, while north and east of the site are developed with more urban uses, including a commercial/retail center, the Whispering Lakes Golf Course, and single-family subdivisions. As defined by CEQA Section 21071, an "urbanized area" is an incorporated city that either has a population of at least 100,000 persons, or if the population of that city and not more than two contiguous incorporated cities combined equals at least 100,000 persons. The population of Ontario, as reported by the Department of Finance is 180,717 residents, so it qualifies as an "urbanized area" according to CEQA. This impact analysis addresses whether, for an urbanized area, the ORSC would conflict with zoning or other regulations governing scenic quality.

The ORSC would change the existing visual character of the ORSC site. The stadium building would reach a maximum height of 33 inches agl and would contain lighting fixtures that reach up to 110 feet agl. Therefore, the stadium in combination with the proposed commercial/retail and hotel, parking structures, and recreation facilities would transform the visual appearance of the ORSC site into a more urbanized setting when compared to existing conditions. The design and scale of the proposed stadium would create a new distinctive visual element observable from roadways and viewing areas surrounding the ORSC site. To ensure that the stadium is compatible with the scale of the

surrounding residential neighborhoods to the north and east, the ORSC proposes substantial landform modification to lower the elevations of the stadium. As a result of the grading, the field elevations would be lowered below grade, which reduces the height of the stadium structures.

Overall, the ORSC would be consistent with the City's vision in TOP 2050. TOP 2050's Community Design Element seeks to achieve distinct neighborhoods, centers, corridors, and districts in addition to vibrant places that enhance value and livability. The ORSC would be subject to TOP 2050 policies governing design quality for development. The ORSC would be developed as a new destination in the city for community recreation, entertainment, and commercial activity. The aesthetic character of the development would be distinctive from the current low density and agricultural uses in the vicinity of the ORSC site; however, the ORSC would implement a more aesthetically interesting use of the site with high quality design, consistent with the TOP 2050 vision and policies.

The ORSC would also require amending the zoning of the ORSC site from the Armstrong Specific Plan to Convention Center Support Retail and Open Space-Recreation. The design and development of the uses on the ORSC site would comply with the applicable provisions for these zoning designations in Section 5.03, Supplemental Land Use Regulations, of the Ontario Development Code. Therefore, the ORSC would not conflict with applicable zoning and other regulations governing scenic quality nor substantially degrade the existing visual character of site. Impacts would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to existing visual character and quality of public views and to conflict with applicable zoning and other regulations governing scenic quality. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.1-24)

Impact 5.1-4: The ORSC would generate additional nighttime lighting on the ORSC site but would not adversely affect nighttime views in the area.

A lighting illumination summary was prepared for the ORSC (included as Appendix C to the Draft EIR) based on computer calculations and includes a grid summary of the minimum and maximum maintained horizontal foot-candles for the multiuse baseball fields, Minor League Baseball Stadium, soccer fields, and Community Recreation Center.

Nighttime Light and Glare

The ORSC would introduce many new sources of nighttime lighting to the ORSC site. Stadium and sports field lights would have a curfew of 10:00 pm. The proximity of the proposed lights to residential areas in the vicinity of the ORSC site presents the potential for light spillover and glare. A standard of 0.9 foot-candle (fc) was used for a significance determination because this standard considers both the type of adjacent land uses as well as the time of day the lights would be on.

The baseball stadium would include lighting to illuminate the fields during evening games. The lighting would be turned on at 5:00 pm on game days and would be turned off approximately one hour after the evening game concludes. The nearest sensitive receptors to the stadium would be the residence on

2945 Spyglass Court; however, no spill light from the stadium would impact the residence (0.0 fc at residence). Lighting levels at 0.9 fc would be cast into a small portion of the Whispering Lakes Golf Course.

The eight multipurpose fields would be lit for practices and games, which are expected to extend to 10:00 pm Monday through Sunday. The light spill from the soccer fields would extend into Riverside Drive but would not reach the residences north of the ORSC site on Spyglass Court (0.0 fc at residences). Light spill from the multiuse baseball fields would remain within the boundaries of the ORSC site.

Nighttime lighting for the Little League field, skate park, aquatics facility, and tennis/pickleball courts at the Community Recreation Center portion of the ORSC would be provided until 10:00 pm. Light spill from the Little League Field and tennis/pickleball courts would reach the edge of the Cucamonga Creek Flood Channel. However, this lighting would not intrude on the residences east of the flood channel.

Light levels would continue to decrease as the distance increases from the light source. The luminaires would be shielded and directed downward and away from the adjacent sensitive uses and public rights-of-way so that glare impacts are minimized. Therefore, based on this analysis, the ORSC would not create a substantial source of new lighting that would affect nighttime views for sensitive receptors; impacts would be less than significant.

Daytime Glare

The ORSC would result in more reflective surfaces compared to existing conditions on the ORSC site. ORSC buildings would be required to comply with the California Building Standards Code, including the standards for lighting and glare set forth in the California Building Standards Code (Title 24, Part 6) and CALGreen (Title 24, Part 11). In compliance with these standards, building materials and design would be required to meet the applicable maximum allowable glare rating in Table 5.106.8 [N] of the California Building Standards Code. The ORSC would not create a new source of substantial glare. Therefore, glare impacts would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to light and glare. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.1-28)

2. Agriculture and Forestry Resources

Impact 5.2-1: For Impact 5.2-1, refer to Section D, *Significant and Unavoidable Impacts That Cannot Be Mitigated to Below the Level of Significance.*

Impact 5.2-2: The ORSC would not conflict with existing zoning for agricultural use or a Williamson Act contract.

The ORSC site and Offsite Improvement Area do not contain any active Williamson Act contracts; therefore, development of the ORSC would not conflict with a Williamson Act contract. Additionally, the ORSC site is not zoned for agricultural use and is not in the City's Agricultural Overlay District. The sewer alignment in the Offsite Improvement Area would not conflict with existing zoning because improvements within the Offsite Improvement Area would be below-ground. The ORSC's redesignation of the site to Open Space-Parkland (OS-R) and Hospitality designations would not conflict with agricultural zoning, and the ORSC would have no impact.

Finding. The Proposed Project would have no direct or indirect impacts relating to conflict with existing zoning for agricultural use or a Williamson Act contract. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.2-8)

Impact 5.2-3: The ORSC would not conflict with existing zoning for forest land, timberland, or timberland zoned Timberland Production, or result in the loss of forest land or conversion of forest land to nonforest use.

There is no forest land in the ORSC site or Offsite Improvement Area. Existing land uses on the ORSC site consist primarily of agricultural land (ranching and farming), a limited number of residences, and miscellaneous commercial uses such as a nursery. The ORSC would not conflict with zoning for forest land or result in the loss of forest land. No impact would occur.

Finding. The Proposed Project would have no direct or indirect impacts relating to conflict with existing zoning for, or cause rezoning of, forestland, timberland, or timberland zoned Timberland Production and to loss of forestland or conversion to nonforest use. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.2-8)

3. Air Quality

Impact 5.3-1 For Impact 5.3-1, refer to Section D, *Significant and Unavoidable Impacts That Cannot Be Mitigated to Below the Level of Significance.*

Impact 5.3-2: For Impact 5.3-2, refer to Section C, *Findings on Significant Environmental Impacts That Can Be Reduced to a Less Than Significant Level.*

Impact 5.3-3: For Impact 5.3-3, refer to Section D, *Significant and Unavoidable Impacts That Cannot Be Mitigated to Below the Level of Significance.*

Impact 5.3-4: For Impact 5.3-4, refer to Section C, *Findings on Significant Environmental Impacts That Can Be Reduced to a Less Than Significant Level*.

Impact 5.3-5: Operation of the ORSC would not expose sensitive receptors to substantial pollutant concentrations.

The ORSC could expose sensitive receptors to elevated pollutant concentrations during operation-phase activities if it would cause or contribute significantly to elevated pollutant levels.

Stationary Sources

The ORSC could result in the installation and operation of stationary sources, such as generators, boilers, or fire pumps. The quantity, type, size, location, fuel type, maximum daily operating hours, and annual average operating hours for potential stationary source equipment are unknown at this time; thus, no emissions associated with stationary sources have been included in this analysis. Should the ORSC need to install and operate stationary source equipment, the South Coast Air Quality Management District (AQMD) must be contacted for issuance of a permit under applicable District Rules and/or the Portable Equipment Registration Program, depending on the stationary source equipment that is needed. Therefore, it is speculative to include stationary source equipment with unknown parameters, and further analysis would be required by the South Coast AQMD through permitting to ensure that the equipment does not result in any significant criteria air pollutant or health risk impacts.

Operational Phase LSTs

The ORSC is not the type of land use that has the potential to generate substantial onsite criteria air pollutant emissions. Table 5.3-16, *ORSC Localized On-Site Operational Emissions*, on page 5.3-43 in the Draft EIR shows localized maximum daily operational emissions. As shown in the table, onsite project-related operational emissions would not exceed the operational screening-level Localized Significance Thresholds (LSTs). Thus, operation of the ORSC would not exceed the South Coast AQMD's operational LSTs, and this impact would be less than significant.

Carbon Monoxide Hotspots

Areas of vehicle congestion have the potential to create pockets of carbon monoxide (CO) called hotspots. These pockets have the potential to exceed the State one-hour standard of 20 ppm or the eight-hour standard of 9.0 ppm. Because CO is produced in greatest quantities from vehicle combustion and does not readily disperse in the atmosphere, adherence to Ambient Air Quality Standard (AAQS) is typically demonstrated through an analysis of localized CO concentrations. Hot spots are typically produced at intersections, where traffic congestion is highest because vehicles queue for longer periods and are subject to reduced speeds. The Southern California Air Basin (SoCAB) has been designated in attainment of both the National and California AAQS for CO. Under existing and future vehicle emission rates, a project would have to increase traffic volumes at a single intersection to more than 44,000 vehicles per hour—or 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited—to generate a significant CO impact. Overall, the ORSC could generate

up to 2,734 peak hour trips (midday peak hour) on a Saturday with concurrent events and a sell-out stadium event. The annual average daily vehicle trip volumes surrounding the ORSC site include Chino Avenue (east of Grove Avenue) with 6,420 daily trips and Riverside Drive (east of Vineyard Avenue) with 19,978 daily trips. Assuming that all 2,734 peak hour trips generated by the ORSC would be along Riverside Drive, and assuming that all 19,978 daily trips along Riverside occur during the same peak hour, the combined 22,712 daily trips would not exceed the Bay Area Air Quality Management District's recommended screening criteria of greater than 44,000 vehicles per hour or 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited. Therefore, implementation of the ORSC would not have the potential to substantially increase CO hotspots at intersections in the vicinity of the ORSC site. Impacts would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to the exposure of sensitive receptors to substantial pollutant concentrations. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.3-44)

Impact 5.3-6: The ORSC would not result in other emissions that would adversely affect a substantial number of people.

Odors During Construction

During construction activities, construction equipment exhaust and application of asphalt and architectural coatings would generate odors. In addition, manure would be hauled offsite during grading activities. Any construction-related odor emissions would be temporary and intermittent. Additionally, noxious odors would be confined to the immediate vicinity of the construction equipment. By the time such emissions reached any sensitive receptor sites, they would be diluted to well below any level of air quality concern. Furthermore, short-term construction-related odors are expected to cease upon the drying or hardening of odor-producing materials. Therefore, impacts associated with construction-generated odors are considered less than significant.

Odors During Operation

The type of facilities that are considered to have objectionable odors include wastewater treatment plants, compost facilities, landfills, solid waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, and food manufacturing facilities. The ORSC includes recreational, retail, and hospitality land uses and would not include these types of land uses and the ORSC would replace the existing dairy farm and agricultural fields, which would involve the removal of an estimated 122,437 cubic yards of animal manure across Planning Areas 1 through 5. The removal of manure onsite would result in the reduction in related odors during project operation. Additionally, the ORSC would be required to comply with South Coast AQMD Rule 402. The ORSC would not generate potentially significant odor impacts affecting a substantial number of people.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to other emissions that would adversely affect a substantial number of people. Accordingly, no changes

or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.3-44)

4. Biological Resources

Impact 5.4-1: For Impact 5.4-1, refer to Section C, *Findings on Significant Environmental Impacts That Can Be Reduced to a Less Than Significant Level.*

Impact 5.4-2: Development of the ORSC site and Offsite Improvement Area sewer alignment would not result in the loss of sensitive natural communities.

No sensitive natural communities, according to classifications described in The Manual of California Vegetation and by California Fish and Wildlife (CDFW) were identified in the ORSC site and Offsite Improvement Area. Rather, four land cover types are in the ORSC site and Offsite Improvement Area: Agriculture, Developed, Disturbed, and Open Water. During the biological survey, sparsely distributed individuals of mulefat and black willows, ranging from one to three individuals each, were documented in the offsite improvement area for the sewer line in association with the areas mapped as Agriculture land use. Due to their small size and sparse nature, these individuals were not large or established enough to be mapped as a vegetation community. Additionally, these individuals are not considered a sensitive natural community because they do not fit the classifications of a sensitive natural community according to The Manual of California Vegetation and by CDFW. As such, no impacts to sensitive natural communities are anticipated as a result of development of the ORSC and sewer alignment in the Offsite Improvement Area.

Finding. The Proposed Project would have no direct or indirect impacts relating to sensitive natural communities. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.4-56)

Impact 5.4-3: The ORSC site and Offsite Improvement Area sewer alignment would not impact jurisdictional waters.

An Aquatic Resources Delineation Report was conducted to evaluate the potential wetland resources associated with a 0.46-acre study area of the Option 2 sewer alignment along Vineyard near Edison Avenue/Ontario Ranch Road in the Offsite Improvement Area. The wetland delineation study area is characterized as a waste management basin and contains individuals of mulefat and black willows, which indicate the potential presence of a wetland in the area. Three samples were taken at the wetland delineation study area and evaluated against the three criteria for wetland determination (presence of wetland-associated species, hydrologic conditions, and hydric soils). None of the samples met all three criteria needed to determine a wetland. It was determined that there are no aquatic resources in the wetland delineation study area.

Additionally, there are no features in the wetland delineation study area that meet the current definition of Waters of the U.S. to be regulated by the United States Army Corps of Engineers (USACE) under

Section 404 of the Clean Water Act. Furthermore, there are no resources present that would qualify as Section 401 resources jurisdictional to the Regional Water Quality Control Board (RWQCB). The waste management basin in the study area is not considered a 1602 regulated feature by CDFW because this feature does not fall within the definition of “streams, rivers, or lakes”; is not hydrologically connected with any stream, river, or lake; and would not contribute runoff to any such feature.

The Cucamonga Creek Flood Control Channel, located outside of the ORSC site and Offsite Improvement Area, is an aquatic feature that is potentially jurisdictional to the USACE, RWQCB, and/or CDFW. The Cucamonga Creek Flood Control Channel is located more than 50 feet from the ORSC site, and no direct impacts to this potentially regulated feature are anticipated. Although direct impacts are not expected to occur to the Cucamonga Creek Flood Control Channel, indirect impacts could occur in the form of runoff and erosion. Because the ORSC is more than one acre in size, the City and/or future project applicants would be required to obtain coverage under the General Construction Storm Water Permit from the RWQCB by preparing a Storm Water Pollution Prevention Plan (SWPPP) and implementing Best Management Practices (BMPs) to reduce water quality effects during construction. Implementation of the BMPs would reduce indirect impacts to the Cucamonga Creek Flood Control Channel to a less than significant level.

Therefore, the ORSC and sewer alignment in the Offsite Improvement Area would have less than impacts with respect to jurisdictional waters.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to jurisdictional waters. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.4-57)

Impact 5.4-4: For Impact 5.4-4, refer to Section C, *Findings on Significant Environmental Impacts That Can Be Reduced to a Less Than Significant Level.*

Impact 5.4-5: The ORSC would require compliance with the City’s Biological Resources Habitat Mitigation Fee.

As a condition of developing the ORSC site, the ORSC would be required to pay the City’s habitat mitigation fee, which was established to cover potential environmental impacts to burrowing owl, Delhi Sands Flower-Loving Fly (DSFLF), raptor foraging, loss of open space, and agricultural lands. The ORSC would also comply with City procedures requiring a habitat assessment to determine potential habitat for sensitive species through focused protocol surveys.

The ORSC site does not contain any tree species protected under Section 6.05.020, Tree Preservation Policy and Protection Measures, of the Ontario Development Code (see table in Appendix B of Appendix E1 in the Draft EIR for the full list of plant species documented in the ORSC site and Offsite Improvement Area). Additionally, the ORSC site and Offsite Improvement Area are not within the boundaries of a Habitat Conservation Plan or Natural Communities Conservation Plan.

The ORSC would comply with all applicable regulations and plans that protect biological resources. Impacts would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to jurisdictional waters. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.4-58)

5. Cultural Resources

Impact 5.5-1: Development of the ORSC site and Offsite Improvement Area for the sewer alignment along Vineyard Avenue would not impact an identified historic resource.

A South Central Coastal Information Center (SCCIC) records search was conducted for the ORSC site and the Offsite Improvement Area, that included review of all recorded archaeological and built-environment resources and a review of cultural resource reports. The California Points of Historical Interest, California Historical Landmarks, California Register of Historical Resources (CRHR), National Register of Historic Places (NRHP), and the California State Historic Properties Directory listings were also reviewed.

Previous evaluations of buildings and structures on the ORSC site identified four historic period resources, three of which are at 9381 Riverside Drive (P-36-13241 through P-36-13243) and one at 13165 Ontario Avenue (P-36-13244). The previous resource evaluations determined that Resource P-36-13244 was not eligible for listing in the NRHP/CRHR and did not meet the City's Historic Context criteria for local significance. The 2016 Phase II evaluation of the ORSC site that was conducted for the Armstrong Ranch Specific Plan EIR determined that the three resources at 9381 Riverside Drive were eligible for CRHR listing under Criteria A and B as well as for local significance pursuant to the Historic Context guidelines (see Appendix F2 of the Draft EIR). An updated Architectural Evaluation for the buildings/structures at 9381 Riverside Drive was conducted in December 2023 (see Appendix F2 of the Draft EIR). The following is an evaluation of the resources under the NRHP/CRHR criteria and the City of Ontario Historic Landmark criteria.

NRHP/CRHR Criterion A/1

The property at 9381 Riverside Drive has been used for agricultural purposes since the 1930s. It later operated as a cattle ranch, thoroughbred racehorse breeding ranch, and finally as a dairy. While the property shares a history with thoroughbred horseracing, horse breeder Rex Ellsworth only used the property as his main headquarters from 1947 to 1953 before moving his headquarters to a Chino property seven miles to the west where he achieved greater success. Evidence did not suggest that other uses of the property, including a cattle ranch and later a dairy started in the late 1970s, played an important role in events of the past. Both cattle ranches and dairies stand as commonplace agricultural activities for the area, and no information was found indicating that the property is associated with important innovations in ranching or dairy production. Research found no association with more specific events or patterns of development that have historical significance at the local, state, or national

level. For these reasons, 9381 Riverside Drive is not eligible for the NRHP/CRHR under Criterion A/1.

NRHP/CRHR Criterion B/2

Previous owners of the 9381 Riverside Drive property include C. C. Moseley, who operated the property briefly as a cattle ranch, restaurant chain owner W. “Tiny” Naylor, and Rex Ellsworth, who operated it as an 80-acre thoroughbred racehorse breeding farm starting in 1947. The De Boer family has operated a dairy on the property since the late 1970s. Although Rex Ellsworth had a decorated career as a thoroughbred breeder and was the owner of the 1955 Kentucky Derby winning horse, Swaps, Ellsworth’s main horse breeding and training operation was seven miles to the west in Chino, near the intersection of Schaefer Avenue and Pipeline Avenue. Newspaper articles associate the racehorse Swaps and subsequent winning horses trained by Ellsworth with the Chino location, which he purchased in 1953 (officially listed 3985 Schaefer Avenue), with no mention of these horses training at the subject 9381 Riverside Drive location after 1953. In addition, research found no indication that other property owners besides Ellsworth made a significant contribution to local history. There is no information in the archival record to suggest that the 9381 E. Riverside Drive is associated with the lives of persons significant in our past. Therefore, the property is not eligible for the NRHP/CRHR under Criterion B/2.

NRHP/CRHR Criterion C/3

The property at 9381 Riverside Drive represents a typical example of an agricultural property with Ranch-style dwellings, and similar properties can be found throughout southwest San Bernardino County to the present day. The Ranch-style dwellings on the property lack features found in better examples of the style, such as board-and-batten siding, diamond-pane windows, x-bracing, and more rambling plans. Research found no evidence that any of the dwellings on the property are the work of a master. Ancillary farm storage buildings and corrals have utilitarian designs and few distinguishable architectural characteristics. No building on the property embodies the distinctive characteristics of a type, period, or method of construction or represents a significant and distinguishable entity whose components may lack individual distinction. Therefore, 9381 Riverside Drive is not eligible for the NRHP/CRHR under Criterion C/3.

NRHP/CRHR Criterion D/4

The information potential of 9381 Riverside Drive is expressed in its built form and in the historical record. It has not yielded, nor is it likely to yield, information important in history or prehistory. The property at 9381 E. Riverside Drive is not eligible for the NRHP/CRHR under Criterion D/4.

Integrity

Because the buildings on the property were not relocated, 9381 Riverside Drive maintained integrity of setting. The De Boer Dairy has operated the property since the late 1970s and completely reconfigured the corrals on the property and added a few new canopy shelters and two farm storage buildings. Dairy operation changes since the 1970s have dramatically changed the relationship between the buildings and general farm operations from the 1947 period of significance. Due to this drastic

change of use and physical layout, the property no longer retains integrity of setting, feeling, and association. The oldest buildings on the property are Ranch-style dwellings built from roughly 1947 to the 1960s. These dwellings have all undergone significant alterations, including the replacement of original windows with vinyl-frame windows, the replacement of original doors, cladding in nonoriginal stucco, and building additions. The alterations have removed what few character-defining features the dwellings had. In addition, the two ancillary farm buildings have replacement cladding and altered entranceways. Therefore, the property lacks integrity of design, materials, and workmanship. Regardless of integrity, due to lack of historical significance, 9381 Riverside Drive does not meet NRHP or CRHR eligibility criteria as an individual resource or as part of any known or suspected historic district; the resource is not listed on any Certified Local Government historic property register.

City of Ontario Historic Landmark Designation

An individual City of Ontario Historic Landmark must meet the following criteria from the Ontario Development Code, Section 4.02.050, on its own merit:

1. **It meets the criteria for listing in the National Register of Historic Places.** Per the significance evaluation above, the property is not eligible for the NRHP under any criterion.
2. **It meets the criteria for listing in the California Register of Historic Resources.** Per the significance evaluation above, the property is not eligible for the CRHR under any criterion.
3. It meets one or more of the following criteria:
 - a. **It exemplifies or reflects special elements of the City's history.** The property exhibits a history typical of agricultural properties in the area and does not have special elements of the City's history.
 - b. **It is identified with persons or events significant in local, state, or national history.** Previous owners of 9381 Riverside Drive include C. C. Moseley, who operated the property briefly as a cattle ranch; restaurant chain owner W. "Tiny" Naylor; and Rex Ellsworth, who operated it as an 80-acre thoroughbred racehorse breeding farm starting in 1947. The De Boer family has operated a dairy on the property since the late 1970s. Although Rex Ellsworth had a decorated career as a thoroughbred breeder and was the owner of the 1955 Kentucky Derby horse, Swaps, Ellsworth's main horse breeding and training operation was seven miles to the west in Chino, near the intersection of Schaefer Avenue and Pipeline Avenue. Newspaper articles associate the racehorse Swaps and subsequent winning horses trained by Ellsworth with the Chino location that he purchased in 1953 (officially listed 3985 Schaefer Avenue), with no mention of these horses training at the subject 9381 Riverside Drive location after 1953. There is no information in the archival record to suggest that 9381 Riverside Drive is associated with the lives of people significant in local, state, or national history.
 - c. **It is representative of the work of a notable builder, designer, architect, or artist.** Research found no evidence that 9381 Riverside Drive represents the work of a notable builder, designer, architect, or artist. Therefore, the property is not eligible because of association with notable builders, designers, architects, or artists.

- d. **It embodies distinguishing architectural characteristics of a style, type, period or method of construction.** The property at 9381 Riverside Drive represents a typical example of an agricultural property with Ranch-style dwellings, and similar properties can be found throughout southwest San Bernardino County to the present day. Ranch-style dwellings on the property lack the character-defining elements of the style, such as board-and-batten siding, diamond-pane windows, x-bracing, and more rambling plans. Ancillary farm storage buildings and corrals have utilitarian designs and few distinguishable architectural characteristics. Therefore, the property is not eligible due to embodying a distinguished architectural characteristic of a style, type, period, or method of construction.
- e. **It is noteworthy example of the use of indigenous materials or craftsmanship.** The property at 9381 Riverside Drive contains Ranch-style dwellings and utilitarian farm buildings all built after WWII. They represent typical building types and construction methods of the era and the property is not eligible for association with indigenous materials or craftsmanship.
- f. **It embodies elements that represent a significant structural, engineering, or architectural achievement or innovation.** The property at 9381 Riverside Drive contains Ranch-style dwellings and utilitarian farm buildings all built after WW II. The current dairy operation has arranged corrals and farm-related elements much like other dairies in the area. Therefore, the property is not eligible for representing a significant structural, engineering, or architectural achievement or innovation.
- g. **It has a unique location, a singular physical characteristic, or is an established and familiar visual feature of a neighborhood, community of the City.** The property at 9381 Riverside Drive is in an agricultural area on the southern end of the City of Ontario among many properties of a similar type and configuration. Therefore, the property is not eligible as it does not represent a unique location, a singular physical characteristic, and is not an established and familiar visual feature of a neighborhood or community of the City.
- h. **It is one of the few remaining examples in the City, region, state, or nation possessing distinguishing characteristics of an architectural or historical type or specimen.** Ontario and southwestern San Bernardino County contain several dairy and agricultural operations similar to the property at 9381 Riverside Drive. Therefore, the property is not eligible as one of the few remaining examples in the city, region, state, or nation possessing distinguishing characteristics of an architectural or historical type or specimen.

Findings and Conclusions

No historic built environment resources were identified within the 938 Riverside Drive property based on extensive archival research, field survey, and property significance evaluation. Therefore, the property is not considered a historical resource for the purposes of CEQA. Further, no potential indirect impacts to historical resources were identified. Therefore, impacts are considered less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to historic resources. Accordingly, no changes or alterations to the Proposed Project were required to

avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.5-27)

Impact 5.5-2: For Impact 5.5-2, refer to Section C, *Findings on Significant Environmental Impacts That Can Be Reduced to a Less Than Significant Level*.

Impact 5.5-3: Grading activities could potentially disturb human remains but would comply with existing law to ensure significant impacts do not occur.

The ORSC site and sewer alignment within the Offsite Improvement Area would require demolition, ground clearing, excavation, grading, and other construction activities, in order to accommodate the proposed improvements onsite and sewer improvements. California Health and Safety Code, Section 7050.5; CEQA Section 15064.5; and PRC Section 5097.98, mandate the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

In the unlikely event soil-disturbing activities associated with the ORSC site and Offsite Improvements would result in the discovery of human remains, compliance with existing law would ensure that significant impacts to human remains would not occur.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to human remains. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.5-28)

6. Energy

Impact 5.6-1: The ORSC would not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during construction or operation.

Short-Term Construction Impacts

Construction of the ORSC, including development on the ORSC site and within the Offsite Improvement Area, would create temporary demands for electricity. Natural gas is not generally required to power construction equipment, and therefore is not anticipated during construction phases. Electricity use would fluctuate according to the phase of construction. Additionally, it is anticipated that most electric-powered construction equipment would be hand tools (e.g., power drills, table saws, compressors) and lighting, which would result in minimal electricity usage during construction activities.

Construction of the ORSC would also temporarily increase demands for energy associated with transportation fuels. Transportation energy use depends on the type and number of trips, vehicle miles traveled (VMT), fuel efficiency of vehicles, and travel mode. Energy use during construction would come from the transport and use of construction equipment, delivery vehicles and haul trucks, and

construction employee vehicles that would use diesel fuel or gasoline. The use of energy resources by these vehicles would fluctuate according to the phase of construction and would be necessary to complete that phase of construction. It is anticipated that most off-road construction equipment, such as those used during demolition and grading, would be gasoline or diesel powered. In addition, all operation of construction equipment would cease upon completion of construction. Energy resources consumed during construction of the ORSC estimated and are provided in Table 5.6-5, *Ontario Regional Sports Complex Construction Energy Consumption*, in Section 5.6, *Energy*, the Draft EIR. Nonetheless, the consumption of these energy resources is necessary to construct the Proposed Project.

The construction contractors would be required to minimize nonessential idling of construction equipment in accordance with the 13 CCR, Article 4.8, Chapter 9, Section 2449. Such required practices would limit wasteful and unnecessary energy consumption. Therefore, construction of the ORSC would not result in the wasteful, inefficient, or unnecessary consumption of energy resources.

Long-Term Impacts During Operation

Operation of the ORSC would create demand for electricity and natural gas for building energy use and demand for electricity, compressed natural gas, diesel, and gasoline for vehicle transportation. Operational use of electricity and natural gas in buildings would include heating, cooling, and ventilation of buildings; water heating; operation of electrical systems; use of onsite equipment and appliances; and lighting.

Electricity Consumption

Electrical service to the ORSC site is provided by Southern California Edison (SCE) through connections to existing offsite and onsite electrical lines and new onsite infrastructure. As shown in Table 5.6-6, *Ontario Regional Sports Complex Electricity Consumption*, in Section 5.6 of the Draft EIR, at full buildout of the ORSC, which is assumed as early as 2027, electricity consumption would total an estimated 18,643,141 kilowatt-hours (kWh) annually after accounting for both building electricity demand and electric vehicle electricity demand. As shown in this table, the ORSC would consume electricity at a per capita rate that is lower than the county average. Moreover, though Table 5.6-6 shows that the proposed buildings would consume 17,338,246 kWh per year, the ORSC would be required to comply with the latest California Building Standards Code (CBSC) and California Green Building Standards Code (CALGreen) requirements for including rooftop solar systems and passive energy efficiency designs to reduce potential wasteful, inefficient, or unnecessary consumption of electricity.

Regarding electricity that would be drawn from the grid, electricity utility compliance with the State's Renewable Portfolio Standards (RPS) program under Senate Bill (SB) 100 would ensure that the proportion of electricity that is sourced from renewable and carbon-free sources—and consumed by the ORSC—increases until it must be 100 percent in 2045. ORSC compliance with the CBSC and CALGreen and utility compliance with SB 100 ultimately result in incremental shifts away from reliance on fossil fuels and toward a greater reliance on renewable energy sources. Overall, the ORSC would result in lower per capita electricity consumption when compared to existing consumption rates in the county, decrease reliance on fossil fuels, and increase reliance on renewable energy sources. Therefore,

the ORSC’s electricity consumption would not be considered wasteful, inefficient, or unnecessary, and this impact would be less than significant.

Natural Gas Consumption

As shown in Table 5.6-7, *Ontario Regional Sports Complex Natural Gas Consumption*, of the Draft EIR, natural gas consumed by the ORSC would total 12,359,271 therms annually, the natural gas consumption for all proposed buildings other than the stadium. The Baseball Stadium building would be all electric and would not consume any natural gas for building energy needs. As shown in this table, the ORSC would consume natural gas at a per capita rate that is lower than the County average. In addition, the consumption estimates in the table are largely drawn from the default consumption estimates from the California Emissions Estimator Model (CalEEMod), which are based on the California Energy Commission’s (CEC’s) 2018–2030 Uncalibrated Commercial Sector Forecast (commercial forecast), compiled by the CEC in 2019. This means that the modeled natural gas use reflects average building consumption rates through 2019 and corresponds with a mixture of building designs that are compliant with the 2016 CBSC and earlier code versions.

Because each version of the CBSC has built on the energy efficiency performance of the last—i.e., a building designed compliant with the minimum requirements of the 2019 Code would consume less energy than the same building designed compliant with the 2016 Code, and a building designed to the 2022 Code would consume less energy than that of the 2019 Code—future iterations of the CBSC are assumed to achieve greater energy efficiency performance. The ORSC would be required to comply with the latest CBSC and CALGreen requirements that apply at the time of design approval, including requirements for passive energy efficiency design to reduce potential wasteful, inefficient, or unnecessary consumption of natural gas. Moreover, the current 2022 California Energy Code—Part 6 of the CBSC—is structured in a way that includes mandatory requirements for all projects but also allows building designs to demonstrate compliance through either the Prescriptive Requirements or Performance Pathway.

As a result of required compliance with the California Energy Code, the ORSC’s energy consumption is anticipated to be substantially lower than what is shown in Tables 5.6-6 and 5.6-7. Moreover, natural gas consumed by the ORSC site would be the result of space and water heating needs for the businesses and buildings onsite to operate and serve the local and regional community with park and entertainment amenities. In addition, it should be noted that the ORSC would be required under Mitigation Measure GHG-2¹ to eliminate natural gas consumption for building energy needs not related to commercial cooking activities. Implementation of Mitigation Measure GHG-2 would result in an increase in electricity consumption and a decrease in natural gas consumption from what is shown in Tables 5.6-6 and 5.6-7; however, the exact extent of energy source fuel switching is unknown because the exact natural gas needs for potential commercial cooking activities is unknown. Therefore, these estimates assume an unmitigated energy scenario.

¹ See Section D.3, *Greenhouse Gas Emissions*.

As described above and within Section 5.6, *Energy*, of the Draft EIR, the ORSC's natural gas consumption would not be considered wasteful, inefficient, or unnecessary, and this impact would be less than significant.

Transportation Fuel Consumption

Operation of the ORSC would consume transportation energy from the use of motor vehicles (e.g., gasoline, diesel, compressed natural gas, and electricity). Table 5.6-8, *Ontario Regional Sports Complex Transportation Fuel Consumption*, in Section 5.6 of the Draft EIR shows the estimated fuel usage of the ORSC compared to the existing county consumption estimates in Table 5.6-4.

As shown in this table, the ORSC site would result in lower per capita transportation fuel usage for gasoline-, diesel-, and compressed natural gas-powered vehicles. Because of State and federal vehicle fuel efficiency standards, the average fuel efficiency for vehicles used by employees and visitors of the ORSC site is anticipated to improve with each year as older and less fuel-efficient vehicles are retired and replaced with newer, more fuel-efficient vehicles or vehicles powered by alternative fuel sources (e.g., electricity, hydrogen). Therefore, the ORSC site is anticipated to result in lower per capita transportation fuel consumption. Moreover, incremental vehicle fleet turnover in future years would decrease reliance on fossil fuels and slowly shift a greater proportion of transportation energy needs to electricity, which will incrementally increase the ORSC's reliance on renewable energy sources through electricity utility compliance with SB 100.

Furthermore, the ORSC site would include pedestrian and bicycle amenity improvements that would encourage the use of active transportation modes (e.g., biking and walking). Improving the nearby active transportation infrastructure would encourage less travel by single-occupancy-passenger vehicle, which would further contribute to minimizing per capita VMT.

Summary

Overall, regulatory compliance (e.g., Building Energy Efficiency Standards, CALGreen, RPS, and Corporate Average Fuel Economy standards) will increase building energy efficiency and vehicle fuel efficiency and reduce building energy demand and transportation-related fuel usage. Additionally, the ORSC site would include design features pursuant to the applicable energy efficiency requirements in effect at the time the respective building undergoes permitting, encourage active transportation, and incorporate renewable energy generation that will contribute to minimizing building and transportation-related energy demands overall and demands on nonrenewable sources of energy. Implementation of the ORSC would not result in inefficient, wasteful, or unnecessary energy consumption. Therefore, this impact would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to wasteful, inefficient, or unnecessary consumption of energy resources. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.6-16)

Impact 5.6-2: The ORSC would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

California Renewable Portfolio Standard Program

The state's electricity grid is transitioning to renewable energy under California's RPS Program. Renewable sources of electricity include wind, small hydropower, solar, geothermal, biomass, and biogas. In general, California has RPS requirements of 33 percent renewable energy by 2020 (SB X1-2), 40 percent by 2024 (SB 350), 50 percent by 2026 (SB 100), 60 percent by 2030 (SB 100), and 100 percent by 2045 (SB 100). SB 100 also establishes RPS requirements for publicly owned utilities that consist of 44 percent renewable energy by 2024, 52 percent by 2027, and 60 percent by 2030. The statewide RPS requirements do not directly apply to individual development projects, but to utilities and energy providers such as SCE, whose compliance with RPS requirements would contribute to the State of California objective of transitioning to renewable energy. The land uses accommodated under the ORSC would comply with the current and future iterations of the Building Energy Efficiency Standards and CALGreen.

Ontario Community Climate Action Plan

The City adopted a Community Climate Action Plan (CCAP) to implement a plan to reduce GHG emissions to achieve SB 32 emission reduction targets by year 2030 and additional reductions beyond year 2030. While the CCAP's primary focus is reducing community-wide GHG emissions, a main strategy in the plan relates to improving energy efficiency, reducing fossil fuel energy consumption, and promoting renewable energy consumption in its place. As demonstrated in Table 5.8-7, *Ontario Regional Sports Complex Consistency with CCAP Strategies*, in the Draft EIR, the ORSC would be generally considered consistent with the City's CCAP and consistent with its energy efficiency and renewable energy strategies.

The ORSC would be required to comply with the version of the CBSC, including the Building Energy Efficiency Standards in Part 6, that is in effect at the time that each proposed structure is designed. Currently, the 2022 Building Energy Efficiency Standards require that new structures of specified occupancy types either include rooftop solar systems or be designed in such a way they achieve the same energy efficiency as if solar were included. The ORSC would involve pedestrian and active transportation improvements throughout and adjacent to the ORSC site, such as sidewalks and bicycle lanes, that would reduce VMT and transportation fuel consumption. Moreover, the ORSC would comply with applicable water efficiency standards in CALGreen to reduce the amount of water and electricity consumed for treatment and transport during operation. These features support the ORSC's consistency with the City's CCAP strategies that are focused on energy efficiency and renewable energy. Therefore, the ORSC would be consistent with the California RPS program and the City's CCAP, and this impact would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to conflict with or obstruction of a state or local plan for renewable energy or energy efficiency. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.6-17)

7. Geology and Soils

Impact 5.7-1: Project occupants and visitors would be subject to potential seismic-related hazards resulting in risks to life or property.

Seismic-related hazards were studied within the Geotechnical Investigation (see Appendix F2 of the Draft EIR), which included site-specific recommendations for Planning Area 1 and Planning Area 2. Supplemental geotechnical investigations would be required to evaluate seismic hazards on the remaining portion of the ORSC site and Offsite Improvement Area in compliance with the Seismic Hazard Mapping Act, and the California Building Code (CBC), and the City of Ontario's Municipal Code.

Earthquakes and Ground Rupture

The ORSC site is not within an Alquist-Priolo earthquake fault zone. Several other large active fault systems, including the Whittier, San Jacinto, Sierra Madre, and San Andreas faults, occur in the region surrounding the site. These fault systems, in large part, control the geologic structure of southern California. The potential for surface rupture at the site is considered remote. Therefore, the construction and operation of the ORSC would not directly or indirectly expose people or structures to substantial adverse effects related to fault rupture. Impacts would be less than significant.

The ORSC site is subject to seismic events (ground shaking) due to its proximity to the fault systems mentioned above. However, the ORSC would comply with the standards of the CBC and Ontario Municipal Code to ensure that structures designed for human occupancy would meet earthquake resistance standards. These standards would reduce impacts from seismic ground shaking to a less than significant level.

Landslides and Seismically Induced Soil Hazards

The ORSC site and the area surrounding the site are relatively flat. There are no slopes within or adjacent to the site. Furthermore, according to the California Geological Survey's Deep-Seated Landslide Susceptibility Map, the ORSC site is in an area of low landslide hazard susceptibility. Development of the ORSC would have less than significant impacts with respect to landslide hazards.

Due to the great depth of the groundwater and upon accomplishment of the proposed removals, the potential for dry sand settlement at the ORSC site is minimal. The 2023 Geotechnical Investigation of the stadium site (2023 study) estimated that 0.70 inch of total seismically induced ground settlement may occur at the site under modeled earthquake conditions. Impacts associated with dry sand settlement would therefore be less than significant. Additionally, due to the depth to groundwater on the site and its vicinity (approximately 190 feet below the existing ground surface), the potential for liquefaction based on the existing conditions is low. The ORSC would have less than significant impacts with respect to liquefaction hazards.

Other Earthquake Hazards

A seiche is a free or standing-wave oscillation on the surface of water in an enclosed or semi-enclosed basin. The wave can be initiated by an earthquake and can vary in height from several centimeters to a

few meters. The potential for a seiche impacting the property is considered nonexistent because the ORSC site is not within proximity to a body of water large enough to result in a seiche. Impacts would therefore be less than significant.

Similarly, the ORSC site would not be subject to tsunami hazards. The ORSC site is more than 30 miles from the Pacific Ocean and not within the State of California Tsunami Inundation Zone. Impacts would therefore be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to seismic-related hazards. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.7-10)

Impact 5.7-2: Unstable geologic unit or soils conditions, including soil erosion, could result from development of the ORSC resulting in risks to life or property but compliance with the CBC and Ontario Municipal Code would reduce impacts.

Soils on the ORSC site were studied within the Geotechnical Investigation (see Appendix F2 of the Draft EIR). Site-specific recommendations for grading were identified for Planning Area 1 and Planning Area 2. In compliance with California Health and Safety Code Sections 17953 to 17955 and Section 1802 of the CBC, supplemental studies will be also required to provide additional recommendations for the remaining area ORSC site and Offsite Improvement Area. The City requires compliance with the CBC through Title 8, Chapter 1, Section 8-1.01 of the Ontario Municipal Code.

Erosion

The ORSC would involve the grading the 199-acre site to remove or relocate the organic matter associated with historical dairy operations on the site in addition to offsite construction on surrounding roadways. Trenching, grading, and compacting associated with the construction of buildings; the modification, construction, and relocation of underground utility lines; and installation of landscaping and construction of hardscape could expose onsite soil to wind and water erosion during construction activities. Compliance with the CBC and Ontario Municipal Code and review of grading plans by the City Engineer would ensure no significant impacts would occur. As such, development of the ORSC would not result in significant impacts with regard to soil erosion.

Compressible Soils

According to the 2015 Geotechnical Investigation for the Armstrong Specific Plan EIR (2015 study), the undocumented artificial fill and upper portions of the young alluvial fan deposits onsite were considered compressible and unsuitable to support the proposed improvements under the residential Armstrong Ranch Specific Plan development. Therefore, the ORSC site could expose persons or structures to potentially significant hazards from compressible soils. The 2023 study recommended that prior to placement of compacted fills, all nonengineered fills and loose, porous, or compressible soils be removed down to competent ground. The study further notes that removed and/or overexcavated soils may be moisture conditioned and recompacted as engineered fill, except for soils

containing detrimental amounts of organic material. The recommended depths of soil removals are in Appendix F2 of the Draft EIR.

Therefore, compliance with the CBC and Ontario Municipal Code, in addition to review of grading plans by the City Engineer and incorporation of recommendations from the project geotechnical investigations, would ensure no significant impacts would occur.

Expansive Soils

The 2015 study concluded that the soils on the studied portion of the ORSC site have a low to medium expansion potential. The 2023 study concluded that soils at the ORSC site have a very low expansion classification. The 2023 study recommends that potential expansive properties of the soils be reassessed and verified at the completion of rough grading. Compliance with the CBC and Ontario Municipal Code and recommendations of the respective geotechnical investigations and City Engineer would ensure that impacts associated with expansive soils are reduced to less than significant.

Corrosive Soils

The 2015 study classified the soils on the studied area of the ORSC site as “severely corrosive” to buried metals. According to the Natural Resource Conservation Service web soil survey, an approximately 52-acre portion of the site underlain by Hilmar loamy fine sand has a high corrosion potential for steel. The remaining portion of the site underlain by Delhi fine sand has a low corrosion potential. The 2023 study supports these conclusions, noting that the ORSC site soils that were tested have a soil reactivity of 6.8, an electrical resistivity of 770 ohm-cm, and a chloride content of 153 ppm. These results indicate that the ORSC site soils are corrosive to ferrous (iron) metals. The 2015 study and 2023 study provide recommendations to correct and reduce existing onsite soils and geotechnical conditions of the ORSC site. The incorporation of these recommendations in addition to compliance with the CBC and review from the City Engineer would ensure that impacts are less than significant.

Lateral Spreading

Lateral spreading is a horizontal ground movement that can occur in saturated soft soils as a response to severe ground shaking or rapid loading. Because saturated soils have high water content, there normally is little or no lateral support to prevent them from bulging out from under a heavy load during seismic vibration or rapid filling. Due to the depth of groundwater (approximately 190 feet below the existing ground surface) and the low moisture level of the soil, the potential for lateral spreading on the site is considered low. The incorporation of the recommendations from the studies of the remaining portions of the ORSC site would ensure that impacts regarding lateral spreading for the whole of the ORSC site are less than significant.

Subsidence

There is a potential for subsidence in the Ontario area due to groundwater pumping and extraction from the Chino Basin. It is anticipated that if subsidence due to groundwater extraction were to occur, it would affect the entire region and not result in significant differential settlement across the site. Additionally, the 2023 study reports that soils at the ORSC site have a subsidence factor of 0.15 foot

and notes that the degree to which fill soils are compacted may require adjustments in grades near the completion of grading to balance the earthwork.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to erosion and other soils hazards. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.7-12)

Impact 5.7-3: Soil conditions may not adequately support proposed septic tanks but no septic tanks are proposed.

The ORSC would not include septic systems. Option 2 for the sewer improvements involves the installation of new sewer infrastructure to serve the ORSC site, as shown in Figure 3-9, *Sewer Infrastructure*, in Chapter 3, *Project Description* in the Draft EIR. The ORSC and Offsite Improvements would not result in any impact with respect to soil conditions for septic tanks.

Finding. The Proposed Project would have no direct or indirect impacts relating to soil unsuitable for septic tanks. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.7-12)

Impact 5.7-4: For Impact 5.7-4, refer to Section C, *Findings on Significant Environmental Impacts That Can Be Reduced to a Less Than Significant Level.*

8. Greenhouse Gas Emissions

Impact 5.8-1 For Impact 5.8-1, refer to Section D, *Significant and Unavoidable Impacts That Cannot Be Mitigated to Below the Level of Significance.*

Impact 5.8-2 For Impact 5.8-2, refer to Section D, *Significant and Unavoidable Impacts That Cannot Be Mitigated to Below the Level of Significance.*

9. Hazards and Hazardous Materials

Impact 5.9-1: Construction and operation of the ORSC site and construction of the sewer alignment could involve the transport, use, and/or disposal of hazardous materials; however, compliance with existing local, state, and federal regulations would ensure impacts are minimized.

Hazardous materials (e.g., fuel, oils, solvents, paints) would be routinely transported, stored, and used at the ORSC site during construction. Because the ORSC and sewer alignment in the Offsite Improvement Area would result in soil disturbance greater than one acre, management of soil and

hazardous materials during construction activities would be subject to the requirements of the Stormwater Construction General Permit (see Section 5.10, *Hydrology and Water Quality*, of the Draft EIR), which requires preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) that includes hazardous materials storage requirements. The handling, use, transport, and disposal of hazardous materials during the construction phase of the ORSC would also comply with existing regulations of the Environmental Protection Agency (EPA), the San Bernardino County Environmental Health Division, Occupational Safety and Health Administration (OSHA), California Division of Occupational Safety and Health, and US Department of Transportation.

Operation of the ORSC may involve the routine storage and use of small quantities of commercially available hazardous materials for routine maintenance (e.g., paint, cleaning supplies, and fuel). Any hazardous materials used during operation of the ORSC would be transported, used, stored, and disposed in accordance with existing regulations and product labeling, thereby minimizing the hazard to the public and the environment. If storage of hazardous materials exceeds specific quantities during project operation, the ORSC would be required to comply with existing hazardous materials regulations, including preparation of a hazardous materials business plan, as enforced by the San Bernardino County Department of Environmental Management.

The routine transportation, use, and disposal of hazardous materials during construction and operation may pose health and safety hazards to workers if the hazardous materials are improperly handled, or to nearby residents and the environment if the hazardous materials are accidentally released into the environment. The routine handling and use of hazardous materials by workers would be performed in accordance with OSHA regulations, which include training requirements for workers and a requirement that hazardous materials are accompanied by manufacturer's Safety Data Sheets. Cal/OSHA regulations include requirements for protective clothing, training, and limits on exposure to hazardous materials. Compliance with these existing regulations would ensure that workers and nearby residents are protected from exposure to hazardous materials that may be transported, stored, or used onsite. There are no schools within 0.25 miles, so no impacts would occur with respect to use and emission of hazardous materials near schools.

Construction and operation of the ORSC and sewer alignment in the Offsite Improvement Area would comply with the above hazardous materials safety regulations, and compliance with these regulations would reduce impacts to less than significant.

Finding. The Proposed Project would have less than significant director indirect impacts relating to transport, use, and disposal of hazardous materials, to release of hazardous materials, and to emission and handling of hazardous materials, substances, or waste. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.9-33)

Impact 5.9-2: For Impact 5.9-2, refer to Section C, *Findings on Significant Environmental Impacts That Can Be Reduced to a Less Than Significant Level.*

Impact 5.9-3: The ORSC site is in the Influence Areas of the Ontario International Airport and Chino Airport but would not result in a safety hazard or excessive noise associated with the airports.

The ORSC site is approximately 2.8 miles south of the Ontario International Airport (ONT or ONT-IAC) and approximately 2.2 miles northeast of the Chino Airport. It is within the Influence Areas of both airports but outside the Safety Zones of both airports. The ORSC site is also outside of the noise contours of both airports as well. The ORSC site is, however, within the Federal Aviation Administrator (FAA) Height Notification Surface zone for ONT, which requires the FAA to be notified of any construction that would result in a structure that exceeds a 100:1 slope projecting 20,000 feet from the nearest ONT runway. FAA notification would be required if the structures at the ORSC would exceed 200 feet in height. The ORSC would not develop any structures exceeding this height; the tallest structures, which are the light poles, would be 110 feet above ground level.

A consistency determination analysis has been completed by the City for submittal to ONT-IAC and is included as Appendix N to the Draft EIR and found no conflicts with the airport safety zones. Therefore, the ORSC would have less than significant impacts with respect to airport hazards.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to safety hazard or excessive noise for people residing or working in the project area located within an airport land use plan. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.9-38)

Impact 5.9-4: For Impact 5.9-4, refer to Section C, *Findings on Significant Environmental Impacts That Can Be Reduced to a Less Than Significant Level.*

Impact 5.9-5: The ORSC site is not in a designated fire hazard zone and would not expose structures to fire danger.

The ORSC site is not in a designated fire hazard severity zone but in a primarily suburban and agricultural area, and it does not contain unique slopes or other factors that would exacerbate wildfire risks. The ORSC would therefore not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. The ORSC would have less than significant impacts with regard to fire hazards.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to wildland fires. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.9-38)

10. Hydrology and Water Quality

Impact 5.10-1: The ORSC would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.

Construction

Clearing, grading, excavation, and construction activities associated with the ORSC, which includes development on the ORSC site and Offsite Improvement Area, have the potential to impact water quality through soil erosion and increasing the amount of silt and debris carried in runoff. Additionally, the use of construction materials, such as fuels, solvents, and paints, may present a risk to surface water quality. Finally, the refueling and parking of construction vehicles and other equipment onsite during construction may result in oil, grease, or related pollutant leaks and spills that may discharge into the storm drain system.

To minimize these potential impacts, future development associated with the ORSC would require compliance with the Construction General Permit (CGP) Order WQ 2022-0057-DWQ, which includes the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP). In addition, the City of Ontario requires as a standard condition of approval that an erosion and sediment control plan be submitted prior to grading plan approval and the issuance of a grading permit. Implementation of the erosion control plan would address any potential erosion issues associated with proposed grading and site preparation activities associated with the ORSC.

Submittal of the permit registration documents and implementation of the SWPPP and the erosion control plan throughout the construction phase of the ORSC would address anticipated and expected pollutants of concern as a result of construction activities, which could include equipment fuels, sediment, paints, cleaning solvents, and other construction materials. The ORSC would comply with all applicable water quality standards and waste discharge requirements. As a result, water quality impacts associated with construction activities under the ORSC would be less than significant.

Operations

Once the ORSC has been constructed, urban runoff could include a variety of contaminants that could impact water quality. Runoff from buildings and parking lots typically contain oils, grease, fuel, antifreeze, byproducts of combustion (such as lead, cadmium, nickel, and other metals), as well as fertilizers, herbicides, pesticides, and other pollutants.

According to the Santa Ana Regional Water Quality Control Board (RWQCB) MS4 permit, the ORSC would be classified as a Priority Development Project because it would create more than 10,000 square feet of impervious surfaces. Therefore, preliminary and final Water Quality Management Plans (WQMPs) would be required for the ORSC under the MS4 permit prior to the start of construction. The WQMPs would identify Best Management Practices (BMPs) for prevention of stormwater pollution during the post-construction phase, including site-design, source-control, and/or treatment BMPs.

Preliminary stormwater control plans for the ORSC include the use of the offsite Mill Creek Wetlands, which can accommodate a runoff discharge volume from up to 120 acres of the ORSC site associated with the open space-recreation land uses. The Mill Creek Wetlands is an approximate 52-acre wetland along the Cucamonga Creek Channel near its intersection with Chico Corona Road in the City of Eastvale south of Ontario. Runoff from the ORSC site would be conveyed via the Cucamonga Creek Channel to the Mill Creek Wetlands to the south. The use of this regional BMP will be in addition to onsite BMPs, which may include bio-retention areas, underground detention facilities, and permeable landscaping and planter areas.

The ORSC would comply with the BMPs in the WQMPs in addition to all State, County, and local regulations regarding stormwater runoff during the operational phase. Therefore, water quality standards and waste discharge requirements would not be exceeded, and surface water and groundwater quality would not be degraded. Impacts would be less than significant.

Finding. The Proposed Project would have a less than significant direct or indirect impacts relating to surface or groundwater quality. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.10-21)

Impact 5.10-2: The ORSC would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the ORSC may impede sustainable groundwater management of the basin.

Groundwater Use

Ontario obtains its groundwater from the Chino Groundwater Basin, which makes up approximately 46 percent of the city's water supply. The Ontario Municipal Utility Company ensures that domestic demands do not exceed the safe yield for the basin, consistent with the Chino Basin Watermaster's Optimum Basin Management Program. The estimated water demand of the ORSC is 242 acre-feet-year (afy). The water demand and supply analysis in the City's 2015 and 2020 Urban Water Management Plans (UWMP) accounted for the development of the ORSC site under the Armstrong Ranch Specific Plan, which had an estimated water demand of 606 afy. The 2015 and 2020 UWMPs stated that the City's available water supply would meet the projected water demands during normal, single dry, and multiple dry years. Therefore, the ORSC's water demand would be met by the City's existing available water supply documented in the 2015 and 2020 UWMPs. The ORSC would not substantially deplete groundwater supplies.

Construction activities for the ORSC would involve the excavation and removal of over 66,000 cubic yards of material from the ORSC site at a maximum depth of about three feet. The groundwater level at the ORSC site is estimated to be 160 to 190 feet below ground level (see Appendix G2 of the Draft EIR). Therefore, groundwater would not be encountered during excavation, and dewatering is not required.

Additionally, the ORSC site contains several active wells that feed into man-made ponds and channels. In compliance with the Chino Basin Water Master's Well Procedure for Developers, a well

use/destruction plan and schedule for all existing private/agricultural wells shall be submitted to the City for approval prior to the issuance of permits for any construction activity.

The ORSC would also be required to comply with the State water efficiency requirements and install low-flow water fixtures as specified in the CALGreen and California Plumbing Codes and the Model Water Efficiency Landscape Ordinance (MWELo) requirements for water efficient landscaping. As determined by the water supply assessment in Appendix M of the Draft EIR, the City can meet the water demand for the ORSC, and impacts to groundwater supplies would be less than significant.

Groundwater Recharge

Although development of the ORSC would increase the amount of impervious surfaces and could potentially impact groundwater recharge, the ORSC is required to implement BMPs and low-impact development measures in accordance with the County WQMP guidance and the regional MS4 permit. Runoff would be conveyed to the Lower Cucamonga Creek Spreading Grounds, a groundwater recharge site south of the ORSC site. Additionally, the Mill Creek Basin would accommodate the discharge runoff volume from up to 120 acres of the ORSC's open space-recreation land uses. With implementation of stormwater control measures to be included in the preliminary and final WQMPs for the ORSC, operation of the ORSC would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the ORSC may impede sustainable groundwater management of the basin. Therefore, impacts on groundwater recharge would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to impediment of sustainable groundwater management of the basin. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.10-22)

Impact 5.10-3: The ORSC would increase impervious surfaces but would not substantially alter the existing drainage pattern in a manner which would result in substantial erosion or siltation, and/or flooding.

Erosion and Siltation

The ORSC would involve excavation and removal of between two and three feet of organic material from the ORSC site in addition to mass grading of the site and trenching within the Offsite Improvement Area for the sewer alignment. These activities could result in erosion or siltation. If not controlled, the transport of these materials to local waterways could temporarily increase suspended sediment concentrations and release pollutants attached to sediment particles. To minimize this impact, the ORSC would be required to comply with the requirements in the State's CGP, including preparation of a notice of intent and SWPPP prior to the start of construction activities. The SWPPP would describe the BMPs to be implemented during the ORSC's construction activities.

In addition, the City of Ontario requires preparation of an erosion and sediment control plan and implementation of BMPs to control erosion, debris, and construction-related pollutants. This would further reduce the potential for erosion and siltation during the construction phase.

For post-construction, the ORSC would be required to control stormwater discharges under National Pollution Discharge Elimination System (NPDES) Permit No. CAS618036 through preparation of WQMPs identifying BMPs for reducing or eliminating runoff. Collectively, implementation of BMPs outlined in the SWPPP, erosion and sediment control plans, and the WQMPs would address anticipated erosion and siltation impacts. Therefore, the ORSC would not result in substantial erosion or siltation on- or offsite.

Flooding On- and Offsite

The ORSC would increase the amount of impermeable surfaces at the ORSC site, which has the potential to result in on- and offsite flooding. The ORSC would implement BMPs in SWPPPs to reduce flooding impacts due to runoff during construction and BMPs in WQMPs to reduce the potential for post-construction flooding impacts. In compliance with the City's standard conditions of approval for new development, hydrology studies and drainage analyses will be prepared to determine the peak runoff rates from the developed site and evaluate the capacity of the storm drain system to accept these flow rates. The ORSC would also extend storm drains in Riverside Drive to the ORSC site and within proposed internal roadways, including within Ontario Avenue. These improvements would involve construction within a portion of the San Bernardino County Flood Control District (SBCFCD) right-of-way at the northeastern corner of the ORSC site on Riverside Drive and an easement along the southern boundary of the ORSC site on Chino Avenue. The ORSC would require an encroachment permit from SBCFCD for these improvements.

The BMPs determined in the preliminary and final WQMPs and planned drainage improvements would reduce the potential for on- and offsite flooding during the operational phases. Therefore, the ORSC would not result in flooding on- or offsite.

Surface Runoff and Capacity of Storm Drain System

Stormwater from the ORSC would drain into onsite storm drains and be initially conveyed to the Lower Cucamonga Creek Spreading Grounds south of the site, and eventually into the Cucamonga Creek Channel. In compliance with the regional MS4 Permit and San Bernardino County Stormwater Program, the ORSC would be required to install stormwater treatment BMPs that retain the 2-year, 24-hour rainfall event. These BMPs, which will be included in the preliminary and final WQMPs, would ensure that surface runoff from the ORSC would not exceed the capacity of the local storm drain system and reduce the impacts of any increases in surface water flows that enter the storm drainage systems. Impacts would be less than significant.

Redirecting Flood Flows

Since the ORSC is required to comply the regional MS4 Permit and detain the ORSC's design capture volume, any flood flows would also be detained temporarily through either onsite BMPs or the use of designated offsite drainage basins. This would minimize the potential for flooding impacts from the ORSC site. Impacts related to impeding or redirecting flood flows would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to alteration or addition of impervious surfaces. Accordingly, no changes or alterations to the Proposed

Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.10-24)

Impact 5.10-4: The ORSC would not exacerbate risk of flood hazards, tsunamis, or seiches or risk release of pollutants due to inundation.

The ORSC site is not within a 100-year floodplain, per the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map No. 06071C8638H5, dated August 28, 2008. While the ORSC site is immediately west of the Cucamonga Channel, the channel is considered to have sufficient capacity to convey flood flows (100-year, 24-hour storm event) for the Ontario sphere of influence and upstream drainages. The ORSC would be required to prepare a hydrological study, as required for projects in 500-year floodplains by TOP 2050. This would ensure that the ORSC would not exacerbate risk of flood hazards at the ORSC site.

Additionally, the ORSC site is within the dam inundation zone of San Antonio Dam. The dam is owned and operated by the USACE and functions as a flood control and debris dam for San Antonio Creek. Dam inundation is characterized as of medium concern in the City's Local Hazard Mitigation Plan and the City of Ontario has never been impacted by a major dam failure. In addition, dam owners are required to maintain emergency action plans (EAPs) that include procedures for damage assessment and emergency warnings. Because the likelihood of catastrophic failure of the San Antonio Dam is very low and the City has EAP notification procedures, impacts of release of pollutants due to dam inundation are considered less than significant.

There are no large bodies of water that would result in a seiche during seismic activity. The ORSC site is inland and approximately 30 miles from the ocean and is not at risk of flooding due to tsunamis. Therefore, impacts associated with the release of pollutants due to inundation would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to risk of release of pollutants due to project inundation. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.10-25)

Impact 5.10-5: The ORSC would not obstruct or conflict with the implementation of a water quality control plan or sustainable groundwater management plan.

The City's groundwater supplies are from the Chino Groundwater Basin, which is adjudicated and managed by the Chino Basin Watermaster. The Chino Basin is exempt from legislative requirements under the Sustainable Groundwater Management Act because it is an adjudicated basin, so it is not required to prepare a groundwater sustainability plan. Because the Chino Basin does not have a sustainable groundwater management plan, the ORSC would not obstruct or conflict with a sustainable groundwater management plan.

Adherence to the State CGP, implementation of the SWPPP, and adherence to the City's Erosion and Sediment Control Plan requirements would also ensure that surface and groundwater quality are not

adversely impacted during construction. The ORSC would be required to comply with the region's water quality control plan (i.e., the Santa Ana River Basin Plan) and to control pollutants in discharges of stormwater from post-construction activities under NPDES Permit No. CAS618036 through preparation of WQMPs identifying BMPs for prevention of stormwater pollution during the post-construction phase, including site-design, source-control, and/or treatment BMPs. Therefore, the ORSC would not obstruct or conflict with the RWQCB's Basin Plan or any groundwater management plan, and impacts would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to conflict with or obstruction of a water quality control plan or sustainable groundwater management plan. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.10-25)

11. Land Use and Planning

Impact 5.11-1: The ORSC would not divide an established community.

The ORSC site currently consists of primarily agricultural land, a limited number of residences, and miscellaneous commercial uses. The closest established residential communities to the ORSC site are the Countryside Specific Plan neighborhood to the east of the ORSC site and the Vineyard South neighborhood north of the ORSC site. The sewer alignment in the Offsite Improvement Area is below ground and would not divide an established community.

The ORSC would develop the ORSC site with a baseball stadium, retail and hospitality uses, and a variety of indoor and outdoor community sports facilities. To accommodate the proposed uses on the ORSC site, Riverside Drive and Ontario Avenue would be widened, and Vineyard Avenue would be extended south of Riverside Drive to Chino Avenue. These roadway improvements would also help to improve connection between the communities surrounding the ORSC site. All development would occur within the boundaries of the ORSC site and in surrounding roadways, and therefore would not physically divide an existing community. Impacts would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to physical division of an established community. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.11-6)

Impact 5.11-2: Project implementation would not conflict with applicable plans adopted for the purpose of avoiding or mitigating an environmental effect. [Threshold LU-2]

City of Ontario

Consistency with TOP 2050

The ORSC development would require a General Plan Amendment to redesignate approximately 156 acres of land designated Low Density Residential (LDR) and Medium Density Residential (MDR) to Open Space Parkland (OS-P) and redesignate an additional 34 acres of LDR to Hospitality for the proposed baseball stadium, ancillary/supportive retail, and lodging uses, as shown in Figure 3-15, *Proposed General Plan Amendment of the Project Area*, in Chapter 3, *Project Description*, in the Draft EIR.

Land Use Designations

As stated in Table LU-02 of The Ontario Plan (TOP) 2050, Land Use Designations Summary Table, the OS-P designation is intended for recreational facilities such as tot-lots, parks, golf courses, and sports complexes and joint-use facilities with schools, utilities, and drainage facilities. The recreation uses under the ORSC—the soccer and baseball fields (Planning Area 5), indoor athletic facility (Planning Area 6), and community recreation center area (Planning Area 7)—are consistent with the intent of the OS-P designation.

The remaining 34 acres of the ORSC site would be designated under TOP 2050's Hospitality (HOS) designation. This designation is intended for regional-serving, tourist-serving, retail, entertainment, and service uses such as convention centers, hotels/motels, and restaurants. Planning Areas 1 through 4 would be developed with a baseball stadium, supporting retail uses, and a hotel, which are consistent with the intent of the Hospitality designation.

The proposed redesignation to Hospitality and Open Space would not result in physical impacts to the environment because it would not conflict with Ontario's policies adopted for the purpose of reducing or avoiding an environmental impact. Therefore, impacts would be less than significant.

Goals and Policies

The ORSC would also be consistent with the goals and policies of TOP 2050 Policy Plan, detailed in Section 5.11, *Land Use and Planning*, of the Draft EIR. As explained on pages 5.11-7 through 5.11-8 of the Draft EIR, the ORSC would not conflict with Ontario's policies adopted for the purpose of reducing or avoiding an environmental impact. Therefore, impacts would be less than significant.

Consistency with Development Code

The zoning for the ORSC site would also be amended to align with the proposed General Plan designations—51.57 acres would be rezoned to Convention Center Support Retail (CCS) to implement the Hospitality (HOS) designation, and 134.42 acres would be rezoned to Open-Space Recreation (OS-R) to implement the Open Space-Park (OS-P) designation. As stated in Section 5.01.005, *Establishment of Base Zoning Districts*, of the Ontario Development Code, the CCS zoning district

is intended to accommodate uses developed at a maximum intensity of 1.0 floor area ratio, and the OS-R district is intended to accommodate open space uses such as public parks and recreation centers.

ORSC development in the CSS zoning district would be required to comply with the development standards in Section 6.01.015, Commercial Zoning Districts, which includes provisions such as a maximum floor area ratio of 1.0 for all commercial buildings and a maximum building height of 55 feet. The proposed uses would also be required to comply with the City parking requirements listed in Table 6.03-1 of Chapter 6, Development and Subdivision Regulations. The ORSC would not conflict with Ontario's policies adopted for the purpose of reducing or avoiding an environmental impact. Therefore, impacts would be less than significant.

Consistency with SB 330 and SB 166

SB 330

Because the ORSC will replace areas planned for residential use with nonresidential uses, the loss in residential capacity must be offset by increasing the residential capacity by an equal amount elsewhere in the city to comply with SB 330, which mandates there be no net loss of residential capacity citywide.

TOP 2050 planned for a total of 1,471 units in the areas designated LDR and MDR in ORSC site. To offset this loss, 94 acres along the Vineyard Corridor, south of the ORSC site, would be assigned a more intense land use designation, changing from LDR to MDR. The current land use designation in the Vineyard Corridor, LDR, allowed up to 424 units under TOP 2050. Because of SB 330, the combined capacity for the ORSC site and the Vineyard Corridor parcels must be maintained, meaning the GPA and Rezone area must support a minimum capacity of 1,895 units (1,471 units to offset the Proposed Project plus 424 units to account for the existing capacity on the parcels where growth potential will be reallocated). To achieve this, the Proposed Project requires a General Plan Amendment designating the Vineyard Corridor parcels (94 acres) as MDR instead of LDR, creating capacity for 2,075 units, 180 units more than required to comply with SB 330.

SB 166

SB 166 mandates that a jurisdiction maintain an inventory of sites suitable to fulfill its low and very low Regional Housing Needs Allocation (RHNA) obligation at all times, and the 194 units that were allocated to the ORSC site must be reallocated to other suitable sites in the city. To comply with this requirement, two of the parcels in the Vineyard Corridor (19.25 of 94.00 acres) that were identified to accept the units reallocated from the ORSC site for SB 330 compliance will be added to the Housing Element's sites inventory.

To be considered suitable for the development of low- and very low-income housing under state law, the sites must allow a density of 30 dwelling units or greater and meet other requirements. To achieve the required density, TOP land use designation on these properties will be changed to MDR, and the City's zoning designation will be updated to include the affordable housing overlay. The MDR designation allows densities up to 30 units per acre for qualifying projects if the affordable housing overlay zoning district is also applied. With the application of the overlay, the Vineyard Corridor parcels will qualify as sites suitable to support housing affordable to low- and very low-income households. The entire residential capacity of these sites, however, cannot be counted toward the City's low- and

very low-income RHNA obligation. Because the sites along the Vineyard Corridor and the rest of western Ontario Ranch do not have access to infrastructure, State law only allows a portion of the development capacity to be counted toward meeting the City's RHNA obligation. The proportion of units that could be counted as suitable for low- and very low-income housing was based on the anticipated time frame when water and sewer would be available. Because the ORSC will bring backbone infrastructure to the Vineyard Corridor parcels earlier than was anticipated with Armstrong Ranch, it is estimated that the two sites can accommodate 212 units affordable to low- and very low-income households, which is 13 more affordable units than was supported by the four sites that will be removed from the inventory. This surplus of 13 low- and very low-income units in the Housing Element sites inventory can be used to meet future SB 166 requirements.

Consistency with SCAG's Connect SoCal

The ORSC is considered a project of regionwide significance under the criteria in Southern California Association of Governments' (SCAG) Intergovernmental Review Procedures Handbook (November 1995) and Section 15206 of the CEQA Guidelines because it would require a general plan amendment and would construct over 500,000 square feet of commercial building space. This warrants a consistency analysis with SCAG's Connect SoCal goals. As described in Table 5.11-1, *Consistency with SCAG Connect SoCal*, in Section 5.11, *Land Use and Planning*, in the Draft EIR, the ORSC is generally consistent with the overarching goals of Connect SoCal. The ORSC would not conflict with SCAG policies adopted for the purpose of reducing or avoiding an environmental impact.

Consistency with Airport Land Use Plans

The ORSC site is in the Airport Influence Area of ONT, and a portion of the ORSC site is in the Influence Area of Chino Airport. However, the ORSC site is not within the designated safety zones of either airport.

The ORSC site is within the FAA Height Notification airspace boundary for ONT, which requires a project to notify the FAA if it would exceed an imaginary surface extending outward and upward at 100:1 slope for a horizontal distance of 20,000 feet from the nearest runway. The northern boundary of the ORSC site is approximately 14,780 feet south of the nearest ONT runway. The maximum height of the uses under the ORSC would not exceed 147.8 feet and therefore do not require notification of the FAA. A consistency determination analysis for the ONT has been prepared by the City for submittal to ONT IAC and is included as Appendix N to the Draft EIR.

The ORSC would also be required to meet the conditions of the Chino Airport Authority and the 2011 Caltrans Airport Land Use Planning Handbook, including those determining appropriate land uses, maximum population density, maximum site coverage, height restrictions, required notification/disclosure areas based on the noise contours and runway protection, approach, and Part 77 zones of the adopted Chino Airport Master Plan.

The ORSC would not conflict with airport-related policies adopted for the purpose of reducing or avoiding an environmental impact. Therefore, impacts associated with the ORSC would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to conflict with land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.11-11)

12. Mineral Resources

Impact 5.12-1: Implementation of the ORSC would not result in the loss of availability of a known mineral resource.

The ORSC site and Offsite Improvement Area is within MRZ-3, where the significance of mineral deposits cannot be determined from the available data. Development in an MRZ-3 area would not result in significant impacts because mineral resources of statewide or local importance are not identified on the California Geological Survey's P-C maps. The ORSC site is not within an MRZ-2 area; therefore, development of the ORSC site would not result in the loss of availability of a known mineral resource. Therefore, the ORSC would not result in any impacts.

Finding. The Proposed Project would have no direct or indirect impacts relating to availability of a known mineral resource and to the availability of locally-important mineral resource recovery site. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.12-3)

13. Noise

Impact 5.13-1: For Impact 5.13-1, refer to Section C, *Findings on Significant Environmental Impacts That Can Be Reduced to a Less Than Significant Level.*

Impact 5.13-2: For Impact 5.13-2, refer to Section C, *Findings on Significant Environmental Impacts That Can Be Reduced to a Less Than Significant Level.*

Impact 5.13-3: Construction of the ORSC would create groundborne vibration and groundborne noise but vibration levels would not result in structural damage or vibration annoyance.

Vibration

Construction vibration levels were analyzed at receptors and structures adjacent to the ORSC site. For vibration annoyance, land use most sensitive to construction vibration includes places where people typically sleep, such as residences. Figure 5.13-11, *Maximum Distance to Impact for Construction Vibration*, in Section 5.13, *Noise*, of the Draft EIR, shows the maximum calculated distances to structural and

annoyance impacts for areas surrounding the ORSC site. Construction vibration calculations and results for each receptor can be found in Attachment B of Appendix J1 of the Draft EIR.

Vibration Structural Damage

Vibration-inducing activities that are proposed for construction of the ORSC include the use of vibratory rollers, bulldozers, and dump trucks. The highest vibration level when evaluating for structural damage is 0.1601 peak particle velocity (PPV). This level is predicted to occur at the commercial strip mall at 1919 East Riverside Avenue, which is approximately 32 feet from the ORSC site. This level is below the Federal Transit Administration (FTA) damage impact criteria; therefore, sensitive structures farther away would also have no damage impact from construction of the ORSC. Therefore, impacts would be less than significant.

Vibration Annoyance

Vibration annoyance predictions were calculated to estimate an approximate distance to impact for vibratory rollers, bulldozers, and dump trucks. For an annoyance impact to occur, a vibratory roller would need to be used closer than 27 feet; a large bulldozer would need to be used closer than 12 feet; and a dump truck/loaded truck would need to be used closer than 12 feet. The nearest vibration-sensitive receptor to the proposed work areas is approximately 35 feet away. Therefore, no vibration annoyance is predicted to occur during the construction of the ORSC, and impacts would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to vibration. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.13-56)

Impact 5.13-4: The ORSC Site is proximate to the Ontario International Airport and Chino Airport but outside of the noise impact zones; therefore, it would not expose people to airport-related noise.

The ORSC site is approximately 2.8 miles south of Ontario International Airport and approximately 2.2 miles northeast of the Chino Airport. It is within the influence areas of both airports but outside the safety zones and noise contours of both airports. Therefore, the ORSC would not expose people to substantial levels of airport-related noise, and impacts would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to airport-related noise. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.13-56)

14. Population and Housing

Impact 5.14-1: The ORSC would not result in population growth in the city.

Employment

The ORSC would develop the ORSC site with a baseball stadium, retail/hospitality, and city park uses. As shown in Table 5.14-9, *Employment Under the Ontario Regional Sports Complex*, in Section 5.14, *Population and Housing*, in the Draft EIR, the ORSC is expected to result in 1,026 total jobs. According to the US Census Bureau, the City of Ontario had 112,516 jobs in 2020, so the added jobs under the ORSC would result in a 0.9 percent increase of jobs in the city. The total number of jobs forecast under TOP 2050 for the city by 2050 is 296,002. When added to the number of existing jobs in the city, the ORSC's contribution to jobs would not exceed TOP 2050's projection. However, because the ORSC involves a land use change and the uses under ORSC were not considered in the buildout forecast for TOP 2050, the ORSC's contribution to jobs in the city would represent an approximately 0.3 percent increase from TOP 2050's projection. Similarly, though the employment from the ORSC was not considered in SCAG's 2045 employee forecast, it would represent a nominal increase of 0.6 percent from the 2045 projection for the city.

While the ORSC would increase the number of jobs in the City, it is not expected to induce population growth. According to the California Employment Development Department, unemployment in the City was 4,300 in December 2023 (4.6 percent unemployment rate) and 50,700 for San Bernardino County (5 percent unemployment rate). Therefore, the jobs created by the ORSC are expected to be filled by the existing local and regional labor pool. Therefore, population impacts associated with employment under the ORSC would be less than significant.

Housing and Population

The ORSC does not include residential uses. Therefore, the ORSC would not increase the city's population. However, the ORSC would need to comply with SB 330 and SB 166 to offset the loss of housing potential identified in TOP 2050 for the ORSC site. To ensure compliance with State housing laws, the ORSC would redesignate 94 acres along the Vineyard Corridor, south of the ORSC site, to a more intense land use designation—from LDR to MDR. No specific residential project is proposed. This action is solely to replace the housing capacity designated for the ORSC site under TOP 2050 and so comply with State housing laws. The ORSC would therefore not facilitate unplanned population growth due to the production of housing. Impacts would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to population growth. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.14-10)

Impact 5.14-2: The ORSC would not result in the displacement of people and/or housing.

The ORSC site is primarily utilized for agricultural use but contains some single-family homes, and development of the ORSC site would require the removal of these rural residential units. This is expected to result in the displacement of one resident at the existing dairy on the property. Furthermore, the City has a vacancy rate of 4.7 percent and therefore is expected to have adequate housing capacity to accommodate the displaced resident. Implementation of the ORSC would not result in the need to rebuild existing homes or construct replacement housing. Therefore, impacts with regard to displacement under the ORSC would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to displacement of people and housing. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.14-11)

15. Public Services

Impact 5.15-1: The ORSC would not result in substantial adverse impacts associated with new or altered OFD fire protection and emergency facilities in order to maintain acceptable service ratios, response times or other performance objectives for fire protection and emergency services.

While the ORSC would not contribute to a population increase in the city, it would result in periodic and permanent increases in demand for fire protection and emergency medical services on the ORSC site due to the proposed uses. The increased activity on the site includes employees and attendees of games and events at the proposed baseball stadium, as well as daily employment and visitors of the proposed retail, hotel, and city park and community recreation center uses.

The Ontario Fire Department (OFD) has indicated that Station 3 at 1408 E Francis Street in Ontario would be the primary response station for the ORSC site. Stations 6 and 9 would provide secondary response to the ORSC site. The number of people visiting and working at the ORSC site would fluctuate throughout the year and on a daily basis because the schedule of activities at the proposed baseball stadium and use of the proposed city recreation facilities would vary by sport seasons. Therefore, the potential for accidents and conflicts requiring OFD response may increase, specifically on days with multiple high-attendance events.

OFD has indicated that the department would have the manpower to handle day-to-day events under ORSC. However, OFD also stated that the high-attendance events at the stadium may require additional fire and/or medical teams. Additional staffing needs would be identified through the City's special event permitting process. As events are scheduled, the City would coordinate with OFD to adjust shifts and initiate major tactical alert so that resources can be reallocated on an as-needed basis across OFD's personnel. According to the OFD, no additional employees are required because the additional staffing needed for event days would be handled through temporary staffing (backfill positions/overtime). Therefore, the periodic increases in demand under the ORSC would not require the provision of new or expanded fire facilities, construction of which would have the potential to

cause significant environmental impacts. Fire protection and EMS response to the ORSC site would be accommodated within the City's existing fire service facilities, and development of the ORSC would not result in a significant impact on the ability to maintain adequate level of fire protection service to the area. Development impact fees (DIF) would also be collected in order to build and supply necessary fire and emergency service needs.

Furthermore, all project buildings would be constructed in accordance with the applicable provisions of the adopted CFC; the City's municipal code Section 4-4.01; and standard conditions regarding fire prevention and suppression measures related to water improvement plans, fire hydrants, fire access, and water availability. Additionally, prior to the approval of the ORSC, the City's Building Department and OFD would review building plans to ensure that all applicable fire safety features are incorporated as part of the ORSC. Prior to the approval of occupancy permits for the new buildings, it would be required that the OFD would inspect all new structures to ensure that all fire safety features have been implemented and installed correctly.

The City is also developing a parking and traffic management plan to reduce traffic impacts (see Mitigation Measure TRAF-2 in Section D.5, *Transportation*). The plan will also address circulation improvements and measures within the ORSC site, including event traffic control. The measures in the plan would also ensure that emergency vehicle access is maintained during all high-attendance events at the ORSC site.

As explained above, the ORSC would have less than significant impacts with regard to fire protection and emergency services.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to fire protection services. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.15-5)

Impact 5.15-2: The ORSC would not result in substantial adverse impacts associated with new or altered OPD police protection facilities in order to maintain acceptable service ratios, response times or other performance objectives for police protection services.

The ORSC would result in an increase in the level of activity on the ORSC site when compared to existing conditions. Activity on the ORSC site would consist of patrons attending games/events, employees of the stadium and retail/hospitality uses, customers of the retail/hospitality uses, local/regional sports teams/clubs and spectators, and community members using the recreational facilities. While the number of people in and around the ORSC site would fluctuate, the general increase in activity under the ORSC would result in periodic increases in demands for police protection by the Ontario Police Department (OPD).

During periods without events, the ORSC would have typical OPD police protection needs, similar to other entertainment, commercial, hotel, parking, and recreation uses in the city. During high-attendance events, however, an increased level of police protection personnel may be required on-and/or offsite for patrolling and potential response to incidents associated with the large crowds and

increase in pedestrian activity. Additional staffing needs for the department would be identified through the City's special event permitting process. According to the OPD, no additional employees are required because the additional staffing needed for event days would be accommodated using temporary staffing (backfill positions/overtime). As events are scheduled, the City would coordinate with OPD to adjust shifts so that resources can be reallocated on an as-needed basis across OPD's personnel.

As discussed above, the City is preparing a parking and traffic management plan that would address the needs of event traffic control at the proposed stadium (see Mitigation Measure TRAF-2). The City would also coordinate with the OPD to determine in advance if additional staff would be required based upon attendance at the stadium during games and large events through the special events permitting process. OPD does not anticipate any concerns with providing service to the ORSC so long as the ORSC incorporates the recommend lighting and security features required by the City's Municipal Code and traffic-reduction measures in the event traffic management plan. Security lighting features incorporated into the Project Design include:

- Photosensor-operated lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public.
- LED lighting for all fixtures.
- Lighting that is as close to 3400 degrees Kelvin coverage as possible.
- Vandal-resistant lighting fixtures.
- Photometrics plan that details the types of fixtures for OPD review.
- OPD review and consultation on optimum security camera coverage.

Pursuant to the City's existing permitting process, the Building Department would review final site plans for the ORSC to ensure that crime prevention through design measures and other OPD recommendations are incorporated as part of the ORSC. Furthermore, the ORSC would be required to pay DIFs to help offset costs associated with providing police services to the ORSC. Though the ORSC would increase activity on the ORSC site, thereby increasing the number of potential service calls compared to existing conditions, the ORSC would not require the construction or alteration of OPD facilities in order to maintain OPD's performance objectives for police services. Therefore, the ORSC would have less than significant impacts with regard to police protection services.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to police protection services. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.15-8)

Impact 5.15-3: The ORSC would not generate new students who would impact the school enrollment capacities of area schools.

The ORSC does not include residential uses and therefore would not increase the student population in the school districts that serve the ORSC site. However, the Armstrong Ranch Specific Plan planned for a potential future school at the ORSC site which is in the attendance boundary of Mountain View School District. Mountain View School District indicated in its response to a questionnaire for the

ORSC (see Appendix K of the Draft EIR) that of all its potential school sites in Ontario Ranch, it would likely first eliminate the Armstrong school site from future consideration since the site is on the western edge of the District's boundaries. The District also stated that the change of planned use for the ORSC site from residential under the Armstrong Ranch Specific Plan to non-residential uses under the ORSC may reduce the need for an elementary school in the vicinity of the ORSC site since new students would not be generated by the ORSC. For these reasons, the District has noted that the ORSC would not result in impacts to school services or the District's long-term plans.

Therefore, the ORSC would not require the construction or alteration of school facilities in order to meet demand for school services. Impacts under the ORSC would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to school services. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.15-11)

Impact 5.15-4: The ORSC would not increase demand for library services.

Demand on libraries is based on the generation of a resident population. The ORSC would not introduce any new permanent residents that may become patrons of the Ontario Library System. Therefore, implementation of the ORSC would not directly create a demand for public library facilities and would not directly result in the need to modify existing or construct new library. Therefore, no direct impact would occur to library services or facilities.

Finding. The Proposed Project would have no direct or indirect impacts relating to library services. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.15-16)

16. Recreation

Impact 5.16-1: The ORSC would expand recreation opportunities in the city and region.

The ORSC includes a variety of multiuse sports and recreational facilities, including soccer fields, baseball fields, an indoor gymnasium for basketball and volleyball, an aquatics facility, a skate park, pickleball/tennis courts, trails and open space, and playgrounds, in addition to the baseball stadium and supporting hospitality and retail. As shown in Table 3-2, *Ontario Regional Sports Complex Amenities Summary*, in Chapter 3, *Project Description*, of the Draft EIR, the ORSC would result in 134.16 acres of recreational space accounting for the acreages of the uses in Planning Areas 5 through 7, including parking. These facilities would be available for use by the public and would increase the total parks and recreation land acreage in the city to 662.82 acres, which is an approximately 25 percent increase to the current 528.66 acres. The programming of these facilities would be coordinated by the Ontario Recreation and Community Services Department.

The ORSC does not involve residential uses and therefore would not contribute to population growth in the city that would increase the use of other existing parks and recreational facilities. Because the ORSC would increase the acreage of recreational amenities in the city, there would be no impact.

Finding. The Proposed Project would have no direct or indirect impacts relating to substantial physical deterioration of recreational facilities. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.16-4)

17. Transportation

Impact 5.17-1: The ORSC would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

The ORSC includes street widening and intersection improvements from half width to potentially full width along Vineyard Avenue, Riverside Drive, and Chino Avenue (see Figure 3-7, Road Improvements, and Figure 3-8, Roadway Improvement Cross-Sections, in Chapter 3, Project Description, of the Draft EIR). These roadway improvements are consistent with the City's Circulation Plan.

TOP designates several proposed Class I (off street multipurpose trail) and Class II (bike lane) facilities in the vicinity of the ORSC site, connecting to the city's broader bicycle network. None of the roadways immediately adjacent to the ORSC site currently have bike lanes (Class II) or designated bike routes (Class III). New roadways would include bicycle and pedestrian facilities in accordance with the City's Circulation Plan. The ORSC would include bicycle infrastructure on roadways immediately adjacent to the ORSC site, including a Class I multiuse trail along the west side of Vineyard Avenue and Class II bike lanes along Riverside Drive between Vineyard Avenue and the Cucamonga Channel. The proposed bicycle facilities on the internal and improved roadway segments would improve overall access throughout the ORSC site.

The ORSC would also enhance pedestrian facilities throughout the ORSC site by providing new sidewalks and enhanced lighting and landscaping in addition to bicycle lanes, which would enhance pedestrian safety. These Project features closely align with TOP's Mobility Elements policies LU-1.3, LU-1.4, PR-1.1, CE-1.12, M-1.4, M-2.1, M-2.2, M-2.3, M-2.4, and SR-1.4.

The ORSC does not include new transit service. However, existing transit service is available Monday through Friday until 8:00 pm at the Ontario-East Metrolink Station, which is near the corner of Mission Boulevard and Haven Avenue, approximately two miles northeast of the ORSC site. The ORSC would continue to be served by Omnitrans Route 87 along Riverside Drive with enhanced bus stops at Whispering Lakes Lane/Riverside Drive and Ontario Avenue/Riverside Drive. The City would build on its working partnership with transit providers to increase transit service in the Ontario Ranch area and as part of the Project's Transportation Demand Management measures. These satisfy TOP's Mobility Elements policies LU-1.4, PR-1.1, CE-1.12, M-1.2, M-1.6, and M-3.2.

No significant impact associated with conflicts with the City's multimodal plans would occur.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to conflict with a program, plan, ordinance, or policy addressing the circulation system. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.17-17)

Impact 5.17-2 For Impact 5.17-2, refer to Section D, *Significant and Unavoidable Impacts That Cannot Be Mitigated to Below the Level of Significance.*

Impact 5.7-3: For Impact 5.17-3, refer to Section C, *Findings on Significant Environmental Impacts That Can Be Reduced to a Less Than Significant Level.*

18. Tribal Cultural Resources

Impact 5.18-1: For Impact 5.18-1, refer to Section C, *Findings on Significant Environmental Impacts That Can Be Reduced to a Less Than Significant Level.*

19. Utilities and Service Systems

Impact 5.19-1: The ORSC would require relocation and/or construction of new or expanded wastewater infrastructure; however, the construction or relocation of this infrastructure would not cause significant environmental effects.

The ORSC would result in an increase in wastewater generation with the addition of residential and nonresidential land uses to an existing property currently on septic systems. Additionally, the ORSC would require the expansion of the existing sewer infrastructure. The two options for the proposed expansion are summarized in Chapter 3, *Project Description*, of the Draft EIR.

Sewer Infrastructure

Construction impacts for each sewer option are evaluated throughout the DEIR. For both Sewer Options 1 and 2, wastewater from the ORSC would be collected by new onsite infrastructure to sewer lines south of the site and ultimately conveyed to RP-5. The ORSC would have the potential to increase sewer flows by 0.06 mega gallons per day (mgd) (66.2 acre-feet per year (afy)). The wastewater generation for the ORSC was assumed to be 95 percent of the potable water demand determined in the Water Supply Assessment.

Each sewer option would require the expansion of the City's existing wastewater infrastructure. For Sewer Option 1, new onsite wastewater pipelines would connect to the existing IEUA's RP-1 bypass pipeline onsite and to the Eastern Trunk Line to the east along Archibald Avenue. For Sewer Option 2, a new sewer line ranging from 12 to 20 inches in diameter would be installed beneath Vineyard Avenue between Chino Avenue and Eucalyptus Avenue. Under each sewer option, the sewer installations are

required to comply with the City's Municipal Code Chapter 7, Section 6-7.707, Sanitary Sewer Installation Policy and the Setting of Sewer Connection Fees, and construction plans must be reviewed and approved by the City. Additionally, the City regularly updates its Sewer Master Plan and Capital Improvements Plan (CIP) and has a process to assess local sewer impacts on a project-by-project basis. The draft 2020 Sewer Master Plan serves as an infrastructure planning tool to make decisions as to when CIP projects are warranted. The Ontario Municipal Utilities Company (OMUC) regularly provides and prioritizes sewer projects for inclusion in the latest CIP, which includes a budget for wastewater infrastructure improvements over a five-year planning horizon.

In summary, the City's wastewater collection system will be upgraded and expanded in both Sewer Options 1 and 2. However, with the planned wastewater collection expansions, the City wastewater collection system would adequately convey the additional 0.06 mgd that would occur with implementation of the ORSC. Therefore, there would be no significant impacts on wastewater infrastructure.

Wastewater Treatment Capacity

With respect to wastewater treatment, Inland Empire Utilities Agency (IEUA's) Regional Plant No. 5 (RP-5) has a planned capacity of 22.5 mgd by 2025. Since RP-5 treats an average wastewater flow of 8.2 mgd, the excess treatment capacity for RP-5 is approximately 14.3 mgd.² The additional wastewater generation for the ORSC of 0.06 mgd is well below the excess capacity of 14.3 mgd for RP-5. Therefore, the ORSC would not exceed the capacity of the wastewater treatment provider.

In addition, IEUA has seen a decrease in the volume of sewage flows of approximately 10 percent since 2013, even as the population has increased. This is a result of a decrease in indoor water consumption with the installation of more efficient plumbing fixtures and compliance with California Green Building Standards Code for new developments. IEUA also assesses monthly wastewater sewer fees and one-time sewer connection fees to provide funds for future upgrades and expansion of its infrastructure and Wastewater Treatment Plants (WWTPs). In addition, IEUA continually updates its Wastewater Facilities Master Plans for RP-5 and includes plans for expansion of this facility to meet the growth within the service area through year 2060.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to project-generated wastewater, to construction and/or expansion of wastewater treatment facilities, and to wastewater treatment requirements. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.19-6)

² RP-5 Maximum Capacity minus Average Wastewater Flow equals Excess Capacity; 22.5 mgd – 8.2 mgd = 14.3 mgd.

Impact 5.19-2: The ORSC would not result in a determination by the wastewater treatment provider which serves or may serve the ORSC site that it does not have adequate capacity to serve the ORSC's projected demand in addition to the provider's existing commitments.

As described in Impact 5.19-1, RP-5 is currently permitted to treat up to 16.3 mgd and upon completion of the expansion project, scheduled for completion in 2025, would be able to treat up to 22.5 mgd. The existing wastewater flow to RP-5 is approximately 8.2 mgd. Therefore, the excess treatment capacity for RP-5 with completion of the expansion project would be 14.3 mgd. Since the additional wastewater generation for the ORSC of 0.06 mgd is well below the excess capacity of 14.3 mgd, the wastewater treatment provider would have adequate capacity to serve the ORSC's projected wastewater generation.

Additionally, the ORSC would comply with applicable regulations, including the California Green Building Standards Code for more efficient indoor water consumption and plumbing fixtures for new developments. Therefore, implementation of the ORSC would not result in a determination by the wastewater treatment providers that there is insufficient capacity to serve the ORSC's future wastewater demands in addition to the demands of existing and future development within the wastewater provider's service area. Therefore, the impacts would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to wastewater treatment provider requirements. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.19-7)

Impact 5.19-3: The ORSC would have sufficient water supplies available to serve the ORSC and reasonably foreseeable future development during normal, dry, and multiple-dry years.

The ORSC would result in an increase in water demand with the addition of a Minor League Baseball Stadium, a community center and indoor athletic facility, and other nonresidential land uses to an existing property currently on private groundwater wells. Table 5.19-5, *Water Demand Estimate for the Ontario Regional Sports Complex*, in Section 5.17, *Utilities and Service Systems*, of the Draft EIR provides the total water demand estimate for the proposed development, and detailed calculations are provided in Appendix M of the Draft EIR.

The total potable water demand is estimated to be 75,945 gallons per day (gpd) or 85.1 afy. The total recycled water demand is estimated to be 139,802 gpd or 157 afy. Therefore, the total water demand for the ORSC would be 215,748 gpd or 242 afy.

Based on the land use maps and future water demand and population projections provided in Appendix B of the 2015 UWMP and Appendix E of the 2020 UWMP, water demand for the Armstrong Ranch Specific Plan, which encompassed the 199-acre ORSC site, was included in both the 2015 and 2020 UWMP. The 2015 Water Supply Assessment (WSA) for the Armstrong Ranch Specific Plan estimated a total water demand of 606 afy. The 2015 and 2020 UWMPs stated that the City's

available water supply would meet the projected water demands during normal, single dry and multiple dry years. The ORSC's total water demand of 242 afy is less than the water demand of 606 afy assumed for the 199-acre ORSC site in the City's UWMP. Therefore, the conclusions reached in the 2015 and 2020 UWMPs that the City can meet its future water demand during normal, single-dry, and multiple dry years over the next 25-year period remains valid, and meets the water demand for the ORSC. Additionally, both the City's 2020 Water Master Plan and 2020 Recycled Water Master Plan accounted for the water demand of the Armstrong Ranch Specific Plan for future planning efforts.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to water supply. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.19-23)

Impact 5.19-4: The ORSC would require relocation and construction of new or expanded water facilities; however, the construction or relocation of this infrastructure would not cause significant environmental effects.

As described in Impact 5.19-3, the City has sufficient water supplies available under normal, single-dry, and multiple-dry year conditions to meet the demand for water from the ORSC. In the event that future demand could exceed supplies, the City would implement its water shortage contingency plan, which provides water conservation procedures as a result of drought or supply interruption. Therefore, the ORSC would not significantly impact water supplies nor require expansion of water treatment facilities.

The ORSC requires the extension and expansion of the existing potable and recycled water lines along Riverside Drive and Chino Avenue to the ORSC site, and new potable water and recycled water pipelines would be installed beneath future Vineyard Avenue to the west, Chino Avenue to the south, and Ontario Avenue. The outdoor water demand for the ORSC would be provided by recycled water, including all-natural turf fields, open space park areas, and landscape areas. The potable water installations are required to comply with the City's municipal code Chapter 8B, Section 6-8.52, Water Service Connection, and construction plans must be reviewed and approved by the City. Similar, recycled water installations are required to comply with municipal code Chapter 8C, Section 6-8.714, Recycled Water Service Application, and service applications must be reviewed and approved by the City. Additionally, the City regularly updates its Water Master Plan and CIP and has a process to assess local water impacts on a project-by-project basis.

There would be no significant impacts on water infrastructure.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to water facilities. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.19-24)

Impact 5.19-5: The ORSC would require relocation and/or construction of new or expanded stormwater drainage facilities; however, the construction of this infrastructure would not cause significant environmental effects.

Development contemplated by the ORSC would result in an increase in impervious surfaces, which in turn could result in an increase in stormwater runoff, higher peak discharges to drainage channels, and the potential to cause nuisance flooding in areas without adequate drainage facilities.

The ORSC would be required to comply with the City's storm drain policies and the MS4 permit. This would require the preparation of hydrology reports and drainage plans for review and approval by the City to ensure that there are no adverse impacts to the City's storm drain system with the addition of stormwater from the ORSC. Also, the ORSC would need to prepare a WQMP that addresses stormwater runoff and requires the construction of stormwater treatment facilities for temporary onsite retention of stormwater runoff. The hydrology reports, drainage plans, and WQMP must be approved by the City's Engineering Department prior to issuance of grading permits. These requirements would minimize the amount of stormwater runoff from potential future development in these areas.

Compliance with the City's programs that ensure adequate infrastructure and the regulatory provisions in the MS4 permit that limit runoff from new development would ensure that the ORSC would not result in significant increases in runoff that would contribute to the construction or expansion of new storm drains beyond what is already planned. In addition, the City would continue to repair, rehabilitate, and upgrade the storm drain system through implementation of the CIP program as described in the City's Master Plan of Drainage, and potential future development would be required to pay storm drainage fees per the City's municipal code. Therefore, impacts with respect to stormwater infrastructure would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to stormwater drainage facilities. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.19-31)

Impact 5.19-6: The ORSC would not generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

The total number of employees of the ORSC is 1,026 of which are associated with events at the Minor League Baseball Stadium. For these 346 employees, a solid waste generation rate for visitors at a professional Baseball Stadium was used. For the nonstadium employees (680 people), the solid waste generation rate of 15.1 ppd from CalRecycle data was used. As shown in Table 5.19-7, *Solid Waste Generated by the Ontario Regional Sports Complex*, in Section 5.17 of the Draft EIR, the ORSC would result in an increase in solid waste of approximately 18,768 pounds per day (ppd), or 3,425 tons per year. These numbers are conservative because, with continued recycling and waste reduction programs implemented by the City, the waste generation rates would be reduced over time.

The increase of 9.4 tons per day for the ORSC would be approximately 0.1 percent of the combined residual capacity of the Badlands Sanitary Landfill and the El Sobrante Landfill of 7,900 tons/day which serve the project site. This estimate conservatively assumes that all of the generated waste is landfilled. Although CalRecycle does not provide the recycling rate for Ontario, the state as a whole diverted 42 percent of its total waste in 2020.

Furthermore, the ORSC would comply with the 2022 CALGreen building code, which requires that at least 65 percent of nonhazardous construction and demolition waste from nonresidential construction operations be recycled and/or salvaged for reuse. Development would also comply with AB 341, which mandates recycling for commercial land uses. Additionally, future businesses that generate organic waste in amounts over a certain threshold would be mandated to recycle organic matter in accordance with AB 1826. Therefore, solid waste facilities would be able to accommodate project-generated solid waste associated with the ORSC.

With continued compliance with the applicable regulations, leading to increased recycling and waste diversion, anticipated rates of solid waste disposal from the ORSC would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to solid waste disposal and attainment of solid waste reduction goals. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.19-37)

Impact 5.19-7: The ORSC would comply with federal, state, and local statutes and regulations related to solid waste.

As discussed under Impact 5.19-6, the City of Ontario complies with all State requirements to reduce the volume of solid waste through recycling and organic waste diversion. The City's per capita disposal rates of 15.1 ppd per employee is below the CalRecycle targets of 16.4 ppd for employees. In addition, the ORSC would comply with Division 4.4, Material Conservation and Resource Efficiency, of the CALGreen Building Code, which requires that at least 65 percent of nonhazardous construction and demolition waste from nonresidential construction operations be recycled and/or salvaged for reuse.

The ORSC would also comply with AB 341, which mandates recycling for commercial land uses. All jurisdictions in California are required to provide organic waste collection services to all residents and businesses, beginning in 2022 and in accordance with SB 1383. The City currently complies with all applicable federal, State, and local solid waste regulations, and solid waste, recycling, and green waste collection services are available to all commercial businesses in the City. Therefore, the ORSC would comply with all current and future regulatory requirements, and impacts would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to solid waste regulations. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.19-38)

Impact 5.19-8: The ORSC would require relocation and/or construction of new or expanded electric power, natural gas, or telecommunications facilities; however, the construction of this infrastructure would not cause significant environmental effects.

Electricity

The ORSC includes undergrounding electric transmission lines along Chino Avenue and may include undergrounding of transmission lines along Riverside Drive, as shown on Figure 3-13, *Electrical Improvements*, in Chapter 3, *Project Description*, of the Draft EIR. Expansion of electricity infrastructure may necessitate new transmission lines to meet onsite energy demand.

Electrical service to the ORSC site is provided by SCE through connections to existing offsite and onsite electrical lines and new onsite infrastructure. As described in Section 5.6, *Energy*, of the Draft EIR, the stadium would be designed to be all electric, and Mitigation Measure GHG-1 (see Section D.3, *Greenhouse Gas Emissions*) would require other structures to be designed to provide electric heating and water heating. As shown in Table 5.19-8, *Ontario Regional Sports Complex Electricity Consumption*, in Section 5.19 of the Draft EIR, at full buildout of the ORSC that is assumed as early as 2027, electricity consumption would total an estimated 18,640,477 kilowatt-hours (kWh) annually after accounting for both building electricity demand and electric vehicle electricity demand. The increase of 18,640,477 kWh/year (18.6 gigawatt-hours per year [GWh/year]) is approximately 0.01 percent of the total electricity consumption for SCE in 2022 of 107,876 GWh/year. Total electricity consumption in SCE's service area is forecast to decrease by approximately 1,068 GWh/year between 2020 and 2035. SCE forecasts that it will have sufficient electricity supplies to meet demands in its service area. Electricity used onsite would be offset through solar panels required under Mitigation Measure GHG-2 (see Section D.3, *Greenhouse Gas Emissions*). Therefore, development of the ORSC would not require SCE to obtain new or expanded electricity supplies, and impacts would be less than significant.

Natural Gas

Natural gas service would be extended to the ORSC, provided by Southern California Gas Company (SoCalGas) through connections to existing offsite gas distribution lines and new onsite infrastructure. Natural gas would be provided to the nonstadium buildings planned as part of the ORSC, primarily for commercial cooking. As shown in Table 5.19-9, *Ontario Regional Sports Complex Natural Gas Consumption*, in Section 5.17 in the Draft EIR, natural gas consumed by the ORSC would total 12,359,271 therms annually (12.4 million therms). The increase of 12.4 million therms for the ORSC is approximately 0.2 percent of the total natural gas consumed in the SoCalGas service area in 2022 of 5,026 million therms. Additionally, SoCalGas forecasts that it will have sufficient supplies to meet demands in its service area. Therefore, development pursuant to the ORSC would not require SoCalGas to obtain new or expanded natural gas supplies, and impacts would be less than significant.

Telecommunications

Infrastructure supporting telecommunications services associated with the ORSC would be provided and installed in compliance with all State and local regulations, including Ontario Municipal Code Chapter 16. Furthermore, a number of franchised telecommunications providers are available in the

region, and no significant expansion or construction of the telecommunications network is anticipated as a result of implementation of the ORSC. Additionally, the ORSC includes extension of the City's OntarioNet fiber optic network to the ORSC site.

Although the telecommunications infrastructure to the ORSC site would be extended, the construction or relocation of these facilities would not cause significant environmental effects, and impacts would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to electric, natural gas, and telecommunications infrastructure. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.19-46)

20. Wildfire

Impact 5.20-1: For Impact 5.20-1, refer to Section C, *Findings on Significant Environmental Impacts That Can Be Reduced to a Less Than Significant Level.*

Impact 5.20-2: The ORSC would not exacerbate wildfire risks or expose people or structures to significant risks that may occur following a wildfire (e.g., landslides, mudflows, and flooding).

The city is outside of the State Responsibility Area (SRA) and does not contain areas subject to very high wildfire risk. However, the City recognizes that even though fuel loading is light in Ontario and fire risk comes primarily from urban fires, there is some risk related to wildfires.

Implementation of the ORSC would not add wildland vegetation to the ORSC site or Offsite Improvement Area or change site topography (such as adding large slopes) so as to exacerbate the spread of wildfire. The ORSC site is in an urbanized area with residential uses to the east; residential, commercial, and recreational uses to the north; and agricultural and industrial uses to the south and west. Additionally, the ORSC would not change prevailing or Santa Ana wind patterns. Therefore, it is unlikely that a wildfire would travel into the project area from adjacent areas and be exacerbated by the ORSC.

The ORSC would require the extension of utilities to the ORSC site, including storm drains, sewer lines, and recycled water lines; installation of domestic water lines; undergrounding of existing power lines; and expansion of the City's fiber optic network to service the ORSC site. The construction of these improvements would be required to comply with of the California Fire Code (CFC) Chapter 33's fire safety precautions for construction and demolition of a project, therefore minimizing fire-related impacts associated with the installation of this infrastructure. Additionally, all project buildings would be constructed in accordance with the applicable provisions of the adopted CFC, the City's municipal code, and standard conditions regarding fire prevention and suppression measures. Additionally, prior to the approval of the ORSC, the City's Building Department and OFD would review building plans to ensure that all applicable fire safety features are incorporated as part of the ORSC. Furthermore, the

ORSC would install onsite fire hydrants that are designed to OFD standards. The internal water lines to be constructed as part of the project are anticipated to supply sufficient fire flows and pressure to meet the demands required for onsite fire hydrants. Therefore, the proposed connections to existing infrastructure would not exacerbate fire risk on- or offsite or result in temporary or ongoing impacts to the environment.

The ORSC site and the area surrounding the site are relatively flat and there are no slopes within or adjacent to the site. Regardless of the landslide susceptibility, the ORSC would be required to comply with the CBC; City municipal code; and all state, regional, and local requirements pertaining to geotechnical hazards and constraints, including soil conditions. The implementation of the ORSC would not increase the risk of landslides after a wildfire compared to existing conditions.

The ORSC would maintain the existing drainage pattern and would not require the alteration of any stream or river. As such, the ORSC would not increase the rate or amount of surface runoff in a manner which would result in flooding or result in substantial erosion or siltation on- or offsite. If a wildfire occurs in the vicinity, the ORSC would not increase risk of downslope or downstream flooding because it is in an area of minimal flooding, and runoff from the ORSC site would be adequately conveyed by the existing and proposed storm drain infrastructure. Therefore, implementation of the ORSC would not increase the risk of downslope or downstream flooding.

With adherence to the California building codes and City procedures, development and infrastructure associated with the ORSC would not exacerbate risk or result in post-wildfire hazards (e.g., landslides, mudflows, and flooding). Therefore, impacts would be less than significant.

Finding. The Proposed Project would have less than significant direct or indirect impacts relating to wildfire risk. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 5.20-14)

C. FINDINGS ON SIGNIFICANT ENVIRONMENTAL IMPACTS THAT CAN BE REDUCED TO A LESS THAN SIGNIFICANT LEVEL

The following summary describes impacts of the Proposed Project that, without mitigation, would result in significant adverse impacts. The City Council hereby finds that Mitigation Measures have been identified in the EIR and these Findings that will avoid or substantially lessen the following potentially significant environmental impacts. Upon implementation of the mitigation measures provided in the EIR, these impacts would be considered less than significant.

1. Air Quality

Impact 5.3-2: Construction activities associated with the ORSC would generate short-term emissions that exceed South Coast AQMD's significance thresholds and would cumulatively contribute to the nonattainment designations of the SoCAB.

Short-Term Construction Emissions

Construction of the ORSC, including the sewer alignment in the Offsite Improvement Area, would generate criteria air pollutants associated with construction equipment exhaust and fugitive dust from demolition, manure off-hauling, site preparation, rough grading, fine grading, utilities trenching, building construction, paving, architectural coating, and finishing and landscaping as well as offsite improvements and sewer construction. Air pollutant emissions from construction activities onsite would vary daily as construction activity levels change. A conservative estimate of maximum daily construction emissions associated with the ORSC are provided in Table 5.3-10, *Ontario Regional Sports Complex Maximum Daily Regional Construction Emissions*, in Section 5.3, *Air Quality*, of the Draft EIR. As shown in this table, construction of the ORSC would result in an exceedance of the regional significance thresholds for NO_x and Volatile Organic Compounds (VOCs) due to the quantity of off-road construction equipment anticipated to be operating concurrently in years 2024 and 2025 and the use of architectural coatings in year 2025, respectively. This impact would be potentially significant.

Mitigation Measure

The following mitigation measure was included in the Draft EIR and the Final EIR and is applicable to the Proposed Project. The measure as provided includes any revisions incorporated in the Final EIR.

AQ-1 The City of Ontario shall require the construction contractor to incorporate the following to reduce air pollutant emissions during construction activities:

- Use construction equipment rated by the United States Environmental Protection Agency as having Tier 4 (model year 2015 or newer) Final or stricter emission limits for all off-road construction equipment. If Tier 4 Final equipment is not commercially available for a specific piece of equipment, the applicant shall provide documentation (e.g., rental inventory requests), to the City's satisfaction, or otherwise demonstrate its unavailability to the City of Ontario prior to the issuance of any construction permits and replacement equipment used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by the California Air Resources Board regulations.
- If Tier 4 Final equipment is not available, the construction contractor(s) and subcontractor(s) affected shall use Tier 4 Interim equipment.

- If Tier 4 Interim equipment is not available, the construction contractor(s) and subcontractor(s) affected shall use then Tier 3 equipment outfitted with a level 3 diesel particulate filter.
- For purposes of this mitigation measure, “commercially available” shall mean the availability of Tier 4 engines similar to the availability for other large-scale construction projects in the City occurring at the same time and taking into consideration factors such as (i) potential significant delays to critical-path timing of construction and (ii) geographic proximity to the project site of Tier 4 equipment.
- During construction, the construction contractor shall maintain a list of all operating equipment in use on the construction site for verification by the City of Ontario. The construction equipment list shall state the makes, models, Equipment Identification Numbers, Engine Family Numbers, and number of construction equipment onsite.
- Use paints with a VOC content that meets the South Coast Air Quality Management District Super Compliant architectural coatings standard of 10 grams per liter (g/L) or less (i.e.,) for coating architectural surfaces.
- Comply with South Coast Air Quality Management District Rule 403, including the following measures:
 - Provide National Institute for Occupational Safety and Health (NIOSH)-approved respirators for workers with a prior history of Valley Fever.
 - Half-face respirators equipped with a minimum N-95 protection factor for use during worker collocation with surface disturbance activities. Half-face respirators equipped with N-100 or P-100 filters should be used during digging activities. Employees should wear respirators when working near earth-moving machinery.
 - Post warnings onsite and consider limiting access to visitors, especially those without adequate training and respiratory protection.

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

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measure above. The City of Ontario hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

Rationale for Finding

Mitigation Measure AQ-1 would require all construction contractors to use Tier 4 Final equipment for the entire off-road construction fleet and “Super-Compliant” architectural coatings that contain no greater than 10 grams of VOC content per liter (g/L) of product. As discussed in Section 5.3 of the Draft EIR, Mitigation Measure AQ-1 would reduce VOC and NO_x emissions during construction of the ORSC to below South Coast AQMD significance thresholds. As such, short-term air quality impacts from construction activities related to the ORSC would not exceed threshold after mitigation (Draft EIR pg. 5.3-50)

Impact 5.3-4: Construction of the ORSC could expose sensitive receptors to substantial pollutant concentrations of toxic air contaminants.

Localized Construction Emissions Impacts

Construction-Phase Localized Significance Thresholds

Table 5.3-14, *ORSC Maximum Daily Onsite Localized Construction Emissions*, in Section 5.3 of the Draft EIR, shows the maximum daily construction emissions (pounds per day) generated during onsite construction activities compared with the South Coast Air Quality Management District (AQMD’s) screening-level Localized Significance Thresholds (LSTs). As shown in this table, construction activities associated with the ORSC would generate emissions that do not exceed the South Coast AQMD construction-phase LSTs, and this impact would be less than significant.

ORSC Construction-Phase Health Risk Significance Thresholds

The ORSC would elevate concentrations of Toxic Air Contaminants (TACs) (i.e., diesel particulate matter) in the vicinity of sensitive land uses during temporary construction activities that would use offroad equipment operating onsite, and at different levels depending on the type of activity. A site-specific construction health risk assessment (HRA) of TACs was prepared to quantify potential health risk emissions during construction (see Appendix D2 of the Draft EIR). The health risk results are shown in Table 5.3-15, *ORSC Construction Health Risk Summary*, of Section 5.3 of the Draft EIR. As shown, the ORSC would exceed the South Coast AQMD health risk threshold of 10 cancer cases per one million people for the residential and daycare maximally exposed receptors (MERs).

The results of the HRA are based on the maximum receptor concentration over the entire construction exposure duration for receptors.

- Cancer risk for the residential MER from construction activities would be an estimated 12 in a million, and the daycare MER would be an estimated 13, exceeding the 10 in a million significance threshold.
- For noncarcinogenic effects, the chronic hazard index identified for each toxicological endpoint totaled less than one for all the sensitive receptors. Therefore, chronic noncarcinogenic hazards are less than significant.

Because cancer risks for the residential and daycare MERs would exceed South Coast AQMD significance threshold, construction activities associated with the ORSC would be potentially

significant. Therefore, the ORSC would expose sensitive receptors to substantial pollutant concentrations during construction, and this impact would be potentially significant.

Mitigation Measure

Mitigation Measure AQ-1 shown above would also reduce impacts associated with exposure of sensitive receptors to TACs.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measure above. The City of Ontario hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

Rationale for Finding

Mitigation Measure AQ-1 requires the use of newer, lower-emitting, Tier 4 Final equipment or better for all off-road construction equipment. As shown in Table 5.3-20, *ORSC Mitigated Construction Health Risk Summary*, in Section 5.3 of the Draft EIR, implementation of Mitigation Measure AQ-1 would ensure that the ORSC would not exceed the South Coast AQMD health risk thresholds of 10 cancer cases per one million people. Therefore, the ORSC would not expose sensitive receptors to substantial TAC concentrations during construction, and impacts would be less than significant after mitigation. (Draft EIR pg. 5.3-54)

2. Biological Resources

Impact 5.4-1: Development of the ORSC site and Offsite Improvement Area (option 2 sewer alignment) could impact sensitive plant and wildlife species.

Sensitive Plant and Wildlife Species

Sensitive Plant Species

The literature review and database searches identified 63 special-status plant species that have previously been documented on or near the ORSC site and Offsite Improvement Area. Lucky morning-glory has a moderate potential to occur within the ORSC site and Offsite Improvement Area due to the presence of marginally suitable habitat throughout the ORSC site and Offsite Improvement Area in the form of irrigated landscapes (e.g., agricultural fields). Smooth tarplant has a low potential to occur due to the presence of marginally suitable habitat throughout the ORSC site and Offsite Improvement Area in the form of disturbed areas, including roadsides. Should these species occur within the ORSC site and Offsite Improvement Area, direct impacts in the form of ground disturbance, vegetation removal, and mortality and indirect impacts from dust and habitat loss may occur. Therefore, impacts to special-status plant species would be potentially significant.

Sensitive Wildlife Species

Of the 49 special-status wildlife species identified in the literature review, 1 was present, 2 have a moderate potential to occur, and 10 have a low potential to occur in the ORSC site and Offsite

Improvement Area. The following is a discussion of the species that have the potential to occur at ORSC site and Offsite Improvement Area.

- **Burrowing Owl.** Burrowing owl was observed at the ORSC site during the biological survey conducted by ECORP Consulting Inc in 2024. This species is a CDFW Species of Special Concern (SSC) and is protected by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code. Although only one live owl was observed, due to the mobile nature of this species and the presence of suitable burrowing and foraging habitat, burrowing owls may be present within the ORSC site and Offsite Improvement Area prior to the start of ground-disturbing activities. Direct impacts in the form of ground disturbance, vegetation removal, habitat loss, and mortality and indirect impacts from construction noise and vibrations may occur to this species. Therefore, impacts to burrowing owls would be potentially significant.
- **Crotch Bumble Bee.** Crotch bumble bee has a moderate potential to occur within the ORSC site area. This species is a Candidate for state listing and is therefore afforded all the protections as though it were listed under the California Endangered Species Act (ESA). If Crotch bumble bee is found to be using or nesting in the ORSC site and Offsite Improvement Area prior to the start of construction, impacts to Crotch bumble bee may occur in the form of direct mortality of individuals, direct mortality to an active nesting colony, direct mortality to an overwintering individual, conversion of foraging habitat, or permanent loss of foraging resources. Since project activities have the potential to interfere with an active nest, impacts to Crotch bumble bee would be potentially significant.
- **Bat Species.** Western yellow bat has a moderate potential to occur, and pallid bat, western mastiff bat, pocketed free-tailed bat, and big-free tailed bat have a low potential to occur. If bats are found to be roosting in the ORSC site and Offsite Improvement Area, direct impacts can occur in the form of mortality or roost abandonment. Roost abandonment during the maternity season could result in the mortality of flightless young, which could be a violation of California Fish and Game Code Section 4150 as well as a significant impact to a native wildlife nursery site under CEQA. Additionally, activities conducted outside of the maternity season that cause bats to leave a roost during daytime hours pose a mortality risk to individual bats. Indirect impacts from project activities may also occur in the form of reduced prey base due to loss or modification of foraging habitat. This can be substantial because the potential consequences of traveling longer distances to forage include individual mortality or even failure of a maternity colony, as failure of individuals to gain sufficient weight may result in the inability to migrate, nurse, or hibernate without starving. Therefore, impacts to these five bat species under the ORSC site and Offsite Improvement Area sewer alignment would be potentially significant.
- **Delhi Sands Flower-Loving Fly.** Delhi Sands Flower-Loving Fly (DSFLF) (federally listed Endangered) has a low potential to occur within the ORSC site and Offsite Improvement Area. If present, direct impacts to DSFLF could occur in the form of injury or mortality due to vehicle or equipment strikes and loss of habitat. If present, indirect impacts to this species may occur in the form of increased human activity, noise, dust, and ground vibrations. Impacts to this species would be potentially significant.

- **Bird Species.** Tricolored blackbird (state-listed Threatened), Swainson’s hawk (state-listed Threatened), and white-tailed kite (CDFW Fully Protected) have a low potential to occur in the ORSC site and Offsite Improvement Area. If present, direct impacts to these species could occur in the form of injury or mortality due to vehicle or equipment strikes, nest failure, and loss of habitat. If present, indirect impacts to these species may occur in the form of increased human activity, noise, dust, nighttime lighting, and ground vibrations. Impacts to these species would be potentially significant.
- **Other Species.** Two additional species have a low potential to occur within the ORSC site and Offsite Improvement Area: coastal whiptail (CDFW SSC) and Los Angeles pocket mouse (CDFW SSC). If present, direct impacts to these species could occur in the form of injury or mortality due to vehicle or equipment strike, entombment in burrows that are graded over during construction, and loss of habitat. If present, indirect impacts to these species could occur in the form of increased human activity, noise, dust, nighttime lighting, and ground vibrations.

No impacts to the 36 presumed absent special-status wildlife species are anticipated to result from the development of the ORSC and sewer alignment in the Offsite Improvement Area.

Nesting Bird Habitat

Numerous tree and shrub species, including tall eucalyptus trees and ornamental species, are present within and immediately adjacent to the ORSC site and Offsite Improvement Area. These can provide nesting habitat for nesting songbirds and raptors protected by the MBTA and California Fish and Game Code. Furthermore, the ORSC site and Offsite Improvement Area can provide nesting habitat for ground-nesting bird species such as mourning dove (*Zenaida macroura*). If construction of the ORSC and Offsite Improvement Area sewer alignment occurs during the bird breeding season (typically February 1 through August 31), ground-disturbing construction activities could directly affect birds protected by the MBTA and their nests through the removal of occupied habitat (e.g., destruction of nests, mortality of flightless juveniles) in the ORSC site and Offsite Improvement Area, and indirectly through increased noise, vibrations, increased lighting/glare, and increased human activity. Therefore, impacts to nesting birds would be potentially significant.

Mitigation Measures

The following mitigation measures were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. The measures as provided includes any revisions incorporated in the Final EIR.

- BIO-1 **Worker Environmental Awareness Program and Biological Monitor:** Prior to the start of construction of the ORSC site or sewer line within the Offsite Improvement Area, a Worker Environmental Awareness Program (WEAP) shall be developed by the City or the City’s consultant. A qualified biologist with experience with the sensitive biological resources in the region shall present the WEAP to all personnel working in the ORSC site and Offsite Improvement Area (either temporarily or permanently) prior to the start of project activities. The WEAP may be videotaped and used to train newly hired workers or those not present for the

initial WEAP. The WEAP could include but shall not be limited to discussions of the sensitive biological resources associated with the ORSC, project-specific measures to avoid or eliminate impacts to these resources, consequences for not complying with project permits and agreements, and contact information for the lead biologist. Logs of personnel who have taken the training shall be kept on the site at the construction or project office.

In addition to a WEAP, a qualified biologist (biological monitor) with experience monitoring for and identifying sensitive biological resources known to occur in the area shall be present during initial ground-disturbing activities related to the ORSC and Offsite Improvement Area (including fence installation and vegetation removal activities). As required by project permits, the qualifications of a biological monitor may need to be submitted to appropriate wildlife agencies for approval based on the resources the biologist will be monitoring. Biological monitoring duties shall include, but are not limited to, conducting worker education training, verifying compliance with project permits, and ensuring construction activities stay within designated work areas.

The biological monitor shall have the right to halt all activities in an affected area if a special-status species is identified in a work area and is in danger of injury or mortality. If work is halted by the biological monitor, work shall proceed only after the hazards to the individual is removed and there is no longer a risk to the individual, or the individual has been moved from harm's way in accordance with the project's permits and/or management/translocation plans. The biological monitor shall take representative photographs of the daily activities and shall also maintain a daily log that documents general project activities and compliance with the project's permit conditions. Non-compliance shall also be documented in the daily log, including any measures that were implemented to rectify the issue.

BIO-2 **Rare Plant Survey:** A rare plant survey shall be conducted within suitable habitat during the appropriate blooming period for the lucky morning-glory (March through September) and smooth tarplant (April through September). The survey shall be conducted by a botanist or qualified biologist in accordance with the USFWS Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed, and Candidate Plants; the CDFW Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities; and the CNPS Botanical Survey Guidelines of the CNPS. One survey shall be conducted during a time of the year that overlaps with all blooming periods (April through September).

If these species are observed during the rare plant survey, individual plants or populations shall be marked with GPS for mapping purposes. If any of these special-status plant species are detected in the ORSC site and Offsite Improvement Area and impacts to these species are unavoidable and impacts would result in deleterious effects to the regional population of the species, the City shall consult with CDFW to

develop a mitigation plan or additional avoidance and minimization measures to ensure impacts to these plant species are minimized to the maximum extent practicable. Examples of measures that may be implemented after consultation with CDFW include establishing a no-disturbance buffer around locations of individuals or a population, or additional monitoring requirements during construction of the ORSC and Offsite Improvement Area.

BIO-3

Burrowing Owl Management Plan: A live burrowing owl was documented in the ORSC site and Offsite Improvement Area during a biological survey conducted in September 2023, at which time the individual could have been migrating, arriving for the winter, or late in leaving its summer breeding grounds. Additionally, suitable burrowing owl habitat is present throughout the ORSC site and Offsite Improvement Area. In order to offset potential project-related impacts to burrowing owl and its habitat a Burrowing Owl Management Plan (BOMP) shall be developed by a qualified Project biologist who has at least three (3) years of experience working with and/or managing burrowing owls on project sites. The BOMP shall outline project-specific protection measures that are in accordance with CDFW's *Staff Report on Burrowing Owl Mitigation* (Staff Report; CDFG 2012). The BOMP shall also identify protection measures to be implemented should the species be found on the ORSC site or Offsite Improvement Areas at any time of the year (i.e., migration periods, breeding/summer, and wintering). The BOMP shall outline specific pre-construction survey methods and timing in accordance with the Staff Report and shall include instruction on survey requirements should there be a lapse in construction or project activities. The BOMP shall include project activities before which pre-construction survey requirements shall be required (such as grading, vegetation removal, and fence installation). Mitigation methods outlined in the BOMP shall include, but not be limited to, establishment of no-disturbance buffers around potential or occupied burrowing owl burrows, additional biological monitoring requirements during project activities, and passive relocation during the burrowing owl non-breeding season (September 1 through January 31, annually). Regular reporting timeframes and requirements for communication with CDFW shall also be clearly outlined in the BOMP. The BOMP shall be submitted to CDFW for review and subject to CDFW approval prior to the start of Project ground-disturbing activities.

Additionally, the City of Ontario shall continue to carry out the requirements of its Memorandum of Agreement (MOA) with IERCDC (dated November 21, 2023) to mitigate the loss of suitable burrowing owl habitat resulting from the Project. The MOA outlines the collection of Habitat Mitigation Fees by the City of Ontario that will be managed by a Land Trust for the acquisition, restoration, rehabilitation, and maintenance of lands selected by the Land Trust to have long-term conservation value for burrowing owl.

BIO-4

Preconstruction Surveys for Crotch Bumble Bee: If the Crotch bumble bee is no longer a Candidate or formally listed species under the California ESA at the time

ground-disturbing activities occur, then no additional protection measures are proposed for the species.

If the Crotch bumble bee is legally protected under the California ESA as a Candidate or Listed species at the time ground-disturbing activities are scheduled to begin, preconstruction surveys shall be conducted in accordance with CDFW's Survey Considerations for California ESA Candidate Bumble Bee the season immediately prior to project-related ground disturbing activities (including but not limited to vegetation clearing, fence installation, and grading). A minimum of three Crotch bumble bee preconstruction surveys shall be conducted at two- to four-week intervals during the colony active period (April through August) when Crotch bumble bees are most likely to be detected. Nonlethal, photo voucher surveys shall be completed by a biologist who holds a Memorandum of Understanding to capture and handle Crotch bumble bee (if nesting and chilling protocol is to be utilized) or by a CDFW-approved biologist experienced in identifying native bumble bee species (if surveys are restricted to visual surveys that will provide high-resolution photo documentation for species verification). The surveyor shall walk through all areas of suitable habitat focusing on areas with floral resources. Surveys shall be completed at a minimum of one person-hour of searching per three acres of suitable habitat during suitable weather conditions (sustained winds less than 8 mph, mostly sunny to full sun, temperatures between 65 and 90°F) at an appropriate time of day for detection (at least an hour after sunrise and at least two hours before sunset, though ideally between 9:00 a.m. and 1:00 p.m.).

If Crotch bumble bees are detected, CDFW shall be notified by the designated biologist as further coordination may be required to avoid or mitigate certain impacts. At a minimum, two nesting surveys shall be conducted with focus on detecting active nesting colonies within one week and 24 hours immediately prior to ground disturbing activities that are scheduled to occur during the flight season (February through October). If an active Crotch bumble bee nest is detected, an appropriate no disturbance buffer zone (including foraging resources and flight corridors essential for supporting the colony) shall be established around the nest to reduce the risk of disturbance or accidental take and the designated biologist shall coordinate with CDFW to determine if an Incidental Take Permit under Section 2081 of the California ESA will be required. Nest avoidance buffers may be removed at the completion of the flight season and/or once the qualified biologist deems the nesting colony is no longer active and CDFW has provided concurrence of that determination. If no nests are found but the species is present, a full-time qualified biological monitor shall be present during vegetation or ground-disturbing activities that are scheduled to occur during the queen flight period (February through March), colony active period (March through September), and/or gyne flight period (September through October). Because bumble bees move nest sites each year, two preconstruction nesting surveys shall be required during each subsequent year of construction, regardless of the previous year's findings, whenever vegetation and ground-disturbing activities are

scheduled to occur during the flight season if nesting and foraging habitat is still present or has re-established.

BIO-5 Bat Management Plan: A Bat Management Plan shall be prepared by a qualified bat biologist no less than one year prior to the commencement of project-related activities (including, but not limited to, structure removal or demolition, tree removal, grading, and vegetation removal) that shall include specific avoidance and minimization measures to reduce impacts to roosting bats.

The project-specific Bat Management Plan may include any of the following as necessary and appropriate: additional habitat assessments of inaccessible areas that would be directly or indirectly impacted during Project activities, emergence and/or acoustic surveys for bats during the maternity season (April 1 through August 31) to assess the potential for bat maternity roosts in the ORSC site and Offsite Improvement Area, and preconstruction surveys for roosting bats including acoustic monitoring. The Bat Management Plan shall also include recommendations to minimize impacts to roosting bats, including the implementation of no-disturbance buffers, tree- and cliff-swallow nest removal protocols, passive exclusion of bats outside of the maternity and hibernation seasons (if impacts are unavoidable), and/or species-specific replacement alternative roosting habitat.

BIO-6 Tree Avoidance and Removal Process. If trees are scheduled to be removed (e.g., relocating/modified (i.e., trimming) that were determined to be suitable for bat roosting, these activities shall be scheduled during one of the seasonal periods of bat activity listed below, and when evening temperatures are not below 45°F and rain is not over 0.5 inch in 24 hours:

- September 1 to October 31 (preferred): This is after the maternity season but prior to winter torpor.
 - February 15 to March 31: After winter torpor but prior to the start of the maternity season.
1. If trees with suitable bat roosting habitat are scheduled for removal or relocation outside of the maternity season, tree removal during the time periods and weather parameters described above using the two-step method shall be conducted:
 - a. Prior to the two-step method, as much as feasible, vegetation and trees within the area that are not suitable for roosting bats shall be removed first to provide a disturbance that might reduce the likelihood of bats using the habitat.
 - b. Two-step tree removal shall occur over two consecutive days under the supervision of a qualified bat biologist. On Day 1, small branches and small limbs containing no cavity, crevice or exfoliating bark habitat on habitat trees (or outer fronds in the case of palm trees), as identified by a qualified bat biologist are removed first, using chainsaws only (i.e., no dozers, backhoes).

The following day (Day 2), the remainder of the tree is to be felled/removed. (The intention of this method is to disturb the tree with noise and vibration and branch removal on Day 1. This should cause any potentially present day-roosting bats to abandon the roost tree after they emerge for nighttime foraging. Removing the tree quickly the next consecutive day should avoid reoccupation of the tree by bats).

2. If tree removal/modification must occur during the maternity season (April 1 to August 31), a qualified bat biologist shall conduct a focused emergence survey(s) of the tree(s) within 48 hours of scheduled work. If a maternity roost is located, whether solitary or colonial, that roost shall remain undisturbed until after the maternity season or until a qualified biological monitor has determined the roost is no longer active.

BIO-7

Delhi Sands Flower-Loving Fly Habitat Suitability Assessment: Prior to the start of ground-disturbing activities (including vegetation removal and fence installation activities), a habitat assessment shall be performed within the ORSC site and Offsite Improvement Area and adjacent areas by a USFWS-permitted biologist with a 10(a)(1)(A) permit to conduct surveys for Delhi sands flower-loving fly and with extensive knowledge of the species. The purpose of the habitat assessment will be to determine the presence of suitable habitat for the species in the ORSC site and Offsite Improvement Area and adjacent areas as well as ascertain the potential for the species to occur on or adjacent to the ORSC site and Offsite Improvement Area. The habitat assessment shall include a site walkover, a check of adjacent empty lots for comparison of habitat quality to the ORSC site and Offsite Improvement Area, photographs to document the site conditions, and characterizing the type and quality of the habitats within the ORSC site and Offsite Improvement Area with respect to Delhi sands flower-loving fly.

At the conclusion of the habitat assessment, a brief report of findings as well as recommendations on whether focused surveys must be conducted shall be prepared by the USFWS-permitted biologist. The report shall also include any additional project-specific avoidance, minimization, and mitigation measure recommendations for the species. The City shall follow the recommendations identified in the report of findings.

If Delhi sands flower-loving fly is present in the ORSC site and Offsite Improvement Area and impacts to the species are unavoidable, then the City must initiate consultation with USFWS under either Section 7 or 10 of the federal ESA. If suitable habitat is identified in the ORSC site and Offsite Improvement Area, then the City of Ontario will continue to carry out the requirements of its MOA with IERCD to mitigate for loss of Delhi Sands flower-loving fly habitat. This MOA outlines the collection of Habitat Mitigation Fees by the City of Ontario that will be managed by a Land Trust for the acquisition, restoration, rehabilitation, and maintenance of lands selected by the Land Trust to have long-term conservation value for species such as

Delhi Sands flower-loving fly. Up to 25-percent of the total Mitigation Fee collected may be used for the recovery of the Delhi Sands flower-loving fly.

BIO-8 Preconstruction Survey for Nesting Birds: If construction or other project activities are scheduled to occur during the nesting bird and raptor season (generally February 1 through August 31), a preconstruction nesting bird and raptor survey shall be conducted by a qualified avian biologist to ensure that active bird nests will not be disturbed or destroyed. The survey shall be completed no more than three days prior to initial ground disturbance. The nesting bird survey shall include the ORSC site and Offsite Improvement Area and adjacent areas where Project activities have the potential to affect active nests, either directly or indirectly, due to construction activity, noise, human activity, or ground disturbance.

If an active nest is identified, a qualified avian biologist shall establish an appropriately sized nondisturbance buffer around the nest using flagging or staking. Construction activities shall not occur within any non-disturbance buffer zones until the nest is deemed inactive by the qualified avian biologist. If initial ground-disturbing activities are scheduled during the nesting bird season, then a biological monitor shall be present during all vegetation removal activities to ensure no impacts to nesting birds occur.

BIO-9 Biological Resources Best Management Practices: The construction contractor(s) shall implement the following construction best management practices during ground disturbing activities:

- To prevent encroachment into areas immediately adjacent to the Cucamonga Creek Flood Control Channel, temporary fencing should be installed along the eastern perimeter of the ORSC site.
- Confine all work activities to a predetermined work area.
- To prevent inadvertent entrapment of wildlife during the construction phase of the ORSC, all excavated, steep-walled holes or trenches more than two feet deep shall be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen fill or wooden planks shall be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals.
- Wildlife are often attracted to burrow- or den-like structures such as pipes and may enter stored pipes and become trapped or injured. To prevent wildlife use of these structures, construction pipes, culverts, or similar structures with a diameter of four inches or greater shall be capped while stored onsite.
- Food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from the construction site.
- Use of rodenticides and herbicides on the ORSC site shall be implemented in a manner that reduces the potential for primary or secondary poisoning of non-

target species. This is necessary to prevent poisoning of non-target species, including special-status species, and the depletion of prey populations on which they depend. Use of such compounds shall observe label and other restrictions mandated by the USEPA, California Department of Food and Agriculture, and other state and federal legislation. If rodent control must be conducted, zinc phosphide shall be used because it has a proven lower risk to predatory wildlife.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measures above. The City of Ontario hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Rationale for Finding

Mitigation Measures BIO-1 through BIO-9 specify the procedures and practices that would reduce potential impacts to all sensitive species that have the possibility of occurring in the ORSC site and Offsite Improvement Area. Most Mitigation Measures would require the implementation of focused biological surveys for each of the identified species or species type (nesting birds and roosting bats) and the preparation of management plans in coordination with CDFW. Implementation of these mitigation measures would ensure that the ORSC identifies protected biological resources and minimizes take of such resources to the extent possible, reducing impacts to less than significant. (Draft EIR pg. 5.4-67)

Impact 5.4-4: The ORSC and sewer alignment would affect wildlife movement.

Wildlife Movement

The ORSC site is within and adjacent to areas containing existing disturbances (e.g., paved roads, major highways, residential and commercial development, and agricultural/farming practices). Despite these disturbances, the ORSC site and Offsite Improvement Area have open areas and resources that can provide limited movement opportunities in the immediate vicinity of the ORSC site and Offsite Improvement Area. Additionally, the Cucamonga Creek Flood Control Channel borders the ORSC site to the east and may also provide limited movement opportunities for wildlife. The area of disturbance for the ORSC site does not include the Cucamonga Creek Channel, so implementation of the ORSC would have no impacts on potential wildlife movement at the channel. The Cucamonga Creek Channel is also concrete lined and does not provide native habitat that is conducive to local or regional wildlife movement. Overall, the ORSC site and Offsite Improvement Area are completely surrounded by urban development and anthropogenic disturbances and provide no connection between large, contiguous blocks of native habitat in the region. Due to their isolation and lack of vegetative cover, no wildlife corridors or linkages are present in the ORSC site and Offsite Improvement Area, and no impacts to these resources are expected to occur as a result of development of the ORSC site and sewer alignment in the Offsite Improvement Area.

Suitable bat roosting habitat was identified within the ORSC site and Offsite Improvement Area in the form of abandoned buildings and trees. Should bats be found roosting in these features during the bat maternity season (April 1 through August 31), these roosts would be considered native wildlife nursery sites and are protected under CEQA. Direct impacts to occupied bat roosts could include removal or destruction that could result in direct mortality; indirect impacts from noise, dust, and vibration during ORSC construction could result in roost abandonment and mortality of flightless young. Impacts to roosting bats are considered potentially significant.

Mitigation Measures

Mitigation Measures BIO-5 and BIO-6 shown above would also reduce impacts to wildfire corridors and nursery sites.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measures above. The City of Ontario hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Rationale for Finding

Mitigation Measures BIO-5 and BIO-6 detail the procedures needed to reduce impacts to roosting bats to less than significant. Mitigation Measure BIO-5 requires the preparation of a Bat Management Plan no less than one year prior to the commencement of construction activities. The Bat Management Plan would include the measures required to minimize impacts to roosting based on the identified habitat in the ORSC site and Offsite Improvement Area. Additionally, Mitigation Measure BIO-6 outlines the procedures necessary to reduce impacts to roosting bats with respect to tree removals. These mitigation measures would reduce impacts associated with roosting bat nursery sites to less than significant. (Draft EIR pg. 5.4-68)

3. Cultural Resources

Impact 5.5-2: Development of the ORSC and sewer alignment could impact archaeological resources.

Archeological Resources

According to the records search (see Appendix F1 to the Draft EIR), there are no Archaeological Determinations of Eligibility (i.e., archaeological resources assessed by the Office of Historic Preservation with respect to National Register eligibility) in the ORSC site and Offsite Improvement Area. Additionally, according to the Native American Heritage Commission's Sacred Land Files record search, no tribal resources were found on the ORSC site. As noted above, the Offsite Improvement Area along Vineyard Avenue has not been surveyed for cultural resources. Although there are no current known archaeological resources in the ORSC site and Offsite Improvement Area, the areas that have not been surveyed or studied could contain archaeological resources. Therefore, impacts to archaeological resources are potentially significant.

Mitigation Measure

The following mitigation measure was included in the Draft EIR and the Final EIR and is applicable to the Proposed Project. The measure as provided includes any revisions incorporated in the Final EIR.

CUL-1 Prior to the start of construction, the Project Proponent shall retain a qualified professional archaeologist to monitor all ground-disturbing activities associated with construction of the ORSC site and Offsite Improvement Area. Monitoring is not required for placement of equipment or fill inside excavations that were monitored, above-ground construction activities, or redistribution of soils that were previously monitored (such as the return of stockpiles to use in backfilling). The Monitoring Archaeologist shall meet or work under the direct supervision of someone meeting the Secretary of the Interior's professional qualifications standards for prehistoric and historic archaeology. The archaeologist shall be present at a pre-grading meeting(s), establish procedures for archeological resource monitoring during grading and construction, and establish, in conjunction with the City, procedures to temporarily halt or redirect all work to allow the sampling, identification, and evaluation of all resources as that are encountered by the archaeologist. If archeological features are discovered, the archeologist shall report such findings to the Ontario Planning Director. If the archeological resources are found to be significant, the archeologist shall determine the appropriate actions, in conjunction with the City, that shall be taken for exploration and/or salvage in compliance with CEQA standards.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measure above. The City of Ontario hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

Rationale for Finding

Mitigation Measure CUL-1 would ensure the preservation and curation of archeological resources if uncovered during ground-disturbing activities of the ORSC site and sewer alignment. This mitigation measure would ensure that impacts to archaeological resources are mitigated to less than significant levels. (Draft EIR pg. 5.5-30)

4. Geology and Soils

Impact 5.7-4: Construction of the ORSC site or within the Offsite Improvement Area could directly or indirectly destroy a unique paleontological resource, site, or unique geologic feature.

Paleontological Resources

A records search through the Western Science Center in Hemet produced no results for fossil localities within the ORSC site and Offsite Improvement Area or within a one-mile radius of the area. The geologic units mapped in the area are alluvial deposits from the Holocene and are therefore unlikely to contain fossils due to their young age. However, if ground disturbance under the ORSC exceeds the depth of the alluvial deposits, the likelihood of reaching Pleistocene (approximately 2 million years ago to 11,700 years ago) alluvial sediments would increase, and there is potential for these sediments to contain fossils.

To assess the significance of a geologic unit to contain paleontological resources (i.e., paleontological potential/sensitivity), paleontologists have adopted the standards of the Society of Vertebrate Paleontology (2010). Based on the presence of Holocene alluvium within the ORSC site and Offsite Improvement Area, a low-sensitivity criteria for producing fossils has been assigned to the area. Therefore, full-time monitoring by a qualified geologist would not be required to avoid impacts to paleontological resources. However, if ground disturbance in the ORSC site and Offsite Improvement Area exceeds the Holocene alluvial deposits (at approximately 5 to 10 feet below ground surface), the likelihood of reaching Pleistocene alluvial sediments would increase. There is considerably higher potential within these sediments to contain fossils. Therefore, impacts to paleontological resources for deep excavations are potentially significant.

Mitigation Measures

The following mitigation measures were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. The measures, as provided, include any revisions incorporated in the Final EIR.

- GS-1 Prior to grading, a Paleontological Resources Mitigation and Monitoring Plan (PRMMP) shall be prepared by a Qualified Paleontologist meeting the standards of Society of Vertebrate Paleontology (2010). The PRMMP shall discuss the laws and regulations for the protection of paleontological resources, the significance of fossils, and protocol to follow in case a discovery is made. The PRMMP shall also outline the duties of paleontological monitoring onsite, including the salvaging and preparation of fossils and the final submission of all paleontological resources to an accredited museum or facility for curation.
- GS-2 During excavations exceeding depth of approximately 5 to 10 feet below ground surface, a qualified paleontological monitor shall be present during construction activities to spot check the sediments and depths of excavations to determine the geologic units encountered. If paleontological resources are discovered, full-time

monitoring shall be required during grading, as identified in the Paleontological Resources Monitoring and Mitigation Plan.

GS-3 In the event of any fossil discovery, regardless of depth or geologic formation, construction work shall halt within a 50-foot radius of the find until its significance can be determined by a qualified paleontologist. Significant fossils shall be recovered, prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility in accordance with the standards of the Society of Vertebrate Paleontology (2010). A regional repository shall be identified by the City Council and a curatorial arrangement shall be signed prior to collection of the fossils.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measures above. The City of Ontario hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Rationale for Finding

Deep excavations in soil types below the Holocene alluvium deposits could impact paleontological resources. Mitigation Measure GS-1 would require preparation of a Paleontological Resources Mitigation and Monitoring Plan (PRMMP), and Mitigation Measure GS-2 would require an archeological/paleontological resources monitor onsite during excavation activities that exceed a depth of 10 feet below the ground surface. Mitigation Measure GS-3 also provides additional procedures in the event of fossil discovery. With implementation of Mitigation Measures GS-1 through GS-3, impacts paleontological resources would be reduced to less than significant. (Draft EIR pg. 5.7-15)

5. Hazards and Hazardous Materials

Impact 5.9-2: Project construction activities may disturb contaminants in the soil associated with the site’s former agricultural uses and could create a significant hazard to the public or the environment.

Soil Hazards

Grading activities under the ORSC and sewer alignment in the Offsite Improvement Area would involve the disturbance of onsite soils. Specifically, the ORSC would require the excavation and removal of two to three feet of organic material (manure) on the ORSC site associated with the historical dairy operations. Seven Phase I Environmental Site Assessments (ESAs)³ were conducted to study the existing conditions of the ORSC site with respect to hazardous materials and identify recommendations for addressing potential “recognized environmental conditions” (REC), including

³ See Section 5.7, *Hazards and Hazardous Materials*, of the Draft EIR for more information about the study areas of each ESA.

conditions associated with its former use as a dairy farm. A Phase II ESA for the Pietersma Family Trust study area was also completed prior to publishing the Draft EIR.

Hazardous Materials Sites Listings

The environmental regulatory records reviews conducted as part of the seven Phase I ESAs for the ORSC site searched a variety of regulatory databases to identify whether the study areas were listed. The ORSC site was identified in Hazardous Waste Tracking System, HAZNET, CalEPA Regulated Site Portal, Enforcement Action Listing, California Integrated Water Quality System, National Pollutant Discharge Elimination System, Exposure Model for Individuals, Facility Index System, Statewide Environmental Evaluation and Planning System Underground Storage Tank, Hazardous Substance Storage Container, Facility Inventory Database for Underground Storage Tanks, and San Bernardino County Permit databases for the generation of minor quantities of hazardous wastes, previous minor violations, various emissions, a 550-gallon diesel-fuel UST, and for having an active NPDES permit. The hazardous conditions associated with these listings are discussed below.

Recognized/Historical Environmental Conditions

An REC is the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property. The Phase I ESAs for the seven study areas identified two RECs that applied to all study areas:

- The current and/or historical agricultural fields are considered an REC due to the potential for pesticide use.
- The historical/current dairy farm and livestock farming operations and the presence of current or former dairy ponds throughout the site are considered an REC due to the potential for the accumulation of hazardous wastes, including metals, pesticides, and other wastes from hazardous materials and/or pesticide use related to onsite dairy farming and agricultural fields.

The following RECs were also identified for each of the specific study areas:

- **Pietersma Family Trust.** Staining in the vicinity of the two-diesel fuel above-ground storage tanks (ASTs) adjacent to the concrete-bermed hazardous waste storage area.
- **15 Dairy River LLC.** 500-gallon gasoline underground storage tank (UST) with no records of removal or abandonment. This Phase I also identified leaking hazardous containers and an area of impacted soil as an REC.
- **JCLIN Investment LP.** Two possible dry cleaners that operated north of the ORSC site in the commercial center on East Riverside Drive between 1978 and 1982, and 1986 and 1988 due to potential use of drycleaning solvents and the potential for impacts to the property through vapor encroachment.

A historical REC refers to a past release that has been remediated to below “residential” standards and given regulatory closure with no use restrictions. The 550-gallon diesel fuel UST on the Sanchez Family Trust property was identified as a historical REC for the Raymundo Flores and Sanchez Family Trust

study areas. This UST is also recognized as an environmental concern by the other Phase I ESAs for the eastern portion of the ORSC site (15 Dairy Farm LLC and Ontario WF Farm LLC). However, the Phase I notes that there is no information to suggest that this UST has had unauthorized releases; it is therefore not considered a REC.

Additional Assessment and Recommendations

The seven Phase I ESAs made the following recommendations to address the identified RECs or provide additional assessment at all portions of the ORSC site:

- Assess shallow soils across the property for the presence of pesticides and metals historically used in agricultural operations.
- Screen for methane in the areas of the property historically occupied by possible dairy farm and livestock farming operations, including the possible waste ponds in the southeastern portion of the ORSC site.
- Comply with the City of Ontario Methane Ordinance for any future redevelopment of the ORSC site.
- Complete site reconnaissance at the time of the Phase II ESAs.⁴
- The following recommendations are relevant to specific study areas:
 - **Pietersma Family Trust.** Soil sampling in the vicinity of identified stained soil adjacent to ASTs in the hazardous materials storage area.
 - **15 Dairy River LLC.** Subsurface sampling in the vicinity of the structures in the northern portion of the property where hazardous materials were likely stored according to historical inspection reports.
 - Geophysical survey to determine whether any USTs are present at the property.
 - Should USTs be discovered, subsurface sampling in the vicinity of the UST(s) is recommended to assess for any potential releases that have impacted subsurface soils.
 - **JCLIN Investment LP.** Soil vapor sampling in the northern portion of the property to evaluate whether historical possible drycleaning activities offsite have impacted the subsurface soil vapor beneath the property.

Due to the RECs identified, all portions of the ORSC site are recommended to undergo a Phase II ESA for further assessment of the soil before grading activities begin. Impacts regarding the release of and exposure to soil contaminants on the ORSC site are considered potentially significant.

⁴ Site reconnaissance was completed at the **Pietersma Family Trust** study area during the Phase I ESA process.

Mitigation Measure

The following mitigation measure was included in the Draft EIR and the Final EIR and is applicable to the Proposed Project. The measure as provided includes any revisions incorporated in the Final EIR.

HAZ-1 Prior to the issuance of demolition permits or grading permits, whichever is issued first, for individual development projects in the ORSC site, the project applicant/developer shall submit a Phase II Environmental Site Assessment (ESA) to the City of Ontario prepared under the responsible charge of a Professional Geologist or Professional Engineer. The Phase II ESA shall be prepared in accordance with the American Society of Testing and Materials (ASTM) Designation: E1903-19, *Standard Practice for Environmental Site Assessments (ESA): Phase II Environmental Site Assessment Process* (ASTM, E 1903-19). If the site is found to be impacted with potential contaminants of concern at levels exceeding applicable regulatory thresholds, the project applicant shall remediate all contaminated media, under the oversight and in accordance with state and local agency requirements of the California Department of Toxic Substances Control (DTSC), Regional Water Quality Control Board, Ontario Fire Department and/or County of San Bernardino, as applicable to their oversight jurisdictions. For minor issues the Project Environmental Consultant may self-certify with approval from the City. All contaminated soils and/or material encountered shall be disposed of at a regulated site and in accordance with applicable laws and regulations prior to the completion of grading.

Prior to the issuance of building permits, a report documenting the field activities, results, and any additional recommendations shall be provided to the City of Ontario evidencing that all site remediation activities have been completed inclusive of environment oversight agency document of no further action determinations, as applicable.

Additionally, the following specific conditions shall be adhered to:

- **Pesticides.** Prior to the issuance of a demolition permit for any building or structure or the issuance of a grading permit, whichever is issued first, the construction contractor shall provide proof to the City that there are no pesticides on the site that exceed Environmental Protection Agency Regional Screening Levels (EPA RSLs) or Water Board Environmental Screening Levels (ESLs), whichever is more stringent. If on-site pesticides exceed the applicable screening levels, measures shall be taken in compliance with all applicable local, State and federal regulations to either remediate the pesticides on-site, or remove and properly dispose of the pesticides and proof shall be provided to the City of their safe remediation or removal as permitted by law along with agency oversight documentation of no further action determination by DTSC.
- **Methane.** The construction contractor shall submit a subsurface methane soil gas report to the City Building Department, in general accordance with their methane ordinance, to screen for the presence of elevated levels of methane gas prior to installation of building foundations. The recommendations in the

subsurface methane soil gas report to remove or remediate any soils with methane gas levels that exceed accepted regulatory levels shall be implemented in accordance with all applicable laws and regulations as determined by the City Building Department.

- **Stained Soil – Pietersma Family Trust.** Prior to the issuance of a demolition permit for any building or structure or the issuance of a grading permit, whichever is issued first, shallow soils impacted with Diesel Range Total Petroleum Hydrocarbons (TPH-d) in excess of commercial and residential screening levels adjacent to the aboveground storage tanks in the hazardous materials storage area of the Pietersma Family Trust (parcels 0218-101-01, 0218-101-02, 0218-101-07, 0218-101-08, 0218-102-10, and 0218-102-11) shall be removed and disposed of in accordance with current regulations. Confirmation sampling shall be conducted as required by current regulations after removal to verify that the impacted soil has been adequately removed from the site or treated *in situ* (in place) as deemed appropriate by the Project Environmental Consultant at the discretion of the City. If during grading activities hydrocarbon (TPH) stained soil areas are discovered, grading within the area shall be temporarily halted and redirected around the area until the appropriate evaluation and follow-up measures are implemented. TPH stained soil shall be removed and transported off-site at a State approved disposal site under the observation of the Project Environmental Consultant and confirmation samples collected from the sidewalls and bottom of each excavation area. The confirmation samples shall be transported to a state certified laboratory and analyzed for TPH in accordance with EPA Methods 8015M and 8015B, to ensure that TPH stained soil has been adequately removed from the site. Based on the laboratory results and at the discretion of the City, the San Bernardino County Fire Department, the Project Environmental Consultant, or the City shall determine when the area of the site is suitable for grading activities to resume.
- **Underground Storage Tanks (UST) – 15 Dairy LLC.** Prior to the issuance of a demolition permit for any building or structure or the issuance of a grading permit, whichever is issued first, subsurface sampling shall be performed in the vicinity of the structures in the northern portion of the 15 Dairy LLC (parcels 0218-111-08, 0218-111-11, 0218-111-12, 0218-111-49, and 0218-111-50) where hazardous materials were likely stored according to historical inspection reports. A geophysical survey should be completed to determine whether any Underground Storage Tanks (USTs) are present at the property. Exploratory trenching is required to address and identify anomalies prior to soil sampling. Should USTs be discovered, subsurface sampling in the vicinity of the UST(s) is recommended to assess for any potential releases that have impacted subsurface soils. All contaminated soils and/or material encountered shall be disposed of at a regulated site and in accordance with applicable laws and regulations prior to the completion of grading. The San Bernardino County Fire Department shall be the lead environmental oversight agency for UST removal activities.

- **Soil Vapor Testing – JCLIN Investment, LP.** Soil vapor sampling in the northern portion of JCLIN Investment, LP (parcels 0218-101-03, 0218-101-04, 0218-101-05, and 0218-101-06) shall be conducted to evaluate whether historical possible drycleaning activities off-site have impacted the subsurface soil vapor beneath the property. The San Bernardino County Fire Department or Department of Toxic Substances Control shall be the lead agency.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measure above. The City of Ontario hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

Rationale for Finding

Incorporation of Mitigation Measure HAZ-1 would require additional review and testing of the ORSC site through Phase I and Phase II ESAs. Any contaminated media exceeding the applicable regulatory thresholds would be remediated in accordance with state and local agency requirements. This requirement would ensure that all RECs at the ORSC site are identified, documented, and remediated, as necessary or applicable. Mitigation Measure HAZ-1 would therefore reduce risks to human health and potential impacts of hazards and hazardous materials to less than significant. (Draft EIR pg. 5.9-41)

Impact 5.9-4: Development of the ORSC could interfere with the implementation of an emergency responder or evacuation plan.

Emergency Response

The ORSC would be expected to increase the volume of vehicles leaving the site in event of an emergency, which could hinder traffic conditions and impede the ability of emergency vehicles to access the site. The number of people visiting and working at the ORSC site would fluctuate throughout the year and on a daily basis because the schedule of activities at the proposed baseball stadium and use of the proposed city recreation facilities would vary based on sport seasons. For example, the ORSC is expected to host approximately 3,692 weekday average visitors while approximately 13,650 visitors onsite would be expected during Saturday or Sunday. On such a day, thousands of people might have to evacuate during a large-scale emergency. Development of the ORSC would include construction, which may also temporarily impact traffic in the ORSC site. Impacts are considered potentially significant.

Mitigation Measures

Mitigation Measures TRAF-2 (see Section D.5, *Transportation*, below) and TRAF-3 (see Section C.7, *Transportation*, below) are applicable to this impact and would reduce impacts associated with emergency response and evacuation to less than significant.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measures TRAF-2 and TRAF-3 below. The City of Ontario hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

Rationale for Finding

Per Mitigation Measure TRAF-2, a Parking and Event Traffic Management Plan (TMP) would be prepared to ensure that traffic on weekends with major events, such as baseball game at the Minor League Baseball Stadium or tournaments and games held at the City park and indoor athletic facility building, would not impede emergency operations or local traffic. This would ensure that the ORSC does not conflict with the City's emergency response and evacuation plans during operation of the ORSC.

Mitigation Measure TRAF-3 requires preparation and implementation of a construction management plan to ensure that construction activities do not interfere with emergency access. Additionally, the City's Building and Safety Department, along with the Ontario Fire Department and Police Department, would review building plans during plan check to ensure that adequate site access is maintained and that roadway improvements and project driveways would not interfere with circulation on adjacent streets. Therefore, the ORSC would not conflict with implementation of emergency response or evacuation plans during construction or operation, impacts would be less than significant. (Draft EIR pg. 5.9-41 through 5.9-42)

6. Noise

Impact 5.13-1: Construction activities would result in temporary noise increases in the vicinity of the ORSC site.

Construction Noise

Construction of the ORSC would be completed in five phases, each comprising various construction activities and includes construction on the ORSC site and within the Offsite Improvement Area. Construction of the ORSC is anticipated to begin in September 2024 and be completed in September 2027, for a total duration of approximately three years. Construction would occur in the hours allowed under Section 5-29.09 of the Ontario Municipal Code, Monday through Saturday, six days per week. Construction would occur on Saturdays but would be prohibited on Sundays and holidays. Construction activities are assumed to occur in eight-hour shifts with a one-hour break (e.g., 7:00 am to 4:00 pm or 8:00 am to 5:00 pm weekdays; 9:00 am to 6:00 pm on Saturdays). Nighttime construction for the stadium and parking structures may be necessary for concrete pours and infrastructure improvements.

Construction phases would overlap and result in construction occurring in more than one area. The construction noise analysis utilizes the proposed schedule to determine periods of overlap. Calculated construction noise levels for overlapping activities are summed together to determine an estimated

cumulative monthly construction noise level. Construction activities that are typically the sources of the most construction noise include grading and scraping, with associated equipment generating noise levels as high as 92 dBA L_{max} within 50 feet of their operation. Noise-sensitive receptors within approximately 1,000 feet of the ORSC site were analyzed.

Daytime Onsite Construction Noise

Construction noise levels will vary and be dependent on many factors, such as distance to work, type of work, and means and methods used to complete the work. Therefore, the maximum noise level would only be expected for a short period. Table 5.13-14, *Predicted Daytime Cumulative Construction Noise Levels*, in Section 5.13, *Noise*, of the Draft EIR, summarizes the daytime (8-hour Leq) of the onsite construction noise analysis. Generally, the loudest periods of construction are predicted to occur at sensitive receptors in the beginning of the ORSC construction, from September 2024 through January 2025 and in May 2025. These loud periods are due to manure hauling, rough and fine grading, and utilities trenching on the ORSC site and along the roadways surrounding the ORSC site. Construction noise levels would be loudest when work is closest to receptors and can be expected to decrease as work moves away from a given receptor or is completed. It should be noted that this analysis conservatively assumes construction activity at all sites during a given phase or activity would occur simultaneously. This is not expected to occur, as different pieces of construction equipment would be in use during different times during construction. As a result, actual noise exposure at these receptor locations would likely be lower than identified in this table. As identified in Table 5.13-14, construction noise levels are not predicted to exceed the daytime Leq 8-hour noise level limit of 80 dBA, and daytime construction noise would be less than significant.

Construction-Related Traffic and Haul Routes

As part of the construction of the ORSC, construction-related truck traffic would be generated. Heavy trucks would be required for transportation of materials and debris during building demolition (Phases 1, 2, and 4) and manure hauling (Phases 1 and 2). Table 5.3-16, *Ontario Regional Sports Complex Summary of Construction-Related Truck Trips*, in Section 5.13 of the Draft EIR summarizes the planned truck trips during construction of the ORSC. It is anticipated that most workers and vendors will access the site from SR-60 from the Vineyard Avenue or Archibald Avenue Interchanges. Trucks are anticipated to primarily use the following three identified haul routes: Chino Avenue to Walker Avenue to Hellman Avenue; Chino Avenue to Haven Avenue to Ontario Ranch Road; and Chino Avenue to Euclid Avenue. Trucks would then travel back to the ORSC site along the same route. Additionally, it is assumed that all truck trips would be completed during a typical daytime shift and would be evenly distributed throughout the work shift.

To determine a worst-case scenario, traffic-noise levels for the maximum hourly construction truck trips were calculated at sensitive receptors along East Riverside Avenue. Construction-related traffic noise levels were then compared to existing traffic noise levels to determine if significant impacts would occur. Table 5.13-17, *Ontario Regional Sports Complex Predicted Construction-Related Traffic Noise Levels*, of the Draft EIR summarizes the results of construction-related truck trips during construction of the ORSC. As seen in this table, hourly Leq traffic-noise levels during construction are predicted to be 74 dBA or less at sensitive receptors. Construction-related traffic noise is predicted to increase one decibel

or less over existing conditions. Therefore, no significant impact is anticipated due to construction truck trips.

Nighttime Onsite Construction Noise

Nighttime construction for the stadium and parking structures may be necessary for concrete pours and infrastructure improvements. Work associated with the stadium and various parking structures is scheduled between December 2024 through May 2026 and January 2027 through April 2027.

Table 5.13-15, *Predicted Nighttime Cumulative Construction Noise Levels*, in Section 5.13 of the Draft EIR, summarizes the results of the nighttime noise analysis. Since nighttime work would occur on an “as necessary” basis, the analysis assumes that each ORSC component would be constructed individually, and multiple components would not be worked on simultaneously during nighttime hours. Should nighttime work become necessary, predicted construction noise levels during construction of the stadium and parking structures around the site are anticipated to exceed 5 dBA over ambient conditions at receptors in Receptor Group 2, Receptor Group 3, and Receptor Group 5.⁵ The loudest construction-noise levels during nighttime hours would occur at residential and recreational receptors located on the west side of Receptor Group 5, nearest the ORSC site, during Phase 1B and Phase 4 activities. Nighttime construction noise would exceed the nighttime ambient and/or impact threshold and would be a potentially significant impact of the ORSC.

Mitigation Measure

The following mitigation measure was included in the Draft EIR and the Final EIR and is applicable to the Proposed Project. The measure as provided includes any revisions incorporated in the Final EIR.

- N-1 The construction contractor shall implement the following measures during construction activities on the ORSC site and Offsite Improvement Area. These measures shall be identified on demolition, grading, and/or building permits.
- Prior to construction activities that warrant nighttime construction (e.g., infrastructure work, concrete pours, etc.), the construction contractor shall install noise pathway controls, including noise barriers and enclosures free from gaps and holes, which shall be placed as close as possible to construction areas. The temporary noise barrier shall be a sufficient height to block the direct line-of-sight between the onsite construction areas and offsite noise sensitive receptors and shall be a minimum of 6 feet tall and shall be constructed out of wood or other materials with a minimum surface weight of approximately 2.5 pounds per square foot.
 - Construction equipment operating on a site shall be equipped with the appropriate manufacturer’s noise reduction devices, including but not limited to

⁵ See Table 5.13-6, *Existing Traffic Noise Levels by Receptor Group*, in Section 5.13 of the Draft EIR for a description of the locations of each receptor group.

a manufacturer's muffler (or equivalently rated material) that is free of rust, holes, and exhaust leaks.

- Noise from construction devices with internal combustion engines shall be mitigated by ensuring that the engine's housing doors are kept closed, and by using noise-insulating material mounted on the engine housing that does not interfere with the manufacturer's guidelines for engine operation or exhaust.
- Portable compressors, generators, pumps, and other such devices shall be covered with noise-insulating fabric to the maximum extent possible that does not interfere with the manufacturer's guidelines for engine operation or exhaust, and shall further reduce noise by operating the device at lower engine speeds during the work to the maximum extent possible.
- Idling onsite of heavy-duty diesel vehicles with Gross Vehicle Weight Rating of 10,000 pounds shall be limited to no longer than five minutes while parking, standing, or stopping, as per 13 California Code of Regulations Section 2485, Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling.
- Quieter back-up alarms on construction equipment shall be used whenever feasible.
- Construction vehicles shall be strategically positioned to minimize operation near receptors and avoiding tailgate slamming to the extent possible.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measure above. The City of Ontario hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

Rationale for Finding

Mitigation Measure N-1 requires installation of temporary noise barriers around the work site that have sufficient heights to block the direct line-of-sight between the onsite construction areas and offsite noise sensitive receptors. With typical installation, temporary noise barriers can provide 5 decibels of noise level reduction to adjacent receptors. Additional mitigation measures, including positioning of equipment away from sensitive receptors and minimizing equipment idling, would further reduce overall noise levels during construction activities. These measures would ensure that noise generated from nighttime construction activities would not exceed the City standard at sensitive receptor locations. (Draft EIR pg. 5.13-63 through 5.13-64)

7. Transportation

Impact 5.17-3: Event traffic could impede emergency access but would not result in potentially hazardous conditions (sharp curves, etc.) or conflicting uses.

Potentially Hazardous Traffic Conditions

Emergency Access Design Considerations

To address fire and emergency access needs, the traffic and circulation components of the ORSC would be designed and constructed in accordance with all applicable City of Ontario design standards for emergency access (e.g., minimum lane width and turning radius). For example, new site access driveways and drives aisles would be designed to meet the minimum width requirements of the City's Fire Department to allow the passing of emergency vehicles. Additionally, the ORSC includes netting along Riverside Drive and Vineyard Avenue adjacent to Planning Area 5, City Park, so that soccer balls and baseballs would not go into the surrounding roadways. Future development projects under the ORSC would also be required to incorporate all applicable design and safety requirements in the most current adopted fire codes, building codes, and nationally recognized fire and life safety standards of the City and Ontario Fire Department, such as those outlined in the City's municipal code, which incorporates by reference the California Fire Code. Compliance with these codes and standards is ensured through the City's and Fire Department's development review and building permit process.

Additionally, during the building plan check and development review process, the City would coordinate with Ontario Fire Department and Ontario Police Department to ensure that the necessary fire prevention and emergency response features are incorporated into the ORSC and that adequate circulation and access (e.g., adequate turning radii for fire trucks) are provided in the traffic and circulation components of the ORSC. All site and building improvements proposed under the ORSC would be subject to review and approval by the City, Fire Department, and Police Department prior to building permit and certificate of occupancy issuance. Therefore, impacts on emergency access would be less than significant.

Queuing at Caltrans Facilities

Storage capacities for SR-60 and I-15 off ramps in the study area were evaluated using the Highway Capacity Manual 7th methodologies (see Appendix L2 of the Draft EIR). Storage capacities for each turning movement were compared against 95th percentile queuing estimates using the Synchro 11 software. All off-ramp queues are forecast to be contained within the available storage capacity and are not anticipated to affect the freeway mainline (see Appendix L2, Table 11, of the Draft EIR). Therefore, impacts to Caltrans facilities would be less than significant.

Other Hazards

Parking is only considered a significant impact on the environment under CEQA if lack of parking generates traffic hazards. Applicants for nonresidential development would be required to provide parking in accordance with the City's Development Code. The ORSC includes a total of 6,263 parking spaces. Assuming peak attendance similar to historical levels for Minor League Baseball, the ORSC would result in a demand of up to 1,175 parking spaces for the stadium during a peak baseball event.

According to the Parking Memorandum (see Appendix L3 of the Draft EIR), estimated parking demand for the ORSC, including baseball and other events at the stadium, is 5,021 parking spaces at 6 PM, and would not exceed 90 percent of the total supply. Therefore, there is sufficient parking in Planning Areas 1 and 2 to accommodate parking during a peak baseball event at the stadium. Events at the stadium would require preparation of a Parking and Event Traffic Management Plan (TMP) that would identify protocols for the City and stadium to direct/route traffic. Therefore, parking demand created by the Minor League Baseball stadium would not create traffic hazards.

There are no parking ratios identified for sports fields in the City's Development Code. Peak events at the soccer and baseball/softball fields generate higher traffic volumes than peak games at the stadium and could coincide with events at the stadium. As identified in Table 5.17-5 of the Draft EIR, on weekdays, there would be a maximum of 21,286 vehicle trips on a weekend with a tournament, resulting in a maximum of 10,643 vehicles during a day; however, these vehicles would not be onsite at the same time but spread out throughout the day as individual games start and end. Even during the peak scenario with concurrent events, the ORSC would have sufficient parking spaces left over such that demand would not exceed 90 percent of the parking supply. Therefore, there is sufficient parking onsite to accommodate demand from other activities within the ORSC site in addition to a stadium event.

The ORSC includes netting along Riverside Drive and Vineyard Avenue adjacent to Planning Area 5, which would serve a dual purpose by preventing balls from entering the roadways and inhibiting illegal drop-off of youth sports athletes along these roadways. Events at the sports park would require preparation of a Parking and Event TMP that would identify protocols for the City to direct/route traffic. The TMP would require parking control officers or other personnel acceptable to the City to manage pedestrian flows to and from the facilities, directing pedestrians to the primary corridors serving the ORSC site. Therefore, parking demand created by the events at the outdoor and indoor sports park would not create traffic hazards.

Temporary Construction Truck Traffic

Development of the ORSC would include construction activities that may temporarily impact traffic flow in the vicinity of the ORSC site. Construction traffic is anticipated to generate up to 1,046 daily employee trips, 251 daily vendor trips, and 241 daily hauling trips. Construction schedules provided by the City indicate shifts for contractors and vendors beginning at 7:00 am and concluding between 4:00 pm and 6:00 pm. Hauling trips are expected to take place outside of AM and PM peak hours. Oversized vehicles may travel at lower speeds, construction trips could travel during peak hours, staging locations could impact routes and safety, and closure of access roads may occur. Therefore, this impact is considered potentially significant.

Emergency Access and Response

The number of people visiting and working at the ORSC site would fluctuate throughout the year and on a daily basis because the schedule of activities at the proposed baseball stadium and use of the proposed city recreation facilities would vary based on sport seasons. For example, weekday average visitors would be 3,692 but on a weekend there could be 13,650 visitors onsite. On such a day,

thousands of people might have to evacuate during a large-scale emergency. Impacts are considered potentially significant.

Mitigation Measures

The following mitigation measure was included in the Draft EIR and the Final EIR and is applicable to the Proposed Project. The measure as provided includes any revisions incorporated in the Final EIR.

TRAF-2 (See Section D.5, *Transportation*, below) MM TRAF-2 would also reduce impacts related to hazards from event traffic control.

TRAF-3 Prior to issuance of grading permits, the construction contractor shall prepare and submit a construction management plan. The construction management plan shall be approved by the City of Ontario Public Works Department. The construction management plan shall identify construction hours, truck routes, travel patterns for haul routes, staging and parking areas, staggered worker arrival times, and safety procedures for pedestrians and cyclists. The construction management plan shall prohibit the use of heavy construction vehicles during peak hours. The plan shall also require the construction contractor to implement the following measures during construction activities, which shall be discussed at the pre-grading conference/meeting:

- Minimize obstruction of through-traffic lanes and provide temporary traffic controls, such as a flag person, during all roadway improvement activities to maintain adequate access for emergency vehicles and personnel.
- Develop a traffic plan to minimize interference for emergency vehicles and personnel from demolition and construction activities (e.g., advanced public notice of demolition and construction activities).

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measures above. The City of Ontario hereby finds that implementation of the mitigation measures is feasible, and the measure are therefore adopted.

Rationale for Finding

Mitigation Measure TRAF-3 would require preparation and implementation of a construction management plan. With implementation of Mitigation Measure TRAF-3, potential impacts associated with construction hazards would be reduced to a level that is less than significant.

Mitigation Measure TRAF-2 would require preparation of a Parking and Event TMP to ensure that traffic on weekends with major events would not impede emergency operations or local traffic. This would ensure that the ORSC does not conflict with the City's emergency response and evacuation

plans. Therefore, no significant unavoidable adverse impacts relating to event traffic would remain. (Draft EIR pg. 5.17-29)

8. Tribal Cultural Resources

Impact 5.18-1: The ORSC and offsite sewer extension could cause a substantial adverse change in the significance of a tribal cultural resource that is:

i) listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). [Threshold TCR-1.i]

ii) determined by the lead agency to be significant pursuant to criteria in Public Resources Code section 5024.1(c).

Tribal Cultural Resources

The Sacred Land File (SLF) search conducted by the Native American Heritage Commission (NAHC) did not indicate the presence of known tribal cultural resources within or immediately adjacent to the ORSC site or Offsite Improvement Area. However, one cultural resource believed to be associated with Native American occupation in the area has been documented within one mile of the ORSC site. This resource was not found within the boundary of the ORSC site or the Offsite Improvement Area.

Two tribes responded to the City's invitation for tribal resources consultation, the Gabrieleño Band of Mission Indians–Kizh Nation and the Cahuilla Band of Indians. All other tribes who have corresponded with the City regarding the ORSC have deferred consultation to other tribes. The Gabrieleño Band of Mission Indians–Kizh Nation provided information regarding the tribe's cultural connection to the ORSC site and mitigation measures that would reduce impacts to tribal cultural resources in lieu of in-person consultation on November 21, 2023. The Cahuilla Band of Indians consulted with the City on November 27, 2023, and agreed to share relevant cultural reports and include tribal monitors onsite during ground-disturbing activities.

Construction of the ORSC would require excavation and grading of the ORSC site in addition to trenching along Vineyard Avenue for the offsite sewer extension. As such, there is potential to uncover tribal cultural resources during construction, which would also include disturbing previously undisturbed soils. Since the ORSC could result in the discovery of subsurface tribal cultural resources (TCRs), the disturbance of which could cause a substantial adverse change in the significance of the resource(s), impacts would be potentially significant.

Mitigation Measures

The following mitigation measures were included in the Draft EIR and the Final EIR and is applicable to the Proposed Project. The measures as provided include any revisions incorporated in the Final EIR.

TCR-1 **Tribal Cultural Resources Monitoring.** The project archaeologist, in consultation with interested tribes and the City of Ontario, shall develop an archaeological

monitoring plan (AMP) to address the details, timing, and responsibility of archaeological and cultural activities that will occur on the ORSC site and Offsite Improvement Area. Details in the AMP shall include:

1. Project-related ground disturbance (including, but not limited to, brush clearing, grading, trenching, etc.) and development scheduling;
2. The development of a rotating or simultaneous schedule in coordination with the developer and the project archeologist for designated Native American Tribal Monitors from the consulting tribes during grading, excavation, and ground-disturbing activities on the site: including the scheduling, safety requirements, duties, scope of work, and Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with all project archaeologists. Tribes shall coordinate as to Tribal Monitoring concurrent with development;
3. The protocols and stipulations that the City, Tribes, and project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.

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

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

TCR-2

Treatment and Disposition of Cultural Resources. In the event that Native American cultural resources are inadvertently discovered during the course of any ground-disturbing activities, including but not limited to brush clearance, grading, trenching, etc., at the ORSC site or Offsite Improvement Area, the following procedures will be carried out for treatment and disposition of the discoveries:

1. Temporary Curation and Storage: During the course of construction, all discovered resources shall be temporarily curated in a secure location onsite or at the offices of the project archaeologist. The removal of any artifacts from the ORSC site and Offsite Improvement Area will need to be thoroughly inventoried with tribal monitor oversight of the process;
2. Treatment and Final Disposition: The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and nonhuman remains as part of the required mitigation for impacts to cultural resources. The City shall relinquish the artifacts through one or more of the following methods:

- a. Accommodate the process for onsite reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloging, basic analysis, other analyses as recommended by the project archaeologist and approved by consulting tribes, and basic recordation have been completed; all documentation should be at a level of standard professional practice to allow the writing of a report of professional quality;
- b. A curation agreement with an appropriate qualified repository in San Bernardino County that meets federal standards per 36 CFR Part 79, and therefore the resource would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility in San Bernardino County, to be accompanied by payment of the fees necessary for permanent curation;
- c. For purposes of conflict resolution, if more than one Native American tribe or band is involved with the project and cannot come to an agreement as to the disposition of cultural materials, materials shall be curated at the San Bernardino County Museum by default;
- d. At the completion of grading, excavation, and ground-disturbing activities on the site, a Phase IV Monitoring Report shall be submitted to the City documenting monitoring activities conducted by the project archaeologist and Native Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held during the required pregrade meeting; and, in a confidential appendix, include the daily/weekly monitoring notes from the archaeologist. All reports produced will be submitted to the City, County Museum, and consulting tribes.

TRC-3

Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects. Native American human remains are defined in Public Resources Code Section 5097.98(d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.

- a) If Native American human remains and/or grave goods are discovered or recognized on the ORSC site or Offsite Improvement Area, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed.

- b) Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).
- c) Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.
- d) Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measures above. The City of Ontario hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Rationale for Finding

Mitigation Measures TCR-1 through TCR-3 would reduce potential impacts associated with tribal cultural resources to a level that is less than significant by requiring by monitoring, treatment, and final deposition of resources in coordinate with the Tribes. Therefore, with implementation of mitigation impacts to tribal cultural resources would be less than significant . (Draft EIR pg. 5.18-13)

9. Wildfire

Impact 5.20-1: The ORSC could substantially impair an adopted emergency response plan or emergency evacuation plan.

Emergency Response

The number of people visiting and working at the ORSC would fluctuate throughout the year and on a daily basis because the schedule of activities at the proposed baseball stadium and use of the proposed city recreation facilities would vary based on sport seasons. For example, weekday average visitors would be 3,692 but on a weekend there could be 13,650 visitors onsite. On such a day, thousands of people might have to evacuate during a large-scale fire or other emergency. Impacts are considered potentially significant. Development of the ORSC would also include construction activities that may also temporarily impact traffic on the ORSC site.

Therefore, construction, and operation of the ORSC could impair an emergency response plan or evacuation plan, and impacts would be potentially significant.

Mitigation Measures

Mitigation Measures TRAF-2 (see Section D.5 below) and TRAF-3 (see Section C.7 above) are applicable to this impact and would reduce impacts associated with emergency response and evacuation to less than significant.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measures TRAF-2 and TRAF-3 below. The City of Ontario hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

Rationale for Finding

Per Mitigation Measure TRAF-2, a TMP would be prepared to ensure that traffic on weekends with major events, such as baseball game at the Minor League Baseball Stadium or tournaments and games held at the City park and indoor athletic facility building, would not impede emergency operations or local traffic. This would ensure that the ORSC does not conflict with the City's emergency response and evacuation plans during operation of the ORSC.

Additionally, Mitigation Measure TRAF-3 requires preparation and implementation of a construction management plan to ensure that construction activities do not interfere with emergency access. Additionally, the City's Building and Safety Department, along with the Ontario Fire Department and Police Department, would review building plans during plan check to ensure that adequate site access is maintained and that roadway improvements and project driveways would not interfere with circulation on adjacent streets. Therefore, the ORSC would not conflict with implementation of emergency response or evacuation plans during construction or operation, impacts would be less than significant. (Draft EIR pg. 5.20-16)

D. SIGNIFICANT AND UNAVOIDABLE SIGNIFICANT IMPACTS THAT CANNOT BE MITIGATED TO BELOW THE LEVEL OF SIGNIFICANCE

The following summary describes the unavoidable adverse impact of the Proposed Project where either mitigation measures were found to be infeasible, or the mitigation measures are under the control of another lead agency. The following impact would remain significant and unavoidable.

1. Agriculture and Forestry Resources

Impact 5.2-1: The ORSC would convert 53 acres of California Resource Agency designated Prime Farmland to recreational and hospitality land use.

Loss of Prime Farmland

The ORSC site contains 53 acres of Prime Farmland, all of which would be converted to non-agricultural use. The sewer alignment in the Offsite Improvement Area would not have the potential impact Farmland because these improvements would be below-ground.

The ORSC site is currently designated for residential uses under TOP 2050. While the ORSC would amend the land use designations of the ORSC site to support the proposed commercial, recreation, and stadium uses, the agricultural impacts of developing the ORSC site with the proposed uses would

be similar to development under the current designation of the ORSC site. Nonetheless, the ORSC would have a significant impact with regard to the conversion of agricultural land on the ORSC site.

Mitigation Measures

In compliance with CEQA, “each public agency shall mitigate or avoid the significant effects on the environment of any project it carries out or approves whenever it is feasible to do so” (Public Resources Code, Section 21002.1[b]). The term “feasible” is defined in CEQA to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors” (Public Resources Code, Section 21061.1).

For loss of Farmland, it is the policy of Ontario to mitigate impacts within the city boundaries because this is the area the City has direct jurisdictional control over. In accordance with this policy, the City has determined there is no suitable replacement acreage within the City and there are no feasible mitigation measures that would reduce the Proposed Project’s significant impacts regarding agricultural conversion to levels that would be less than significant. The following mitigation measures to reduce the impacts on agriculture have been considered; however, none of the measures would feasibly be able to reduce the significant impacts to levels less than significant:

- **Retention of Onsite Agricultural Uses.** This measure would allow, create, or maintain islands of agricultural uses within an urbanized setting, exacerbating potential land use conflicts and land use incompatibilities. The TOP land use plan does not establish or maintain any “Agricultural” Land Use designations within the City. However, Section 6.01.035(C)(1), AG (Agricultural) Overlay Zoning District, of the Ontario Development Code allows the continuation of existing agricultural uses on an interim basis until such time that the land is developed in accordance with TOP. The AG Overlay provides means for temporary agricultural use of existing farmland in the City but the City’s adopted land use plan and policies would not allow for the permanent retention of agricultural uses once development is proposed. The “Retention of Onsite Agricultural Uses” mitigation strategy would therefore conflict with adopted land use plan and would require amendments to the land use plan. Such an amendment to the land use plan would also conflict with the goals of the regional plans and policies from the Southern California Association of Government (SCAG), which require that the City’s land use plan facilitate the development of City’s remaining agricultural land. For example, to comply with its SCAG-designated Regional Housing Needs Allocation (RHNA), the City’s Housing Element must provide capacity for new housing development. The City’s adopted 2021-2029 designates approximately 82 percent⁶ of the City’s housing capacity within Ontario Ranch. Furthermore, the mitigation strategy would conflict with SCAG’s Regional Transportation Plan/Sustainable Communities Strategy (known as Connect SoCal) which prioritizes the development of land within the City’s existing Spheres of Influence to avoid further sprawl and conversion of agricultural land. Based on the preceding, retention of onsite agricultural uses is considered infeasible.

⁶ As shown in Table 5-16, Availability of Land to Meet RHNA, 2021–2029, in the Housing Element, the City’s total realistic capacity is 26,197 housing units and the total number of housing units of the Opportunity Areas within Ontario Ranch is 21,587 units.

- **Replacement of Agricultural Resources Offsite.** Replacement of agricultural resources at an offsite location would require the City to purchase offsite replacement acreage not designated as Farmland and improve or restore it to Farmland status. Creation of additional Farmland in the City is contrary to The Ontario Plan (TOP) land use plan policies and vision as summarized previously and would require comprehensive amendment of the Policy Plan, which would in turn conflict with the City’s Housing Element and Connect SoCal. Using another area within Ontario Ranch for mitigation of impacts related to the Proposed Project would result in the same issues as previously described in consideration of onsite mitigation. Therefore, there is no suitable replacement acreage within the city to mitigate for loss of Farmland. Similar to the reasons why onsite mitigation is not feasible, offsite mitigation within Ontario Ranch is also infeasible. Offsite areas may not have sufficient water needed to support agricultural practices. It is also speculative as to whether replacement of agricultural resources offsite meets the additionality requirements of CEQA. Furthermore, it is the policy of Ontario to mitigate impacts within the city boundaries because this is the area the City has direct jurisdictional control over. Additionally, the “Replacement of Agricultural Resources Offsite” mitigation strategy would likely result in potentially adverse environmental impacts including, but not limited to, impacts to biological resources, hydrology/water quality, air quality, greenhouse gas emissions, and land use and planning. In this regard, the mitigation strategy would likely result in increased, rather than diminished environmental impacts. Based on the preceding, replacement of agricultural resources at offsite locations is considered infeasible.

- **Relocation of Prime Farmland Topsoil.** Relocation of Farmland topsoil would entail removal of the top 12 to 18 inches of topsoil from Farmland properties and the placement of this soil at sites that have lesser quality soil. This would promote creation of new or additional Farmland status properties in the City, rather than provide for their transition to urban uses. This measure would have its own environmental impacts, including increased truck traffic on local roadways from both hauling soil offsite and replacement soil onsite; increased diesel truck emissions; construction noise; and increased duration of construction. The relocation of prime farmland soils on another active farm would increase other environmental impacts and is therefore considered infeasible. This would be contrary to the TOP land use plan policies and vision as summarized previously and would require comprehensive amendment of the Policy Plan. Furthermore, the ORSC site is an active dairy, which resulted in soils onsite with high organic content. The ORSC entails removal of soils with high organic content prior to development. Therefore, removal of high organic content topsoil is already a component of the ORSC. The redesignation of land that is currently designated for urban development to agricultural use would also be inconsistent with the City’s Housing Element and Connect SoCal.

- **Establishment of Conservation Easement or Preserves.** The “Establishment of Conservation Easement or Preserves” mitigation strategy would require comprehensive amendment to the Policy Plan, resulting in the same conflicts with local and regional land use plans/policies discussed above. Local and regional policies have long since slated the Ontario Ranch for suburban development. The City has not indicated that such amendment is warranted or desired and has initiated no such action. At the ORSC site, establishment of agricultural conservation easements or preserves would negate the Proposed Project, requiring the No-Project Alternative, which was

rejected for failing to meet the Proposed Project objectives (see Chapter 7, *Alternatives*, of the Draft EIR). Based on the preceding, the “Establishment of Conservation Easement or Preserves” mitigation strategy is considered infeasible.

- **Payment in Lieu or Transfer of Development Rights.** Transferring development rights would involve the purchasing of the right to develop land from a currently undeveloped piece of land and transferring those rights to farmland within the City. The City of Ontario has not implemented a Transfer of Development Rights (TDR) Program. Implementation of a TDR program would require amending the City Development Code and comprehensive amendment of the Policy Plan. While such a program could be developed to preserve farmland in San Bernardino County, the Important Farmland on the ORSC site would still be developed, resulting in a net loss of Important Farmland in the City. Based on the preceding, implementation of a “Transfer of Development Rights Program” mitigation strategy is considered infeasible.

The City has considered but rejected the collection of fees for offsite mitigation of agricultural impacts. Neither the City nor the adjoining counties have adopted fee programs. Absent viable programs in the region, the imposition of fees would not serve to mitigate the impacts of the Proposed Project. Furthermore, an offsite fee mitigation program would not avoid the loss of farmland; would not minimize the effect of the Proposed Project; would not repair, rehabilitate, or restore the affected farmland; and, absent a viable fee program, would not replace affected farmland with substitute farmland. Thus, such a program would not actually mitigate or substantially lessen the significant impact of the Proposed Project.

Overall, no feasible mitigation measures have been identified, which would substantially lessen the Proposed Project’s significant impacts related to the loss of Prime Farmland and conversion of farmland to nonagricultural use. This finding is consistent with the finding in 2010 TOP EIR (State Clearinghouse No. 2008101140) and Armstrong Ranch Specific Plan EIR (State Clearinghouse No. 2006111009), that there are no feasible mitigation measures to reduce impacts on Important Farmland or the conversion of agricultural land to nonagricultural uses, and thus impacts would be significant and unavoidable. (Draft EIR pg. 5.2-12)

Finding

The City finds that there are no mitigation measures that are feasible, taking into consideration specific economic, legal, social, technological, or other factors, that would mitigate this impact to a less-than-significant level, and further, that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the alternatives identified in the EIR, as discussed in Section IV of these Findings (Public Resources Code Section 21081(a)(1), (3); Guidelines Section 15091(a)(1), (3)). As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the Proposed Project outweigh its significant effects on the environment.

2. Air Quality

Impact 5.3-1: The ORSC would conflict with the South Coast AQMD's Air Quality Management Plan.

AQMP Consistency

South Coast Air Quality Management District (AQMD) is directly responsible for reducing emissions from area, stationary, and mobile sources in the Southern California Air Basin (SoCAB) to achieve the National and California Ambient Air Quality Air Standard (AAQS) and has responded to this requirement by preparing an Air Quality Management Plan (AQMP). The South Coast AQMD Governing Board adopted the 2022 AQMP.

The two principal criteria for conformance with an AQMP are:

1. Whether the project would exceed the assumptions in the AQMP.
2. Whether the project would result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timeline attainment of air quality standards.

Criterion 1: Consistency with Regional Growth Assumptions

The ORSC is considered a project of statewide, regional, or area-wide significance and could substantially affect the forecast growth assumptions for the region or city per Section 15206(b)(2) of the CEQA Guidelines. However, implementation of the ORSC would not involve any residential development and would not have a direct impact on local resident growth assumptions for the city. In addition, approximately 111 acres of the 199-acre site would be used for city park uses, consisting of parking, open park space, multipurpose soccer/football fields, and multiuse baseball/softball fields that would not substantially influence the employment growth forecasts for the city. Therefore, the ORSC is not anticipated to substantially affect demographic projections beyond what is accounted for in the current 2022 AQMP. Therefore, the ORSC would be potentially consistent with the AQMP under the first criterion.

Criterion 2: Consistency with Regional Air Quality Standards

The SoCAB is designated nonattainment for O₃ and PM_{2.5} under the California and National AAQS,⁷ nonattainment for PM₁₀ under the California AAQS, and nonattainment for lead (Los Angeles County only) under the National AAQS. Long-term emissions generated by the ORSC would include criteria air pollutants that exceed the South Coast AQMD regional significance thresholds (see discussion of Impact 5.3-3 below). Consequently, buildout of the ORSC could contribute to an increase in frequency

⁷ The SoCAB is pending a resignation request from nonattainment to attainment for the 24-hour federal PM_{2.5} standards. The 2021 PM_{2.5} Redesignation Request and Maintenance Plan demonstrates that the South Coast meets the requirements of the Clean Air Act to allow the Environmental Protection Agency (EPA) to redesignate the SoCAB to attainment for the 65 µg/m³ and 35 µg/m³ 24-hour PM_{2.5} standards. The California Air Resources Board (CARB) will submit the 2021 PM_{2.5} Redesignation Request to the EPA as a revision to the California State Implementation Plan.

or severity of air quality violations or delay attainment of the AAQS and would be potentially inconsistent with the AQMP under the second criterion.

Mitigation Measures

No mitigation measures are applicable for inconsistency with the South Coast AQMD AQMP. Mitigation Measure AQ-1 (See Section C.1, *Air Quality*, above) would reduce regional construction emissions to less than significant. Mitigation Measure AQ-2 (see Impact 5.3-3 below) would reduce operational emissions to the extent feasible; however, operational emissions would continue to exceed the South Coast AQMD significance thresholds due to vehicle emissions associated with operation of the ORSC. Because the fuel efficiency and fuel type of vehicles used by future employees and visitors are not under the control of the ORSC, no feasible mitigation was identified to further reduce mobile-source emissions. Therefore, Impact 5.3-1 would remain significant and unavoidable. (Draft EIR pg. 5.3-49)

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the Mitigation Measures AQ-1 and AQ-2. The City of Ontario hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

The City finds that there are no other mitigation measures that are feasible, taking into consideration specific economic, legal, social, technological, or other factors, that would mitigate this impact to a less-than-significant level, and further, that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the alternatives identified in the EIR, as discussed in Section IV of these Findings (Public Resources Code Section 21081(a)(1), (3); Guidelines Section 15091(a)(1), (3)). As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

Impact 5.3-3: Operational activities associated with the ORSC would generate long-term emissions that exceed South Coast AQMD's significance thresholds that cumulatively contribute to the nonattainment designations of the SoCAB.

Operational Phase Air Quality Emissions

The ORSC would generate criteria air pollutant emissions from on-road mobile sources, refrigerant use, area sources (e.g., landscaping equipment, architectural coating) and energy (i.e., natural gas used for heating and cooking). The ORSC would also result in periodic increases in daily VMT during events at the Minor League Baseball stadium, multipurpose fields, baseball/softball fields, and indoor athletic facility (volleyball and basketball games).

Table 5.3-11, *Ontario Regional Sports Complex Regional Operation Emissions: Worst Case Saturday with Events*, and Table 5.3-12, *Ontario Regional Sports Complex Regional Operation Emissions: Average Weekday*, in Section 5.3, *Air Quality*, of the Draft EIR, provide a conservative estimate of the maximum and average daily operations emissions associated with the ORSC site. As shown in these tables, implementation of the ORSC would exceed the South Coast AQMD regional significance thresholds for VOC, CO, and PM₁₀ and cumulatively contribute to the nonattainment designations of the SoCAB. This impact would be potentially significant.

Overlapping Construction and Operational Emissions

Full implementation of the ORSC could take longer than the anticipated construction schedule, depending on funding for park improvements. Thus, its implementation could result in the simultaneous operation and construction of land uses. At the request of South Coast AQMD, Table 5.3-13, *ORSC Overlapping Construction and Operational Phase Emissions*, in Section 5.3 of the Draft EIR, shows the potential maximum daily emissions from overlap of construction and operation-related (buildout) activities. The table shows the potential maximum daily emissions from an overlap of the worst-case maximum daily emissions from construction activities and the worst-case maximum daily emissions under full buildout conditions of the ORSC. It should be noted that the combined construction and operational emissions shown in Table 5.3-13 are highly unlikely to occur because the maximum daily emissions from construction are drawn from construction years 2024 and 2025 when most ORSC components are under construction, up to 2 years before full operation is anticipated in 2027. Construction and operational impacts are evaluated based on their separate thresholds provided by South Coast AQMD.

Mitigation Measures

The following mitigation measure was included in the Draft EIR and the Final EIR and is applicable to the Proposed Project. The measure as provided include any revisions incorporated in the Final EIR. Mitigation Measures TRAF-1 (see Section D.5, *Transportation*) and TRAF-2 (see Section C.7, *Transportation*) to reduce vehicle trips and VMT, and Mitigation Measures GHG-1 to GHG-4 (see Section D.3, *Greenhouse Gas Emissions*, below) for building energy and electric vehicle charging would also reduce operational emissions.

AQ-2 All landscaping equipment (e.g., leaf blower) used for property management shall be electric powered only. The property manager/facility owner shall provide documentation (e.g., purchase, rental, and/or services agreement) to the City of Ontario Planning Department to verify to the City's satisfaction that all landscaping equipment utilized will be electric powered.

Long-term operation of the ORSC would exceed the South Coast AQMD regional significance thresholds. Mitigation Measure TRAF-1 would be required to reduce VMT and include transportation demand management measures such as pedestrian and active transportation improvements. Nonetheless, the vehicle fuel source, vehicle fuel efficiency, and travel mode for visitors are largely outside of the control of the ORSC. As such, no additional mitigation would be feasible to reduce vehicle-related emissions. To address VOC and CO emissions from area sources, Mitigation Measure AQ-2 would be required to ensure that all landscaping and property maintenance tools and equipment

are electric powered and do not use fossil fuels. Additionally, Mitigation Measures GHG-1 through GHG-4 would reduce building energy use and would expand the use of electric vehicle charging onsite. These mitigation measures would reduce operational emissions to the extent feasible. However, long-term emissions would continue to exceed the South Coast AQMD's regional significance thresholds. Therefore, Impact 5.3-3 would remain significant and unavoidable. (Draft EIR pg. 5.3-53)

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measures (AQ-2, TRAF-1, TRAF-2, GHG-1, and GHG-4) identified above. The City of Ontario hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

The City finds that there are no other mitigation measures that are feasible, taking into consideration specific economic, legal, social, technological, or other factors, that would mitigate this impact to a less-than-significant level, and further, that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the alternatives identified in the EIR, as discussed in Section IV of these Findings (Public Resources Code Section 21081(a)(1), (3); Guidelines Section 15091(a)(1), (3)). As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

3. Greenhouse Gas Emissions

Impact 5.8-1: The ORSC would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

GHG Emissions

Construction

Construction of the ORSC would generate emissions associated with construction equipment and worker vehicle exhaust, manure off-hauling, site preparation, rough grading, fine grading, utilities trenching, building construction, paving, architectural coating, and finishing and landscaping as well as offsite improvements and sewer construction within the Offsite Improvement Area. A conservative estimate of construction GHG emissions associated with the ORSC is provided in Table 5.8-4, *Ontario Regional Sports Complex Construction GHG Emissions*, in Section 5.8, *Greenhouse Gas Emissions*, of the Draft EIR. As shown, construction of the ORSC would result in 10,687 metric tons of carbon dioxide-equivalent (MTCO_{2e}) GHG emissions across the 2024 through 2027 construction period. The South Coast AQMD does not have a significance threshold for construction emissions. Therefore, the GHG emissions generated from full operation of the ORSC are provided in Table 5.8-5, *Ontario Regional Sports Complex Operational GHG Emissions*, in Section 5.8 of the Draft EIR, and are used to determine whether the ORSC exceeds the net zero emissions thresholds.

ORSC Buildout

Implementation of the ORSC would generate GHG emissions from vehicle trips, water demand, wastewater and solid waste generation, area sources (e.g., consumer cleaning products), and energy usage (i.e., natural gas and electricity). The ORSC would be required to comply with the applicable Building Energy Efficiency Standards and California Green Building Standards Code (CALGreen). The ORSC would also include project design features that address water conservation and water-efficient landscaping that would comply with CALGreen. These features include low-flow fixtures, native landscaping, rainwater catchment system, and dedicated separate landscaping water meters. These features would all help to reduce GHG emissions.

As shown in Table 5.8-5 in Section 5.8 of the Draft EIR, the ORSC is estimated to generate approximately 21,777 MTCO_{2e} annually, which is considered a net increase from existing conditions. Consequently, GHG emissions impacts associated with the ORSC are considered potentially significant.

Mitigation Measures

The following mitigation measures were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. Additionally, Mitigation Measures TRAF-1 and TRAF-2 (See Section D.5, below) and AQ-2 (See Section D.2, *Air Quality*, above) would also reduce GHG emissions.

GHG-1 The City of Ontario shall require proposed buildings within the ORSC site to be all electric, with electricity to be the only permanent source of energy for all nonemergency building energy needs, including but not limited to water heating; mechanical equipment; and heating, ventilation, and air conditioning (HVAC) (i.e., space-heating and space cooling). All major appliances (e.g., dishwashers, refrigerators, and water heaters) provided/installed shall be electric-powered EnergyStar certified or an equivalent energy efficiency where applicable. The only exception to this measure shall be limited to commercial cooking uses. Prior to issuance of building permits for development projects, applicants shall provide plans that show the aforementioned requirements to the City of Ontario Planning Department. Prior to issuance of the certificate of occupancy, the City of Ontario Building Department shall verify installation of the electric-powered EnergyStar or equivalent appliances.

GHG-2 The City of Ontario shall require proposed buildings and parking areas within the ORSC site to include onsite renewable energy generation systems. Proposed buildings shall include photovoltaic (PV) and battery energy storage systems compliant with the Prescriptive Requirements of the California Building Standards Code, Part 6, California Energy Code. Proposed buildings may substitute alternative renewable energy generation technology (e.g., wind) for PV systems; however, that alternative generation technology system shall be sized to provide annual electricity equal to what would be provided by a PV system for that building compliant with the Prescriptive Requirements of the California Building Standards Code, Part 6, California Energy Code. Proposed parking areas shall include a PV system or alternative renewable

energy generation system (e.g., wind) to help offset electricity demand generated by electric vehicle charging. Prior to issuance of building permits for development projects, applicants shall provide plans that show the aforementioned requirements to the City of Ontario Planning Department. Prior to issuance of the certificate of occupancy, the City of Ontario Building Department shall verify installation of the PV and battery energy storage systems or alternative renewable energy generation systems.

Mitigation Measure TRAF-1 requires implementation of transportation demand management (TDM) measures, such as pedestrian and active transportation improvements, to reduce VMT. Nonetheless, the vehicle fuel source, vehicle fuel efficiency, and travel mode for visitors are largely outside of the control of the ORSC, so no additional mitigation would be feasible to reduce vehicle-related emissions. The second-largest emissions source, energy consumption, results from electricity use and the consumption of natural gas onsite. Therefore, Mitigation Measure GHG-1 is required to reduce all onsite natural gas consumption by requiring all uses that do not include commercial cooking appliances to be designed as all-electric, precluding the installation and use of gas-fueled appliances that are not necessary for commercial cooking activities. In addition, Mitigation Measure GHG-2 would be required to ensure that electricity is generated onsite from renewable sources to the extent feasible. However, even with the implementation of these mitigation measures, the ORSC emissions would still exceed the no net increase GHG emissions threshold, and impacts would remain significant and unavoidable. (Draft EIR pg. 5.8-32)

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measures discussed above. The City of Ontario hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

The City finds that there are no other mitigation measures that are feasible, taking into consideration specific economic, legal, social, technological, or other factors, that would mitigate this impact to a less-than-significant level, and further, that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the alternatives identified in the EIR, as discussed in Section IV of these Findings (Public Resources Code Section 21081(a)(1), (3); Guidelines Section 15091(a)(1), (3)). As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

Impact 5.8-2: The ORSC could conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Consistency with GHG Reduction Plans

Consistency with CARB Scoping Plan

The adopted 2022 California Air Resources Board (CARB) Scoping Plan is applicable to state agencies but is not directly applicable to cities/counties and individual projects (i.e., the Scoping Plan does not require the City to adopt policies, programs, or regulations to reduce GHG emissions). The ORSC would adhere to the programs and regulations identified by the Scoping Plan and implemented by State, regional, and local agencies to achieve the statewide GHG reduction goals of SB 32 and AB 1279. For example, new buildings within the ORSC site would meet the current CALGreen and Building Energy Efficiency standards at the time they are constructed.

Though statewide efforts could provide downstream reductions at the local level, the 2022 Scoping Plan identifies three priority areas for local actions that would support and amplify the overall state efforts to reduce GHG emissions and achieve the long-term climate goals: 1) transportation electrification, 2) VMT reduction, and 3) building decarbonization. Table 5.8-6, *Ontario Regional Sports Complex Consistency to the Scoping Plan Priority Areas*, in Section 5.8 of the Draft EIR evaluates consistency of the ORSC with these three Scoping Plan local action priorities and their attributes.

As discussed in the table, the ORSC would generally be inconsistent with the priority areas pertaining to transportation electrification and building decarbonization. Thus, although the ORSC site would adhere either directly or indirectly to statewide strategies, because it would not meet two of the three local action priority areas, it is considered inconsistent with the Scoping Plan.

SCAG's Regional Transportation Plan / Sustainable Communities Strategy

The Southern California Association of Government (SCAG) adopted the 2020-2045 Regional Transportation Plan/ Sustainable Communities Strategy (RTP/SCS), Connect SoCal, in September 2020. Connect SoCal does not require that local general plans, proposed projects, or zoning be consistent with the SCS, but provides incentives for consistency to governments and developers. It is anticipated that long-term and short-term (i.e., construction) jobs would be absorbed by the local and regional labor force, which would contribute to minimizing passenger vehicle VMT. However, as discussed in Section 5.17, *Transportation*, the ORSC would continue to result in a substantial increase in total VMT in the city and would exceed the City's VMT threshold. Therefore, while the ORSC would be generally consistent with Connect SoCal, it would remain inconsistent with the underlying VMT-reducing goals of SCAG's Connect SoCal; and therefore, and impacts related to consistency with SCAG's Connect SoCal would be potentially significant.

Ontario CCAP

To ensure new development projects are consistent with the City's Community Climate Action Plan (CCAP), the CCAP includes implementation of a development review process to reduce GHG emissions associated with new development. The development review process sets procedures for evaluating GHG impacts and determining significance for CEQA purposes by using the "Greenhouse

Reduction Measures Screening Thresholds Tables” to mitigate project GHG emissions that exceed the threshold level. The Screening Tables provide a menu of options that both ensure implementation of the reduction strategies and flexibility for projects to reduce GHG emissions to levels that align with the City’s reduction goals. The ORSC is evaluated for consistency with the CCAP’s applicable strategies in Table 5.8-7, *Ontario Regional Sports Complex Consistency with CCAP Strategies*, in Section 5.8 of the Draft EIR. As demonstrated in this table, the ORSC would be generally consistent with the GHG emissions reduction strategies in the City’s CCAP. Nonetheless, the ORSC has the potential to conflict with the GHG reduction measures in the City’s CCAP if development projects within the ORSC site do not adhere to the measures in the CCAP. As such, this impact would be potentially significant.

Mitigation Measures

The following mitigation measures were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. Additionally, Mitigation Measures GHG-1, GHG-4, AQ-2, TRAF-1, and TRAF-2 would also help the ORSC to achieve consistency with the applicable plans.

GHG-3 The City of Ontario shall require that the parking lots and parking structure install electric vehicle spaces in compliance with the voluntary Tier 2 standards under Section A5.106.5.3.2 of the Non-residential Voluntary Measures in the 2022 California Green Building Standards Code. All site plans submitted to the City of Ontario Planning Department shall illustrate compliance with Section A5.106.5.3.2.

1. For residential development completed between 2020 and 2030, the project shall not produce GHG emissions greater than 5.85 MTCO_{2e}/dwelling unit.
2. For residential development completed after 2030, the project shall not produce GHG emissions greater than 1.53 MTCO_{2e}/dwelling unit.
3. For nonresidential developments of all types completed between 2020 and 2030, the project shall not produce GHG emissions greater than 8.84 MTCO_{2e}/2,500 square feet of conditioned space.
4. For nonresidential developments of all types completed after 2030, the project shall not produce GHG emissions greater than 3.61 MTCO_{2e}/2,500 square feet of conditioned space.

For projects that include both residential and nonresidential space, the residential and nonresidential components must be assessed separately against their respective applicable thresholds.

GHG-4 The City of Ontario shall require applicants to design and construct buildings in Planning Areas 2, 3, and 4 to achieve a 100-point score with the 2022 Community Climate Action Plan (CCAP), Table 6, “Screening Table for Implementing GHG Performance Standards for Commercial, Office, Medical, Hotel, Industrial, and Retail Development, 2030.” Alternatively, the analysis of development projects can be done through emissions calculations to demonstrate equivalent reductions using CalEEMod or a similar tool. Projects that do not use the CCAP Screening Tables to

demonstrate consistency with the 2022 CCAP must demonstrate that they will generate annual GHG emissions that do not exceed the following emission screening thresholds from the CCAP:

1. For residential development completed between 2020 and 2030, the project shall not produce GHG emissions greater than 5.85 MTCO_{2e}/dwelling unit.
2. For residential development completed after 2030, the project shall not produce GHG emissions greater than 1.53 MTCO_{2e}/dwelling unit.
3. For nonresidential developments of all types completed between 2020 and 2030, the project shall not produce GHG emissions greater than 8.84 MTCO_{2e}/2,500 square feet of conditioned space.
4. For nonresidential developments of all types completed after 2030, the project shall not produce GHG emissions greater than 3.61 MTCO_{2e}/2,500 square feet of conditioned space.

For projects that include both residential and nonresidential space, the residential and nonresidential components must be assessed separately against their respective applicable thresholds.

Implementation of Mitigation Measure GHG-4 would ensure that development projects within the ORSC are consistent with the City's CCAP. Additionally, implementation of the mitigation measures GHG-1 through GHG-4 as well as TRAF-1 would reduce impacts to the extent feasible. However, as discussed in Section 5.17, *Transportation*, of the Draft EIR, the ORSC would continue to result in a substantial increase in total VMT in the City and would exceed the City's VMT threshold and potentially be inconsistent with the VMT reduction goals in the Scoping Plan and SCS. Therefore, Impact 5.8-2 would be significant and unavoidable. (Draft EIR pg. 5.8-34)

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measures discussed above. The City of Ontario hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

The City finds that there are no other mitigation measures that are feasible, taking into consideration specific economic, legal, social, technological, or other factors, that would mitigate this impact to a less-than-significant level, and further, that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the alternatives identified in the EIR, as discussed in Section IV of these Findings (Public Resources Code Section 21081(a)(1), (3); Guidelines Section 15091(a)(1), (3)). As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

4. Noise

Impact 5.13-2: Implementation of the ORSC would result in long-term operation-related noise that could exceed local standards and result in noise increases in the vicinity of the ORSC site.

Operational Noise Impacts

The ORSC operational phase activities could result in a substantial increase in long-term noise levels that has the potential to exceed the City of Ontario's noise standards. Noise sources evaluated include transportation noise, stadium noise (PA 1), athletic field noise (PA 5 and PA 7), and miscellaneous noise sources, as described below.

Stadium Noise

The Leq from stadium activities, namely Minor League Baseball games and concerts, was calculated at each noise-sensitive receptor. The predicted 1-hour Leq was compared to the City's exterior noise limits in the noise code. Since most activities are active for a full hour, the 1-hour Leq was used as a surrogate to assess compliance with the 15-minute Leq noise limits in the noise code. The noise analysis for the stadium analyzed two scenarios for events expected to occur at the stadium, minor league baseball games and concerts. The assumptions for these scenarios are described in Section 5.13 of the Draft EIR on pages 5.13-34 and 5.13-38.

Noise impacts for minor league baseball game events are considered less than significant because both the average hourly noise levels and maximum hourly noise levels at each receptor group location were less than the City's allowable daytime exterior noise levels for the land uses of the receptors. Similarly, the average and maximum hourly noise levels from concerts were also found to be below the City's thresholds for allowable exterior noise.

Athletic Field Noise

The CNEL hourly Leq from onsite outdoor amenities was calculated at each noise-sensitive receptor. Although sporting events on public facilities approved by the City are exempt from the City's noise code, the predicted peak 1-hour Leq was compared to exterior noise level limits in the City's noise code. Since most activities are active for a full hour, the 1-hour Leq was used as a surrogate to assess compliance with the City's 15-minute Leq noise level limits. Intermittent noise increases may result during batting practice, players cheering for teammates, or referees blowing whistles. However, none of these noise increases would be significant or permanent. Three main scenarios were evaluated to address noise from onsite athletic fields and other outdoor amenities: practice, games, and tournaments. The assumptions and modeled noise levels at receptor locations for each scenario are described in Section 5.13 of the Draft EIR on pages 5.13-43 through 5.13-50.

The noise levels under each of these scenarios would not exceed the City's allowable exterior noise level standards, overall resulting in a noise environment that is considered compatible with the existing adjacent community.

Miscellaneous Noise Sources

The ORSC site would include several onsite buildings and amenities that may produce miscellaneous sources of noise, including the Chicken N Pickle indoor/outdoor entertainment complex, a two-story hotel, retail shopping, and community recreation center. These structures will be mechanically heated and cooled via heating, ventilation, and air conditioning (HVAC) systems/cooling towers and may include interior equipment vented to the exterior via louvers. Additional miscellaneous noise sources may include small loading docks/designated delivery areas to accept deliveries at the proposed hotel, stadium, and retail spaces. The hotel, stadium, recreation center, and Chicken N Pickle may each have emergency generators for use during main power failures. Routine testing is typically required for generators, which results in a temporary increase in noise. Onsite landscape maintenance equipment will also generate occasional noise. The Chicken N Pickle will include pickleball courts, outdoor seating and yard game areas, and outdoor amplified music. Additionally, the stadium will include an amplification system for music and announcements.

- **HVAC Equipment.** Noise levels from HVAC equipment can vary widely depending on the manufacturer and size of equipment required for a site's heating and cooling needs. The minimum distance from any structure that would include rooftop mechanical equipment to any noise-sensitive land use is approximately 260 feet (from the proposed indoor athletic facility along the southern boundary of the site to a residential structure along Chino Avenue). Noise from mechanical equipment has the potential to exceed the municipal code limits if equipment is located too close or is not shielded. Therefore, HVAC noise is considered a potentially significant impact prior to mitigation.
- **Loading Docks.** Activities at small loading docks/delivery areas for the hotel, stadium, Chicken N Pickle, and retail spaces may result in intermittent increases in noise levels from truck door slams and pure tone backup alarms on delivery vehicles, for example. As explained in Section 5.13 of the Draft EIR on pages 5.13-53 through 5.13-54, noise levels from these activities are not anticipated to exceed the City's allowable noise standards due to the distance of receptors to these uses and the effect of onsite structures shielding this noise. Therefore, loading/unloading activities would not result in a significant impact.
- **Emergency Generators.** Manufacturer's specifications typically require routine testing of emergency generators, which is generally not exempted by municipal noise ordinances. However, testing would be periodic, assuming a total of 50 hours per year, translating to one hour per week. Depending on the size of emergency generators, maximum sound levels may range from 86 to 88 dBA at a distance of 23 feet for open generator sets (i.e., without weather or acoustical enclosures). Weather-proof enclosures would reduce maximum noise levels to approximately 81 dBA at a distance of 23 feet. With sound-attenuating enclosures, maximum sound levels at a distance of 23 feet may range between 72 to 75 dBA, depending on the level of enclosure (i.e., most manufacturers provide various levels of enclosures depending on sound-attenuation needs). To ensure compliance with the City's noise level limits during routine testing, all emergency generators would be equipped with sound-attenuating enclosures, testing would only occur during daytime hours (7:00 am to 10:00 pm) when noise limits are less stringent, and each emergency generator would be tested individually to preclude a cumulative noise level that exceeds the City's municipal

limits. A substantial permanent increase in ambient noise levels above limits established in the City's noise code is thereby not anticipated. Therefore, periodic testing of emergency generators would not result in a significant effect on the existing environment.

- **Maintenance Equipment.** Maintenance of property can occur between 8:00 am and 6:00 pm unless the equipment and activities comply with the noise level limits specified in the code. However, maintenance of public facilities is exempt from provisions of Section 5-29.08 of the City's noise code as long as these activities are immediately necessary (i.e., repair and improvements necessary to maintain public service) or cannot be conducted during normal business hours. Approximate noise levels associated with a gas lawn mower may be as high as 95 dBA at a distance of 3 feet. Residences along Riverside Drive are closest to areas that would require lawn maintenance, at an approximate distance of 100 feet, equating to approximately 65 dBA at the closest residences. It is assumed that landscape maintenance activities can be performed between 8:00 am and 6:00 pm whenever feasible, particularly in areas closest to noise-sensitive land uses where it would be more difficult to otherwise comply with the City's noise level limits. Lawn maintenance is anticipated to be periodic, occurring two times per week, and lawn maintenance equipment would only result in temporary increases in noise levels. Therefore, periodic lawn maintenance would not result in a significant effect on the existing environment.

- **Chicken N Pickle.** The Chicken N Pickle would include both indoor and outdoor entertainment areas with amplified music, a sports bar, pickleball courts, and yard games as well as outdoor dining and lounging areas. Based on hours of operation from other existing Chicken N Pickle locations, the entertainment complex opens as early as 8:00 am on weekdays and weekends and closes at 11:00 pm on Monday through Thursday, midnight on Fridays and Saturdays, and 10:00 pm or 11:00 pm on Sundays. Amplified music would be subject to provisions of the City's noise code, including audibility and time of day restrictions. The analysis of concert events at the proposed stadium was used as a conservative proxy for the impact of amplified music from the Chicken N Pickle. Noise levels from concerts held at the proposed stadium would be less than 40 dBA within all surrounding residential neighborhoods. Therefore, amplified music from the outdoor bar areas associated with the Chicken N Pickle is likely to be less than 40 dBA within adjacent residential neighborhoods due to its location onsite and distance to adjacent neighborhoods (closest residence along South Plymouth Avenue is approximately 875 feet from the Chicken N Pickle site, and closest residence to the stadium is approximately 970 feet). Amplified music would rarely be audible within the adjacent communities, as it is anticipated to be below background (L90) noise levels. Reference sound levels for pickleball are identified in a noise study conducted in Arizona. Based on that study, pickleball noise from 32 players at a distance of 10 feet from the edge of the court was measured at 66.9 dBA. Assuming a minimum distance of 875 feet from the Chicken N Pickle to the nearest residence and direct line of sight, pickleball noise levels would be reduced to approximately 28 dBA. Therefore, pickleball noise is not anticipated to result in a significant effect on the existing environment.

Transportation Noise

Table 5.13-18, *Summary of the Ontario Regional Sports Complex Traffic-Noise Levels by Receptor Group*, in Section 5.13, *Noise*, in the Draft EIR, provides the traffic noise levels and changes traffic noise for the

with— and without—ORSC and scenarios compared to existing conditions. A total of two noise-sensitive receptors, located in Receptor Group 1 and Receptor Group 3, are predicted to experience traffic-noise levels that exceed the allowable increases in ambient noise levels under the future with-ORSC conditions.⁸ Increases in traffic-noise levels are predicted to range between 0 and 5.6 decibels, with the greatest increase occurring in Receptor Group 1. Therefore, traffic noise impacts are considered potentially significant.

Mitigation Measures

Miscellaneous Noise

The following mitigation measures were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. The measures as provided includes any revisions incorporated in the Final EIR.

N-2 **HVAC Equipment, Planning Area 6 Indoor Athletic Facility Building.** An acoustics study shall be provided to the City of Ontario prior to building permit issuance for the indoor athletic facility in Planning Area 6 that documents compliance with the overnight noise levels in the City’s municipal code (45 dBA at single-family residences from 10:00 pm to 7:00 am). HVAC equipment for the indoor athletic facility shall be designed and/or placed to yield a sound level less than 58 dBA at 50 feet. Noise associated with operation of heating and cooling equipment shall be minimized by the design and strategic placement of equipment.

N-3 **HVAC Equipment, Planning Areas 2, 3, 4, and 7 Buildings.** An acoustics study shall be provided to the City of Ontario prior to building permit issuance for new structures with HVAC systems in Planning Areas 2, 3, 4, and 7 that documents compliance with the overnight noise levels in the City’s municipal code (45 dBA at single-family residences from 10:00 pm to 7:00 am). HVAC equipment for the indoor athletic facility shall be designed and/or placed to yield a sound level less than 65 dBA at 50 feet to ensure compliance would result in a noise level of approximately 44 dBA at residential land uses to the east along Plymouth Avenue. Noise associated with operation of heating and cooling equipment shall be minimized by the design and strategic placement of equipment.

Mitigation Measures N-2 and N-3 would reduce commercial noise to less than significant noise levels.

Traffic Noise

A number of measures were considered for mitigating or avoiding the traffic noise impacts, as discussed below:

- **Special Roadway Paving.** Notable reductions in tire noise have been achieved via the implementation of special paving materials, such as rubberized asphalt or open-grade asphalt concrete overlays. For example, Sacramento County conducted a study of pavement noise along

⁸ See Table 5.13-6, *Existing Traffic Noise Levels by Receptor Group*, in Section 5.13 of the Draft EIR for a description of the locations of each receptor group.

the Alta Arden Expressway and found improvements in an average of 4 dB compared to conventional asphalt overlay. While special roadway paving has the potential to reduce traffic noise levels to below the impact threshold for the two impacted receptors, implementation of this mitigation strategy is costly. Therefore, considering the approximate costs versus benefits, this mitigation measure is inadequate for reducing the noise impacts to less than significant levels.

- **Sound Barrier Walls.** Some segments may potentially benefit from the installation of sound barrier walls adjacent to the roadways that are predicted to have excessive sound levels due to the project. However, receptors along East Riverside Drive have direct access (via driveways) to the associated roadway that must be maintained. Therefore, barrier walls would prevent access to their individual properties and would be infeasible. Further, impacts to areas located on private property are outside of the control of future Specific Plan developers, so there would be limited admittance (onto these properties) to construct such walls (while neglecting the high cost of such wall systems). For the reasons listed, this approach would not be able to reduce noise impacts at all receptor areas to levels that are below significance. Therefore, noise increases along these segments would be significant and unavoidable.
- **Sound Insulation of Offsite Residences.** The highest roadway noise levels are predicted to reach up to 76 dBA CNEL. Exterior-to-interior noise reductions depend on the materials utilized, the design of the homes, and their conditions. To determine what upgrades would be needed, a noise study would be required for each house to measure exterior-to-interior noise reduction. Sound insulation may require upgraded windows, upgraded doors, and a means of mechanical ventilation to allow for a “windows closed” condition. There are no funding mechanisms and procedures that would guarantee that the implementation of sound insulation features at each affected home would offset the increase in traffic noise to interior areas and ensure that the 45 dBA CNEL would be achieved. Therefore, this method was dropped from further consideration.

As identified above, traffic generated by the ORSC would result in a substantial increase in noise levels in the vicinity of noise-sensitive land uses. There are no feasible mitigation measures that would reduce traffic generated by vehicles associated with the ORSC. (Draft EIR pg. 5.13-63)

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measures discussed above. The City of Ontario hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

The City finds that there are no other mitigation measures that are feasible, taking into consideration specific economic, legal, social, technological, or other factors, that would mitigate this impact to a less-than-significant level, and further, that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the alternatives identified in the EIR, as discussed in Section IV of these Findings (Public Resources Code Section 21081(a)(1), (3); Guidelines Section 15091(a)(1), (3)). As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits,

including regionwide or statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

5. Transportation

Impact 5.17-2: The ORSC would generate a substantial increase in VMT.

VMT Impacts

Project-Level VMT Impacts

VMT forecasts for the ORSC and citywide average are presented in Table 5.17-3, *Ontario Regional Sports Complex Daily VMT per Service Population*, in Section 5.17, *Transportation*, of the Draft EIR. As shown in the table, the ORSC is forecast to generate VMT/service population (SP) higher than the citywide average for baseline and cumulative conditions. It should be noted that the citywide average was estimated in accordance with the City's VMT analysis requirements using the most current available version of San Bernardino County Transportation Agency's travel demand model (SBTAM) consistent with the City's TOP 2050 buildout, and the ORSC VMT was estimated off-model using more conservative, project-specific information. Furthermore, the ORSC does not include any residential population and a relatively low employment population compared to the number of VMT generated (i.e., high level of visitors), and therefore results in a very high VMT/SP estimate. Nonetheless, because VMT/SP exceeds the city average, the ORSC would result in a potentially significant impact.

VMT per Visitor

To provide an additional perspective on the ORSC's VMT generation, an alternate metric, VMT per visitor, was developed for each major recreation and entertainment land use that had visitor estimates available. While this metric should not be used to determine significant impacts under the City's SB 743 methodology, it provides a more meaningful analysis on the VMT efficiency of the project by providing the expected VMT per user of the ORSC site. Table 5.17-4, *Ontario Regional Sports Complex VMT per Visitor*, in Section 5.17 of the Draft EIR shows the VMT/Visitor for weekdays, weekends, and all days. As shown in the table, though average VMT is higher on weekends, the higher number of visitors and higher average vehicle occupancy on weekends results in a lower VMT per visitor.

Cumulative VMT Impacts

The ORSC's effect on VMT in the city (boundary method) is shown in Table 5.17-5, *Ontario Regional Sports Complex Daily VMT Within the City Limits*, in Section 5.17 of the Draft EIR. This table shows that the ORSC would increase total VMT within the city between 70,128 to 92,086 miles per day and would exceed the "no net increase" thresholds. Therefore, the ORSC would result in a potentially significant cumulative increase in VMT within the city.

As identified previously, because the ORSC includes unique uses that are not in the model (recreation, entertainment, hospitality), SBTAM could not be used to analyze the project's effect on VMT within the city limits. Therefore, the approach to evaluating cumulative VMT impacts is very conservative because it assumes all VMT associated with the ORSC is new VMT. Nonetheless, cumulative impacts would be potentially significant.

Mitigation Measures

The following mitigation measures were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

- TRAF-1a **Commercial/Hospitality TDM Measures.** Applicants for commercial and hotel development in Planning Areas 2, 3, and 4 shall prepare Transportation Demand Management (TDM) measures analyzed under a VMT-reduction methodology consistent with the California Air Pollution Control Officers Association’s (CAPCOA) *Final Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity* (2021) and approved by the City of Ontario. Measures shall include but are not limited to:
- Implement a voluntary commute trip reduction program for employees.
 - Implement an employee parking cash-out program for employees.
 - Collaborate with the City to support transit service expansion.
 - Comply with requirements detailed in the Parking Management Plan, including providing parking validation for retail and hospitality visitors.
- TRAF-1b **Stadium TDM Measures.** The Minor League Baseball stadium operator shall prepare Transportation Demand Management (TDM) measures analyzed under a VMT-reduction methodology consistent with the California Air Pollution Control Officers Association’s (CAPCOA) *Final Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity* (2021) and approved by the City of Ontario. The Baseball Stadium Operator shall implement the following measures at the stadium as part of the TDM plan:
- Implement a voluntary commute trip reduction program for stadium employees.
 - Implement an employee parking cash-out program for stadium employees.
 - Implement paid public parking for visitors during stadium events. Cost structure, enforcement, and implementation will be detailed in the Parking Management Plan.
 - Incentivize carpooling by providing a discounted parking rate for vehicles with five or more occupants.
 - Collaborate with the City to support transit service expansion and support efforts to lower transit fares for stadium attendees.
- TRAF-1c **City TDM Measures.** The City shall prepare Transportation Demand Management (TDM) analyzed under a VMT-reduction methodology consistent with the California Air Pollution Control Officers Association’s (CAPCOA) *Final Handbook for Analyzing*

Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity (2021). The City shall implement the following measures for city-owned land uses within the Ontario Regional Sports Complex as part of the TDM plan:

- Implement a voluntary commute trip reduction program for recreation employees.
- Implement paid public parking for visitors during soccer, baseball, softball, basketball, and volleyball games and tournaments. Cost structure, enforcement, and implementation will be detailed in the Parking Management Plan.
- Incentivize carpooling by providing a discounted parking rate for vehicles with five or more occupants.
- Incentivize vanpooling to and from sports games and tournaments by implementing a vanpooling program for recreational sports attendees that provides affordable van rentals for visiting sports teams.
- Collaborate with Omnitrans to increase transit service in the project area and reduce transit fares for stadium attendees.

TRAF-2

The City of Ontario shall prepare and implement a Parking and Event Traffic Management Plan (TMP) for events at the stadium and City athletic facilities prior to opening day of the stadium. The TMP shall outline operational strategies to optimize access to and from the stadium and sports fields within the constraints inherent to a large public event.

The TMP shall have the following high-level objectives.

- Minimize single-occupancy auto mode share and reduce vehicle trips and parking demand generated by the project to the maximum extent practicable.
- Facilitate and promote safe use of nonautomobile transportation by people attending and supporting games and other events as well as other uses onsite.
- Facilitate a high-quality walking experience to the stadium from adjacent hospitality land uses in PAs 2, 3, and 4 by identifying key walking routes and major street crossing locations, so that wayfinding, infrastructure improvements, and/or personnel (e.g., traffic control officers, parking control officers, or other personnel acceptable to the City) can be placed at critical points to manage the interaction of pedestrians and vehicles during medium and large events.
- Maximize safety for all transportation users at key locations in and around the ORSC site during event ingress and egress.
- Minimize conflicts between ridesharing (i.e., Lyft, Uber), taxi operations, and walking and biking near the ORSC site.

- Facilitate the safe and efficient flow of vehicle traffic into and out of the site and the adjacent neighborhoods during event conditions.
- Minimize event-related vehicular, bicycle, and pedestrian impacts to surrounding residential and commercial areas.
- Minimize impacts to through traffic on adjacent arterial streets by separating project traffic to the extent possible.
- The TMP shall include the following:
 - The TMP shall illustrate the recommended event management strategies, including traffic control plans pre- and post-event.
 - The TMP shall require parking control officers or other personnel acceptable to the City to manage pedestrian flows to and from the facilities and directing pedestrians to the primary corridors serving the ORSC site.
 - Event-day measures shall typically begin two hours prior to the event's start time until the start of the event and then again prior to the event's conclusion until typically one to two hours after the end of the event, depending on how long it takes for all attendees to exit the stadium and sport fields.
 - The TMP is intended to be a living document and would be amended periodically by the City and stadium.
 - Permanent and/or temporary signs shall be installed on Vineyard Avenue, Riverside Drive, and Chino Avenue to direct event traffic.
 - The TMP shall address daily parking management in the ORSC site, with additional details for parking management on event days with multiple events.
 - The City shall establish an operational oversight group made up of the transportation agencies and third party operator(s) that could be impacted by events as well as representation from local businesses and neighborhoods.
 - The TMP shall identify:
 - Queuing lanes for vehicles waiting to enter the parking garages.
 - Dedicated rideshare/passenger pick-up and drop-off locations.
 - Fixed overhead signage and temporary signage/traffic control devices.
 - A dedicated emergency lane.
 - Internal roadways and access driveways that may be closed to facilitate pedestrian movement and consolidate access.

- Dedicated pedestrian routes that do not impede vehicle traffic.
- Strategies to implement depending on the scale of the event (e.g., differences between weekday game operation and weekend tournament).

Mitigation Measures TRAF-1 and TRAF-2 would reduce potential impacts for future development projects to the extent feasible. Future development in the ORSC would need to consider transportation demand management (TDM) measures consistent with those identified in the Mobility Element. TDM techniques include incentives to use transit; incentives to form carpools rather than drive alone; and making home, work, and shopping closer together to shorten travel distances. In addition, Mitigation Measure TRAF-2 would reduce VMT during events. Implementation of TDM measures could reduce VMT by up to 6,101,308 miles, or by up to approximately 10 percent (see Appendix L1 of the Draft EIR). However, Table 5.17-7, *Ontario Regional Sports Complex Daily VMT Per Service Population and Per Visitor With Mitigation*, in Section 5.17 of the Draft EIR identifies that VMT impacts under the ORSC would remain significant and unavoidable. (Draft EIR pg. 5.17-27)

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measures discussed above. The City of Ontario hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

The City finds that there are no other mitigation measures that are feasible, taking into consideration specific economic, legal, social, technological, or other factors, that would mitigate this impact to a less-than-significant level, and further, that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the alternatives identified in the EIR, as discussed in Section IV of these Findings (Public Resources Code Section 21081(a)(1), (3); Guidelines Section 15091(a)(1), (3)). As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

E. PROGRAMMATIC ENVIRONMENTAL IMPACTS OF THE OFFSITE GENERAL PLAN AMENDMENTS AND REZONE

The Proposed Project would require compliance with SB 330 and SB 166 to ensure no net loss of residential units in the City. As described in Section II.E, *Project Description*, above the ORSC would require concurrent redesignation and rezoning of land currently designated as Low Density Residential (LDR) to Medium Density Residential (MDR) to offset the loss of land designated for residential uses on the ORSC site in TOP (referred to as the GPA and Rezone). The parcels proposed for redesignation and rezoning are located south of ORSC site on Vineyard Avenue. The following describes the impacts associated with GPA and Rezone.

1. Aesthetics

The proposed increase in density associated with the GPA and Rezone would allow more housing units to be developed on these parcels (2.1-5 dwelling units per acre under LDR to 11.1 to 25 dwelling units per acre under MDR), which would result in greater building heights and denser building forms than currently allowed.

- **Scenic Vistas and Highways.** Future development of these parcels in accordance with TOP could partially obstruct views of the San Gabriel Mountains and Santa Ana Mountains when viewed from north or south of Schaefer Avenue near its intersection with Vineyard Avenue and south of Chino Avenue near its intersection with Vineyard Avenue. However, there are no protected public views within the vicinity of these parcels and the City's scenic corridors, Euclid Avenue and Mission Boulevard, are over two miles west and north of the GPA and Rezone area, respectively. Additionally, development under the existing designation would also have similar impacts on the viewsheds since development of any structures on these parcels could partially obscure views of the mountains from nearby roadways. All development would be subject to TOP 2050 Policy CD-1.5 to ensure that major north-south streets are designed to feature views of the San Gabriel Mountains. Impacts to scenic vistas from rezoning would not be increased when compared to the existing development designation. Like the ORSC site, there are no designated or eligible scenic highways that could be affected by development at the GPA and Rezone area since the nearest eligible route (SR-142) is over seven miles west of the Area. (Draft EIR pg. 5.1-35)
- **Scenic Quality.** Future development of these parcels would comply with the provisions of the Ontario Development Code, Chapter 6, and the policies in the Community Design Element of TOP 2050. Compliance with these standards and policies would ensure that development is consistent with the City's regulations governing scenic quality. (Draft EIR pg. 5.1-35)
- **Light/Glare.** While this denser scale of development under the proposed rezoning would potentially create more new sources of glare and light when compared to development under the existing designation, the development would comply with the California Building Standards Code regulations concerning light and glare. Additionally, residential development in the City is subject to specific light and glare standards contained in Section 6.01.010, Residential Zoning Districts, of the Ontario Development Code, which require that exterior light fixtures prevent glare and light spillover on to adjacent properties, buildings, and public and private streets and roadways. Compliance with these standards would ensure that lighting and glare impacts are less than significant. (Draft EIR pg. 5.1-35)

2. Agriculture and Forestry Resources

The GPA and Rezone area includes 45.8 acres of Prime Farmland as designated by the Department of Conservation.

- **Loss of Important Farmland.** Development of the parcels pursuant to their existing LDR designation would likely result in significant and unavoidable impacts since development on these parcels would require the conversion of Important Farmland to an urban use. Regardless of the type of urban development proposed, the farmland at these parcels would need to be converted,

therefore the proposed GPA and Rezone of the parcels from a lower density residential to a higher density residential use would have no additional impact on these resources. The proposed GPA and Rezone would have no additional impact on important farmland compared to that identified in the 2022 EIR because this land has already been designated urban land uses in TOP, but would result in significant and unavoidable impacts if the parcels are developed. (Draft EIR pg. 5.2-9)

- **Agricultural Zoning/Williamson Act Contract.** Like the ORSC site, the GPA and Rezone area does not encompass land under active Williamson Act contracts. Additionally, the proposed GPA and Rezone would not change the Agricultural Overlay zoning of these parcels. A 19.25-acre portion of the parcels on Vineyard Avenue proposed for the land use change would in addition to the AG Overlay, have an Affordable Housing Overlay to meet the requirements of SB 166. The GPA and Rezone would have no impacts on Williamson Act contracts or agricultural zoning. (Draft EIR pg. 5.2-9)
- **Loss of Forestland/Conflicts with Timberland Zoning.** The GPA and Rezone area does not contain forestland or timberland zoning and therefore would result in no impacts. (Draft EIR pg. 5.2-9)

3. Air Quality

The GPA and Rezone is not anticipated to result in any additional air quality impacts beyond those identified in the Certified EIR for TOP 2050.

- **Consistency with AQMP.** As documented in Section 5.17, *Transportation*, the transportation model was adjusted to reflect the GPA and Rezone. However, the vehicle miles traveled outside the ORSC site does not differ between the future baseline and future with-project conditions. As such, the redesignation and rezoning of these parcels would not result in a significant increase in air quality emissions because these parcels are already designated and zoned as residential use in TOP and the increase in residential density is solely to offset the displacement of the residential land use designation on the 199-acre ORSC site. The offsite GPA and Rezone would be considered consistent with the underlying growth assumptions of the South Coast AQMD's AQMP. This impact would be less than significant. (Draft EIR pg. 5.3-45)
- **Regional Emissions.** The offsite GPA and Rezone would allow additional residential development beyond what currently exists along Vineyard Avenue; however, site-specific information related to the construction of the new homes which may be allowed are unknown. Nonetheless, individual projects facilitated by the GPA and Rezone would be required to go through their own environmental review, and incorporation of Mitigation Measure AQ-1 into individual projects would reduce construction-related emissions. In general, increasing residential density is expected to result in a more efficient, compact land use with less energy use per unit and fewer vehicle trips per unit than low density residential uses, which is reflected in Table 5.6-9, *Residential Energy Use and Vehicle Trip Generation Rates*, in Section 5.6, *Energy*, of the Draft EIR. Therefore, the offsite GPA and Rezone would not result in an exceedance of South Coast AQMD's significance thresholds or cumulatively contribute to a nonattainment designation of the SoCAB. (Draft EIR pg. 5.3-45)

- **Sensitive Receptors.** The GPA and Rezone along vineyard corridor would increase residential densities along the Vineyard Avenue corridor but would not result in greater impacts than identified in the Certified EIR for TOP 2050. Individual projects facilitated by the GPA and Rezone would be required to go through their own environmental review, and incorporation of TOP 2050 SEIR Mitigation Measure AQ-1 into individual projects would reduce construction-related emissions that contribute to health risks at nearby receptors, such as diesel exhaust. Therefore, the offsite GPA and Rezone would not result in significant impacts associated with exposing sensitive receptors to substantial pollutant concentrations. (Draft EIR pg. 5.3-46)
- **Odors.** The GPA and Rezone along vineyard corridor would increase residential densities along the Vineyard Avenue corridor but would not result in greater impacts than identified in the Certified EIR for TOP 2050. Additionally, all components of the Proposed Project would be required to comply with South Coast AQMD Rule 402. Therefore, the GPA and Rezone would not generate potentially significant odor impacts affecting a substantial number of people. (Draft EIR pg. 5.3-46)

4. Biological Resources

The existing setting of Offsite General Plan Amendment (GPA) and Rezone area is similar to the ORSC site and Offsite Improvement Area, containing primarily disturbed land used for agriculture. Many sensitive animal species have the potential to occur in the city, as discussed in Section 5.4, *Biological Resources*, of the TOP 2050 Draft SEIR.

- **Sensitive Species.** In compliance with existing federal and State laws, development of the Offsite GPA and Rezone area would be required to determine whether there is potential habitat onsite for sensitive species. If potential habitat were found onsite, focused surveys for those sensitive species potentially present would be required. If sensitive species were found, the project proponent would be required to consult with the CDFW regarding impacts to sensitive species and ensuing mitigation. Like the ORSC site and Offsite Improvement Area of the Proposed Project, development on the Offsite GPA and Rezone area would be required to pay a mitigation fee that would be deposited into a trust fund to be used for the acquisition, restoration, rehabilitation, and maintenance of lands deemed to have long-term conservation value. Compliance with the regulations and procedures detailed above would ensure that impacts to sensitive species are less than significant. (Draft EIR pg. 5.4-59)
- **Riparian Habitat/Sensitive Natural Communities/Jurisdictional Waters.** If the GPA and Rezone area contains surface water areas determined to be jurisdictional to the state and development of the Area would result in impacts to these waters, subsequent development would require CDFW approval pursuant to the Fish and Game Code (Section 1600 et. seq.) in the form of Streambed Alteration Agreements. Such impacts would require mitigation, also subject to CDFW approval. If the waters onsite are determined to be jurisdictional to the USACE, a Section 404 permit under the CWA may also be required. Development of the GPA and Rezone area would be required to comply with existing federal and State laws protecting sensitive habitat and riparian resources to ensure that impacts to these resources are mitigated to less than significant. (Draft EIR pg. 5.4-60)

- **Wildlife Movement.** As described in the SEIR for TOP 2050, no regional wildlife corridors have been identified within the City and like the ORSC site and Offsite Improvement Area, the GPA and Rezone area is largely disturbed and surrounded by urban development, limiting the potential for wildlife movement through the Area. However, like the other components of the Proposed Project, the GPA and Rezone area could contain habitat for nesting birds and roosting bats requiring mitigation to reduce impacts and avoid take of these species. However, any development of the GPA and Rezone would be subject to the existing state and federal laws including the MBTA that ensure the protection of sensitive species, reducing impacts to less than significant. (Draft EIR pg. 5.4-60)
- **HCP/NCCP and Local Ordinances/Policies.** Like the ORSC and Offsite Improvement Area portions of the Proposed Project, the Offsite GPA and Rezone area is not within the boundaries of an HCP/NCCP. The Offsite GPA and Rezone area is within the Ontario Recovery Unit for the DSFLF and may require focused surveys for DSFLF and consultation with the USFWS regarding mitigation of impacts on any DSFLF found, pursuant to Section 7 of the Federal ESA. If the GPA and Rezone area contains heritage trees as defined by Section 6.05.020, Tree Preservation Policy and Protection Measures, of the Ontario Development Code, development on these sites would also be subject the provisions of this section of the Development Code. Compliance with these regulations would ensure that impacts are less than significant. (Draft EIR pg. 5.4-60)

5. Cultural Resources

Impacts to cultural resources under the GPA and Rezone are expected to be similar to impacts that would occur under development of the GPA and Rezone area under its existing designation. Potential historic and archaeological resources are listed in Table 5.5-2, *Previously Recorded Cultural Resources Within One Mile of the ORSC Site and Offsite Improvement Area*, in Section 5.5, *Cultural Resources*, of the Draft EIR.

- **Historic Resources.** Known or future historic sites or resources listed in the national, California, or local registers would be protected through local ordinances, TOP 2050 policies, and state and federal regulations restricting alteration, relocation, and demolition of historical resources. Mitigation Measure 5-1 in the TOP 2050 SEIR requires evaluation of potential historic resources. The CEQA Guidelines require a project that will have potentially adverse impacts on historical resources to conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties. Additionally, historic properties in the City are classified based on their determined degree of significance through three tiers, pursuant to Section 4.02.040(H) of the Ontario Development Code. Any type of development proposed for the GPA and Rezone area would require compliance with state and local regulations protecting historic resources. Development of the GPA and Rezone area under its existing designation would result in the same level of impacts to historic resources as development under the proposed designation. (Draft EIR pg. 5.5-29)
- **Archaeological Resources.** Like the ORSC site and Offsite Improvement Area, the GPA and Rezone area contains agricultural uses and is largely undeveloped. Therefore, unknown archaeological resources could exist in the GPA and Rezone area. Development of the GPA and Rezone area would be required to comply with existing federal, state and local regulations that provide protections to archaeological resources. Mitigation Measure 5-2 of the TOP 2050 SEIR

requires projects to provide studies that document the presence/absence of archaeological resources and provide a detailed mitigation plan to avoid and protect any potential resources based on the recommendations of a qualified cultural preservation expert. Development of the GPA and Rezone area under either its existing or proposed designation would likely require ground disturbance, thereby requiring a protection plan to be implemented to mitigate impacts to less than significant. Development of the GPA and Rezone area would require compliance with state and federal regulations in addition to Mitigation Measure 5-2 of the TOP SEIR. (Draft EIR pg. 5.5-29)

- **Human Remains.** Development at the GPA and Rezone area has the potential to impact human remains. California Health and Safety Code, Section 7050.5; CEQA Section 15064.5; and PRC Section 5097.98 mandate that a specific process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery, as described in Impact 5.5-3 (see Section III.B above). Compliance with state regulations would ensure that this impact is less than significant. (Draft EIR pg. 5.5-29)

6. Energy Resources

The GPA and Rezone would not result in any additional impacts with respect to energy.

- **Wasteful, Inefficient, or Unnecessary Energy.** In general, increasing residential density is expected to result in a more efficient, compact land use with less energy use per unit and fewer vehicle trips per unit than low density residential uses, as shown in Table 5.6-9 in Section 5.6 of the Draft EIR. As a result, per capita energy consumption from the new residences envisioned by the GPA and Rezone is anticipated to decrease from existing conditions. Therefore, the GPA and Rezone would not result in a significant impact related to the wasteful, inefficient, or unnecessary consumption of energy resources. (Draft EIR pg. 5.6-17)
- **Plan Consistency.** As discussed under Impact 5.8-2 (see Section III.B), the two plans or policies that were adopted for the purposes of encouraging energy efficiency and renewable energy which would apply to the Proposed Project include California's RPS and the City's CCAP. While the Proposed Project envisions more dense residential development along Vineyard Avenue, the Proposed Project does not include any site-specific proposal for residential development. As such, when individual residential development projects envisioned by the GPA and Rezone undergo their own environmental review, consistency with these plans will be considered, and mitigation will be applied as appropriate and necessary to reduce impacts to less than significant levels. Nonetheless, future development would be required to meet the version of the CBSC that is in effect at the time it goes through plan check and approval with the City. Therefore, the GPA and Rezone would not result in a significant impact related to consistency with a plan adopted for the purposes of reducing GHG emissions. (Draft EIR pg. 5.6-18)

7. Geology and Soils

These proposed changes under the GPA and Rezone would not result in additional impacts regarding geology and soils. These site-specific topics that would need to be addressed regardless of the type of residential development proposed. Future development at these sites would be required to comply

with federal, State, and local regulations concerning reduction of geologic and soil hazards and the protection of soils and paleontological resources.

- **Earthquakes.** Projects considered for approval under TOP would be required to comply with seismic safety provisions of the CBC (Title 24, Part 2 of the California Code of Regulations). Such compliance would reduce hazards arising from ground shaking to less than significant. (Draft EIR pg. 5.7-13)
- **Geohazards.** Projects considered for approval under TOP would be required to comply with the California Building Code (CBC). Compliance with the safety provisions of the CBC would ensure less-than-significant impacts from geology and soil hazards. (Draft EIR pg. 5.7-14)
- **Septic Tanks.** Similar to the ORSC, future development would be required to connect to the City's sewer and treated by IEUA. No impact would occur. (Draft EIR pg. 5.7-14)
- **Paleontological Resources.** The potential to uncover undiscovered paleontological resources is high within the City. Mitigation Measure 5-2 in the 2022 EIR would be applicable for future development associated with the GPA and Rezone. Mitigation Measure 5-2 requires that in the event of an unanticipated discovery of archaeological resources during grading and excavation of the site, a qualified archaeologist would assess the find and develop a course of action to preserve the find. Therefore, Mitigation Measure 5-2 would reduce potential impacts to paleontological resources to a level that is less than significant. (Draft EIR pg. 5.7-14)

8. Greenhouse Gas Emissions

- **Greenhouse Gas Emissions.** As explained in Section 5.17, of the Draft EIR, VMT outside the 199-acre ORSC does not differ between the future baseline and future with-project conditions. Because vehicular transportation, expressed in VMT generation, typically constitutes the largest GHG emission source for residential land uses, the redesignation and rezoning of these parcels would not result in a significant increase in GHG emissions. These parcels are already designated and zoned as residential use in TOP and the increase in residential density is solely to offset the displacement of the residential land use designation on the 199-acre ORSC site. Furthermore, in general, increasing residential density is expected to result in a more efficient, compact land use with less energy use per unit and fewer vehicle trips per unit than low density residential uses. Table 5.6-9, *Residential Energy Use and Vehicle Trip Generation Rates*, in Section 5.6, *Energy*, illustrates the energy consumption and vehicle trip generation rates anticipated for varying densities of residential development types. The energy consumption rates for the various residential land uses are drawn from CalEEMod default values, which reflect per-unit consumption rates from the CEC's 2019 Residential Appliance Saturation Survey, and the trip generation rates are drawn from the latest Institute of Transportation Engineers' (ITE) Trip Generation Manual (11th edition). As shown in Table 5.6-9, the GPA and Rezone is expected to result in generally more efficient per-unit energy consumption and vehicle trip generation. As a result, per capita GHG emissions from the new residences envisioned by the Offsite Amendments and Zone Changes is anticipated to decrease from existing conditions. Therefore, the GPA and Rezone would not result in a significant impact related to GHG emissions. (Draft EIR pg. 5.8-30)

- **Plan Consistency.** As discussed under Impact 5.8-2, the three plans that were adopted for the purposes of reducing GHG emissions which would apply to the GPA and Rezone area include CARB's 2022 Scoping Plan, SCAG's Connect SoCal, and the City's CCAP. While the Proposed Project envisions more dense residential development along Vineyard Avenue, the GPA and Rezone component does not include any site-specific proposal for residential development. As such, when individual residential development projects envisioned by the TOP Amendments and Zone Changes undergo their own environmental review, consistency with these plans will be considered, and mitigation will be applied as appropriate and necessary to reduce impacts to less than significant levels. Therefore, the GPA and Rezone would not result in a significant impact related to consistency with plans adopted for the purpose of reducing GHG emissions. (Draft EIR pg. 5.8-30)

9. Hazards and Hazardous Materials

The proposed land use changes of these parcels would not result in additional impacts with respect to hazardous conditions. The proposed change would allow the same type of use of the parcels but with a greater allowed density. Any impacts concerning hazardous conditions at these sites would be present and require treatment/remediation regardless of the scale of residential development allowed.

- **Hazardous Materials.** Development of the GPA and Rezone area would be required to comply with the applicable Federal, State, and local regulations that govern the use, storage, handling, generation, transport, and disposal of hazardous materials and wastes. Due to the existing agricultural uses at these parcels, Phase I ESAs could be required to assess the potential for hazardous conditions before a project is proposed. Impacts with respect to hazardous materials handling or the potential for release of hazardous materials into the environment for development under the proposed land use change would be similar to development under the existing designation since both designations would only allow residential uses. There would be no additional impacts with regard to hazardous materials from the GPA and Rezone. (Draft EIR pg. 5.9-39)
- **Hazardous Materials Sites.** The GPA and Rezone area does not contain a hazardous materials site as designated by DTSC in the EnviroStor database or SWRCB's GeoTracker database (DTSC 2024; SWRCB 2024). However, other hazardous conditions associated with previous uses at the GPA and Rezone area that have not been documented in these databases could be present. Site assessments for hazardous materials and remediation of hazardous materials releases could be required for development at the GPA and Rezone area which would be conducted as development is proposed. The proposed offsite land use changes would not result in any additional impacts with respect to hazardous conditions at the site. (Draft EIR pg. 5.9-39)
- **Airport Hazards.** Any projects proposed for the GPA and Rezone area would comply with applicable ONT and Chino Airport land use compatibility measures since the Area is within the Influence Areas of both airports. The proposed land use change could result in taller residential buildings being developed at the GPA and Rezone area when compared to development under the existing designation. However, the GPA and Rezone area is not within the Safety Zones of either airport nor would the maximum allowed height of development under the MDR designation

exceed the airports' combustibility policies for building heights in the Influence Areas. No additional impacts with respect to airport hazards would occur. (Draft EIR pg. 5.9-39)

- **Emergency Plans/Wildfire.** While the GPA and Rezone would likely result in an increase in the number of residents at the site under a proposed development, all building plans would be checked by the City's Building and Safety Department, along with the Ontario Fire Department and Police Department, to ensure that adequate site access is maintained along roadways and driveways. Development under the proposed land use change would not result in additional impacts with respect to implementing emergency response plans. Additionally, the GPA and Rezone area is not within a Fire Hazard Severity Zone and therefore increased residential density at the GPA and Rezone area would not contribute to increased wildfire risks. (Draft EIR pg. 5.9-39)

10. Hydrology and Water Quality

- **Water Quality.** The redesignation of these parcels would not result in a significant impact on water quality because these parcels are already designated for residential use in TOP, and the development of the parcels under any urban use would have similar impacts. Construction projects that disturb one acre or more of land would be required to prepare and implement SWPPPs to obtain coverage under the Statewide GCP. Project applicants would also be required to prepare and implement WQMPs specifying BMPs, including LID measures, that would be applied during project design and project operation to minimize water pollution from project operation. This impact would be less than significant. (Draft EIR pg. 5.10-26)
- **Groundwater Supplies.** Although an increase in the amount of impervious surfaces could result by rezoning from LDR to MDR, which could impact groundwater recharge, future development on the Vineyard Avenue parcels would be required to implement BMPs and LID measures in accordance with the County WQMP guidance and the regional MS4 permit. Implementation of stormwater control measures included in the WQMP would ensure future development on the Vineyard Avenue parcels would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. This impact would be less than significant. (Draft EIR pg. 5.10-26)
- **Alter Drainage Patterns.** Although an increase in the amount of impervious surfaces could result by rezoning from LDR to MDR, which could lead to an increase in stormwater runoff, future development on the Vineyard Avenue parcels would be required to comply with the MS4 permit and temporarily retain the volume of stormwater onsite from the 24-hour, 85th percentile storm event. Compliance with the regional MS4 permit requires implementation of site design and source control BMPs that would reduce the potential for pollutants to enter runoff, and treatment control BMPs that remove pollutants from stormwater (e.g., swales and retention basins). Lastly, development associated with the GPA and Rezone would adhere to the State CGP and the City's Erosion Control Plan requirements. Therefore, impacts from altering drainage patterns on erosion or siltation, surface runoff contributing to flooding, impacts to storm drain system and redirecting flood flows would be less than significant. (Draft EIR pg. 5.10-26)

- **Release of Pollutants due to Flooding.** The redesignation of these parcels would not result in a significant impact regarding the release of pollutants due to project inundation because these parcels are already designated for residential use in TOP, and the development of the parcels under any urban use would have similar impacts. In addition, future development on the Vineyard Avenue parcels would be required to prepare hydrology and hydraulic studies in accordance with the County Hydrology Manual if the parcels are located within a 100-year or 500-year floodplain. This impact would be less than significant. (Draft EIR pg. 5.10-26)
- **Conflict with Santa Ana River Basin Plan or Groundwater Basin Plan.** The redesignation of these parcels would not result in a significant impact regarding conflict with the Santa Ana River Basin Plan or Chino Basin Watermaster’s Optimum Basin Management Plan because these parcels are already designated for residential use in TOP, and the development of the parcels under any urban use would have similar impacts. Adherence to the State CGP, implementation of the SWPPP, and adherence to the City’s Erosion and Sediment Control Plan requirements, as described in detail in Impact 5.10-1, would also ensure that surface and groundwater quality are not adversely impacted during construction on the Vineyard Avenue parcels. Preparation of WQMPs identifying BMPs for preventing stormwater pollution during post-construction phases would comply with the Santa Ana River Basin Plan. This impact would be less than significant. (Draft EIR pg. 5.10-27)

11. Land Use and Planning

The proposed MDR land use designations along the Vineyard Avenue Corridor would not physically divide a community or conflict with policies in TOP since the land is currently designated for residential development under TOP 2050. Therefore, land use and planning impacts associated with the GPA and Rezone would be less than significant. (Draft EIR pg. 5.11-12)

12. Mineral Resources

The parcels proposed for rezoning are located south of ORSC site on Vineyard Avenue. These offsite parcels are not in an MRZ-2 area and development at these parcels would have no impacts on mineral resources. (Draft EIR pg. 5.12-3)

13. Noise

- **Traffic Noise.** The transportation model was adjusted to reflect the compensatory SB 330 and SB 166 map proposed amendments. As identified in modeling conducted by Fehr & Peers and found in Appendix L1 and Appendix L2 of this Draft EIR, VMT outside the ORSC does not differ between the future baseline and future with-project conditions; and therefore, traffic volumes on roadway segments in the vicinity of the ORSC site associated with this land use map change would not be substantially affected by the increase in density from LDR to MDR. Furthermore, increasing density results in a more efficient, compact land use that would in fewer vehicle trips than low density residential uses. Table 5.6-9, *Residential Energy Use and Vehicle Trip Generation Rates*, in Section 5.6, *Energy*, illustrates the vehicle trip generation rates anticipated for varying densities of residential development types. (Draft EIR pg. 5.13-59)

- **Stationary Noise.** The GPA and Rezone would not result in new types of stationary noise sources. The City's Noise Ordinance, building codes, and subdivision and development code regulations reduce noise from future development projects to ensure less than significant impacts. (Draft EIR pg. 5.13-59)
- **Airport Noise.** The GPA and Rezone area is also within the influence areas of both airports but outside the safety zones and noise contours of both airports. (Draft EIR pg. 5.13-59)
- **Construction Noise and Vibration.** Construction noise and vibration impacts associated with the GPA and Rezone from LDR to MDR would not result in an increase in construction noise levels evaluated in the 2022 EIR. Municipal Code Chapter 29, Section 5-29.09, which limits construction, remodeling, digging, grading, demolition, or any other related building activity to between the hours of 7:00 am and 6:00 pm, Monday through Friday, and 9:00 am to 6:00 pm on weekends to ensure that construction activities occur when people are least sensitive to noise and would not occur in the noise-sensitive portions of the day. Furthermore, Mitigation Measures 12-2 and 12-4 of the 2022 EIR would be applicable for future development projects if construction activities have the potential to occur near sensitive receptors. (Draft EIR pg. 5.13-59)

14. Population and Housing

As described in Section 3.3.4, *The Ontario Plan and Zone Changes*, of the Project Description, the ORSC development would require the rezoning of land off the ORSC site in order to comply with the no-net-loss requirements of SB 330 and SB 166. TOP 2050 planned for a total of 1,471 units in the areas designated LDR and MDR on the ORSC site which would be redesignated and rezoned under the ORSC to support the proposed recreation, stadium, and retail/hospitality uses. To offset this loss, 94 acres along the Vineyard Corridor, south of the ORSC site, would be assigned a more intense land use designation, changing from LDR to MDR (see Figure 3-15). The current land use designation in the Vineyard Corridor, LDR, allowed up to 424 units under TOP 2050. Because of SB 330, the combined housing capacity for the ORSC site and the Vineyard Corridor parcels must be maintained, meaning the Vineyard Corridor parcels must support a minimum capacity of 1,895 units (1,471 units to offset the Proposed Project plus 424 units to account for the existing capacity on the parcels where growth potential would be reallocated). To achieve this, the ORSC requires a general plan amendment designating the Vineyard Corridor parcels (94 acres) as MDR instead of LDR, creating capacity for 2,075 units, 180 units more than required to comply with SB 330.

This 180-unit surplus would result in an increase in the total housing capacity of the City, beyond what was analyzed in TOP 2050. Using the City's average household size of 3.67 persons per household, the estimated population increase associated with the housing unit surplus is approximately 661 residents. While these additional housing units and population were not accounted for within the buildout of TOP 2050 or SCAG's 2045 forecasts, they would represent a nominal increase in the total number of housing units and population forecasted in these growth models, a 0.25 percent increase in population compared to SCAG's 2045 forecast and a 0.16 percent increase when compared to TOP 2050's population buildout forecast. Additionally, this increase in housing capacity would be aligned the State initiatives to increase housing production in California in order to respond to the State housing crisis (see Section 5.14.1.1, *Regulatory Background*). Furthermore, the proposed zoning amendment to include

an affordable housing overlay for 19.25 acres of the 94 acres in Vineyard Corridor would implement the objectives of the 2021-2029 Housing Element. Moreover, this increase in housing capacity would help to improve the City's jobs-housing balance. As described above, in Section 5.14.1.2, *Existing Conditions*, City is currently jobs-rich with a jobs-housing ratio of 1.37 in 2020. Therefore, the proposed GPA and Rezone would have less than significant impacts on population growth.

As explained, the ORSC would displace housing capacity at the ORSC site but would replace this capacity at Vineyard Corridor, resulting in no-net-loss of housing capacity in the City. As discussed in Impact 5.14-2, some existing residential units would be removed from the ORSC site to accommodate the ORSC but this would not necessitate the replacement of housing elsewhere in the City. The 1,471-unit housing capacity that is designated for the ORSC site under TOP 2050 are not "existing" housing units that have been constructed prior to the Proposed Project. Therefore, the proposed amendments and rezonings at the ORSC site would have no impact concerning displacement since no housing or people exist at the ORSC site (beyond the existing dairy and agricultural-related uses analyzed in Impact 5.14-2) and no replacement housing would need to be constructed. The proposed amendments and zone changes under the Proposed Project would have no impact on displacement. (Draft EIR pg. 5.14-11)

15. Public Services

- **Fire Protection and Emergency Services.** The increase in residential units and population could increase demand for fire services at the stations that serve Vineyard Corridor.⁹ However, as with development under the existing designation for the Vineyard Corridor, development under the proposed land use changes would be reviewed by the City and the OFD on an individual basis and would be required to comply with requirements in effect at the time building permits are issued, including the payment of development impact fees that contribute to funding for additional staffing, facilities, and equipment. This process would ensure that sufficient revenue would be available for necessary service improvements to provide for adequate fire facilities, equipment, and personnel when development is proposed. Impacts to fire protection and emergency services would be less than significant. (Draft EIR pg. 5.15-5)
- **Police Protection.** The increase in residential units and population could increase demand for police services. Future development under the Proposed Project would also be subject to development impact fees which pay for police services. Police services would receive adequate funding through the City's general fund to cover the police service needs. Future projects would also be reviewed by the City of Ontario on an individual basis and required to comply with regulations in effect at the time building permits are issued. (Draft EIR pg. 5.15-9)
- **School Services.** Like the ORSC site, the Vineyard Corridor parcels are within the attendance areas of three public school districts, Chino Valley Unified School District for elementary, junior high, and high school (parcels west of Vineyard Avenue); Mountain View School District for elementary and junior high school (parcels east of Vineyard Avenue); and Chaffey Joint Union High School District for high school (parcels east of Vineyard Avenue).Correspondence with the

⁹ These include Station No. 9, No. 3, and No. 6.

school districts that serve Ontario on behalf of the TOP 2050 SEIR in 2022 noted that the three districts serving the Vineyard Corridor parcels are currently below capacity and would be able to accommodate the buildout population of TOP 2050 (Ontario 2022). Each of these school districts assess their needs individually based on student generation rates from residential development, and charges development impact fees accordingly. Developers would be required to pay the impact fees levied by each school district, set within the limits of SB 50. These payments accommodate the need for new facilities based on the increase in student population in each district. With the payment of development fees, impacts to school services at the districts serving the Vineyard Corridor parcels would be less than significant. (Draft EIR pg. 5.15-12)

- **Library Services.** The provision of library services and future needs of the Ontario library system are guided by the Library Master Plan. The City levies development impact fees on residential development to fund library services and improvements, per the Master Plan (Ontario 2023). With the payment of development fees impacts associated with the additional housing capacity in the Vineyard Corridor would be less than significant. (Draft EIR pg. 5.15-16)

16. Recreation

- The concurrent offsite GPA and Rezone would increase demand for parks and recreation facilities in the City. However, as identified in the TOP 2050 SEIR, development of park facilities would keep pace with the anticipated increase in population from buildout of TOP 2050. Development in Ontario would be required to pay DIF to fund and their fair share of Citywide and Ontario Ranch park impacts. Subsequent environmental review would be required for development of park projects under TOP and would adhere to the development standard of the City to ensure that construction or expansion of recreational facilities would not have an adverse physical effect on the environment. Therefore, impacts to park and recreation facilities of the GPA and Rezone would be less than significant. (Draft EIR pg. 5.16-4)

17. Transportation

The transportation modeling conducted by Fehr & Peers found that VMT outside the 199-acre ORSC site—i.e., the GPA and Rezone area—does not differ between the future baseline and future with-project conditions. Therefore, the GPA and Rezone would not result in an increase in VMT or change in citywide average VMT per service population.

The GPA and Rezone would not conflict with the City's policies addressing the roadway systems (including transit, roadway, bicycle, and pedestrian facilities) or result in any potential traffic hazards in the TOP as this area is already designated for residential uses in TOP. New development in accordance with TOP would be required to undergo review of emergency access as part of the City's Design Review process. Additionally, the Ontario Fire Department reviews development applications to ensure that adequate emergency accessibility is provided based on local and state guidance.

Therefore, transportation impacts associated with the offsite GPA and Rezone would be less than significant. (Draft EIR pg. 5.17-23)

18. Tribal Cultural Resources

The GPA and Rezone area could contain tribal cultural resources which could be impacted by development activities from a proposed development. A project at the GPA and Rezone area would be required to consult with Native American tribes to AB 52 and/or SB 18, as applicable and comply with state and federal regulations that protect TCRs. This development would also be required to implement Mitigation Measures 5-3 for the TOP 2050 SEIR which requires a qualified archaeologist to prepare a cultural resources assessment of the site, if it is determined to be within a culturally sensitive area for a tribe. Future projects would also comply with Mitigation Measure 5-4 to coordinate with tribal representatives about mitigation measures, in addition to TCR-1 to develop an archaeological monitoring plan and TCR-2 which sets forth the procedures for treatment and disposition of TCRs, if discovered during construction activities.

The proposed action of revising the land use designation of the GPA and Rezone area to allow for increased residential density at the Area would create additional impacts on TCRs. Development of the GPA and Rezone area under the proposed designation would occur within the same project footprint as development under the existing designation and would also be required to comply with the applicable regulations and mitigation measures protecting TCRs. The GPA and Rezone would not result in additional impacts TCRs. (Draft EIR pg. 5.18-10)

19. Utilities and Service Systems

- **Wastewater Treatment and Collection.** The redesignation of these parcels would not result in a significant impact on the wastewater treatment and collection system because these parcels are already designated as residential use in TOP and there is adequate infrastructure and wastewater treatment capacity for the proposed buildout. Furthermore, wastewater generation rates are decreasing over time with the implementation of CALGreen building codes and more efficient, low-flow plumbing fixtures with new construction. Future development along Vineyard Avenue would be required to comply with all applicable regulations and ordinances issued by IEUA. Therefore, impacts on the wastewater treatment and collection system associated with the GPA and Rezone would be less than significant. (Draft EIR pg. 5.19-7)
- **Water Supply and Distribution.** The redesignation of these parcels would not result in a significant impact on the water supply and distribution system because these parcels are already designated as residential use in TOP. Furthermore, an increase in density results in a reduction in water demand per dwelling unit. For example, the potable water duty factor for low density residential is 95 gallons per day per person, whereas the factor for medium density residential is 80 gpd/person (OMUC 2020a). Future development along Vineyard Avenue would be required to comply with all applicable regulations and the City's municipal code Chapter 8B, Section 6-8.52, Water service connection. Therefore, impacts on the water supply and distribution system associated with the GPA and Rezone would be less than significant. (Draft EIR pg. 5.19-24)
- **Storm Drainage Systems.** The redesignation of these parcels would not result in a significant impact on the storm drainage system because these parcels are already designated as residential use in TOP. Although an increase in the amount of impervious surfaces could result by rezoning from low density residential to medium density residential, which could lead to an increase in

stormwater runoff, future development along Vineyard Avenue would be required to comply with the MS4 permit and temporarily retain the volume of stormwater onsite from the 24-hour, 85th percentile storm event. In addition, project applicants would be required to prepare hydrology and hydraulic studies in accordance with the County Hydrology Manual and analyze stormwater flows that result from the 100-year storm event to ensure that the capacities of the storm drain systems are not exceeded. Therefore, impacts on the storm drainage system associated with the GPA and Rezone would be less than significant. (Draft EIR pg. 5.19-31)

- **Solid Waste.** The redesignation of these parcels would not result in a significant impact on the solid waste system because these parcels are already designated as residential use in TOP. And while the amount of solid waste generated could increase by rezoning from low density residential to medium density residential, multi-family residences, which would be allowed under the MDR designation, typically generate less solid waste than single-family residences. Using the latest CalRecycle data for single-family and multi-family disposal rates for Ontario (CalRecycle 2024), multi-family residences generate about 25 percent less solid waste than single-family residences. In addition, future development along Vineyard Avenue would be required to comply with all applicable regulations and the City's municipal code, Chapter 3, Integrated Waste Management. Furthermore, the landfills serving the City have a remaining landfill capacity of 7,800,000 cubic yards for Badlands Sanitary Landfill and approximately 144,000,000 cubic yards for El Sobrante Landfill and both landfills have closure dates beyond 2050. Therefore, impacts on the solid waste system associated with the GPA and Rezone would be less than significant. (Draft EIR pg. 5.19-38)

- **Other Utilities.** The redesignation of these parcels would not result in a significant impact on the electricity, natural gas, or telecommunications systems because these parcels are already designated as residential use in TOP. As provided in Impact 5.19-8, the electricity and natural gas service providers forecast that they have sufficient energy supplies to meet the demands of the service area, and the rezoning from low density residential to medium density residential for the land along Vineyard Avenue would not significantly affect these forecasts or require additional infrastructure. Future development along Vineyard Avenue would implement the requirements of the California Energy Code and CALGreen Building Code as required by the City's municipal code, and new buildings would use new energy-efficient appliances and equipment, pursuant to the Appliance Efficiency Regulations. The City would review project design plans against these codes and ensure compliance before issuing construction permits. These measures would reduce the overall consumption of electricity and natural gas. Therefore, impacts on the electricity, natural gas or telecommunications systems associated with the GPA and Rezone would be less than significant. (Draft EIR pg. 5.19-46)

20. Wildfire

The parcels proposed for the GPA and Rezone are located south of ORSC site on Vineyard Avenue, which remains outside of the SRA and does not contain areas subject to very high wildfire risk. These parcels are also in an urbanized area and therefore it is unlikely that a wildfire would travel into the parcels from adjacent areas.

Development of these parcels would require the review of building plans during plan check to ensure that adequate site access is maintained and that roadway improvements and project driveways would not interfere with circulation on adjacent streets. Additionally, development of these parcels would comply with the CFC and CBC; the City municipal code; and all state, regional, and local requirements. Compliance with these standards would ensure that development would not exacerbate risk or result in post-wildfire hazards. As such, the upzoning of these parcels from LDR to MDR would not result in new or greater impacts from wildfire. Therefore, wildfire impacts associated with the offsite GPA and Rezone would be less than significant. (Draft EIR pg. 5.20-15)

F. CUMULATIVE IMPACTS

Regarding the Project's potential to result in cumulative impacts, the City hereby finds as follows:

1. Aesthetics

Aesthetic impacts are localized to the ORSC site and its immediate surroundings. No projects are approved, planned, or anticipated for the general vicinity of the ORSC site in the near future; however, the area is expected to continue to develop according to The Ontario Plan (TOP) 2050's land use plan.

The Proposed Project, including both the ORSC and the GPA and Rezone, would not impact scenic views of the San Gabriel Mountains, and new projects in the vicinity of the ORSC site would also be required to preserve views of the mountains, in accordance with TOP 2050 policies. Impacts to scenic vistas would not be cumulatively considerable.

Agricultural uses in the vicinity of the ORSC site would be expected to convert to more urban uses over time as projects are proposed. Therefore, while the ORSC would create a distinct visual attraction in the area and result in a more urbanized character at the ORSC site when compared to existing conditions, as the vicinity of the ORSC site continues to urbanize, the aesthetic character of the ORSC would become increasingly more compatible with its surroundings. The Proposed Project would have less than significant cumulative impacts with regard to scenic quality.

The ORSC and GPA and Rezone would add to nighttime light and glare in the Ontario Ranch area but would not result in substantial impacts to sensitive residential receptors. Other projects in the vicinity subject to CEQA would also be required to comply with the standards of the California Building Standards Code and Ontario Development Code that reduce impacts from light and glare to less than significant levels. Their impacts would therefore not combine with those of the Proposed Project to adversely impact existing or planned sensitive receptors, such as residential uses. Therefore, the Proposed Project's contribution to cumulative light and glare impacts is less than considerable, and therefore is less than cumulatively significant. (Draft EIR pg. 5.1-35)

2. Agriculture and Forestry Resources

The area considered for cumulative impacts to agriculture and forestry resources is the City of Ontario. Throughout the City, numerous development projects would result in the conversion of agricultural land—including Prime Farmland and Important Farmland and land under Williamson Act contracts—to nonagricultural uses, specifically within Ontario Ranch. This land has been designated for nonagricultural use under TOP and will continue to be developed in accordance with this adopted land

use plan. The Proposed Project, including the ORSC and GPA and Rezone, would, nonetheless, contribute to the reduction of agricultural resources in the City and cumulatively contribute to the loss of agricultural resources. Although the proposed conversion is consistent with the projected decline in agricultural productivity of the region and the Ontario Ranch area, the Proposed Project would result in a cumulatively considerable impact to agricultural resources.

The City of Ontario does not have any forest resources or timberland; therefore, the Proposed Project would not contribute to a significant cumulative impact to forest resources would occur, and impacts would not be cumulatively considerable. (Draft EIR pg. 5.2-9)

3. Air Quality

The cumulative setting for air quality is the SoCAB. In accordance with the South Coast AQMD methodology, any project that produces a significant project-level regional air quality impact in an area that is in nonattainment contributes to the cumulative impact. Cumulative projects include new development and general growth within the SoCAB. The SoCAB is nonattainment for ozone, PM₁₀, and PM_{2.5}. Due to the extent of the area potentially impacted from cumulative project emissions, South Coast AQMD consider a project cumulatively significant when project-related emissions exceed the regional emissions thresholds. As identified in Impact 5.3-2 (operation) and Impact 5.3-3 (construction), implementation of the Proposed Project would cumulatively contribute to the nonattainment designations of the air basins, and cumulative impacts are significant.

The SoCAB is designated nonattainment for O₃, PM_{2.5}, PM₁₀, and lead (Los Angeles County only) under the California and/or National AAQS. Construction of cumulative projects would further degrade the regional and local air quality. Air quality would be temporarily impacted during construction activities. Implementation of mitigation measures for related projects would reduce cumulative impacts. As discussed in Impacts 5.3-2 and 5.3-4 (see Section III.C above), construction activities associated with the development of the ORSC would exceed the South Coast AQMD regional significance thresholds for VOC and NO_x and localized health risk significance thresholds for cancer risk. Development of the GPA and Rezone at a future date would result in additional construction emissions but construction activities would not overlap with construction of the ORSC. Implementation of mitigation would contribute to reducing emissions, and construction-related emissions and cancer risks related to the ORSC would not exceed the South Coast AQMD significance thresholds after mitigation. Therefore, the Proposed Project would not result in significant cumulative construction-related impacts.

For operational air quality emissions, any project that does not exceed or can be mitigated to less than the daily regional threshold values is not considered by South Coast AQMD to be a substantial source of air pollution and does not add significantly to a cumulative impact. As discussed in Impact 5.3-3 (see Section III.F), implementation of the overall ORSC would result in emissions that exceed the South Coast AQMD regional significance thresholds for VOC, CO, and PM₁₀. Emissions associated with future development in the GPA and Rezone would contribute to operational air quality impacts in the SoCAB. Despite mitigation, operation-phase emissions would still exceed the VOC, CO, and PM₁₀ regional significance thresholds and cumulatively contribute to the nonattainment designations

for O₃ and PM₁₀. Therefore, the Proposed Project would result in a cumulatively considerable long-term operational impact. (Draft EIR pg. 5.3-47)

4. Biological Resources

The area considered for cumulative impacts to biological resources is the CDFW inland deserts region. The ORSC site and Offsite Improvement Area development would result in impacts to 2 sensitive plant species, 11 sensitive wildlife species, and nesting bird species protected under State law. The Proposed Project, including the ORSC and future development of the GPA and Rezone area, would comply with the City's Habitat Mitigation Fee policy, which would reduce impacts with respect to the cumulative loss of habitat for sensitive species. Additionally, mitigation measures would reduce impacts to sensitive species that may be present on the ORSC site and Offsite Improvement Area to less than significant. Additionally, other projects in the CDFW inland deserts region, including future development of the GPA and Rezone area, would be required to comply with existing state regulations protecting biological resources, which could include the preparation of biological reports and surveys. Therefore, impacts of the Proposed Project would be less than cumulatively considerable with implementation of mitigation. (Draft EIR pg. 5.4-60)

5. Cultural Resources

The area considered for cumulative impacts to historic and archaeological resources is within a one-mile radius of the ORSC site and Offsite Improvement Area, the same area as the records search, which overlaps with the GPA and Rezone area. Twenty-four previously recorded historical and/or archaeological resources were identified within one mile of the ORSC site, according to the records search conducted through the SCCIC. Other projects in the region could demolish or otherwise alter historical and archaeological resources. Other projects, including the development of the GPA and Rezone area, would be required to comply with CEQA Guidelines Section 15064.5, which requires the lead agency to determine if discovered resources are unique or historically significant, and if so, to avoid or mitigate impacts to such resources in accordance with the provisions of PRC Section 21083.2. The Proposed Project would not result in a cumulatively considerable impact to cultural resources. (Draft EIR pg. 5.5-29)

6. Energy

The areas considered for cumulative impacts to electricity and natural gas supplies and facilities are the SCE and SoCalGas service areas. Other projects in the SCE and SoCalGas service areas, including development in the GPA and Rezone area, would be subject to existing regulations, including the CBCS, which requires new buildings to increase their energy efficiency design. Additionally, the proposed offsite land use changes associated with the ORSC are expected to result in more efficient, compact land uses, thereby potentially reducing energy usage associated with transportation. The GPA and Rezone would therefore not result in any cumulatively considerable impacts. With compliance of existing laws, plans and regulations, cumulative impacts of the Proposed Project would be less than significant, and impacts would not be cumulatively considerable. (Draft EIR pg. 5.6-18)

7. Geology and Soils

The cumulative setting for geologic resources is typically site specific. The Proposed Project would not result in significant impacts related to geology and soils. Although the ORSC site may be subject to potentially significant hazards of strong ground shaking, and unstable soil conditions, mandatory compliance with state and City regulations would ensure impacts to geology and soils would be less than significant.

Since impacts associated with geology and soils focus on specific sites or areas, the less-than-significant impacts from the Proposed Project would not contribute to a cumulative increase in hazards in the immediate vicinity of the ORSC site, Offsite Improvement Area, or GPA and Rezone area. Similarly, impacts to paleontological resources are considered site specific. The ORSC site, Offsite Improvement Area, and GPA and Rezone area, do not contain any known fossil localities; however, discovery of these resources has the potential to occur during excavation activities. Implementation of mitigation would reduce impacts associated with paleontological resources in the ORSC site and Offsite Improvement Area. Therefore, cumulative impacts associated with geology and soils would be less than significant. (Draft EIR pg. 5.7-14)

8. Greenhouse Gas Emissions

Project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Therefore, impacts identified under Impact 5.8-1 and Impact 5.8-2 are not project-specific impacts to global warming, but the ORSC's contribution to this cumulative impact. As discussed above, the ORSC's would generate a substantial increase in GHG emissions from existing conditions. Emissions associated with future development in the GPA and Rezone would contribute to the Proposed Project's GHG emissions impacts. Consequently, the Proposed Project's cumulative contribution to global climate change impacts are cumulatively considerable. (Draft EIR pg. 5.8-30)

9. Hazards and Hazardous Materials

Hazardous Materials. Past, existing, and planned development in the city could pose risks to public health and safety related to the use, storage, handling, generation, transport, and disposal of hazardous materials and wastes. The Proposed Project, which includes the ORSC, sewer alignment in the Offsite Improvement Area, and the GPA and Rezone, and other development in the vicinity could increase these risks if they are not remediated and/or managed in accordance with applicable regulations. Compliance with applicable regulations related to public health and safety and hazardous materials would ensure that impacts are reduced to a less than significant level, individually and cumulatively.

Other projects in the City of Ontario would require assessments for hazardous materials, such as assessments of structures on-site (over certain ages) for lead-based paint, asbestos-containing materials, and other contamination from past uses and/or releases. Cleanup of hazardous materials in soil, soil vapor, and/or groundwater to regulatory cleanup levels for relevant types of land uses would be required in compliance with applicable federal, state, and regional regulations, as listed in Section 5.9.1.2 of the Draft EIR. Furthermore, development activities on the ORSC site as well as development within the GPA and Rezone area would be required to adhere to the recommendations identified in the site-specific Environmental Site Assessment to ensure that RECs are identified and remediated. Therefore, the use, storage, transport, and disposal of hazardous materials by construction and operation of other

projects that would result in site-specific impacts and would be reduced to a less than significant level. Combined with the Proposed Project, impacts would not be cumulatively considerable. (Draft EIR pg. 5.9-40)

10. Hydrology and Water Quality

Hydrology and Drainage. Cumulative projects in the Chino Creek Subwatershed could increase impervious areas and increase stormwater runoff rates. However, all projects within the subwatershed, including the ORSC and future development of the GPA and Rezone area, would be required to prepare hydrology and hydraulic studies in accordance with the County Hydrology Manual and analyze stormwater flows that result from the 100-year storm event to ensure that the capacities of the storm drain systems are not exceeded. Additionally, other projects would be required to comply with MS4 permits applicable in those watersheds. The Santa Ana RWQCB MS4 permit applies to portions of three counties in the Santa Ana Basin. Other projects' compliance with the requirements of the Santa Ana RWQCB MS4 permit, the San Bernardino County Stormwater Program, and San Bernardino County Hydrology Manual guidance would reduce cumulative impacts to hydrology and drainage to less than significant, and the impacts of the Proposed Project would not be cumulatively considerable. If projects in the watersheds are within 100-year flood zones, they would be mandated to comply with National Flood Insurance Program requirements. Thus, impacts to hydrology, drainage, and flooding would be less than significant. (Draft EIR pg. 5.10-27)

Water Quality. Cumulative projects have the potential to generate pollutants during project construction and operation. Construction projects that disturb one acre or more of land would be required to prepare and implement SWPPPs to obtain coverage under the Statewide GCP. Projects within the watershed, including the ORSC and future development of the GPA and Rezone area, would also be required to prepare and implement WQMPs specifying BMPs, including LID measures, that would be applied during project design and project operation to minimize water pollution from project operation. Thus, no significant cumulative water quality impacts would occur, and the Proposed Project's water quality impacts would not be cumulatively considerable. (Draft EIR pg. 5.10-27)

11. Land Use and Planning

Cumulative projects in the City would have the potential to result in a cumulative impact if they would, in combination, conflict with existing land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental impact. As described above, the Proposed Project, including the ORSC and the GPA and Rezone would generally be consistent with citywide and regional land use plans that have been adopted to reduce physical environmental impacts. Cumulative development projects in accordance with TOP 2050 would be subject to compliance with regional and local plans reviewed in this section. Other cumulative developments would be reviewed by the City to ensure general consistency with local land use plans. Therefore, the Proposed Project combined with related projects would not result in cumulatively considerable impacts to land use and planning. (Draft EIR pg. 5.11-12)

12. Mineral Resources

The City of Ontario includes areas designated as MRZ-2 and MRZ-3. The city contains one area that is designated by the California Geologic Survey as Resource Sectors containing construction aggregate of “regional significance”; however, the ORSC site is 2.67 miles away from this area. Since the ORSC, Offsite Improvement Area, and GPA and Rezone area are not located in a Resource Sector or MRZ-2 area and would have no impact on mineral resources, the impact of the Proposed Project would not combine with the impacts of other past, present, and reasonably foreseeable probable future projects to create a cumulative impact on mineral resources. The Proposed Project has no impact on mineral resources and as such would not lead to a cumulative loss of mineral resources. (Draft EIR pg. 5.12-3)

13. Noise

Mobile-Source Noise. The cumulative traffic noise levels would increase by a noticeable amount along the roadways analyzed. As identified above, the ORSC would result in a substantial increase in traffic noise at receptors in the vicinity of the ORSC. The GPA and Rezone would cumulatively contribute to overall traffic noise levels. Therefore, the Proposed Project would result in a cumulatively considerable contribution to traffic noise levels in the city, and cumulative traffic noise impacts are considered significant. (Draft EIR pg. 5.13-60)

Area Sources of Noise (Stadium, Athletic Fields, and Commercial/Hospitality). Unlike transportation noise sources, whose effects can extend well beyond the limits of the ORSC site, stationary-source noise generated by the ORSC is limited to noise impacts to noise-sensitive receptors near the ORSC site. Cumulative noise levels from stationary sources would be negligible at the nearest noise sensitive receptors with mitigation. Consequently, the ORSC would not be cumulatively considerable and would not result in a significant cumulative noise impact. Additionally, stationary noise impacts are not anticipated to increase under the GPA and Rezone since the land uses under the area’s proposed designation would be similar to those of the existing designation. Development in the GPA and Rezone area would also be required to comply with existing regulations in the City’s municipal code that would ensure that new development does not exceed City noise standards. Impacts of GPA and Rezone would also not be cumulatively considerable. (Draft EIR pg. 5.13-60)

Construction Noise and Vibration. Construction noise and vibration impacts are confined to a localized area. Cumulative impacts would only occur if other projects were being constructed in the vicinity of the ORSC site at the same time as the ORSC construction activities. Noise from construction activities would be temporary and would not be significant with mitigation. No development has been proposed at the GPA and Rezone area and construction noise from development at the GPA and Rezone would be required to comply with regulations in the City’s municipal code in addition to construction noise mitigation measures in the 2022 TOP SEIR. Therefore, the combined impacts of the ORSC and GPA and Rezone would not be individually or cumulatively considerable. (Draft EIR pg. 5.13-60)

14. Population and Housing

The geographic area considered for cumulative impacts is the City of Ontario. The ORSC is not anticipated to result in population growth in the City since no residential development is proposed. The ORSC would comply with SB 330 and SB 166 (see Section 5.11, *Land Use and Planning*), and there would be no net loss of residential units in the City with implementation of the ORSC. The GPA and Rezone needed to comply with these housing laws would result in a 180 unit increase in the total housing capacity of the City. Though the increase in jobs and housing units under the ORSC was not anticipated in the local and regional growth forecasts, these jobs are expected to be filled by the local and regional labor force and the population increase associated with the additional housing capacity would represent less than 1 percent of the growth forecasts of TOP 2050 and SCAG. This additional housing capacity will also help to meet the State's housing goals, implement the goals of the City's Housing Element, and improve the jobs-housing balance of the City. Therefore, the Proposed Project would not result in impacts that could combine population and housing impacts in a way that would be cumulatively considerable; therefore, cumulative impacts would be less than significant. (Draft EIR pg. 5.14-12)

15. Public Services

Fire Protection. The area of cumulative effect for fire protection is the City of Ontario. As seen in Chapter 4, *Environmental Setting*, of the Draft EIR several pending development projects within a three-mile radius of the ORSC site would also increase demand for Ontario Fire Department (OFD) services, specifically at the stations that would serve the ORSC site. The buildout of these projects was included within the buildout analyzed in TOP 2050 SEIR which determined that impacts to fire protection services would be less than significant with the payment of development fees and review of project design from OFD. As identified above, additional staffing for the ORSC would not be needed as staffing during events could be accommodated by the OFD's existing resources and event staffing would be handled with temporary staffing (backfill positions/overtime). Therefore, as with the ORSC and development of the GPA and Rezone area, these projects would be required to pay Development Impact Fees (DIFs) to offset the cost of equipment, facilities, and staffing needs of OFD. Development or expansion of fire stations, equipment, and personnel would also be subject to environmental review and impact mitigation per CEQA. Cumulative impacts would be less than significant after payment of taxes, impact fees, and fair-share payments by other projects, and impacts of the ORSC would not be cumulatively considerable. (Draft EIR pg. 5.15-5)

Police Protection. The area of cumulative effect for police protection is the City of Ontario. As seen in Chapter 4, *Environmental Setting*, of the Draft EIR several pending development projects within a three-mile radius of the ORSC site would also increase demand for the Ontario Police Department (OPD), as would the area proposed for the GPA and Rezone, as discussed above. Like the ORSC, other cumulative projects in the City, including future development of the GPA and Rezone area, would also pay DIFs and taxes to offset the costs of OPD operations and construction of new and/or expanded police stations. As identified above, additional staffing for the ORSC site would not be needed as staffing during events could be accommodated by the OPD's existing resources and event staffing would be handled with temporary staffing (backfill positions/overtime). Cumulative impacts would be less than significant after payment of taxes, impact fees, and fair-share payments by other

projects, and impacts of the Proposed Project, including the ORSC and GPA and Rezone, would not be cumulatively considerable. (Draft EIR pg. 5.15-9)

School Services. The area affected by cumulative school impacts would be the attendance boundaries of the school districts that serve the ORSC site. Other development projects within the attendance boundaries of these districts, including future development of the GPA and Rezone area, would be required to pay school impacts fees as applicable to reduce impacts to schools associated with increased student populations. Pursuant to California Government Code Section 65995(h), payment of the impact fees fully mitigates impacts to school facilities. Other indirect impacts of the Proposed Project on school facilities are analyzed in Chapter 5 of this EIR. The ORSC would not contribute to a cumulative increase in student population that would require the project to contribute fair-share payment of school mitigation fees. Cumulative impacts with regard to the ORSC, GPA and Rezone, and other cumulative development would be less than significant. (Draft EIR pg. 5.15-12)

Library Services. The cumulative setting for the Ontario Library System includes the ORSC and development within the Library's service area. Growth within the city would increase demands for library services. As with the ORSC and future development of the GPA and Rezone, other projects would also pay property taxes and development impact fees, which would support operations and development of new and/or expanded facilities. The ORSC would not introduce new residents into the service area of the Ontario Library System. While the GPA and Rezone would result in a potential increase in population, development of this area would be subject to taxes and fees that would fund library services and reduce the impacts of additional population. Therefore, impacts of the ORSC would not be cumulatively considerable. (Draft EIR pg. 5.15-16)

16. Recreation

Growth in the City would increase demands for parks and recreational facilities. Other projects would pay property, sales, and utility taxes and fees supporting the City's General Fund, part of which would be available for the operation and development of new parks and recreational facilities. If other projects are found by the City to require increases in parklands, like the development of the GPA and Rezone, they would also be required to pay park development fees and/or provide recreation on-site. The ORSC would develop 134.16 acres of new recreation space on the ORSC site, therefore contributing to a net increase in the amount of publicly available recreational amenities for the City. While the proposed GPA and Rezone would increase demand for parks and recreation services, development of these parcels would be subject to DIF that fund parks and recreation services in the City and Ontario Ranch. The ORSC development would overall have a positive cumulative impact on the city's parks and recreational facilities since it would provide new recreational options to residents and help to offset impacts on existing facilities from other cumulative development. (Draft EIR pg. 5.16-4)

17. Transportation

The cumulative area for transportation impacts is the City of Ontario and San Bernardino County Transportation Authority (SBCTA) region. Cumulative traffic impacts consider the impacts of future growth and development in the SBCTA region. As identified above, the ORSC would result in a significant cumulative impact for vehicle miles traveled (VMT) as a result of a substantial increase in

regional traffic associated with the stadium and sports park. Therefore, VMT impacts of the ORSC are cumulatively considerable.

The ORSC is consistent with adopted policies, plans, or programs regarding public transit, bicycle, and pedestrian facilities, and the performance and safety of such facilities, and would not combine with other area projects to result in significant impacts to such facilities. Impacts associated with alternative transportation policies are less than significant.

The City's Emergency Operations Plan provides a means to prepare and maintain systems, supplies, and other logistical items among city departments to support emergency/disaster response and recovery throughout the city. The ORSC would require preparation of a Parking and Event Traffic Management Plan (TMP) for events at the ORSC site. Additionally, the Ontario Fire Department reviews development applications to ensure that adequate emergency accessibility is provided based on local and state guidance. Review of emergency access is also included as part of the City's Design Review process. Therefore, impacts to emergency response and evacuation are less than significant, and therefore, less than cumulatively considerable. (Draft EIR pg. 5.17-23)

18. Tribal Cultural Resources

Cumulative impacts to tribal cultural resources occur when the impacts of the ORSC, in conjunction with past, existing, and other foreseeable projects and development in the region, result in multiple and/or cumulative impacts to tribal cultural resources in the area. Each future project in the City, including development at the GPA and Rezone area, would be required to evaluate that project's impacts to site-specific tribal cultural resources as part of the CEQA review, including tribal consultation as required by AB 52 and SB 18, if applicable. Where significant impacts to tribal cultural resources are identified, projects would be required to either avoid impacts or implement feasible mitigation measures to reduce impacts. The ORSC and GPA and Rezone combined with other development projects in the surrounding area would not result in significant and adverse impacts to tribal cultural resources with the incorporation of mitigation. Therefore, impacts of the Proposed Project would not be cumulatively considerable. (Draft EIR pg. 5.18-10)

19. Utilities and Service Systems

Wastewater Treatment and Collection. The area considered for cumulative impacts for wastewater is the IEUA service area. Cumulative projects in the IEUA service area, including development of the GPA and Rezone area, could cause significant impacts if they either exceeded wastewater treatment requirements of RWQCBs or generated wastewater exceeding the combined capacities of wastewater treatment plants. Cumulative development within the IEUA service area, including development of the GPA and Rezone area, could result in the need for new and/or expanded wastewater treatment plants. However, as stated previously, IEUA has experienced a decrease in the volume of sewage flow of approximately 10 percent over the last 20 years, due to a decrease in indoor water consumption with new development compliance with California Green Building Standards Code and water conservation efforts. The IEUA anticipates a significant increase in the growth of its service area in the next 10 years, with 40 percent of the growth resulting from new development in Ontario. The IEUA develops 10-year forecasts and specifies capital improvements that will be implemented to meet the increase in demand. The ultimate capacity for wastewater flows to the IEUA WWTPs is 80 mgd by 2060.

Also, future development within the service area, including at the GPA and Rezone area, would be required to comply with all applicable regulations and ordinances issued by IEUA. Wastewater from cumulative projects is assumed in the SSMPs prepared by IEUA and the cities that send wastewater to the IEUA WWTPs. The IEUA and the cities within its service area plan for increased demand with future development. Therefore, with continued compliance with local and regional regulations, cumulative impacts would be less than significant and would not be cumulatively considerable. (Draft EIR pg. 5.19-7)

Water Supply and Distribution. The area considered for cumulative impacts for water supply and treatment is the IEUA and City of Ontario service areas. The IEUA and the OMUC obtain groundwater from the Chino Groundwater Basin, which is adjudicated and managed by the Chino Basin Watermaster, imported water from MWD, purchased water from San Antonio Water Company, and recycled water from IEUA. The IEUA and City's 2020 UWMPs state that there are sufficient water supplies through 2045 to meet projected demands in normal years, single dry years, and multiple dry years. State requirements and City policies and code requirements would result in enhanced water efficiency, and conservation would result in total water demand below the projections in the 2020 UWMP for year 2045. With the implementation of SB X7-7 and State, regional, and local water conservation ordinances, all new development would be required to conserve water use and implement water efficiency measures. In addition, pursuant to SB 610, water supply assessments would be prepared for other large development projects prior to the approval of each project to ensure adequate water supply for new development.

Overall, cumulative water demands would neither exceed planned levels of supply nor require building new water treatment facilities or expanding existing facilities beyond what is currently planned. In addition, future development would be required to pay connection fees, which would offset the costs of system maintenance and capital upgrades to support the new development in the service areas. Therefore, cumulative impacts would be less than significant and would not be cumulatively considerable. (Draft EIR pg. 5.19-25)

Storm Drainage Systems. The area considered for cumulative impacts is the Chino Creek subwatershed. Other projects in this area would increase impervious areas, including the development of the GPA and Rezone area, thus increasing runoff and flows into the storm drain systems. Within San Bernardino County, other projects would also be required to prepare hydrology and hydraulic studies in accordance with the County Hydrology Manual and analyze stormwater flows that result from the 100-year storm event to ensure that the capacities of the storm drain systems are not exceeded. Additionally, other projects, including development of the GPA and Rezone area, would be required to comply with the MS4 permit applicable to those watersheds. The Santa Ana RWQCB MS4 permit applies to portions of three counties in the Santa Ana Basin. Most projects would be required by the MS4 permits to implement low-impact development and on-site stormwater bioretention facilities that would reduce the amount of runoff entering public storm drain systems. Cumulative impacts would be less than significant and would not be cumulatively considerable. (Draft EIR pg. 5.19-31)

Solid Waste. The area considered for cumulative impacts to solid waste disposal includes all the cities and counties that dispose of their solid waste in Badlands Sanitary Landfill or El Sobrante Landfill.

These landfills currently have a combined residual daily capacity of 7,900 tons/day and have remaining landfill capacity of 7,800,000 cubic yards for Badlands Sanitary Landfill and approximately 144,000,000 cubic yards for El Sobrante Landfill. Both landfills have closure dates beyond 2050. In addition, State and local regulations and ordinances regarding the recycling of construction debris and organic wastes will further reduce the amount of solid waste transported to these landfills in the future. Therefore, with continued compliance with the applicable regulations, in combination with reasonably foreseeable future development, cumulative impacts of the ORSC and GPA and Rezone would be less than significant, and Proposed Project impacts would not be cumulatively considerable. (Draft EIR pg. 5.19-38)

Other Utilities. The area considered for cumulative impacts are the service areas of SCE for electricity, SoCalGas for natural gas, and the service boundaries of the various telecommunications providers. Other projects within these service areas, including development of the GPA and Rezone area, would increase electricity, natural gas, and telecommunications demands.

The CPUC has identified the Integrated Energy Policy Report as “the appropriate venue for considering issues of load forecasting, resource assessment, and scenario analyses, to determine the appropriate level and ranges of resource needs for load serving entities in California.” The 2019 report shows that California’s electricity sector is leading efforts to reduce GHG emissions and there has been an increase in electricity consumption of only 10 percent while California’s economy grew by 54 percent between 2000 and 2018. Natural gas consumption is expected to level out between 2020 and 2030 with no significant increase due to energy savings from new building standards and the implementation of city and county ordinances that require new construction to have all-electric appliances and heating.

In addition, future projects developed within the SCE service areas, like development of the GPA and Rezone area, would implement the requirements of the California Energy Code and CALGreen Building Code. New buildings would also use new energy-efficient appliances and equipment, pursuant to the Appliance Efficiency Regulations. Counties and cities review project design plans against these codes and ensure compliance before issuing construction permits. These measures would reduce the overall consumption of electricity and natural gas.

The energy providers and telecommunications providers that serve Ontario indicate that they have the capability to serve future increases in population within their service areas without significant changes to the existing infrastructure. Therefore, the ORSC and GPA and Rezone would not result in a cumulatively considerable impact to electric power, natural gas, or telecommunication facilities and cumulative impacts would be less than significant. (Draft EIR pg. 5.19-47)

20. Wildfire

The areas considered for cumulative impacts related to wildfires are Fire Hazard Severity Zones (FHSZs) in the city. Future projects proposed within a very high FHSZ could subject people and structures to wildfire hazards; however, the city does not have lands in the very high FHSZ. As discussed previously, the ORSC would not result in new impacts or a substantial increase in magnitude of impacts related to interfering with implementation of emergency response or evacuation plans; exacerbating wildfire risks and exposing project occupants to pollutant concentrations or the

uncontrolled spread of wildfire; exacerbating fire risks or resulting in temporary or ongoing impacts to the environment due to the installation or maintenance of infrastructure; or exposing people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes. Similarly, the GPA and Rezone area is not located within a very high FHSZ and therefore would not result in an increase in risks associated with wildfire.

Projects within wildfire-prone areas or fire hazard severity zones are required to comply with regulations governing development in such zones, including California Building Code Chapter 7A, CFC Chapter 49, and California Public Resources Code Sections 4291 et seq. Future development would be required to undergo separate CEQA review and identify wildfire impacts and appropriate mitigation measures. Additionally, the OFD reviews development applications as part of the City's Design Review process to ensure that adequate emergency accessibility is provided according to local and state guidance. Therefore, cumulative wildfire impacts of the Proposed Project would be less than significant. (Draft EIR pg. 5.20-15)

IV. ALTERNATIVES TO THE PROPOSED PROJECT

An EIR must briefly describe the rationale for selection and rejection of alternatives. The lead agency may make an initial determination as to which alternatives are feasible, and therefore, merit in-depth consideration, and which ones are infeasible.

Section 15126.6 of the State CEQA Guidelines requires an EIR to describe a range of reasonable alternatives to the Project or to the location of the Project that could feasibly achieve most of its basic objectives but would avoid or substantially lessen any of the significant effects identified in the EIR analysis. An EIR is not required to consider every conceivable alternative to a proposed project. Rather, an EIR must consider a reasonable range of alternatives that are potentially feasible; an EIR is not required to consider alternatives that are infeasible. In addition, an EIR should evaluate the comparative merits of the alternatives. Therefore, this section sets forth the potential alternatives to the Project analyzed in the EIR and evaluates them in light of the objectives of the Project, as required by CEQA.

Key provisions of the State CEQA Guidelines relating to the alternatives' analysis (Section 15126.6 et seq.) are summarized below:

- [T]he discussion of alternatives shall focus on alternatives to the Project or its location which are capable of avoiding or substantially lessening any significant effects of the Project, even if these alternatives would impede to some degree the attainment of the Project objectives or would be more costly.” (CEQA Guidelines Section 15126.6[b]).
- “The specific alternative of ‘no project’ shall also be evaluated along with its impact.” (CEQA Guidelines Section 15126.6[e][1])
- “The no project analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure

and community services. If the environmentally superior alternative is the ‘no project’ alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.” (CEQA Guidelines Section 15126.6[e][2])

- “The range of alternatives required in an EIR is governed by a ‘rule of reason’ that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project.” (CEQA Guidelines Section 15126.6[f])
- “Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries..., and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent)” (CEQA Guidelines Section 15126.6[f][1]).
- “Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR.” (CEQA Guidelines Section 15126.6[f][2][A])
- “An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative.” (CEQA Guidelines Section 15126.6[f][3])

A. RATIONALE FOR SELECTING POTENTIALLY FEASIBLE ALTERNATIVES

The alternatives must include a no-project alternative and a range of reasonable alternatives to the Project if those reasonable alternatives would attain most of the Project objectives while substantially lessening the potentially significant Project impacts. The range of alternatives discussed in an EIR is governed by a “rule of reason,” which the State CEQA Guidelines Section 15126.6(f)(3) defines as:

. . . set[ting] forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project. The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision-making.

Among the factors that may be taken into account when addressing the feasibility of alternatives (as described in the State CEQA Guidelines Section 15126.6(f)(1)) are environmental impacts, site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the Project proponent could reasonably acquire, control, or otherwise have access to an alternative site. An EIR need not consider an alternative whose effects could not be reasonably identified and whose implementation is remote or speculative.

For purposes of this analysis, the Project alternatives are evaluated to determine the extent to which they attain the basic Project objectives, while significantly lessening any significant effects of the Project.

B. ALTERNATIVES CONSIDERED AND REJECTED DURING THE SCOPING/PROJECT PLANNING PROCESS

The following is a discussion of the alternatives considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in the EIR.

1. Alternate Stadium Location Off-Site

CEQA requires that the discussion of alternatives focus on alternatives to the Proposed Project or its location that are capable of avoiding or substantially lessening any significant effects of the Proposed Project. The key question and first step in the analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Proposed Project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (CEQA Guidelines Section 15126[5][B][1]).

The City's existing soccer fields are north of the ORSC site at 2200 Philadelphia Street. However, this site has space constraints and would not accommodate a Minor League Baseball stadium in a northeast configuration¹⁰ as required by Major League Baseball. Additionally, it could not accommodate both the number and type of sports fields in addition to hospitality uses given that this site is only 20 acres compared to the ORSC site, which is 199 acres. For these reasons, this alternate site was considered and rejected.

In general, any development of the size and type of the ORSC would have substantially the same impacts on aesthetics, air quality, cultural and paleontological resources, energy, greenhouse gas emissions, land use and planning, noise, population and housing, public services, recreation, transportation, tribal cultural resources, and utilities and service systems. It was determined, therefore, that it is unlikely that there is an alternate ORSC site that could potentially meet the objectives of the ORSC and reduce significant impacts of the Proposed Project as proposed. (Draft EIR pg. 7-5)

Finding

The City finds that there are no alternative locations for the Proposed Project that fit the size needed for the sports fields and any development of the size and type of the ORSC would have substantially the same impacts. As described in these Findings of Fact, the Proposed Project would result in less than significant impacts, or impacts that can be mitigated to less than significant. For significant and unavoidable impacts, the City has determined that these impacts are acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed project outweigh its significant effects on the environment, as described in the Statement of Overriding Considerations.

2. No Stadium

A no-stadium alternative would eliminate the proposed Minor League Baseball Stadium from the sports complex development and replace it with additional City sports park facilities. However, this

¹⁰ Major League Baseball requires fields to be oriented to the northeast to prevent the setting sun from being in the batter's eyes.

alternative would not satisfy the primary objectives of the Proposed Project. Therefore, this alternative was considered and rejected. (Draft EIR pg. 7-5)

Finding

The City finds that an alternative without a stadium would not satisfy the primary objective for the project. For significant and unavoidable impacts, the City has determined that these impacts are acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed project outweigh its significant effects on the environment, as described in the Statement of Overriding Considerations.

C. ALTERNATIVES SELECTED FOR FURTHER ANALYSIS

The following alternatives were determined to represent a reasonable range of alternatives with the potential to feasibly attain most of the basic objectives of the project but avoid or substantially lessen any of the significant effects of the project. Table 7-2, *Summary of Impacts of Alternatives Compared to the Proposed Project*, in Chapter 7, *Alternatives to the Proposed Project*, of the Draft EIR, identifies how each of the alternatives selected for further analysis compare to the Proposed Project. Table 7-3, *Ability of Each Alternative to Meet the Project Objectives*, in Chapter 7, *Alternatives to the Proposed Project*, of the Draft EIR, provides a summary of the ability of the alternatives to achieve the project objectives.

1. No Project–No Development Alternative

In accordance with CEQA Guidelines Section 15126.6(e), this EIR evaluates a No Project–No Development Alternative to compare the impacts of approving the Proposed Project with the impacts of not approving the Proposed Project. The No Project–No Development Alternative is an alternative that looks at what would happen if no development occurs onsite. The existing site is primarily utilized for dairy and a nursery but there are some rural residential units within the 199-acre ORSC site. This alternative would allow for these land uses to remain. However, no improvements would occur under this alternative. There would be no residential or nonresidential development onsite. This alternative would not require removal of manure or expansion of infrastructure, including roadways and wet and dry utilities. The sewer line extension would not be needed.

This alternative would not trigger SB 330/SB 166; therefore, the TOP amendments and zone change for the parcels south of the project on Vineyard Avenue would not be needed, and those parcels would not be rezoned to Medium Density Residential (MDR) and would remain Low Density Residential (LDR). (Draft EIR pg. 7-6)

Impacts

Aesthetics: Since no development would occur and the site would remain undeveloped under this alternative, there would be no impacts to the visual character or quality of the project area. Existing scenic vistas would be preserved, and no sources of light or glare would be produced. Therefore, aesthetic impacts under this alternative would be reduced compared to the ORSC. (Draft EIR pg. 7-7)

Agriculture and Forestry Resources: Under this alternative ORSC site would continue to be used for dairy farming and nursery land uses. No adverse impact related to the loss of important farmland

or conversion of land zoned as agriculture to nonagriculture would occur. Thus, this alternative would eliminate the ORSC's significant and unavoidable impact to agricultural resources. (Draft EIR pg. 7-7)

Air Quality: Air quality impacts would be reduced under this alternative because no development would occur on-site. Without development, the site would not generate any additional vehicle trips or emissions associated with any construction or operational activities and equipment use beyond what currently exists on-site. Thus, this alternative would reduce overall air quality impacts and eliminate significant and unavoidable impacts related to operational emissions. (Draft EIR pg. 7-7)

Biological Impacts: Under this alternative, the ORSC site would remain vacant and undeveloped, eliminating adverse impacts on the site's existing biological resources. The sensitive plant and animal species, jurisdictional waters, and riparian habitats throughout the site and off-site would not be disturbed. Thus, impacts would be reduced compared to the ORSC. (Draft EIR pg. 7-7)

Cultural Resources: The ORSC site would remain in its existing conditions under this alternative. Thus, no grading or construction activities would potentially unearth previously undiscovered cultural resources. Additionally, any areas within the ORSC site considered sensitive to local tribal groups would also not be impacted. Overall, impacts would be reduced in comparison to the ORSC. (Draft EIR pg. 7-7)

Energy: impacts would be reduced under this alternative because no new development would occur on-site. While this alternative would result in less overall energy resource consumption than the ORSC, newer buildings are generally more energy-efficient than older existing buildings. Overall, this alternative would reduce overall energy impacts in comparison to the ORSC. (Draft EIR pg. 7-7)

Geology and Soils: The site would remain undeveloped. Therefore, no people or structures would be exposed to potential adverse effects of seismic activity, landslides, or ground failure. In addition, no grading or construction activities would occur. Thus, geology and soils impacts would be reduced. (Draft EIR pg. 7-8)

Greenhouse Gas Emissions: Under this alternative, no construction or operational activities would occur beyond what currently exists on-site, and no new mobile or stationary sources of GHG emissions would be introduced. The undeveloped site also would not generate any new vehicle trips that produce GHG emissions that contribute to global climate change. Overall, no new GHG emissions would be emitted under this alternative. As there would be no net increase in GHG emissions, this alternative would result in no impact with respect to GHG emissions and significant and unavoidable impacts would be eliminated. (Draft EIR pg. 7-8)

Hazards and Hazardous Materials: Under this alternative, no construction or operational activities would occur. Therefore, no hazards or hazardous materials would be introduced to the ORSC site. The site would remain open for use as a dairy and nursery. As a result, the manure from dairy operations would remain on-site. Impacts would be slightly greater under this alternative compared to the Proposed Project because the ORSC eliminates the dairy farm and nursery operations. Overall, impacts would remain less than significant. (Draft EIR pg. 7-8)

Hydrology and Water Quality: Under this alternative, no development would occur and the entire site would stay vacant. Without any development, the existing drainage patterns would be retained and would not be altered by the proposed development. The site would also maintain its permeability and would not adversely impact groundwater recharge or increase stormwater flows. However, this alternative would not install infrastructure for water quality and stormwater retention. Overall, impacts to hydrology and water quality on-site would be reduced under this alternative. (Draft EIR pg. 7-8)

Land Use and Planning Land: use and planning impacts would be reduced under this alternative. No zone change or general plan amendment would be required, and SB 330 and SB 166 requirements would not be triggered. Thus, impacts would be reduced and less than significant. (Draft EIR pg. 7-8).

Mineral Resources: The ORSC site is not within a regionally or locally significant mineral resource zone. Therefore, no impacts to mineral resources would occur under this alternative. Impacts would be similar in comparison to the ORSC. (Draft EIR pg. 7-8)

Noise: Under this alternative, no noise impacts would occur because no development would take place on-site. There would be no construction or operational noises and no vehicular trips to and from the ORSC site since it would remain rural agricultural use. Thus, impacts would be reduced, and significant and unavoidable impacts would be eliminated. (Draft EIR pg. 7-9)

Population and Housing: Population and housing impacts would be reduced under this alternative because no development would occur on-site, and no additional employment would be introduced into the city. Therefore, this alternative would not increase the city's employment, and the city's jobs-housing ratio would remain the same. Impacts would be reduced and would be less than significant.

Public Services: Impacts on public services would be reduced under this alternative because no development would occur on-site, and no additional demand for fire, police, school, or library services would occur. (Draft EIR pg. 7-9)

Recreation: This alternative would have no impact on recreation. Although this alternative would increase demand for new recreational land in the city, it would not provide the environmental benefits of the ORSC. Because the ORSC would provide additional parkland in the city, this alternative would result in greater impacts, but no significant impact would occur. (Draft EIR pg. 7-9)

Transportation: This alternative would not generate any vehicle trips and associated VMT because no development would occur on-site. Therefore, this alternative would eliminate the ORSC's significant and unavoidable impact under SB 743. (Draft EIR pg. 7-9)

Tribal Cultural Resources: The ORSC site would remain in its existing conditions under this alternative. Thus, no grading or construction activities would occur that may potentially unearth previously undiscovered cultural resources. Additionally, any areas within the ORSC site considered sensitive to local tribal groups would also not be impacted. Overall, impacts would be reduced in comparison to the ORSC. (Draft EIR pg. 7-9)

Utilities and Service Systems: No development would occur on the ORSC site under this alternative. Therefore, there would be no demand for water supply or dry utilities (i.e., natural gas and electricity)

services. In addition, no wastewater or solid waste would be generated on-site. Thus, impacts would be reduced in comparison to the ORSC. (Draft EIR pg. 7-9)

Wildfire: The ORSC site is not within the wildland-urban interface or in a high fire hazard area. Therefore, no impacts to wildfire would occur under this alternative. This alternative would reduce impacts associated with emergency access during events at the Minor League Baseball Stadium and City park. Overall, impacts would be similar in comparison to the ORSC. (Draft EIR pg. 7-10)

Finding

The No Project–No Development Alternative would not meet any of the project objectives. Since the ORSC site would remain rural agricultural land use, this alternative would not provide a sports complex, consolidate and/or expand the City’s athletic programs, provide a stadium to attract a Minor League Baseball team, allow for connection to OmniTrans bus stops to a stadium, or provide for a way to prioritize development away from sensitive receptors. While this alternative would eliminate the Proposed Project’s impacts to agricultural resources, air quality, GHG, noise, and transportation impacts, this alternative would result in greater recreation impacts. The No Project/No Development Alternative is therefore rejected on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) the alternative fails to meet any of the Project objectives; (2) the alternative would result in increased impacts relating to recreation; and (3) the alternative is infeasible.

2. No Project–Armstrong Ranch Alternative

The No Project–Armstrong Ranch Alternative would develop the site based on the approved land use plan, which is the 2017 Armstrong Ranch Specific Plan. The Armstrong Ranch Specific Plan allows for the development of up to 891 residential dwelling units consisting of a variety of single-family detached and attached dwellings and an elementary school site. Residential land use areas are divided into six individual neighborhood planning areas linked by a network of street-separated sidewalks and trails that also connect the neighborhoods to a variety of park spaces, a proposed elementary school, and local and City master planned trail systems.

This alternative would not trigger SB 330/SB 166; there would be no TOP amendments and zone change for the parcels south of the ORSC site on Vineyard Avenue, which would not be rezoned to MDR and would remain designated LDR. (Draft EIR pg. 7-10)

Impacts

Aesthetics: This alternative would result in new sources of light and glare on the ORSC site and would alter the agricultural landscape on the ORSC site to accommodate the suburban residential neighborhood. This alternative would not require sports field and stadium lighting. As a result, this alternative would reduce aesthetics impacts and impacts would be less than significant. (Draft EIR pg. 7-11)

Agriculture and Forestry Resources: This alternative would also result in the loss of important farmland on the 199-acre site. No forestry resource impacts would occur. This alternative would have

similar impacts as the ORSC to agricultural resources. Therefore, this alternative is similar to the ORSC's significant and unavoidable impact. (Draft EIR pg. 7-11)

Air Quality: The ORSC has an accelerated schedule that results in several concurrent Planning Areas being developed at the same time so that the stadium and associated amenities can open by March 2026. Under this alternative, an accelerated schedule would not be warranted. Because the South Coast AQMD recommends utilizing maximum daily emissions thresholds for determining whether a project may generate a cumulatively considerable net increase in criteria air pollutants and this alternative would not require an accelerated schedule that may result in concurrent construction activities, maximum daily construction emissions under this alternative would be less than those generated by the ORSC. With mitigation, such as Mitigation Measure AQ-1 which would require the use of Tier 4 construction equipment, this alternative would reduce the ORSC's short-term regional and localized significant impact during construction. This alternative would be expected to also generate long-term operational criteria air pollutant emissions that exceed the South Coast AQMD significance thresholds. This alternative is expected to generate higher VOC emissions from consumer product use (e.g., cleaning products, aerosol paints, detergents, personal care products) as residential land uses tend to use consumer products at a higher rate than nonresidential land uses. However, this alternative would generate substantially fewer vehicle trips and VMT compared to the ORSC. Because vehicle trips and VMT would constitute the greatest operational emission source for both this alternative and the ORSC, this alternative would reduce long-term criteria air pollutant emissions compared to the ORSC. Nonetheless, long-term impacts would remain significant due to the magnitude of residential development envisioned under this alternative. (Draft EIR pg. 7-12)

Biological Impacts: This alternative would result in similar impacts to biological resources as the ORSC. Like the Proposed Project, ground-disturbing activities that have the potential to impact sensitive habitat and species would be required for the entire 199-acre site and for off-site infrastructure. Mitigation would ensure that this alternative would have less than significant impacts. Therefore, this alternative would have similar biological resources impacts, and impacts would be less than significant. (Draft EIR pg. 7-12)

Cultural Resources: This alternative would result in similar impacts to cultural resources as the ORSC. Like the Proposed Project, ground-disturbing activities that have the potential to unearth cultural resources would be required for the entire 199-acre site and Offsite Improvement Area associated with the sewer line in the Vineyard Avenue right-of-way. Mitigation would ensure that this alternative would have less than significant impacts. Therefore, this alternative would have similar cultural resources impacts, and impacts would be less than significant. (Draft EIR pg. 7-12)

Energy: New development under both this alternative and the ORSC would be designed and constructed compliant with the latest Energy Efficiency Standards of the California Building Standards Code. This alternative is expected to result in less overall energy resource consumption than the ORSC. This alternative would result in fewer vehicle trips and VMT than the ORSC; however, the fuel efficiency of vehicles used by future occupants under this alternative and visitors and employees of the ORSC are the result of increasing fuel efficiency standards established by the EPA and CARB. It is expected that fuel efficiency for vehicles used for both this alternative and the ORSC would improve with time as new more fuel-efficient vehicles incrementally replace less-efficient ones in future years.

As a result, this alternative would reduce fuel use compared to the ORSC and long-term impacts would be less than significant. (Draft EIR pg. 7-15)

Geology and Soils: This alternative would result in similar impacts to geology and soils, including paleontological resources, as the ORSC. Like the Proposed Project, ground-disturbing activities that have the potential to unearth paleontological resources would be required for the entire 199-acre site and the Offsite Improvement Area associated with the sewer line in the Vineyard Avenue right-of-way. Adherence to the recommendations in the soils and geohazards studies and mitigation for paleontological resources would ensure that this alternative would have less than significant impacts. Therefore, this alternative would have similar geology and soils impacts, and impacts would be less than significant. (Draft EIR pg. 7-15)

Greenhouse Gas Emissions: This alternative would also generate a substantial increase in GHG emissions but would generate substantially fewer vehicle trips and VMT compared to the ORSC. Because vehicle trips and VMT tend to be the greatest GHG emissions source for land use development projects, this alternative would reduce long-term GHG emissions compared to the ORSC. As a result, development associated with this alternative would be consistent with the City's Climate Action Plan. Therefore, this alternative would be consistent with the GHG reduction goals of Senate Bill (SB) 32. This alternative would eliminate the ORSC's significant GHG emissions impact. (Draft EIR pg. 7-15)

Hazards and Hazardous Materials: This alternative would result in similar impacts to hazards and hazardous materials as the ORSC. Like the Proposed Project, ground-disturbing activities would be required for the entire 199-acre site that would require removal of manure from past dairy operations. Adherence to the recommendations in the Phase I and Phase II Environmental Site Assessments would result in less than significant impacts. Additionally, residential and the school land uses would have similar operational phase hazards as the ORSC. This alternative would reduce impacts associated with emergency access during events at the Minor League Baseball Stadium and City park. Overall, this alternative would have similar hazards and hazardous material impacts as the ORSC, and impacts would be less than significant. (Draft EIR pg. 7-15)

Hydrology and Water Quality: This alternative would result in similar impacts to hydrology and water quality as the ORSC. Like the Proposed Project, hydrology studies and preliminary water quality management plans (WQMP) would be required to address operational best management practices (BMP) to prevent erosion, retain stormwater on-site, and reduce water pollution. During construction, construction contractors would adhere to the Stormwater Pollution Prevention Plan (SWPPP). Adherence to the BMPs in the SWPPP and WQMP would ensure less than significant impacts during construction and operation, respectively. Therefore, this alternative would have similar hydrology and water quality impacts as the ORSC and impacts would be less than significant. (Draft EIR pg. 7-16)

Land Use and Planning: This alternative is consistent with the land use designations of TOP and zoning. Therefore, this alternative does not trigger SB 330 and SB 166 and the need to rezone the parcels south of the ORSC site on Vineyard Avenue. This alternative would have similar impacts as the ORSC regarding consistency with policies in regional and local plans. Overall, this alternative would

slightly reduce land use planning impacts compared to the ORSC, and impacts would be less than significant. (Draft EIR pg. 7-16)

Mineral Resources: The ORSC site is not within a regionally or locally significant mineral resource zone. Therefore, no impacts to mineral resources would occur under this alternative. Impacts would be similar in comparison to the ORSC. (Draft EIR pg. 7-16)

Noise: This alternative would result in an increase in transportation and other stationary sources of noise that are common with residential and school land uses. This alternative would generate substantially fewer vehicle trips and VMT compared to the ORSC. As a result, this alternative would eliminate the ORSC's significant traffic noise impact. Additionally, this alternative would substantially reduce noise from youth sports games and tournaments and Minor League Baseball games. Thus, impacts would be reduced, and significant and unavoidable impacts would be eliminated. (Draft EIR pg. 7-16)

Population and Housing: This alternative would result in an increase in both housing and population on-site. The ORSC does not include housing on-site but does trigger SB 330 and SB 166, which requires concurrent land use changes to ensure no net loss of housing in the city. Overall, population and housing impacts would be similar compared to the ORSC and would be less than significant. (Draft EIR pg. 7-16)

Public Services: This alternative would result in an increase in population on-site and a commensurate increase in public service calls. However, the ORSC could generate substantial public service demand during peak events during games, tournaments, and events at the stadium. On a day without an event, this alternative would result in an increase in impacts compared to the ORSC. However, during events, this alternative would have less impact compared to the ORSC. Overall, impacts of this alternative to public services and facilities would be less than for the ORSC and would be less than significant. (Draft EIR pg. 7-17)

Recreation: This alternative would result in an increase in population in the city, thereby increasing demand for recreation services. Recreation demand from this alternative would be offset through creation of on-site recreational amenities and, if necessary, through payment of in-lieu fees that would offset any increase in demand to less than significant levels. Compared to the ORSC, which provides for 134.42 acres of open space-parkland use, this alternative would increase recreational impacts; however, impacts would be less than significant. (Draft EIR pg. 7-17)

Transportation: This alternative would also generate an increase in vehicle trips and VMT in the city. However, this alternative would generate substantially fewer vehicle trips and VMT compared to the ORSC. Additionally, because this alternative does not trigger any TOP amendments or zone changes, this alternative is not likely to generate VMT that would exceed the citywide average VMT or VMT per service population. Additionally, this alternative does not require a parking and event management plan to reduce transportation hazards. This alternative would eliminate the ORSC's significant transportation impact. (Draft EIR pg. 7-17)

Tribal Cultural Resources: This alternative would result in similar impacts to tribal cultural resources as the ORSC. Like the Proposed Project, ground-disturbing activities that have the potential to unearth

tribal cultural resources would be required for the entire 199-acre site and the Offsite Improvement Area associated with the sewer line expansion in the Vineyard Avenue right-of-way. Mitigation would ensure that this alternative would have less than significant impacts. Therefore, this alternative would have similar tribal cultural resources impacts, and impacts would be less than significant. (Draft EIR pg. 7-17)

Utilities and Service Systems: This alternative would also require extension of wet and dry utilities to serve the residences and school within the 199-acre site and the Offsite Improvement Area associated with needed sewer line expansion in the Vineyard Avenue right-of-way. As identified in the water supply assessment (Appendix N), water demand would be higher under this alternative than under the ORSC. Therefore, this alternative is assumed to result in slightly higher impacts to utilities and service systems compared to the ORSC, but impacts would be less than significant. (Draft EIR pg. 7-17)

Wildfire: The ORSC site is not within the wildland-urban interface or in a high fire hazard area. Therefore, no impacts to wildfire would occur under this alternative. This alternative would reduce impacts associated with emergency access during events at the Minor League Baseball Stadium and City park. Overall, impacts would be similar in comparison to the ORSC. (Draft EIR pg. 7-18)

Finding

The No Project–Armstrong Ranch Alternative would not meet any of the project objectives. Since the ORSC site would be developed as a suburban residential neighborhood, this alternative would not provide a sports complex, consolidate and/or expand the City’s athletic programs, or provide a stadium onsite to attract a Minor League Baseball team proximate to OmniTrans bus stops on Riverside. This alternative would also not prioritize development away from existing and future sensitive receptors surrounding the site. The alternative would also eliminate significant and unavoidable impacts to GHG, noise, and transportation, but this alternative would result in greater impacts to recreation and utilities and service systems. This Alternative is therefore rejected on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) the alternative fails to meet any of the Project objectives; (2) the alternative would result in increased impacts relating to recreation and utilities and service systems; and (3) the alternative is infeasible.

3. Vineyard Avenue Residential Corridor Alternative

The ORSC triggers concurrent rezoning of residential land use offsite to comply with SB 330 and SB 166. The Vineyard Avenue Residential Corridor Alternative would eliminate the need to rezone the residential parcels offsite because this alternative would provide for 36.2 acres of high-density residential (HDR) development along Vineyard Avenue within the 199-acre ORSC site in lieu of some of the soccer/football fields and baseball/softball/Little League fields in Planning Area 5. Rezoning required under SB 330 and SB 166 would occur onsite along Vineyard Avenue. This alternative would:

- Convert 98.22 acres of Low Density Residential (LDR) to Open Space-Parkland (OS-R).
- Convert 51.57 acres of Low Density Residential (LDR) to Hospitality (HOS) for a baseball stadium, ancillary/supportive retail, and lodging uses.

This alternative would retain TOP residential along Vineyard Avenue and would redesignate these parcels from MDR to HDR to comply with SB 330 and SB 166 for the 149.79 acres of residential land being converted from residential to HOS and OS-R land uses.

To accommodate the onsite residential, this alternative would reduce the size of PA 5 by 36.2 acres and would eliminate Parking Structure B. Because of the loss of 36 acres, this alternative would only accommodate 7 soccer/football fields and 5 baseball/softball/Little League fields.¹¹ All other planning areas would remain the same as the ORSC (i.e., PA 1, PA 2, PA 3, PA 4, PA 6, and PA 7). Surface parking in PA 5 (1,000 spaces) and Parking Structure A (1,600 spaces) would be able to accommodate parking for the remaining athletic fields in PA 5. (Draft EIR pg. 7-19)

Impacts:

Under the Vineyard Avenue Residential Corridor Alternative, impacts on aesthetics, GHG emissions, land use and planning, public services, and transportation would be reduced in comparison to the ORSC. This alternative would have similar impacts for agricultural resources, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, mineral resources, population and housing, tribal cultural resources, and wildfire. Air quality, energy, and recreation impacts would be greater under this alternative.

Aesthetics. This alternative would result in new sources of light and glare on the ORSC site and would alter the agricultural landscape on the ORSC site to accommodate the residential uses along Vineyard Avenue and sports complex, as shown on Figure 7-2 in the Draft EIR. This alternative would result in 5- to 6-story-tall (maximum of 75 feet tall) residential buildings to accommodate the HDR uses along Vineyard Avenue. This alternative would still require sport field and stadium lighting, but to a lesser extent than the ORSC because approximately half the fields would be eliminated. Additionally, receptors to the west and northwest would be buffered from sports field lighting on the ORSC site as a result of the multifamily residential buildings on Vineyard Avenue. As a result, this alternative would reduce aesthetics impacts and impacts would be less than significant. (Draft EIR pg. 7-20)

Agricultural and Forestry Resources. This alternative would also result in the loss of important farmland on the 199-acre site. No forestry resource impacts would occur. This alternative would have similar impact as the ORSC to agricultural resources, and impacts would be significant. (Draft EIR pg. 7-20)

Air Quality. This alternative would have similar construction impacts as the ORSC. This alternative eliminates some of the sports fields and would require additional vertical construction for the HDR land uses along Vineyard Avenue. Because this alternative would keep the stadium as part of the land use buildout, several Planning Areas would be developed at the same time so that the stadium and associated amenities can open by March 2026, same as the ORSC. With mitigation, such as Mitigation Measure AQ-1 which would require the use of Tier 4 construction equipment, this alternative would reduce short-term regional and localized significant impacts during construction; and impacts would be less than significant with mitigation. (Draft EIR pg. 7-23)

¹¹ PA 7 includes one additional baseball/softball/Little League field for a total of five baseball/softball/Little League fields under this alternative, four of them in PA 5.

Biological Resources. This alternative would result in similar impacts to biological resources as the ORSC. Like the Proposed Project, ground-disturbing activities that have the potential to impact sensitive habitat and species would be required for the entire 199-acre site and for off-site infrastructure in the Vineyard Avenue right-of-way. Mitigation would ensure that this alternative would have less than significant impacts. Therefore, this alternative would have similar biological resources impacts, and impacts would be less than significant. (Draft EIR pg. 7-23)

Cultural Resources. This alternative would result in similar impacts to cultural resources as the ORSC. Like the ORSC, ground-disturbing activities that have the potential to unearth cultural resources would be required for the entire 199-acre site and for off-site infrastructure in the Vineyard Avenue right-of-way. Mitigation would ensure that this alternative would have less than significant impacts. Therefore, this alternative would have similar cultural resources impacts, and impacts would be less than significant. (Draft EIR pg. 7-23)

Energy. This alternative would generate an increase in demand for electricity, natural gas, and transportation fuel associated with the operation of 1,267 residential units and the sports complex. New development under both this alternative and the ORSC would be designed and constructed compliant with the latest Energy Efficiency Standards of the California Building Standards Code. This alternative would result in greater vehicle trips and VMT than the ORSC; however, the fuel efficiency of vehicles used by future residents, employees, and visitors under this alternative and the ORSC are the result of increasing fuel efficiency standards established by the EPA and CARB. It is expected that fuel efficiency for vehicles used for both this alternative and the ORSC would improve with time as new more fuel-efficient vehicles incrementally replace less-efficient ones in future years. Nonetheless, energy consumption associated with this alternative would be greater than that of the ORSC. Therefore, this alternative would slightly increase long-term energy impacts compared to the ORSC, and impacts would be less than significant. (Draft EIR pg. 7-23)

Geology and Soils. This alternative would result in similar impacts to geology and soils, including paleontological resources, as the ORSC. Like the Proposed Project, ground-disturbing activities that have the potential to unearth paleontological resources would be required for the entire 199-acre site and Offsite Improvement Area associated with the sewer extension in the Vineyard Avenue right-of-way. Adherence to the recommendations in the soils and geohazards studies and mitigation for paleontological resources would ensure that this alternative would have less than significant impacts. Therefore, this alternative would have similar geology and soils impacts, and impacts would be less than significant. (Draft EIR pg. 7-24)

Greenhouse Gas Emissions. This alternative would also generate a substantial increase in GHG emissions. The decrease in the number of sports fields would result in a 44 percent decrease in VMT associated with the soccer fields and a 44 percent decrease in VMT associated with the baseball/softball fields. Total trips and VMT would increase with this alternative as a result of the additional trips from the residential component (31 percent increase in VMT on weekdays and 5 percent increase in VMT on weekends). However, average daily VMT per service population (VMT/SP) would fall from 248.6 to 51.79 (79 percent reduction). This is due to the significantly higher service population for this alternative compared to the ORSC. Because vehicle trips and VMT would constitute the greatest operational GHG emission source for both this alternative and the ORSC, this alternative would also

exceed the City's no net increase threshold for GHG emissions. Therefore, this alternative would reduce impacts associated with consistency with the plans adopted for the purpose of reducing GHG emissions but would not eliminate the ORSC's significant GHG impact. (Draft EIR pg. 7-24)

Hazards and Hazardous Materials. This alternative would result in similar impacts to hazards and hazardous materials as the ORSC. Like the Proposed Project, ground-disturbing activities would be required for the entire 199-acre site to remove the manure from past dairy operations. Adherence to the recommendations in the Phase I and Phase II Environmental Site Assessments would have less than significant impacts. Additionally, residential uses on Vineyard Avenue would have similar operational phase hazards as the ORSC. This alternative would reduce impacts associated with emergency access during events at the Minor League Baseball Stadium and City park. Overall, this alternative would have similar hazards and hazardous material impacts as the ORSC, and impacts would be less than significant. (Draft EIR pg. 7-24)

Hydrology and Water Quality. This alternative would result in similar impacts to hydrology and water quality as the ORSC. Like the Proposed Project, hydrology studies and preliminary WQMPs would be required to address operational BMPs to prevent erosion, retain stormwater on-site, and reduce water pollution. During construction, construction contractors would adhere to the SWPPP. Adherence to the BMPs in the SWPPP and WQMP would ensure less than significant impacts during construction and operation, respectively. Therefore, this alternative would have similar hydrology material impacts as the ORSC and impacts would be less than significant. (Draft EIR pg. 7-24)

Land Use and Planning. While this alternative triggers SB 330 and SB 166, the concurrent land use change would be confined to the ORSC site, and there would be no need to rezone the parcels south of the ORSC site on Vineyard Avenue. This alternative would have similar impacts associated with consistency with policies in regional and local plans. Overall, this alternative would slightly reduce land use planning impacts compared to the ORSC, and impacts would be less than significant. (Draft EIR pg. 7-25)

Mineral Resources. The ORSC site is not within a regionally or locally significant mineral resource zone. Therefore, no impacts to mineral resources would occur under this alternative. Impacts would be similar in comparison to the ORSC. (Draft EIR pg. 7-25)

Noise. This alternative would decrease the number of sports fields, resulting in a 44 percent decrease in VMT associated with the soccer fields and a 44 percent decrease in VMT associated with the baseball/softball fields. Total trips and VMT would increase with this alternative as a result of the additional trips from the residential component (31 percent increase in VMT on weekdays and 5 percent increase in VMT on weekends). As a result, this alternative would result in a slight increase in traffic noise impacts. This alternative would reduce sports field noise from games and tournaments because there would be fewer fields within the ORSC site. The high density residential component of this project on Vineyard Avenue would buffer receptors to the west and northwest from sports field noise. Overall, this alternative would result in slightly greater noise impacts compared to the ORSC. (Draft EIR pg. 7-25)

Population and Housing. This alternative would result in an increase in housing and population on-site. The ORSC does not include housing but does trigger SB 330 and SB 166, which requires

concurrent land use changes to ensure no net loss of housing in the city. SB 330 and SB 166 requires no net loss of residential capacity citywide. While this alternative would increase housing onsite, overall housing capacity citywide would be the same. Therefore, population and housing impacts would be similar compared to the ORSC and would be less than significant. (Draft EIR pg. 7-25)

Public Services. This alternative would result in an increase in population on-site and a commensurate increase in public service calls. On a day with an event, this alternative would slightly reduce impacts compared to the ORSC because there would be fewer fields for games and tournaments. Overall, impacts of this alternative to public services and facilities would be less than that of the ORSC and would be less than significant. (Draft EIR pg. 7-25)

Recreation. This alternative would result in an increase in population in the city, thereby increasing demand for recreation services. Recreation demand from this alternative would be offset through creation of on-site recreational amenities and, if necessary, through payment of in-lieu fees that would offset any increase in demand to less than significant levels. Compared to the ORSC, which provides for 134.42 acres of open space-parkland use, this alternative would slightly increase recreational impacts; however, impacts would be less than significant. (Draft EIR pg. 7-26)

Transportation. This alternative would generate an increase in vehicle trips and VMT in the city. The decrease in the number of sports fields would result in a 44 percent decrease in VMT associated with the soccer fields and a 44 percent decrease in VMT associated with the baseball/softball fields. However, total trips and VMT would increase with this alternative because of the additional trips from the residential component (31 percent increase in VMT on weekdays and 5 percent increase in VMT on weekends). However, average daily VMT per service population (VMT/SP) would fall from 248.6 to 51.79 (79 percent reduction). This is due to the significantly higher service population for this alternative compared to the ORSC. Therefore, this alternative would substantially reduce but would not eliminate the ORSC's significant transportation impact. (Draft EIR pg. 7-26)

Tribal Cultural Resources. This alternative would result in similar impacts to tribal cultural resources as the ORSC. Like the Proposed Project, ground-disturbing activities that have the potential to unearth tribal cultural resources would be required for the entire 199-acre site and the Offsite Improvement Area associated with the sewer line in the Vineyard Avenue right-of-way. Mitigation would ensure that this alternative would have less than significant impacts. Therefore, this alternative would have similar tribal cultural resources impacts, and impacts would be less than significant. (Draft EIR pg. 7-26)

Utilities and Service Systems. This alternative would require extension of wet and dry utilities to serve the residential, commercial/hospitality, and recreational facilities within the 199-acre site and also may warrant extension of the sewer in the Vineyard Avenue right-of-way. Water demand would be higher under this alternative compared to the ORSC as a result of the residential units in addition to the City park land uses. Therefore, this alternative would result in slightly higher impacts to utilities and service systems compared to the ORSC, but impacts would be less than significant. (Draft EIR pg. 7-26)

Wildfire. The ORSC site is not within the wildland-urban interface or in a high fire hazard area. Therefore, no impacts to wildfire would occur under this alternative. This alternative would reduce

impacts associated with emergency access during events at the Minor League Baseball Stadium and City park. Overall, impacts would be similar in comparison to the ORSC. (Draft EIR pg. 7-26)

Finding

The Vineyard Avenue Residential Corridor Alternative would also meet the project objectives, but to a lesser extent than the ORSC since fewer sports fields would be constructed. This alternative would also not prioritize development away from sensitive receptors as the residential corridor would place high density land uses proximate to existing future sensitive receptors on Vineyard Avenue. This Alternative would not eliminate any of the Proposed Project's significant impacts, and air quality, energy, and recreation impacts would be greater under this alternative. This Alternative therefore is rejected on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) the alternative would meet the project objectives, but to a lesser extent than the ORSC since fewer sports fields would be constructed; (2) the alternative fails to avoid or reduce any of the Proposed Project's significant and unavoidable impacts; (3) the alternative would result in increased impacts relating to air quality, energy, and recreation impacts; and (4) the alternative is infeasible.

4. Alternative Stadium Location Onsite Alternative

The Alternate Stadium Location Onsite Alternative would shift the Minor League Baseball stadium farther away from sensitive receptors on Riverside Drive and Plymouth Avenue. As a result, commercial and hospitality uses in PAs 1, 2, 3, and 4 would be shifted to the southwest corner of the site, and some of the baseball/softball fields and surface parking would be shifted to the northeast. Buildout of this alternative would have the same number of fields, stadium capacity, and nonresidential square footage as the ORSC. (Draft EIR pg. 7-27)

Impacts:

Under the Alternate Stadium Location Onsite Alternative, impacts on aesthetics, noise, and transportation would be substantially reduced in comparison to the ORSC. This alternative would have similar impacts to the ORSC for all other environmental resources.

This alternative would substantially lessen impacts associated with aesthetics, noise, and transportation while still meeting most of the project objectives. The remaining impacts are generally the same as the ORSC.

Aesthetics. This alternative would result in new sources of light and glare on the ORSC site and would alter the agricultural landscape on the ORSC site to accommodate the commercial, hospitality, and city park land uses, as shown on Figure 7-3. This alternative would relocate the stadium to the southwest corner of the site near Vineyard Avenue and Chino Avenue. The lighting associated with the stadium is the most intense lighting on the ORSC site. Relocating the fields to the southwest portion of the ORSC site would substantially reduce light and glare from the stadium component at existing residential uses. As a result, this alternative would reduce aesthetics impacts, and impacts would be less than significant. (Draft EIR pg. 7-27)

Agricultural and Forestry Resources. This alternative would also result in the loss of important farmland on the 199-acre site. No forestry resource impacts would occur. This alternative would have similar impact as the ORSC to agricultural resources, and impacts would be significant. (Draft EIR pg. 7-27)

Air Quality. This alternative would have the same construction impacts as the ORSC. This alternative would also generate the same long-term criteria air pollutant emissions as the ORSC. Because this alternative would keep the stadium as part of the land use buildout, several Planning Areas would be developed at the same time so that the stadium and associated amenities can open by March 2026, same as the ORSC. With mitigation, such as Mitigation Measure AQ-1 which would require the use of Tier 4 construction equipment, this alternative would reduce short-term regional and localized significant impact during construction; and impacts would be less than significant. Overall, this alternative would result in the same short-term and long-term air pollutant emissions impact compared to the ORSC, and impacts would be significant. (Draft EIR pg. 7-28)

Biological Resources. This alternative would result in similar impacts to biological resources as the ORSC. Like the Proposed Project, ground-disturbing activities that have the potential to impact sensitive habitat and species would be required for the entire 199-acre site and for off-site infrastructure. Mitigation would ensure that this alternative would have less than significant impacts. Therefore, this alternative would have similar biological resources impacts, and impacts would be less than significant. (Draft EIR pg. 7-28)

Cultural Resources. This alternative would result in similar impacts to cultural resources as the ORSC. Like the Proposed Project, ground-disturbing activities that have the potential to unearth cultural resources would be required for the entire 199-acre site and for off-site infrastructure. Mitigation would ensure that this alternative would have less than significant impacts. Therefore, this alternative would have similar cultural resources impacts, and impacts would be less than significant. (Draft EIR pg. 7-28)

Energy. This alternative would have the same energy demand as the ORSC. New development under both this alternative and the ORSC would be designed and constructed compliant with the latest Energy Efficiency Standards of the California Building Standards Code. Moreover, the fuel efficiency of vehicles used by future residents, employees, and visitors under this alternative and the ORSC are the result of increasing fuel efficiency standards established by the EPA and CARB, and vehicle trips and VMT generated by the ORSC and this alternative would be the same. Therefore, this alternative would have similar impacts to energy, and impacts would be less than significant. (Draft EIR pg. 7-28)

Geology and Soils. This alternative would result in similar impacts to geology and soils, including paleontological resources, as the ORSC. Like the Proposed Project, ground-disturbing activities that have the potential to unearth paleontological resources would be required for the entire 199-acre site and for off-site infrastructure. Adherence to the recommendations in the soils and geohazards studies and mitigation for paleontological resources would ensure that this alternative would have less than significant impacts. Therefore, this alternative would have similar geology and soils impacts, and impacts would be less than significant. (Draft EIR pg. 7-31)

Greenhouse Gas Emissions. Operationally, this alternative would constitute the same land use types and sizes and vehicle trip and VMT generation as the ORSC. Therefore, this alternative would also generate a substantial increase in GHG emissions beyond existing conditions, and GHG emissions would be significant, the same as for the ORSC. (Draft EIR pg. 7-31)

Hazards and Hazardous Materials. This alternative would result in similar impacts to hazards and hazardous materials as the ORSC. Like the Proposed Project, ground-disturbing activities would be required for the entire 199-acre site to remove manure from past dairy operations. Adherence to the recommendations in the Phase I and Phase II Environmental Site Assessments would have less than significant impacts. Therefore, this alternative would have similar hazards and hazardous material impacts as the ORSC, and impacts would be less than significant. (Draft EIR pg. 7-31)

Hydrology and Water Quality. This alternative would result in similar impacts to hydrology and water quality as the ORSC. Like the Proposed Project, hydrology studies and preliminary WQMPs would be required to address operational BMPs to prevent erosion, retain stormwater onsite, and reduce water pollution. During construction, construction contractors would adhere to the SWPPP. Adherence to the BMPs in the SWPPP and WQMP would ensure less than significant impacts during construction and operation, respectively. Therefore, this alternative would have similar hydrology and water quality impacts as the ORSC and impacts would be less than significant. (Draft EIR pg. 7-31)

Land Use and Planning. This alternative would trigger the need for concurrent rezoning of the residential land uses on Vineyard Avenue south of the ORSC site to meet SB 330 and SB 166. This alternative have similar impacts regarding consistency with policies in regional and local plans. Overall, this alternative would have the same land use planning impacts as the ORSC, and impacts would be less than significant. (Draft EIR pg. 7-31)

Mineral Resources. The ORSC site is not within a regionally or locally significant mineral resource zone. Therefore, no impacts to mineral resources would occur under this alternative. Impacts would be similar in comparison to the ORSC. (Draft EIR pg. 7-31)

Noise. This alternative would relocate the stadium to the southwest corner of the site near Vineyard Avenue and Chino Avenue. As a result, noise associated with baseball and other events (e.g., concerts) at the Minor League Baseball stadium would be substantially lessened at off-site sensitive receptors because the stadium would be adjacent to agricultural land uses on Chino Avenue. This alternative would shift some of the sports fields toward Ontario Avenue and Riverside Drive, but noise from these fields is anticipated to be much lower than from the Minor League Baseball stadium. Traffic noise would be the same as the ORSC. Overall, this alternative would substantially reduce noise impacts compared to the ORSC. (Draft EIR pg. 7-32)

Population and Housing. This alternative, like the Proposed Project, would not result in an increase in population and housing on-site. This alternative would trigger SB 330 and SB 166, which requires concurrent land use changes to ensure no net loss of housing in the city. Overall, population and housing impacts would be similar to the ORSC and less than significant. (Draft EIR pg. 7-32)

Public Services. Impacts of this alternative to public services and facilities would be the same as the ORSC and less than significant. (Draft EIR pg. 7-32)

Recreation. Compared to the ORSC, this alternative would result in the same acreage of open space-parkland use on-site. Therefore, this alternative would have the same impacts as the ORSC, and impacts would be less than significant. (Draft EIR pg. 7-32)

Transportation. This alternative would also generate an increase in vehicle trips and VMT in the city. VMT per service population (VMT/SP) would be the same for this alternative as for the ORSC. Moving the stadium and associated parking structure to the southwest would make Chino Avenue the primary entry point for event traffic (assuming parking is shifted as well), which may improve access because Chino Avenue is expected to carry lower through-traffic volumes. Pedestrian access is expected to be the same because sidewalks are proposed for all streets. Transit access would be less direct, with service only along Riverside Drive. Moving the stadium could improve the separation between the city park sports fields and the stadium, improving traffic operations during weekends with multiple major events (e.g., simultaneous concert and tournament). Therefore, this alternative would reduce but would not eliminate the ORSC's significant transportation impact. (Draft EIR pg. 7-32)

Tribal Cultural Resources. This alternative would result in similar impacts to tribal cultural resources as the ORSC. Like the Proposed Project, ground-disturbing activities that have the potential to unearth tribal cultural resources would be required for the entire 199-acre site and Offsite Improvement Area associated with the sewer line in the Vineyard Avenue right-of-way. Mitigation would ensure that this alternative would have less than significant impacts. Therefore, this alternative would have similar tribal cultural resources impacts, and impacts would be less than significant. (Draft EIR pg. 7-33)

Utilities and Service Systems. This alternative would also require extension of wet and dry utilities to serve the residential, commercial/hospitality, and recreational facilities on the 199-acre site and would also require extension of the sewer line in the Vineyard Avenue right-of-way. This alternative would have the same impacts to utilities and service systems, and impacts would be less than significant. (Draft EIR pg. 7-33)

Wildfire. The ORSC site is not within the wildland-urban interface or in a high fire hazard area. Therefore, no impacts to wildfire would occur under this alternative. Impacts would be similar in comparison to the ORSC. (Draft EIR pg. 7-33)

Finding

The Alternate Stadium Location Onsite Alternative would meet all the project objectives but would not meet fundamental Project Objective 6 and Objective 7. Under this Alternative the bus stops would be over a quarter of a mile from the stadium entrance. This alternative would also shift the stadium away from the center location within the 199-acre ORSC site, across from the Whispering Winds golf to the southwest corner of the site, which would be proximate to future sensitive receptors along the Vineyard Avenue corridor. Under this alternative, impacts on aesthetics, noise, and transportation would be substantially reduced in comparison to the ORSC. This Alternative therefore is rejected on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) the alternative fails to meet fundamental Project Objective 6 and Objective 7; (2) the alternative would have similar impacts to the ORSC for all environmental resources except for aesthetics, noise, and transportation; and (3) the alternative is infeasible.

D. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

An EIR must identify an “environmentally superior” alternative and where the No Project Alternative is identified as environmentally superior, the EIR is then required to identify as environmentally superior an alternative from among the others evaluated. Based on the analysis contained within the Draft EIR, the Alternate Stadium Location Onsite Alternative has been identified as the “environmentally superior” to the Proposed Project.

The Alternate Stadium Location Onsite has been identified as the environmentally superior alternative. This alternative would substantially lessen impacts associated with aesthetics, noise, and transportation while still meeting most of the project objectives. The remaining impacts are generally the same as the ORSC.

CEQA does not require the lead agency (the City of Ontario) to choose the environmentally superior alternative. Instead, CEQA requires the City to consider environmentally superior alternatives, weigh those considerations against the environmental impacts of the Proposed Project, and make findings that the benefits of those considerations outweigh the harm. “Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts” (CEQA Guidelines Section 15126.6[c]).

The City Council rejects the Alternate Stadium Location Onsite Alternative on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) the alternative fails to meet fundamental Project Objective 6 and Objective 7; (2) the alternative would have similar impacts to the ORSC for all environmental resources except for aesthetics, noise, and transportation; and (3) the alternative is infeasible. Therefore, the Alternate Stadium Location Onsite Alternative is eliminated from further consideration.

V. ADDITIONAL CEQA CONSIDERATIONS

A. SIGNIFICANT IRREVERSIBLE CHANGES DUE TO THE PROJECT

Section 15126.2(c) of the State CEQA Guidelines requires that an EIR describe any significant irreversible environmental changes that would be caused by the proposed project should it be implemented. Specifically, the State CEQA Guidelines state:

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highways improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

Generally, a project would result in significant irreversible environmental changes if:

- The primary and secondary impacts would generally commit future generations to similar uses;

- The project would involve a large commitment of nonrenewable resources;
- The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; or
- The proposed irretrievable commitments of nonrenewable resources are not justified (e.g., the project involves the wasteful use of energy).

In the case of Proposed Project, implementation would cause the following significant irreversible changes:

- Implementation of the ORSC and extension of the sewer alignment in the Offsite Improvement Area would include construction activities that would entail the commitment of nonrenewable and/or slowly renewable energy resources; human resources; and natural resources such as lumber and other forest products, sand and gravel, asphalt, steel, copper, lead, other metals, water, and fossil fuels. Operationally, development on the ORSC site would require the use of electricity, fossil fuels, and water. The commitment of resources required for the construction and operation of the ORSC would limit the availability of such resources for future generations or other uses during the life of the ORSC.
- An increased commitment of social services and public maintenance services (e.g., police, fire, and sewer and water services) would also be required. The energy and social service commitments would be long-term obligations in view of the low likelihood of returning the land to its original condition once it has been developed.
- The uses associated with the ORSC would increase vehicle trips over the long term. Emissions associated with such vehicle trips would contribute to the South Coast Air Basin's nonattainment designation for ozone (O₃) and particulate matter (PM_{2.5} and PM₁₀).
- Development of the ORSC site is a long-term, irreversible commitment of land.

B. GROWTH-INDUCING IMPACTS OF THE PROPOSED PROJECT

Pursuant to Section 15126(d) and 15126.2(d) of the State CEQA Guidelines, this section is provided to examine ways in which the Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. To address this issue, potential growth-inducing effects will be examined through analysis of the following questions:

- Would this project remove obstacles to growth, e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area, or through changes in existing regulations pertaining to land development?
- Would this project result in the need to expand one or more public services to maintain desired levels of service?
- Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?

- Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

Please note that growth-inducing effects are not to be construed as necessarily beneficial, detrimental, or of little significance to the environment. This issue is presented to provide additional information on ways in which the Proposed Project could contribute to significant changes in the environment, beyond the direct consequences of developing the land use concept examined in the preceding sections of this EIR.

1. Would this project remove obstacles to growth, e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area, or through changes in existing regulations pertaining to land development?

Approval and development of the ORSC would involve the extension of infrastructure to service the proposed recreational, service, and stadium uses. The ORSC site consists primarily of agricultural land (ranching and farming), a limited number of residences, and miscellaneous commercial uses such as a nursery, which are currently served by limited infrastructure. The Proposed Project would develop the ORSC site with urban uses, which would include construction of infrastructure extensions and improvements, such as roadways, storm drains, water pipes, solid waste collection systems, and energy/communication extensions.

Option 2 sewer improvements in the Offsite Improvement Area would extend sewer lines from the ORSC site to Eucalyptus Avenue, which could include growth in the Ontario Ranch as a result of expansion of services. Impacts to sewer facilities are discussed further in Section 5.19, *Utilities and Service Systems*.

In addition, the ORSC would increase the demand for electricity, which could require expansion of energy infrastructure provided by Southern California Edison, and may require expansion of natural gas infrastructure provided by the Southern California Gas Company. While these improvements are consistent with the City's utility master plans, the construction of these improvements could facilitate the further urbanization of the Proposed Project vicinity, which primarily consists of the agricultural uses. Impacts to existing utilities and service systems and potential needs for future improvements are discussed further in Section 5.19, *Utilities and Service Systems*.

The Proposed Project includes the extension of Vineyard Avenue between Riverside Drive and Chino Avenue. Additionally, the Proposed Project would also involve expansion of Chino Avenue between Vinyard Avenue and the Cucamonga Channel to its ultimate full-width right-of-way (ROW) and Riverside Drive to its half-width ROW. It would also improve internal roadways (e.g., Ontario Avenue) to accommodate the increased trips under the ORSC. These expansions could induce further growth in the Ontario Ranch area pursuant to TOP 2050. Transportation impacts are analyzed in Section 5.17, *Transportation*.

Furthermore, the Proposed Project would involve land use changes to the ORSC site to accommodate the proposed recreational, hospitality, and commercial uses. The Proposed Project also includes concurrent redesignation of the residential parcels in the Vineyard Corridor south of the ORSC site to achieve a no-net-loss in housing units in accordance with Senate Bill (SB) 330 and SB 166. As a result

of these changes, the Proposed Project would result in a surplus of 180 housing units (see Chapter 3, *Project Description*, Section 3.3.4, *The Ontario Plan and Zone Changes*). Therefore, the land use changes under the Proposed Project induce additional growth in the Ontario Ranch area. (Draft EIR pg. 10-2)

2. Would this project result in the need to expand one or more public services to maintain desired levels of service?

While the Proposed Project would not directly contribute to population growth in the City, the specific uses under the ORSC would result in a higher number of average daily visitors to the ORSC site when compared to the development proposed under the Armstrong Ranch Specific Plan, specifically during stadium events and sports tournaments at the proposed sports facilities. This may require additional/expanded public services facilities (fire and police). As discussed in Section 5.15, *Public Services*, impacts to public services would be less than significant with review of individual site plans by the fire and police departments for site-specific requirements and payment of developer impact fees. (Draft EIR pg. 10-2)

3. Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?

During construction of the ORSC site and Offsite Improvement Area, a number of design, engineering, and construction jobs would be created. Construction employees would be absorbed from the regional labor force, and the construction of the ORSC would not attract a substantial number of new workers to the region. The operation of the ORSC would result in 1,026 new jobs in the city.

Activities under the ORSC could also result in increased business and economic opportunities in the vicinity of the ORSC site. For example, attendees of stadium events and sports games/practices at the city park facilities may seek goods and services from the nearby commercial centers due to their proximity. Environmental impacts could therefore occur if the increased demand from the ORSC causes development or redevelopment of retail/restaurant/commercial uses in the City. However, the Proposed Project would not directly result in redevelopment of other land uses in the City.

The land use changes under the Proposed Project include redesignation of the ORSC site to accommodate the stadium, retail, and recreational uses of the ORSC and concurrent redesignation of the residential parcels in the Vineyard Corridor south of the ORSC site to achieve no net loss in housing units in accordance with SB 330 and SB 166. As a result of these changes, the Proposed Project would result in a surplus of 180 housing units, referred to as the GPA and Rezone throughout this Draft EIR (see Chapter 3, *Project Description*, Section 3.3.4, *The Ontario Plan and Zone Changes*). The GPA and Rezone would create additional housing capacity in the City and would result in an increased population. These additional residents would seek shopping, entertainment, employment, home improvement, auto maintenance, and other economic opportunities in the City, resulting in increased demand for these services. However, as described in Section 5.14, *Population and Housing*, this increase would represent a small increase a 0.25 percent increase in population compared to SCAG's 2045 forecast and a 0.16 percent increase when compared to TOP 2050's population buildout forecast, which is likely to have a negligible effect on the market for good and services in region. Although the Proposed Project would have indirect growth-inducing effects, these effects would not create a significant impact on the environment. (Draft EIR pg. 10-3)

4. Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

As identified above, the ORSC would require land use changes, including the redesignation and rezoning of the ORSC site for Open Space-Parkland/Open Space-Recreation and Hospitality/Convention Center. The Proposed Project also includes concurrent redesignation of the residential parcels in the Vineyard Corridor south of the ORSC site to achieve no net loss in housing units in accordance with SB 330 and SB 166. The ORSC site is primarily surrounded by agricultural uses that have been designated for future urban development under TOP as part of the City's vision to develop the master-planned Ontario Ranch community. TOP 2050 designates a majority of the undeveloped land surrounding the ORSC site as Low Density Residential. The ORSC would serve as a regional destination for sports-related activities and events; and therefore, could induce the development of more supporting commercial uses in the place of residential. However, these would require full environmental analysis of the impacts of such actions.

The ORSC does not propose changes to any of the City's building safety standards (i.e., building, grading, plumbing, mechanical, electrical, or fire codes) to implement this project. The ORSC would comply with all applicable City plans, policies, and ordinances to ensure that there are no conflicts with adopted land development regulations and that any environmental impacts are minimized. Therefore, the Proposed Project, in and of itself, would not be a precedent-setting action; however, the approval of a regional sports destination in Ontario Ranch could influence the development of additional supporting commercial uses in the area to serve the increased demand of visitors. Nonetheless, the impacts of subsequent similar actions would require environmental analysis and associated mitigation to ensure that such subsequent impacts would not significantly affect the environment. (Draft EIR pg. 10-4)

VI. FINDINGS ON RESPONSES TO COMMENTS ON THE DRAFT EIR AND REVISIONS TO THE FINAL EIR

The Final EIR contains response to comments, clarifications, revisions, and corrections to the Draft EIR. The focus of the response to comments is on the disposition of significant environmental issues as raised in the comments, as specified by State CEQA Guidelines Section 15088(b). The City provided written responses to each comment made by a public agency, as set forth in Section 2 of the Final EIR, pursuant to State CEQA Guidelines Section 15088(b), and revisions and corrections to the Draft EIR are found in Section 3 of the Final EIR.

City staff has reviewed this material and determined that none of this material constitutes the type of significant new information that requires recirculation of the Draft EIR for further public comment under CEQA Guidelines Section 15088.5. None of this new material indicates that the project will result in a significant new environmental impact not previously disclosed in the Draft EIR. Additionally, none of this material indicates that there would be a substantial increase in the severity of a previously identified environmental impact that will not be mitigated, or that there would be any of the other circumstances requiring recirculation described in Section 15088.5 of the CEQA Guidelines.

VII. STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires decision makers to balance the benefits of the Proposed Project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of the project outweigh the unavoidable adverse effects, those effects may be considered “acceptable” (State CEQA Guidelines Section 15093[a]). CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are infeasible to mitigate. Such reasons must be based on substantial evidence in the FEIR or elsewhere in the administrative record (State CEQA Guidelines Section 15093 [b]). The agency’s statement is referred to as a Statement of Overriding Considerations.

The following provides a description of the project’s significant and unavoidable adverse impact and the justification for adopting a statement of overriding considerations.

A. SIGNIFICANT AND UNAVOIDABLE IMPACTS

Although most potential project impacts have been substantially avoided or mitigated, as described above, there remains seven project impacts for which complete mitigation is not feasible. The EIR identified the following significant unavoidable adverse impacts of the project, which would continue to be applicable upon implementation of the Proposed Project:

1. Agricultural Resources

- **Impact 5.2-1.** Conversion of agricultural-designated land to urban land uses is a significant and unavoidable impact. There are no feasible mitigation measures that would reduce the ORSC’s significant impacts to agricultural resources to levels that would be less than significant. The ORSC would result in the direct loss of 53 acres of Prime Farmland. None of the mitigation measures considered by the City would feasibly be able to reduce the significant impacts to levels less than significant, and impacts would be *significant and unavoidable*.

2. Air Quality

- **Impact 5.3-1.** The ORSC would generate emissions that exceed the South Coast AQMD operational regional significance thresholds; and thus, would contribute to existing or projected AAQS violations. Therefore, overall, the ORSC would be considered potentially inconsistent with the AQMP. No mitigation measures are applicable for inconsistency with the South Coast AQMD AQMP. Mitigation Measure AQ-2 would reduce operational emissions to the extent feasible; however, operational emissions would continue to exceed the South Coast AQMD significance thresholds due to vehicle emissions associated with operation of the ORSC site operations. Because the fuel efficiency and fuel type of vehicles used by future employees and visitors are not under the control of the ORSC, no feasible mitigation was identified to further reduce mobile-source emissions. Therefore, Impact 5.3-1 would remain *significant and unavoidable*.
- **Impact 5.3-3.** Long-term operation of the ORSC would exceed the South Coast AQMD regional significance thresholds. Mitigation Measure TRAF-1 would be required to reduce VMT and include transportation demand management measures such as pedestrian and active transportation

improvements. Nonetheless, the vehicle fuel source, vehicle fuel efficiency, and travel mode for visitors are largely outside of the control of the ORSC. As such, no additional mitigation would be feasible to reduce vehicle-related emissions. To address VOC and CO emissions from area sources, Mitigation Measure AQ-2 would be required to ensure that all landscaping and property maintenance tools and equipment are electric powered and do not use fossil fuels. Additionally, Mitigation Measures GHG-1 through GHG-4 would reduce building energy use and would expand the use of electric vehicle charging onsite. Mitigation measures would reduce operational emissions to the extent feasible. However, long-term emissions would continue to exceed the South Coast AQMD's regional significance thresholds cumulatively contributing to air quality impacts in the SoCAB. Therefore, Impact 5.3-3 would remain *significant and unavoidable*.

3. Greenhouse Gas Emissions

- **Impact 5.8-1.** The ORSC would generate a substantial increase in GHG emissions onsite. Mitigation Measure TRAF-1 requires implementation of transportation demand management (TDM) measures, such as pedestrian and active transportation improvements, to reduce VMT. Nonetheless, the vehicle fuel source, vehicle fuel efficiency, and travel mode for visitors are largely outside of the control of the ORSC. As such, no additional mitigation would be feasible to reduce vehicle-related emissions. The second-largest emission source, energy consumption, results from electricity use and the consumption of natural gas onsite. Therefore, Mitigation Measure GHG-1 is required to reduce all onsite natural gas consumption by requiring all uses that do not include commercial cooking appliances to be all electric, precluding the installation and use of gas-fired appliances. In addition, Mitigation Measure GHG-2 would be required to ensure that electricity is generated onsite from renewable sources to the extent feasible. The mitigation measures would reduce emissions to the extent feasible. However, the ORSC emissions would still exceed the no net increase GHG emissions threshold. Therefore, Impact 5.8-1 would be *significant and unavoidable*.
- **Impact 5.8-2.** The ORSC would be potentially inconsistent with plans adopted for the purpose of reducing GHG emissions, including the California Air Resources Board's 2022 Scoping Plan, the Southern California Association of Governments' sustainable communities strategy, and the City's community climate action plan (CCAP). Implementation of Mitigation Measure GHG-4 would ensure that development projects on the ORSC site are consistent with the City's CCAP. Implementation of Mitigation Measures GHG-1 through GHG-3 and TRAF-1 would reduce impacts to the extent feasible. However, as discussed in Section 5.17, *Transportation*, the ORSC would continue to result in a substantial increase in total VMT in the City, would exceed the City's VMT threshold, and would potentially be inconsistent with the VMT reduction goals in the Scoping Plan and sustainable communities strategy. Therefore, Impact 5.8-2 would be *significant and unavoidable*.

4. Noise

- **Impact 5.13-2.** The ORSC would result in potentially significant long-term increase in noise levels associated with traffic noise and commercial noise. Mitigation Measures N-2 and N-3 would reduce commercial noise to less than significant noise levels. However, there are no feasible mitigation

measures to reduce traffic noise impacts of the ORSC. Therefore, Impact 5.13-2 would remain *significant and unavoidable*.

5. Transportation

- **Impact 5.17-2.** VMT would increase under the ORSC. Mitigation Measures TRAF-1 and TRAF-2 would reduce potential impacts for future development projects to the extent feasible. Future development in the Ontario Regional Sports Complex would need to consider TDM measures consistent with those identified in the Mobility Element. TDM techniques include incentives to use transit; incentives to form carpools rather than drive alone; and making home, work, and shopping closer together to shorten travel distances. In addition, Mitigation Measure TRAF-2 would reduce VMT during events. However, VMT impacts under the ORSC site would remain. Impact 5.17-2 would be *significant and unavoidable*.

B. PROJECT BENEFITS IN SUPPORT OF THE STATEMENT OF OVERRIDING CONSIDERATIONS

The following section describes the benefits of the Proposed Project that outweigh the project's unavoidable adverse effects and provides specific reasons for considering the project acceptable even though the FEIR has indicated that there will be seven significant project impacts despite mitigation measures being implemented for the Proposed Project. Accordingly, this Statement of Overriding Considerations regarding potentially significant adverse environmental impacts resulting from the Proposed Project, as set forth below, has been prepared. Pursuant to CEQA Guidelines Section 15093(c), the Statement of Overriding Considerations will be included in the record of the project approval and will also be noted in the Notice of Determination. Each of the benefits identified below provides a separate and independent basis for overriding the significant environmental effects of the Proposed Project.

Having reduced the potential effects of the Proposed Project through all feasible mitigation measures as described previously herein, and balancing the benefits of the Proposed Project against its potential unavoidable adverse impacts on agricultural resources, air quality, GHG emissions, noise, and transportation, the City finds that the following legal requirements and benefits of the Proposed Project individually and collectively outweigh the potentially significant unavoidable adverse impacts for the following reasons:

1. Implements the Objectives Established for the Proposed Project

The Proposed Project would implement the vision shaped by the following objectives:

- Support the community's vision for a "premier" city by providing the opportunity to incorporate comprehensive public facilities programming, including the development of a sports complex with associated mixture of uses.
- Consolidate City sports park operation.
- Expand recreational opportunities in support of youth and adult soccer, baseball, softball, basketball, and volleyball.

- Broaden sports programs to include aquatics, tennis and pickleball programs for youth and adults.
- Provide a high-quality stadium for a minor league sports team.
- Allow for safe, convenient transit access from the Stadium to OmniTrans bus stops on Riverside Drive.
- Prioritize development away from sensitive receptors.

2. Implements Specific Park and Recreational Goals and Policies of The Ontario Plan

The Ontario Plan (TOP) sets forth the goals, policies, and directions the City will take in managing its future. It is the blueprint for development and a guide to achieving the long-term, citywide vision. The ORSC would implement the following Park and Recreational policies of TOP:

- PR-1.1 Access to Parks. In all new residential development areas, we strive to provide a park and/or recreational facility within walking distance (1/4 mile) of every residence and prioritize the establishment of parks in environmental justice areas that do not have adequate access to parks.
- PR-1.5 Acreage Standard. We strive to provide 5 acres of parkland (public and private) per 1,000 residents.
- PR-1.7 Special Needs/Universal Design. We attempt to provide recreational opportunities at parks for people of all ages and abilities.
- PR-1.12 Trails. We promote connections between parks and local trails including those managed by other public agencies.
- PR-1.15 Trail Connectivity. We strengthen and improve equestrian, bike, and multipurpose trail connections within the City and work to improve trail connections into adjacent jurisdictions.
- PR-2.1 Participation. We program park facilities to maximize utilization and participation, while considering park size, location, and population served.
- PR-2.3 Community Involvement. We involve the local community in planning programs for neighborhood and community park facilities.
- PR-2.4 Access to Programs. We provide a range of recreational and physical exercise programs that are accessible to residents of all income levels throughout the community and prioritize establishing and maintaining equitable access for residents in environmental justice areas.
- PR-2.5 Partnerships. We partner with local and regional agencies, nonprofit organizations, and the private sector to provide a comprehensive range of recreational programs.

3. Provides Infrastructure to Support the Project and Ontario Ranch

Development within the Ontario Ranch has been constrained by a lack of infrastructure. The Proposed Project includes the following infrastructure improvements in the vicinity of the ORSC:

Ontario Regional Sports Complex
 CEQA Findings of Fact and Statement of Overriding Considerations

- **Roadway Infrastructure**
 - **Riverside Drive: Vineyard Avenue to Cucamonga Channel (half-width improvements).** The ORSC site would require dedication and improvements to the south side of Riverside Drive to its ultimate ROW width of 104 feet.
 - **Ontario Avenue (full-width improvements).** The ORSC site would require construction of Ontario Avenue within the ORSC site to its ultimate ROW width and dedication of the frontage along Ontario Avenue.
 - **Vineyard Avenue: Riverside Drive to Chino Avenue (full-width improvements).** The ORSC site would require construction of the Vineyard Avenue extension south of Riverside Drive to Chino Avenue to its full-width ROW.
 - **Chino Avenue: Vineyard Avenue to Cucamonga Channel (full-width improvements).** The ORSC site would require construction of Chino Avenue along the southern boundary to its full-width ROW.

- **Sewer Infrastructure**
 - **Option 1.** Installation of sewer lines to the east and connection to Inland Empire Utility Agency pipe along Cucamonga Creek Flood Control Channel. This option would allow for sewer to be installed within existing ROW.
 - **Sewer Option 2, Offsite Improvement Area.** Installation of the sanitary sewer along Vineyard Avenue south to Eucalyptus Avenue via the existing ROW of Vineyard Avenue. This option would require new sewer lines to extend within the proposed Vineyard Avenue improved ROW to Chino Avenue, transition to trenching within the unimproved dedicated ROW south of Chino Avenue, connecting to the existing sewer line within the improved intersection at Eucalyptus Avenue. This proposed sewer line is anticipated to be between 12 and 20 inches in diameter and 10,578 feet of linear pipes from Chino Avenue to Eucalyptus Avenue.

- **Domestic Water.** The ORSC site would require installation of domestic water lines in Vineyard Avenue, Chino Avenue, and Ontario Avenue.

- **Recycled Water.** The ORSC site would include recycled water. The ORSC site would extend recycled water lines west along Riverside Drive and in Chino Avenue, connecting to Vineyard Avenue and Ontario Avenue.

- **Electricity.** The ORSC site may include relocation or undergrounding of several existing power lines. The ORSC site would require undergrounding of existing lines along Chino Avenue at the southern boundary, and existing power poles along Riverside Drive would be relocated.

- **Fiber Optic.** The ORSC site would also expand the City’s fiber optic network, known as OntarioNet, to service the ORSC site. OntarioNet has an 864- and 432-strand fiber-optic backbone ring that includes spare conduits for future expansion. The fiber-optic backbone ring terminates at four key communications facilities in the city, each of which houses a 200+ gigabit per second (Gig) self-healing ring known as the “Core Network.” The Core Network allows the City to offer a catalog of services known as the “Access Network,” which provides 1 Gig to 10 Gig

internet services, local area network (LAN) extensions, and wireless or Wi-Fi services for the community and City operations.

Infrastructure provided by the Proposed Project would serve the project site and greater Ontario Ranch community.

4. Provides Higher-Paying Employment Opportunities and Economic Benefits

The ORSC site has historically been used for agricultural uses, specifically dairy farming. Agricultural uses in Ontario Ranch have been in decline as economic pressures have shifted such uses to the Central Valley and outside of California. The Proposed Project offers a timely opportunity to attract regional and neighborhood-serving amenities currently deficient in Ontario. There is strong inclination toward team sports and outdoor activities, particularly among younger generations, which underscores the promising potential for an outdoor sports complex. Soccer is the most popular sport, with more than 100,000 participants in the market area, followed by baseball with 63,000 participants. Ontario ranks sixth in spending on participant sports.¹² The stadium, sports park, community center, and commercial development provides an opportunity to capture sales tax revenue that could be used to improve public services and facilities. The Market Study conducted for the ORSC identified that the Proposed Project would have a positive economic impact and would result in job creation in Ontario.

5. Other Considerations

- Even without any growth in the City, which is not a realistic scenario, the significant impacts relating to air quality and GHG emissions will occur simply due to regional growth.
- Impacts relating to construction noise and vibration are temporary in nature.
- Impacts related to events (noise and traffic) are short term and do not occur on a daily basis.

C. Conclusion

The City Council hereby declares that, pursuant to the State CEQA Guidelines section 15093, the City Council has balanced the benefits of the Proposed Project against any unavoidable environmental impacts in determining whether to approve the Proposed Project. Pursuant to the State CEQA Guidelines, if the benefits of the Proposed Project outweigh the Proposed Project's unavoidable adverse environmental impacts, those impacts may be considered "acceptable."

Having reduced the adverse significant environmental effect of the Proposed Project to the extent feasible by adopting the Mitigation Measures contained in the EIR, the Mitigation Monitoring and Reporting Program (MMRP), and this Resolution; having considered the entire administrative record on the Proposed Project; and having weighed the benefits of the Proposed Project against its unavoidable adverse impact after mitigation, the City Council has determined that the social, economic and environmental benefits of the Proposed Project, described above, separately and individually

¹² Ontario. 2023, July, 31. Ontario Sports Park Market Study.

outweigh the Proposed Project's potential unavoidable adverse impacts and render those potential adverse environmental impacts acceptable.

VIII. MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to Public Resources Code section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program ("MMRP") attached as Exhibit "C." Implementation of the mitigation measures contained in the MMRP is hereby made a condition of approval of the Project. In the event of any inconsistencies between the mitigation measures set forth herein and the MMRP, the MMRP shall control.

IX. CERTIFICATION

The City Council finds that it has been presented with the EIR, which it has reviewed and considered, and further finds that the EIR is an accurate and objective statement that has been completed in full compliance with CEQA, the State CEQA Guidelines, and the City's Local CEQA Guidelines and that the EIR reflects the independent judgment and analysis of the City Council.

The City Council declares that no evidence of new significant impacts as defined by State CEQA Guidelines section 15088.5 has been received by the City Council after circulation of the Draft EIR which would require recirculation.

Therefore, the City Council hereby certifies the EIR based on the entirety of the record of proceedings.