

DEPARTMENT OF TRANSPORTATION

DIVISION OF AERONAUTICS – M.S.#40

1120 N STREET

P. O. BOX 942874

SACRAMENTO, CA 94274-0001

PHONE (916) 654-4959

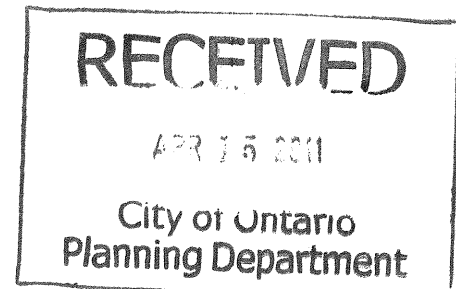
FAX (916) 653-9531

TTY 711

*Flex your power!
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April 1, 2011

Mr. Richard Ayala
City of Ontario
200 North Cherry Avenue
Ontario, CA 91764



Dear Mr. Ayala:

Re: City of Ontario Draft Supplemental Environmental Impact Report (DSEIR) for the Guasti Plaza Specific Plan Amendment; SCH# 2008111072

The California Department of Transportation (Caltrans), Division of Aeronautics (Division), reviewed the above-referenced document with respect to airport-related noise and safety impacts and regional aviation land use planning issues pursuant to the California Environmental Quality Act (CEQA). The Division has technical expertise in the areas of airport operations safety, noise, and airport land use compatibility. We are a funding agency for airport projects and we have permit authority for public-use and special-use airports and heliports. The following comments are offered for your consideration.

The proposal is for an Amendment to the Guasti Plaza Specific Plan. Among other things, the amendment would create an overlay designation that would allow for the development of residential uses within a portion of the Guasti Plaza Specific Plan area. A maximum of 500 residential dwelling units on approximately 11.72 acres are contemplated in the overlay zone.

The project site is located approximately 2,200 feet north of the Ontario International Airport (ONT). Pursuant to the Airport Noise Standards (California Code of Regulations, Title 21, Chapter 6, Section 5000 et seq.), the County of San Bernardino declared ONT to have a "noise problem". The regulations require a noise problem airport to reduce the size of its "noise impact area" (NIA), which is the area within the airport's 65 decibel (dB) Community Noise Equivalent Level (CNEL) contour that is composed of incompatible land uses.

Allowing new residential development within ONT's 65 dB CNEL contour would most likely result in an increase, rather than the required decrease, in the size of the airport's NIA unless appropriate additional measures are applied to the project. The type of structures containing the residential units which are finally constructed at the site will dictate which measures are appropriate. Please refer to Section 5014(a) of the Airport Noise Standards to determine mitigation measures necessary to prevent an increase to ONT's NIA. Depending on the type of dwelling unit, appropriate measures may include aviation easements for aircraft noise, insulating units for aircraft noise as well as addressing dwelling ventilation. The Airport Noise Standards are available at our website: <http://www.dot.ca.gov/hq/planning/aeronaut/avnoise.html>

These comments reflect the areas of concern to the Division with respect to airport-related noise, safety, and regional land use planning issues. We advise you to contact Caltrans District 8 office

Mr. Richard Ayala
April 1, 2011
Page 2

concerning surface transportation issues.

Thank you for the opportunity to review and comment on this proposal. If you have any questions, please call me at (916) 654-6223, or by email at philip_crimmins@dot.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Philip Crimmins". The signature is written in a cursive, flowing style with a large initial "P".

PHILIP CRIMMINS
Aviation Environmental Specialist

c: State Clearinghouse, City of Ontario ALUC, Ontario Int'l Airport

DEPARTMENT OF TRANSPORTATION

DISTRICT 8

PLANNING

464 WEST 4th STREET, 6th FLOOR, MS 725

SAN BERNARDINO, CA 92401-1400

PHONE (909) 383-4557

FAX (909) 383-5936

TTY (909) 383-6300

*Flex your power!
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March 16, 2011

City of Ontario
Planning Department
Attention: Richard Ayala
200 North Cherry Ave
Ontario, CA 91764

08-SBd I-10 PM 0.00

Subject: Guasti Plaza Specific Plan Amendment/SCH No. 2008111072

Dear Mr. Ayala:

Caltrans has reviewed the submittals for the Guasti Plaza Specific Plan and we have the following comments.

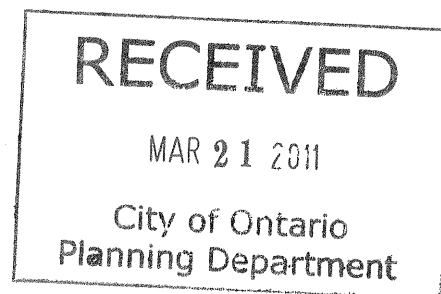
- Please label the year (i.e. 2008) on all figures and exhibits.
- Volumes and LOS analysis could not be verified. Please include traffic counts and analysis with the next submittal.
- No future year (2035) volumes or analysis were found. Report should include existing and future year analysis.

We appreciate the opportunity to offer our comments concerning this project. If you have any questions regarding this letter, please contact Christine Medina at (909) 383-6908 or Dan Kopulsky at (909) 383-4557.

Sincerely,

A handwritten signature in cursive script that reads "Daniel Kopulsky".

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA





City of Fontana
CALIFORNIA

April 12, 2011

City of Ontario
Planning Department
Attn: Richard Ayala
303 East "B" Street
Ontario, CA 91764

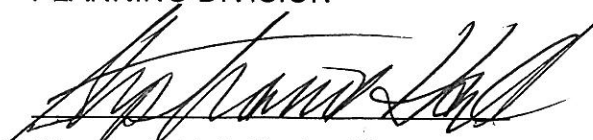
**Re: Notice of Availability of a Draft Supplemental Environmental Impact Report
for the Guasti Plaza Specific Plan Amendment (SCH 2008111072)**

Dear Mr. Ayala,

On March 10, 2011, the City of Fontana Planning Division received the Notice of Availability of a Draft Supplemental Environmental Impact Report for the Guasti Plaza Specific Plan Amendment (SCH 2008111072). The subject property consists of approximately 78.4 acres bounded by Interstate 10 to the north, Turner Avenue to the east, the Union Pacific Railroad right-of-way to the south and Archibald Avenue to the west. The public review period began on March 1, 2011, through April 14, 2011. At this time, the City has no comments or concerns. Thank you for allowing the City of Fontana to participate in the public review process.

Sincerely,

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION



Stephanie Hall, Senior Planner

SH: am



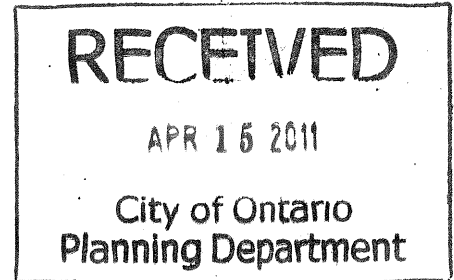
JERRY BROWN
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



April 15, 2011

Richard Ayala
City of Ontario
200 North Cherry Avenue
Ontario, CA 91764



Subject: Guasti Plaza Specific Plan Amendment
SCH#: 2008111072

Dear Richard Ayala:

The State Clearinghouse submitted the above named Supplemental EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on April 14, 2011, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures

cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2008111072
Project Title Guasti Plaza Specific Plan Amendment
Lead Agency Ontario, City of

Type SIR Supplemental EIR
Description Note: Ref: SCH# 1991122009

The proposed Guasti Plaza Specific Plan Amendment involves a revision to the adopted Specific Plan document to provide an update on the existing conditions at the site and to discuss pertinent regulations and approvals that would regulate future development. The proposed Specific Plan Amendment would also create a Residential Overlay Zone on approximately 11.72 acres at the eastern and southeastern section of the Specific Plan area, where a maximum of 500 dwelling units would be allowed in portions of Planning Areas 2 and 3, with a density of 25-65 units per acre.

Lead Agency Contact

Name Richard Ayala
Agency City of Ontario
Phone (909) 395-2421 **Fax**
email
Address 200 North Cherry Avenue
City Ontario **State** CA **Zip** 91764

Project Location

County San Bernardino
City Ontario
Region
Lat / Long 34° 3' 53" N / 117° 35' 7.18" W
Cross Streets Turner Avenue & New Guasti Road
Parcel No. multiple
Township 1S **Range** 7W **Section** 23 **Base** SBB&M

Proximity to:

Highways I-10
Airports Ontario
Railways UPPR
Waterways
Schools Center ES
Land Use PLU: US Post Office, vacant land, abandoned structures;
GPD: Historic Planned Commercial
Z: Specific Plan

Project Issues Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wildlife; Growth Inducing; Landuse; Cumulative Effects; Aesthetic/Visual; Other Issues

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 6; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 8; Regional Water Quality Control Board, Region 8; Native American Heritage Commission; Public Utilities Commission

Date Received 03/01/2011 **Start of Review** 03/01/2011 **End of Review** 04/14/2011

DEPARTMENT OF TRANSPORTATION

DIVISION OF AERONAUTICS – M.S.#40

1120 N STREET

P. O. BOX 942874

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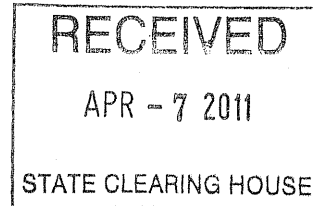


*Flex your power!
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4/14/11
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April 1, 2011

Mr. Richard Ayala
City of Ontario
200 North Cherry Avenue
Ontario, CA 91764



Dear Mr. Ayala:

Re: City of Ontario Draft Supplemental Environmental Impact Report (DSEIR) for the Guasti Plaza Specific Plan Amendment; SCH# 2008111072

The California Department of Transportation (Caltrans), Division of Aeronautics (Division), reviewed the above-referenced document with respect to airport-related noise and safety impacts and regional aviation land use planning issues pursuant to the California Environmental Quality Act (CEQA). The Division has technical expertise in the areas of airport operations safety, noise, and airport land use compatibility. We are a funding agency for airport projects and we have permit authority for public-use and special-use airports and heliports. The following comments are offered for your consideration.

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Mr. Richard Ayala
April 1, 2011
Page 2

concerning surface transportation issues.

Thank you for the opportunity to review and comment on this proposal. If you have any questions, please call me at (916) 654-6223, or by email at philip_crimmins@dot.ca.gov.

Sincerely,

Original Signed by

PHILIP CRIMMINS
Aviation Environmental Specialist

c: State Clearinghouse, City of Ontario ALUC, Ontario Int'l Airport

DEPARTMENT OF PUBLIC WORKS

FLOOD CONTROL • LAND DEVELOPMENT & CONSTRUCTION
SOLID WASTE MANAGEMENT • SURVEYOR • TRANSPORTATION



COUNTY OF SAN BERNARDINO

825 East Third Street • San Bernardino, CA 92415-0835 • (909) 387-8104
Fax (909) 387-8130

GRANVILLE M. "BOW" BOWMAN, P.E., P.L.S.
Director of Public Works

April 18, 2011

File: 10(ENV)-4.01

Mr. Richard Ayala
City of Ontario, Planning Department
200 North Cherry Avenue
Ontario, CA 91764

RE: NOTICE OF AVAILABILITY OF DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (DSEIR) FOR GUASTI PLAZA SPECIFIC PLAN AMENDMENT

Dear Mr. Ayala:

Thank you for giving the San Bernardino County Department of Public Works (Department) the opportunity to comment on the above-referenced project. The environmental document was circulated to other Divisions within our Department and the following are their comments:

Environmental Management Division (Brandy Wood, Ecological Resource Specialist (909) 387-7971):

1. Section 4.9 Biological Resources and Table 4.9-3 Wildlife Species indicate that Antelope Ground Squirrel (*Ammospermophilus leucurus*) occurs within the project site. The habitat and range of the Antelope Ground squirrel consists of Alkali sink and Creosote bush scrub in the California deserts. While it was probably California ground squirrel (*Otospermophilus beecheyi*) that was observed, it is important to correctly identify all impacts of the project during the EIR process.

Water Resources Division (Kevin Blakeslee, P.E., Deputy Director (909) 387-7919):

1. In general, it appears that the DSEIR has identified the major concerns of the Flood Control District (District). However, the District's recommendations are most often made for site specific conditions. Consequently, the recommendations made here are general in nature until such time as more detailed plans become available.
2. We recommend that the City of Ontario (City) establish adequate provisions for intercepting and conducting the accumulated drainage around or through all construction sites in a manner which will not adversely affect adjacent or downstream properties.
3. We recommend that the most current FEMA regulations, for construction within established floodplains, be enforced by the City.

If you have any questions or require additional information, please contact the specific individuals who provided that specific comment, as listed above.

Sincerely,

ANNESLEY IGNATIUS, P.E.
Deputy Director – Land Use Development

ARI:EH:mb/CEQA Comments to SEIR_Ontario Guasti Plaza Specific Pln Amdt.doc



GREGORY C. DEVEREAUX
County Administrative Officer

Board of Supervisors
BRAD MITZELFELT First District NEIL DERRY Third District
PAUL BIANE Second District GARY C. OVITT Fourth District
JOSIE GONZALES Fifth District



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: April 14, 2011
rayala@ci.ontario.ca.us

April 14, 2011

Mr. Richard Ayala
City of Ontario
Planning Department
200 North Cherry Avenue
Ontario, CA 91764

Review of the Draft Environmental Impact Report (Draft EIR) for the Proposed Guasti Plaza Specific Plan Amendment Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be incorporated into the final Environmental Impact Report (final EIR) as appropriate.

Given that the proposed project includes sensitive land uses (i.e., residences) the AQMD staff is concerned about the potential health risk impacts to the proposed project's residents from an active rail line immediately adjacent (within 100 feet) to the project's southern boundary and the I-10 Freeway that is located approximately 500 feet north of the project site. Specifically, AQMD staff is concerned that the lead agency may have underestimated the impacts from toxic air pollutants emitted by the significant volume (approximately 250,000 automobiles per day) of traffic on the I-10 Freeway and the active rail line (approximately 42 trains per day) that runs along the project's southern boundary. Further, the proposed mitigation measures do not appear to be adequate to reduce these impacts to a less than significant level. AQMD staff requests that the lead agency revise its analysis of project impacts and mitigation measure effectiveness based on the detail comments attached to this letter.

Pursuant to Public Resources Code Section 21092.5, AQMD staff requests that the lead agency provide the AQMD with written responses to all comments contained herein prior to the adoption of the final EIR. Further, staff is available to work with the lead agency

to address these issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Sincerely,



Ian MacMillan

Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC110301-04
Control Number

Health Risk Analysis

1. Based on the lead agency's discussion of the health risk analysis on pages 4.5-14 through 4.5-18 and in Appendix F of the draft EIR the AQMD staff is concerned that the potential health risk impacts for the proposed project may be underestimated. Specifically, AQMD staff is concerned that the particulate emissions factor (i.e., 1163.4 grams per mile) used for rail emissions in the health risk assessment (HRA) is inaccurate (i.e., too low). The lead agency states that this emissions factor is based on a "Tier-1" particulate emissions limit of 3.6 grams per gallon. However, the actual EPA Tier-1 particulate emissions limit is 0.45 g/bhp-hr¹ which results in an emissions factor of 9.36 grams per gallon (0.45 g/bhp-hr multiplied by 20.8 bhp-hr/gallons²). Therefore, the lead agency's particulate emissions from trains may be underestimated nearly threefold. In addition, it is not clear in the HRA if the 0.13 miles per gallon fuel efficiency accounts for multiple locomotives per train or operating at a notch setting consistent with operations expected on the line at this location. As a result, the AQMD staff recommends that the lead agency revise the HRA in the draft EIR to properly reflect EPA's Tier-1 particulate emissions standards of 0.45g/bhp-hr or 9.36 grams per gallon and to provide additional justification for its choice of fuel efficiency.

Potential Health Risk Impacts to Sensitive Land Uses

2. The proposed project contains sensitive land uses (i.e., residences) surrounded by known sources of Toxic Air Contaminants (TACs) including an active rail line that facilitates 42 trains per day and the I-10 Freeway that carries at least 12,000 trucks and 250,000 cars per day. As a result, the lead agency determined that prior to mitigation these sources will pose a significant health risk impact (i.e., a cancer risk of 200 in one million) to the proposed project. Given this significant health risk impact the lead agency incorporates Mitigation Measure 4.5.3b that requires the use of particulate filters placed in residential HVAC systems that would mitigate the project's health risk impacts from the aforementioned sources of TACs to less than significant. However, AQMD staff is concerned that while these filters can be effective against particulate pollution they do not have the ability to remove a wide variety of gaseous pollutants (i.e., NO_x, TAC's and VOC's) associated with traffic-related pollution and some industrial sources. These filters also have no effectiveness when windows or doors are open, or on outdoor activities associated with residential uses, and require long term maintenance beyond the requirements of Mitigation Measure 4.5.3b.

Further, it is not clear that the proposed filtration level of 95% across all particle size ranges is achievable in a residential setting with the proposed technology. For example, a recent study conducted by the AQMD of advanced technology filters found that they

¹ EPA's Tier-1 PM Emissions Factor for Line Haul Trains, CFR Title 40 Section 92.8. Accessed at: <http://www.gpo.gov/fdsys/pkg/CFR-2010-title40-vol20/pdf/CFR-2010-title40-vol20-part92.pdf>

² EPA's Technical Guidance on Conversion factors for Large Line Haul Locomotives. Accessed at: <http://www.epa.gov/nonroad/locomotv/420f09025.pdf>

are only 80 to 90% effective for particle sizes typically found in diesel exhaust (<http://www.aqmd.gov/rfp/attachments/2010/AQMDPilotStudyFinalReport.pdf>). Therefore, AQMD staff recommends that the lead agency reconsider additional mitigation to ensure that the project will not pose significant health risks to residents.

Mitigation Measures for Construction Air Quality Impacts

3. Given that the lead agency concluded that the proposed project will have significant construction related air quality impacts the AQMD staff recommends that the lead agency provide additional mitigation pursuant to CEQA Guidelines §15126.4. Specifically, AQMD staff recommends that the lead agency minimize or eliminate significant adverse air quality impacts by adding the mitigation measures provided below.
 - During project construction, all internal combustion engines/construction equipment operating on the project site shall meet EPA-Certified Tier 2 emissions standards, or higher according to the following:
 - ✓ Project Start, to December 31, 2011: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 2 offroad emissions standards at a minimum. In addition, all construction equipment shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
 - ✓ January 1, 2012, to December 31, 2014: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards at minimum. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device 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 CARB regulations.
 - ✓ Post-January 1, 2015: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards at a minimum, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device 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 CARB regulations.
 - ✓ A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

- ✓ Encourage construction contractors to apply for AQMD “SOON” funds. Incentives could be provided for those construction contractors who apply for AQMD “SOON” funds. The “SOON” program provides funds to accelerate clean up of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at the following website: <http://www.aqmd.gov/tao/Implementation/SOONProgram.htm>

For additional measures to reduce off-road construction equipment emissions, refer to the mitigation measure tables located at the following website:
www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html.