

4.6 HAZARDS AND HAZARDOUS MATERIALS

4.6.1 Introduction

This section discusses any potential hazards that currently exist in the area surrounding the Specific Plan project site, or that could exist as a result of project development. Information about existing conditions was derived from site visits, and Phase I and Phase II Environmental Site Assessments (ESAs) prepared by TRI/CON Engineering Inc. in July 2005. Complete copies of these documents are available for review at the City of Ontario Planning Department.

4.6.2 Environmental Setting

The general area surrounding the project site is characterized by industrial, office, retail commercial development, the Union Pacific Railroad (UPRR) and the I-10 Freeway. The project site is located northeast of the LA/Ontario International Airport.

The property comprises approximately 41.29 acres and is currently occupied by a steel manufacturing/distribution building on approximately 4.5-acres and a 9,600 square foot office. A paved parking lot is located north of the main building and scattered structures are located south of the main building. These structures include a guardhouse, a maintenance garage, and two storage buildings.

Historical Uses

Historical aerial photographs, and topographic maps were reviewed to assess the changes in land use since 1938. Prior to construction of the existing steel building in 1968, the project site appeared to be agricultural with grapevines covering the property and all of the surrounding area.

Onsite Conditions

According to the Phase I ESA, the following on-site conditions were observed in July 2005:

- Three pole-mounted transformers were observed north of the northern property line.
- One pad-mounted transformer was located on the north side of the main building. Transformers were however, noted to not contain Polychlorinated Biphenyls (PCBs).
- A former clarifier was observed at the west end of the maintenance garage.
- Stained soil was observed east of the maintenance garage and stained asphalt was observed south of the maintenance garage.
- A groundwater production well was observed in a concrete block shed on the southern property line.
- A railroad spur is located onsite on the southern and eastern property limits.

- Three former Underground Storage Tank (USTs) locations. However, these USTs were reportedly closed by a local agency.
- A drum storage area south of the main building.

Off-site Conditions

TRI/CON contracted the services of Environmental Data Resources to generate a regulatory agency database report to help establish environmental concerns within the site vicinity. The potential for environmental impact to the property from the off-site locations of concern appears to be low due to one or more of the following: type of regulatory listing, the distance from the project site, status of the case, type of resources affected, remedial efforts being directed by a regulatory agency, and/or potential responsible parties have been identified.

Applicable Policies and Regulations

Airport Issues

Federal Aviation Administration

The Federal Aviation Administration (FAA) regulates the safety of civil aviation and the FAA's Advisory Circular on Heliport Design (Advisory Circular 150/5390-2A), provides the basic standards used to design heliports and helipads in the United States. In these heliport design standards, an acceptable object-free area or Final Approach and Takeoff (FATO), and safety areas are defined. These areas must be maintained clear of obstructions extending above landing pad elevations. The FAA also provides standards for the placement of windsocks, heliport beacons, and heliport markings.

The California Department of Transportation (Caltrans), Division of Aeronautics issues permits for heliports in the State of California. Heliports must meet FAA FATO standards and other criteria prior to obtaining a Caltrans Heliport Permit. Regulations for a State-permitted heliport, based on the established heliport safety standards in FAA's Heliport Design guidelines, are intended for regular medical helicopter operations at large facilities in urban settings.

Hazardous Waste Issues

Federal

The management of hazardous materials and hazardous wastes is subject to numerous laws and regulations at all levels of government. These laws and regulations apply to operational and disposal activities on the project site. Summaries of federal and state laws and regulations related to hazardous materials management are presented below. California State law allows for certain hazardous materials regulatory programs, including those pertaining to oil wells, hazardous materials storage, and hazardous materials management, to be delegated to local agencies. State and federal laws require detailed planning to ensure that hazardous materials are properly handled, used, stored, and disposed of, and, in the event that such materials are accidentally released, to prevent or to mitigate injury to health or the environment.

Primary federal agencies with responsibility for hazardous materials management include the Environmental Protection Agency (EPA), Department of Labor (Federal Occupational Safety and Health Administration [OSHA]), Department of Transportation (DOT), and Nuclear Regulatory Commission (NRC). Major federal laws and issue areas include the following statutes (and regulations promulgated there under):

- Resources Conservation and Recovery Act (RCRA) - hazardous waste management.
- Hazardous and Solid Waste Amendments Act (HSWA) - hazardous waste management.
- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) - cleanup of contamination.
- Superfund Amendments and Reauthorization Act (SARA) - cleanup of contamination.
- Emergency Planning and Community Right-to-Know (SARA Title III) - business inventories and emergency response planning.

State

Primary state agencies with jurisdiction over hazardous chemical materials management are the California Environmental Protection Agency (Cal-EPA), the Department of Toxic Substances Control (DTSC), and the Regional Water Quality Control Board (RWQCB). Other state agencies involved in hazardous materials management are the Department of Industrial Relations (state OSHA implementation [Cal/OSHA]), State Office of Emergency Services (OES-California Accidental Release Prevention implementation), California Department of Fish and Game (CDFG), California Air Resources Board (CARB), California Highway Patrol (CHP), State Office of Environmental Health Hazard Assessment (OEHHA-Proposition 65 implementation), and California Integrated Waste Management Board (CIWMB).

Hazardous chemical and biohazardous materials management laws in California include the following statutes (and regulations promulgated there under):

- Hazardous Waste Control Act - hazardous waste management
- Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) - releases of and exposure to carcinogenic chemicals.
- Hazardous Substances Act.
- Hazardous Waste Management Planning and Facility Siting - "Tanner Act"
- Hazardous Materials Storage and Emergency Response - including response to hazardous materials incidents
- California Medical *Waste Management Act* - medical and biohazardous wastes

Local

The primary local agency, known as the Certified Unified Program Agency (CUPA), with responsibility for implementing federal and state laws and regulations pertaining to hazardous

materials management is the San Bernardino County Fire Department (SBCFD). The Unified Program is the consolidation of six state environmental regulatory programs into one program under the authority of a CUPA. A CUPA is a local agency that has been certified by Cal EPA to implement the six state environmental programs within the local agency's jurisdiction. This program was established under the amendments to the California Health and Safety Code made by SB 1082 in 1994. The six consolidated programs are as follows:

- Hazardous Materials Business Plan
- Risk Management and Prevention Plan
- Hazardous Waste (including Tiered Permitting)
- Underground Storage Tanks
- Above Ground Storage Tanks (including the SPCC)
- UFC Article 80 HMMP and HMIS

The CUPA is charged with the responsibility of conducting compliance inspections for over 7,000 regulated facilities in San Bernardino County. These facilities handle hazardous material, generate or treat hazardous waste and/or operate an underground storage tank. The CUPA provides a comprehensive environmental management approach to resolve environmental issues. This balanced approach utilizes education and effective enforcement procedures to minimize the potential risk to human health and the environment and establish an atmosphere to promote fair business practices.

City of Ontario General Plan

The Hazardous Element chapter of the General Plan provides decision makers with the information necessary to evaluate the nature of a given hazard and possible courses of action. To facilitate this, this element identifies various hazards, where they exist, who is managing them, the probability of the hazards occurring, and the severity of the hazards should they occur.

Goal 4.0: Maintain compatibility of existing and proposed land uses within Action Area I east and south of the Airport.

Policy 4.1: Develop vacant portions of Action Area I consistent with commercial/industrial General Plan land use recommendations and adopted specific plans.

Goal 5.0: Minimize risks to life and property associated with handling, transporting, treating, generating, and storage of hazardous materials.

Policy 5.1: Incorporate the County of San Bernardino Hazardous Waste Management Plan (HWMP) by reference to regulate local users, and adopt a Hazardous Waste Ordinance which sets forth siting criteria for hazardous waste facilities tailored to the need of the City of Ontario.

Policy 5.5: Through planning and code enforcement process, establish standards for storage and use of industrial chemicals and other potentially hazardous wastes.

Policy 5.8: Ensure the safe transportation of hazardous materials and waste by defining a consistent and integrated routing network for the transportation of hazardous materials and waste between manufactures users, generators and local treatment, storage and repository facilities within the City of Ontario.

Policy 5.17: Ensure emergency response plans are developed to address the hazardous materials contingencies.

4.6.3 Impacts and Mitigation Measures

Thresholds of Significance

Significant impacts related to hazards and hazardous materials were determined from criteria stated with the City of Ontario Initial Study Item #7. Hazardous wastes and materials are regulated independently of the CEQA process by numerous federal, state, county and local laws and regulations. These laws and regulations are enforced by federal, state, county, and local agencies, particularly the Department of Toxic Substances Control (DTSC). Hazardous wastes, materials, and remediation issues are addressed in the CEQA process to identify and evaluate possible impacts to human, plant and animal populations that could potentially result from implementation of the proposed project.

For the purposes of this analysis, a significant impact would result if the project would:

- Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- Expose people or structures to a significant risk of loss, injury or death involving wildfires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Phase I & II Environmental Site Assessment

A Phase I Environmental Site Assessment was prepared in July 2005 by TRI/CON. The assessment concluded that the site revealed no evidence of recognized environmental conditions in connection with the Property¹ except for the following:

- Three former underground storage tank (UST) locations
- One former spray operation area south of the maintenance garage
- Gray stained surface soil east of the maintenance garage
- A former clarifier located in the western portion of the maintenance garage
- A former wash station located on the south side of the main steel building
- The rail spurs which enters the site at the southwest corner.

Therefore, based on the finding of the Phase I, a Phase II evaluation was conducted by TRI/CON in July 2005. To determine the extent of chemical compounds in soil, TRI/CON drilled and sampled eight soil borings. The borings were advanced to depths ranging from 2.5 feet to 20.5 feet below the ground surface. The only soil sample showing any chemical impact was B7@2'. B7@2' contains 750 ppm of Total Petroleum Hydrocarbons (TPH). That concentration is below the levels requiring cleanup action by local regulatory agencies for similar sites. All other soil samples obtained from the borings indicate that the areas investigated have not been adversely impacted by former operations at the project site. Based upon the results of the field investigation, laboratory testing and compilation and analysis, the former operations have not adversely impacted the project site.

Impacts Determined to Have No Impact

Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?

The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The nearest school, Ontario Center Elementary, is located on N. Center Avenue approximately one mile northeast of the project site. Therefore no impact to schools is anticipated.

Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

This project site does not occur on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, this project would not be located on a site, which would create a significant hazard to the public or the environment.

¹ The well identified in the Phase I site investigation will be relocated or capped in accordance with applicable regulations

Expose people or structures to a significant risk of loss, injury or death involving wildfires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

The project site and vicinity is surrounded by urban land uses. The Ontario General Plan states that the most serious fire threats to the City are structural fires due to aged or faulty electrical wiring, lack of built-in fire protection, and use of highly combustible construction materials or finishes. Therefore, no impacts due to wildland fires are anticipated.

Impacts Determined to be Potentially Significant

Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Impact HAZ-1

The proposed project may include a hospital that would involve transportation, use, storage, and/or disposal of hazardous materials (medical waste). This could be a potentially significant impact.

The proposed Ontario Gateway Specific Plan Mixed Use Planning Area may include the development of a 200-bed hospital and a 75,000 square-foot medical office building that would provide medical services that may include: radiology, cardiology, orthopedic, neurology, and general surgery. Such uses will include the generation of medical waste. Medical waste is defined as infectious agents such as human pathological wastes, human blood and blood products, used or unused sharps (syringes, needles, and blades), certain animal waste, and certain isolation waste. The potential impacts from the transport, use, storage, and disposal of hazardous materials pertaining to the medical facilities are as follows:

Transportation of Hazardous Materials

The United States Department of Transportation (USDOT) Office of Hazardous Materials Safety prescribes strict regulations for the safe transportation of hazardous materials, as described in Title 40, 42, 45, and 49 of the Code of Federal Regulations (CFR), and implemented by Title 17, 19, and 27 of the California Code of Regulations (CCR).

Accidents during transport of hazardous materials or waste to and from the site could also occur under the proposed use. The precise amount of hazardous materials transported to or from the proposed medical uses cannot be definitively predicted as detailed descriptions of the potential development projects are not yet available. It is possible that future potential uses could result in some hazardous materials being brought to and from the medical facilities; however, appropriate documentation for all hazardous waste that is transported in connection with project-site

activities would be provided as required for compliance with the existing hazardous materials regulations within the federal and State codes. Adherence to these regulations would reduce the likelihood and severity of accidents during transit, thereby ensuring that a less than significant impact would occur. In addition, the proposed uses would comply with the federal Department of Transportation (DOT) regulations that specify packaging requirements to ensure that hazardous materials shipments can sustain transport.

Hazardous Materials Use and Storage

Patient care facilities involve relatively small amounts of hazardous materials, primarily in clinical laboratories, cleaning and sterilization processes and pharmacies. Medical waste that would be generated would be stored in proper waste containers until it is collected by the hospital staff. Collected waste would be stored in a secure area prior to on-site treatment or shipment off-site for treatment. Worker safety requirements and the Medical Waste Management Act provide procedures to prevent exposures to infectious agents.

The State of California adopted the Medical Waste Management Act effective April 1, 1991. The Act establishes procedures for the proper handling, storage, treatment, and transportation of medical waste. The Act requires that both small and large quantity generators pursuant to Sections 117930 and 117950, respectively, file a Medical Waste Management Plan with the local enforcement agency. The Medical Waste Management Plan establishes procedures and methods for on-site treatment, including steam sterilization and incineration, to properly treat medical waste to eliminate or minimize the risk of personnel exposure to or contamination by untreated medical waste. In addition, the California Accidental Release Prevention (CalARP) Program for the prevention of accidental release of regulated toxic and flammable substances would require the facility to prepare a Risk Management Plan, but only if sufficient quantities of hazardous materials would be located at the facilities.

For those employees who would work with hazardous materials, the amount of hazardous materials that are handled at any one time would be generally relatively small given the type of land use thus reducing the potential consequences of an accident during handling. Employees who would work around hazardous materials would be required to wear appropriate protective equipment and safety equipment, which is routinely available in all areas where hazardous materials are used. Therefore, the risk of upset from hazardous materials handling is anticipated to be less than significant.

Disposal of Hazardous Waste

Prior to the operational use of the proposed hospital the applicant will be required to implement a Medical Waste Management Plan per the County of San Bernardino Waste Management Division. Compliance with existing hazardous materials regulations would ensure that this impact is less than significant.

Existing hazardous materials regulations must be implemented by employers/businesses, as appropriate, and are monitored by the state (e.g., OSHA in the workplace or DTSC for hazardous waste) and local jurisdictions (e.g., the County of San Bernardino). Adherence to existing

hazardous materials regulations would ensure compliance with existing safety standards related to hazardous materials, and the safety procedures mandated by applicable federal, state, and local laws and regulations (RCRA, California Hazardous Waste Control Law, and principles prescribed by the California Department of Health Services, Centers for Disease Control and Prevention, and National Institutes of Health) would ensure that risks resulting from the routine use, storage, transport or disposal of hazardous materials of hazardous wastes associated with construction and implementation of the proposed Specific Plan's hospital and medical uses would be less than significant.

The proposed project would comply with Section 9-1.3330 of the City of Ontario Development code that states, "The use, handling, storage and transportation of combustibles and explosives shall comply with applicable provisions of the Uniform Fire Code, the City of Ontario Hazardous Waste Ordinance, and all other local, state and federal regulations." Therefore, operation of the hospital and medical office building would not create a significant hazard to the public or the environment with the facility complying with federal and State regulations regarding the disposal and transport of bio-medical wastes."

Mitigation Measure HAZ-1

In addition to complying with all State and local regulations the applicant will be required to prepare a Medical Waste Management Plan per the County Waste Management Division.

Level of Significance After Mitigation

Impacts from the routine transport, use, or disposal of hazardous materials and the potential for a foreseeable or accident conditions involving the release of hazardous materials into the environment from the proposed hospital land use is anticipated to be less than significant with compliance with existing State and local regulations.

Impact HAZ-2

The proposed project may include auto related uses that would involve transportation, use, storage, and/or disposal of hazardous materials (petroleum products). This could be a potentially significant impact.

The proposed Ontario Gateway Specific Plan Planning Auto Planning Area would predominantly include new vehicle sales, and may include typical accessory uses such as service stations, vehicle repair facilities, minor bodywork, and installation of accessories that would store, use and dispose of hazardous materials due to their proposed use. These uses would typically utilize such items as oil, gasoline, antifreeze, solvents, and other liquids commonly found in motorized vehicles or their service. Some of these uses may require the operation of aboveground or underground storage tanks. All materials and storage systems (bottles, drums, and storage tanks) are regulated by various government agencies. The proposed auto related uses would obtain permits from the Department of Health Services and the City Fire Department.

Existing hazardous materials regulations were established at the state level to ensure compliance with federal regulations to reduce the risk to human health and the environment from the routine use of hazardous substances. The City of Ontario Fire Department has the authority to inspect on-site uses and enforce state and federal laws governing the storage, use, transport, and disposal of hazardous materials and wastes. In addition, the San Bernardino County requires that an annual inventory of hazardous materials in use on-site, as well as a business emergency plan, be submitted for an annual review. In general, all projects associated with buildout of the Ontario Gateway Specific Plan will be required to comply with existing hazardous materials regulations, which are codified in Titles 17, 19, and 27 of the CCR, and their enabling legislation set forth in Chapter 6.5 of the California Health and Safety Code. In addition, all projects will be required to comply with all applicable federal, state, and local laws and regulations pertaining to the transport, use, and disposal of hazardous waste, including, Title 40, 42, 45, and 49 of the Code of Federal Regulations.

The automotive repair portion of the project would require permits from and monitoring and reporting to a number of agencies including:

- San Bernardino County Fire Department (approval of a Business Emergency/Contingency Plan and site specific permits);
- City of Ontario Fire Department (Hazardous Material Disclosure Form and site specific permits);
- San Bernardino County Department of Environmental Health Services (Environmental Protection Agency hazardous waste generator/handler permit).

These permits and plans must all be issued/approved by the respective agencies prior to Certificate of Occupancy or sooner. In addition, all new aboveground storage tanks must be constructed to the following standards:

- All tanks, piping and vent/vapor piping must be double walled and contain leak detection capability;
- All piping and venting must be sloped back to the storage tank sumps to prevent discharge;
- Each pump island must have a containment pan underneath them to prevent spilled fuel from escaping;
- All secondary containment systems are required to be tested;
- Best Available Containment Technology is a minimum requirement of the State Water Board (as fueling stations age, they must be periodically updated to meet current requirements).

Implementation of the following mitigation measure would reduce the impacts to less than significant.

Mitigation Measure HAZ-2

Prior to issuance of occupancy permits, the applicant will be required to comply with all State and local regulations including preparation of a Business/Emergency Contingency Plan.

Level of Significance After Mitigation

With the development of a Business Emergency Contingency Plan impacts are anticipated to be less than significant.

Impact HAZ-3

The proposed project includes demolition of buildings that may contain lead-based paint and asbestos. This may be a potentially significant impact.

As the existing structures were constructed prior to 1968, the most apparent hazard existing within the project site is asbestos and lead based paint. Asbestos was used in building insulation, roofing materials, and construction adhesives. If this type of asbestos is crumbled and broken into airborne particles, it can lodge in the deepest parts of the lungs and cause permanent breathing difficulties. Lead-based paint, which was banned in 1978, can cause a range of health effects through ingestion and inhalation. Children 6 years old and under are most at risk, as their bodies are growing quickly. Research suggests that the primary sources of lead exposure for most children are: (1) deteriorating lead-based paint; (2) lead-contaminated dust; and (3) lead-contaminated residential soil. The hazard that threatens adults from lead-based paint exposure is breathing lead dust while renovating painted surfaces.

Since the project site includes the demolition of buildings constructed prior to 1968, the applicant prepared an Asbestos Survey and Lead Inspection Reports in September 2003. According to the Asbestos Survey Report prepared by Home Safe Environmental Inc., no asbestos containing materials were found on the project site. However, according to the Lead Inspection Report prepared by Home Safe Environmental Inc., components of lead-based paints were found on both exteriors and interiors. The total volume of lead-based paint is unknown at this time. If hazardous materials are not handled properly pursuant to State and local laws and ordinances, potential significant impacts to workers and residents could result. The processing of the site (demolition, grading, and construction phases) will require the project proponent to comply with Section 9-1.3330 of the City of Ontario Development Code. Implementation of the following mitigation measure would reduce the impacts to less than significant.

Mitigation Measure HAZ-3

Prior to the issuance of a demolition or building permit the applicant shall prepare updated Asbestos Survey and Lead Inspection reports as the 2003 analysis have lapsed over one calendar year. The applicant will be required to comply with the findings of the analysis.

Level of Significance After Mitigation

Impacts are anticipated to be less than significant with the preparation of/and adherence to the findings of the updated Asbestos Survey and Lead Inspection Reports.

Impact HAZ-4

The project site is located within two miles of LA/Ontario International Airport. The project may include a heliport which may interfere with Airport approach and departure flight patterns. This is a potentially significant impact.

The proposed project is within two miles of LA/Ontario International Airport, and the Airport's Environs Element. The Airport Environs Element fulfills the requirement of the Airport Land Use Plan, as defined by Section 21675 of the Public Utilities Code. According to the Element, the project site lies in the Action Area I. Much of the Action Area I is already developed with commercial/industrial planned developments. According to Figure AE-7 of the City of Ontario General Plan the project site is approximately 0.3 miles north of the "Approach Safety Zone" and "Runway Protection Zone". Therefore, the risk of an incident is always present, however it is not anticipated to pose a potentially significant threat to the persons living and working in the vicinity as the applicant will be required to comply with the City's development standards incorporating the Airport's goals and policies. Such standards include but are not limited to structural height restrictions as well as lighting capacity. At present, the City of Ontario has not adopted an Airport Land Use Plan. However, the proposed Ontario Gateway Specific Plan is consistent with the California Department of Transportation Division of Aviation, California Airport Land Use Planning Handbook guidelines.

The Ontario Gateway Specific Plan Mixed Use Planning Area includes the development of a hospital and the operation of a heliport. Helicopters have proven to be an effective means of transporting injured persons from the scene of an accident to a hospital and in transferring patients in critical need of specialized services from one hospital to another. The proposed mixed use development may include up to ten stories of office professional uses and up to three stories of medical office use. The maximum height of these buildings would not exceed 170 feet which is the maximum height permitted within these Planning Areas as per the City of Ontario Airport Heights Constraint Map, dated August 2006, and California Department of Transportation Division of Aviation, California Airport Land Use Planning Handbook guidelines.

The LA/Ontario International Airport has an east west flight path. Therefore, the operational use of the heliport will likely be required to use a north south flight path perpendicular to the airport runways. However, the proposed approach and departure paths will be reviewed for their technical conformance with state and federal standards by the California Department of Transportation Division of Aviation as a part of the Heliport Permitting process.

As a private use helipad, an object-free area or Final Approach and Takeoff (FATO) will be established. The FATO is a defined area over which the final phase of the approach to a hover, or

a landing, is completed and from which the takeoff is initiated.² The FATO and an associated safety area surrounding the FATO will be kept free of objects such as buildings and fences that could be struck by the main or tail rotor or helicopter skids. The helipad will be required to operate under conditions of a Heliport Permit issued by the California Department of Transportation, Division of Aeronautics. Conformance with the permit and FAA regulations will avoid substantial safety hazards for people residing or working in the project area.

A construction schedule and different phases of development are not known at this time. In the event that the helipad is constructed prior to site development the contractor will be required to comply with FATO standards per FAA. Implementation of the following mitigation measure would reduce any impact to less than significant.

Mitigation Measure HAZ-4

Construction contractors shall keep the flight approach and departure path within the Specific Plan area free of obstructions.

Level of Significance After Mitigation

Impacts are anticipated to be less than significant with the approval and compliance with FAA regulations.

Impact HAZ-5

The proposed project could impair the implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan resulting in a significant impact.

City of Ontario's Fire Department would provide emergency response services in conjunction with the San Bernardino County Interagency Response Team. Proposed uses within the Ontario Gateway Specific Plan would be required to submit an emergency plan to the City of Ontario and County of San Bernardino Environmental Health Department. The proposed Ontario Gateway Specific Plan would likely be a part of the local emergency response network. However, the proposed project includes the extension of Guasti Road to the east. A through connection of Guasti Road is planned by the City in the future; however it is anticipated that presently Guasti Road may terminate at the eastern boundary of the project site. This would not provide a through access on Guasti Road for emergency vehicles and could potentially impact emergency response. Implementation of the following mitigation measure would reduce the impact to less than significant.

Mitigation Measure HAZ-5

Guasti Road shall terminate in a cul-de-sac at the eastern boundary of the project site, as required by the City of Ontario Fire Department, until a through connection is established.

² U.S. Department of Transportation, Federation Aviation Administration, Advisory Circular No. 150/5390-2B, September 30, 2004.

Mitigation Measure HAZ-6

The construction contractors for future projects within the Ontario Gateway Specific Plan area shall notify the City of Ontario Police Department, Fire Department, Public Works Department Traffic and Transportation Division, and the City Planning Department when project activities shall impede movement (such as road or lane closures) along roads within the Specific Plan area in order to allow for these first emergency response teams to reroute traffic to an alternative route, if needed. Notification will occur well in advance allowing time for the appropriate City departments to act accordingly. Consultation with the City will dictate the amount of time necessary to give notice of such an event.

Mitigation Measure HAZ-7

The construction contractors for future projects within the Ontario Gateway Specific Plan area shall keep at least one lane of traffic open at all times within the Specific Plan area in order to allow for movement of emergency response teams to and through the project site, if needed.

Level of Significance After Mitigation

With implementation with mitigation measures HAZ-5 through HAZ-7 impact to the emergency response plan or emergency evacuation plan is anticipated to be less than significant.