4.0 Issues Requiring Changes to the Prior EIR

4.1 AIR QUALITY

4.1.1 Introduction

Since the certification of the Avenue Specific Plan Final EIR, the Project has been revised to realign Schaefer Avenue, and include 280 additional units and 76,000 square feet of additional retail/commercial space. These increases will result in additional traffic and ultimately in additional emissions from mobile sources (automobiles and trucks). As noted in the Initial Study, the additional emissions will be quantified and evaluated to determine the increase in impacts to air quality due to the change in the Project.

4.1.2 Summary of Prior FEIR Findings

The impacts to air quality from the Project were evaluated based on the construction and operation emissions expected from the site. Even though several mitigation measures were recommended as presented below, they were not sufficient to reduce the incremental contributions from the Project to air quality conditions in the region to a less than significant level. It was concluded that the Project would result in the exceedance of the regional emissions thresholds set forth by the SCAQMD for the emissions of VOCs, NO_X, CO and PM_{10} during both short-term construction and long-term operational activity.

4.1.3 Environmental Setting

The proposed Project is located in the South Coast Air Basin (SCAB) within the jurisdiction of the Southern California Air Quality Management District (SCAQMD). The SCAB is bound by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east.

The annual average temperatures throughout the Basin vary from the low to middle 60° Fahrenheit (F). Due to a decreased marine influence, the eastern portion of the SCAB shows greater variability in average annual minimum and maximum temperatures. January is the coldest month throughout the SCAB, with average minimum temperatures of 47°F in downtown Los Angeles and 36°F in San Bernardino. All portions of the SCAB have recorded maximum temperatures above 100°F. The climate of the SCAB can be characterized as semi-arid.

Existing Air Quality

Existing air quality is measured based upon ambient air quality standards. These standards are the levels of air quality that are considered safe, with an adequate margin of safety, to protect

the public health and welfare. Standards currently in effect for both California and federal air quality standards are shown in *Figure 4-1*.

The determination of whether a region's air quality is healthful or unhealthful is determined by comparing contaminant levels in ambient air samples to state standards and federal standards. The air quality in a region is considered to be in attainment by the state if the measured ambient air pollutant levels for O_3, CO, SO_2, NO_2, PM_{10}, and $PM_{2.5}$ are not equaled or exceeded at any time in any consecutive three-year period; and the federal standards (other than O_3, PM_{10}, $PM_{2.5}$, and those based on annual averages or arithmetic mean) are not exceeded more than once per year. The O_3 standard is attained when the fourth highest eight-hour concentration in a year, averaged over three years, is equal to or less than the standard. For PM_{10}, the 24-hour standard is attained when 99% of the daily concentrations, averaged over three years, are equal to or less than the standard. *Table 4-1* shows attainment designations for the SCAB.

Table 4-1 Attainment Designations for SCAB

Criteria Pollutant	State Designation	Federal Designation
Ozone – 1 hour standard	Extreme Nonattainment	Revoked June 2005
Ozone – 8 hour standard	Extreme Nonattainment	Nonattainment
PM10	Serious Nonattainment	Nonattainment
PM2.5	Nonattainment	Nonattainment
Carbon Monoxide	Attainment	Attainment*
Nitrogen Dioxide	Attainment	Attainment
Sulfur Dioxide	Attainment	Attainment
Lead	Attainment	Attainment
All others	Attainment/Unclassified	Attainment

Source: California Air Resources Board, Attainment Designation Fact Sheets, January 2006.

*The USEPA granted the request to redesignate the SCAB from nonattainment to attainment for the CO NAAQS on May 11, 2007, which became effective June 11, 2007.

Regional Air Quality

The SCAQMD monitors levels of various criteria pollutants at 30 monitoring stations throughout the air district. In 2006, the federal and state standards for ozone at most monitoring locations exceeded threshold on one or more days. No areas of the Basin exceeded federal or state standards for NO_2, SO_2, CO, sulfates or lead.

Local Air Quality

The nearest long-term air quality monitoring site in relation to the Project for Inhalable Particulates (PM_{10}) and Ultra-Fine Particulates ($PM_{2.5}$) is carried out by the SCAQMD at the Southwest San Bernardino Valley monitoring station (also called the Ontario monitoring station) located approximately 3.3 miles northwest of the Project site.

Pollutant	Averaging Time	California Standards		Federal Standards			Most Relevant Effects
		Concentration	Method	Primary	Secondary	Method	
Ozone (O_3)	1 Hour	0.09 ppm (180 µg/m^3)	Ultraviolet Photometry	-	Same as Primary Standard	Ultraviolet Photometry	(a) Short-term exposures: (f) Pulmonary function decrements and localized lung edema in humans and animals. (2) Risk to public health implied by alterations in pulmonary morphology and host defense in animals; (b) Long-term exposures: Risk to public health implied by altered connective tissue metabolism and altered pulmonary morphology in animals after long-term exposures and pulmonary function decrements in chronically exposed humans; (c) Vegetation damage; (d) Property damage
	8 Hour	0.070 ppm (137 µg/m^3)		0.075 ppm (147 µg/m^3)			
Respirable Particulate Matter (PM_{10})	24 Hour	50 µg/m^3	Gravimetric or Beta Attenuation	150 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis	(a) Excess deaths for short-term exposures and exacerbation of symptoms in sensitive patients with respiratory disease; (b) Excess seasonal declines in pulmonary function, especially in children; (c) Increased risk of premature death from heart or lung diseases in elderly
	Annual Arithmetic Mean	20 µg/m^3		-			
Fine Particulate Matter ($PM_{2.5}$)	24 Hour	No Separate State Standard		35 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis	
	Annual Arithmetic Mean	12 µg/m^3	Gravimetric or Beta Attenuation	15 µg/m^3			
Carbon Monoxide (CO)	8 Hour	9.0 ppm (10 mg/m^3)	Non-Dispersive Infrared Photometry (NDIR)	9 ppm (10 mg/m^3)	None	Non-Dispersive Infrared Photometry (NDIR)	(a) Aggravation of angina pectoris and other aspects of coronary heart disease; (b) Decreased exercise tolerance in persons with peripheral vascular disease and lung disease; (c) Impairment of central nervous system functions; (d) Possible increased risk to fetuses
	1 Hour	20 ppm (23 mg/m^3)		35 ppm (40 mg/m^3)			
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m^3)		-	-	-	
Nitrogen Dioxide (NO_2)	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)	Gas Phase Chemiluminescence	0.053 ppm (100 µg/m^3)	Same as Primary Standard	Gas Phase Chemiluminescence	(a) Potential to aggravate chronic respiratory disease and respiratory symptoms in sensitive groups; (b) Risk to public health implied by pulmonary and extra-pulmonary biochemical and cellular changes and pulmonary structural changes; (c) Contribution to atmospheric discoloration
	1 Hour	0.18 ppm (339 µg/m^3)		-			
Sulfur Dioxide (SO_2)	Annual Arithmetic Mean	-	Ultraviolet Fluorescence	0.030 ppm (80 µg/m^3)	-	Spectrophotometry (Pararosaniline Method)	(a) Bronchoconstriction accompanied by symptoms which may include wheezing, shortness of breath and chest tightness, during exercise or physical activity in persons with asthma.
	24 Hour	0.04 ppm (105 µg/m^3)		0.14 ppm (365 µg/m^3)	-		
	3 Hour	-		-	0.5 ppm (1300 µg/m^3)		
	1 Hour	0.25 ppm (655 µg/m^3)		-	-	-	
Lead	30 Day Average	1.5 µg/m^3	Atomic Absorption	-	-	-	(a) Increased body burden; (b) Impairment of blood formation and nerve conduction
	Calendar Quarter	-		1.5 µg/m3	Same as Primary Standard	High Volume Sampler and Atomic Absorption	
Visibility Reducing Particles	8 Hour	Extinction coefficient of 0.23 per kilometer - visibility of ten miles or more (0.07 - 30 miles or more for Lake Tahoe) due to particles when relative humidity is less than 70 percent. Method: Beta Attenuation and transmittance through Filter Tape		No Federal Standards			Visibility impairment on days when relative humidity is less than 70 percent
Sulfates	24 Hour	25 µg/m^3	Ion Chromatography				(a) Decrease in ventilatory function; (b) Aggravation of asthmatic symptoms; (c) Aggravation of cardio-pulmonary disease; (d) Vegetation damage; (e) Degradation of visibility; (f) property damage
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m^3)	Ultraviolet Fluorescence				
Vinyl Chloride	24 Hour	0.01 ppm (26 µg/m^3)	Gas Chromatography				

[1]Source: California Air Resources Board (6/26/08)

* For reader's convenience in picking out standards quickly, concentration appears first: e.g. "0.12 ppm, 1-hr avg.>" means 1hr-avg. > 0.12ppm

** There is no separate 24-hour PM 2.5 standard in California; however, the U.S. EPA promulgated a 24-hour PM 2.5 ambient air quality standard of 35 µg/m3.

Source: Urban Crossroads

Stantec

AMBIENT AIR QUALITY STANDARDS

THE AVENUE SPECIFIC PLAN AMENDMENT
SUPPLEMENTAL EIR
2017110400

NOT TO SCALE

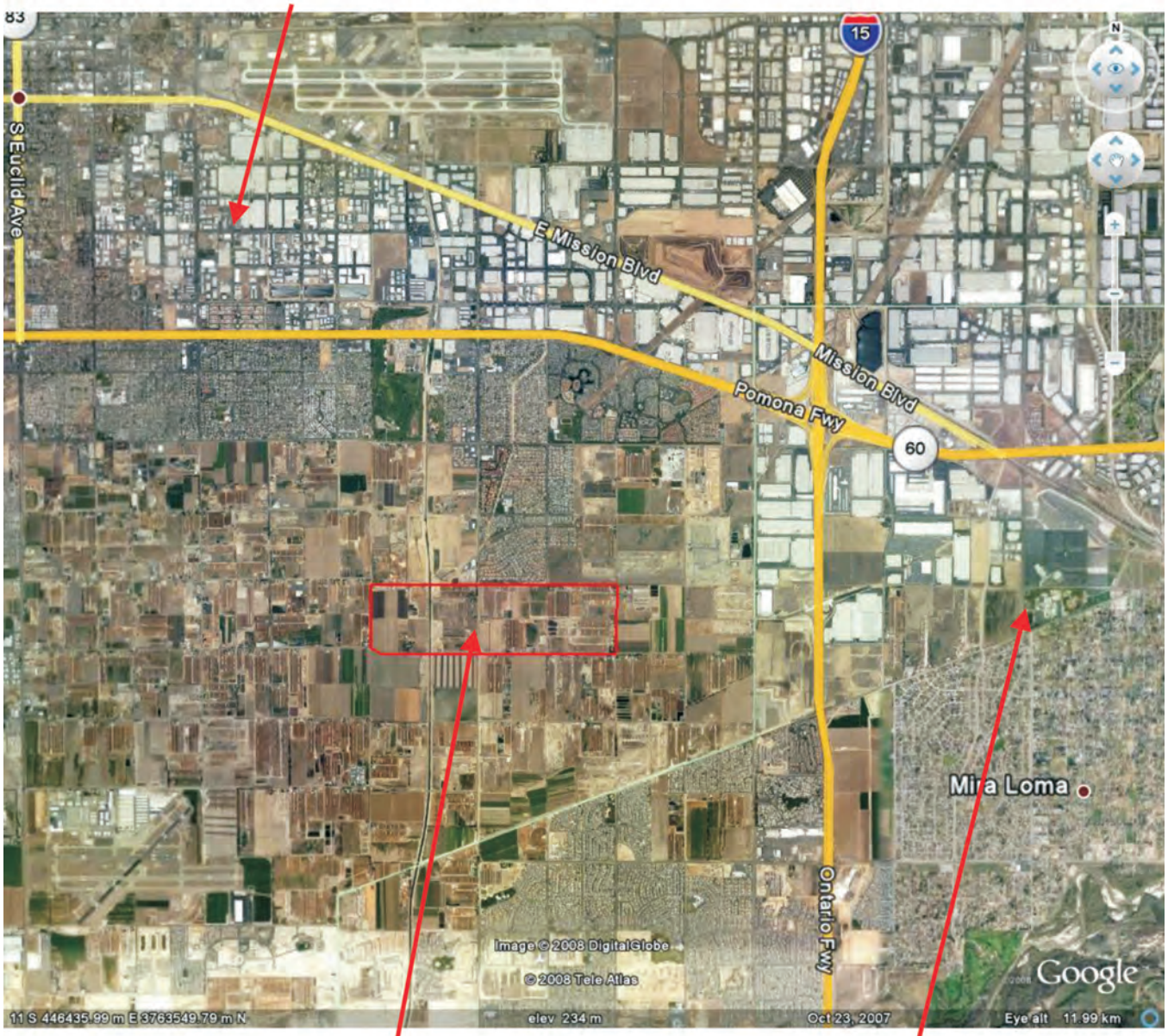
Figure 4-1

Emissions for Ozone (O_3), Carbon Monoxide (CO), and Nitrogen Dioxide (NO_2) is monitored from the Mira Loma monitoring station located approximately 4.0 miles east of the Project site. Three years of data from the Ontario and Mira Loma monitoring stations are shown in *Table 4-2*. The data shows the number of days standards were exceeded for the study area. Sulfur dioxide (SO_2) data has been omitted as attainment is regularly met in the SCAB and few monitoring stations measure SO_2 concentrations. *Figure 4-2* shows the location of air quality monitoring stations in relation to the Project site.

Table 4-2 Project Air Quality Monitoring Summary 2005-2007

Pollutant	Standard	Year		
		2005	2006	2007
Ozone (O_3)[a]				
Maximum 1-hour Concentration (ppm)		0.135	0.160	0.118
Maximum 8-hour Concentration (ppm)		0.116	0.119	0.104
Number of Days Exceeding State 1-hour Standard	>0.09 ppm	34	39	16
Number of Days Exceeding State 8-hour Standard	>0.07 ppm	51	48	48
Number of Days Exceeding Federal 1-hour Standard	>0.12 ppm	3	4	0
Number of Days Exceeding Federal 8-hour Standard	>0.08 ppm	25	25	10
Number of Days Exceeding Health Advisory	≥0.15 ppm	0	1	0
Carbon Monoxide (CO)[a]				
Maximum 1-hour Concentration (ppm)		3	4	3
Maximum 8-hour Concentration (ppm)		2.1	2.7	2.1
Number of Days Exceeding State 1-hour Standard	>20 ppm	0	0	0
Number of Days Exceeding Federal/State 8-hour Standard	>9.0 ppm	0	0	0
Number of Days Exceeding Federal 1-hour Standard	>35 ppm	0	0	0
Nitrogen Dioxide (NO_2)[a]				
Maximum 1-hour Concentration		0.08	0.08	0.07
Annual Arithmetic Mean Concentration (ppm)		0.016	0.0194	0.018
Number of Days Exceeding State 1-hour Standard	>0.25 ppm	0	0	0
Inhalable Particulates (PM_{10})[b]				
Maximum 24-hour Concentration (μ/m^3)		74	78	115
Number of Samples		60	62	58
Number of Samples Exceeding State Standard	>50 μ/m^3	19	17	14
Number of Samples Exceeding Federal Standard	>150 μ/m^3	0	0	0
Ultra-Fine Particulates ($PM_{2.5}$)[b]				
Maximum 24-hour Concentration (μ/m^3)		87.8	53.7	72.8
Annual Arithmetic Mean (μ/m^3)		18.8	18.5	17.9
Number of Samples Exceeding Federal 24-hour Standard	>65 μ/m^3	1	0	1

Source: South Coast AQMD (www.aqmd.gov)
[a] Mira Loma Monitoring Station data
[b] Southwest San Bernardino Valley (Ontario) Monitoring Station data



Source: Urban Crossroads

AIR QUALITY MONITORING STATIONS

THE AVENUE SPECIFIC PLAN AMENDMENT
SUPPLEMENTAL EIR
2017110400

NOT TO SCALE

Figure 4-2

4.1.4 Thresholds of Significance

The following criteria for establishing the significance of potential impacts on air quality are derived from the CEQA Guidelines (Appendix G) and the City's Initial Study checklist. A significant impact would occur if the proposed Project would:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Violate any air quality standard or contribute substantially to an existing or protected air quality violation;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable Federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors);
- Expose sensitive receptors to substantial pollutant concentrations; or
- Create objectionable odors affecting a substantial number of people.

In addition, based on the SCAQMD's CEQA Air Quality Handbook, 1993, project impacts would be significant if they exceed the following California standards for localized CO concentrations:

- 1-hour CO standard of 20.0 parts per million (ppm)
- 8-hour CO standard of 9.0 ppm.

The SCAQMD has also developed significance thresholds based on the volume of each pollutant emitted. The SCAQMD's CEQA Air Quality Significance Thresholds (December 2007) indicate that any projects in the District with daily emissions that exceed any of the following thresholds should be considered as having an individually and cumulatively significant air quality impact. *Table 4-3* indicates daily emissions thresholds set forth by the SCAQMD.

Table 4-3 SCAQMD Significance Thresholds

Maximum Daily Emissions Thresholds		
Pollutant	Construction	Operational
NO_X	100 lbs/day	55 lbs/day
VOC	75 lbs/day	55 lbs/day
PM_{10}	150 lbs/day	150 lbs/day
$PM_{2.5}$	55 lbs/day	55 lbs/day
SO_X	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Ambient Air Quality for Criteria Pollutants (Localized Thresholds)		
NO_2		

1-hour average (State)	0.18 ppm
Annual average (State)	0.030 ppm
PM_{10}	
24-hour average (construction)	10.4 µg/m^3
24-hour average (operation)	2.5 µg/m^3
$PM_{2.5}$	
24-hour average (construction)	10.4 µg/m^3
24-hour average (operation)	2.5 µg/m^3
CO	
1-hour average	20.0 ppm
8-hour average	9.0 ppm
Source: SCAQMD	

4.1.5 Project Impacts

Would the project conflict with or obstruct implementation of the applicable air quality plan?

Previously Identified Level of Significance

The previous FEIR determined that the Project would have a less than significant impact on the air quality management plan.

Impact Analysis

The SCAQMD has published the Draft Final 2007 AQMP, which was adopted by the SCAQMD Governing Board on June 1, 2007. In September 2007, the CARB Board adopted the SCAQMD 2007 AQMP as part of the State Implementation Plan. The purpose of the 2007 AQMP for the SCAB (and those portions of the Salton Sea Air Basin under the SCAQMD's jurisdiction) is to set forth a comprehensive program that will lead these areas into compliance with federal and state air quality planning requirements for ozone and $PM_{2.5}$.

The Project's consistency with the 2007 AQMP is determined by two Consistency Criteria as defined in Chapter 12, Section 12.2 and Section 12.3 of the SCAQMD's CEQA Air Quality Handbook. These indicators are discussed below:

Consistency Criterion No. 1: The proposed Project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.

Consistency Criterion No. 1 refers to violations of the California Ambient Air Quality Standards (CAAQS). The Project's Localized Significance Threshold (LST) analysis shows that the Project will not exceed the CAAQS for localized criteria pollutants during Project operational activity

(before and after mitigation). However, the Project is expected to exceed the CAAQS for emissions of PM_{10} during short-term construction activity, even with implementation of the recommended mitigation measures. Although an exceedance of the CAAQS is expected to occur during Project construction, any exceedances would be short-term and intermittent in nature, and cease upon the completion of Project construction. Additionally, the analysis for long-term local air quality impacts showed that future CO concentration levels along roadways and at intersections affected by Project traffic will not exceed the 1-hour and 8-hour State CO pollutant concentrations standards.

While construction emissions will be generated in excess of SCAQMD's regional threshold criteria, it is unlikely that short-term construction activities will increase the frequency or severity of existing air quality violations as monitored at the SCAQMD stations due to their temporary, short-term, and comparatively limited effect on local and regional air quality conditions. On the basis of the preceding discussion, the Project is determined to be consistent with the first criterion.

Consistency Criterion No. 2: The proposed Project will not exceed the assumptions in the AQMP in 2015 or increments based on the years of Project build-out phase.

The 2007 AQMP growth assumptions are generated by the Southern California Association of Governments (SCAG). SCAG derives its assumptions, in part, based on the General Plans of cities located within the SCAG region. Therefore, if a Project does not exceed the growth projections in the applicable local General Plan, then the Project is considered to be consistent with the growth assumptions in the AQMP.

The proposed Project lies within subarea 18 of the New Model Colony (NMC) General Plan Amendment, which was incorporated in the City's General Plan in 1999. The increase in residential units and commercial space to the previously approved Avenue Specific Plan is consistent with the uses planned in the NMC General Plan Amendment, which is consistent with the City's General Plan. Additionally, the Project would result in a population increase of 9,687 persons, an increase of 468 persons over the projected population of 9,219 in the previously certified FEIR. The projected population of the NMC area at buildout is 101,845, according to the NMC General Plan. The NMC Final EIR stated that the projected total population of the NMC area is below SCAG population projections of 144,949 residents. The population increase generated by the proposed Project would add 9,687 residents to the NMC buildout total of 101,845 resulting in 111,532 residents, which is within SCAG population projections for the area. Therefore, the Project is consistent with land use designations and growth projections that were assumed in the current AQMP.

Because the Project is consistent the above stated criteria, the Project is therefore consistent with and would not obstruct implementation of the current AQMP.

Level of Significance After Mitigation

The Project would have a less than significant impact regarding the applicable air quality management plan.

Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Previously Identified Level of Significance

The previous FEIR determined that the Project would have a significant and unavoidable impact on air quality standards.

Impact Analysis

The Air Quality Impact Analysis prepared by Urban Crossroads (*Appendix B*) evaluated short-term and long-term air quality impacts. Short-term impacts include construction related emissions and long-term impacts include operational emissions. The Air Quality Impact Analysis also evaluated these emissions based on a Localized Significance Thresholds (LST) analysis. A CO hot spot analysis is also included.

Construction Emissions

The Air Quality Impact Analysis evaluated construction emissions for the entire Project area because grading and other assumptions related to construction have been refined. Construction activities associated with the proposed Project will result in emissions of CO, VOCs, NO_X, SO_X, PM_{10}, and $PM_{2.5}$. Construction related emissions are expected from the following construction activities:

- Demolition
- Grading
- Paving
- Building Construction
- Architectural Coatings
- Construction Workers Commuting

In order to represent worst-case conditions, the Air Quality Impact Analysis assumed that overlap will occur during the underground utility construction, paving, building construction, and architectural coating phases of Project construction. *Table 4-4* shows emissions due to construction related activities, with mitigation applied.

Table 4-4 Expected Emissions from Construction Activities with Mitigation (pounds per day)

Construction Activity	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Demolition – Phase 1						
Fugitive Dust	0	0	0	0	101.64	21.14
Off Road Equipment Emissions	2.18	38.25	39.35	0	1.97	1.99
On Road Equipment Emissions	11.46	161.20	59.74	0.18	7.39	6.43
Worker Commute	0.12	0.22	3.56	0.00	0.03	0.01
Peak Day Mass Emissions	**13.76**	**199.67**	**102.65**	**0.18**	**111.03**	**29.57**
SCAQMD Regional Threshold	75	100	550	150	150	55
Significant?	*No*	*Yes*	*No*	*No*	*No*	*No*
Grading – Phase 2						
Fugitive Dust	0	0	0	0	593.25	123.89
Off Road Equipment Emissions	10.51	210.30	202.17	0	8.64	8.72
On Road Equipment Emissions	15.98	224.03	81.61	0.26	9.97	8.62
Worker Commute	0.43	0.79	13.17	0.01	0.11	0.06
Peak Day Mass Emissions	**26.92**	**435.12**	**296.95**	**0.27**	**611.97**	**141.29**
SCAQMD Regional Threshold	75	100	550	150	150	55
Significant?	*No*	*Yes*	*No*	*No*	*Yes*	*Yes*
Construction – Phase 3						
Underground Utility Construction						
Equipment Emissions	2.43	34.16	42.64	0	2.67	2.69
Worker Commute	0.18	0.34	5.86	0.01	0.06	0.03
Paving						
Off Gas Emissions	3.65	0	0	0	0	0
Off Road Equipment Emissions	6.45	96.90	104.89	0	6.25	6.31
On Road Equipment Emissions	1.03	13.79	5.05	0.02	0.61	0.51
Worker Commute	0.30	0.55	9.42	0.01	0.09	0.05
Building Construction						
Off Road Equipment	1.10	21.19	19.88	0	0.99	1.01
Vendor Trips	5.39	62.81	50.56	0.13	2.98	2.47
Worker Commute	11.41	21.19	364.59	0.47	3.48	1.92
Architectural Coating						
Architectural Coatings	126.75	0	0	0	0	0
Worker Commute	0.16	0.29	4.98	0.01	0.05	0.03
Peak Day Mass Emissions	**158.86**	**251.22**	**607.87**	**0.65**	**17.18**	**15.01**
SCAQMD Regional Threshold	75	100	550	150	150	55
Significant?	*Yes*	*Yes*	*Yes*	*No*	*No*	*No*
Source: Urban Crossroads						

Evaluation of Construction related impacts shows that implementation of mitigation measures reduces emissions but cannot reduce most to a less than significant level. Project construction emissions would exceed SCAQMD Regional Thresholds for Volatile Organic Compounds, Nitrogen Oxides, Carbon Monoxide, PM_{10} and $PM_{2.5}$. Nevertheless, the mitigation measures

listed in Section 4.1.6 will be implemented in order to reduce emissions to the lowest levels possible.

Operational Emissions

Operational activities associated with the proposed Project will result in emissions of VOCs, NO_X, CO, SO_X, PM_{10}, and $PM_{2.5}$. The operational emissions analysis considers only the emissions resulting from the proposed increase in Project land uses. *Table 4-5* shows emissions due to operational activities with mitigation applied for the previously approved Specific Plan and the proposed Amendment. Operational emissions would be expected from the following equipment and activities:

- Vehicle emissions
- Fugitive dust related to vehicular travel
- Combustion emissions associated with natural gas use
- Landscape maintenance equipment emissions
- Architectural coatings

Table 4-5 Expected Emissions from the Operational Phase (pounds per day)

Emissions resulting from the previously approved Avenue Specific Plan							
	Operational Activities	**VOC**	**NO_X**	**CO**	**SO_X**	**PM_{10}**	**$PM_{2.5}$**
Summer Emissions with Mitigation	Vehicle Emissions	163.23	146.48	1612.38	1.97	299.86	N/A
	Natural Gas Use	3.15	40.97	18.68	0	0.08	N/A
	Landscape Maintenance Emissions	8.72	1.14	69.62	0.44	0.23	N/A
	Consumer Products	113.50	0	0	0	0	N/A
	Architectural Coatings	81.21	0	0	0	0	N/A
	Operational Emissions	**369.81**	**188.59**	**1700.68**	**2.41**	**300.17**	**N/A**
	SCAQMD Regional Threshold	55	55	550	150	150	55
	Significant?	*Yes*	*Yes*	*Yes*	*No*	*Yes*	*N/A*
Winter Emissions with Mitigation	Vehicle Emissions	131.99	210.41	1519.17	1.59	299.86	N/A
	Natural Gas Use	3.15	40.97	18.68	0	0.08	N/A
	Landscape Maintenance Emissions	N/A	N/A	N/A	N/A	N/A	N/A
	Fireplace Emissions	1.11	18.91	8.05	0.12	1.53	N/A
	Consumer Products	113.50	0	0	0	0	N/A
	Architectural Coatings	81.21	0	0	0	0	N/A
	Operational Emissions	**330.96**	**270.29**	**1545.90**	**1.71**	**301.47**	**N/A**
	SCAQMD Regional Threshold	55	55	550	150	150	55
	Significant?	*Yes*	*Yes*	*Yes*	*No*	*Yes*	*N/A*
Emissions resulting from the currently proposed Project (previous plan + increase in residential units and commercial space)							
	Operational Activities	**VOC**	**NO_X**	**CO**	**SO_X**	**PM_{10}**	**$PM_{2.5}$**
Summer Emissions	Vehicle Emissions	184.48	176.65	1851.41	2.30	353.22	10.58
	Natural Gas Use	3.43	44.66	20.42	0	0.09	0.01
	Landscape Maintenance	9.47	1.21	75.48	0.44	0.25	0.02

with Mitigation	Emissions						
	Consumer Products	128.17	0	0	0	0	0
	Architectural Coatings	82.26	0	0	0	0	0
	Operational Emissions	**407.81**	**222.52**	**1947.31**	**2.74**	**353.56**	**10.61**
	SCAQMD Regional Threshold	55	55	550	150	150	55
	Significant?	*Yes*	*Yes*	*Yes*	*No*	*Yes*	*No*
Winter Emissions with Mitigation	Vehicle Emissions	154.89	246.24	1750.47	1.87	353.22	10.58
	Natural Gas Use	3.43	44.66	20.42	0	0.09	0.01
	Landscape Maintenance Emissions	0.75	0.07	5.86	0	0.02	0.02
	Fireplace Emissions	1.21	20.66	8.80	0.12	1.67	0.14
	Consumer Products	128.17	0	0	0	0	0
	Architectural Coatings	82.26	0	0	0	0	0
	Operational Emissions	**370.71**	**311.63**	**1785.55**	**2.00**	**355.00**	**10.75**
	SCAQMD Regional Threshold	55	55	550	150	150	55
	Significant?	*Yes*	*Yes*	*Yes*	*No*	*Yes*	*No*

Source: Urban Crossroads

Evaluation of emissions from the operational phase shows that with mitigation, the addition of 280 residential units and 76,000 sq. ft. of commercial space to the previously approved Project operational emissions would exceed SCAQMD significance thresholds. Mitigation measures listed in Section 4.1.6, which includes those listed in the previously approved FEIR, will be implemented in order to reduce emissions to the lowest levels possible.

Localized Significance Thresholds Analysis

Localized effects of the Project were also analyzed for their significance based on Localized Significance Thresholds (LST) developed by SCAQMD. The LST analysis was run for both construction and operational stages of the Project. LSTs for emissions as a result of construction activities would be exceeded for PM_{10}. The mitigation measures listed in Section 4.1.6 would reduce emissions to the lowest levels possible. Operational emissions of 280 residential units and 76,000 sq. ft. of commercial space added to the previously approved Project operational emissions would exceed LST thresholds. The mitigation measures listed in Section 4.1.6 would reduce emissions to the lowest levels possible.

CO “Hot Spot” Analysis

A CO “hot spot” is a localized concentration of carbon monoxide that is above State and/or Federal 1-hour or 8-hour ambient air standards that is generally associated with idling or slow moving traffic. Because the Project has the potential to worsen level of service (LOS) delays on adjacent roadways, a CO “hot spot” analysis is required to assess any localized CO impacts on sensitive receptors that may be situated adjacent to congested intersections.

The CO "hot spot" analysis provided in the Air Quality Impact Analysis was based on traffic volumes from The Avenue Specific Plan Amendment Traffic Impact Study prepared by Urban Crossroads and addresses emissions from the 2015 With Project traffic scenario, which includes the previously approved Avenue Specific Plan plus the proposed increase in residential units and commercial square footage. In order to model only those intersections with the highest CO concentrations, the three intersections with the highest volumes for the AM and PM peak hours were selected. Based on the "hot spot" analysis, none of the three intersections would result in CO concentrations in excess of State and Federal standards (see *Table 4-6*). Since significant impacts would not occur at intersections with the highest potential for CO "hot spot" formation, no significant impacts are anticipated to occur at any other locations in the Project vicinity as a result of the proposed Project. Consequently, sensitive receptors would not be significantly affected by localized CO emissions generated by Project-related traffic.

Table 4-6 2015 With Project Conditions CO Hotspot Levels

Intersection	Peak 1 Hour Concentrations		8 Hour Average Concentrations
	AM	PM	
Archibald Avenue and Edison Avenue	5.80	6.40	4.86
Milliken Avenue/Hamner Avenue and Edison Avenue	6.10	6.40	4.86
Mill Creek Avenue and Edison Avenue	5.60	5.90	4.51

Level of Significance After Mitigation

Development from the previously approved Avenue Specific Plan, in addition to the Amendment, would result in significant and unavoidable impacts. Project impacts would remain significant and unavoidable even with additional mitigation measures proposed by the 2008 Air Quality Impact Analysis. The Project would require a Statement of Overriding Considerations to address this issue, as determined in the previously approved FEIR.

Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable Federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

Previously Identified Level of Significance

The previous FEIR determined that the Project would result in a significant unavoidable impact.

Impact Analysis

The Project is located in a portion of the SCAB which is designated as non-attainment for ozone, PM_{10}, and $PM_{2.5}$. The results of the above analysis indicate that the air quality impacts for the proposed Project are significant on an individual project basis. Therefore, it is appropriate to conclude that the Project in combination with other projects in the area would contribute to a cumulatively considerable net increase in criteria pollutants resulting in a significant cumulative impact on air quality.

Level of Significance After Mitigation

The proposed mitigation measures would reduce emissions to the lowest levels possible but the Project would still result in significant and unavoidable impacts. The Project would require a Statement of Overriding Considerations to address this issue, as determined in the previously approved FEIR.

Would the project expose sensitive receptors to substantial pollutant concentrations?

Previously Identified Level of Significance

The previous FEIR determined that the Project would result in a less than significant impact.

Impact Analysis

Potential sensitive receptors include the residential components of the Project site and residential uses to the north of the Project site. It should be noted that earlier constructed phases may be occupied while later phases are being constructed. This may result in occupants being subject to short-term exposures of diesel particulate matter from construction equipment which have the potential to have a carcinogenic impact. Exposure during the construction process is considered short-term in duration (a majority of diesel-fired PM_{10} is emitted during rough grading activity which will be complete before residents move in). Furthermore, cancer risk thresholds are typically calculated using 70-year exposure durations (per CARB), and since the Project will have a short-term exposure duration that will cease upon completion of Project construction, the risk is assumed to be less than significant. The potential risk can be further reduced with implementation of mitigation measures identified in the previous discussion.

Sensitive receptors also have the potential to be affected during short-term construction activity by odors and dust generated during construction activities. These potential impacts can be reduced substantially with the implementation of mitigation measures and with proper compliance with SCAQMD Rule 401, and 403.

Level of Significance After Mitigation

The Project would result in a less than significant impact on sensitive receptors, as determined in the previously approved FEIR.

Would the project create objectionable odors affecting a substantial number of people?

Previously Identified Level of Significance

The previous FEIR determined that the Project would result in a less than significant impact.

Impact Analysis

The impacts of the Project due to odors were evaluated in the previously approved FEIR (2006). The Project is not expected to substantially increase the potential for objectionable odors due to the changes proposed.

Level of Significance After Mitigation

With the increase in residential units and commercials space, potential impacts would remain less than significant, as determined in the previously approved FEIR.

4.1.6 Mitigation Measures

The NMC Final EIR recommended several measures to reduce overall emissions within the city and also contained one specific mitigation measure to reduce the impacts of construction within the boundaries of the NMC General Plan. The Avenue Specific Plan FEIR contained several mitigation measures to reduce the Project-specific impacts to air quality. These mitigation measures as well as newly proposed mitigation measures are listed below.

NMC Mitigation Measures

NMC AQ-1—Per SCAQMD Rule 403, the City shall enforce the following (regardless of whether the project is General Plan level or project specific):

- During all construction activities, construction contractors shall use low emission mobile construction equipment where feasible to reduce the release of undesirable emissions.
- During all construction activities, construction contractors shall encourage rideshare and transit programs for project construction personnel to reduce automobile emissions.
- During all grading and site disturbance activities, construction contractors shall water active grading sites at least twice a day, and clean construction equipment in the morning and/or evening to reduce particulate emissions and fugitive dust.

- During all construction activities, construction contractors shall, as necessary, wash truck tires leaving the site to reduce the amount of particulate matter transferred to paved streets as required by SCAQMD Rule 403.

- During all construction activities, construction contractors shall sweep on and offsite streets if silt is carried over to adjacent public thoroughfares, as determined by the City Engineer to reduce the amount of particulate matter on public streets.

- During all construction activities, construction contractors shall limit traffic speed on all unpaved road surfaces to 15 miles per hour or less to reduce fugitive dust.

- During grading and all site disturbance activities, at the discretion of the City's Planning Director, construction contractors shall suspend grading operations during first and second stage smog alerts to reduce fugitive dust.

- During grading and all site disturbance activities, at the discretion of the City's Planning Director, construction contractors shall suspend all grading operations when wind speeds (including instantaneous gusts) exceed 25 miles per hour to reduce fugitive dust.

- During all construction activities, the construction contractors shall maintain construction equipment engines by keeping them tuned.

- During all construction activities, the construction contractors shall use low sulfur fuel for stationary construction equipment as required by AQMD Rules 431.1 and 431.2 to reduce the release of undesirable emissions.

- During all construction activities, the construction contractors shall use existing onsite electrical power sources to the maximum extent practicable. Where such power is not available, the Contractor shall use clean fuel generators during the early stages of construction to minimize or eliminate the use of portable generators and reduce the release of undesirable emissions.

- During all construction activities, the construction contractors shall use low emission, onsite stationary equipment (e.g., clean fuels) to the maximum extent practicable to reduce emissions, as determined by the City Engineer.

- During all construction activities, the construction contractors, in conjunction with the City Engineer, shall locate construction parking to minimize traffic interference on local roads.

- During all construction activities, the construction contractors shall ensure that all trucks hauling dirt, sand, soil or other loose materials are covered or should maintain at least two feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer) in accordance with the requirements of the California Vehicle Code Section 23114 to reduce spilling of material on area roads.

Previously Approved FEIR Mitigation Measures

AQ-1—Contractors shall maximize the use of construction equipment with low emission factors and high energy efficiency.

AQ-2—During all phases of construction, all equipment shall be properly and routinely maintained, as recommended by manufacturer manuals.

AQ-3—During all phases of construction, all contractors shall restrict idling time to five minutes or less in any given hour.

AQ-4—Where diesel equipment has to be used because there are no practical alternatives, the construction contractor shall use particulate filters, oxidation catalysts, and low sulfur diesel fuel as defined in SCAQMD Rule 431.2, i.e. diesel with sulfur content of 15 ppm by weight or less.

AQ-5—If feasible, schedule intense earth-moving activities to occur outside the ozone season of May through October.

AQ-6—Schedule equipment usage to avoid simultaneous use of equipment.

AQ-7—Maximize the use of aqueous or emulsified diesel fuel for construction equipment.

AQ-8—During construction of later phases, onsite electrical hookups shall be installed for electric hand tools such as saws, drills, and compressors, which will decrease the need for fuel powered generators and other fuel powered equipment.

AQ-9—Maximize the use of zero-VOC paints (assumes no more than 100 gram/liter of VOC).

AQ-10—Apply all paints using either high volume low-pressure (HVLP) spray equipment or by hand applications.

AQ-11—In the event a dry cleaning or gasoline dispensing facility is proposed for the Project's commercial sites, the applicant shall prepare a health risk assessment prior to the issuance of occupancy permits.

AQ-12—A mobile source health risk assessment shall be prepared for the Project's commercial sites prior to the issuance of occupancy permits.

In addition to the Mitigation Measures listed above, implementation of the following design considerations is recommended.

- Maximize the use of ultra-efficient appliance and air conditioners capable of exceeding California Energy Commission requirements by at least 25%.

- Implement design standards for residential units and landscaping providing for maximum energy efficiency in order to reduce energy usage associated with cooling and heating.

- Maximize the use of light-colored roofing and building materials.

- Maximize the use of photovoltaic generators for all residences and commercial buildings as a design feature.

Newly Proposed Mitigation Measures

Construction

AQ-13—The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather.

AQ-14—The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

AQ-15—During grading activities, chemical soil stabilizers shall be applied to inactive areas to reduce fugitive dust emissions.

AQ-16—Contractor shall ensure that all off-road heavy-duty construction equipment utilized during construction activity will be CARB Tier 2 Certified or better (to the extent feasible).

Operational

Recommended mitigation measures to reduce operational air quality impacts for mobile and stationary sources to the extent feasible include:

AQ-17—Construction of buildings shall exceed current minimum statewide energy requirements 30% beyond Title 24 standards for combined space heating, cooling and water heating; this may include, at a minimum, but is not limited to:

- Use of low emission water heaters
- Use of central water heating systems
- Use of energy efficient appliances
- Use of increased insulation
- Use of automated controls for air conditioners
- Use of energy-efficient parking lot lights
- Use of lighting controls and energy-efficient lighting

AQ-18—Provide additional outdoor air ventilation through the design and implementation of a high efficiency HVAC system to improve indoor air quality for improved occupant comfort, well-being, and productivity in the office buildings.

AQ-19—Reduce the quantity of indoor air contaminants that are odorous, irritating and/or harmful to the comfort and well-being of installers and occupants through compliance with SCAQMD Rule 1168, which limits the VOC content of paints, varnish, floor coatings, stains, adhesives, sealants, and primers.

AQ-20—Provide site improvements such as street lighting, street furniture, route signs, and sidewalks or pedestrian paths to promote pedestrian activity for short trips.

4.2 BIOLOGICAL RESOURCES

4.2.1 Introduction

Since the certification of The Avenue Specific Plan FEIR, the Project has been modified to include an additional 280 residential dwelling units and an additional 76,000 square feet of commercial space and include realignment of Schaefer Avenue.

4.2.2 Summary of Prior FEIR Findings

The previously approved FEIR included an extensive evaluation of the biological resources on the Project site and how the agricultural uses had altered the potential habitat onsite. All impacts to potential habitat were mitigated to a less than significant level. Additionally, the previously approved FEIR states that approximately 30 acres (Planning Areas 1A, 1C, 2B, and 8B) were not subject to any biological report since they were not included in the Project. However, in order to comply with NMC General Plan policies 18.1.3, 18.1.5, and 18.1.6 which require projects to include biological assessments prior to development, these Planning Areas must be evaluated prior to development. Mitigation Measure BR-2 requires compliance with these policies prior to obtaining discretionary entitlements for those Planning Areas.

Another area addressed in the FEIR was the Settlement and General Release Agreement (Agreement) dated November 28, 2001. The purpose of this agreement is to settle and release fully and completely all claims of Endangered Habitats League and Sierra Club (Petitioners) in a law suit against the City (the Respondent) commenced in February 1998. The Agreement addressed and provided mitigation for certain potential future environmental effects that could result from development, and covered potential environmental effects that could result from development. Mitigation measures included in the Agreement which relate to biological resources include items such as the City's establishment of a mitigation fee based on developable acres, the City's establishment of long-term habitat area(s), management of said habitat by a land trust (or other conservation entity), and the requirement for biological studies in conjunction with CEQA and development applications. The NMC General Plan Final EIR is presumed to be legally adequate based on the Settlement Agreement and inclusion of the

mitigation measures established therein. Mitigation Measure BR-4 requires The Avenue Specific Plan and Amendment to pay mitigation fees in accordance with the Settlement Agreement.

4.2.3 Environmental Setting

A Biological Technical Report (Appendix C) was prepared for the area of the Avenue Specific Plan where the proposed changes would occur. The area is disturbed and developed with dairy farms and provides little or no habitat for special species onsite. The study identified no special plant species onsite and one special wildlife species onsite, the burrowing owl.

4.2.4 Thresholds of Significance

The following criteria for establishing the significance of potential impacts on biological resources are derived from the CEQA Guidelines (Appendix G) and the City's Initial Study checklist. A significant impact would occur if the proposed Project would:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service;

- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service;

- Have a substantial adverse effect on Federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;

- Interfere substantially with the movement of any native resident or migratory fish or wildlife species; substantially diminish habitat for fish, wildlife, or plants or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;

- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or

- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.

4.2.5 Project Impacts

Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?

Previously Identified Level of Significance

The previously certified FEIR determined that the project would have a potentially significant impact with regard to habitat modification. With mitigation incorporated, impacts were reduced to a less than significant level.

Impact Analysis

The Biological Technical Report showed that there were no sensitive plant species onsite. Only one sensitive wildlife species was observed onsite, the burrowing owl. The Project would result in loss of habitat for this sensitive species therefore mitigation would be required in order to reduce impacts to less than significant.

In addition to burrowing owl, another sensitive species has the potential to occur onsite. The Delhi Sands Flower Loving Fly (DSF) is federally listed as Endangered. The Biological Technical Report states that portions of the Project Site, as well as the overall Specific Plan are mapped as historically supporting Delhi soils which are potential habitat for the DSF. The DSF was not observed onsite during site surveys which were conducted for the Biological Technical Report. Additionally, the previously approved FEIR stated that the majority of the Specific Plan does not contain suitable habitat for the DSF and that the site was confirmed to be unoccupied by DSF. Focused surveys were conducted for DSF for portions of the Specific Plan, including focused protocol DSF surveys conducted for Planning Area 10A (survey dates were after June 2005), Planning Area 11 in 2004 and 2005, and for Planning Areas 1B, 3B, 5, and 8A in 2006 and 2007. To further ensure that no impacts to DSF would occur, the previously approved FEIR included a mitigation measure (BR-2) requiring updated biological surveys for Planning Areas 1A, 1C, 2B, 5, 8A, and 8B. Combined with a lack of suitable habitat and negative focused survey results for the Project site, no further surveys would be required for the Project, because the previous surveys established the absence of the DSF on the site.

Level of Significance After Mitigation

Potential impacts on burrowing owl would be reduced to less than significant with implementation of Mitigation Measure BR-5 in addition to mitigation measures proposed in the previously approved FEIR.

Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?

Previously Identified Level of Significance

The previously certified FEIR determined that the Project would have a less than significant impact on riparian habitats.

Impact Analysis

The Biological Technical Report shows that there is no riparian habitat located onsite.

Level of Significance After Mitigation

There is no substantial change from the previous analysis so the potential impacts remain less than significant.

Would the project have a substantial adverse effect on Federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Previously Identified Level of Significance

The previously certified FEIR determined that the project would have a less than significant impact on any wetlands.

Impact Analysis

The Biological Technical Study shows that there are no wetlands located onsite, therefore, the Project would not affect any wetlands.

Level of Significance After Mitigation

There is no substantial change from the previous analysis so the potential impacts remain less than significant.

Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species; substantially diminish habitat for fish, wildlife, or plants or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Previously Identified Level of Significance

The previously certified FEIR determined that the Project could have a significant impact on migratory bird species. With mitigation measures incorporated, the Project was determined to have a less than significant impact regarding migratory birds.

Impact Analysis

The Biological Technical Study states that the Project would remove vegetation suitable for nesting migratory birds, including raptors. Impacts to such species are prohibited per the Migratory Bird Treaty Act and the California Fish and Game Code. Mitigation is required in order to reduce impacts on migratory birds to less than significant.

Level of Significance After Mitigation

Potential impacts on nesting migratory birds would be reduced to less than significant with implementation of Mitigation Measure BR-6 in addition to mitigation measures proposed in the previously approved FEIR.

Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Previously Identified Level of Significance

The previously certified FEIR determined that the Project would have a less than significant impact regarding local biological resources policies and ordinances.

Impact Analysis

The City does not have any specific municipal ordinances related to biological resources. NMC General Plan policies related to biological resources have been satisfied by the preparation of biological studies and the technical information contained in The Avenue Specific Plan. In addition, the Project will be required to pay the mitigation fee determined in the Settlement and General Release Agreement (Agreement) dated November 28, 2001 regarding the impacts of development of the NMC area on biological resources. Implementation of the Project will not conflict with City ordinances or policies. This is considered less than significant.

Level of Significance After Mitigation

There is no substantial change from the previous analysis so the potential impacts remain less than significant.

Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?

Previously Identified Level of Significance

The previously certified FEIR determined that the Project was not within the boundaries of any Habitat Conservation Plan or Natural Community Conservation Plan and would have a less than significant impact regarding implementation of any Conservation Plans.

Impact Analysis

The Project is not located within the boundaries of any Habitat Conservation Plan or Natural Community Conservation Plan and would not preclude implementation of any such plan.

Level of Significance After Mitigation

There is no substantial change from the previous analysis so the potential impacts remain less than significant.

4.2.6 Mitigation Measures

NMC Mitigation Measures

No mitigation measures apply.

Previously Approved FEIR Mitigation Measures

BR-1—No less than two weeks and not more than four weeks prior to the commencement of any ground disturbing activities, a preconstruction survey for burrowing owls shall be conducted by a qualified biologist. If ground-disturbing activities are delayed or suspended for more than 30 days after the preconstruction survey, the site shall be resurveyed for owls. If owls are determined to be present within the construction footprint, they will be relocated in accordance with current California Department of Fish and Game protocol.

BR-2—A Biological Resources Survey shall be conducted for Planning Areas 1A, 1C, 2B, and 8B prior to the approval of the Tentative Tract Maps prepared for those properties. If suitable habitat is determined present onsite, subsequent focused surveys shall be completed and no “take” of any protected species and/or their habitat shall occur without obtaining the requisite regulatory permits from State and Federal agencies.

B-3—A breeding bird survey shall be conducted prior to the removal of windrows scheduled between January 15th and August 31st. A nesting/breeding bird survey must be conducted one week prior to commencing tree removal. If any active nests are detected within the windrow, a buffer area around the nest(s) will be flagged and avoided until the nesting cycle is complete or it is determined that the nest(s) has failed. No grading, heavy equipment, or tree removal activities shall take place within at least 500 feet of an active listed species or raptor nest, 300 feet of other sensitive bird nests (non-listed), and 100 feet of most common songbird nests. A qualified biological monitor will be present on the site to monitor tree removal or other construction activity in the vicinity of nest sites to assure that active nests are not disturbed. If no active nests are found during the survey, construction activities may proceed.

B-4—The Project proponent shall be required to pay City of Ontario development impact fees. Fees collected will be used "to acquire and restore mitigation lands to offset impacts to species now living in the New Model Colony and impacts to existing open space," according to the City of Ontario Development Impact Fee Calculation Report and the Settlement and General Release Agreement. This fee is currently $4,320 per acre.

Newly Proposed Mitigation Measures

B-5—To avoid direct impacts to burrowing owls, a pre-construction survey will be conducted by a qualified biologist no more than 30 days prior to any ground-disturbing activities, including demolition, manure clean up, and site grading. If burrowing owls are detected on site, they will be relocated in accordance with current protocols recognized by the CDFG. If present on site, burrowing owls must be relocated outside of the nesting season (February 1 through August 31), unless a qualified biologist confirms that the burrowing owls are not nesting, and CDFG approves in writing the relocation during the nesting season. If ground-disturbing activities are delayed or suspended for more than 30 days after the pre-construction survey, then the site shall be re-surveyed for burrowing owls.

B-6—To avoid impacts to nesting migratory birds, a nesting bird survey will be conducted by a qualified biologist prior to the removal of any potential nesting vegetation (or demolition of structures) between January 15 and August 31. This includes all trees, shrubs, herbaceous vegetation, ruderal areas, building, and other structures with the potential to support nesting birds. Nesting bird surveys will be conducted one week prior to any vegetation removal or demolition activities. If nesting birds are identified, then the vegetation or structures will be clearly marked with flagging, and the nest will not be disturbed until the nesting event has completed. No grading, heavy equipment, or vegetation removal activities shall take place within at least 500 feet of an active listed species or raptor nest, 300 feet of other sensitive bird nests (non-listed), and 100 feet of most common songbird nests, in order to avoid impacts to nesting birds through construction noise. The biologist will consult with CDFG and or USFWS to finalize appropriate avoidance buffers from the nests.

4.3 LAND USE AND PLANNING

4.3.1 Introduction

Since the certification of The Avenue Specific Plan FEIR, the Project has been modified to include an additional 280 residential dwelling units and an additional 76,000 square feet of retail. As noted in the Initial Study prepared for public circulation on June 17, 2008, the changes to the Project require a General Plan amendment for the following proposed changes:

- The relocation of the Neighborhood Center from the southwest corner to the northwest corner of Edison Avenue and Haven Avenue.
- A change in density from Low Density Residential to Medium Density Residential on property on the north and south sides of Edison Avenue in the areas nearest the proposed Neighborhood Center.
- A change in density from Medium Density Residential to Low Density Residential at the southeast corner of the Project along Haven Avenue.

4.3.2 Summary of Prior EIR Findings

Potentially adverse impacts associated with land use planning were considered in the FEIR for The Avenue Specific Plan. It was found that the increase in population would not create any significant impacts to applicable land use plan, policies, or regulations in the area due to the implementation of the NMC General Plan.

4.3.3 Environmental Setting

The Avenue Specific Plan FEIR previously evaluated the environmental setting in terms of land use planning.

4.3.4 Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, the proposed Project is considered to have a significant land use impact if the proposed Project would:

- Physically divide an established neighborhood;
- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; or
- Conflict with any applicable habitat conservation plan or natural community conservation plan.

4.3.5 Project Impacts

Would the project physically divide an established community?

Previously Identified Level of Significance

The Project was found to have no impact to an established community in the previously certified FEIR.

Impact Analysis

As found in the certified FEIR, development per the Avenue Specific Plan, the development of the Project will be similar in design and size to adjacent developments to the north. Adjacent land uses to the south, east, and west are sparsely populated with no strong spatial community pattern. The Project will become an integral part of the NMC, a series of planned communities. Since the proposed changes in the Avenue SPA are close to the plans approved in the FEIR, the potential impacts are comparable and will not divide an established neighborhood.

Level of Significance After Mitigation

There is no substantial change from the previous analysis so the potential impacts remain less than significant.

Would the project conflict with an applicable land use plan, policy or regulation of agencies with jurisdiction over the project (including, but not limited to general plan, specific plan, or development code) adopted for the purpose of avoiding or mitigating an environmental effect?

Previously Identified Level of Significance

The Project was found to have no impact to any land use plans or policies in the previously certified FEIR.

Impact Analysis

The proposed general plan and specific plan amendment is included to make the changes as specified above. With regard to The Avenue SP, the change increases the number of units allowed by 280 (from 2,326 to 2,606), a 12% increase. For the neighborhood commercial component, the increase is 76,000 square feet (from 174,000 to 250,000 square feet), a 43.8% increase. The potential impacts for topics such as traffic, air quality, and noise will be discussed elsewhere in this section.

Concerning the entire NMC area, the increase of the 280 units is 0.8% of the total number of units anticipated giving The Avenue SPA about 8.36% of the total as compared to 7.46% currently allowed. The additional 76,000 square feet is 7.3% of the NMC total for neighborhood

commercial and 1.4% of all commercial development. The new total, compared to the allowable square footage under the NMC, for The Avenue SPA will be 23.9% and 4.5%, up from 16.6% and 3.2%, respectively.

The land use change will offer developers the flexibility to provide a variety of multi-family products along the Edison Avenue corridor, between Haven Avenue and Turner Avenue. Subsequently, it will provide for the ability to intensify the residential land uses surrounding the commercial center and provide a transition and integration between residential and commercial uses consistent with the vision of the General Plan Amendment. The community concept to be implemented with the commercial center for the Avenue Specific Plan is one of a Main Street Village environment, with uses seamlessly integrated and designed at a pedestrian friendly scale. Similar to the Residential District, the commercial center will be designed with a high level of connectivity, both between its own land components, between districts and the rest of The Avenue and the NMC. The primary goal for The Avenue commercial center is to create a dynamic environment that will create jobs and foster the interaction of vibrant commercial, retail, and residential neighborhoods. Development regulation and design guidelines have been incorporated into the Specific Plan to ensure an appropriate integration between residential and commercial uses.

At buildout, the proposed Project amendment will result in a mix of residential, commercial, educational, recreational, and open space uses that are comparable to the uses currently allowed in The Avenue SP and are consistent with the uses planned in the NMC.

Level of Significance After Mitigation

Implementation of the Project will not significantly impact land use; therefore, no mitigation is required.

Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?

Previously Identified Level of Significance

The Project was found to have no impact to any habitat or natural community conservation plans in the previously certified FEIR.

Impact Analysis

As stated in the certified FEIR, the Project site is not located within the boundaries of an adopted habitat conservation plan or natural community conservation plan. Therefore, the Project will have no impact or conflict with any habitat or natural community conservation plans.

Level of Significance After Mitigation

There is no substantial change from the previous analysis; therefore, potential impacts remain less than significant.

4.3.6 Mitigation Measures

NMC Mitigation Measures

No mitigation measures are necessary.

Previously Approved FEIR Mitigation Measures

No mitigation measures are necessary.

Newly Proposed Mitigation Measures

No new mitigation measures were proposed.

4.4 NOISE

4.4.1 Introduction

Since the certification of The Avenue Specific Plan FEIR, the Project has been modified to include an additional 280 residential dwelling units and an additional 76,000 square feet of retail and the realignment of Schaefer Avenue.

4.4.2 Summary of Prior EIR Findings

In the previously certified FEIR, the roadway noise impacts from vehicular traffic were predicted using a computer program that replicates the Federal Highway Administration (FHWA) Traffic Noise Prediction Model FHWA-RD-77-108. The average daily traffic volumes were obtained from The Avenue Specific Plan Traffic Impact Analysis Report prepared by Urban Crossroads, Inc. in August 2006. It was found that the Project would cause a roadway noise increase of up to 1 dBA CNEL on all segments. Since a significant impact is defined by an increase greater than 3 dBA CNEL and an exceedance of the City's 65 dBA CNEL exterior noise standard, it was determined that the Project did not have a significant impact on the noise levels in and around the Project.

It was also recommended that potential noise impacts from non-transportation related sources could be mitigated through the installation of 8 foot noise barriers for all residential areas bordering commercial sites and 6 foot noise barriers for all residential areas bordering park and school sites. It was noted that the operation of dairy machinery currently generates noise and if the machinery continues to operate after the installation of residential areas, it was

recommended that an 8 foot noise barrier be installed where residential areas border the dairy facilities.

Finally, it was noted that there will be noise from construction at the site, but since it is of short-term duration, it will not present any long-term permanent impacts to the Project site or the surrounding area.

4.4.3 Environmental Setting

The Project is generally located north of Edison Avenue, east of Carpenter Avenue, south of Schaefer Avenue, and west of Haven Avenue in the City of Ontario, CA. Currently, the Project site consists of residential and agricultural land uses. The Project site is subject to noise from Edison, Hellman, Schaefer, and Haven Avenues and adjacent land uses, which are residential and agricultural.

Existing Noise Levels

To determine the existing noise level environment, measurements were taken from four locations in the Project vicinity. The noise measurements were recorded by Urban Crossroads, Inc. between the hours of 3:40 and 5:15 p.m. on May 1, 2005. The locations and results of the noise measurements are shown in *Table 4-7*.

Table 4-7 Noise Measurement Locations

Observer Location	Description	Time of Measurement*	Primary Noise Source	Noise Levels (Leq dBA)	Noise Levels (Leq CNEL)
1	Located 50 feet from the feed mixing equipment and tractor, near the proposed intersection of Schaefer and Turner Avenues	3:43 p.m.	Feed Mixing Equipment	83.5	--
2	Located approximately 100 feet from the center line of Archibald Avenue, just south of Schaefer Avenue	4:20 p.m.	Traffic from Archibald Avenue	62.0	62.5
3	Located approximately 100 feet from the centerline of Haven Avenue, near the proposed intersection of Haven and Edison Avenues	4:44 p.m.	Traffic from Haven Avenue	56.7	57.2
4	Located approximately 100 feet from the centerline of Edison	5:03 p.m.	Traffic from Edison Avenue	55.9	56.3

	Avenue, just west of the proposed intersection of Edison and Turner Avenues				

Source:Urban Crossroads
* All locations were monitored for a period of 10 minutes

The existing noise levels in the Project vicinity consist primarily of traffic noise from Edison and Archibald Avenues and stationary noise from feed mixing machines on currently operating dairy farms.

Noise Standards

Noise impacts associated with traffic are controlled by the Ontario General Plan Noise Element. Exterior noise levels should remain below 65 dBA CNEL and interior noise levels should remain below 45 dBA CNEL for noise sensitive uses including residential areas, hotels, motels, transient lodging, school classrooms, hospitals, and parks.

The City's Noise Ordinance has set exterior noise limits to control stationary noise sources such as delivery trucks, trash collection, drive-thru speakerphones, and mechanical ventilation system noise impacts to various land use categories. *Table 4-8* shows exterior noise limits.

Table 4-8 Maximum Exterior Noise Levels

Receiving Land Use Category	Noise Levels	
	10 p.m. – 7 a.m.	7 a.m. – 10 p.m.
Residential Single Family	45	65
Multi-family residential and mobile home parks	50	65
Commercial	60	65
Light Industrial	70	70
Heavy Industrial	70	70

Source: Section 9-1.3305 of the City of Ontario Code

In community noise assessment, changes in noise levels greater than 3 dBA are often identified as barely perceptible, while changes of 5 dBA are readily perceptible. In the range of 1 dBA to 3 dBA, people who are very sensitive to noise may perceive a slight change in noise level. The level at which changes in community noise levels become discernible is likely to be some value greater than 1 dBA and 3 dBA appears to be appropriate for most people. Therefore, in addition to City standards, noise impacts are considered significant if a project increases noise levels for a noise sensitive land use by 3 dBA CNEL.

4.4.4 Thresholds of Significance

According to Appendix G of the CEQA Guidelines and the City's Initial Study checklist, the proposed Project is considered to have a significant noise-related impact if the Project would result in:

- Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;
- Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels;
- A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
- A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;
- 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, expose people residing or working in the Project vicinity to excessive noise levels; or
- For a project within the vicinity of a private airstrip, expose people residing or working in the Project vicinity to excessive noise levels.

4.4.5 Project Impacts

Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Previously Identified Level of Significance

The previously certified FEIR found that the Project would result in a significant and unavoidable impact.

Impact Analysis

Off-site Transportation Related Noise Impacts

The Noise Analysis prepared by Urban Crossroads (*Appendix D*) addressed noise related impacts for the Avenue Specific Plan Amendment, which consists of the addition of 280 residential units and 76,000 square feet of commercial space. Off-site transportation related noise impacts refer to noise impacts on surrounding properties due to traffic on area roadways.

These impacts were evaluated for five scenarios: Existing Conditions, Year 2015 With and Without Project and Year 2030 With and Without Project. These are described below.

Existing Conditions: This scenario refers to existing present-day noise conditions, without construction of the proposed Project.

Year 2015 With Project: This scenario refers to the background noise conditions at the buildout year 2015 with the proposed Avenue Specific Plan Amendment along with all known reasonable and foreseeable projects in the area.

Year 2015 Without Project: This scenario refers to the background noise conditions at the buildout year 2015 with the currently approved Avenue Specific Plan (without the Amendment) including all known reasonable and foreseeable projects in the area.

Year 2030 With Project: This scenario refers to the background noise conditions for the long range year 2030 with the proposed Avenue Specific Plan Amendment.

Year 2030 Without Project: This scenario refers to the background noise conditions for the long range year 2030 with the currently approved Avenue Specific Plan (without the Amendment).

Table 4-9 shows a comparison between the Year 2015 With and Without Project scenarios. For the Year 2015, roadway noise levels on all road segments in the Project vicinity will increase up to 0.5 dBA CNEL with the proposed Amendment as compared to the currently approved Specific Plan. In order to be considered a significant noise impact, Project traffic must create a noise level increase in the area adjacent to the roadway segment greater than 3 dBA. The previously approved FEIR showed that the currently approved specific plan would result in 2015 off-site roadway noise level increases of up to 1.0 dBA CNEL. This increase added to the 0.5 dBA CNEL due to the Amendment only results in a 1.5 dBA CNEL increase for the entire Project. Since the Project would not cause traffic noise levels to increase in excess of 3 dBA, off-site noise impacts would not be significant.

Table 4-9 Year 2015 Off-site Traffic Noise Impacts

Road	Segment	CNEL at 100 Feet (dBA)		Increase	Significant Impact?
		Without Project	With Project		
Archibald Avenue	Chino to Schaefer	68.6	68.6	0.0	No
Archibald Avenue	n/o Chino	68.4	68.4	0.0	No
Archibald Avenue	s/o Edison	70.0	70.0	0.0	No
Chino Avenue	e/o Archibald	62.1	62.1	0.0	No
Chino Avenue	e/o Haven	62.1	62.2	0.1	No
Chino Avenue	w/o Archibald	61.4	61.4	0.0	No
Chino Avenue	w/o Haven	61.0	61.0	0.0	No
Edison Avenue	Archibald to Haven	68.3	68.3	0.0	No

Edison Avenue	e/o Hamner	71.0	71.0	0.0	No
Edison Avenue	e/o Haven	71.1	71.1	0.0	No
Edison Avenue	Haven to Mill Creek	70.2	70.2	0.0	No
Edison Avenue	Helman to Archibald	69.1	69.2	0.1	No
Edison Avenue	Mill Creek to Hamner	71.1	71.1	0.0	No
Haven Avenue	Chino to Schaefer	66.6	67.0	0.4	No
Haven Avenue	n/o Chino	66.1	66.6	0.5	No
Haven Avenue	s/o Edison	--	--	--	--
Haven Avenue	Schaefer to Edison	66.9	66.8	0.0	No
Mill Creek Road	n/o Edison	61.0	61.0	0.0	No
Mill Creek Road	s/o Edison	60.7	60.7	0.0	No
Milliken Avenue	n/o Edison	68.1	68.1	0.0	No
Milliken Avenue	s/o Edison	68.3	68.3	0.0	No
Schaefer Avenue	Archibald to Turner	59.2	59.2	0.0	No
Schaefer Avenue	Helman to Archibald	61.0	61.1	0.1	No
Schaefer Avenue	Turner to Haven	57.9	58.3	0.4	No
Source: Urban Crossroads					

On-site Transportation Related Impacts

On-site transportation related impacts are noise impacts to the Project site due to traffic in the area. Since individual developer site plans and grading plans for future development do not exist at this time, a centerline to noise barrier distance of 100 feet is assumed with an observer distance of 10 feet from the noise barrier location. According to the Noise Analysis, the future unmitigated exterior noise levels for the proposed residential areas near major study area roadways (Archibald, Schaefer, Edison, Turner and Haven Avenues) will range from 63.7 dBA to 72.8 dBA CNEL. With a 5 to 7.5 foot noise barrier at the road right-of-way adjacent to proposed Project noise-sensitive areas, the exterior noise levels will range from 59.5 to 65.0 dBA CNEL. For two story buildings, exterior noise levels will range 58.2 to 71.8 dBA CNEL at building façades assumed to be 20 feet from noise barriers. This would result in a significant impact and would expose persons to noise levels in excess of the Ontario General Plan noise standard of 65 dBA CNEL for exterior noise.

Once individual residential development plans are completed, an acoustical analysis will be required to address the proper mitigation to meet the City's exterior standard of 65 dBA CNEL and the interior standard of 45 dBA CNEL.

No additional mitigation measures beyond those required in the previously approved FEIR and NMC EIR are necessary.

Level of Significance After Mitigation

The Avenue Specific Plan Amendment, the addition of 280 residential units and 76,000 sq. ft. of commercial space, in addition to the previously approved Project, would result in significant and unavoidable impacts and would expose persons to excessive noise levels. The Amendment would also result in cumulatively considerable impacts with regard to excessive noise levels generated. These cumulative impacts are discussed in Section 5.

Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Previously Identified Level of Significance

The previously certified FEIR found that there would be no impact.

Impact Analysis

The addition of residential units and commercial space to the previously approved Project would not change the analysis of groundborne vibration and noise levels as presented in the previously approved FEIR.

Level of Significance After Mitigation

The Project would not result in any impacts with regard to groundborne noise.

Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Previously Identified Level of Significance

The previously certified FEIR determined that there would be a significant impact on permanent noise levels.

Impact Analysis

As shown above, the Project would result in a permanent increase in existing ambient noise levels in the Project vicinity. In order to properly identify mitigation measures for future development to meet the City's exterior standard of 65 dBA CNEL and the interior standard of 45 dBA CNEL, an acoustical analysis will be required to address once individual residential development plans are completed.

Level of Significance After Mitigation

Impacts remain significant and unavoidable with the addition of residential units and commercial space to the previously approved Project. A Statement of Overriding Considerations would be required to address significant noise related impacts.

Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Previously Identified Level of Significance

The previously certified FEIR determined that temporary noise levels due to construction would be mitigated to less than significant.

Impact Analysis

The previous FEIR evaluated the short-term impacts of the Project's construction on the surrounding community. It was determined that through the incorporation of mitigation measures, such as limiting the hours of construction and requiring properly operating mufflers on all construction vehicles, the short-term impacts could be mitigated to a less than significant level. The changes to the Project do not substantially change this conclusion.

Level of Significance After Mitigation

No additional mitigation is required and the Project would remain at a less than significant level.

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 expose people residing or working in the project vicinity to excessive noise levels?

Previously Identified Level of Significance

The previously certified FEIR determined that there would be no impact.

Impact Analysis

The proposed site is located within two miles of the Chino Airport. However, the Project is located outside of the 65 CNEL noise contour. The southwestern corner of the Project area is located within Referral Area "C", an area described in the Chino Airport Comprehensive Land Use plan as averaging 55/60 CNEL, which, while not exceeding standards, may be an annoyance. There would be no impacts. The Project changes do not change this conclusion.

Level of Significance After Mitigation

No mitigation measures are required and there would be no impact.

For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project vicinity to excessive noise levels?

Previously Identified Level of Significance

The previously certified FEIR determined that there would be no impact.

Impact Analysis

The Project site is not located within the vicinity of a private airstrip. There would be no impacts. The changes to the Project do not change this conclusion.

Level of Significance After Mitigation

There would be no impact regarding private airstrips.

4.4.6 Mitigation Measures

NMC Mitigation Measures

NMC N-1—Prior to the issuance of grading permits for the planning areas in the Sphere of Influence area, an Acoustical Analysis Report shall be submitted to the City Engineer by the Project developer. The report shall describe the cumulative effect of road noise on surrounding land uses and recommend mitigation measures, if necessary, to attenuate that noise. If necessary, the City shall establish a noise attenuation fee program that requires developers in the Sphere of Influence area to make a fair share contribution to noise mitigation along some of roads surrounding the Sphere of Influence. The City of Ontario shall evaluate the need for such a fee program and establish participation guidelines prior to the issuance of grading permits.

NMC N-2—Prior to issuance of grading permits for the planning areas in the Sphere of Influence area, an Acoustical Analysis Report shall be submitted to the City Engineer by the Project developer. The Report shall describe in detail the interior and exterior noise levels for residential uses on the site and the specific design and mitigation features to ensure compliance with that City's noise criteria of 65 dBA CNEL for outdoor living areas and 45 dBA in habitable rooms.

NMC N-3—Prior to the issuance of building permits for planning areas in the Sphere of Influence area, the required location of noise barriers on the Project site shall be detailed in the Acoustical Analysis Report. The Report shall specify the height, location, and types of barriers capable of achieving the desired mitigation effect.

NMC N-4—Prior to the issuance of grading permits for the planning areas in the Sphere of Influence area, the Acoustical Analysis Report shall identify those residential lots that may

require mechanical ventilation to achieve interior noise standards. When operable doors and windows are open for homes facing the roadways, the interior 45 dBA CNEL interior noise limits for these units may be exceeded. Therefore, a "windows closed" condition may be required for these units. Any proposed mechanical ventilation must meet the requirements of the Uniform Building Code (UBC) standard. It should be noted that the windows facing some roadways may be able to be opened, but the homeowners would have the option to close the windows and still obtain adequate ventilation through the use of a mechanical ventilation system. This mechanical ventilation shall supply two air changes per hour to each habitable room, including 20 percent (one-fifth) fresh make-up air obtained directly from the outdoors. The fresh air inlet duct shall be of sound attenuating construction and shall consist of a minimum of ten feet of straight or curved duct or six feet plus one sharp 90 degree bend. The City Engineer shall ensure that the Acoustical Analysis Report identifies any requirements for mechanical ventilation for individual onsite residential units.

NMC N-5—All prospective owners and occupants of residential units on the Project site shall be formally notified prior to purchase, lease or rental, that certain units (without windows and doors closed), and outdoor areas could be subject to noise levels above City standards for residential uses. Such notification shall be in language approved by the City Planning Department, and shall be formalized in written Covenants, Conditions, and Restrictions (CC&R) recorded on the title of each residential lot in the Project. In addition, each advertisement, solicitation and sales brochure or other literature regarding the Project shall contain the approved notification language.

NMC N-6—Construction on the Sphere of Influence site shall be limited to the hours of 7:00 AM to 7:00 PM Monday through Saturday, and shall be prohibited on Sundays and Federal holidays.

NMC N-7—All Project construction vehicles or equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers.

NMC N-8—Stockpiling and/or vehicle staging areas shall be located as far as practical from existing residential units on and off the proposed Project site.

NMC N-9—Whenever feasible, the noisiest construction operations should be scheduled to occur together to avoid continuing periods of the greatest annoyance.

Previously Approved FEIR Mitigation Measures

N-1—During all Project Site excavation and grading, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary equipment so that emitting noise is directed away from the noise sensitive receptors nearest the Project site.

N-2—The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise sensitive receptors nearest the Project site during all Project construction.

N-3—The construction contractor shall limit all construction-related activities that would result in high noise levels according to the construction hours to be determined by City staff.

N-4—The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.

N-5—Architectural plans shall be submitted to the City for an acoustical plan check prior to the issuance of building permits to assure that the proper windows and/or doors are upgraded for sound reduction and proper ventilation systems are incorporated in order to meet the interior noise level requirement.

Newly Proposed Mitigation Measures

No additional mitigation measures beyond those required in the previously approved FEIR are necessary.

4.5 POPULATION AND HOUSING

4.5.1 Introduction

Since the certification of The Avenue SP FEIR, the Project has been modified to include an additional 280 residential dwelling units and an additional 76,000 square feet of retail. The Project is located in a very lightly populated area and will most likely induce a substantial amount of population growth.

4.5.2 Summary of Prior EIR Findings

The previously certified FEIR (2006) evaluated population growth associated with the construction of 2,326 new dwelling units (2,206 single-family and 120 multi-family) resulting in a projected population increase of 9,219 persons. It was concluded that the growth expected was within estimates from the Southern California Association of Governments (SCAG).

4.5.3 Environmental Setting

The Avenue Specific Plan FEIR previously evaluated the environmental setting in terms of population and housing.

4.5.4 Thresholds of Significance

According to Appendix G of the CEQA Guidelines and the City's Initial Study checklist, the proposed Project is considered to have a significant population and housing-related impact if the Project would:

- Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure);
- Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere;
- Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

4.5.5 Project Impacts

Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Previously Identified Level of Significance

Less than significant impact.

Impact Analysis

With the proposed changes to the Project, the overall number of residential units has increased. At buildout, the proposed Project will include approximately 1,483 single family units and 1,123 multi family units resulting in 2,606 total new housing units. Based on a household size of 3.997 persons per single family unit and 3.347 persons per multi family unit, the Project would result in a population increase of 9,687 persons, an increase of 468 persons over the projected population of 9,219 in the previously certified FEIR. The projected population of the NMC area at buildout is 101,845, according to the NMC General Plan. As shown in the previously certified FEIR, the NMC Final EIR stated that the projected total population of the NMC area is below SCAG population projections of 144,949 residents. The population increase generated by the proposed Project would add 9,687 residents to the NMC buildout total of 101,845 resulting in 111,532 residents. This increase would not be considered significant since it is within SCAG population projections for the area.

The proposed Project provides for a variety of housing types. The previously approved Specific Plan allowed for 2,206 single family and 120 multi family units resulting in 2,326 total dwelling units. The Specific Plan Amendment proposes approximately 1,483 single family units and

1,123 multi family units resulting in 2,606 total new housing units. Providing more multi family units would result in greater opportunities for development of housing affordable to moderate and lower income residents. Additionally, as stated in the previously approved FEIR, the City will enter into Development Agreements with the developers of the Project to ensure the provision of affordable housing units or the payment of in lieu fees to provide affordable housing elsewhere, pursuant to the City's in lieu fee program.

The Project also proposes a commercial component in the Specific Plan. This commercial component would serve to create jobs in the area, mostly retail, and would positively affect the jobs/housing balance in the area.

Level of Significance After Mitigation

Potential impacts remain less than significant.

Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Previously Identified Level of Significance

Less than significant impact.

Impact Analysis

It was previously shown that the Project site is currently used for agricultural purposes, and there are approximately 15 housing structures located on the Project site. It was determined that the displacement of this small number of houses was not a significant impact. The changes to the Project do not change this conclusion. Additionally, the proposed increase in residential units and commercial space does not affect or substantially alter the number of people being displaced by The Avenue Project. It was determined that the displacement of these people in the existing residences is not substantial. The changes to the Project do not change this conclusion.

Level of Significance After Mitigation

There is no substantial change from the previous analysis so the potential impacts remain less than significant.

4.5.6 Mitigation Measures

NMC Mitigation Measures

No mitigation measures apply.

Previously Approved FEIR Mitigation Measures

No mitigation measures are necessary.

Newly Proposed Mitigation Measures

No new mitigation measures were proposed.

4.6 PUBLIC SERVICES

4.6.1 Introduction

Since the certification of the Avenue SP FEIR, the Project has been modified to include an additional 280 residential dwelling units and an additional 76,000 square feet of retail. As noted in the Initial Study prepared for public circulation on June 17, 2008, this increase has the potential to increase the impacts to public services offered to the residents of the City of Ontario. These public services include public schools, fire and emergency response, police protection, and libraries.

4.6.2 Summary of Prior EIR Findings

Potentially adverse impacts associated with increased demand on the public services in the area were considered in the FEIR for The Avenue Specific Plan. It was found that the increase in population (estimated at 9,219 residents) would not create any significant impacts to the public services in the area due to the implementation of the NMC General Plan and the inclusion of mitigation measures that would decrease fire hazards and provide funding for new library, police and fire services as well as additional schools. The previously approved mitigation measures are included in Section 4.6.6 below.

4.6.3 Environmental Setting

The Avenue Specific Plan FEIR previously evaluated the environmental setting in terms of public services.

4.6.4 Thresholds of Significance

According to Appendix G of the CEQA Guidelines and the City's Initial Study form, impacts related to public services may be considered potentially significant if the proposed Project would:

- Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

    - Fire Protection
    - Police Protection
    - Schools
    - Parks
    - Other public facilities

Impacts to parks and recreation are discussed in Section 4.7 of this SEIR.

4.6.5 Project Impacts

The Project, through the addition of residential units, will have an increase in population above what was previously estimated in the certified FEIR. It was previously evaluated that there would be 2,206 single-family units and 120 multi-family units, resulting in a total population of 9,219 residents of the Avenue Specific Plan area. The changes to the Project result in a shift of units from single-family to multi-family and an increase in the overall number of units in the Specific Plan area. The revised Project as proposed includes 1,483 single-family units and 1,123 multi-family units resulting in a total population of 9,687 residents of the Avenue Specific Plan area. This increase of 468 additional residents has the potential to further impact the public services offered by the City of Ontario.

Fire Protection

Previously Identified Level of Significance

Less than significant with the incorporated mitigation measures from the Avenue Specific Plan FEIR listed in Section 4.6.6.

Impact Analysis

Implementation of the Project includes the addition of 280 new residences and 76,000 square feet of retail space in addition to those already proposed by the previously approved Avenue Specific Plan. These additional units and retail space, while they will increase demand on existing facilities, will also provide additional funds through development impact fees that will contribute to the expansion and/or construction of new fire protection facilities to meet the increased demands. The mitigation measures listed in Section 4.6.6 also identify specific requirements pertaining to fire protection which will be implemented prior to development of the Project and will reduce impacts with regard to fire protection to less than significant.

In the previously certified FEIR, there was a concern regarding an increased demand for fire-related water supply. However, the Project will be required to meet standards for the quantity of water provided and available to the Ontario Fire Department in order to adequately respond to any future incidents. In addition, the Project will be subject to requirements of the Ontario Municipal Code regarding circulation and design features that allow adequate emergency vehicle access. Impacts to fire protection services will remain at a less than significant level and no additional mitigation measures beyond those previously included in the FEIR are required.

Level of Significance After Mitigation

There is no substantial change from the previous analysis. The impacts to fire protection remain less than significant.

Police Protection

Previously Identified Level of Significance

Less than significant with the incorporated mitigation measures from the Avenue Specific Plan FEIR listed in Section 4.6.6.

Impact Analysis

As discussed above, the additional residential units and retail space will increase the demand on the police protection services provided by the City of Ontario. Again, the additional units and retail space will also provide additional development impact fees to offset these demands and provide funding to expand existing services. Per the existing service standard of 1.34 officers per 1000 residents, and the anticipated increase of residents at the site, a total of 13 additional police officers would be needed to serve the site. This is one additional officer than what was previously proposed in the certified FEIR.

In addition, since this Project is part of the larger NMC General Plan area, the Ontario Police Department has anticipated development in this area and has included the future residents and retail businesses in its planning process. The addition of the residential units and retail space is not significant enough to cause the need for the Ontario Police Department to change their plans for future police protection in the area of the NMC. No additional mitigation measures will be necessary for this change in the Project. Additionally, the Police Department stated that there is adequate space in their main station to accommodate the growth of the City (Communication with Pat Sanford, 2008).

Level of Significance After Mitigation

There is no substantial change from the previous analysis. The impacts to police protection remain less than significant.

Schools

Previously Identified Level of Significance

Less than significant with the incorporated mitigation measures from the Avenue Specific Plan FEIR listed in Section 4.6.6.

Impact Analysis

It was previously shown in the certified FEIR that there would be a total of 2,744 students in grades K-12 that would be anticipated to reside in the Avenue Specific Plan area. Through the addition of residential units and the shifting of single-family units to higher density in the proposed Amendment, the number of students generated actually decreases to 1,799 students in grades K-12 (see *Table 4-11*).

Table 4-10 School Generation Rates and Totals

School Grades	Generation Rate	Number of Units	Total Students Anticipated
Previous Plan			
Elementary and Middle School (K-8)	0.64 students/DU (Single Family)	2,206	1,412
Elementary and Middle School (K-8)	0.27 students/DU (Multi-Family)	120	32
High School (9-12)	0.27 students/DU (Single and Multi Family)	2,326	628
Total			**2,072**
Current Proposed Project			
Elementary and Middle School (K-8)	0.64 students/DU (Single Family)	1,483	949
Elementary and Middle School (K-8)	0.27 students/DU (Multi-Family)	1,123	303
High School (9-12)	0.27 students/DU (Single Family)*	1,483	401
High School (9-12)	0.13 students/DU (Multi-Family)*	1,123	146
Total			**1,799**
*Generation rates are from Chaffey Joint Union High School District Fee Justification Report.			

The revised Project still proposes reserving two sites for one elementary school and one middle school. These schools will serve the residents of the Avenue Specific Plan as well as nearby residents of the NMC General Plan area. Additionally, the Project proponent will be required to pay statutory school fees, which serve to offset development impacts.

Level of Significance After Mitigation

There is no substantial change from the previous analysis. The impacts to schools remain less than significant.

Parks

Impacts on parks and recreational facilities will be discussed in Section 4.7 below.

Libraries

Previously Identified Level of Significance

Less than significant with the incorporated mitigation measures from the Avenue Specific Plan FEIR listed in Section 4.6.6.

Impact Analysis

Additional units will provide an increased demand on the City's library facilities; however, the library director does not expect any adverse impacts to library services due to the Avenue Project (Communication with Judy Evans, 2008). Also, additional units will provide an increased amount of development impact fees to apply towards the construction of a new library to accommodate the NMC General Plan area and the anticipated increased population at build-out of the entire area. The collection of these funds will be sufficient to mitigate for the increase in population.

Level of Significance After Mitigation

There is no substantial change from the previous analysis. The impacts to library services remain less than significant.

4.6.6 Mitigation Measures

NMC Mitigation Measures

No mitigation measures apply.

Previously Approved FEIR Mitigation Measures

PS-1—To reduce fire hazards, wood-shingled and shake-shingled roofs are prohibited.

PS-2—To reduce fire hazards, fire hydrant locations and water main sizes shall meet standards established by the Ontario Fire Department and reviewed and implemented by the Engineering Department.

PS-3—To reduce fire hazards when water is provided to the site, adequate fire flow pressure shall be provided for residential areas and non-residential projects in accordance with currently adopted standards.

PS-4—To reduce fire hazards, adequate water supply shall be provided as approved by the Ontario Fire Department prior to the framing stages of construction.

PS-5—To reduce fire hazards, houses located on cul-de-sacs longer than 300 feet shall be constructed with residential fire sprinklers.

PS-6—To reduce fire hazards, access roadways designed in accordance with Ontario Fire Department standards to within 150' of all structures, shall be provided prior to the framing stages of construction. This access is to be maintained in an unobstructed manner throughout construction.

PS-7—A fire station located within the Parkside Specific Plan must be operational prior to the issuance of any certificates of occupancy in The Avenue Specific Plan.

PS-8—The developers/builders shall pay library, police, and fire service development impact fees.

PS-9—The developers/builders shall pay school fees or otherwise, in lieu of fees, meet Project obligations to schools, as approved by Mountain View and Chaffey Joint Union High School Districts.

Newly Proposed Mitigation Measures

No new mitigation measures were proposed.

4.7 RECREATION

4.7.1 Introduction

The Project, through the addition of residential units, will have an increase in population above what was previously estimated in the certified FEIR. It was previously evaluated that the Project would result in a total population of 9,219 residents of the Avenue Specific Plan area. The revised Project as proposed would result in a total population of 9,687 residents of the Avenue Specific Plan area. This increase of 468 additional residents has the potential to further impact the parks and recreational facilities in the City of Ontario.

4.7.2 Summary of Prior EIR Findings

It was previously shown in the FEIR that this Project will result in the construction of a significant amount of housing that would cause an increase in the use of neighborhood parks or other recreational facilities. However, the Project will also construct a number of new parks which will ease the burden that will be placed on the existing parks.

4.7.3 Environmental Setting

The Avenue Specific Plan FEIR previously evaluated the environmental setting in terms of parks and recreational facilities.

4.7.4 Thresholds of Significance

The following criteria for establishing the significance of potential impacts on recreation was derived from the CEQA Guidelines (Appendix G) and the City's Initial Study checklist. Potentially significant impacts to recreation may occur if the Project:

- Increases the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or

- Includes recreational facilities or requires the construction or expansion of recreational facilities that have an adverse physical effect on the environment.

4.7.5 Project Impacts

Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Previously Identified Level of Significance

The previously certified FEIR determined that, with mitigation, impacts would be less than significant.

Impact Analysis

The Project proposes an additional 280 residences which would result in an addition of 468 residents above what was previously evaluated in the FEIR. However, the Project still plans to construct a number of new parks which will ease the burden that will be placed on the existing parks. Additionally, fees paid by developers to the City in lieu of parks will be utilized to offset increases of existing neighborhood and regional parks in order to meet the City standard of five acres of parkland per thousand residents.

Level of Significance After Mitigation

With payment of park fees, the Project would result in a less than significant impact.

Would the project include recreational facilities or require the construction or expansion of recreational facilities that have an adverse physical effect on the environment?

Previously Identified Level of Significance

The previously certified FEIR determined that impacts would be less than significant.

Impact Analysis

As previously evaluated, this Project will result in the construction of new parks within the residential planning areas, and in designated park areas. Given the location of these facilities, any impacts are not likely to have a significant adverse physical effect on the environment. The proposed changes to the Project do not change this conclusion.

Level of Significance After Mitigation

The Project would result in no impacts.

4.7.6 Mitigation Measures

NMC Mitigation Measures

No mitigation measures apply.

Previously Approved FEIR Mitigation Measures

REC-1—The developers/builders shall pay in lieu park fees to meet the standard of five acres of parkland per thousand residents

Newly Proposed Mitigation Measures

No new mitigation measures were proposed.

4.8 TRANSPORTATION AND TRAFFIC

4.8.1 Introduction

Since the certification of the Avenue SP Final EIR, the Project has been revised to include 280 additional units and 76,000 square feet of additional retail/commercial space and realignment of Schaefer Avenue. These increases will result in additional traffic volumes. As noted in the Initial Study, the additional traffic volumes will be evaluated to determine the increase in impacts to transportation and traffic due to the Project changes.

4.8.2 Summary of Prior EIR Findings

It was shown in the previously prepared FEIR that the Project would result in an increase in traffic in the Project vicinity. This increase in traffic was determined to result in less than significant impacts on a Project level, but would be cumulatively considerable, causing several study intersections to operate at unacceptable levels of service by the Year 2015.

4.8.3 Environmental Setting

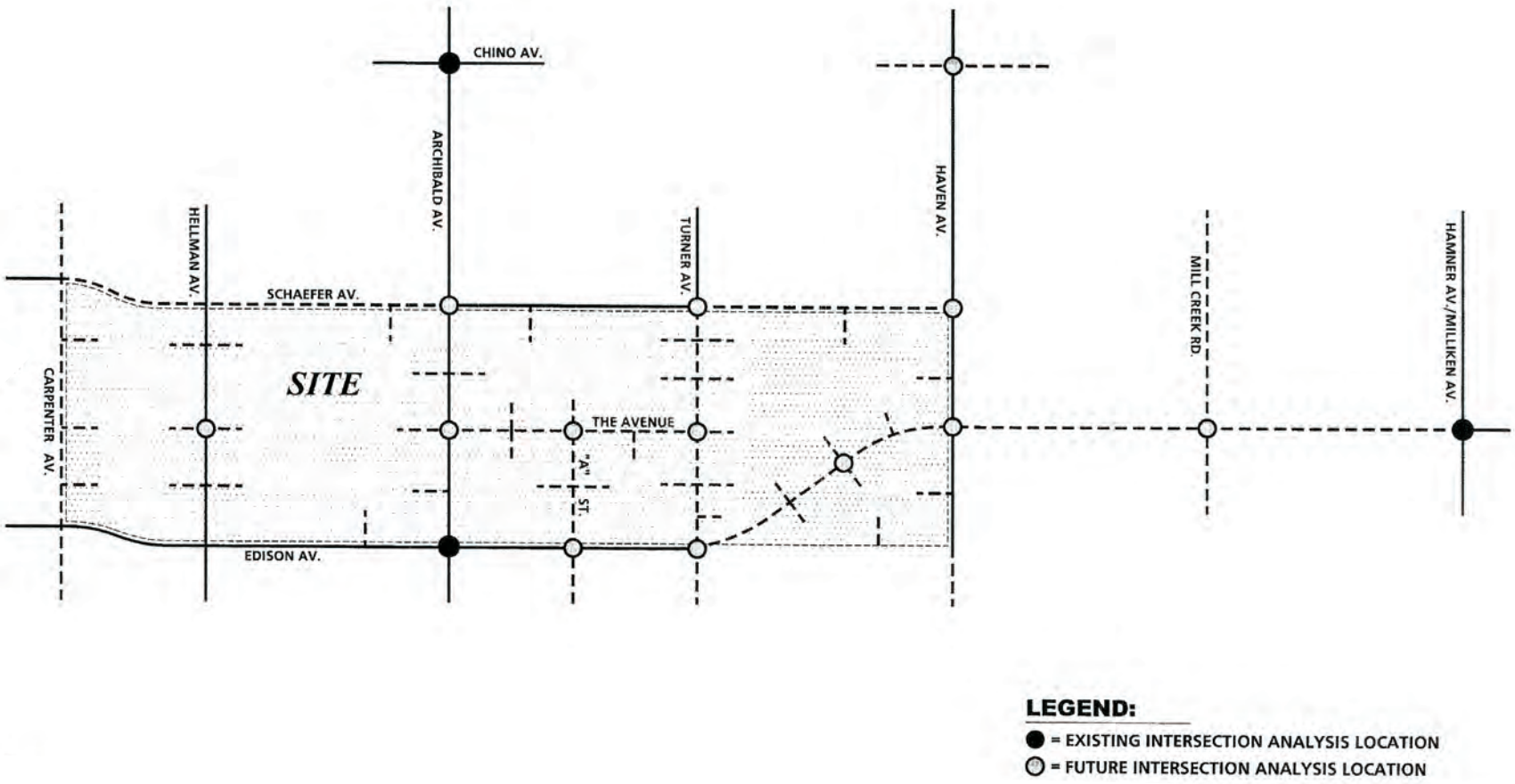
A Traffic Impact Study, prepared by Urban Crossroads, evaluated the existing conditions in the Project area (report included in *Appendix E*). A number of study intersections were included in the traffic analysis. These intersections are listed in *Table 4-12* and are shown on *Figure 4-3*.

Table 4-11 Study Area Intersections

ID #	North/South Street	East/West Street
1	Hellman Avenue	The Avenue—future intersection
2	Archibald Avenue	Chino Avenue—existing intersection
3	Archibald Avenue	Schaefer Avenue—existing intersection with restricted public access
4	Archibald Avenue	The Avenue—future intersection
5	Archibald Avenue	Edison Avenue—existing intersection
6	"A" Street	The Avenue—future intersection
7	"A" Street	Edison Avenue—future intersection
8	Turner Avenue	Schaefer Avenue—future intersection
9	Turner Avenue	The Avenue—future intersection
10	Turner Avenue	Edison Avenue—future intersection
11	Project Driveway	Edison Avenue—future intersection
12	Haven Avenue	Chino Avenue—future intersection
13	Haven Avenue	Schaefer Avenue—future intersection
14	Haven Avenue	Edison Avenue—future intersection
15	Mill Creek Avenue	Edison Avenue—future intersection
16	Hamner (Milliken) Avenue	Edison Avenue—existing intersection

Source: Urban Crossroads

Three of these intersections are existing intersections and thirteen of these are future intersections. Although the intersection of Archibald and Schaefer Avenues currently exists, posted signs indicate that Schaefer Avenue is a private road restricting public access. According to the traffic analysis, the existing study area intersections currently operate at acceptable levels of service (LOS). The City of Ontario has currently established that intersections operating at LOS D or better are considered acceptable. Any intersections operating at LOS E or lower are considered unacceptable.



Source: Urban Crossroads

STUDY AREA INTERSECTIONS

THE AVENUE SPECIFIC PLAN AMENDMENT
SUPPLEMENTAL EIR
2017110400

NOT TO SCALE

Figure 4-3

4.8.4 Thresholds of Significance

According to Appendix G of the State CEQA Guidelines and the City's Initial Study checklist, a project will normally have a significant impact on transportation and traffic if it:

- Causes an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections);
- Exceeds, either individually or cumulatively, a level of service (LOS) standard established by the county congestion management agency for designated roads or highways;
- Results in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks;
- Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment);
- Results in inadequate emergency access;
- Results in inadequate parking capacity; or
- Conflicts with adopted policies, plans, or programs supporting alternative transportation (e.g. bus turnouts, bicycle racks).

4.8.5 Project Impacts

Would the project cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

Would the project exceed, either individually or cumulatively, a level of service (LOS) standard established by the county congestion management agency for designated roads or highways?

Previously Identified Level of Significance

The previously certified FEIR determined that the Project would result in a less than significant impact, with implementation of mitigation measures.

Impact Analysis

A Traffic Impact Study (*Appendix E*) was prepared by Urban Crossroads in order to estimate the impact of the Avenue Specific Plan Amendment, which consists of the addition of 280 residential units and 76,000 square feet of commercial space, on traffic in the area. The increase in residential units and commercial space would add 3,272 trips, 113 in AM peak hour and 279 in the PM peak hour (see *Table 4-13*) resulting in 35,148 total Project trips.

Table 4-12 Project Trip Generation

Project Traffic	Peak Hour						Daily
	AM			PM			
	In	Out	Total	In	Out	Total	
Previous plan traffic	981	1,638	2,618	1,875	1,310	3,185	31,876
Traffic generated by the Avenue Specific Plan Amendment	28	84	113	151	128	279	3,272
Total Project traffic	1,009	1722	2,731	2,026	1,438	3,464	35,148

Source: Urban Crossroads

Traffic conditions were analyzed for the Year 2015, which is the anticipated build out year of the Avenue Specific Plan Amendment, and for the Year 2030 to reflect future conditions. Operations analyses were conducted for existing, Year 2015 and Year 2030. Year 2015 and 2030 were analyzed for two scenarios, with and without Project conditions. The traffic analysis shows that the existing intersections (2, 5, and 16) all currently operate at acceptable levels of service.

For the Year 2015, traffic conditions were analyzed with Project conditions and without Project conditions. The traffic analysis shows that existing intersections 5 and 16 would operate at unacceptable levels of service without improvements for both scenarios, with and without Project conditions. Existing intersection 2 would continue to operate at an acceptable level of service. With improvements (traffic signals, cross stops or roundabouts), all intersections, existing and future, would operate at acceptable levels of service.

For the Year 2030, the traffic analysis shows that existing intersections 5 and 16 would operate at unacceptable levels of service without improvements for both scenarios, with and without Project conditions. Existing intersection 2 would continue to operate at an acceptable level of service. With improvements, all intersections, existing and future, would operate at acceptable levels of service for the Year 2030.

In summary, the addition of 280 residential units and 76,000 square feet of commercial space would not cause a substantial increase in traffic. While the addition of residential units and commercial space would cause some area streets and intersections to operate at unacceptable

levels of service, based on Year 2015 and 2030 analyses with and without Project conditions, all intersections will operate at acceptable levels with mitigation.

The increase in residential units and commercial space along with the previously approved Specific Plan would result in significant impacts regarding traffic in the area. With the suggested roadway improvements, as stated in the previously approved FEIR and the current traffic analysis, the previously approved Specific Plan with the addition of residential units and commercial space, would not result in significant impacts on traffic in the surrounding area. No mitigation beyond what was required in the previously certified FEIR is necessary.

Level of Significance After Mitigation

With implementation of mitigation, the addition of residential units and commercial space to the previously approved Project would have a less than significant impact on area roadways. The Project would; however, contribute to cumulative impacts on the roadway system. These impacts will be evaluated in Section 5.

Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Previously Identified Level of Significance

The previously certified FEIR determined that the Project would not impact air traffic patterns.

Impact Analysis

The addition of residential and commercial space to the Project will not create a substantial safety risk or interfere with air traffic patterns at Ontario International Airport or Chino Airport.

Level of Significance After Mitigation

No mitigation is required and the Project would result in no impact to air traffic patterns.

Would the project substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?

Previously Identified Level of Significance

The previously certified FEIR determined that the Project would have a less than significant impact, with mitigation for design features.

Impact Analysis

The changes to the Project do not preclude the ability to comply with the City's design standards; therefore, the Project will not create a substantial increase in hazards due to a design feature.

Level of Significance After Mitigation

The Project would remain at a less than significant level.

Would the project result in inadequate emergency access?

Previously Identified Level of Significance

The previously certified FEIR determined that there would be no impact with regard to inadequate emergency access to the site.

Impact Analysis

As previously evaluated, the Project will be designed to provide access for all emergency vehicles and will therefore not result in inadequate emergency access. The changes to the Project do not change this conclusion.

Level of Significance After Mitigation

The Project would result in no impacts to emergency access.

Would the project result in inadequate parking capacity?

Previously Identified Level of Significance

The previously certified FEIR determined that the Project would have no impact on parking capacity.

Impact Analysis

The Project is required to meet parking standards established by the Ontario Development Code and will; therefore, any changes made to the Project will be subject to the same standards and the Project will comply with these standards.

Level of Significance After Mitigation

The Project would result in no impact to parking capacity.

Would the project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g. bus turnouts, bicycle racks)?

Previously Identified Level of Significance

The previously certified FEIR determined that the Project would not impact any alternative transportation programs.

Impact Analysis

As previously shown in the FEIR, the Project does not conflict with any transportation policies, plans or programs supporting alternative transportation. The changes to the Project do not change this conclusion.

Level of Significance After Mitigation

The Project would result in no impacts.

4.8.6 Mitigation Measures

NMC Mitigation Measures

No mitigation measures apply.

Previously Approved FEIR Mitigation Measures

T-1—The Project developers shall pay the DIF Program Traffic Funding Contribution consistent with the requirements contained in the DIF program.

T-2—The Project developers shall pay the Additional Fair Share Project Improvement Cost.

T-3—Right-in and right-out only access with appropriate signing on Carpenter Avenue for the intersection of Carpenter Avenue and Schaefer Avenue.

T-4—Construct Carpenter Avenue (half-section improvements) as a Collector from Schaefer Avenue to Edison Avenue.

T-5—Construct Hellman Avenue as Collector from Schaefer Avenue to Edison Avenue.

T-6—Construct Archibald Avenue as a Divided Arterial from Schaefer Avenue to Edison Avenue.

T-7—Construct “A” Street as a Neighborhood entry street (66-feet right-of-way and 36-feet paved travel area) from The Avenue to Edison Avenue.

T-8—Construct Turner Avenue as Collector from Schaefer Avenue to Edison Avenue.

T-9—Construct Haven Avenue (half-section improvements) as a Divided Arterial from the northern Project boundary to the southern Project boundary.

T-10—Construct Schaefer Avenue (full or half-section improvement as appropriate) as a Standard Arterial from the western Project boundary to Edison Avenue.

T-11—Construct The Avenue (118' right-of-way) from Archibald to Turner Avenue.

T-12—Construct Edison Avenue (full or half-section improvements as appropriate) as a Divided Arterial from the western Project boundary to the eastern Project boundary.

T-13—Right-in and right-out only access with the appropriate signing on Carpenter Avenue for the intersection of Carpenter Avenue at Edison Avenue.

T-14—Modify the existing traffic signals at the intersections of Archibald Avenue at Schaefer Avenue and Archibald Avenue at Edison Avenue.

T-15—The applicant shall pay their proportionate share (prior to building permit issuance) for or install (prior to occupancy of any structure), the above transportation improvements needed to serve the Project. The determination of whether the payment of proportionate share or installation of the improvements is required shall be made by the City Engineer at the time of Tentative Tract Map approval. The method for determining proportionate share is identified in the TIS.

T-16—Adequate site distance at the Project driveways shall be provided to meet the minimum City requirements.

Newly Proposed Mitigation Measures

No additional mitigation measures beyond those required in the previously approved FEIR are necessary.

4.9 UTILITIES/SERVICE SYSTEMS

4.9.1 Introduction

Since the certification of the Avenue SP Final EIR, the Project has been revised to include 280 additional units and 76,000 square feet of additional retail/commercial space. These increases will result in additional demand for utility and service systems. As noted in the Initial Study, any additional demand will be evaluated to determine the increase in impacts to utilities and service systems due to the changes in the Project.

4.9.2 Summary of Prior EIR Findings

The previously certified FEIR determined that the Project would not result in any significant impacts on utilities and service systems; however, the Project would result in impacts to solid waste services which would be cumulatively considerable.

4.9.3 Environmental Setting

The Avenue Specific Plan FEIR previously evaluated the environmental setting in terms of utility services.

4.9.4 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, the Project could have a significant impact if it:

- Exceeds wastewater treatment requirements of the applicable Regional Water Quality Control Board;
- Requires or results in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
- Requires or results in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;

In addition, the project could have a significant impact if the following conditions cannot be met:

- Have sufficient water supplies available to serve the project from existing entitlements and resources;
- Result in a determination by the wastewater treatment provider, which serves or may serve the project, that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments;
- Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs; or
- Comply with federal state and local statutes and regulations related to solid waste.

4.9.5 Project Impacts

Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Previously Identified Level of Significance

The previously certified FEIR determined that the Project would result in less than significant impacts with regard to wastewater treatment requirements.

Impact Analysis

As previously evaluated in the FEIR, the proposed Project is served by both the City of Ontario sewer system and Inland Empire Utilities Agency. Wastewater generated by the Project will be treated by the Inland Empire Utilities Agency (under contract with the City) at Regional Plant 5 (RP5). RP5 is a relatively new treatment facility which was designed to replace the aging Regional Plant 2 (RP2). While RP2 will still operate at a limited capacity, all liquid treatment will now occur at the RP5. The previously certified FEIR stated that RP5 would have adequate capacity to serve the entire NMC, of which the Project is a part. The changes to the Project would not change this determination and would not exceed wastewater treatment requirements of the RWQCB.

Level of Significance After Mitigation

The Project would result in a less than significant impact.

Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Previously Identified Level of Significance

The Project was determined to have a less than significant impact on water or wastewater treatment facilities.

Impact Analysis

As previously shown in the FEIR, the proposed Project area is served by both the City of Ontario sewer system and Inland Empire Utilities Agency which has waste treated by the Inland Empire Utilities Agency at Regional Plant 5 (RP5). In order to serve the Project with water or wastewater service, the construction of new facilities, such as water and sewer lines would be necessary. The construction of these facilities would not result in significant environmental impacts. In addition, the previously certified FEIR stated that RP5 would be of adequate capacity to serve the entire NMC, of which the proposed Project is a part.

Level of Significance After Mitigation

The changes to the Project would not result in significant impacts.

Would the project require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Previously Identified Level of Significance

The previously certified FEIR determined the Project would have a less than significant impact on stormwater drainage facilities.

Impact Analysis

As previously discussed in the FEIR, due to the high frequency of flooding and lack of existing storm water drainage facilities in the Project area as outlined in the NMC General Plan (Section 4.7), the construction of new facilities as well as the expansion of existing facilities will be required. It was shown that the construction of these new facilities would not cause significant environmental effects. The changes to the Project will not change this conclusion.

Level of Significance After Mitigation

Project impacts would remain less than significant.

Would the project have sufficient water supplies available to serve the project from existing entitlements and resources?

Previously Identified Level of Significance

The previously certified FEIR determined that the Project would result in a less than significant impact on water supply.

Impact Analysis

The previous FEIR estimated water consumption of the Project using the estimated consumption rate of 19,000 AFY (acre feet per year) for the entire NMC area, divided by the total acreage of the NMC (8,200), which results in a generation factor of 2.3 AFY per acre. Using this factor, the estimated water consumption for the Project site is 1,313.3 AFY (571 acres total Project area x 2.3 AFY/acre = 1,313.3 AFY). The changes in the Project would not add any acreage; therefore, the same estimated water consumption applies for the currently proposed Project.

Additionally, *Table 4-14* shows the water demand of the project based on land use.

Table 4-13 Projected Water Demand at Buildout

Land Use	Area (Acres)	Generation Factor (GPD/Acre)	Total Demand (GPD)
Previous Plan			
Low Density Residential	470	3,982	1,871,540
Medium Density Residential	10	4,248	42,480
Schools	30	2,600	78,000
Commercial	30	2,495	63,623
Total	**540**		**2,055,643**
Current Proposed Project			
Low Density Residential	437	3,982	1,740,134
Medium Density Residential	49	4,248	208,152
Schools	30	2,600	78,000
Commercial	24	2,495	50,898
Total	**540**		**2,077,184**
Difference Between Previous Plan and Current Proposed Project			**21,542**
GPD=gallons per day			
Source: Stantec Consulting, Nov. 2008			

According to the table above, the proposed Project would result in an increase in water demand of 21,542 gallons per day over the currently approved plan. This is a 1% increase and would not constitute a significant increase in demand over the currently approved plan.

With regard to reclaimed water usage, the previous FEIR stated that according to the NMC General Plan, of which the Project is a part, an excess of reclaimed water production from wastewater treatment plants exists. Since the Project is a part of the NMC General Plan, less than significant impacts would result from the proposed demand for reclaimed water use on the Project site. The changes in the Project would not change this determination.

Level of Significance After Mitigation

The Project would have a less than significant impact with regard to water supplies.

Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project, that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?

Previously Identified Level of Significance

The previously approved Project was determined to have a less than significant impact with regard to wastewater capacity.

Impact Analysis

The City has a contractual agreement with the Inland Empire Utilities Agency (IEUA) to provide wastewater services to the City. As shown in *Table 4-15* below, the addition of residential and commercial space to the previously approved Project would increase wastewater services demand.

Table 4-14 Projected Wastewater Services Demand at Buildout

Land Use	Units	Generation Factor	Total Demand (GPD)
Previous Plan			
Residential	2,326 DU	270 GPD/DU	628,020
Commercial	30 AC	3,000 GPD/DU	90,000
Schools	30 AC	4,000 GPD/DU	120,000
Total			**838,020**
Current Proposed Project			
Residential	2,606 DU	270 GPD/DU	703,620
Commercial	25.5 AC	3,000 GPD/DU	76,500
Schools	30 AC	4,000 GPD/DU	120,000
Total			**900,120**
Difference Between Previous Plan and Current Proposed Project			**62,100**
DU=Dwelling Unit GPD=gallons per day		AC=acres	
Source: The Avenue Specific Plan FEIR 2006			

Based on the table above, the average dry weather sewer flow from The Avenue will increase 62,100 gpd, or 0.062 million gallons per day (mgd), above the currently approved plan. Baseline sewer flows into the Eastern Trunk Sewer, which is the main trunk sewer which would serve the Project, are calculated at 14.92 mgd just south of Edison Avenue, per the Sewer Master Plan dated February 2006. An increase of 0.062 mgd from The Avenue Specific Plan Amendment will result in 14.98 mgd in this reach of the Eastern Trunk Sewer.

The City of Ontario and IEUA entered into a Letter of Agreement on May 16, 2005 that allocated the amount of sewer flows within the Eastern Trunk Sewer that are allowed by the City and IEUA. Per the 2005 letter, the City allocation of flows is 6.26 mgd and the IEUA allocation is 9.00 mgd resulting in a total of 15.26 mgd of flows allocated to the Eastern Trunk Sewer. The flows from proposed Project would result in 5.98 mgd City allocated flows and 9.00 mgd IEUA allocated flows for a total of 14.98 mgd. Based on these calculations, there is sufficient capacity in the Eastern Trunk Sewer to accommodate the proposed increased land use density of the proposed Project.

Additionally, the previous FEIR states that the existing wastewater treatment system has the capacity to accept the projected wastewater flows from the entire NMC. Since the proposed

Project is a part of the NMC and has been planned for in the NMC General Plan, less than significant impacts would result from Project implementation.

Level of Significance After Mitigation

The Project would result in less than significant impacts.

Would the project be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?

Previously Identified Level of Significance

The previously certified FEIR determined that the Project would have a less than significant impact with regard to solid waste disposal, but would be cumulatively considerable.

Impact Analysis

The City of Ontario provides its own solid waste services to the City. The City has included the New Model Colony area for waste hauling services. Since the Project is in the New Model Colony area, it would have waste hauling services provided by the City. The previously certified FEIR determined that the nearest landfill to serve the Project area, West Valley Materials Recovery Facility (MRF), would have sufficient capacity to serve the Project's solid waste demand. The additions to the previously approved Project would result in an increase of roughly 2 tons per day as shown in *Table 4-16*. The West Valley MRF is a fully permitted facility with a capacity of 5,000 tons per day. The additional estimated solid waste generated from the currently proposed Project would not exceed this capacity and the landfill would be able to accommodate the Project's solid waste disposal needs.

Table 4-15 Projected Daily Solid Waste Generation

Land Use	Units	Generation Factor	Total Demand (TPD)
Previous Plan			
Residential	2,326 DU	12.23 lbs/DU/day	14.22
Schools	1,306,800 SF (30 AC)	5 lbs/1,000 SF/day	3.26
Community Commercial	174,000 SF	5 lbs/1,000 SF/day	0.44
Total			**17.92**
Current Proposed Project			
Residential	2,606 DU	12.23 lbs/DU/day	15.94
Schools	1,306,800 SF (30 AC)	5 lbs/1,000 SF/day	3.26
Community Commercial	250,000 SF	5 lbs/1,000 SF/day	0.63
Total			**19.83**
DU=Dwelling Unit SF=Square Feet lbs=pounds	AC=acres TPD=tons per day		
Source: The Avenue Specific Plan FEIR 2006			

In addition to the estimated solid waste that would be generated from the proposed Project, it is anticipated that existing improvements on the Project site would be demolished. Demolition waste debris has been specifically targeted by the State for diversion from the waste stream. Mandatory compliance with Section 6.3 of the City's Municipal Code would conform to State diversion laws and reduce the amount of demolition waste entering landfills. Section 6.3 also addresses construction waste and requires a construction and demolition waste plan to be prepared. Section 6.3 requires at least 50% of construction and demolition waste to be diverted from landfill to recycling or reuse operations. The Project will comply with Section 6.3 of the City's Municipal Code; therefore, demolition and construction debris resulting from the proposed Project would result in less than significant direct impacts regarding solid waste. The Project would also participate in residential recycling programs in accordance with Section 6.3 of the City's Municipal Code, reducing the amount of solid waste being disposed of in landfills. The City also offers composting workshops for residents and a household hazardous waste program for residents to dispose of their hazardous waste including paints, batteries, or pesticides.

Level of Significance After Mitigation

The Project would result in a less than significant impact on landfill capacity. The Project would still result in cumulatively considerable impacts on landfill capacity. These impacts will be discussed in Section 5 of this document.

Would the project comply with federal state and local statutes and regulations related to solid waste?

Previously Identified Level of Significance

The previously certified FEIR determined that the Project would have no impact.

Impact Analysis

As previously evaluated, this Project complies with federal, state, and local statutes and regulations regarding solid waste. The changes to the Project do not change this conclusion.

Level of Significance After Mitigation

The Project would result in no impact.

Energy Consumption

Previously Identified Level of Significance

The previously certified FEIR determined the Project would have a less than significant impact with regard to energy consumption.

Impact Analysis

The Project area is served by Southern California Edison (SCE) for electrical service and Southern California Gas Company (SCGC) for natural gas service. As previously discussed in the FEIR, the Project would convert the area from predominantly agricultural uses to urban uses that would increase the demand for energy services, such as electricity and natural gas. The following tables show the demand for the Project under the previously approved plan and for the Specific Plan Amendment.

Table 4-16 Projected Annual Electrical Demand

Land Use	Units	Generation Factor	Total Demand (Million KWH/Yr)
Previous Plan			
Residential	2,326 DU	5,526.5 KWH/DU/Yr	12.9
Schools	1,306,800 SF	5,840 KWH/SF/Yr	7.6
Community Commercial	174,000 SF	13.55 KWH/SF/Yr	2.4
Total			**22.9**
Currently Proposed Project			
Residential	2,606 DU	5,526.5 KWH/DU/Yr	14.4
Schools	1,306,800 SF	5,840 KWH/SF/Yr	7.6
Community Commercial	250,000 SF	13.55 KWH/SF/Yr	3.4
Total			**25.4**
KWH/Yr = Kilowatt Hours per Year DU = Dwelling Unit SF = Square Feet			
Source: The Avenue Specific Plan FEIR 2006			

Table 4-17 Projected Annual Natural Gas Demand

Land Use	Units	Generation Factor	Total Demand (Million CF/day/Yr)
Previous Plan			
Residential	2,326 DU	219.1 CF/day/DU	186.01
Schools	1,306,800 SF	110 CF/day/1,000 SF	52.47
Community Commercial	174,000 SF	110 CF/day/1,000 SF	6.99
Total			**245.47**
Currently Proposed Project			
Residential	2,606 DU	219.1 CF/day/DU	208.40
Schools	1,306,800 SF	110 CF/day/1,000 SF	52.47
Community Commercial	250,000 SF	110 CF/day/1,000 SF	10.00
Total			**270.87**
CF/day/Yr = Cubic Feet per day per Year DU = Dwelling Unit SF = Square Feet			
Source: The Avenue Specific Plan FEIR 2006			

As shown above, the additional residential units and commercial space proposed by the Avenue Specific Plan Amendment would increase demand for electrical and natural gas services. The NMC General Plan EIR evaluated the energy demand as a result of implementation of the NMC General Plan. Since the Project was included in the NMC General Plan, implementation of the proposed Project would not result in significant impacts on energy demand. To further reduce Project impacts on energy demand, the Project would be designed to incorporate energy efficient appliances and other energy saving techniques as required by the electrical and natural gas utility agencies. Additionally, Mitigation Measures AQ-17 and AQ-21 shall be implemented and will reduce Project impacts on energy demand.

With regard to renewable energy sources, SCE leads the nation in renewable energy delivery, procuring about 12.5 billion kilowatt-hours of renewable energy in 2007, more than any U.S. utility. In 2007, renewable energy constituted about 16 percent of SCE's total energy portfolio. SCE currently has sufficient contracts in place that, when delivering, will meet or exceed 20 percent or more of its customers' energy needs with renewable energy (SCE website, http://www.sce.com/feature/default.htm?from=mediawindow).

SCGC invests over $7 million each year on research, development and demonstration of new and emerging clean, energy-efficient technologies with the goal of bringing these technologies to their residential, commercial and industrial customers. Currently SCGC recycles and refurbishes old gas meters and PC to be used again. SCGC also offers incentives to customers to encourage energy conservation (SCGC website, http://www.socalgas.com/environment/index.html).

Level of Significance After Mitigation

Project impacts would remain less than significant.

4.9.6 Mitigation Measures

NMC Mitigation Measures

No mitigation measures apply.

Previously Approved FEIR Mitigation Measures

No feasible mitigation measures were found.

Newly Proposed Mitigation Measures

Mitigation Measures AQ-17 and AQ-21 will reduce the Project's impact on energy consumption.