

# The Avenue Specific Plan Amendment Draft Supplemental Environmental Impact Report State Clearinghouse #2005071109



**LEGEND**

- |                            |                      |
|----------------------------|----------------------|
| LOW DENSITY RESIDENTIAL    | PARK                 |
| MEDIUM DENSITY RESIDENTIAL | SCE EASEMENT         |
| RETAIL                     | STORM DRAIN EASEMENT |
| SCHOOL                     |                      |



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# The Avenue Specific Plan Amendment Supplemental Environmental Impact Report

## Table of Contents

---

<b>1.0 INTRODUCTION .....</b>	<b>1-1</b>
1.1 PURPOSE OF THE SUPPLEMENTAL EIR .....	1-1
1.2 EXPLANATION OF DECISION TO PREPARE A SUPPLEMENTAL EIR .....	1-2
1.2.1 Supplemental EIR Analysis.....	1-2
1.3 SCOPE AND FOCUS .....	1-3
1.3.1 Environmental Issues Analyzed in the SEIR.....	1-3
1.3.2 Technical Studies.....	1-3
1.3.3 Organization of the SEIR .....	1-4
1.3.4 Agencies that will use this SEIR .....	1-4
1.4 ITEMS INCLUDED IN THIS SEIR .....	1-4
1.5 CEQA PROCESS .....	1-5
1.5.1 Lead agency and Contact Persons.....	1-5
1.5.2 Definitions Used in the SEIR.....	1-5
1.5.3 CEQA Process.....	1-6

---

<b>2.0 EXECUTIVE SUMMARY .....</b>	<b>2-1</b>
2.1 PROPOSED PROJECT.....	2-1
2.1.1 Project Location .....	2-1
2.1.2 Project Background/Existing Conditions .....	2-1
2.1.3 Project Characteristics .....	2-1
2.1.4 Project Objectives .....	2-4
2.2 AREAS OF CONROVERSY/ISSUES TO BE RESOLVED.....	2-6
2.3 SUMMARY OF ALTERNATIVES.....	2-6
2.4 SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES .....	2-6
2.5 CONCLUSIONS.....	2-28

---

<b>3.0 PROJECT DESCRIPTION .....</b>	<b>3-1</b>
3.1 PROJECT BACKGROUND .....	3-1
3.2 PROJECT LOCATION.....	3-5
3.3 ENVIRONMENTAL SETTING .....	3-5
3.4 PROJECT OBJECTIVES AND CHARACTERISTICS .....	3-5
3.5 INTENDED USES OF THE SEIR .....	3-5
3.6 INCORPORATION BY REFERENCE.....	3-6

---

<b>4.0 ISSUES REQUIRING CHANGES TO THE PRIOR EIR.....</b>	<b>4-1</b>
4.1 AIR QUALITY.....	4-1
4.1.1 Introduction .....	4-1
4.1.2 Summary of Prior FEIR Findings .....	4-1
4.1.3 Environmental Setting.....	4-1

4.1.4	Thresholds of Significance .....	4-6
4.1.5	Project Impacts .....	4-7
4.1.6	Mitigation Measures .....	4-15
4.2	BIOLOGICAL RESOURCES .....	4-19
4.2.1	Introduction .....	4-19
4.2.2	Summary of Prior FEIR Findings .....	4-19
4.2.3	Environmental Setting .....	4-20
4.2.4	Thresholds of Significance .....	4-20
4.2.5	Project Impacts .....	4-21
4.2.6	Mitigation Measures .....	4-24
4.3	LAND USE AND PLANNING .....	4-26
4.3.1	Introduction .....	4-26
4.3.2	Summary of Prior EIR Findings .....	4-26
4.3.3	Environmental Setting .....	4-26
4.3.4	Thresholds of Significance .....	4-26
4.3.5	Project Impacts .....	4-27
4.3.6	Mitigation Measures .....	4-29
4.4	NOISE .....	4-29
4.4.1	Introduction .....	4-29
4.4.2	Summary of Prior EIR Findings .....	4-29
4.4.3	Environmental Setting .....	4-30
4.4.4	Thresholds of Significance .....	4-32
4.4.5	Project Impacts .....	4-32
4.4.6	Mitigation Measures .....	4-37
4.5	POPULATION AND HOUSING .....	4-39
4.5.1	Introduction .....	4-39
4.5.2	Summary of Prior EIR Findings .....	4-39
4.5.3	Environmental Setting .....	4-39
4.5.4	Thresholds of Significance .....	4-40
4.5.5	Project Impacts .....	4-40
4.5.6	Mitigation Measures .....	4-42
4.6	PUBLIC SERVICES .....	4-42
4.6.1	Introduction .....	4-42
4.6.2	Summary of Prior EIR Findings .....	4-42
4.6.3	Environmental Setting .....	4-42
4.6.4	Thresholds of Significance .....	4-42
4.6.5	Project Impacts .....	4-43
4.6.6	Mitigation Measures .....	4-46
4.7	RECREATION .....	4-47
4.7.1	Introduction .....	4-47
4.7.2	Summary of Prior EIR Findings .....	4-47
4.7.3	Environmental Setting .....	4-48
4.7.4	Thresholds of Significance .....	4-48
4.7.5	Project Impacts .....	4-48
4.7.6	Mitigation Measures .....	4-49
4.8	TRANSPORTATION AND TRAFFIC .....	4-49
4.8.1	Introduction .....	4-49
4.8.2	Summary of Prior EIR Findings .....	4-50
4.8.3	Environmental Setting .....	4-50

4.8.4	Thresholds of Significance .....	4-52
4.8.5	Project Impacts .....	4-52
4.8.6	Mitigation Measures.....	4-56
4.9	UTILITIES/SERVICE SYSTEMS .....	4-57
4.9.1	Introduction .....	4-57
4.9.2	Summary of Prior EIR Findings .....	4-58
4.9.3	Environmental Setting.....	4-58
4.9.4	Thresholds of Significance.....	4-58
4.9.5	Project Impacts .....	4-59
4.9.6	Mitigation Measures.....	4-66

---

**5.0 CUMULATIVE IMPACTS .....5-1**

5.1	CUMULATIVE IMPACT ANALYSIS.....	5-3
5.1.1	Air Quality .....	5-3
5.1.2	Biological Resources .....	5-13
5.1.3	Land Use and Planning.....	5-13
5.1.4	Noise.....	5-13
5.1.5	Population and Housing.....	5-15
5.1.6	Public Services .....	5-15
5.1.7	Recreation.....	5-15
5.1.8	Transportation and Traffic.....	5-15
5.1.9	Utilities and Service Systems.....	5-16

---

**6.0 IMPACTS FOUND TO HAVE NO SUBSTANTIAL CHANGE FROM THE PREVIOUS ANALYSIS.....6-1**

6.1	AESTHETICS .....	6-1
6.2	AGRICULTURAL RESOURCES .....	6-1
6.3	CULTURAL RESOURCES .....	6-1
6.4	GEOLOGY/SOILS .....	6-1
6.5	HAZARDS AND HAZARDOUS MATERIALS .....	6-2
6.6	HYDROLOGY/WATER QUALITY.....	6-2
6.7	MINERAL RESOURCES .....	6-3

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**7.0 MANDATORY CEQA TOPICS.....7-1**

7.1	SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS .....	7-1
7.1.1	Agricultural Resources.....	7-1
7.1.2	Air Quality .....	7-1
7.1.3	Hydrology/Water Quality .....	7-2
7.1.4	Noise.....	7-2
7.1.5	Transportation/Circulation.....	7-2
7.1.6	Utilities/Service Systems.....	7-2
7.2	IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES .....	7-2
7.3	GROWTH-INDUCING IMPACTS.....	7-3

---

**8.0 ALTERNATIVES .....8-1**

8.1	SUMMARY OF PROJECT OBJECTIVES .....	8-1
8.2	ALTERNATIVES ANALYSIS .....	8-1

8.2.1	No Project Alternative .....	8-2
8.2.2	Reduced Residential Density Alternative.....	8-2
8.2.3	Increased Residential Density and No Retail Alternative.....	8-2
8.3	ENVIRONMENTALLY SUPERIOR ALTERNATIVE .....	8-2

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**9.0 REFERENCES ..... 9-1**

**10.0 ORGANIZATIONS AND PERSONS CONTACTED ..... 10-1**

10.1	AGENCIES .....	10-1
10.2	PRIVATE INDIVIDUALS OR ORGANIZATIONS.....	10-1
10.3	EIR PREPARATION PERSONNEL .....	10-1
10.4	TECHNICAL SUBCONSULTANTS .....	10-1

**LIST OF FIGURES**

Figure 2-1	Regional Map .....	2-2
Figure 2-2	Vicinity Map .....	2-3
Figure 3-1	Land Use Plan .....	3-2
Figure 4-1	Ambient Air Quality Standards .....	4-3
Figure 4-2	Air Quality Monitoring Stations .....	4-5
Figure 4-3	Study Area Intersections .....	4-51

**LIST OF TABLES**

Table 2-1	Summary of Environmental Impacts and Mitigation Measures.....	2-6
Table 3-1	Existing Land Uses .....	3-3
Table 3-2	Proposed Land Uses .....	3-4
Table 4-1	Attainment Designations for SCAB.....	4-2
Table 4-2	Project Air Quality Monitoring Summary 2005-2007.....	4-4
Table 4-3	SCAQMD Significance Thresholds.....	4-6
Table 4-4	Expected Emissions from Construction Activities with Mitigation (pounds per day).....	4-10
Table 4-5	Expected Emissions from the Operational Phase (pounds per day) .....	4-11
Table 4-6	2015 With Project Conditions CO Hotspot Levels .....	4-13
Table 4-7	Noise Measurement Locations .....	4-30
Table 4-8	Maximum Exterior Noise Levels .....	4-31
Table 4-9	Year 2015 Off-site Traffic Noise Impacts.....	4-33
Table 4-10	School Generation Rates and Totals.....	4-45
Table 4-11	Study Area Intersections.....	4-50
Table 4-12	Project Trip Generation.....	4-53
Table 4-13	Projected Water Demand at Buildout .....	4-61
Table 4-14	Projected Wastewater Services Demand at Buildout .....	4-62
Table 4-15	Projected Daily Solid Waste Generation.....	4-63
Table 4-16	Projected Annual Electrical Demand .....	4-65
Table 4-17	Projected Annual Natural Gas Demand.....	4-65
Table 5-1	List of Related Projects.....	5-1
Table 5-2	California Greenhouse Gas Emissions (Tg CO2 Equivalents) .....	5-5
Table 5-3	Global Warming Potential Values and Atmospheric Lifetimes.....	5-6

Table 5-4 Construction Greenhouse Gas Emissions .....5-6  
Table 5-5 Operational Greenhouse Gas Emissions (metric tons per year) .....5-7  
Table 5-6 Project Compliance with Applicable 2006 CAT Report Greenhouse Gas Emissions  
Reduction Strategies .....5-9  
Table 5-7 Year 2030 Cumulative Off-site Traffic Noise Levels .....5-14

**LIST OF APPENDICES (Under Separate Cover)**

Appendix A NOP and Comment Letters  
Appendix B-1 The Avenue Specific Plan Amendment Air Quality Impact Analysis  
Appendix B-2 The Avenue Specific Plan Greenhouse Gas Emissions Evaluation  
Appendix C Biological Technical Report, The Avenue—Brookfield Properties  
Appendix D The Avenue Specific Plan Amendment Noise Analysis  
Appendix E The Avenue Specific Plan Amendment Traffic Impact Study

## **1.0 Introduction**

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### **1.1 PURPOSE OF THE SUPPLEMENTAL EIR**

This Draft Supplemental Environmental Impact Report (SEIR) has been prepared in accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines to evaluate the potential environmental impacts associated with the construction of 2,606 residences, 250,000 square feet of commercial space, and two schools on 569.4 acres within the New Model Colony General Plan area of the City of Ontario, California (Project). The Project includes a Specific Plan Amendment and a General Plan Amendment.

This Draft SEIR has been prepared in accordance with CEQA, California Public Resources Code (PRC) Section 21000 et seq., and the rules, regulations, and procedures for implementing CEQA as adopted by the City. This Draft SEIR provides supplemental environmental review of the Project and actions related to the development of the Project site, as described in Section 3, Project Description, which is being considered by the City and decision makers in other agencies. The analysis in this Draft SEIR is intended to supplement the analysis presented in the previously certified FEIR and covers environmental issues which are specific to the Project and Project site. The conclusions and recommendations in the previously certified FEIR which apply to the Project and Project site are identified and referenced. This Draft SEIR is intended to serve as an informational document, which is supplemental to the previously certified FEIR, for public agency decision-makers and the public regarding the environmental impacts from implementation of the objectives and components of the Project. This document will address the potential or probably significant adverse environmental impacts that may be associated with the Project and related actions as well as identify feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts. This Draft SEIR considers a series of actions needed to achieve the implementation of the Project.

Approval of the Project requires discretionary approval by the City of Ontario, and the City is the Lead Agency for the Project. According to the CEQA Guidelines, a discretionary action or project must be reviewed by the Lead Agency to determine its potential effects on the environment. The City of Ontario is responsible for ensuring that the CEQA document has been prepared in conformance with the PRC, Section 21000 et seq.; the CCR Title 14, Section 15000 et seq.; and the rules, regulation, and procedures for implementing CEQA as adopted by the City.



**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Introduction

December 22, 2008

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**1.2 EXPLANATION OF DECISION TO PREPARE A SUPPLEMENTAL EIR**

**1.2.1 Supplemental EIR Analysis**

Supplemental environmental review is a method of CEQA analysis where only minor additions or changes in a previously certified FEIR can be made so that the previous FEIR can be used in the decision-making process to approve proposed revisions to a Project. The CEQA Guidelines Section 15163 explains that a supplement to an EIR is still subject to the same public notice, review, and circulation requirements of a full EIR, and is characterized by the following:

- A SEIR augments a previously certified FEIR to address the fact that new information is now available and was not available at the time the FEIR was certified, as described in Section 15163 of the CEQA Guidelines, and to examine mitigation measures and project alternatives accordingly.
- A SEIR need only contain the information necessary to make the previous EIR adequate for the project as revised.

In contrast, a subsequent EIR is required when: substantial changes are proposed in the project which require major revisions of the previous FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; new information is available which was not known and could not have been known with the exercise of reasonable diligence at the time of certification of the previous FEIR; and/or new mitigation is available that could reduce previously significant impacts.

Per the CEQA Guidelines, Section 15163, the Lead Agency (the City of Ontario) has chosen to prepare a supplement to the Final EIR based on the following:

- The project requires additional discretionary approval by the Lead Agency for the Specific Plan Amendment and the General Plan Amendment.
- The changes in the project description have the potential to change the evaluation of the impacts by the project to the following:
  - Air Quality Impacts
  - Biological Resources
  - Land Use/Planning
  - Noise
  - Population and Housing
  - Public Services
  - Recreation
  - Transportation/Traffic
  - Utilities/Service Systems

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Introduction

December 22, 2008

---

- Only minor additions or changes are necessary to make the previous FEIR adequate to apply to the project and the proposed changes.

### **1.3 SCOPE AND FOCUS**

The scope of this SEIR is based on information in the previously approved Avenue Specific Plan FEIR.

#### **1.3.1 Environmental Issues Analyzed in the SEIR**

Based on analysis in the Initial Study and comment letters received in response to the NOP, the City determined that the following environmental issues would be further analyzed in the SEIR:

- Air Quality
- Biological Resources
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities and Service Systems

Detailed analyses of the revised Project's potential impacts to the environmental resources mentioned above are provided in Section 4 of this document. All remaining CEQA Topics are sufficiently evaluated in the previous FEIR, which has been incorporated by reference and is available for review at the office of the Lead Agency listed in Section 1.5.1. The Project changes do not warrant additional evaluation.

#### **1.3.2 Technical Studies**

A series of revised technical studies have been completed for the revised Project. These studies support the environmental analysis in Section 4 and cover the following issues:

- Air Quality
- Biological Resources
- Noise
- Transportation/Traffic

These reports are referenced in Section 9. Copies of each technical report are provided in the Appendices.

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Introduction

December 22, 2008

---

**1.3.3 Organization of the SEIR**

This section contains an introduction to the regulatory environment and a brief history of the proposed Project. The remainder of the SEIR is organized as follows:

- Section 2.0 – Executive Summary
- Section 3.0 – Project Description
- Section 4.0 – Issues Requiring Changes to the Prior EIR
- Section 5.0 – Cumulative Impacts
- Section 6.0 – Impacts Found to Have No Substantial Change from the Previous Analysis
- Section 7.0 Mandatory CEQA Topics
- Section 8.0 Alternatives
- Section 9.0 References
- Section 10.0 Organizations and Persons Consulted

**1.3.4 Agencies that will use this SEIR**

Project approvals will include compliance with the National Pollution Discharge Elimination System (NPDES) process: Storm Water Pollution Prevention Plan (SWPPP) and a Project Specific Water Quality Management Plan (WQMP) from the Regional Water Quality Control Board or the State Water Control Board; various permits as needed from the South Coast Air Quality Management District (SCAQMD); and various permits and approvals from the City. It is anticipated that the following agencies, in addition to the City of Ontario, will use this EIR while reviewing potential Project permits, entitlements, and other actions as discussed above:

- California Public Utilities Commission
- County of San Bernardino Department of Public Health Division of Environmental Health Services.
- County of San Bernardino Department of Public Works – Flood Control District
- Mountain View School District
- Santa Ana Regional Water Quality Control Board
- State Water Resources Control Board
- South Coast Air Quality Management District

**1.4 ITEMS INCLUDED IN THIS SEIR**

This SEIR is meant to contain only that information necessary to make the previously certified FEIR adequate for the project as revised per the CEQA Guidelines Section 15163. The previous FEIR is hereby incorporated by reference as well as the New Model Colony EIR, pursuant to CEQA Guidelines Section 15150. These documents are available for review at the office of the Lead Agency listed in 1.5.1, below.

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Introduction  
December 22, 2008

---

This SEIR will be used by the City as the Lead Agency to assess the potential environmental impacts associated with the implementation of the Project as revised.

**1.5 CEQA PROCESS**

**1.5.1 Lead agency and Contact Persons**

The City of Ontario will continue to serve as the Lead Agency. According to Section 15084 of the CEQA Guidelines, the SEIR shall be prepared directly by or under contract to the Lead Agency. The City has contracted with Stantec Consulting, Inc. (Stantec) to prepare this SEIR. The SEIR will be distributed to agencies, organization, and interested parties to provide the opportunity to comment on the document during the 45-day public review period. Written comments on this Draft SEIR should be addressed to:

City of Ontario  
Planning Department  
303 East "B" Street  
Ontario, CA 91764  
Contact: Mr. Richard Ayala, Senior Planner  
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Key contact persons for the Project Sponsor and Environmental Consultant (Stantec) are:

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**1.5.2 Definitions Used in the SEIR**

The definitions set forth in the previously certified FEIR are incorporated by reference. No additions are necessary.

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Introduction

December 22, 2008

---

**1.5.3 CEQA Process**

As previously stated, the purpose of the SEIR is to evaluate any environmental impacts that are potentially changed from the previously certified FEIR due to the revision of the project description.

The City previously circulated a Notice of Preparation (NOP) for The Avenue Specific Plan Amendment (SCH 2005071109) for which the public review period ended July 17, 2008. During the 30-day public review period (required by Public Resources Code Section 21080.4 and CEQA Guidelines Section 15082), the City received comment letters from the following agencies:

- County of San Bernardino, Department of Public Works: waste generation
- South Coast Air Quality Management District: potential air quality impacts
- Native American Heritage Commission: cultural resources and SB-18 notification of local tribes
- City of Fontana
- California Department of Fish and Game
- California Department of Toxic Substances Control

Comments from these agencies have been addressed in this SEIR and the comment letters are included in *Appendix A* along with a copy of the distributed NOP and Initial Study.

This Draft SEIR will be circulated for a 45-day public review period (CEQA Guidelines Section 15105). Per Section 15088 of the CEQA Guidelines, after receiving all public comments, the City will prepare written responses and include them in the Final SEIR.

## **2.0 Executive Summary**

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This Supplemental Environmental Impact Report (SEIR) has been prepared to inform decision-makers and the public of the potentially significant environmental effects associated with the proposed project as revised.

This SEIR has been prepared pursuant to CEQA (California Public Resources Code, Sections 21000 et seq.), the State CEQA Guidelines (California Code of Regulations, Sections 15000 et seq.), and City of Ontario's local guidelines for implementing CEQA.

### **2.1 PROPOSED PROJECT**

#### **2.1.1 Project Location**

The Project is located within the City of Ontario in San Bernardino County, California. The Project is approximately 2 miles south of Interstate 60 (I-60), in the general area north of Edison Avenue, south of Schaefer Avenue, east of Carpenter Avenue, and west of Haven Avenue. This area, which is shown in *Figures 2-1* and *2-2*, is referred to as the "Project Site" in this SEIR.

#### **2.1.2 Project Background/Existing Conditions**

The Project site is located within the New Model Colony (NMC) for which the City adopted the NMC General Plan and certified a program-level EIR for the NMC annexation for approximately 8,200 acres in the area formerly known as the San Bernardino Agricultural Preserve. At build-out, the NMC is anticipated to include up to 31,200 dwelling units, approximately 5.5 million square feet of commercial uses, approximately 5.2 million square feet of industrial and business park uses, approximately 500 acres for educational facilities (elementary, middle and high schools), approximately 900 acres of parks and trails and nearly 800 acres of public and infrastructure uses.

Existing land uses on the Project site consist of dairies, cultivated fields, poultry farms, the Cucamonga Creek Channel, a Southern California Edison (SCE) electrical substation, SCE owned above ground electrical transmission lines and distribution lines, and approximately 15 single family homes.

#### **2.1.3 Project Characteristics**

The proposed Project consists of an Amendment to the Avenue Specific Plan in addition to the components listed in the previously certified FEIR. The Amendment to the Specific Plan proposes a realignment of Schaefer Avenue, the addition of 280 residential units and 76,000 square feet of commercial space.









**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Executive Summary  
December 22, 2008

---

Additionally, less single family and more multi family residences are planned, thus creating a better mix of single and multi family housing types. This addition of residential units and commercial space would bring the total number of residential units to 2,606 and amount of commercial space to 250,000 square feet for the entire Specific Plan.

**2.1.4 Project Objectives**

The Amendment to the Avenue Specific Plan does not propose any additional Project objectives above those stated in the previously certified FEIR. Those objectives are listed below.

- Accommodate development in accordance with the organizational principles and standards contained in the New Model Colony (NMC) General Plan as implemented through subsequent detailed specific plans as set forth in the NMC General Plan.
- Foster a cohesive and distinctively identifiable mixed use community that integrates a diversity of residential neighborhoods, regional centers, industrial and business parks, and open spaces.
- Accommodate a diversity of high quality housing to support residential needs and the development of neighborhood centers that shall serve as the focal point of neighborhood identity activity, and celebration.
- Promote a diversity of retail, office, entertainment, housing, cultural, public and similar uses that serve the geographical areas covered by the NMC and which are integrated in a highly active pedestrian oriented environment.
- Provide for a transportation system that meets the future mobility needs of the NMC ensuring that the NMC transportation infrastructure will adequately serve local and regional trips.
- Provide for the portion of the phased backbone transportation infrastructure envisioned in the NMC General Plan for this subarea and to augment the City's existing comprehensive City-wide traffic model to include the Project Site.
- Provide a supply of developable residential housing opportunities to accommodate the amount and type of projected household and job growth forecast to occur within the City.
- Provide housing opportunities for groups of special needs and for all people and to develop a project that responds well to market demand and meets a range of housing types and affordability.
- Maximize single-family detached housing opportunities to assist the City in providing housing units in sufficient quantities to meet anticipated demand and the City's regional housing allocation requirements.

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Executive Summary  
December 22, 2008

---

In addition to the foregoing, the Project objectives also include the following,

Residential Areas

- Provide for the connectivity between residential neighborhoods and adjacent commercial retail land uses, as well as to the elementary and middle schools, by means of pedestrian and bicycle trail linkage along spine street and a trail incorporated into the Southern California Edison easement and Cucamonga Creek
- Plan residential neighborhoods around a series of neighborhood parks and open space areas, promoting outdoor activity and casual social interaction among neighbors
- Create strong architectural and functional relationships between residential and school site areas
- Create an effective system and hierarchy of parks, providing for active and passive recreational opportunities
- Provide for connectivity between residential neighborhood and recreational areas through a network of pedestrian sidewalks and on- and off-street bicycle trails
- Create residential neighborhoods with diverse architectural styles and design elements reflecting the characteristics of older established Ontario neighborhoods
- Plan for seamless transitions between housing product types in order to create cohesive neighborhoods that include a range of densities
- Development of a variety of housing types incorporated into the land use plan addressing a wide variety of lifestyles and economic segments
- Provide for both single family attached and detached housing in low density residential districts

Commercial Areas

- Development of commercial/retail uses to meet the needs of residential community and larger surrounding market area as well as implement General Plan Policies
- Provide trails and sidewalks to connect the residential community with the commercial/retail areas
- Consider development of plazas and other amenities within the commercial/retail areas providing space for social interaction

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Executive Summary  
December 22, 2008

- Orientation of commercial retail buildings to the street wherever possible to create an urban edge and sense of arrival

**2.2 AREAS OF CONROVERSY/ISSUES TO BE RESOLVED**

The previously certified FEIR noted environmental issues to be resolved and areas of controversy for the proposed Project. There were no areas of controversy at the time of the FEIR. The Avenue Specific Plan Amendment does not propose any new issues or controversy.

**2.3 SUMMARY OF ALTERNATIVES**

Section 15126.6 of the CEQA Guidelines requires an EIR to describe a range of alternatives to the proposed project or to the location of the proposed project which would feasibly achieve most of the basic objectives of the proposed project, but would avoid or substantially lessen any of the significant impacts identified in the analysis. The previously certified FEIR studied three alternatives to the proposed Project, the No Project Alternative—No Development, the Reduced Residential Density Alternative, and the Increased Residential Density and No Retail Alternative. Section 8 of this SEIR provides an analysis of these three alternatives.

**2.4 SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Table 2-1 below provides a summary of environmental impacts and mitigation measures of the proposed project.

**Table 2-1 Summary of Environmental Impacts and Mitigation Measures**

<b>Environmental Impacts Before Mitigation</b>	<b>Mitigation Measure</b>	<b>Environmental Impacts After Mitigation</b>
<b>Aesthetics</b>		
There are no substantial changes to the analysis in the previously approved FEIR.	<p><b><u>NMC Mitigation Measures</u></b> No mitigation measures are necessary.</p> <p><b><u>Previously Approved FEIR Mitigation Measures</u></b> No mitigation measures are necessary.</p> <p><b><u>Newly Proposed Mitigation Measures</u></b> No mitigation measures are necessary.</p>	Impacts remain less than significant.
<b>Agricultural Resources</b>		
There are no substantial changes to the analysis in the previously approved FEIR.	<p><b><u>NMC Mitigation Measures</u></b> No feasible mitigation measures were found.</p> <p><b><u>Previously Approved FEIR Mitigation Measures</u></b> <b>AG-1</b>—All residential units in the Project shall be provided with a deed disclosure or similar notice approved by the City Attorney regarding the</p>	Impacts remain significant and unavoidable.

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Executive Summary  
December 22, 2008

Environmental Impacts Before Mitigation	Mitigation Measure	Environmental Impacts After Mitigation
	<p>proximity and nature of neighboring agricultural uses. This disclosure shall be applied at the tentative map stage to the affected properties, or otherwise prior to finalizing the sale or rental agreement of any property. The written disclosure shall be supplied to the property purchaser or renter by the vendor or vendor's agent. The content and text of the disclosure shall include language to inform new residents that existing agricultural uses may create nuisances such as flies, odors, dust, night light, and chemical spraying.</p> <p><b><u>Newly Proposed Mitigation Measures</u></b> No new mitigation measures were proposed.</p>	
<b>Air Quality</b>		
<p>The Project would generate construction and long-term emissions in excess of SCAQMD thresholds for VOC, NO<sub>x</sub>, CO, PM<sub>10</sub> and PM<sub>2.5</sub>. This will result in significant and unavoidable impacts on air quality and will contribute to cumulatively considerable impacts.</p>	<p><b><u>NMC Mitigation Measures</u></b> <b>NMC AQ-1</b>—Per SCAQMD Rule 403, the City shall enforce the following (regardless of whether the project is General Plan level or project specific):</p> <ul style="list-style-type: none"> <li>• During all construction activities, construction contractors shall use low emission mobile construction equipment where feasible to reduce the release of undesirable emissions.</li> <li>• During all construction activities, construction contractors shall encourage rideshare and transit programs for project construction personnel to reduce automobile emissions.</li> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> <li>• During grading and all site disturbance</li> </ul>	<p>Impacts remain significant and unavoidable.</p>

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Executive Summary  
December 22, 2008

Environmental Impacts Before Mitigation	Mitigation Measure	Environmental Impacts After Mitigation
	<p>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.</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• During all construction activities, the construction contractors shall maintain construction equipment engines by keeping them tuned.</li> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> <li>• During all construction activities, the construction contractors, in conjunction with the City Engineer, shall locate construction parking to minimize traffic interference on local roads.</li> <li>• 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</li> </ul>	

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Executive Summary  
December 22, 2008

Environmental Impacts Before Mitigation	Mitigation Measure	Environmental Impacts After Mitigation
	<p>Section 23114 to reduce spilling of material on area roads.</p> <p><b><u>Previously Approved FEIR Mitigation Measures</u></b>  <b>AQ-1</b>—Contractors shall maximize the use of construction equipment with low emission factors and high energy efficiency.  <b>AQ-2</b>—During all phases of construction, all equipment shall be properly and routinely maintained, as recommended by manufacturer manuals.  <b>AQ-3</b>—During all phases of construction, all contractors shall restrict idling time to five minutes or less in any given hour.  <b>AQ-4</b>—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.  <b>AQ-5</b>—If feasible, schedule intense earth-moving activities to occur outside the ozone season of May through October.  <b>AQ-6</b>—Schedule equipment usage to avoid simultaneous use of equipment.  <b>AQ-7</b>—Maximize the use aqueous or emulsified diesel fuel for construction equipment.  <b>AQ-8</b>—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.  <b>AQ-9</b>—Maximize the use of zero-VOC paints (assumes no more than 100 gram/liter of VOC).  <b>AQ-10</b>—Apply all paints using either high volume low-pressure (HVLP) spray equipment or by hand applications.  <b>AQ-11</b>—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.  <b>AQ-12</b>—A mobile source health risk assessment shall be prepared for the Project’s commercial sites prior to the issuance of occupancy permits.</p> <p><b><u>Newly Proposed Mitigation Measures</u></b>  <u>Construction</u>  <b>AQ-13</b>—The contractor shall ensure that all</p>	

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Executive Summary  
December 22, 2008

Environmental Impacts Before Mitigation	Mitigation Measure	Environmental Impacts After Mitigation
	<p>disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather.</p> <p><b>AQ-14</b>—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).</p> <p><b>AQ-15</b>—During grading activities, chemical soil stabilizers shall be applied to inactive areas to reduce fugitive dust emissions.</p> <p><b>AQ-16</b>—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).</p> <p><u>Operational</u></p> <p><b>AQ-17</b>—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:</p> <ul style="list-style-type: none"> <li>• Use of low emission water heaters</li> <li>• Use of central water heating systems</li> <li>• Use of energy efficient appliances</li> <li>• Use of increased insulation</li> <li>• Use of automated controls for air conditioners</li> <li>• Use of energy-efficient parking lot lights</li> <li>• Use of lighting controls and energy-efficient lighting</li> </ul> <p><b>AQ-18</b>—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.</p> <p><b>AQ-19</b>—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.</p> <p><b>AQ-20</b>—Provide site improvements such as street lighting, street furniture, route signs, and sidewalks or pedestrian paths to promote pedestrian activity for short trips.</p>	

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Executive Summary  
December 22, 2008

Environmental Impacts Before Mitigation	Mitigation Measure	Environmental Impacts After Mitigation
	<p><u>Global Climate Change</u>  <b>AQ-21</b>—The Project will implement the following measures as Project design features in order to reduce the Project’s impact on global climate change:</p> <p>Energy Efficiency</p> <ul style="list-style-type: none"> <li>• Design buildings to be energy efficient. Site buildings to take advantage of shade, prevailing winds, landscaping and sun screens to reduce energy use.</li> <li>• Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings.</li> <li>• Install light colored “cool” roofs, cool pavements, and strategically placed shade trees.</li> <li>• Provide information on energy management services for large energy users.</li> <li>• Install energy efficient heating and cooling systems, appliances and equipment, and control systems.</li> <li>• Install light emitting diodes (LEDs) for traffic, and other outdoor lighting.</li> <li>• Limit the hours of operation of outdoor lighting.</li> <li>• Provide education on energy efficiency.</li> </ul> <p>Renewable Energy</p> <ul style="list-style-type: none"> <li>• Install solar and tankless hot water heaters, and energy-efficient heating ventilation and air conditioning. Educate consumers about existing incentives.</li> </ul> <p>Water Conservation and Efficiency</p> <ul style="list-style-type: none"> <li>• Create water-efficient landscapes.</li> <li>• Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls.</li> <li>• Use reclaimed water for landscape irrigation in new developments and on public property. Install the infrastructure to deliver and use reclaimed water.</li> <li>• Design buildings to be water-efficient. Install water-efficient fixtures and appliances.</li> <li>• Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.</li> <li>• Restrict the use of water for cleaning outdoor surfaces and vehicles.</li> <li>• Implement low-impact development practices that maintain the existing hydrologic character</li> </ul>	



**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Executive Summary  
December 22, 2008

Environmental Impacts Before Mitigation	Mitigation Measure	Environmental Impacts After Mitigation
	<p>of the site to manage storm water and protect the environment. (Retaining storm water runoff on-site can drastically reduce the need for energy-intensive imported water at the site.)</p> <ul style="list-style-type: none"> <li>• Devise a comprehensive water conservation strategy appropriate for the project and location. The strategy may include many of the specific items listed above, plus other innovative measures that are appropriate to the specific project.</li> <li>• Provide education about water conservation and available programs and incentives.</li> </ul> <p>Solid Waste Measures</p> <ul style="list-style-type: none"> <li>• Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).</li> <li>• Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.</li> <li>• Provide education and publicity about reducing waste and available recycling services.</li> </ul>	
<b>Biological Resources</b>		
<p>Special status wildlife species, burrowing owl, exists onsite. Additionally, the Project would remove vegetation suitable for nesting migratory birds, including raptors. This is a potentially significant impact.</p>	<p><b><u>NMC Mitigation Measures</u></b> No mitigation measures apply.</p> <p><b><u>Previously Approved FEIR Mitigation Measures</u></b>  <b>BR-1</b>—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.  <b>BR-2</b>—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>BR-3</b>—A breeding bird survey shall be conducted prior to the removal of windrows scheduled</p>	<p>Impacts would be less than significant.</p>

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Executive Summary  
December 22, 2008

Environmental Impacts Before Mitigation	Mitigation Measure	Environmental Impacts After Mitigation
	<p>between January 15<sup>th</sup> and August 31<sup>st</sup>. 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.</p> <p><b>BR-4</b>—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.</p> <p><b><u>Newly Proposed Mitigation Measures</u></b></p> <p><b>BR-5</b>—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.</p> <p><b>BR-6</b>—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</p>	

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Executive Summary  
December 22, 2008

Environmental Impacts Before Mitigation	Mitigation Measure	Environmental Impacts After Mitigation
	<p>structures) between January 15 and August 31. This includes all trees, shrubs, herbaceous vegetation, ruderal areas, buildings, 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.</p>	
<b>Cultural Resources</b>		
<p>There are no substantial changes to the analysis in the previously approved FEIR.</p>	<p><b><u>NMC Mitigation Measures</u></b>  <b>C-1</b>—In order to fulfill the requirements of CEQA and to preserve the cultural and historical resources of the area, the following mitigation measures are recommended:</p> <ul style="list-style-type: none"> <li>• For each proposed project which might impact cultural resources, any cultural resource in the Project vicinity should be identified in advance. A standard archaeological records check should be conducted through the San Bernardino County Museum Archaeological Information Center in Redlands. For properties bordering the Riverside County boundary, additional research should be conducted through the University of California, Riverside, Archaeological Research unit.</li> <li>• For each proposed project not previously surveyed within the past ten years, an intensive archaeological field survey should be completed under the supervision of a Society of Professional Archaeologists (S.O.P.A.) certified archaeologist. A technical report following format and content guidelines proposed by the Office of Historic Preservation must be completed.</li> <li>• For each proposed project with identified cultural resources, a formal evaluation of the resource(s) in accordance with the CEQA guidelines for significance (importance) must</li> </ul>	<p>Impacts remain less than significant.</p>

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Executive Summary  
December 22, 2008

Environmental Impacts Before Mitigation	Mitigation Measure	Environmental Impacts After Mitigation
	<p>be completed.</p> <ul style="list-style-type: none"> <li>• For each project resulting in an adverse impact on a known significant resource, an appropriate planning approach must be required to reduce the impact to a level of insignificance.</li> <li>• For each project where grading into previously undisturbed soils is planned, the retention of a qualified archaeologist should be required to monitor the grading in order to identify any cultural resources which may be exposed, complete a preliminary evaluation of the resource, and recommend appropriate resource management for the treatment of the resource.</li> <li>• For each future project, the City of Ontario should ensure the implementation of these recommendations through conditions of approval for any project.</li> </ul> <p><b><u>Previously Approved FEIR Mitigation Measures</u></b></p> <p><b>CR-1</b>—In the event that any subsurface archeological materials are encountered within any part of the Project Site, all ground-disturbing construction activities shall be suspended in the vicinity of the find until the deposit is recorded and evaluated by a qualified archeologist.</p> <p><b>CR-2</b>—In the event that any human remains are found, all construction activities must cease immediately and a qualified archeologist and the San Bernardino County Coroner must be notified.</p> <p><b>CR-3</b>—If the coroner determines the remains to be of Native American origin, he or she will immediately notify the Native American Heritage Commission (NAHC). The NAHC will then identify the most likely descendants to be consulted regarding treatment and/or reburial of the remains. The developer shall implement the recommendations of the most likely descendent pursuant to Public Resources Code Section 5097.98 et seq.</p> <p><b>CR-4</b>—Prior to any excavation into undisturbed, older Pleistocene sediment, a qualified paleontologist shall be retained during construction excavations in underlying, older Pleistocene deposits, if any, to observe construction excavations. In the event any unique paleontological resource is encountered, the resource shall be salvaged, recorded, and curated.</p>	

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Executive Summary  
December 22, 2008

Environmental Impacts Before Mitigation	Mitigation Measure	Environmental Impacts After Mitigation
	<p><b><u>Newly Proposed Mitigation Measures</u></b> No new mitigation measures were proposed.</p>	
<b>Geology and Soils</b>		
<p>There are no substantial changes to the analysis in the previously approved FEIR.</p>	<p><b><u>NMC Mitigation Measures</u></b> The Project has already satisfied the NMC Mitigation Measures.</p> <p><b><u>Previously Approved FEIR Mitigation Measures</u></b>  <b>GS-1</b>—Structural design shall conform to the seismic related recommendations contained within the Geotechnical Reports. These recommendations shall be reviewed and be approved by the City.  <b>GS-2</b>—Seismic related structural design shall conform to applicable recommendations from the Structural Engineers Association of California, the California Building Code, the Uniform Building Code, and City codes.  <b>GS-3</b>—As part of site grading and prior to the commencement of building construction, unconsolidated fill materials, organic rich soils, and manure, shall be excavated and removed off-site, and shall be replaced with engineered fill.  <b>GS-4</b>—As part of the site grading and prior to the commencement of building construction, potentially compressible soils, which includes undocumented fill, shall be excavated to firm, competent native material and removed off-site.  <b>GS-5</b>—Soils shall be tested to determine their corrosive potential. If corrosive soils are proven to be located onsite, all concrete that comes into contact with corrosive soil shall be designed based on Table 19-A-4 of the Uniform Building Code. All metals that come into contact with corrosive soils shall be protected according to the recommendations of a corrosion engineer.  <b>GS-6</b>—At the conclusion of site grading and prior to the commencement of building construction, soils at the finished grade elevation shall be tested to determine their expansion index. If the tested soils at the finished grade elevation exhibit a low, or higher, potential for expansion, the following construction measures shall be implemented: stiffened foundation design in accordance with the Uniform Building Code; deepened footings; and presaturation of the building pad to specified moisture content.</p>	<p>Impacts remain less than significant.</p>

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Executive Summary  
December 22, 2008

Environmental Impacts Before Mitigation	Mitigation Measure	Environmental Impacts After Mitigation
	<p><b><u>Newly Proposed Mitigation Measures</u></b> No new mitigation measures were proposed.</p>	
<p><b>Hazards and Hazardous Materials</b></p>		
<p>There are no substantial changes to the analysis in the previously approved FEIR.</p>	<p><b><u>NMC Mitigation Measures</u></b>  <b>NMC HM-1</b>—Prior to consideration of any future development proposal within the Sphere of Influence, project developers will be required by the City to submit a completed Phase I Environmental Site Assessment which, at a minimum, meets with the requirements of the most current standards of investigation established by the American Society or Testing and Materials (ASTM Standard E 1527).                      Note: With the exception of Planning Areas 1A, 1C, 2B, and 8B the Project has complied with NMC HM-1. Project-specific Mitigation Measure HM-3 below stipulates the requirement for a Phase I ESA to be completed prior to the approval of the Tentative Tract Map, site plan or other discretionary approval for a given phase of development.  <b>NMC HM-2</b>—Prior to issuance of permits by the City of Ontario for major renovation or demolition of any pre-1976 structure within the Sphere of Influence, the project developer will be required to submit documentation to the City Building Department that asbestos and lead-based paint issues are not applicable to their property, or that appropriate actions will be taken to correct any asbestos or lead-based paint issues prior to development of the site.                      Note: “Asbestos and lead-based paint issues” is in reference to the documentation of presence or absence of such substances and the requirement for City approval of the handling and disposal methods recommended in the individual Phase I ESA reports. The City will require the removal of those substances pursuant to the applicable regulations and guidelines established by the South Coast Management District, Department of Toxic Substances Control, and the United States Environmental Protection Agency.  <b>NMC HM-3</b>—In order to minimize risks to life and property associated with the handling, transporting, treating, generating, and storage of hazardous materials, projects within the Sphere of Influence will be required to comply with policies set forth in the City of Ontario General Plan.</p> <p><b><u>Previously Approved FEIR Mitigation Measures</u></b>  <b>HM-1</b>—Removal of structures, including, but limited</p>	<p>Impacts remain less than significant.</p>

THE AVENUE SPECIFIC PLAN AMENDMENT  
 SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT

Executive Summary  
 December 22, 2008

Environmental Impacts Before Mitigation	Mitigation Measure	Environmental Impacts After Mitigation
	<p>to, under- and aboveground storage tanks, septic systems, and water wells shall conform to all Federal, State, and local agency regulations (specifically with those required by the City Building and Safety Department and the Hazardous Materials Division of the San Bernardino County Fire Department). Due to the extensive disposal requirements and protocols contained within these regulatory schemes, implementation and adherence to these various regulatory requirements will ensure that no significant impacts occur.</p> <p><b>HM-2</b>—Prior to grading activities, testing for the presence of methane gas in soils on Planning Areas 1A, 1C, 2B, 3A, 4, 6A, 6B, 8B, 9A-9D, and 11 shall be conducted. (The remaining Planning Areas within the Project Site have completed Methane Gas Investigations.) Pursuant to the City Municipal Code Section 9-2.0435 (L), “A methane gas assessment shall be prepared by a licensed professional with expertise in soil gas assessments for subdivisions proposed on former dairies, poultry ranches, hog ranches, livestock feed operations and similar facilities to determine the presence of methane gas within the project boundary. The methane gas assessment shall identify monitoring and mitigation strategies and approaches. All mitigation measures/plans and specifications shall be reviewed and approved by the City of Ontario.” Such an assessment may take two steps. A preliminary assessment will be done prior to grading to determine exactly where dairies have existed in the past so that the post grading assessment/mitigation measures can be focused on the portions of the Planning Areas that have included former agricultural activities. The second step will include actual testing of graded pads no sooner than 30 days after construction to determine if methane is detected above 5,000 ppm. In addition to Project-specific Mitigation Measure HM-2, the following grading guidelines included in the various Methane Gas Investigations conducted for the Project shall also be adhered to:</p> <ul style="list-style-type: none"> <li>• Careful clearing, grubbing, segregation, and stockpiling or disposal near surface, of organics-rich soils at the site prior to the initiation of mass grading activities.</li> <li>• The identification and segregation/stockpiling or disposal of deeper soils which contain elevated levels of organic material. Soils with an organic</li> </ul>	



**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Executive Summary  
December 22, 2008

Environmental Impacts Before Mitigation	Mitigation Measure	Environmental Impacts After Mitigation
	<p>content of 0.4% or higher shall be segregated for controlled placement that ensures that methane levels are below 5,000 ppm.</p> <ul style="list-style-type: none"> <li>• Soils with organic content in excess of 0.4% shall not be placed as “deep” fill. Soils with organic contents in excess of this amount shall be placed in open areas within approximately two feet of the finished ground surface.</li> </ul> <p><b>HM-3</b>—To eliminate the risk of ground cracking, manure shall be removed from the site, such that the organic matter content of onsite soils shall not exceed 2% (a 2% total organic content is allowed, of which no more than 1% can be manure) in the building foundation areas when mixed with underlying clean soils and imported fill.</p> <p><b>HM-4</b>—To the extent not previously prepared and to properly assess and address potential hazardous materials within Planning Areas 1A, 1C, 2B, and 8B, a Phase I Environmental Site Assessment (ESA) shall be performed by a registered environmental assessor (REA) prior to the approval of the Tentative Tract Map, site plan or other discretionary approval for a given phase of development. If potential hazardous materials or conditions are identified in the Phase I report, the recommendations of the ESA shall be implemented. Such recommendations shall include surficial sampling and chemical analysis within agricultural areas or where soil staining was observed. The Phase I ESA shall be provided to the City and shall be included in any CEQA analysis prepared in connection with the consideration of the discretionary approval for development.</p> <p><b>HM-5</b>—If, while performing any excavation as part of Project construction, material that is believed to be hazardous waste as defined in Section 25117 of the California Health and Safety Code is discovered, the developer shall contact the City Fire Department and the County of San Bernardino Fire Department Hazardous Materials Division. Excavation shall be stopped until the material has been tested and the absence of hazardous waste has been confirmed. If hazardous waste is determined to be present, the California Department of Toxic Substances control shall be contacted and the material shall be removed and disposed of pursuant to applicable provisions of California law.</p>	



**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Executive Summary  
December 22, 2008

Environmental Impacts Before Mitigation	Mitigation Measure	Environmental Impacts After Mitigation
	<p><b><u>Newly Proposed Mitigation Measures</u></b> No new mitigation measures were proposed.</p>	
<b>Hydrology and Water Quality</b>		
<p>There are no substantial changes to the analysis in the previously approved FEIR.</p>	<p><b><u>NMC Mitigation Measures</u></b>  <b>NMC WQ-1</b>—Prior to the issuance of grading permits, project developers shall submit a final drainage plan for each proposed project for review and approval by the City Engineer.  <b>NMC WQ-2</b>—Prior to issuance of grading permits, project developers shall ensure that coordination between the City of Ontario and the San Bernardino County Flood Control District has been undertaken to demonstrate the ability of the project to meet County flood control requirements.  <b>NMC WQ-3</b>—Prior to the issuance of building permits, project developers shall submit to the City Engineer proof of payment of the City’s drainage fees, as applicable.  <b>NMC WQ-4</b>—Prior to the issuance of grading permits, project developers shall provide and submit measures for approval by the City Engineer that shall ensure that all structures located within the boundaries of the Sphere of Influence, subject to flooding from 100-year storm events, are constructed on a pad of earth elevated at least one foot above 100-year flood elevations. This requirement will be monitored and enforced by the City Engineer.  <b>NMC WQ-5</b>—Prior to moving construction equipment on a site within the Sphere of Influence, project developers shall provide evidence to the City Engineer that a National Pollutant Discharge Elimination System (NPDES) permit has been obtained from the State Water Resources Control Board (SWRCB). Once obtained, the NPDES permit shall be retained on the construction site throughout the construction period, and a copy shall be filed with the City Engineer.  <b>NMC WQ-6</b>—During construction of individual projects, the City Engineer shall ensure compliance with all the terms and conditions outlined in the National Pollutant Discharge Elimination System (NPDES) permit, including the implementation of Best Management Practices (BMPs).  <b>NMC WQ-7</b>—Prior to issuance of grading permits, project developers shall prepare a Storm Water Pollution Prevention Plan (SWPPP) for individual proposed projects. These plans shall be submitted</p>	<p>Project-specific impacts remain less than significant. Cumulative impacts remain significant.</p>

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Executive Summary  
December 22, 2008

Environmental Impacts Before Mitigation	Mitigation Measure	Environmental Impacts After Mitigation
	<p>to the City Engineer for review and comment prior to implementing and SWPPP provisions or starting any construction activity. A copy of the SWPPP shall be held by the construction contractor(s) on the construction site throughout development of each project. The City Engineer will monitor and enforce the provisions of the SWPPP.</p> <p><b>NMC WQ-8</b>—During operation of facilities within the Sphere of Influence, the individual project owners and operators shall ensure that all pest control, herbicide, insecticide and other similar substances used as part of maintenance of project features are handled, stored, applied and disposed of by those conducting facility maintenance in a manner consistent with all applicable federal, state and local regulations. The City Engineer shall monitor and enforce this provision.</p> <p><b>Previously Approved FEIR Mitigation Measures</b></p> <p><b>HWQ-1</b>—All Project related development and construction activities shall comply with the National Pollutant Discharge Elimination System (NPDES) regulations. Prior to the issuance of a grading permit, applicants shall demonstrate compliance with NPDES Storm Water Permit requirements to the satisfaction of the City. Applicable BMP provisions shall be incorporated into the NPDES Permit.</p> <p><b>HWQ-2</b>—All new residences within the Project Site shall be provided with water conservation devices such as low flow showers and toilets.</p> <p><b>HWQ-3</b>—All public landscaped areas resulting from implementation of the Project shall be required to use recycled water for irrigation purposes once the planned regional reclaimed water system becomes functional at the Project Site.</p> <p><b>HWQ-4</b>—All new storm drain infrastructure, other than interim facilities, shall be consistent with either the NMC Master Plan of Drainage, the Master Plan of Drainage Update for NMC East unless formal amendments or deviations are coordinated with and approved by the City.</p> <p><b>HWQ-5</b>—If grading or construction within any Planning Area proceeds prior to the installation of NMC Master Storm Drain Improvements needed to serve such Planning Area, interim detention basins, sized to accept upstream undeveloped flow in accordance with SWRCB requirements must be installed.</p>	

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Executive Summary  
December 22, 2008

Environmental Impacts Before Mitigation	Mitigation Measure	Environmental Impacts After Mitigation
	<p><b><u>Newly Proposed Mitigation Measures</u></b> No new mitigation measures were proposed.</p>	
<b>Land Use</b>		
<p>The Project will not divide established neighborhoods, conflict with local land use plans, policies or regulations, and will not conflict with any habitat conservation plans or natural community conservation plans.</p>	<p><b><u>NMC Mitigation Measures</u></b> No mitigation measures are necessary.</p> <p><b><u>Previously Approved FEIR Mitigation Measures</u></b> No mitigation measures are necessary.</p> <p><b><u>Newly Proposed Mitigation Measures</u></b> No new mitigation measures were proposed.</p>	<p>There are no impacts resulting from implementation of The Avenue Specific Plan Amendment.</p>
<b>Mineral Resources</b>		
<p>There are no substantial changes to the analysis in the previously approved FEIR.</p>	<p><b><u>NMC Mitigation Measures</u></b> No mitigation measures are necessary.</p> <p><b><u>Previously Approved FEIR Mitigation Measures</u></b> No mitigation measures are necessary.</p> <p><b><u>Newly Proposed Mitigation Measures</u></b> No new mitigation measures were proposed.</p>	<p>There are no impacts resulting from implementation of The Avenue Specific Plan Amendment.</p>
<b>Noise</b>		
<p>Implementation of the Project would expose people to or generate noise in excess of City noise standards. Temporary construction noise impacts are considered significant. Permanent noise impacts are cumulatively considerable.</p>	<p><b><u>NMC Mitigation Measures</u></b> <b>NMC N-1</b>—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. <b>NMC N-2</b>—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</p>	<p>Temporary construction noise impacts would be mitigated to less than significant. Permanent noise impacts would remain cumulatively significant and unavoidable.</p>

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Executive Summary  
December 22, 2008

Environmental Impacts Before Mitigation	Mitigation Measure	Environmental Impacts After Mitigation
	<p>65 dBA CNEL for outdoor living areas and 45 dBA CNEL in habitable rooms.</p> <p><b>NMC N-3</b>—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 affect.</p> <p><b>NMC N-4</b>—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 that operable doors and windows are open for homes facing the roadways, the interior 45 dBA CNEL interior noise limit 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.</p> <p><b>NMC N-5</b>—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&amp;R) recorded on the title of each residential lot in the project. In addition, each advertisement, solicitation and sales</p>	

THE AVENUE SPECIFIC PLAN AMENDMENT  
 SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT

Executive Summary  
 December 22, 2008

Environmental Impacts Before Mitigation	Mitigation Measure	Environmental Impacts After Mitigation
	<p>brochure or other literature regarding the project shall contain the approved notification language.</p> <p><b>NMC N-6</b>—Construction on the Sphere of Influence site shall be limited to the hours of 7:00 AM to 7:00PM Monday through Saturday, and shall be prohibited on Sundays and Federal holidays.</p> <p><b>NMC N-7</b>—All project construction vehicles or equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers.</p> <p><b>NMC N-8</b>—Stockpiling and/or vehicle staging areas shall be located as far as practical from existing residential units on and off the proposed project site.</p> <p><b>NMC N-9</b>—Whenever feasible, the noisiest construction operations should be scheduled to occur together to avoid continuing periods of the greatest annoyance.</p> <p><b>Previously Approved FEIR Mitigation Measures</b></p> <p><b>N-1</b>—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 manufactures' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.</p> <p><b>N-2</b>—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.</p> <p><b>N-3</b>—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.</p> <p><b>N-4</b>—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.</p> <p><b>N-5</b>—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</p>	

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Executive Summary  
December 22, 2008

Environmental Impacts Before Mitigation	Mitigation Measure	Environmental Impacts After Mitigation
	requirement.  <u><b>Newly Proposed Mitigation Measures</b></u> No additional mitigation measures beyond those required in the previously approved FEIR are necessary.	
<b>Population and Housing</b>		
The Project would not result in impacts associated with population and housing.	<u><b>NMC Mitigation Measures</b></u> No mitigation measures apply.  <u><b>Previously Approved FEIR Mitigation Measures</b></u> No mitigation measures are necessary.  <u><b>Newly Proposed Mitigation Measures</b></u> No new mitigation measures were proposed.	There are no impacts resulting from implementation of The Avenue Specific Plan Amendment.
<b>Public Services</b>		
Development of The Avenue Specific Plan Amendment would not result in further impacts on Fire, Police, and other public services above those listed in the previously certified FEIR.	<u><b>NMC Mitigation Measures</b></u> No mitigation measures apply.  <u><b>Previously Approved FEIR Mitigation Measures</b></u> <b>PS-1</b> —To reduce fire hazards, wood-shingled and shake-shingled roofs are prohibited. <b>PS-2</b> —To reduce fire hazards, fire hydrant locations and water main sizes shall meet standards established by Ontario Fire Department and reviewed and implemented by the Engineering Department. <b>PS-3</b> —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. <b>PS-4</b> —To reduce fire hazards, adequate water supply shall be provided as approved by the Ontario Fire Department prior to the framing stages of construction. <b>PS-5</b> —To reduce fire hazards, houses located on cul-de-sacs longer than 300 feet shall be constructed with residential fire sprinklers. <b>PS-6</b> —To reduce fire hazards, access roadways designed in accordance with Ontario Fire Department standard 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. <b>PS-7</b> —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.	Impacts remain less than significant.

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Executive Summary  
December 22, 2008

Environmental Impacts Before Mitigation	Mitigation Measure	Environmental Impacts After Mitigation
	<p><b>PS-8</b>—The developers/builders shall pay library, police, and fire service development impact fees.</p> <p><b><u>Newly Proposed Mitigation Measures</u></b> No new mitigation measures were proposed.</p>	
<b>Recreation</b>		
<p>Development of The Avenue Specific Plan Amendment would not result in further impacts on parks and recreational facilities above those listed in the previously certified FEIR.</p>	<p><b><u>NMC Mitigation Measures</u></b> No mitigation measures apply.</p> <p><b><u>Previously Approved FEIR Mitigation Measures</u></b> <b>REC-1</b>—The developers/builders shall pay in lieu park fees to meet the standard of five acres of parkland per thousand residents.</p> <p><b><u>Newly Proposed Mitigation Measures</u></b> No new mitigation measures were proposed.</p>	<p>Impacts remain less than significant.</p>
<b>Transportation and Circulation</b>		
<p>Development of The Avenue Specific Plan Amendment would not result in further impacts on transportation above those listed in the previously certified FEIR.</p>	<p><b><u>NMC Mitigation Measures</u></b> No mitigation measures apply.</p> <p><b><u>Previously Approved FEIR Mitigation Measures</u></b> <b>T-1</b>—The Project developers shall pay the DIF Program Traffic Funding Contribution set forth on Table 5.15-4 consistent with the requirements contained in the DIF Program. <b>T-2</b>—The Project developers shall pay the Additional Fair Share Project Improvement Cost. <b>T-3</b>—Right-in and right-out only access with appropriate signing on Carpenter Avenue for the intersection of Carpenter Avenue at Schaefer Avenue. <b>T-4</b>—Construct Carpenter Avenue (half-section improvements) as a Collector from Schaefer Avenue to Edison Avenue. <b>T-5</b>—Construct Hellman Avenue as Collector from Schaefer Avenue to Edison Avenue. <b>T-6</b>—Construct Archibald Avenue as a Divided Arterial from Schaefer Avenue to Edison Avenue. <b>T-7</b>—Construct “A” Street as a Neighborhood entry Street (66-foot right-of-way and 36-foot paved travel area) from The Avenue to Edison Avenue. <b>T-8</b>—Construct Turner Avenue as Collector from Schaefer Avenue to Edison Avenue. <b>T-9</b>—Construct Haven Avenue (half-section improvements) as a Divided Arterial from the northern Project boundary to the southern Project boundary. <b>T-10</b>—Construct Schaefer Avenue (full or half-section improvement as appropriate) as a Standard</p>	<p>Project-specific impacts remain less than significant. Cumulative impacts remain significant.</p>



**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Executive Summary  
December 22, 2008

Environmental Impacts Before Mitigation	Mitigation Measure	Environmental Impacts After Mitigation
	<p>Arterial from the western Project boundary to Edison Avenue.</p> <p><b>T-11</b>—Construct The Avenue (118' right-of-way) from Archibald to Turner Avenue.</p> <p><b>T-12</b>—Construct Edison Avenue (full or half-section improvements as appropriate) as a Divided Arterial from the western Project boundary to the eastern Project boundary.</p> <p><b>T-13</b>—Right-in and right-out only access with the appropriate signing on Carpenter Avenue for the intersection of Carpenter Avenue at Edison Avenue.</p> <p><b>T-14</b>—Modify the existing traffic signals at the intersections of Archibald Avenue at Schaefer Avenue and Archibald Avenue at Edison Avenue.</p> <p><b>T-15</b>—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,</p> <p><b>T-16</b>—Adequate sight distance at the Project driveways shall be provided to meet the minimum City requirements.</p> <p><b><u>Newly Proposed Mitigation Measures</u></b> No additional mitigation measures beyond those required in the previously approved FEIR are necessary.</p>	
<b>Utilities and Service Systems</b>		
<p>Development of The Avenue Specific Plan Amendment would not result in further impacts on water usage, wastewater disposal, or demand for energy consumption above those listed in the previously certified FEIR. However, the Amendment would result in further cumulative impacts to solid waste services.</p>	<p><b><u>NMC Mitigation Measures</u></b> No mitigation measures apply.</p> <p><b><u>Previously Approved FEIR Mitigation Measures</u></b> No feasible mitigation measures were found.</p> <p><b><u>Newly Proposed Mitigation Measures</u></b> Mitigation Measures AQ-17 and AQ-21 will reduce the Project's impact on energy consumption.</p>	<p>Project-specific impacts remain less than significant. Cumulative impacts remain significant.</p>



## **2.5 CONCLUSIONS**

This SEIR evaluated potential impacts to the above listed environmental issues as required by CEQA. With the inclusion of Project design features and implementation of the recommended Mitigation Measures, all potentially significant impacts can be reduced to less than significant levels with the exception of agricultural resources, air quality, hydrology and water quality, noise, utilities (solid waste disposal) and traffic.

# THE AVENUE SPECIFIC PLAN AMENDMENT ENVIRONMENTAL IMPACT REPORT

## 3.0 Project Description

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### 3.1 PROJECT BACKGROUND

On January 7, 1998, the City of Ontario (City) adopted the New Model Colony (NMC) General Plan and a certified program-level Environmental Impact Report (EIR) for the annexation and related General Plan amendment of approximately 8,200 acres. The NMC General Plan designated this area as Specific Plan to facilitate the creation of cohesive, identifiable neighborhoods to implement the vision of the NMC.

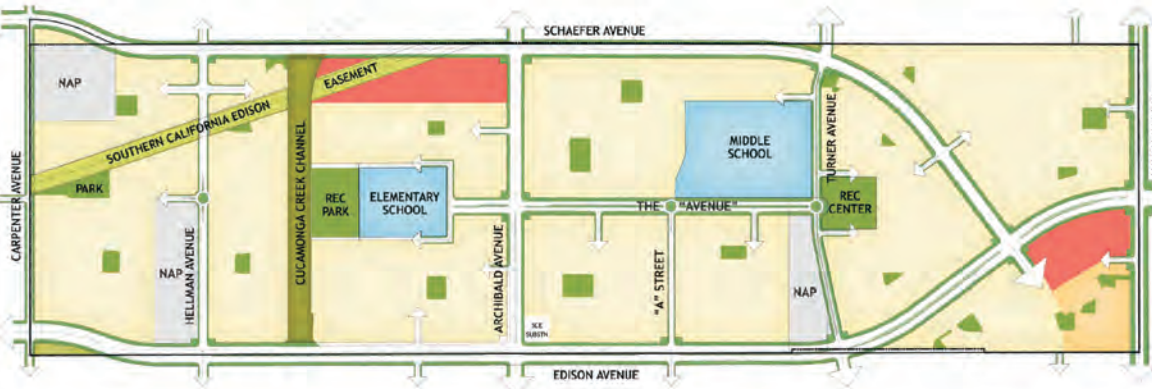
On December 19, 2006, the City approved The Avenue Specific Plan and certified a project-specific EIR for one of the 30 planning Subareas, known as Subarea 18. The Final EIR (FEIR) identified several potentially significant environmental impacts that were mitigated to levels considered less than significant. The FEIR also identified several significant impacts that could not be mitigated to a level less than significant, but the benefits of the project outweighed the potential environmental impacts. As a consequence, a Statement of Overriding Considerations was concurrently adopted by the City Council.

The project proponent wishes to revise the project description to include a larger number of residences and commercial space as a result of a rearrangement of some roadways and land uses within the Avenue Specific Plan area. Since there is an existing EIR, it will only be necessary to evaluate those impacts that will be changed by the changes to the project description in a Supplemental EIR (SEIR). The following actions are a result of the revised project description and required the reevaluation for CEQA purposes:

- The Avenue Specific Plan Amendment: the existing Avenue Specific Plan will be amended to rearrange the site, including the realignment of Schaefer Avenue to accommodate the additional residential units and commercial space.
- An amendment to the City of Ontario General Plan as a result of the modification of The Avenue Specific Plan.

The Avenue Specific Plan Amendment (SP Amendment) establishes the regulations and guidelines that will govern the development of the overall community which will offer a variety of residential housing types and neighborhoods within walking distance to parks, schools, commercial and recreation facilities. The original land use plan is compared to the revised land use plan in *Figure 3-1* and summarized in *Table 3-1* and *3-2*. The new project plan remains consistent with the goals and policies of the New Model Colony General Plan Amendment.

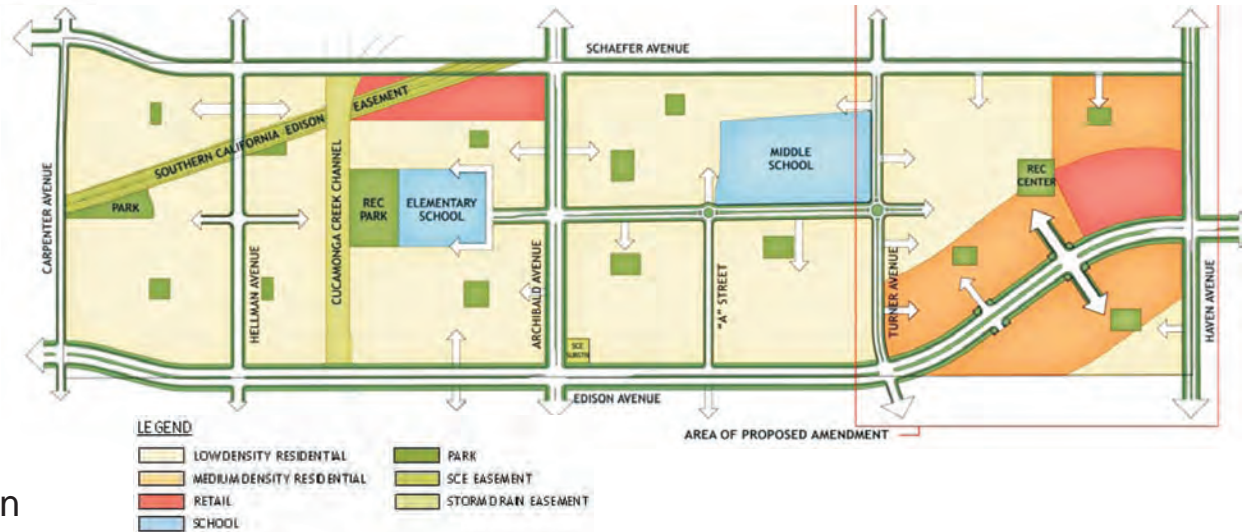
Original Land Use Plan



LEGEND

- |                            |                           |
|----------------------------|---------------------------|
| LOW DENSITY RESIDENTIAL    | PARK                      |
| MEDIUM DENSITY RESIDENTIAL | SCE EASEMENT              |
| RETAIL                     | STORM DRAIN EASEMENT      |
| SCHOOL                     | NON-PARTICIPATING PARCELS |

Revised Land Use Plan



LEGEND

- |                            |                      |
|----------------------------|----------------------|
| LOW DENSITY RESIDENTIAL    | PARK                 |
| MEDIUM DENSITY RESIDENTIAL | SCE EASEMENT         |
| RETAIL                     | STORM DRAIN EASEMENT |
| SCHOOL                     |                      |

Source: The Avenue Specific Plan



LAND USE PLAN

THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL EIR  
2017110400

NOT TO SCALE



Figure 3-1

**THE AVENUE SPECIFIC PLAN AMENDMENT  
ENVIRONMENTAL IMPACT REPORT**

Project Description  
December 22, 2008

**Table 3-1 Existing Land Uses**

Planning Area	Gross Acres <sup>6</sup>	Excluded from Gross Acres	Net Res. Acres	Density	Dwelling Units	Comm. Square Feet	Land Use
1A	11.1	--	11.1	4.6	51		Res./OS
1B	33.5	5.9 <sup>1</sup>	27.6	4.6	127		Res./OS
1C	1.0	--	1.0	4.6	5		Res./OS
2A	32.0	--	32.0	4.6	147		Res./OS
2B	12.5	--	12.5	4.6	58		Res./OS
3A	21.7	3.0 <sup>1</sup>	18.7	4.6	86		Res./OS
3B	21.1	--	21.1	4.6	97		Res./OS
4	19.9	19.9 <sup>1,2</sup>	n/a	n/a	n/a	87,000	Retail/OS
5	82.6	10 <sup>3,5</sup>	72.6	4.6	334		Res./OS/El.Sch.
6A	49.9	--	49.9	4.6	230		Res./OS
6B	10.0	10 <sup>4,5</sup>	n/a	n/a	n/a		Mid. Sch. (1/2)
7	37.2	--	37.2	4.6	171		Res./OS
8A	29.3	--	38.8	4.6	178		Res./OS
8B	9.5	--					
9A	7.5	--	7.5	4.6	375		Res./OS
9B	10.0	10 <sup>4,5</sup>	n/a	n/a		Mid. Sch. (1/2)	
9C	54.6	--	54.6	4.6		Res./OS	
9D	19.4	--	19.4	4.6		Res./OS	
Transfer	n/a	--	--	--	41		Res (Edenglen)
10A	42.5	10 <sup>2</sup>	22.5	4.6	104		Res./OS
			10.0	12.0	120		MF per GP
			n/a	n/a	n/a	87,000	Retail/OS
10B	4.3	--	4.4	4.6	20		Res./OS
11	39.6	--	39.6	4.6	182		Res./OS
<b>TOTALS</b>	<b>549.2<sup>6</sup></b>		<b>480.4</b>		<b>2,326</b>	<b>174,000</b>	
<b>Land Use Abbreviations</b>							
Comm. = Commercial							
El. Sch. = Elementary School							
MF per GP = Multi-Family per NMC General Plan							
Mid. Sch. = Middle School							
OS = Open Space or Park							
Res. = Residential							
Retail = Retail Commercial							
<b>Notes:</b>							
<sup>1</sup> SCE Easement							
<sup>2</sup> Commercial Site							
<sup>3</sup> Elementary School Site							
<sup>4</sup> One-half of a 20-acre Middle School Site							
<sup>5</sup> Number of dwelling units will increase at 4.6 dwelling units per acre if one or both schools decide not to be located in the Project Site							
<sup>6</sup> Excludes public rights-of-way, Cucamonga Creek, and the SCE Substation							
Source: The Avenue Specific Plan EIR, Table 3-3.							

**THE AVENUE SPECIFIC PLAN AMENDMENT  
ENVIRONMENTAL IMPACT REPORT**

Project Description  
December 22, 2008

**Table 3-2 Proposed Land Uses**

Planning Area	Gross Acres	Excluded from Gross Acres	Net Res. Acres	Density	Dwelling Units	Comm. Square Feet	Land Use
1A	11.1	-	11.1	4.6	51		Low Density Res.
1B	33.5	5.4 <sup>1</sup>	28.1	4.5	127		Low Density Res.
1C	2.2	-	2.2	2.5	5		Low Density Res.
2A	32.0	-	32.0	4.6	147		Low Density Res.
2B	12.5	-	12.5	4.6	58		Low Density Res.
3A	21.7	2.6 <sup>1</sup>	19.1	4.5	86		Low Density Res.
3B	21.5	-	21.5	4.5	97		Low Density Res.
4	19.9	10 <sup>2</sup>	9.9	-	n/a	87,000	Retail
5	82.6	10 <sup>3</sup>	72.6	4.6	334		Low Density Res./ OS/Elem. School
6A	49.9	-	49.9	4.6	230		Low Density Res.
6B	10.0	10 <sup>4</sup>	n/a	-	n/a		Middle School <sup>4</sup>
7	28.9	-	28.8	4.6	134		Low Density Res.
	n/a	-	n/a	-	41		Transfer Units
8A	39.9	-	39.9	4.5	180		Low Density Res.
8B	9.7	-	9.7	4.5	44		Low Density Res.
9A	10.6	-	10.6	4.6	48		Low Density Res.
9B	10.0	10 <sup>4</sup>	n/a	-			School <sup>4</sup>
10A	66.3	-	66.3	4.6	305		Low Density Res.
	34.4	-	34.4	12.0	412		Medium Density Res.
10B	14 <sup>2</sup>	14 <sup>2</sup>	-	-	n/a	163,000	Retail
11	28.9	-	28.9	4.6	133		Low Density Res.
	14.5	-	14.5	12.0	174		Medium Density Res.
Cucumonga Creek	12.8	12.8	n/a				
7 SCE	1.2	1.2	n/a				
<b>TOTALS</b>	<b>568.1<sup>6</sup></b>	<b>76.1</b>	<b>492.1</b>		<b>2,606</b>	<b>250,000</b>	

<sup>1</sup>SCE Easement  
<sup>2</sup>Retail Site  
<sup>3</sup>Elementary School  
<sup>4</sup>Half of 20-acre Middle School  
<sup>5</sup>Density is measured to c/l of arterial streets per City standard for NMC entitlements  
<sup>6</sup>Total Gross Acres based on the New Model Colony FEIR  
 Note: All acreages approximate – exact acreages will be defined through tract map surveys.  
 Source: The Avenue Specific Plan Amendment, Table 2.

**THE AVENUE SPECIFIC PLAN AMENDMENT  
ENVIRONMENTAL IMPACT REPORT**

Project Description  
December 22, 2008

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**3.2 PROJECT LOCATION**

The location of the project has not changed from the location established by the previously certified FEIR. The Project is located within the City of Ontario in San Bernardino County, California. The Project is approximately 2 miles south of State Route 60 (SR-60), in the general area north of Edison Avenue, south of Schaefer Avenue, east of Carpenter Avenue, and west of Haven Avenue.

**3.3 ENVIRONMENTAL SETTING**

The environmental setting of the Project is presented in the certified FEIR and is incorporated by reference.

**3.4 PROJECT OBJECTIVES AND CHARACTERISTICS**

The Project objectives were presented in the certified FEIR and are incorporated by reference. The revisions to the Project do not alter the desire of the Project proponent or the City to continue forward remaining consistent with the previously presented objectives.

**3.5 INTENDED USES OF THE SEIR**

This Draft SEIR has been prepared in accordance with CEQA to evaluate the potential environmental impacts associated with:

- The construction of 2,606 residential units and 250,000 square feet of retail space on approximately 569 acres of land within the New Model Colony General Plan; and,
- Amendment of the General Plan due to the revision of the Specific Plan. The General Plan Amendment is proposed in order to change residential land use densities of the Specific Plan area (see Section 4.3.1 for more detail). Development agreements will be modified to be consistent with the General Plan and Specific Plan Amendments.

This Draft SEIR is intended to supplement The Avenue Specific Plan Final Environmental Impact Report (State Clearinghouse No. 2005071109), which was certified by the City Council on December 19, 2006. Having been reviewed, along with the associated technical studies, by the various City Departments and the City's environmental consultant, this Draft SEIR reflects the independent judgment of the Lead Agency.

This Draft SEIR will be considered by the City of Ontario in conjunction with the following entitlements:

- Specific Plan Amendment
- General Plan Amendment

**THE AVENUE SPECIFIC PLAN AMENDMENT  
ENVIRONMENTAL IMPACT REPORT**

Project Description  
December 22, 2008

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- Development Agreements
- Future Tentative Tract or Parcel Maps
- Development Plan Reviews
- Conditional Use Permits
- Design Reviews and any other future entitlements which would be required.

This document will also be used by other agencies as identified in the previously certified FEIR including the South Coast Air Quality Management District (SCAQMD) and the County of San Bernardino in their decision making.

### **3.6 INCORPORATION BY REFERENCE**

The Draft SEIR uses information from various documents that were not prepared specifically for the Project, but that provide relevant information in describing environmental conditions and analyzing the potential environmental effects of the proposed Project. As allowed by Section 15150 of the State CEQA Guidelines, all or portions of another document may be incorporated by reference into an EIR without the requirement of reproducing the entire source document in the EIR. Information taken from these documents would be identified in the relevant environmental impact analysis sections of the EIR.

The documents listed in Section 9, References, of this Draft SEIR, in addition to The Avenue Specific Plan and the City of Ontario General Plan, are incorporated by reference. Also incorporated by reference are The Avenue Specific Plan Final Environmental Impact Report (State Clearinghouse No. 2005071109) and the New Model Colony General Plan Final Environmental Impact Report. As required by Section 15150(b) of the CEQA Guidelines, the documents that are incorporated by reference are available for public inspection at the address of the Lead Agency identified in Section 1, Introduction. For purposes of clarification, documents identified as incorporated by reference are separate from the technical studies included in the Appendix to the Draft SEIR and prepared specifically for the Project.

# THE AVENUE SPECIFIC PLAN AMENDMENT ENVIRONMENTAL IMPACT REPORT

## 4.0 Issues Requiring Changes to the Prior EIR

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### 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<sub>x</sub>, CO and PM<sub>10</sub> 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 AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

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<sub>3</sub>, CO, SO<sub>2</sub>, NO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> are not equaled or exceeded at any time in any consecutive three-year period; and the federal standards (other than O<sub>3</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and those based on annual averages or arithmetic mean) are not exceeded more than once per year. The O<sub>3</sub> 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<sub>10</sub>, 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**

<b>Criteria Pollutant</b>	<b>State Designation</b>	<b>Federal Designation</b>
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<sub>2</sub>, SO<sub>2</sub>, CO, sulfates or lead.

**Local Air Quality**

The nearest long-term air quality monitoring site in relation to the Project for Inhalable Particulates (PM<sub>10</sub>) and Ultra-Fine Particulates (PM<sub>2.5</sub>) 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 <sub>3</sub> )	1 Hour	0.09 ppm (180 µg/m <sup>3</sup> )	Ultraviolet Photometry	-	Same as Primary Standard	Ultraviolet Photometry	(a) Short-term exposures: (1) 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 <sup>3</sup> )		0.075 ppm (147 µg/m <sup>3</sup> )				
Respirable Particulate Matter (PM <sub>10</sub> )	24 Hour	50 µg/m <sup>3</sup>	Gravimetric or Beta Attenuation	150 µg/m <sup>3</sup>	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 <sup>3</sup>		-				
Fine Particulate Matter (PM <sub>2.5</sub> )	24 Hour	No Separate State Standard		35 µg/m <sup>3</sup>	Same as Primary Standard	Inertial Separation and Gravimetric Analysis		
	Annual Arithmetic Mean	12 µg/m <sup>3</sup>	Gravimetric or Beta Attenuation	15 µg/m <sup>3</sup>				
Carbon Monoxide (CO)	8 Hour	9.0 ppm (10 mg/m <sup>3</sup> )	Non-Dispersive Infrared Photometry (NDIR)	9 ppm (10 mg/m <sup>3</sup> )	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 <sup>3</sup> )		35 ppm (40 mg/m <sup>3</sup> )				
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m <sup>3</sup> )		-				-
Nitrogen Dioxide (NO <sub>2</sub> )	Annual Arithmetic Mean	0.030 ppm (57 µg/m <sup>3</sup> )	Gas Phase Chemiluminescence	0.053 ppm (100 µg/m <sup>3</sup> )	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 <sup>3</sup> )		-				
Sulfur Dioxide (SO <sub>2</sub> )	Annual Arithmetic Mean	-	Ultraviolet Fluorescence	0.030 ppm (80 µg/m <sup>3</sup> )	-	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 <sup>3</sup> )		0.14 ppm (365 µg/m <sup>3</sup> )				
	3 Hour	-		-				0.5 ppm (1300 µg/m <sup>3</sup> )
	1 Hour	0.25 ppm (655 µg/m <sup>3</sup> )		-				-
Lead	30 Day Average	1.5 µg/m <sup>3</sup>	Atomic Absorption	-	-	-	(a) Increased body burden; (b) Impairment of blood formation and nerve conduction	
	Calendar Quarter	-		1.5 µg/m <sup>3</sup>				Same as Primary Standard
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		<b>No Federal Standards</b>			Visibility impairment on days when relative humidity is less than 70 percent	
Sulfates	24 Hour	25 µg/m <sup>3</sup>	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 <sup>3</sup> )	Ultraviolet Fluorescence					
Vinyl Chloride	24 Hour	0.01 ppm (26 µg/m <sup>3</sup> )	Gas Chromatography					

<sup>1</sup>Source: California Air Resources Board (6/26/08)

<sup>2</sup>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

<sup>3</sup>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/m<sup>3</sup>.

Source: Urban Crossroads



## AMBIENT AIR QUALITY STANDARDS

THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL EIR  
2017110400

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Figure 4-1

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

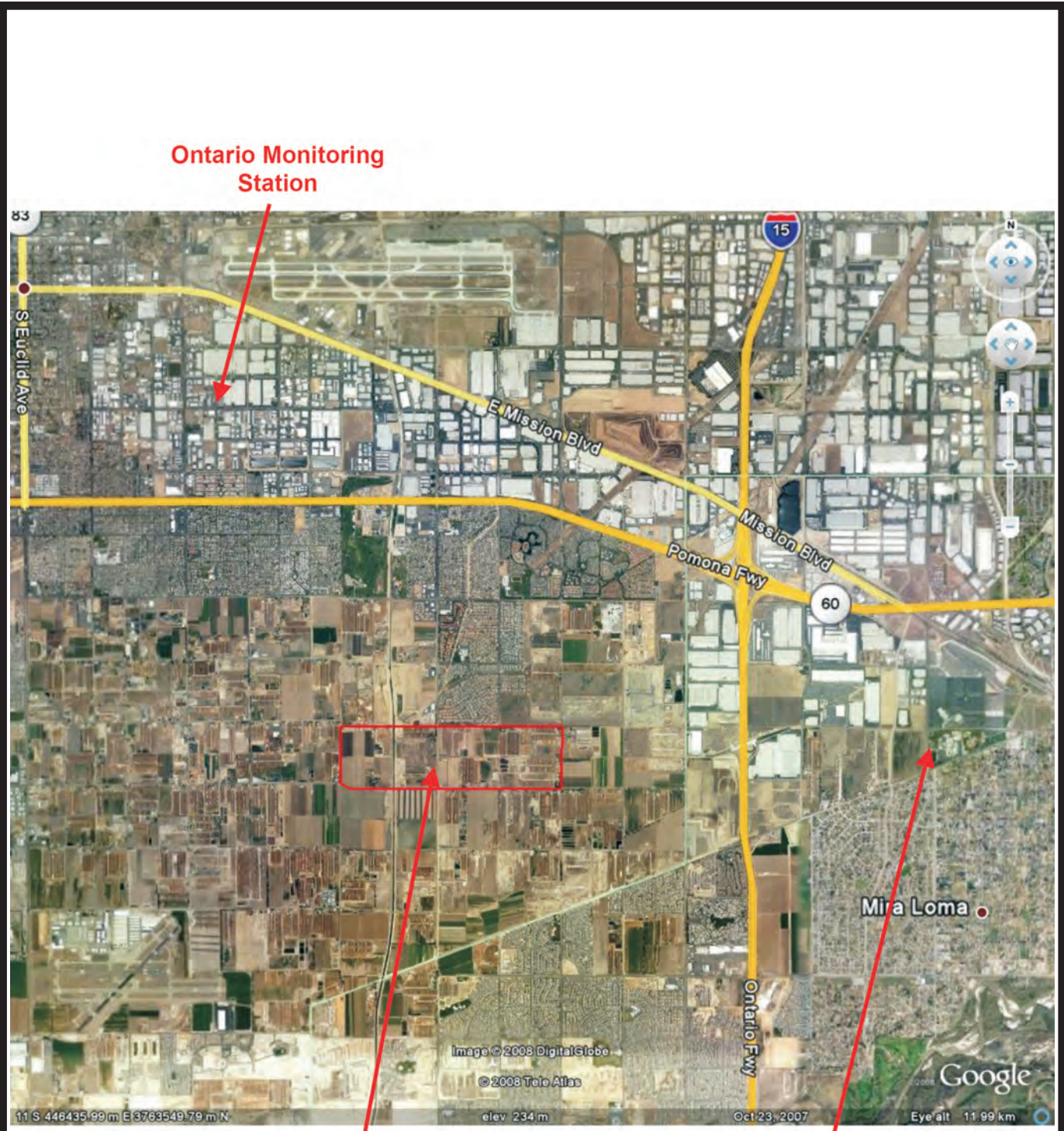
December 22, 2008

Emissions for Ozone (O<sub>3</sub>), Carbon Monoxide (CO), and Nitrogen Dioxide (NO<sub>2</sub>) 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<sub>2</sub>) data has been omitted as attainment is regularly met in the SCAB and few monitoring stations measure SO<sub>2</sub> 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 <sub>3</sub> ) <sup>a</sup>				
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) <sup>a</sup>				
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 <sub>2</sub> ) <sup>a</sup>				
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 <sub>10</sub> ) <sup>b</sup>				
Maximum 24-hour Concentration (µ/m <sup>3</sup> )		74	78	115
Number of Samples		60	62	58
Number of Samples Exceeding State Standard	>50 µ/m <sup>3</sup>	19	17	14
Number of Samples Exceeding Federal Standard	>150 µ/m <sup>3</sup>	0	0	0
Ultra-Fine Particulates (PM <sub>2.5</sub> ) <sup>b</sup>				
Maximum 24-hour Concentration (µ/m <sup>3</sup> )		87.8	53.7	72.8
Annual Arithmetic Mean (µ/m <sup>3</sup> )		18.8	18.5	17.9
Number of Samples Exceeding Federal 24-hour Standard	>65 µ/m <sup>3</sup>	1	0	1
Source: South Coast AQMD (www.aqmd.gov)				
<sup>a</sup> Mira Loma Monitoring Station data				
<sup>b</sup> Southwest San Bernardino Valley (Ontario) Monitoring Station data				





**Ontario Monitoring Station**

**Project Site**

**Mira Loma Monitoring Station**

Source: Urban Crossroads



**AIR QUALITY MONITORING STATIONS**

THE AVENUE SPECIFIC PLAN AMENDMENT  
 SUPPLEMENTAL EIR  
 2017110400

NOT TO SCALE



Figure 4-2

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

**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**

<b>Maximum Daily Emissions Thresholds</b>		
<b>Pollutant</b>	<b>Construction</b>	<b>Operational</b>
NO <sub>x</sub>	100 lbs/day	55 lbs/day
VOC	75 lbs/day	55 lbs/day
PM <sub>10</sub>	150 lbs/day	150 lbs/day
PM <sub>2.5</sub>	55 lbs/day	55 lbs/day
SO <sub>x</sub>	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
<b>Ambient Air Quality for Criteria Pollutants (Localized Thresholds)</b>		
NO <sub>2</sub>		

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

1-hour average (State)	0.18 ppm
Annual average (State)	0.030 ppm
PM <sub>10</sub>	
24-hour average (construction)	10.4 µg/m <sup>3</sup>
24-hour average (operation)	2.5 µg/m <sup>3</sup>
PM <sub>2.5</sub>	
24-hour average (construction)	10.4 µg/m <sup>3</sup>
24-hour average (operation)	2.5 µg/m <sup>3</sup>
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<sub>2.5</sub>.

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



**THE AVENUE SPECIFIC PLAN AMENDMENT****ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

(before and after mitigation). However, the Project is expected to exceed the CAAQS for emissions of PM<sub>10</sub> 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.

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

*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<sub>x</sub>, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. 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.



THE AVENUE SPECIFIC PLAN AMENDMENT

ENVIRONMENTAL IMPACT REPORT

Issues Requiring Changes to the Prior EIR

December 22, 2008

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

Construction Activity	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
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
<b>Peak Day Mass Emissions</b>	<b>13.76</b>	<b>199.67</b>	<b>102.65</b>	<b>0.18</b>	<b>111.03</b>	<b>29.57</b>
SCAQMD Regional Threshold	75	100	550	150	150	55
<i>Significant?</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>
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
<b>Peak Day Mass Emissions</b>	<b>26.92</b>	<b>435.12</b>	<b>296.95</b>	<b>0.27</b>	<b>611.97</b>	<b>141.29</b>
SCAQMD Regional Threshold	75	100	550	150	150	55
<i>Significant?</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	<i>No</i>	<i>Yes</i>	<i>Yes</i>
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
<b>Peak Day Mass Emissions</b>	<b>158.86</b>	<b>251.22</b>	<b>607.87</b>	<b>0.65</b>	<b>17.18</b>	<b>15.01</b>
SCAQMD Regional Threshold	75	100	550	150	150	55
<i>Significant?</i>	<i>Yes</i>	<i>Yes</i>	<i>Yes</i>	<i>No</i>	<i>No</i>	<i>No</i>
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<sub>10</sub> and PM<sub>2.5</sub>. Nevertheless, the mitigation measures

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

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<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. 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)**

<b>Emissions resulting from the previously approved Avenue Specific Plan</b>							
	<b>Operational Activities</b>	<b>VOC</b>	<b>NO<sub>x</sub></b>	<b>CO</b>	<b>SO<sub>x</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>
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
	<b>Operational Emissions</b>	<b>369.81</b>	<b>188.59</b>	<b>1700.68</b>	<b>2.41</b>	<b>300.17</b>	<b>N/A</b>
	SCAQMD Regional Threshold	55	55	550	150	150	55
	<i>Significant?</i>	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
	<b>Operational Emissions</b>	<b>330.96</b>	<b>270.29</b>	<b>1545.90</b>	<b>1.71</b>	<b>301.47</b>	<b>N/A</b>
	SCAQMD Regional Threshold	55	55	550	150	150	55
<i>Significant?</i>	Yes	Yes	Yes	No	Yes	N/A	
<b>Emissions resulting from the currently proposed Project (previous plan + increase in residential units and commercial space)</b>							
	<b>Operational Activities</b>	<b>VOC</b>	<b>NO<sub>x</sub></b>	<b>CO</b>	<b>SO<sub>x</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>
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

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

with Mitigation	Emissions						
	Consumer Products	128.17	0	0	0	0	0
	Architectural Coatings	82.26	0	0	0	0	0
	<b>Operational Emissions</b>	<b>407.81</b>	<b>222.52</b>	<b>1947.31</b>	<b>2.74</b>	<b>353.56</b>	<b>10.61</b>
	SCAQMD Regional Threshold	55	55	550	150	150	55
	<i>Significant?</i>	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
	<b>Operational Emissions</b>	<b>370.71</b>	<b>311.63</b>	<b>1785.55</b>	<b>2.00</b>	<b>355.00</b>	<b>10.75</b>
	SCAQMD Regional Threshold	55	55	550	150	150	55
	<i>Significant?</i>	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<sub>10</sub>. 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 AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

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.

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

*Impact Analysis*

The Project is located in a portion of the SCAB which is designated as non-attainment for ozone, PM<sub>10</sub>, and PM<sub>2.5</sub>. 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<sub>10</sub> 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 commercial 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.

**THE AVENUE SPECIFIC PLAN AMENDMENT****ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

- 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%.

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

- 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

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

**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

**THE AVENUE SPECIFIC PLAN AMENDMENT****ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

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.

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

**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.

THE AVENUE SPECIFIC PLAN AMENDMENT

ENVIRONMENTAL IMPACT REPORT

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

**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.



**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

*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.

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

**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.

THE AVENUE SPECIFIC PLAN AMENDMENT

ENVIRONMENTAL IMPACT REPORT

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

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

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

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

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

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**

<b>Observer Location</b>	<b>Description</b>	<b>Time of Measurement *</b>	<b>Primary Noise Source</b>	<b>Noise Levels (Leq dBA)</b>	<b>Noise Levels (Leq CNEL)</b>
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 Avenue	5:03 p.m.	Traffic from Edison Avenue	55.9	56.3



**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

	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.

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

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

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

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.

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

*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.

THE AVENUE SPECIFIC PLAN AMENDMENT

ENVIRONMENTAL IMPACT REPORT

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

*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



**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

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.

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

**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

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

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:

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

- 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.

**THE AVENUE SPECIFIC PLAN AMENDMENT****ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

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.



**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

**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**

<b>School Grades</b>	<b>Generation Rate</b>	<b>Number of Units</b>	<b>Total Students Anticipated</b>
<i>Previous Plan</i>			
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
<b>Total</b>			<b>2,072</b>
<i>Current Proposed Project</i>			
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
<b>Total</b>			<b>1,799</b>

\*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.

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

**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.

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

**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**

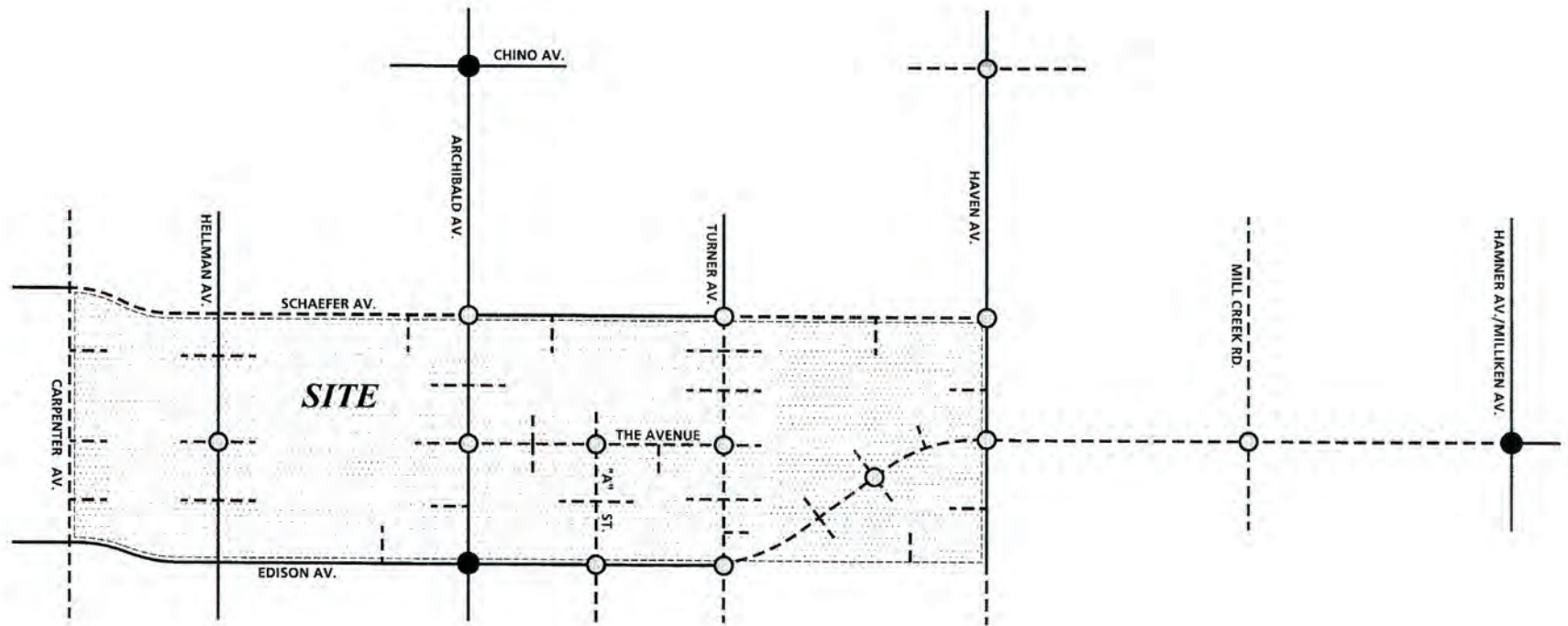
A Traffic Impact Study, prepared by Urban Crossroads, evaluated the existing conditions in the Project area (report included in *Appendix E*). A number of study intersections were included in the traffic analysis. These intersections are listed in *Table 4-12* and are shown on *Figure 4-3*.

**Table 4-11 Study Area Intersections**

<b>ID #</b>	<b>North/South Street</b>	<b>East/West Street</b>
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.



**LEGEND:**

- = EXISTING INTERSECTION ANALYSIS LOCATION
- = FUTURE INTERSECTION ANALYSIS LOCATION

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.

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

*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
<b>Total Project traffic</b>	<b>1,009</b>	<b>1722</b>	<b>2,731</b>	<b>2,026</b>	<b>1,438</b>	<b>3,464</b>	<b>35,148</b>
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

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

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.

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

*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-foot right-of-way and 36-foot paved travel area) from The Avenue to Edison Avenue.

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

- 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.

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

*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.

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

**Table 4-13 Projected Water Demand at Buildout**

<b>Land Use</b>	<b>Area (Acres)</b>	<b>Generation Factor (GPD/Acre)</b>	<b>Total Demand (GPD)</b>
<i>Previous Plan</i>			
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
<b>Total</b>	<b>540</b>		<b>2,055,643</b>
<i>Current Proposed Project</i>			
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
<b>Total</b>	<b>540</b>		<b>2,077,184</b>
<b>Difference Between Previous Plan and Current Proposed Project</b>			<b>21,542</b>
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.



**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

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)
<i>Previous Plan</i>			
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
<b>Total</b>			<b>17.92</b>
<i>Current Proposed Project</i>			
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
<b>Total</b>			<b>19.83</b>
DU=Dwelling Unit		AC=acres	
SF=Square Feet		TPD=tons per day	
lbs=pounds			
Source: The Avenue Specific Plan FEIR 2006			

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

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.

**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

*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)
<i>Previous Plan</i>			
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
<b>Total</b>			<b>22.9</b>
<i>Currently Proposed Project</i>			
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
<b>Total</b>			<b>25.4</b>
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)
<i>Previous Plan</i>			
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
<b>Total</b>			<b>245.47</b>
<i>Currently Proposed Project</i>			
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
<b>Total</b>			<b>270.87</b>
CF/day/Yr = Cubic Feet per day per Year DU = Dwelling Unit SF = Square Feet Source: The Avenue Specific Plan FEIR 2006			



**THE AVENUE SPECIFIC PLAN AMENDMENT**

**ENVIRONMENTAL IMPACT REPORT**

Issues Requiring Changes to the Prior EIR

December 22, 2008

---

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.

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

**5.0 Cumulative Impacts**

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CEQA mandates that an EIR evaluate potential cumulative impacts. A cumulative effect is deemed significant if there is presently a significant cumulative impact and this Project's incremental contribution is "cumulatively considerable." A cumulative impact is not considered significant if the impact can be mitigated to below the level of significance through mitigation measures, including providing improvements and/or contributing funds through fee-payment programs. The EIR must examine "reasonable, feasible options for mitigating or avoiding the project's contribution to any significant cumulative effects (CEQA Guidelines Section 15130(b)(5))."

CEQA Guidelines Section 15130(b) outlines the discussion of cumulative impacts. In general, the EIR should examine the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great a detail as is provided for the effects attributable to the project alone. The discussion should be guided by standards of practicality and reasonableness, and should focus on the cumulative impact to which the other identified projects contribute rather than the attributes of other projects which do not contribute to the cumulative effect. The cumulative impacts analysis can be based on one of the following methods or a combination of both methods:

- A list of past, present and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or
- A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area-wide conditions contributing to the cumulative impact. Any such planning document shall be referenced and made available to the public at a location specified by the lead agency.

Cumulative impacts are discussed using a combination of the first and second methods. *Table 5-1* lists the proposed Projects in the Project vicinity. This discussion also considers the New Model Colony General Plan projections in evaluating cumulative impacts.

**Table 5-1 List of Related Projects**

NMC Subarea	Project Name, Applicant, Size	Land Use
4	<b>Armstrong Ranch</b> Hillcrest Homes, Strathan Homes, Pacific Communities, Richland Communities 433 acres	Residential 11,616 SFR Commercial (10 acres) Elementary School Neighborhood Park
5	<b>Countryside Specific Plan</b>	Low Density Residential

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Cumulative Impacts  
December 22, 2008

	Meritage Homes 178 acres	819 SFR Open Space (10 acres)
6, 12	<b>West Haven Specific Plan</b> Stratham Homes, Centex Homes, Richland Communities 199 acres	Residential 753 SFR Commercial (10 acres) Elementary School Neighborhood Park
6, 12, 19	<b>Rich-Haven Specific Plan</b> Richland Communities 510 acres	Residential 2,109 SFR 1,550 MFR Commercial (848,400 SF) Middle School (25 acres)
7	<b>Edenglen Specific Plan</b> Brookfield Homes 160 acres	Residential 277 SFR 307 MFR Commercial (20 acres) Business Park/Light Industrial (40 acres)
22	<b>Parkside Specific Plan</b> Lewis Operating Companies 250 acres	Residential 438 SFR 1,509 MFR Commercial (15 acres) Park and Trails (50 acres)
23	<b>Grand Park Specific Plan</b> Richland Communities, Hillcrest Homes 320 acres	Residential 389 SFR 729 MFR Commercial (15,000 SF) High School Elementary School Parks (150 acres)
25	<b>Esperanza Specific Plan</b> Amberhill Development, Armada LLC 223 acres	Residential 914 SFR 496 MFR Elementary School (10 acres) Parks (9 acres)
29	<b>Park Place – Subarea 29</b> (formerly Hettinga Specific Plan) 223 acres	Residential 2,293 SFR Elementary School (10 acres) Parks (9 acres)
N/A	<b>The Preserve, City of Chino</b> Various applicants 5,435 acres	Residential 8,757 dwelling units Commercial includes retail, neighborhood, community, and regional (899,900 SF) Office (324,500 SF) Motel (200 rooms) Light Industrial (4,608,200 SF) Educational Public Facility (20 acres) Parks (423 acres)
N/A	<b>Eastvale, County of Riverside</b>	Residential

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Cumulative Impacts  
December 22, 2008

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	(unincorporated area) Various applicants	17,221 dwelling units Educational Public Facility (20 acres) Parks (115 acres)
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**5.1 CUMULATIVE IMPACT ANALYSIS**

The following is an analysis of cumulative impacts resulting from the issues which required changes from the previously certified FEIR.

**5.1.1 Air Quality**

The project is located in a portion of the SCAB which is designated as non-attainment for ozone, PM<sub>10</sub>, and PM<sub>2.5</sub>. The results of the air quality 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.

**Global Climate Change**

Global Climate Change (GCC) is defined as the change in average meteorological conditions on the Earth with respect to temperature, precipitation, and storms. GCC is currently one of the most controversial issues in the United States, and much debate exists within the scientific community whether or not GCC is occurring naturally or as a result of human activity. Scientific evidence suggests that GCC is the result of increased concentrations of greenhouse gases (GHG) in the earth's atmosphere, including carbon dioxide, methane, nitrous oxide, and fluorinated gases. Many scientists believe that this increased rate of climate change is the result of GHG resulting from human activity and industrialization over the past 200 years.

Regulatory Setting

Due to Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006, it is important to address greenhouse gas emissions from this Project and how it could potentially affect climate change. Greenhouse gases (GHG's) are those gases that trap heat within the atmosphere such as water vapor, Carbon Dioxide (CO<sub>2</sub>), Nitrous Oxide (N<sub>2</sub>O), Methane (CH<sub>4</sub>), hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride (SF<sub>6</sub>). Without the natural greenhouse gas effect, the Earth's average temperature would be approximately 61° Fahrenheit cooler than it is currently. The cumulative accumulation of these gases in the Earth's atmosphere, due to both natural and anthropogenic (human) sources, is considered to be the cause for the observed increase in the Earth's temperature. AB 32 puts a cap on the greenhouse gases released by anthropogenic sources in the State of California equal to those emitted in 1990.

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Cumulative Impacts  
December 22, 2008

---

On October 17, 2007, the California Air Resources Board (CARB) published the “Expanded List of Early Action Measures to Reduce Greenhouse Gas Emissions in California,” which outlines recommendations for early action measures to reduce GHG emissions. CARB estimates that implementation of the 44 early action measures outlined in the report may result in a reduction in GHG emissions of approximately 42 million metric tons of CO<sub>2</sub> equivalent greenhouse gases.

In December 2007, CARB established the 1990 statewide GHG emissions level at 427 teragrams (Tg) CO<sub>2</sub> equivalent GHG, which, as required under AB 32, is the GHG emissions level which shall be achieved by 2020. One Tg is equivalent to One Million Metric Ton. GHG emissions in California for 2004 were estimated at 492 Tg CO<sub>2</sub> equivalent (CEC 2006). According to preliminary estimates, 2020 emissions projections could reach 600 million metric tons of CO<sub>2</sub> equivalent GHG if no reduction measures are taken.

In January 2008, the California Air Pollution Control Officers Association (CAPCOA) published “CEQA and Climate Change,” which considers and evaluates numerous approaches to addressing greenhouse gas emissions under CEQA. However, due to pending litigation in various state and federal courts and active federal legislation, many legal and policy questions regarding global warming and GHG emissions remain unsettled. This document is currently intended only to be a resource and does not provide regulatory guidance.

Additionally, in June 2008, the OPR released the technical advisory “CEQA and Climate Change: Addressing Climate Change Through CEQA Review.” In this document, OPR provides interim guidance on how climate change should be addressed in CEQA documents until the CEQA Guidelines are amended on or before January 1, 2010 (pursuant to SB 97).

### *GHG Emissions Inventory*

Each year, the U.S. EPA prepares an inventory of national GHG emissions in order to track emissions trends and compare data on a global level. In the United States, the most abundant GHG emitted by human activity is carbon dioxide, comprising approximately 85 percent of total GHG emissions. Methane emissions, which are associated with livestock and waste decomposition, have steadily declined since 1990. Nitrous oxide emissions, produced by agricultural processes and motor vehicle exhaust, have decreased slightly since 1990. Overall, GHG emissions in the United States have risen by 16.3 percent between 1990 and 2005.

Although California’s rate of growth of GHG emissions is slowing, the state is still a substantial contributor. In 2004, the state produced an estimated 492 million gross metric tons of carbon dioxide equivalent GHG emissions. It should be noted however that between the years of 1990 and 2004, California’s population increased by 16 percent while the growth of GHG emissions slowed by 9.7 percent. Much of this reduction in GHG emissions can be attributed to energy conservation measures in residential and commercial buildings and appliances implemented under Title 24 of the California Building Code.

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Cumulative Impacts  
December 22, 2008

---

Based on the CEC's estimates, California's residential and commercial sectors are already in compliance with the goals set by AB 32 to reduce GHG emissions to 1990 levels, as presented in *Table 5-2*.

**Table 5-2 California Greenhouse Gas Emissions (Tg CO2 Equivalentts)**

	<u>1990</u>	<u>2004</u>
Residential	28.97	27.86
Commercial	12.65	12.19
Source: California Energy Commission, Greenhouse Gas Inventory, Dec. 2006		

Building related energy consumption was further reduced by the 2005 Building Energy Efficiency Standards, which apply to new residential and commercial construction. The CEC estimates that these new standards will reduce energy consumption for nonresidential buildings by 8.3 percent. Compliance with these updated California Building Code Title 24 standards will not only reduce energy consumption and costs, but will further reduce emissions of GHG when compared to older construction.

Water use efficiency is another measure through which GHG emissions can be reduced. According to the California Climate Action Team Report, "19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute, and use water and wastewater. When a unit of water is saved, so too is the energy required to convey, treat, affect local delivery, perform wastewater treatment, and safely dispose of that unit of water." The reduced energy use resulting from water conservation leads to reduced GHG emissions.

Due to the global nature of climate change, it is unlikely that GHG emissions resulting from any single project are likely to have a significant impact on overall climate change. Instead, GHG emissions from the proposed project would combine with GHG emissions emitted across California, the United States, and the world to cumulatively contribute to GCC.

*Project Emissions*

GHG emissions associated with the development and operation of the proposed Project were estimated for the following five categories: (1) increases in emissions from short-term construction activity (fossil-fuel consumption); (2) increase in emissions from electricity generation to provide power to project uses; (3) increase in emissions from natural gas use for project uses; (4) increase in emissions from water consumption for project uses; and (5) increase in emissions from vehicular-exhaust emissions from daily vehicular activity as a result of the project.

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Cumulative Impacts  
December 22, 2008

For the purposes of this analysis, emissions of carbon dioxide, methane, and nitrous oxide were evaluated. Although other substances, such as fluorinated gases, also contribute to GCC, sources of fluorinated gases are not well defined and no accepted emissions factors or methodology exist to accurately calculate these gases.

GHG have varying global warming potential (GWP) values; GWP values represent the potential of a gas to trap heat in the atmosphere. Carbon dioxide is utilized as the reference gas for GWP, and thus has a GWP of 1. The following table shows GWP values for carbon dioxide, methane and nitrous oxide. The GWP values are used as multipliers to determine carbon dioxide equivalent values.

**Table 5-3 Global Warming Potential Values and Atmospheric Lifetimes**

Greenhouse Gas	Global Warming Potential (100 year time horizon)	Atmospheric Lifetime (Years)
Carbon Dioxide	1	50-200
Methane	21	12+/-3
Nitrous Oxide	310	120
Source: EPA 2006 (URL: <a href="http://www.epa.gov/nonco2/econ-inv/table.html">http://www.epa.gov/nonco2/econ-inv/table.html</a> )		

The following table shows emissions calculations for the construction phase of the Project.

**Table 5-4 Construction Greenhouse Gas Emissions**

Construction Activity	CO <sub>2</sub>	N <sub>2</sub> O		CH <sub>4</sub>	
	lbs/day	lbs/day	lbs/day CO <sub>2</sub> EQ	lbs/day	lbs/day CO <sub>2</sub> EQ
<b>Demolition</b>					
Off-Road Equipment	15,346.11	0.40	123.99	1.83	38.48
Haul Trucks	9,431.90	4.87	1,508.51	0.36	7.65
Worker Commute	1,575.32	0.50	154.63	0.10	2.10
<b>Grading</b>					
Off-Road Equipment	64,930.28	1.69	524.38	7.03	147.53
Haul Trucks	13,979.88	6.77	2,098.69	0.51	10.63
Worker Commute	6,304.42	1.88	582.55	0.37	7.77
<b>Underground Utility Construction</b>					
Off-Road Equipment	16,581.20	0.49	152.05	2.15	45.05
Worker Commute	3,324.21	0.83	257.69	0.17	3.50
<b>Paving</b>					
Off-Road Equipment	32,879.90	0.97	301.20	4.04	84.85
Worker Commute	5,347.65	1.34	414.55	0.27	5.63
<b>Building Construction/Architectural Coating</b>					
Off-Road Equipment	4,425.94	0.13	38.97	0.51	10.80
Worker Commute	3,035.15	0.76	235.29	0.15	3.20
<b>Total (Entire Avenue Specific Plan Project)</b>	<b>177,161.96</b>	<b>20.62</b>	<b>6,392.51</b>	<b>17.49</b>	<b>367.20</b>



**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Cumulative Impacts  
December 22, 2008

Source: Urban Crossroads, Inc. 2008

Recommended measures to reduce GHG emissions during project construction activity are presented in Section 4.1.6 of this SEIR. Although these construction mitigation measures are proven to reduce criteria pollutant emissions, their effectiveness to reduce GHG emissions is not known at this time, and mitigation measures to reduce GHG emissions resulting from construction activity are generally not available at this time.

Table 5-5 shows emissions calculations for the operational phase of the Project.

**Table 5-5 Operational Greenhouse Gas Emissions (metric tons per year)**

Scenario	Source	CO <sub>2</sub>	N <sub>2</sub> O		CH <sub>4</sub>	
		mtpy	mtpy	mtpy CO <sub>2</sub> EQ	mtpy	mtpy CO <sub>2</sub> EQ
Original Project	Mobile Source Emissions	54,000.23	2.49	772.10	3.52	73.95
	Energy Use Emissions	7,273.86	0.0662	20.53	0.298	6.26
	Water use Related Emissions	1,576.10	0.0143	4.45	0.0646	1.36
	Natural Gas Emissions	6,408.43	0.117	36.42	0.123	2.58
	<i>Total (mtpy)</i>	<i>69,258.62</i>	<i>2.69</i>	<i>833.50</i>	<i>4.01</i>	<i>84.14</i>
	<i>Total (Teragrams CO<sub>2</sub> Equivalent)</i>	<i>0.0702</i>				
Increase in residential units and commercial space alone	Mobile Source Emissions	5,499.94	0.254	78.69	0.359	7.53
	Energy Use Emissions	1,191.30	0.0108	3.36	0.0488	1.02
	Water Use Related Emissions	195.59	0.00178	0.55	0.00801	0.17
	Natural Gas Emissions	893.99	0.0164	5.08	0.0171	0.36
	<i>Total (mtpy)</i>	<i>7,780.16</i>	<i>0.28</i>	<i>87.68</i>	<i>0.43</i>	<i>9.08</i>
	<i>Total (Teragrams CO<sub>2</sub> Equivalent)</i>	<i>0.0079</i>				
<b>Total Project (mtpy)</b>		<b>77,038.79</b>	<b>2.97</b>	<b>921.18</b>	<b>4.44</b>	<b>93.22</b>
<b>Total Project (Teragrams CO<sub>2</sub> Equivalent)</b>		<b>0.0781</b>				

It is estimated that the proposed project (including the incremental increase in project land uses) would result in approximately 78,053.19 metric tons (0.0781 Tg) of CO<sub>2</sub> Eq. emissions, which represents approximately 0.01586 % of California's 2004 total CO<sub>2</sub> emissions. It should be noted that the reduction in GHG emissions resulting from implementation of the recommended emissions reduction measures and project design features is not known at this time, and thus, implementation of the recommended emissions reduction measures will likely further reduce GHG emissions beyond what is presented in Table 5-5.

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**Cumulative Impacts  
December 22, 2008

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*Thresholds of Significance*

As indicated in section 15064(b) of the State CEQA Guidelines, the determination of significance of greenhouse gases is not “ironclad;” rather, the “determination of whether a project may have a significant effect on the environment calls for a careful judgment” by the City “based to the extent possible on scientific and factual data.” The City of Ontario has not yet adopted a numeric threshold of significance for emissions of greenhouse gases. The analysis below sets out the factual bases for the City’s determination regarding the effect of greenhouse gases. This analysis is specific to this project, however, and may not necessarily apply to other projects within the City of Ontario.

It should be noted that CARB and the SCAQMD are currently in the process of establishing CEQA GHG significance thresholds. Both agencies are in the preliminary “working group” stages of developing GHG significance thresholds, although no formal guidance that would be applicable to this project has been adopted. Both agencies have provided draft interim thresholds for discussion purposes. It is important to note that any significance threshold formally adopted by the SCAQMD would apply to projects located within the district, while any CARB significance threshold would apply to projects located within the state.

CARB is currently in the process of establishing a statewide CEQA Climate Change emission threshold for industrial, residential, and commercial projects. CARB’s preliminary draft staff proposal was released for public review on October 24, 2008. CARB also held a public workshop to discuss the draft proposal on October 27, 2008 and December 9, 2008. The current schedule has CARB adopting an interim threshold by January 22, 2009. A summary of CARB’s proposed thresholds under consideration are summarized in *Appendix B-2, Table 5*.

On December 5, 2008 the SCAQMD Governing Board adopted an Interim GHG Significance Threshold for industrial projects where the SCAQMD is the lead agency (e.g., stationary source permit projects, rules, plans, etc.) of 10,000 MT CO<sub>2</sub>eq/yr. As part of the Interim GHG Significance Threshold development process for industrial projects, the SCAQMD established a working group of stakeholders that also considered thresholds for residential/commercial projects. As discussed in the Interim GHG Significance Threshold guidance document the focus for residential/commercial projects is on performance standards and a screening level threshold. For discussion purposes, the SCAQMD’s working group considered performance standards primarily focused on energy efficiency measures beyond Title 24 and a screening level of 3,000 MT CO<sub>2</sub>eq/yr based on the relative GHG emissions contribution between residential/commercial sectors and stationary source (industrial) sectors. The working group and staff ultimately decided that additional analysis was needed to further define the performance standards and to coordinate with CARB staff’s interim GHG proposal. Staff, therefore, did not recommend action for adopting an interim threshold for residential/commercial projects but rather recommended bringing this item back to the Board for discussion and possible action in March 2009 if the CARB board does not take its final action by February 2009.

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Cumulative Impacts  
December 22, 2008

The project's potential for creating an impact on global warming is based partly on a comparative analysis of the project against the emission strategies contained in the California Climate Action Team (CAT)'s Report to the Governor. Implementation of the CAT strategies will likely reduce GHG emissions to the extent possible; however, it is not possible to specifically quantify the reduction in GHG that will result from implementation of CAT strategies and programs. *Table 5-6* includes a summary of the Project's compliance with applicable CAT strategies which are expected to reduce the Project's GHG emissions.

**Table 5-6 Project Compliance with Applicable 2006 CAT Report Greenhouse Gas Emissions Reduction Strategies**

Strategy	Project Compliance
<p><b>Vehicle Climate Change Standards</b> AB 1493 (Pavley) required the state to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks. Regulations were adopted by the ARB in September 2004.</p>	<p>Compliant. Vehicles that will access the project site will be in compliance with CARB vehicle standards to the maximum extent feasible.</p>
<p><b>Other Light Duty Vehicle Technology</b> New standards would be adopted to phase in beginning in the 2017 model.</p>	
<p><b>Heavy-Duty Vehicle Emission Reduction Measures</b> Increased efficiency in the design of heavy-duty vehicles and an education program for the heavy-duty vehicle sector.</p>	
<p><b>Diesel Anti-Idling</b> In July 2004, the CARB adopted a measure to limit diesel-fueled commercial motor vehicle idling.</p>	<p>Compliant. This is a regulatory requirement. Heavy-duty diesel trucks that access the project site will be required to limit idling to no more than five minutes in any location.</p>
<p><b>Achieve 50 percent Statewide Recycling Goal</b> Achieving the State's 50 percent waste diversion mandate as established by the Integrated Waste Management Act of 1989, (AB 939, Sher, Chapter 1095, Statutes of 1989), will reduce climate change emissions associated with energy intensive material extraction and production as well as methane emission from landfills. A diversion rate of 48 percent has been achieved on a statewide basis. Therefore, a 2 percent additional reduction is needed.</p>	<p>Compliant. Project design will include provisions for residents to recycle.</p>
<p><b>Zero Waste - High Recycling</b> Additional recycling beyond the State's 50 percent recycling goal.</p>	
<p><b>Urban Forestry</b> A new statewide goal of planting 5 million trees in</p>	<p>Compliant. The implementation of the proposed project will</p>

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Cumulative Impacts  
December 22, 2008

<p>urban areas by 2020 would be achieved through the expansion of local urban forestry programs.</p>	<p>result in the planting of additional trees and vegetation at the project site.</p>
<p><b>Afforestation/Reforestation Projects</b> Reforestation projects focus on restoring native tree cover on lands that were previously forested and are now covered with other vegetative types.</p>	
<p><b>Water Use Efficiency</b> Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions.</p>	<p>Compliant. The project shall implement U.S. EPA Certified WaterSense labeled or equivalent faucets and high-efficiency toilets (HETs), and implement water-conserving shower heads to the extent feasible.</p>
<p><b>Smart Land Use and Intelligent Transportation Systems (ITS)</b> Smart land use strategies encourage jobs/housing proximity, promote transit-oriented development, and encourage high-density residential/commercial development along transit corridors. ITS is the application of advanced technology systems and management strategies to improve operational efficiency of transportation systems and movement of people, goods and services. Governor Schwarzenegger is finalizing a comprehensive 10-year strategic growth plan with the intent of developing ways to promote, through state investments, incentives and technical assistance, land use, and technology strategies that provide for a prosperous economy, social equity, and a quality environment.</p>	<p>Compliant. The proposed project contains a mix of uses, and is placing development adjacent to a transportation corridor and near homes which can limit worker commute trips.</p>
<p><b>Green Buildings Initiative</b> Green Building Executive Order, S-20-04 (CA 2004), sets a goal of reducing energy use in public and private buildings by 20 percent by the year 2015, as compared with 2003 levels.</p>	<p>Compliant. With implementation of the project design features, the project is expected to reduce energy use. Additionally, the project will be consistent with energy standards required by Title 24 or better.</p>
<p><b>California Solar Initiative</b> Installation of 1 million solar roofs or an equivalent 3,000 MW by 2017 on homes and businesses; increased use of solar thermal systems to offset the increasing demand for natural gas; use of advanced metering in solar applications; and creation of a funding source that can provide rebates over 10 years through a declining incentive schedule.</p>	<p>Compliant. Recommended project design features include a provision that buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar energy systems as is economically and physically feasible.</p>
<p><b>Water Use Efficiency</b> Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions.</p>	<p>Compliant. Project will include low flow fixtures where possible.</p>
<p><b>Building Energy Efficiency Standards in Place</b></p>	<p>Compliant.</p>

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Cumulative Impacts  
December 22, 2008

<p><b>and in Progress</b> Public Resources Code 25402 authorizes the CEC to adopt and periodically update its building energy efficiency standards (that apply to newly constructed buildings and additions to and alterations to existing buildings).</p>	<p>Project will be compliant with updated Title 24 standards for building construction.</p>
<p><b>Appliance Energy Efficiency Standards in Place and in Progress</b> Public Resources Code 25402 authorizes the CEC to adopt and periodically update its appliance energy efficiency standards (that apply to devices and equipment using energy that are sold or offered for sale in California).</p>	<p>Compliant. Appliances purchased for use in project will be consistent with existing energy efficiency standards.</p>

In addition to assessing the Project’s consistency with CAT strategies and programs, a comparison of the project’s emissions to the draft interim thresholds under consideration by CARB and SCAQMD has been conducted to assist the City in determining whether the Project’s greenhouse gas emissions are cumulatively considerable.

Although the SCAQMD is deferring action on the proposed 3,000 metric tons of CO<sub>2</sub> Eq/year until CARB establishes an interim statewide threshold, it is likely that the proposed project’s emissions will exceed any proposed numerical threshold established by the SCAQMD and therefore a significant cumulative impact to climate change is expected.

Although CARB’s interim draft thresholds establish a numeric value only for industrial projects and currently they do not define the “upper limit on project emissions” numerically, it is anticipated that the CARB upper limit project emissions for residential/commercial projects would fall within the general range of the proposed industrial project numerical threshold of 7,000 metric tons of CO<sub>2</sub> Eq/year and the CARB mandatory reporting requirement for industrial projects of 25,000 metric tons of CO<sub>2</sub> Eq/year. Given that the proposed project will generate approximately 78,053.19 metric tons (0.0781 Tg) of CO<sub>2</sub> Eq per year the determination that the project will exceed the proposed upper limit can be made and a significant cumulative impact to global climate change is expected. It should be noted however that the proposed Project is consistent with some of the general performance standards identified by CARB and SCAQMD, listed in *Appendix B-2, Table 5*.

The Project will also implement the following applicable GHG reduction measures as recommended by the California Attorney General’s Office in the document *Addressing Global Warming Impacts at the Local Agency Level*.

Mitigation Measure AQ-21:

The Project will implement the following measures as Project design features in order to reduce the Project’s impact on global climate change:

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Cumulative Impacts  
December 22, 2008

---

### Energy Efficiency

- Design buildings to be energy efficient. Site buildings to take advantage of shade, prevailing winds, landscaping and sun screens to reduce energy use.
- Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings.
- Install light colored “cool” roofs, cool pavements, and strategically placed shade trees.
- Provide information on energy management services for large energy users.
- Install energy efficient heating and cooling systems, appliances and equipment, and control systems.
- Install light emitting diodes (LEDs) for traffic, and other outdoor lighting.
- Limit the hours of operation of outdoor lighting.
- Provide education on energy efficiency.

### Renewable Energy

- Install solar and tankless hot water heaters, and energy-efficient heating ventilation and air conditioning. Educate consumers about existing incentives.

### Water Conservation and Efficiency

- Create water-efficient landscapes.
- Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls.
- Use reclaimed water for landscape irrigation in new developments and on public property. Install the infrastructure to deliver and use reclaimed water.
- Design buildings to be water-efficient. Install water-efficient fixtures and appliances.
- Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.
- Restrict the use of water for cleaning outdoor surfaces and vehicles.
- Implement low-impact development practices that maintain the existing hydrologic character of the site to manage storm water and protect the environment. (Retaining storm water runoff on-site can drastically reduce the need for energy-intensive imported water at the site.)
- Devise a comprehensive water conservation strategy appropriate for the project and location. The strategy may include many of the specific items listed above, plus other innovative measures that are appropriate to the specific project.
- Provide education about water conservation and available programs and incentives.

### Solid Waste Measures

- Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).
- Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.
- Provide education and publicity about reducing waste and available recycling services.



**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Cumulative Impacts  
December 22, 2008

---

**Significance Determination**

Because mitigation measures to reduce GHG emissions resulting from construction activity are not proven and remain under investigation at this time, no reduction in construction activity GHG emissions was taken in this evaluation and the Project is expected to have a significant cumulative impact on GCC.

As previously indicated, the Project contains both residential and commercial/retail uses, which reduces vehicle miles traveled. Since a large proportion of greenhouse gases are generated through vehicle emissions, a reduction in vehicle miles traveled will result in a reduction in GHG emissions.

It should also be noted that The Avenue Specific Plan will provide pedestrian and bicycle facilities to interconnect with other NMC trail systems. Internal project streets will be constructed with pedestrian friendly streets to interconnect all portions of the project area and all surrounding uses. These pedestrian and bicycle facilities will also help reduce GHG emissions by reducing the number of vehicle trips and vehicle miles traveled.

It is conservatively estimated that inclusion of these design features will yield a net reduction in Project GHG emissions. However, for the purposes of this evaluation, no reduction in GHG emissions was taken and the Project is expected to have a significant cumulative impact on GCC.

**5.1.2 Biological Resources**

Given the current degradation of the existing habitat onsite, development impact fees will help acquire, at least, an equivalent or greater level of habitat. The proposed Project will be required to pay these fees. Cumulative loss of habitat is therefore considered less than significant.

Cumulative impacts to the direct loss of species are reduced to less than significant levels with the implementation of Mitigation Measures listed in the previously approved FEIR and in this SEIR and through consultation with the appropriate regulatory agencies as necessary.

**5.1.3 Land Use and Planning**

The uses proposed by the Project would be consistent with the uses planned for in the New Model Colony General Plan and were analyzed in the New Model Colony General Plan EIR. Development of the project would not result in cumulative impacts.

**5.1.4 Noise**

Cumulative increases in traffic noise levels along roadways in the Project vicinity were estimated by comparing the Year 2030 With Project scenario, which accounts for projected



**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Cumulative Impacts  
December 22, 2008

growth within the New Model Colony, to existing conditions. Noise levels are expected to increase up to 10.6 dBA CNEL, as shown on *Table 5-7*, with the development of the proposed project and all other traffic growth projected for Year 2030.

**Table 5-7 Year 2030 Cumulative Off-site Traffic Noise Levels**

Road	Segment	CNEL at 100 Feet (dBA)		Increase	Significant Impact?
		Existing	With Project		
Archibald Avenue	Chino to Schaefer	65.2	69.1	3.9	Yes
Archibald Avenue	n/o Chino	65.4	68.9	3.4	Yes
Archibald Avenue	s/o Edison	65.8	71.5	5.6	Yes
Chino Avenue	e/o Archibald	58.6	63.4	4.8	Yes
Chino Avenue	e/o Haven	-	63.5	-	-
Chino Avenue	w/o Archibald	57.4	63.1	5.7	Yes
Chino Avenue	w/o Haven	-	62.7	-	-
Edison Avenue	Archibald to Haven	61.6	70.1	8.5	Yes
Edison Avenue	e/o Hamner	-	71.6	-	-
Edison Avenue	e/o Haven	60.6	71.2	10.6	Yes
Edison Avenue	Haven to Mill Creek	-	70.7	-	-
Edison Avenue	Helman to Archibald	62.4	70.4	8.0	Yes
Edison Avenue	Mill Creek to Hamner	-	71.2	-	-
Haven Avenue	Chino to Schaefer	-	67.4	-	-
Haven Avenue	n/o Chino	-	67.2	-	-
Haven Avenue	s/o Edison	-	66.7	-	-
Haven Avenue	Schaefer to Edison	-	66.1	-	-
Mill Creek Road	n/o Edison	-	62.1	-	-
Mill Creek Road	s/o Edison	-	62.4	-	-
Milliken Avenue	n/o Edison	63.8	69.9	6.1	Yes
Milliken Avenue	s/o Edison	63.9	69.5	5.6	Yes
Schaefer Avenue	Archibald to Turner	-	61.0	-	-
Schaefer Avenue	Helman to Archibald	-	62.4	-	-
Schaefer Avenue	Turner to Haven	-	60.4	-	-

Source: Urban Crossroads

Based on the standard of noise levels in excess of 3 dBA CNEL being considered significant, there are multiple segments within the Project vicinity that will increase by more than 3 dBA CNEL; therefore, cumulative noise impacts would be considered significant. As stated in the previously approved FEIR, no feasible mitigation is available that will reduce cumulative noise impacts to less than significant levels. However, mitigation measures will be implemented throughout the New Model Colony to reduce the impact of noise to the extent feasible.

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**Cumulative Impacts  
December 22, 2008

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**5.1.5 Population and Housing**

The proposed Project would introduce residential uses in the area which would increase the amount of population in the City. The Project, when considered with other projects in the area, would result in cumulative impacts on population and housing in the area. However, the City has anticipated this growth and has planned for it in the City's General Plan and the New Model Colony General Plan. Furthermore, the additional facilities included in the proposed Project would help accommodate the City's housing needs and improve the City's jobs/housing balance; therefore the Project's impact would not be cumulatively considerable.

**5.1.6 Public Services**

The proposed Project would introduce new residents and businesses which would require public services. However, the Project, as well as all other new projects, would be subject to the payment of development impact fees in order to maintain fire, police, school and library services and facilities. The Project would not have a significant cumulative impact on these services.

**5.1.7 Recreation**

The proposed Project would introduce new residents which would result in increased usage of parks and recreational facilities in the City. The Project, along with other new projects in the area, would result in cumulatively considerable impacts on parks and recreational facilities. By City policy, new residential developments are required to provide parks and recreational facilities either through dedication of land or payment of fees in lieu of dedication to meet the needs of future residents. With payment of park fees or land dedication, the Project would have a less than significant cumulative impact on parks and recreational facilities.

**5.1.8 Transportation and Traffic**

The Project would cause an increase in traffic on area roadways, due to the addition in residential units and commercial space. The Project would not contribute to unacceptable levels of service at area intersections or roadways; however, the Project, along with other new projects in the area, would contribute to cumulatively considerable impacts on area roadways and intersections. The Project would be required to pay its fair share contribution to the City's Development Impact Fee program. This fair share contribution would reduce cumulative impacts to a less than significant level.

**Regional Roadway Networks**

During the scoping process for the current Traffic Impact Study, the City determined that only those intersections that were analyzed in the Traffic Impact Study prepared for the previously approved FEIR which could have significant impacts would be studied in the current Traffic Impact Study. The NMC EIR evaluated regional traffic impacts, and all specific plan EIRs in the

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Cumulative Impacts  
December 22, 2008

---

NMC area, including The Avenue Specific Plan SEIR, are tiering from the NMC EIR. CEQA Guidelines Section 15152 (f) (1) states, "Where a lead agency determines that a cumulative effect has been adequately addressed in the prior EIR, that effect is not treated as significant for purposes of the later EIR or negative declaration, and need not be discussed in detail." Accordingly, the EIR need not further discuss impacts to regional roadway networks.

**5.1.9 Utilities and Service Systems**

The proposed Project would result in an increase in demand for water, wastewater, solid waste and energy services. However, with the exception of solid waste disposal, these services are adequately planned for and would have adequate infrastructure to serve the Project and surrounding area. In the case of solid waste disposal, the Project's contribution of solid waste along with other Projects in the City would result in cumulatively considerable impacts.

## **6.0 Impacts Found to Have No Substantial Change from the Previous Analysis**

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### **6.1 AESTHETICS**

As presented in the Initial Study (2008), the previous FEIR (2006) does not identify any scenic vistas or scenic highways within or adjacent to the Project site. In addition, it was determined in the previous FEIR (2006) that any impacts of the development due to the removal of open space and replacement with an urban setting would be mitigated through the application of design guidelines that will ensure an aesthetically-pleasing development. Finally, the FEIR (2006) showed that while the development will create a new source of light, design techniques and criteria will be used to prevent spillover and direct light to prevent off-site impacts due to the lighting. The changes to the Project do not substantially change these conclusions and the impacts were found to be less than significant after the previously approved mitigation is applied.

### **6.2 AGRICULTURAL RESOURCES**

The Project is located on a site that is currently used for farming and several of the parcels have active Williamson Act contracts. The impact of the development on these agricultural resources was previously evaluated in the FEIR (2006) and it was determined that the impacts would be unavoidably significant. However, since the Project is still within the originally evaluated footprint, the changes to the Project would not substantially change this conclusion and no additional mitigation measures are proposed that could reduce this impact.

### **6.3 CULTURAL RESOURCES**

The previous FEIR (2006) included an investigation of potential cultural and paleontological resources on the Project site. Several mitigation measures were approved that reduced any potential impacts to a level less than significant. Since the Project boundaries have remained the same, the same impacts and mitigation measures remain. No additional mitigation measures are proposed or necessary due to the changes to the Project.

### **6.4 GEOLOGY/SOILS**

The previous FEIR (2006) evaluated the geological hazards on the site and how the Project could expose residents to any existing hazards. It was found that there are faults that are located approximately 6 miles from the site. Several mitigation measures were incorporated that will reduce the potential impacts to future residents from groundshaking and/or seismic ground failure. It was determined that the mitigation reduced these impacts to a less than significant

level. The changes to the Project will not change the potential for these impacts or the need for the mitigation measures. No additional mitigation measures are proposed.

## **6.5 HAZARDS AND HAZARDOUS MATERIALS**

As discussed in the Initial Study (2008), the previous FEIR (2006) evaluated the existence of hazardous materials onsite due to the agricultural operations through Phase I Environmental Site Assessments (ESAs). The Phase I ESAs found several registered sites that have both active and inactive underground storage tanks, waste discharge permits, and hazardous materials, mostly due to the agricultural operations on the Project site. One of the Phase I ESAs resulted in the execution and preparation of a Phase II ESA. This evaluation determined that no further action was required.

In addition, the FEIR discussed the potential for hazardous materials to be used during the construction of the development. It was determined that the use of these chemicals and/or hazardous materials including those found during the demolition stage (underground storage tanks, residual fertilizer, etc), those used during the construction phase (paint, fertilizer, etc.), and those used during the operations phase (household hazardous chemicals such as paint and household cleaners), would generally be common materials found in small quantities and would be subject to existing regulations. The impacts were found to be less than significant.

Finally, the site is in proximity to the Chino Airport, as discussed in the previous FEIR (2006). However, the development is in an area that has a low risk for aircraft accidents and therefore there are no restrictions on the types of buildings allowed. It was determined the impacts from this airport would be less than significant.

The proposed changes to the Project do not change these conclusions. The impacts remain at less than significant levels and no additional mitigation measures are proposed.

## **6.6 HYDROLOGY/WATER QUALITY**

There were several concerns regarding water quality addressed in the previously certified FEIR (2006), most of them in relation to the content of manure and fertilizer in the topsoils onsite that will be exposed during the grading phase of the Project. Mitigation measures were proposed to prevent the migration of these topsoils to nearby watersheds which reduced these potential impacts to a less than significant level.

In addition, the Project's impacts during the operational phase were also evaluated. It was concluded that while uses such as gasoline service stations could be included in the retail portion of the site, they would be subject to specific requirements that will prevent pollution from migrating offsite.

## **6.7 MINERAL RESOURCES**

previously certified F (2006)The Project site is located within a mostly developed area surrounded by agricultural land uses. There are no known mineral resources in the area. Therefore, no impacts are anticipated. The changes to the Project

## **7.0 Mandatory CEQA Topics**

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The State CEQA Guidelines require several general content elements for Environmental Impact Reports (EIRs). For The Avenue Specific Plan Amendment, the following Mandatory CEQA topics apply:

- Significant Unavoidable Adverse Impacts
- Irreversible and Irrecoverable Commitment of Resources
- Growth-Inducing Impact of the Proposed Action

A discussion of each topic follows.

### **7.1 SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS**

An EIR must disclose the significant unavoidable impacts that will result from implementation of a proposed project. Section 15126(b) of the CEQA Guidelines states that an EIR should explain the implications of such impacts and the reasons why the project is being proposed, notwithstanding such impacts. Implementation of the proposed Project would result in the alteration of the physical environment. The proposed Project includes design features and proposes mitigation measures that either reduce or eliminate potentially significant impacts to a level below significance.

The previously certified FEIR determined that certain impacts would remain significant and unavoidable after Project implementation. Impacts to agricultural resources, air quality, hydrology/water quality, noise, transportation/circulation and utilities/services systems were unable to be mitigated to a level below significance. The addition of residential units and commercial space as a result of the Avenue Specific Plan Amendment does not change this determination.

#### **7.1.1 Agricultural Resources**

The previously certified FEIR discussed the significant and unavoidable adverse impacts related to the loss of agricultural land due to Project development. The changes to the Project do not change the conclusions presented in the previous FEIR.

#### **7.1.2 Air Quality**

The previously certified FEIR discussed the significant and unavoidable adverse impacts related to air pollutant emissions due to Project development. An Air Quality Impact Analysis was prepared to address the changes in the previously approved Project as proposed by the Avenue Specific Plan Amendment. The Analysis noted that the Amendment itself would not result in



**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Mandatory CEQA Topics  
December 22, 2008

---

significant pollutant emissions; however, the entire The Avenue Project (Amendment plus previously approved Specific Plan) would result in significant and unavoidable impacts on air quality. The changes to the Project do not change the conclusions presented in the previous FEIR.

**7.1.3 Hydrology/Water Quality**

The previously certified FEIR discussed the significant and unavoidable adverse impacts related to hydrology and water quality due to Project development. The changes to the Project do not change the conclusions presented in the previous FEIR.

**7.1.4 Noise**

The previously certified FEIR discussed the significant and unavoidable adverse impacts related to noise generation in the Project area due to Project development. A Noise Analysis was prepared to address the changes in the previously approved Project as proposed by the Avenue Specific Plan Amendment. The Analysis noted that the Amendment itself would result in significant construction related noise impacts and would not result in significant permanent noise related impacts. However, the entire The Avenue Project (Amendment plus previously approved Specific Plan) would result in significant and unavoidable impacts on noise levels in the area. The changes to the Project do not change the conclusions presented in the previous FEIR.

**7.1.5 Transportation/Circulation**

The previously certified FEIR discussed the significant and unavoidable adverse impacts related to traffic impacts due to Project development. The changes to the Project do not change the conclusions presented in the previous FEIR.

**7.1.6 Utilities/Service Systems**

The previously certified FEIR discussed the significant and unavoidable adverse impacts related to the generation of solid waste due to Project development. The changes to the Project do not change the conclusions presented in the previous FEIR.

**7.2 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES**

The Project's commitment of resources was evaluated in the previously certified FEIR. The addition of residential units and commercial space do not change this evaluation.

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Mandatory CEQA Topics  
December 22, 2008

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### **7.3 GROWTH-INDUCING IMPACTS**

According to CEQA Guideline Section 15126.2(d), a project may foster growth, either directly or indirectly, if it meets any one of the following criteria:

- A project would remove obstacles to population growth.
- Increases in the population may tax existing community service facilities, causing significant environmental effects.
- A project would encourage and facilitate other activities that could significantly affect the environment.

The proposed Project includes residential dwellings, commercial/retail, parks, and school land uses. The proposed Project would require extension of roadways, sewer, water, gas, and electrical lines, which would be developed to serve the Project Site. The Project Site currently includes limited infrastructure due to existing agricultural and dairy farm uses. Improvements would be completed in accordance with infrastructure master plans developed for the NMC to serve ultimate build-out of the area.

Consequently, some of the roadways and utility lines developed to serve the site would also serve future Specific Plan development in the NMC. Subsequent future development has been envisioned and considered on a programmatic level in the NMC General Plan Final EIR. Thus, the extension of these facilities would not serve development beyond the scope of that planned for the NMC.

Development of the proposed Project would generate some short-term, construction-related employment opportunities. The construction phases of the Project would require a limited labor force due to the relatively short-term nature of construction employment. Given the supply of construction workers in the local work force, it is likely that these workers would come from within the Inland Empire area. Therefore, given the availability of local workers, the proposed Project would not be considered growth inducing from a short-term employment perspective. The Project proposes commercial/retail uses which could generate long-term employment opportunities. Employees would most likely come from within the City or even the New Model Colony area. The proposed Project would not be considered growth inducing from a long-term employment perspective.

In addition to the proposed land uses, onsite and offsite infrastructure improvements would be required that are related to storm water collection and conveyance, domestic and reclaimed water supply, wastewater treatment, and transportation-related improvements. The proposed land uses and related infrastructure are part of the overall land use plan envisioned for the entire NMC. Therefore, implementation of the Project would not induce growth not already envisioned by the City and already analyzed in the NMC Final EIR.

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

## **8.0 Alternatives**

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Pursuant to Sections 15126 (f) and 15126.6 of the State CEQA Guidelines, this section of the EIR discusses alternatives to the proposed action. Key factors of these Sections of the Guidelines regarding the discussion of alternatives are as follows:

- The EIR shall describe a range of reasonable alternatives to the project or its location, which avoid or substantially lessen any of the significant effects of the project and which would feasibly attain most of the basic objectives. An EIR need not consider every conceivable alternative to a project.
- The discussion of alternatives shall focus on alternatives capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede the attainment of the project objectives, or would be more costly.
- The specific alternative of “no project” shall also be evaluated to describe the existing environment condition, which is intended to provide decision-makers with an analysis for comparing impacts of approving the proposed project against not approving it, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.

Based on State CEQA Guidelines, the “No Project” alternative and alternatives capable of feasibly attaining the Project objectives and avoiding or substantially lessening significant environmental effects are described in the following sections. Section 8.2 describes and evaluates whether each alternative can avoid or substantially lessen the Project’s significant impacts, and Section 8.3 presents conclusions as to which alternative is the “environmentally superior” alternative.

### **8.1 SUMMARY OF PROJECT OBJECTIVES**

The Amendment to the Avenue Specific Plan does not propose any additional Project objectives above those stated in the previously certified FEIR. Those objectives are listed in the previous FEIR, Section 8.1.1.

### **8.2 ALTERNATIVES ANALYSIS**

The goal for evaluating any alternatives is to identify ways to avoid or lessen the significant environmental effects resulting from implementation of the proposed Project, while attaining most of the Project objectives. Those alternatives that were discussed in the previously certified FEIR will be included in this discussion.

**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Alternatives

December 22, 2008

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**8.2.1 No Project Alternative**

The analysis of the No Project Alternative which was presented in the previously certified FEIR would not change with the addition of residential units and commercial space. The No Project Alternative would remain environmentally superior, but would not meet any Project objectives.

**8.2.2 Reduced Residential Density Alternative**

The Reduced Residential Density Alternative involves an approximate 11% reduction in residential development as stated in the previously certified FEIR. The addition of residential units and commercial space to the previously approved Project would not change the conclusions stated in the previous FEIR as air quality emissions would still be higher than SCAQMD thresholds and the Project would still result in loss of agricultural land. The Project would also still result in cumulative impacts due to water quality and solid waste consumption issues. Additionally, this alternative would meet some but not all Project objectives and would not substantially lessen environmental impacts.

**8.2.3 Increased Residential Density and No Retail Alternative**

The Increased Residential Density Alternative and No Retail Alternative eliminating the retail commercial portion of the Project and increasing residential density by approximately 9% as stated in the previously certified FEIR. While this alternative would result in an approximate 23% reduction in traffic due to the elimination of the retail component of the Project, the resulting reduction in air pollutant emissions would still result in significant air quality impacts. The Project would also still involve the loss of agricultural land and would still result in cumulative impacts due to water quality and solid waste consumption. Additionally, this alternative would generally meet Project objectives but would not meet the direction of the New Model Colony General Plan and would not substantially lessen environmental impacts.

**8.3 ENVIRONMENTALLY SUPERIOR ALTERNATIVE**

In compliance with CEQA Guidelines, Section 15126.6 (e) (2), this discussion identifies an Environmentally Superior Alternative. Of the alternatives presented above and in the previously certified FEIR, the No Project Alternative is Environmentally Superior since no development on the Project site would reduce impacts of the proposed Project. CEQA Guidelines state that the identification of another Environmentally Superior Alternative if the No Project Alternative is Environmentally Superior. The previously certified FEIR determined that the Environmentally Superior Alternative from the remaining alternatives is the Reduced Residential Density Alternative.

# THE AVENUE SPECIFIC PLAN AMENDMENT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT

## 9.0 References

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## **10.0 Organizations and Persons Contacted**

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### **10.1 AGENCIES**

City of Ontario

County of San Bernardino

County of Riverside

### **10.2 PRIVATE INDIVIDUALS OR ORGANIZATIONS**

Brookfield Homes

### **10.3 EIR PREPARATION PERSONNEL**

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**THE AVENUE SPECIFIC PLAN AMENDMENT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Organizations and Persons Contacted

December 22, 2008

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