

Ten comment letters on the Draft Subsequent EIR were submitted to the City during the public review period from June 25 to August 8, 2007. This section provides a discussion of the comments on the Draft Subsequent EIR and responses to those comments. Section 11.1 identifies the individuals and agencies that submitted written comments on the Draft Subsequent EIR. The EIR preparers and the City of Ontario, as the Lead Agency, then prepared point-by-point responses to the comments received. The responses are provided beside each comment in Section 11.2 below. Modifications to the Draft Subsequent EIR required as a result of the comments and responses are listed in Section 11.3, along with other City revisions or clarifications. These changes are shown in ~~strikeout~~/underline text in the pertinent sections of this Final Subsequent EIR. The changes to the Draft Subsequent EIR are relatively minor and do not alter the analysis or conclusions.

11.1 COMMENTS RECEIVED ON THE DRAFT SUBSEQUENT EIR

Persons and agencies that commented on the Draft Subsequent EIR include the following:

- A. San Bernardino County Department of Public Works, Nancy Sansonetti, July 11, 2007
- B. Southern California Association of Governments, Sheryll Del Rosario, July 12, 2007
- C. South Coast Air Quality Management District, James Koizumi, July 13, 2007
- D. John Jasbinsek, August 4, 2007
- E. Daryl Vollrath, August 8, 2007
- F. Lionel Hauder, August 8, 2007
- G. Southern California Edison Company, Neiland Derry, August 6, 2007
- H. South Coast Air Quality Management District, Steve Smith, August 8, 2007
- I. Department of Toxic Substances Control, Greg Holmes, August 9, 2007
- J. Governor's Office of Planning and Research, Terry Roberts, August 9, 2007

11.2 RESPONSES TO COMMENTS

Provided below are point-by-point responses to the environmental issues raised by the written comments. The letters are provided on the left-hand side of the page, with corresponding responses on the right-hand side of each page.

Section 11.0

Response to Comments (continued)

DEPARTMENT OF PUBLIC WORKS
FLOOD CONTROL • SOLID WASTE MGMT • SURVEYOR • TRANSPORTATION



COUNTY OF SAN BERNARDINO
PUBLIC AND SUPPORT
SERVICES GROUP

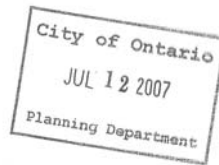
SOLID WASTE MANAGEMENT DIVISION
222 West Hospitality Lane, Second Floor • San Bernardino, CA 92415-0017 • (909) 386-8701
Administration/Engineering Fax (909) 386-8900
Fiscal Section/Operations Fax (909) 386-8786
Solid Waste Programs Fax (909) 386-8964

VANA R. OLSON
Director of Public Works

PETER H. WULFMAN
Solid Waste Division Manager

July 11, 2007

Richard Ayala, Senior Planner
City of Ontario/Planning Department
303 East "B" Street
Ontario, CA 91764



RE: NOTICE OF AVAILABILITY OF A DRAFT SUBSEQUENT ENVIRONMENTAL IMPACT
REPORT; ONTARIO WALMART SUPERCENTER

Dear Mr. Ayala:

Thank you for the opportunity to comment on the above-referenced document. Staff has reviewed the document and finds that the environmental analysis concerning all solid waste generated by the proposed project is adequate.

Should you have any questions or comments, please feel free to contact me or Patrick Egle by phone at (909) 386-9012; by facsimile at (909) 386-8964, by mail to the address listed above, or by e-mail to NSansonetti@swm.sbcounty.gov or PEgle@swm.sbcounty.gov.

Sincerely,

Nancy Sansonetti, Supervising Planner/Chief
Planning & Permitting Section

cc: Peter Wulfman, Division Manager – County of San Bernardino Solid Waste Management Division
Tracey Anthony
File

A1

A1 Response: We received this letter on July 12, 2007. Thank you for confirming the adequacy of the City's analysis and for participating in the environmental review process for this Project.

No new environmental issues have been raised by this letter that require additional analysis or change the significance determination of the Draft Subsequent EIR. No further environmental analysis is warranted.

MARK H. UFFER
County Administrative Officer
NORMAN A. KANOLD
Assistant County Administrator
Public and Support
Services Group

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

Recycled Paper

Section 11.0

Response to Comments (continued)

SOUTHERN CALIFORNIA



ASSOCIATION OF GOVERNMENTS

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Imperial County: Victor Carrillo, Imperial County - Jon Edery, El Centro

Los Angeles County: Yvonne B. Burke, Los Angeles County - Joe Vasquez, Los Angeles County - Richard Alarcon, Los Angeles - Jim Aldinger, Manhattan Beach - Henry Bachwin, San Gabriel - Tony Cardenas, Los Angeles - Sam Carroll, La Habra - Margaret Cook, Rosemead - Gerie Daniels, Palmdale - Judy Darling, Inglewood - David Galin, Downey - Wendy Green, Li - Cudaly - Janice Huh - Computex - Keith W. Los Angeles - Jill Laboye, Los Angeles - Paula Lantz, Pomona - Barbara Messina, Alhambra - Larry Nelson, Artesia - Paul Newalka, Torrance - Pam O'Connor, Santa Monica - Bernard Parks, Los Angeles - Jan Perry, Los Angeles - Ed Reyes, Los Angeles - Bill Rosenstahl, Los Angeles - Greg Smith, Los Angeles - Tom Syles, Walnut - Mike Ives, South Pasadena - Tom Rippe, Orange, Long Beach - Antonia Villanueva, Los Angeles - Dennis Washburn, Calabasas - Jack Weiss, Los Angeles - Herb J. Wilson, Jr., Los Angeles - Dennis Zine, Los Angeles

Orange County: Chris Neely, Orange County - Christine Barnes, La Habra - John Beaman, Brea - Lou Bone, Tustin - Debbie Cook, Huntington Beach - Leslie Daigle, Newport Beach - Richard Dixon, Lake Forest - Tom Edger, Los Alamitos - Paul Glahn, Laguna Niguel - Robert Hernandez, Anaheim - Sharon Quirk, Fullerton

Riverside County: Jeff Stowe, Riverside County - Thomas Buckley, Lake Elsinore - Bonnie Flickinger, Moreno Valley - Ron Lovendige, Riverside - Greg Pettit, Cathedral City - Ron Roberts, Temecula

San Bernardino County: Gary O'Neil, San Bernardino County - Linnette Dale, Barstow - Paul Eaton, Montclair - Lee Ann Garcia, Grand Terrace - Tim Jasper, Town of Apple Valley - Larry McCaffin, Highland - Deborah Robertson, Rialto - Alan Rippe, Ontario

Tribal Government Representative: Andromae Maseri Sr., Pechanga Band of Luiseño Indians

Ventura County: Linda Parks, Ventura County - Glen Becerra, Santa Valley - Carl Muenchhaus, San Buenaventura - Tom Young, Port Huemene

Orange County Transportation Authority: Art Brown, Brea Park

Riverside County Transportation Commission: Robin Lowe, Hemet

Ventura County Transportation Commission: Keith Millhouse, Moorpark

July 12, 2007

Mr. Richard Ayala
Senior Planner
City of Ontario Planning Department
303 East "B" Street
Ontario, CA 91764

RE: SCAG Clearinghouse No. I 20070389 Ontario Wal-Mart Supercenter

Dear Mr. Ayala:

Thank you for submitting the **Ontario Wal-Mart Supercenter** for review and comment. As areawide clearinghouse for regionally significant projects, SCAG reviews the consistency of local plans, projects and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

We have reviewed the **Ontario Wal-Mart Supercenter**, and have determined that the proposed Project is not regionally significant per SCAG Intergovernmental Review (IGR) Criteria and California Environmental Quality Act (CEQA) Guidelines (Section 15206). Therefore, the proposed Project does not warrant comments at this time. Should there be a change in the scope of the proposed Project, we would appreciate the opportunity to review and comment at that time.

A description of the proposed Project was published in SCAG's **June 16-30, 2007** Intergovernmental Review Clearinghouse Report for public review and comment.

The project title and SCAG Clearinghouse number should be used in all correspondence with SCAG concerning this Project. Correspondence should be sent to the attention of the Clearinghouse Coordinator. If you have any questions, please contact me at (213) 236-1856. Thank you.

Sincerely,

SHERYLL DEL ROSARIO
Associate Planner
Intergovernmental Review

Doc #137844

B1 Response: We received this letter on July 13, 2007. Thank you for explaining that the Project is not regionally significant under CEQA and for participating in the environmental review process for this Project.

No new environmental issues have been raised by this letter that require additional analysis or change the significance determination of the Draft Subsequent EIR. No further environmental analysis is warranted.

From: James Koizumi [mailto:JKoizumi@aqmd.gov]
Sent: Friday, July 13, 2007 5:03 PM
To: Richard Ayala
Subject: Information Request for the Ontario Wal-Mart Supercenter

Mr. Ayala,

I am reviewing the EIR for the Ontario Wal-Mart Supercenter. Page 23 of the AQIA states that a microscale CO hotspots analysis was prepared. The text does not explain how the CO hotspots analysis was prepared (i.e., using Caline4, etc.). Please have the consultant send the analysis including any modeling files to me for review.

C1

In the health risk assessment emission factors for diesel truck idling and travel averaged over 70 years are presented. It is not clear how the emission factors were averaged. SCAQMD staff requires that fleet average emission factors are used for each of the 70 years, if averaging is used. Please have the consultant provide the details of the emission factor averaging for me to review.

C2

Thanks,

James Koizumi
Air Quality Specialist
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4182
jkoizumi@aqmd.gov
909.396.3234 phone
909.396.3324 fax

C1 Response: The CO hotspot analysis was prepared using a screening procedure based on the Caline4 model. Files used in performing the CO hotspot analysis were mailed to SCAQMD on July 18, 2007. Subsequent requests for remodeling were provided on August 13, 2007.

C2 Response: Files used in performing the HRA were mailed to SCAQMD on July 18, 2007, including yearly emission factors used for the 70-year average.

No new environmental issues have been raised by this letter that require additional analysis or change the significance determination of the Draft Subsequent EIR. No further environmental analysis is warranted.

Section 11.0

Response to Comments (continued)

John Jasbinsek
967 W. Harvard Place
Ontario, Ca. 91762-1845
Tel.: 909 983-4328
Fax.: 909 986-8792

August 04, 2007

FILED IN THE OFFICE OF THE
CITY CLERK
OF THE CITY OF ONTARIO, CALIFORNIA
ON THE 4th DAY OF August 20 07
Graci M. Suly
City Clerk of the City of Ontario, California

City of Ontario
303 East B Street
Ontario, California, 91764

Subject.: Comments on the environmental analysis contained in the draft subsequent EIR.

Dear Sir, Madam,

The EIR analysis report indicates some significant adverse impacts on some environmental issues. Further, the EIR report indicates that would require the implementation of mitigation measures to reduce potentially significant impacts to below a level of significance. Common sense indicate adverse serious environmental effects can not be solved with mitigations since this is simple impossible in this case.

One can come to conclusion that this EIR report is written in such a way that City Planning Commission and City Council will be able to approve the project despite the stiff opposition of the people of the surrounding targeted area. All the people that were able to be reached signed petition against the approval of Wal-Mart. Around three thousand petitions were signed. This represents about 95% of residents living in surrounding area of proposed-Wal-Mart project. This residents are concerned how they will raise their families in the vicinity of the proposed Wal-Mart where there are located three schools, three churches and a park frequented by young children. How these families will be able to safe commingling with young children in the increased traffic, and unhealthy environment. There will be another danger with the Wal-Mart. This is increased crime associated with 24 hours of operation of Wal-Mart. Further home values will decrease. People will not able to relocate even if they would like to because property values loss. In addition to Wal-Mart will also destroy all small business in the area. It is clear Wal-Mart does not belong in this area. Other more suitable location in the city should be found. The proposed area should be developed as planned by the planers in the early 1990 years period.

EIR analysis report did not even touch peoples concerns the EIR was made so voluminous, over fifteen hundred pages for the purpose that people wouldn't be able to read and voice their concerns. Some people however, read the fifteen hundred plus pages of EIR analysis for the purpose to be able to comment on it.. The conclusion is that the existing EIR analysis report does not address most vital issues of peoples concerns. .

D1

D2

D3

D1 Response: As stated in the CEQA Guidelines Section 15370, mitigation includes measures that avoid the impact altogether; minimize the impact; rectify the impact; reduce the impact over time; or compensate for the impact. The mitigation measures identified in the Subsequent EIR do not necessarily entirely avoid the impact, but include those that minimize, rectify, reduce, or compensate for the impact. CEQA Section 21002 states that when all feasible mitigation or alternatives have been adopted or if specific economic, social, or other conditions make infeasible the alternatives or mitigation measures, the lead agency may approve the project.

D2 Response: The Subsequent EIR has been written to provide an objective analysis and full disclosure to the public of project impacts. Impacts of the project on surrounding land uses, including impacts on schools, churches, and Munoz Park, as they relate to traffic and circulation, noise, air quality, land use, visual quality, and public services, were fully analyzed in the Subsequent EIR. As discussed under Section 4.11.1, *Police Protection and Law Enforcement Services*, the potential for increased crime was fully analyzed, but this Project would not have significant adverse impacts on the Ontario Police Department service levels or facilities. Home values might be influenced by the presence of urban decay and blight. However, this Project will actually redevelop existing empty buildings and thus, reduce blight conditions in the area. Socio-economic impacts are discussed in Section 4.15 as they relate to the demand for and supply of retail stores and grocery stores in the market area. Alternative sites for the project are addressed in Section 9.0 of the Subsequent EIR. In 1994, the site was included in the "Added Area", which anticipated the redevelopment of the project site. The project represents this redevelopment.

D3 Response: In accordance with Section 15003(i) of the CEQA Guidelines, the City has prepared the Subsequent EIR to provide an adequate, complete, and good faith effort at full disclosure of the project's potential environmental impacts. The Subsequent EIR was prepared to comply with CEQA, the State CEQA Guidelines, and the City's Guidelines for Implementing CEQA. It was further expanded to address concerns that have been raised by written and oral comments received by the City.

There it is yet another problem . Our elected officials does not want hear peoples concerns because Wal-Mart is considered done deal. Where is our democracy? Numerous residents contacted Mayor and the City Council asking for the opportunity to meet with them to discus Wal-Mart.. Instead. City Attorney Mr. Brown sent out letters stating that such meeting are not possible because they would violate so called Brown Law. All this does not make sense. City official voted in office by the people promised that they will be always available to listen to people and will run city government for the people by the people. Instead they turn away from the people. We the people will fight until justice will be served.,

Sincerely


John Jasbinsek

D4

D4 Response: The City held a community meeting on November 28, 2004 and a scoping meeting on November 20, 2006. A public hearing has been scheduled before the Ontario Planning Commission on August 30, 2007 at the Ontario Convention Center. The public is welcome to attend this hearing and the Planning Commission will be accepting comments on the project.

No new environmental issues have been raised by this letter that require additional analysis or change the significance determination of the Draft Subsequent EIR. No further environmental analysis is warranted.



Hello

Mr Ayala

While Back Mail Me Letter And Other Residents Of Ontario In Regarding
The Draft Subsequent Is Open For Public Review Environmental Impact
Report Of The Future Site Project Walmart Supercenter (Sch#200610113)
Fifth Street And Mountain Ave .

Briefly Readied Thur Part Of E.I.R. In Relate To Walmart Site And Found The
Report So Long Reading And I'm Recommending That We Host Other Town
Hall Meeting With Residents Again And Invite Your Panel Experts -
Professional To Meeting Answer Questions From Residents And No From
City Ontario Planning Department Staff Member Will Be Allow To Interrupt
While Expert Speaking At Anytime And That Include Your Boss Mr Plum
And Person Or Persons Will Be Asked Leave The Meeting Only Apoint
Chairman And Walk Out By City Ontario Department Officer And No
From The Planning Department Staff Willn't Get Involve And This Ground
Rule Number (1)

E1

E1 Response: The City held a community meeting on November 28, 2004 and a scoping meeting on November 20, 2006, at which the City received comments on the Project. Subsequently, the Draft Subsequent EIR for the project has been made available for public review for 45 days, as required by Section 15105 of the State CEQA Guidelines. Interested and affected agencies and individuals were provided an opportunity to submit comments on the environmental analysis, including any request for clarification of the issues addressed in the Draft Subsequent EIR, up to the end of the comment period on August 8, 2007. The City will be holding a public hearing before the Ontario Planning Commission on August 30, 2007 at the Ontario Convention Center. During the hearing, the public will be welcome to express their comments on the project.

<p>(2) Residents Should Be Allow Asked Any Questions From Panel Experts And Longest Relate To Walmart Supercenter Project Site Surrounding Area.</p>	<p>E2</p>	<p>E2 Response: During the public hearing before the Ontario Planning Commission on August 30, 2007 at the Ontario Convention Center, residents would be allowed to provide comments on the project.</p>
<p>(3) No From Panel Experts Willn't Be Allow To Consult With Any Member Of City Ontario Planning Staff Before Meeting Or During Meeting.</p>	<p>E3</p>	<p>E3 Response: While consultants that prepared the Subsequent EIR are independent entities and provided an objective analysis of the project's impacts, the Subsequent EIR has been thoroughly and independently reviewed by the City and thus, reflects the City's conclusions.</p>
<p>(4) City Ontario Attorney Will Be Present Meeting He Or She And Only One Their To Consult With Experts On Panel And Not City Ontario Planning Department Staff.</p>	<p>E4</p>	<p>E4 Response: The City Attorney will be present at the public hearing before the Ontario Planning Commission on August 30, 2007 at the Ontario Convention Center.</p>
<p>(5) City Ontario Planning Department Will A Point One Staff Member And Only Be The Answer All Questions Only Relate To City Ontario In Roll Play Project Area.</p>	<p>E5</p>	<p>E5 Response: Staff from various City departments that evaluated the project would be at the public hearing on August 30, 2007 at the Ontario Convention Center to respond to questions that pertain to their respective responsibilities, such as fire protection, police protection, water and sewer services, storm drainage, traffic, etc.</p>
<p>(6) City Ontario Department Police Department Officers Will Be Present At Meeting.</p>	<p>E6</p>	<p>E6 Response: Police protection services are addressed in Section 4.11.1 of the Subsequent EIR. City staff will be present at the public hearing on August 30, 2007 at the Ontario Convention Center to address issues related to police protection.</p>

(7) Each Member Panel Experts Allow Finish All There Presentation And Than Answer Questions From The Residents.

E7

(8) There Willn't No Time Limit For Residents Ask Questions From The Panel Experts.

E8

E7 Response: Consultants on the EIR will be at the public hearing on August 30, 2007 at the Ontario Convention Center to provide any needed clarification on the analysis contained in the Subsequent EIR.

Mr Ayala

I Hope Not To Late Submit Letter Back To You In Regarding My Input Review Of E.I.R. Walmart Supercenter Project Fifth Street And Mountain Ave In City Ontario (Sch#2006101132) And I Follow Long Form Ever Town Hall Meeting And Notice Lots of Errors The Way City Ontario Planning Department Not Been Very Trueful To Residents Of Community And Know Time To Call Panel Experts Town Hall Meeting And To Meet Person With Residents In The Surrounding Community Near Walmart Site Area And Not Like The One Held At City Ontario Convention Center And The Panel Experts Weren't Allow Answer Questions From The Public And Ever Time

E9

E8 Response: The City's standard time limit for speakers during the hearing would allow all interested speakers an opportunity to express their comments and allow members of the public an equal opportunity to present their comments to the City.

E10

E9 Response: This comment letter was received on August 8, 2007, prior to the end of pubic review period. Impacts on the intersection of Fifth Street and Mountain Avenue are addressed in Section 4.3 of the Draft Subsequent EIR.

E10 Response: A public hearing before the Ontario Planning Commission has been scheduled for August 30, 2007 at the Ontario Convention Center, during which members of the public would be allowed to provide comments on the project.

They Want Say Some Thing A Person From The City Ontario Planning

Department Staff Atemp Stop From Speaking And Leave The Town

Meeting And He Asked The Person Boss To File Displayed Action Against

Employee For Give The Inform Residents Of City Ontario In Relate To

Question About Walmart Supercenter E.I.R. Report .

E11

E11 Response: The purpose of the scoping meeting was to identify the environmental issues that needed to be addressed in the Subsequent EIR and not to discuss the merits of the project itself.

May Be Other Meeting Help Residents Have Better Understanding And Hear

Experts Panel To Speak With Them And More Educate And Understanding

And With Small Hand Booklet And View Over Head Slide Photograph Of

The Area And This Are Some Solutions And Ideas It Will Better Inform

Community Residents Of What Was Result Of E.I.R. Fifth Street And

Mountain Ave And Hear From The Panel Experts And Than City

Ontario Planning Staff Shown Residents Dog And Pony Show

On Over Head Photographs And Mr Ayala I Pass A Long My Successions

To You And I Have Been Ever Resident Meeting In Relate To Walmart

Supercenter Project From Day One And Hurt Complaints From The City

Ontario Community Residents Live Near Surrounding Area And So Any

E12

E12 Response: The City held a community meeting on November 28, 2004 and a scoping meeting on November 20, 2006. Subsequently, the Draft Subsequent EIR was subject to a 45-day public review period, during which comments were accepted and responses provided. A public hearing before the Ontario Planning Commission has been scheduled for August 30, 2007 at the Ontario Convention Center, during which members of the public would be allowed to provide comments on the project.

Section 11.0

Response to Comments (continued)

Way I Can Help Call Upon Me.

Sincerely

Daryl Vollrath (Resident Of City Ontario)

1950 South Oaks Ave / Ontario, California 91762

Day Time Phone (909) 984-6116 (No Phone Call On Thursday)

E13

E13 Response: Comment noted. No response required. Thank you for participating in the City's environmental review process.

No new environmental issues have been raised by this letter that require additional analysis or change the significance determination of the Draft Subsequent EIR. No further environmental analysis is warranted.

As a home owner and resident in the this area (755 w. LaDeney), I am concerned with 1.) How will I and where will I be able to drive south on Mountain Ave. 2.) How and where will I be able to drive into my neighborhood when coming southbound on Mountain? Another words how can I enter and exit my neighborhood.

F1

Lionel Hauder
755 w. La Deney
Ontario California 91762

(909) 984-8551



RECEIVED
07 AUG -8 AM 10:41
CITY OF ONTARIO
CITY CLERK/RECORDS

F1 Response: Project impacts on traffic and circulation are addressed in Section 4.3 of the Subsequent EIR. Mitigation measures have been provided where significant adverse impacts are expected. Access to La Deney Drive from southbound Mountain Avenue would be available through Sixth Street, San Antonio Avenue, Hawthorne Street, and Cypress Avenue or through Fifth Street and Boulder Avenue. Access from all other directions would remain the same.

No new environmental issues have been raised by this letter that require additional analysis or change the significance determination of the Draft Subsequent EIR. No further environmental analysis is warranted.

Section 11.0

Response to Comments (continued)



Neiland Derry
Region Manager

August 6, 2007

Richard Ayala, Senior Planner
City of Ontario Planning Department
303 East B Street
Ontario, CA 91764



RE: Draft Subsequent Environmental Impact Report for the Ontario Wal-Mart Supercenter (SCH #2006101132)

Dear Mr. Ayala:

Thank you for the opportunity to review and provide comments on the environmental analysis contained in the Draft Subsequent Environmental Impact Report (DSEIR) for the Ontario Wal-Mart Supercenter. The project involves the demolition of existing on-site structures and the construction of a 190,803-square foot Wal-Mart Supercenter which would be open 24 hours. Infrastructure and street improvements would accompany the project.

As stated in the DSEIR, the project includes possible upgrades to the Southern California Edison (SCE) electrical facilities serving the project site and the placement of some existing SCE electrical facilities underground. Specifically, the DSEIR states the existing electrical facilities along the northern and western site boundaries would be placed underground as part of the project. Early coordination with SCE on the undergrounding of electrical facilities, as described in Standard Condition 4.12.6 (DSEIR page 4.12-35), is highly recommended. Any project-related undergrounding required as a condition of this project should be done at the expense of the developer pursuant two SCE's California Public Utilities Code approved Rule 20C tariff.

SCE looks forward to working with the project developer to facilitate the construction of the project required electrical infrastructure.

Sincerely,


Neiland Derry
Public Affairs Region Manager
Southern California Edison Company

1351 E. Francis St.
Ontario, CA 91761
909-930-8501
Fax 909-930-8407
Neil.Derry@SCE.com

G1

G1 Response: Standard Condition 4.12.6 on page 4.12-35 of the Subsequent EIR states that the applicant will need to coordinate with SCE on future electrical power service and power line undergrounding that would be needed or made part of the project. The developer will pay for the cost of undergrounding existing overhead lines. Early consultation and coordination with SCE would be encouraged by the City.

No new environmental issues have been raised by this letter that require additional analysis or change the significance determination of the Draft Subsequent EIR. No further environmental analysis is warranted.

SCAQMD: Charles Blankson, Ph.D.
Tel: 909 396-3304; Fax: 909 396-3324

Fax

To: Mr. Richard Ayala	From: Charles Blankson
Fax: 909 395-2420	Date: August 8, 2007
Phone: 909 395-2036	Pages: Four including this cover sheet
Re: DSEIR for the Ontario Wal-Mart Supercenter	CC: [Click here and type name]
<input type="checkbox"/> Urgent <input type="checkbox"/> For Review <input type="checkbox"/> Please Comment <input type="checkbox"/> Please Reply <input type="checkbox"/> Please Recycle	
Comments: [Click here and type any comments]	

H1

H1 Response: We received this fax on August 8, 2007. Thank you for participating in the environmental review process for this project.



**South Coast
Air Quality Management District**

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov



FAXED: AUGUST 8, 2007

August 8, 2007

Mr. Richard Ayala
City of Ontario
Planning Division
303 east "B" Street
Ontario, CA 91764

Dear Mr. Ayala:

Draft Subsequent Environmental Impact Report (DSEIR)
Ontario Wal-Mart Supercenter
(June 2007)

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated in the Final Subsequent Environmental Impact Report.

Pursuant to Public Resources Code Section 21092.5, please provide the SCAQMD with written responses to all comments contained herein prior to the certification of the Final Subsequent Environmental Impact Report. The SCAQMD would be available to work with the Lead Agency to address these issues and any other questions that may arise. Please contact James Koizumi, Air Quality Specialist – CEQA Section, at (909) 396-3234 if you have any questions regarding these comments.

Sincerely

Steve Smith., Ph.D.
Program Supervisor
Planning, Rule Development & Area Sources

Attachment

SS: JK:CB

SBC070626-09
Control Number

H2

H2 Response: As required by Section 15088 of the State CEQA Guidelines, the City has prepared written responses to this comment letter and has provided this response to SCAQMD at least 10 days prior to the public hearing for the project, scheduled for August 30, 2007 at the Ontario Convention Center.

Richard Ayala

-1-

August 8, 2007

**Draft Subsequent Environmental Impact Report (DSEIR)
Ontario Wal-Mart Supercenter**

1. Off-Site Infrastructure Improvement Emissions

On page 17 of the "Air Quality Impacts Analysis," the lead agency indicates that several off-site infrastructure improvement projects are planned that will likely occur during the building erection phase. Although the lead agency does not calculate construction emissions for the off-site improvements, it concludes that because later phase construction emissions are less than the SCAQMD's recommended significance thresholds and, because of the physical distance separating the off-site improvements and on-site construction emissions, the project "may be able to accommodate off-site improvements without exceeding those thresholds." Without quantifying the off-site construction emissions, the lead agency has not demonstrated that on-site and off-site construction emissions do not exceed any of the applicable regional significance thresholds. For determining regional significance, distance between emission sources is unimportant.

Further, depending on the location of the off-site improvement construction, emissions from the off-site equipment have the potential to exceed the localized significance thresholds. As a result, the SCAQMD requests that off-site improvement construction emissions be calculated. Once calculated, these emissions should be added to the appropriate phase on-site construction emissions and then compared to the regional significance thresholds. Similarly, the appropriate off-site construction emissions should also be compared to the appropriate localized significance thresholds.

2. CO Hotspots Analysis

- EMFAC2002 emission factors were used for the CO hotspots analysis. EMFAC2007 emission factors were used for the HRA for the same project according to hard copy files provided by the lead agency's air quality consultant. EMFAC2007 emission factors have been available since November 2006 and should be used for all current and future projects.
- In the SCAQMD's 10/27/06 comment letter on the NOP/IS for the proposed project, the SCAQMD requested that electronic versions of all air quality modeling and HRA files be submitted to the SCAQMD along with the DSEIR. Detailed calculations and documentation in electronic format were not provided as requested by SCAQMD staff. Based on the hard copy CO protocol sent by the lead agency's air quality consultant, it appears that the BAAQMD CO hotspots analysis protocol for receptors 25 feet away from the intersection of two six-lane roads was used. Because the requested support documentation was not provided, the receptor distance and road type could not be verified. It appears that the consultant used the 25-foot receptor distance, however, since roadways typically have sidewalks, the "at edge" receptor

H3

H3 Response: Page 17 of the AQIA discusses emissions from off-site infrastructure improvements that may occur with the project. Except for NO_x during demolition, the margins between the estimated on-site construction emissions and SCAQMD thresholds for ROG, CO, SO₂, and PM₁₀ ranges from 20 to 100 percent of thresholds. Infrastructure construction represents a relatively small portion of on-site demolition and construction and would occur intermittently throughout the construction time period. Thus, additional emissions from roadway and infrastructure work are not expected to be high enough to lead to exceedances of the thresholds. However, there remains a potential for exceeding the threshold for NO_x. This is acknowledged on page 4.5-14 of the Subsequent EIR.

H4

H4 Response: As stated on page 4.5-15, LST analysis is not required and SCAQMD acknowledges that this should be done at the discretion of the lead agency. The City of Ontario does not normally perform LST analyses. However, a comparison of project emissions with the LST guidelines for 5-acre sites is provided on pages 4.5-15 to 16. The margins between the estimated on-site construction emissions and SCAQMD LST guidelines ranges from 64 to 96 percent and are not expected to be exceeded by emissions from off-site infrastructure improvements.

H5

H5 Response: Files used in performing the CO hotspot analysis were mailed to SCAQMD on July 18, 2007. As requested, the CO hotspot analysis was rerun using the EMFAC2007 factors and sent to SCAQMD on August 13, 2007. The revised numbers are provided in Table 4.5-9 on pages 4.518 to 19. While the EMFAC2007 factors result in higher CO concentrations along Mountain Avenue near the site, these levels would still not exceed CO standards due to the fact that the current background concentrations of 3.0 ppm are much lower than the 20.0-ppm State standard. This information merely clarifies and amplifies the conclusions already set forth in the Draft Subsequent EIR.

H6

H6 Response: No electronic files were generated to prepare the CO hotspot analysis but detailed calculations were provided to SCAQMD on July 18, 2007. At SCAQMD's request, additional runs using the EMFAC 2007 numbers were made and provided to SCAQMD on August 13, 2007.

H7

Richard Ayala

-2-

August 8, 2007

distance should be used instead of the 25-foot distance; unless it can be demonstrated and documented that receptors would not be closer than 25 feet from the roadway.

3. Health Risk Assessment (HRA)

- Although documentation was not provided to SCAQMD staff, it appears that the emission factors for the detailed HRA were developed similarly to those in the screening level HRA. SCAQMD staff requested electronic data twice. The first request was made on July 13, 2007 to Mr. Ayala. In response to this request, the lead agency's air quality consultant provided hard copies of the weighted emission factors but, the complete documentation was not provided. A second request was made on July 24, 2007 to the lead agency's consultant, which was not answered. As a result, neither electronic nor hard copy documentation were provided to SCAQMD, so SCAQMD staff had to re-run the EMFAC model to verify the results, which can be very labor intensive and, therefore, time consuming. It is for these reasons that the SCAQMD requests the electronic files for all HRAs and air quality modeling results.

In an effort to evaluate the HRA, SCAQMD staff generated emission factors and emission calculations based on general assumptions contained in the DSEIR to verify emission factors provided by the air quality consultant. Neither the EMFAC2007 emissions factors nor the emissions could be completely duplicated. EMFAC2007 maneuvering emission factors were reported in the HRA as grams per hour; however, EMFAC2007 generates maneuvering emission factors in grams per mile. A conversion calculation was never provided. The emissions generated for LD1, LD2 are slightly different and could not be reproduced based on using emissions from whole truck trips.

4. URBEMIS 2007

The lead agency should be aware that URBEMIS 2007 is now available and should be used for future air quality analysis instead of URBEMIS 2002. Since the CEQA document for the proposed project was circulated for public review before URBEMIS 2007 became available in June 2007, use of URBEMIS 2002 is acceptable for this project.

H7 Response: While Caltrans CO protocols specify a 10-foot setback as the minimum analysis distance where a receptor might logically be exposed continuously to vehicular exhaust, the 25-foot distance is considered more reasonable. The front porches and building facades of most residences in the project vicinity are set back 25 feet or more from the roadway edge. If the most conservative assumption is used that a person sits on the curb for one hour, the CO exposure would be approximately 50 percent higher. Such an increase would still not create a CO hotspot along area roadways. Thus, the 25-foot receptor distance was used in the analysis.

H7

H8

H8 Response: Files used in performing the HRA were mailed to SCAQMD on July 18, 2007. At SCAQMD staff's request, the heavy duty truck emissions were recalculated using the EMFAC2007 computer model for the San Bernardino County input conditions with the output specified as PM_{2.5}. The results of the re-calculation and the details of the assignment of the emissions to the loading dock areas and the site traversal have been provided to SCAQMD. The previous emissions calculation had been based on the statewide travel fleet and produced very small differences when run for a county-specific travel fleet. Given the large margin of safety between the predicted worst-case excess cancer risk for adjacent receptors and the adopted threshold of significance, small variations in assumed diesel exhaust emission rates are inconsequential.

H9

H9 Response: The assumptions for the HRA include the following:

H10

Each of five trucks idles 10 minutes in each of two loading areas with the following LD1 & LD2 emissions:

$$0.317 \text{ g/hour} \times 5/6 \text{ hour/day} \times 1000000 \text{ microg/g} / 915 \text{ m}^3\text{/m} / 86,400 \text{ sec/day} = 0.0033 \text{ microg/m}^3\text{/second}$$

With an additional 0.5 grams from the TRU, the other loading dock

Running exhaust is assumed spread over the entire site at 0.25 gram per mile times 0.2 mile times ten trucks per day divided by 66,000+ meters squared divided by 86,400 seconds per day, or 0.00008 micrograms per meter squared per second.

H10 Response: Thank you for confirming that the URBEMIS 2002 model is acceptable for use in the air quality analysis for this Project.

No new environmental issues have been raised by this letter that change the significance determination of the Draft Subsequent EIR.



Department of Toxic Substances Control

Maureen F. Gorsen, Director
5796 Corporate Avenue
Cypress, California 90630



Arnold Schwarzenegger
Governor



Linda S. Adams
Secretary for
Environmental Protection



August 9, 2007

Mr. Richard Ayala
Senior Planner
Planning Department
City of Ontario
303 East B Street
Ontario, California 91764

NOTICE OF COMPLETION OF A DRAFT ENVIRONMENTAL IMPACT REPORT PDEV 04-047, ONTARIO WAL-MART SUPERCENTER PROJECT AT MOUNTAIN AVENUE AND FIFTH STREET; APN 1008-431-03, (SCH#20076101132).

Dear Mr. Ayala:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice of Completion of an Environmental Impact Report (EIR), for the above-mentioned project. The following project description is stated in your document: "The proposed project would involve the demolition of existing on-site structures that are currently not in use and the construction of an approximately 190,803-square foot building on the western portion of the site, with parking areas on the eastern portion. The proposed Wal-Mart Supercenter would include a general merchandise store, a grocery store, the sale of alcoholic beverages, banking services, a game arcade, and an outside garden center. Infrastructure and street improvements would also accompany the project." DTSC provides comments as follows:

- 1) The EIR should identify the current or historic uses at the project site that may have resulted in a release of hazardous wastes/substances.
- 2) The EIR should identify the known or potentially contaminated sites within the proposed Project area. For all identified sites, the EIR should evaluate whether conditions at the site may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:
 - National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).

I1

I2

The City of Ontario received this letter on August 10, 2007, after the close of the public review period. However, DTSC is a public agency and thus, in an effort to provide the fullest response possible, the City is providing responses to the comments raised by the letter.

I1 Response: Page 4.13.2 of the Subsequent EIR discusses past land uses on the site, based on a Phase 1 Environmental Site Assessment (ESA) conducted in October 2004.

I2 Response: Hazardous material users on and near the site are identified on pages 4.13-1 to 3 of the Subsequent EIR. This information was summarized from the Phase 1 ESA that is provided in Appendix I. The Phase 1 ESA included a record search of the NPL, CalSites, RCRIS, CERCLIS, SWIS, LUST, FUDS, and other databases for hazardous material sites on or near the project site. Consultations with the County and SCAQMD were also made to determine hazardous waste sites on or near the site.

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Response to Comments (continued)

Mr. Richard Ayala
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Page 2

- Envirostor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
 - Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
 - Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
 - Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
 - Leaking Underground Storage Tanks (LUST) / Spills, Leaks, Investigations and Cleanups (SLIC): A list that is maintained by Regional Water Quality Control Boards.
 - Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
 - The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).
- 3) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents. Please see comment No.17 below for more information.
- 4) Your document states: "Should subsurface excavation be necessary at the northeastern section of the site, soil, vapor and groundwater testing shall be performed to determine levels of MTBE. If the results of the testing show chemical levels are below regulatory levels, development may proceed accordingly. Remediation and/or removal of contaminated soils shall be made prior to development of this area, if chemicals levels are above regulatory standards, and remediation completed until chemical levels are below regulatory levels." All environmental investigations, sampling and/or remediation for the site should be conducted under a Workplan approved and overseen by a regulatory

I2

I2 Response: Hazardous material users on and near the site are identified on pages 4.13-1 to 3 of the Subsequent EIR. This information was summarized from the Phase 1 ESA that is provided in Appendix I. The Phase 1 ESA included a record search of the NPL, CalSites, RCRIS, CERCLIS, SWIS, LUST, FUDS, and other databases for hazardous material sites on or near the project site. Consultation with the County and SCAQMD was also made to determine hazardous waste sites on or near the site.

I3 Response: Page 4.13-5 of the Subsequent EIR acknowledges a potential that investigation and/or remediation may be needed if a UST, clarifier or hydraulic lift, is proposed at the northeastern section of the site. Mitigation Measure 4.13.4 on page 4.13-14 addresses this future contingency.

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I4 Response: Should future hazardous material investigation and/or remediation be necessary, the project shall comply with applicable laws and regulations regarding the preparation of a Work Plan and oversight by a regulatory agency with jurisdiction for the clean up. The findings of the Phase 1 ESA for the site have been summarized into Section 4.13, *Human Health and Hazards*, of the Subsequent EIR.

I4

Mr. Richard Ayala
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 Page 3

- agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found should be clearly summarized in a table.
- 5) Proper investigation, sampling and remedial actions overseen by the respective regulatory agencies, if necessary, should be conducted at the site prior to the new development or any construction. All closure, certification or remediation approval reports by these agencies should be included in the EIR.
- 6) If any property adjacent to the project site is contaminated with hazardous chemicals, and if the proposed project is within 2,000 feet from a contaminated site, then the proposed development may fall within the "Border Zone of a Contaminated Property." Appropriate precautions should be taken prior to construction if the proposed project is within a Border Zone Property.
- 7) Your document states: "Disposal of hazardous wastes, such as lead-based paint and lead-containing materials, during demolition activities shall be made in accordance with Title 22, Division 4.5 of the California Code of Regulations." If buildings, other structures, or associated uses; asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should be conducted for the presence of other related hazardous chemicals, lead-based paints or products, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.
- 8) The project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.
- 9) Human health and the environment of sensitive receptors should be protected during the construction or demolition activities. If it is found necessary, a study of the site and a health risk assessment overseen and approved by the appropriate government agency and a qualified health risk assessor should be conducted to

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I4 Response: Should future hazardous material investigation and/or remediation be necessary, the project shall comply with applicable laws and regulations regarding the preparation of a Work Plan and oversight by a regulatory agency with jurisdiction for the clean up. The findings of the Phase 1 ESA for the site have been summarized into the Subsequent EIR.

I5 Response: The Phase 1 ESA indicates that investigation, sampling, and remediation may be necessary at the northeastern section, if subsurface excavation is proposed. Since no UST, clarifier or hydraulic lift, is proposed at the northeastern section of the site, no investigation is needed. Standard conditions and mitigation measures in Section 4.13 require the project to comply with existing regulations regarding hazardous materials use and disposal during construction and operation of the project.

I6 Response: Based on the findings of the Phase 1 ESA, the project site is not located near a property that is contaminated with hazardous chemicals or within 2,000 feet of a contaminated site. Thus, the project site is not within the "Border Zone of a Contaminated Property".

I7 Response: Standard Condition 4.13.1, Mitigation Measure 4.13.1, and Mitigation Measure 4.13.2 in Section 4.13 of this Subsequent EIR address the need for the disposal of hazardous wastes, including ACM, lead, ballasts, capacitors, light bulbs, Freon, and Transite, in accordance with applicable regulations. Additionally, the City will comply with all applicable laws and regulatory requirements regarding the disposal of any hazardous wastes.

I8 Response: Previous soil testing and remediation has occurred on-site and no contaminated soils are expected. Mitigation Measure 4.13.4 requires soil, vapor, and groundwater testing for MTBE prior to subsurface excavation at the northeastern section of the site. In addition, soil excavation and filling shall be made in compliance with EPA's Land Disposal Restrictions, as implied in the standard condition requiring compliance with applicable regulations.

I9 Response: Impacts on sensitive receptors near the site have been analyzed in the Subsequent EIR and mitigation provided as necessary. The Health Risk Assessment is provided in Appendix E and summarized in Section 4.5, *Air Quality*.

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Response to Comments (continued)

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determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.

- 10) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5).
- 11) If it is determined that hazardous wastes are or will be generated and the wastes are (a) stored in tanks or containers for more than ninety days, (b) treated onsite, or (c) disposed of onsite, then a permit from DTSC may be required. If so, the facility should contact DTSC at (714) 484-5423 to initiate pre-application discussions and determine the permitting process applicable to the facility.
- 12) If it is determined that hazardous wastes will be generated, the facility should obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942.
- 13) Certain hazardous waste treatment processes may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.
- 14) If the project plans include discharging wastewater to a storm drain, you may be required to obtain an NPDES permit from the overseeing Regional Water Quality Control Board (RWQCB).
- 15) If during construction/demolition of the project, the soil and/or groundwater contamination is suspected, construction/demolition in the area would cease and appropriate health and safety procedures should be implemented.
- 16) If the site was used for agricultural or related activities, onsite soils and groundwater might contain pesticides, agricultural chemical, organic waste or other related residue. Proper investigation, and remedial actions, if necessary, should be conducted under the oversight of and approved by a government agency at the site prior to construction of the project.
- 17) Envirostor (formerly CalSites) is a database primarily used by the California Department of Toxic Substances Control, and is accessible through DTSC's website. DTSC can provide guidance for cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies, or a

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I10 Response: Standard Condition 4.13.2 states that the use, storage, sale, and disposal of hazardous materials at the Wal-Mart Supercenter shall comply with the provisions of the Uniform Fire Code, the City's Hazardous Waste Ordinance, and applicable local, County, state, and federal regulations, per Section Sec. 9-1.3330 of the Ontario Development Code.

I11 Response: As provided in Standard Condition 4.13.2, the project operations shall comply with pertinent regulations if hazardous wastes would be stored, treated, or disposed on-site.

I12 Response: The project shall comply with this regulation prior to the disposal of any hazardous wastes off-site, as provided in Standard Condition 4.13.1.

I13 Response: Standard Condition 4.13.6 states that the project shall obtain a hazardous materials handler permit from the San Bernardino County Fire Department - the local CUPA.

I14 Response: The project will dispose of wastewater into the sewer system. Permits will be obtained, including those from RWQCB, as necessary.

I15 Response: Standard Condition 4.13.1 requires demolition and construction activities to comply with applicable regulations. Former soil testing and remediation was done on-site and no soil and groundwater contamination is expected. Further, Mitigation Measure 4.13.4 requires soil, vapor, and groundwater testing for MTBE prior to subsurface excavation at the northeastern section in the site.

I16 Response: Page 4.13-7 states that residual impacts of former agricultural uses are not expected to pose significant environmental concerns due to the time interval since these uses occurred on-site; the subsequent use of the site for commercial development; subsequent soil testing and remediation efforts at the site; and the site's largely paved condition at this time.

I17 Response: The Phase 1 ESA states that there are no facilities on or near the site that are listed in the Envirostor (formerly CalSites) database.

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Response to Comments (continued)

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Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489 for the VCA.

If you have any questions regarding this letter, please contact Ms. Teresa Hom, Project Manager, at (714) 484-5477 or email at thom@dtsc.ca.gov.

Sincerely,



Greg Holmes
Unit Chief
Southern California Cleanup Operations Branch - Cypress Office

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
1001 I Street, 22nd Floor, M.S. 22-2
Sacramento, California 95814

CEQA#1726

I18

I18 Response: Thank you for the additional information and for participating in the City's environmental review process.

No new environmental issues have been raised by this letter that require additional analysis or change the significance determination of the Draft Subsequent EIR. No further environmental analysis is warranted.

Section 11.0

Response to Comments (continued)



ARNOLD SCHWARZENEGGER
GOVERNOR

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



CYNTHIA BRYANT
DIRECTOR

August 9, 2007

Richard Ayala
City of Ontario
303 East B Street
Ontario, CA 91764

Subject: Ontario Wal-Mart Supercenter (PDEV 04-047)
SCH#: 2006101132

Dear Richard Ayala:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on August 8, 2007, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts
Director, State Clearinghouse



J1

J1 Response: We received this letter on August 13, 2007, signifying the end of the comment period. Thank you for confirming that the City has complied with the State Clearinghouse review requirements for Draft EIRs under CEQA.

Section 11.0

Response to Comments (continued)

Document Details Report
State Clearinghouse Data Base

SCH# 2006101132
 Project Title Ontario Wal-Mart Supercenter (PDEV 04-047)
 Lead Agency Ontario, City of

Type EIR Draft EIR
 Description The proposed project would involve the demolition of existing on-site structures that are currently not in use and the construction of an approximately 190,803 square foot building on the western portion of the site, with parking areas on the eastern portion. The proposed Wal-Mart Supercenter would include a general merchandise store, a grocery, the sale of alcoholic beverages, a game arcade, banking services, and an outside garden center. Infrastructure and street improvements would also accompany the project.

Lead Agency Contact
 Name Richard Ayala
 Agency City of Ontario
 Phone (909) 395-2036 Fax
 email
 Address 303 East B Street
 City Ontario State CA Zip 91764

Project Location
 County San Bernardino
 City Ontario
 Region
 Cross Streets Mountain Avenue and Fifth Street
 Parcel No. 1008-431-03
 Township Range Section Base

Proximity to:
 Highways I-10
 Airports
 Railways
 Waterways
 Schools Ontario-Montclair Unified School District
 Land Use Commercial buildings. Specific Plan zone. General Commercial land designation.

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

Reviewing Agencies Caltrans, District 8; California Highway Patrol; Department of Conservation; Department of Water Resources; Department of Fish and Game, Region 6; Office of Historic Preservation; Integrated Waste Management Board; Native American Heritage Commission; Department of Parks and Recreation; Regional Water Quality Control Board, Region 8; Resources Agency; Department of Toxic Substances Control

Date Received 06/25/2007 Start of Review 06/25/2007 End of Review 08/08/2007

Note: Blanks in data fields result from insufficient information provided by lead agency.

J2

J2 Response: Comment noted. No response required.

11.3 CHANGES TO DRAFT SUBSEQUENT EIR

Based on the comments and responses to comments, changes have been made to the text of the Final Subsequent EIR as referenced in the applicable response(s) to comments and responses. These changes merely clarify or amplify the existing analysis in the Subsequent EIR or refine the standard conditions and mitigation measures proposed for the project. No major changes to the Draft Subsequent EIR have been made nor have changes to the significance conclusions of the environmental analysis occurred.

- ❖ Clarification of the proposed slope and wall on Fifth Street are made on pages S-9, S-11, 3-6, 3-7, 4.6-10, 4.6-18, 4.6-24, and 10-11.
- ❖ Minor refinements to the number of parking spaces are made on pages 3-3 and 4.4-25.
- ❖ Recent consultations with the City of Upland have indicated that the Upland Department of Public Works does not foresee adverse impacts from the project on the Mountain Avenue–Eighth Street intersection and no mitigation is necessary. This information is added in Section 4.4 on pages 4.4-17 and 34.
- ❖ Consultation with the SCAQMD has also indicated that the CO attainment redesignation for the South Coast air basin has been approved by the EPA on May 11, 2007. This information has been added into Section 4.5, *Air Quality*, on page 4.5-5.
- ❖ CO concentrations were recalculated using the EMFAC2007 factors and are provided in Table 4.5-9 on pages 4.518 to 19.
- ❖ Mitigation Measure 4.6.1a has been clarified to state that the wall along Fifth Street would be up to 7.5 feet high and would be a combination sloped berm and wall. This change is made on pages S-11, 4.6-24, and 10-11.
- ❖ Mitigation Measure 6.1a has been clarified by spelling out the acronym TRU into Trailer Refrigeration Units. This change is made on pages S-23, 6-62, and 10-14.
- ❖ Mitigation Measure 6.1b has been clarified to specify that this will apply to the company fleet. This change is made on pages S-23, 6-62, and 10-14.
- ❖ In addition, a number of typographical errors have been corrected in the document. These include changes in the numbering of the mitigation measures and standard conditions and deletions of standard conditions that have been completed to maintain consistency between the analysis in Section 4.0, *Environmental Analysis*, and the Executive Summary and Section 10.0, *Mitigation Monitoring Program*.
- ❖ Changes have also been made to delete references to the document as a Draft Subsequent EIR and to include the new Section 11.0, *Response to Comments*.

As indicated earlier, these changes clarify and/or update the discussion in the Subsequent EIR or refine the standard conditions and mitigation measures but do not alter the analysis or conclusions in the document.