



# Notice of Preparation and Scoping Meeting

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

TO: Property Owners, Responsible Agencies & Interested Parties

FROM: City of Ontario, Planning Department, 303 East "B" Street, Ontario, CA 91764

SUBJECT: Notice of Preparation and Scoping Meeting - Draft Subsequent Environmental Impact Report for the Subarea 29 Specific Plan Amendment and General Plan Amendment Project

NOTICE IS HEREBY GIVEN that the City of Ontario will be the Lead Agency and will prepare a Subsequent Environmental Impact Report (SEIR) for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed Project. Your agency will need to use the SEIR prepared by our agency when considering your permit or other approval for the Project.

**Project Title/File No.:** Subarea 29 Specific Plan Amendment and General Plan Amendment (File Nos. PSPA21-005 and PGPA21-003)

**Project Location and Setting:** The Subarea 29 Specific Plan area is located in the City of Ontario, in San Bernardino County. The currently proposed Subarea 29 Specific Plan Amendment area (2021 Amendment area) includes existing Planning Areas (PAs) 30 and 31, and the proposed Subarea 29 Specific Plan expansion area (new Planning Areas 32, 33, and 34). Existing PAs 30 and 31 are bound by Eucalyptus Avenue to the north, Haven Avenue to the east, Parkview Street to the south, and existing residential development in PAs 22 and 23 to the west. The proposed expansion area is bound by Eucalyptus Avenue to the north, Haven Avenue to the west, Mill Creek Boulevard to the east, and Bellegrave Avenue to the south. Bellegrave Avenue also forms the jurisdictional boundary between the City of Ontario/San Bernardino County and City of Eastvale/Riverside County. Refer to Figure 1, Regional Location Map, and Figure 2, Vicinity Map.

As shown on Figure 3, Aerial Photograph, existing uses within the 2021 Amendment area include dairy farming and agriculture uses, and farm structures that supported previous agricultural activities. The entire area has been previously disturbed and the vegetation communities are limited to agricultural and ruderal. The southwest corner of the expansion area includes a disturbed lot previously occupied by a trucking company. Additionally, a Southern California Edison (SCE) corridor bisects existing PAs 30 and 31. Agricultural lands such as dairies, stockyards, row crops, and nurseries are located north of the 2021 Amendment area. The area to the east is currently being developed with residential uses per the Esperanza Specific Plan. The area south of the 2021 Amendment area is developed with existing residential uses in the City of Eastvale. Residential uses in the Subarea 29 Specific Plan area are currently under construction to the west of the proposed expansion area and south of existing PAs 30 and 31.

The proposed 2021 Amendment area is more than four miles south of the Ontario International Airport (ONT). The 2021 Amendment area is located within the Airport Influence Area of the ONT;

however, it is located outside of the Safety, Noise Impact and Airspace Protection Zones identified in the Ontario International Airport Land Use Compatibility Plan (ONT ALUCP). The existing Subarea 29 Specific Plan is also located within the Chino Airport Influence Area, however the 2021 Amendment is located outside the Chino Airport Influence Area.

**Project Description:** The proposed Subarea 29 Specific Plan Amendment and General Plan Amendment Project ("2021 Amendment" or "Project") would add approximately 117.5 gross acres of land to the Subarea 29 Specific Plan area, and would increase the total number of allowed units in the Subarea 29 Specific Plan from 2,418 units to 3,888 units (an increase of 1,470 units within existing PA 30 and 31 and new PA 32, 33, and 34). A Development Agreement between the City and the Project Applicant is requested as part of the Project entitlements. Refer to Figure 4 and Figure 5, which depict the proposed amendments to the Subarea 29 Specific Plan land use plan and The Ontario Plan (TOP) Policy Plan land use plan, respectively.

Specifically, as shown on Figure 4, the proposed expansion of the Subarea 29 Specific Plan area would allow for the creation of new PAs 32, 33 and 34, and the development of a middle school and up to 1,315 detached and attached homes in this area. In addition, the Project would involve amendments to the Subarea 29 Specific Plan for existing PAs 30 and 31 to allow for the development of an additional 155 dwelling units (an increase from 197 units to 352 units). As shown on Figure 5, the Project would also involve amendments to TOP Policy Plan to change the land use designations for the expansion area from Low Density (2.1-5 du/ac) with a centralized area designated Open Space-Water to Low-Medium Density (5.1-11 du/ac) and Medium Density (11.1-25 du/ac), and to change the land use designations for PAs 30 and 31 from Low Density (2.1-5 du/ac) to Low Density (2.1-5 du/ac), Low-Medium Density (5.1-11 du/ac), Medium Density (11.1-25 du/ac). The Public School land use designation at the southeast corner of Haven Avenue and Eucalyptus Avenue would be shifted south to the southwest portion of the proposed expansion area. These proposed land use designation changes would be consistent with the TOP Update currently processed by the City.

A more detailed Project description is available at City Hall, Planning Department, 303 East "B" Street, Ontario, CA 91764, and on the City's website at <http://www.ontarioca.gov/Planning>.

**Environmental Issues:** An Initial Study is not attached and/or available at City Hall, Planning Department. An Initial Study has not been prepared for the Project as the City has determined that an SEIR will clearly be required for the Project, which is in the discretion of the Lead Agency as set forth in State CEQA Guidelines Section 15063(a). Accordingly, the following environmental topics will be analyzed within the forthcoming Draft SEIR to the *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report (State Clearinghouse [SCH] No. 2004011009)* certified by the City of Ontario in October 2006:

- Aesthetics
- Agriculture/Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards/Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

**Public Review Period:** The City welcomes input and comments regarding preparation of the SEIR. In accordance with CEQA, the NOP will be circulated for a 30-day public review period. Should you have any comments, please provide a written response to this NOP within the 30-day NOP public review period, which extends from December 1, 2021 to December 31, 2021. Please indicate a contact person for your agency or organization. Pursuant to CEQA Guidelines Section 15082, responsible and trustee agencies and other interested parties, including members of the public, must submit any comments in response to this notice no later than 30 days after receipt of the notice.

Please send any comments to:

City of Ontario Planning Department  
c/o Jeanie Irene Aguilo, Associate Planner  
303 East B Street, Ontario, CA 91764  
Email: JAguilo@ontarioca.gov  
Telephone: (909) 395-2418

**Scoping Meeting:** The proposed Project is considered a project of statewide, regional or area-wide significance. Pursuant to Section 21083.9(a)(2) of CEQA (California Public Resources Code, Section 21000 et seq.), scoping meetings are required for projects that may have statewide, regional, or area-wide environmental significance. A scoping meeting will be held by the City of Ontario. The date, time and location of the scoping meeting are as follows:

**Meeting Date:** Thursday, December 9, 2021

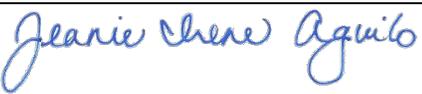
**Meeting Time:** 6:00 PM to 7:30 PM

**Meeting Location:** Park Place Park House, 4955 S. Park Place Avenue, Ontario, CA 91762

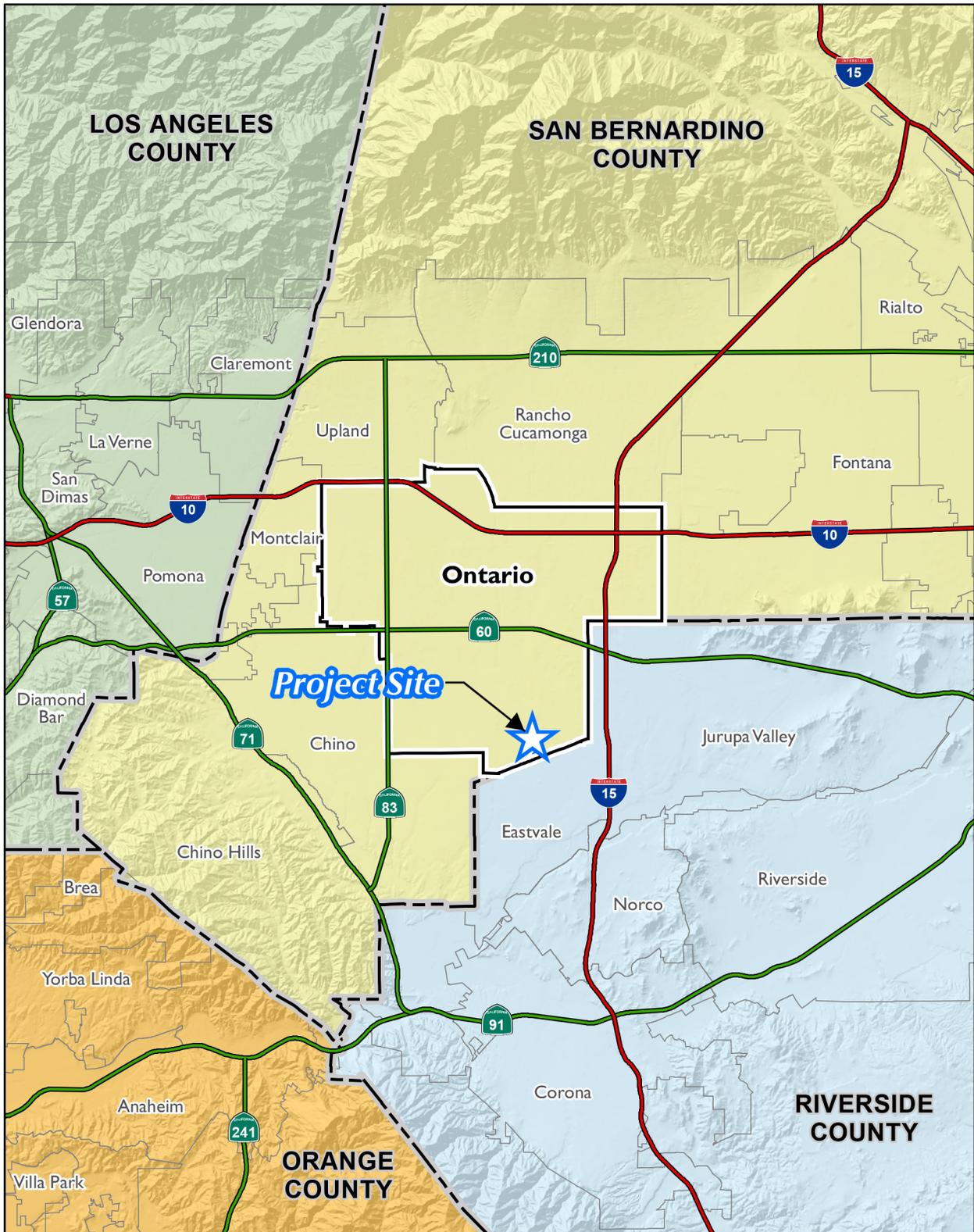
Should you require special accommodations at the public scoping meeting, such as for the hearing impaired or an English translator, please contact the City of Ontario no later than 12:00 PM on Thursday, December 9, 2021 (see contact information above).

Verbal and written comments regarding the scope of the environmental issues to be addressed in the SEIR will be accepted at the scoping meeting. Written comments can also be mailed to the lead agency during the NOP 30-day public comment period. Your response must be sent at the earliest possible date, but not later than 30 days after receipt of this notice. Please send your response to Jeanie Irene Aguilo at the address identified above.

**Project Applicant:** Sage McCleve, Vice President – Planned Communities, SL Ontario Development Company LLC, 1156 N. Mountain Avenue, Upland, CA 91786

<b>Signature:</b> 	<b>Date:</b> 11/29/2021
<b>Name:</b> Jeanie Irene Aguilo	<b>Title:</b> Associate Planner

**Reference:** California Code of Regulations, Title 14 (CEQA Guidelines) Sections 15082(a), 15103, and 15375.

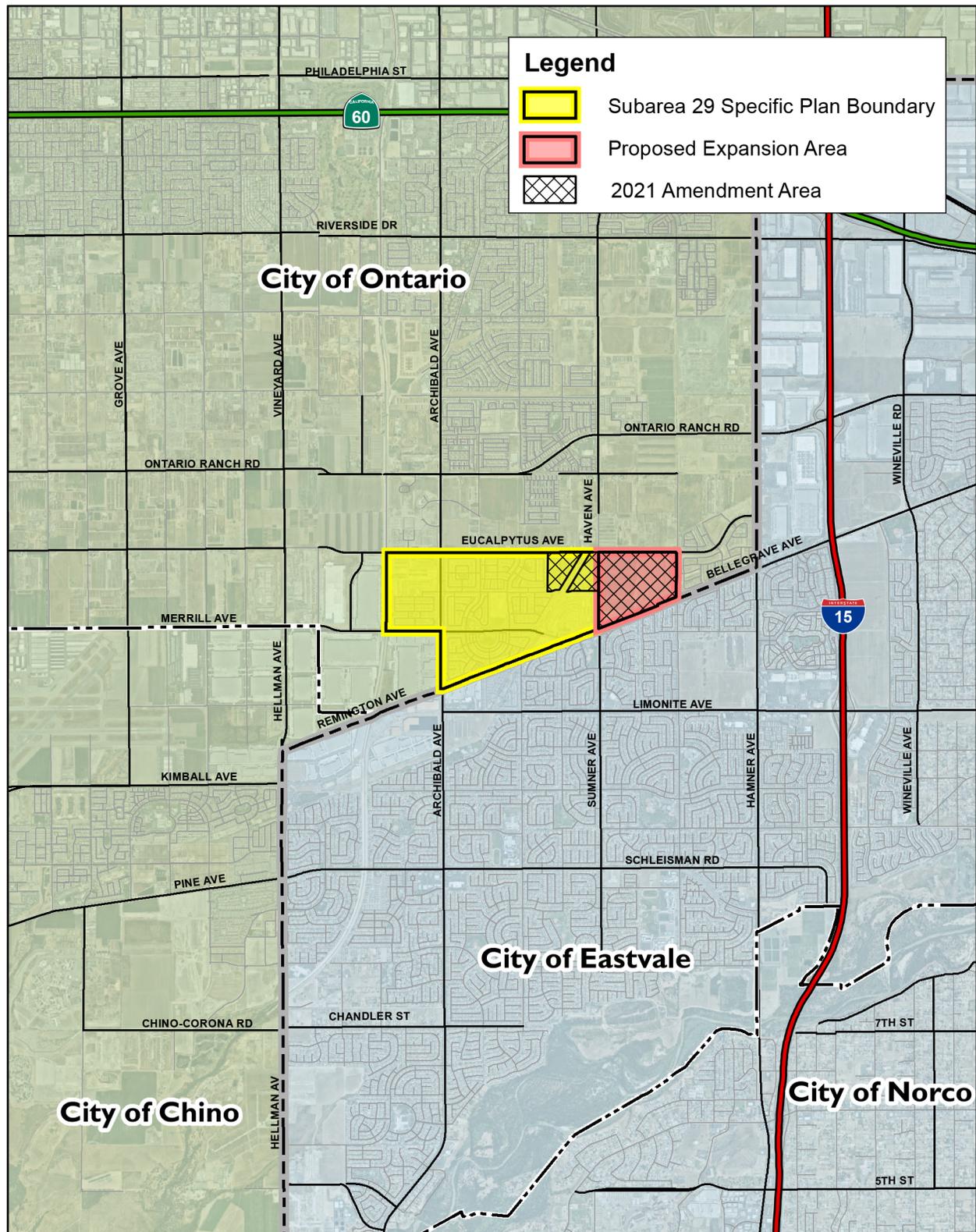


Source(s): ESRI, RCTLMA (2021), SCAG (2021), SB County (2020)

Figure 1

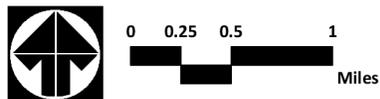


### Regional Location Map

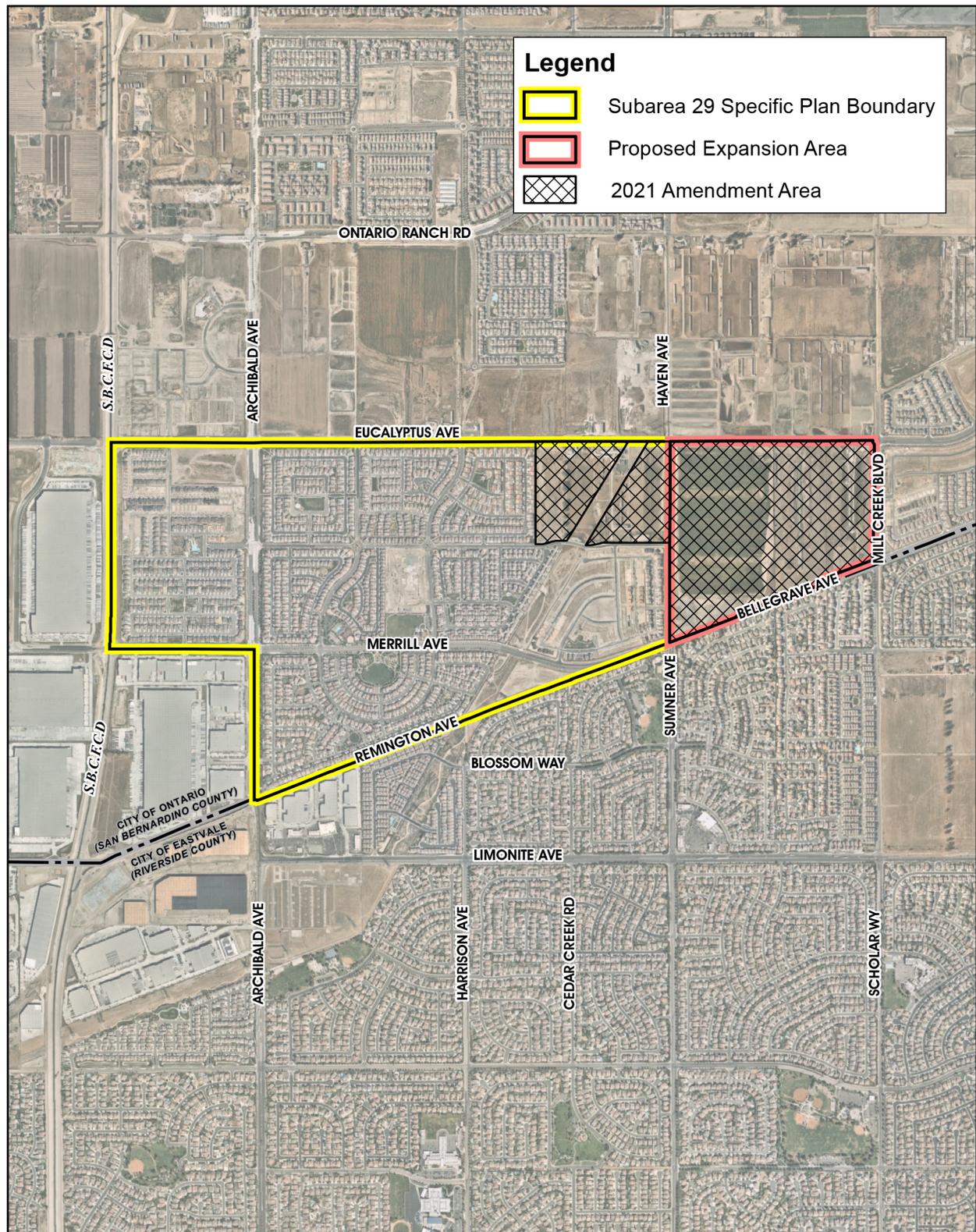


Source(s): ESRI, Nearmap Imagery (2021), RCTLMA (2021), SCAG (2021), SB County (2020)

Figure 2



Vicinity Map



**Legend**

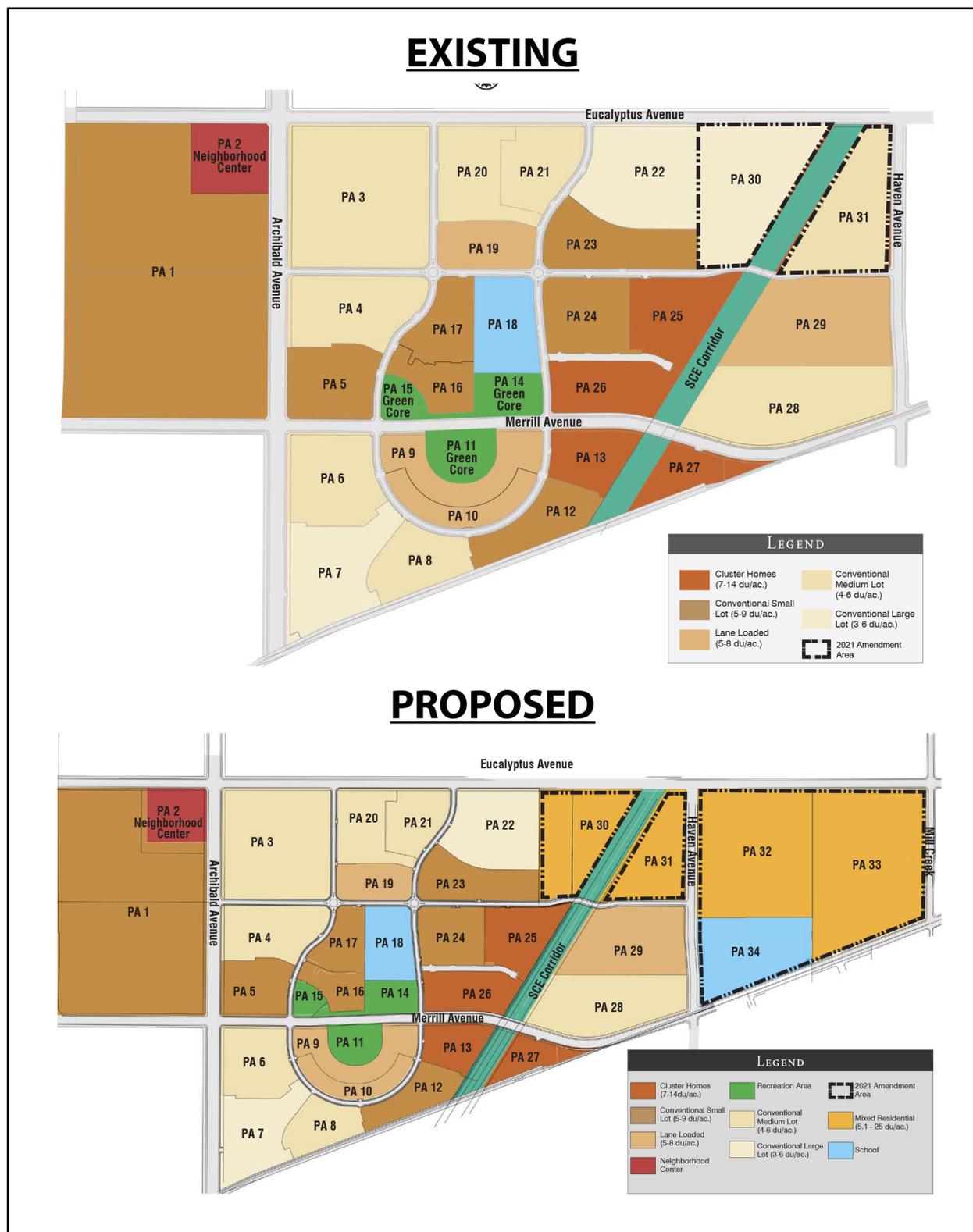
- Subarea 29 Specific Plan Boundary
- Proposed Expansion Area
- 2021 Amendment Area

Source(s): ESRI, Nearmap Imagery (2021), RCTLMA (2021), SB County (2020)

Figure 3



**Aerial Photograph**



Source(s): William Hezmalhalch Architects, Inc. (September 2021)

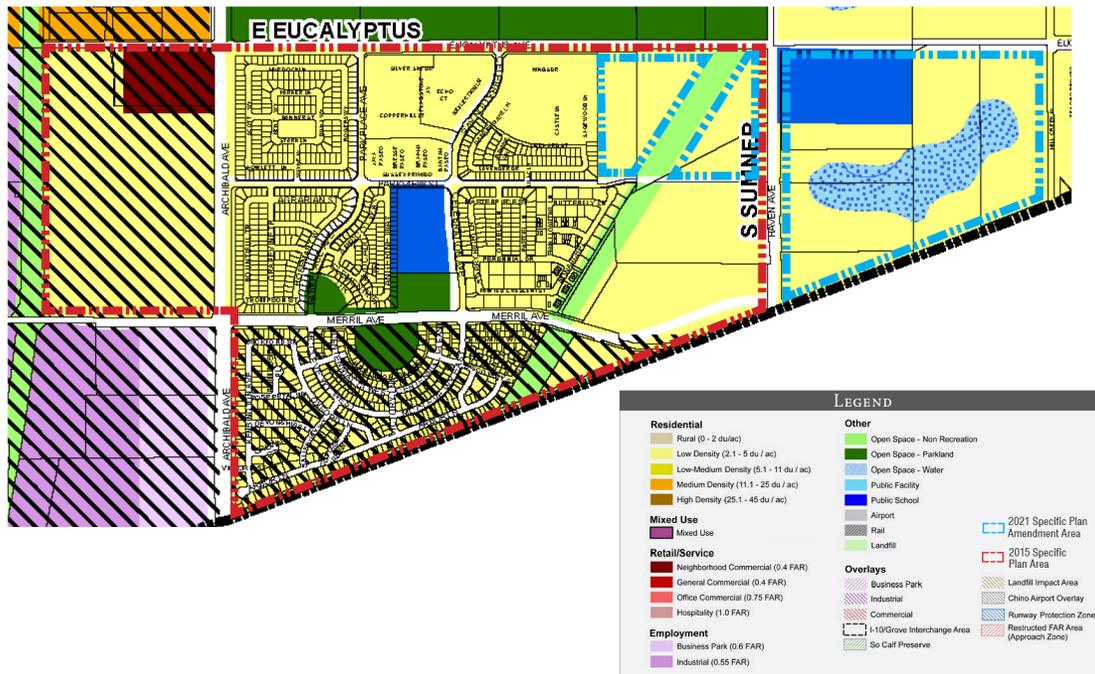
Figure 4



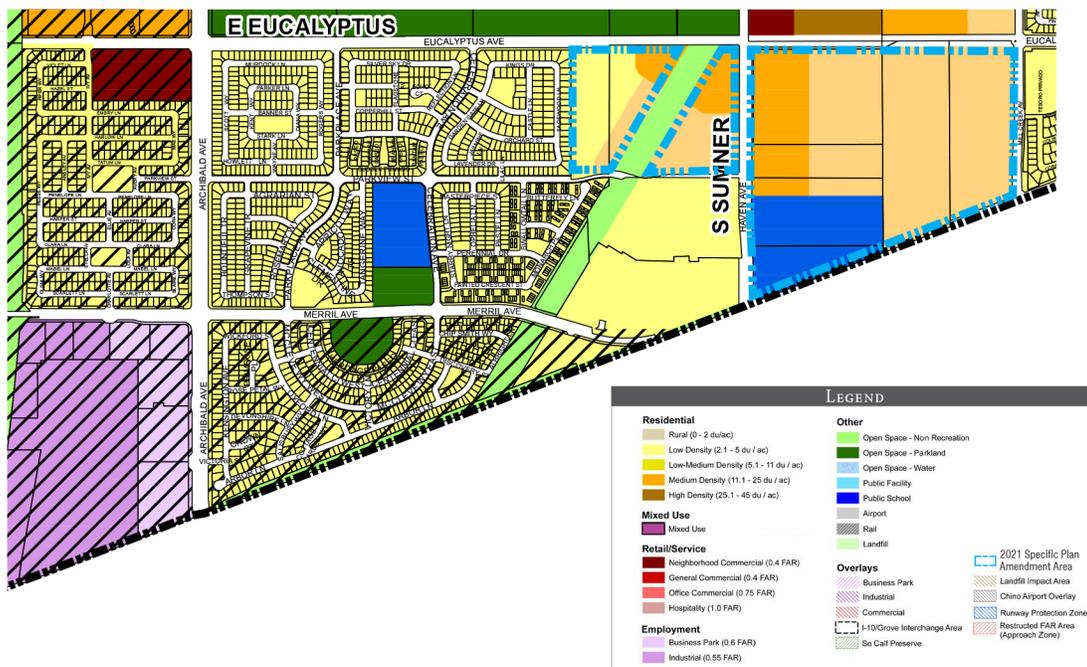
Not to Scale

**Existing and Proposed Subarea 29  
 Specific Plan Land Use Plan**

# EXISTING



# PROPOSED



Source(s): William Hezmalhalch Architects, Inc. (September 2021)

Figure 5



Not to Scale

## Existing and Proposed TOP Policy Plan Land Use Plan

**SUBAREA 29 SPECIFIC PLAN AMENDMENT AND GENERAL PLAN AMENDMENT**  
**FILE Nos. PSPA21-005 and PGPA21-003**  
**DETAILED PROJECT DESCRIPTION AND SUPPORTING INFORMATION**

**I. PROJECT OVERVIEW**

The City of Ontario approved the Subarea 29 Specific Plan and certified the associated *Subarea 29 (Hettinga) Specific Plan Final Environmental Impact Report* (State Clearinghouse [SCH] No. 2004011009) in October 2006 (2006 EIR). The Subarea 29 Specific Plan has been subsequently amended through June 2021. The Subarea 29 Specific Plan establishes the land use designations, infrastructure and services, development regulations, and design guidelines for the existing Subarea 29 Specific Plan area that is comprised of approximately 657 acres of land.

The proposed Subarea 29 Specific Plan Amendment (File No. PSPA21-005) and General Plan Amendment (File No. PGPA21-003) Project (referred to herein as the “Project” or “2021 Amendment”) would add approximately 117.5 gross acres of land to the Subarea 29 Specific Plan area to create new Planning Areas (PA) 32, 33 and 34, and allow for the development of a middle school and up to 1,315 detached and attached homes in this area. As discussed below, a General Plan Amendment would also be required to allow these uses. In addition, the 2021 Amendment involves changes to the Subarea 29 Specific Plan and The Ontario Plan (TOP) Policy Plan land use designations for existing PAs 30 and 31 to allow for the development of an additional 155 dwelling units (an increase from 197 units to 352 units). Collectively, these actions would increase the total number of allowed units in the Subarea 29 Specific Plan from 2,418 units to 3,888 units (an increase of 1,470 units). A Development Agreement between the City and the Project Applicant is requested as part of the Project entitlements.

Pursuant to Section 15162 of the California Environmental Quality Act (CEQA) Guidelines, it has been determined that a Subsequent EIR (SEIR) to the 2006 EIR is the appropriate form of environmental documentation for the Project since there are changes to the Subarea 29 Specific Plan proposed that have the potential to result in new significant environmental effects or an increase in the severity of previously identified significant effects in the 2006 EIR.

**II. PROJECT LOCATION**

The existing Subarea 29 Specific Plan area and 2021 Amendment area are located in the City of Ontario, in San Bernardino County (refer to NOP Figure 1, *Regional Location*).<sup>1</sup> As shown on NOP Figure 2, *Vicinity Map*, the proposed expansion area, which includes new PAs 32, 33 and 34, is bound by Eucalyptus Avenue on the north, Haven Avenue on the west, Mill Creek Avenue on the east, and Bellegrave Avenue on the south. Bellegrave Avenue also forms the jurisdictional boundary between the City of Ontario/San Bernardino County and City of Eastvale/Riverside County. Existing PAs 30 and 31 are bound by Eucalyptus Avenue to the north, Haven Avenue to the east, Parkview Street to the south, and existing development in the Subarea 29 Specific Plan area to the west.

---

<sup>1</sup> The 2021 Amendment area includes Assessor Parcel Numbers (APNs) 0218-331-12, 0218-331-14, 0218-331-18, 0218-331-25, 0218-331-28, 0218-331-30, 0218-331-31, and 0218-331-52.

### III. PROJECT SETTING

As shown on NOP Figure 3, *Aerial Photograph*, existing uses within the 2021 Amendment area include dairy farming and agriculture uses, and farm structures that supported previous agricultural activities. The entire area has been previously disturbed, and the vegetation communities are limited to agricultural and ruderal. The southwest corner of the expansion area includes a disturbed lot previously occupied by a trucking company. Additionally, a Southern California Edison (SCE) corridor bisects existing PAs 30 and 31. Agricultural lands such as dairies, stockyards, row crops, and nurseries are located north of the 2021 Amendment area and is planned to be developed with residential uses per the Grand Park Specific Plan, and the area to the east is currently being developed with residential uses per the Esperanza Specific Plan. The area south of the 2021 Amendment area is developed with existing residential uses in the City of Eastvale. Residential uses in the Subarea 29 Specific Plan area are currently under construction to the west of the proposed expansion area and south of existing PAs 30 and 31.

The proposed 2021 Amendment area is more than four miles south of the Ontario International Airport (ONT). As with other areas in the Subarea 29 Specific Plan area, the 2021 Amendment area is located within the Airport Influence Area of the ONT; however, it is located outside of the Safety, Noise Impact and Airspace Protection Zones identified in the Ontario International Airport Land Use Compatibility Plan (ONT ALUCP). The existing Subarea 29 Specific Plan is also located within the Chino Airport Influence Area, however the 2021 Amendment appears to be located outside the Chino Airport Influence Area.

Existing Policy Plan (TOP/General Plan) and zoning designations are shown in Table 1, General Plan Designations and Zoning, below, and the existing Subarea 29 Specific Plan and TOP Policy Plan land use designations for the City of Ontario are shown on Figures 4 and 5, respectively.

**Table 1 – Existing General Plan Designations and Zoning**

	TOP/General Plan Designation	Zoning
2021 Amendment Area	PA 30/31 – Low Density (2.1-5 du/ac) and Open Space-Non Recreation  Expansion Area – Low Density (2.1-5 du/ac), Open Space-Water, and Public School	PA 30/31 – Specific Plan (Subarea 29/ PSP03-003)  Expansion Area – Specific Plan with AG, Agricultural Overlay
North	Open Space-Parkland, Low Density (2.1-5 du/ac)	Specific Plan (Grand Park/PSP12-001) and Specific Plan with AG, Agricultural Overlay
East	Low Density (2.1-5 du/ac)	Specific Plan (Esperanza/PSP05-002)
West	Low Density (2.1-5 du/ac)	Specific Plan (Subarea 29/ PSP03-003)
South (City of Eastvale)	Low Density	PRD-Planned Residential Development R-1-One Family Dwellings

### IV. PROJECT DESCRIPTION

SL Ontario Development Company, LLC is requesting approval of an amendment to the Subarea 29 Specific Plan, a General Plan Amendment, and a Development Agreement, as described below. As described previously, the 2021 Amendment would expand the Subarea 29 Specific Plan area with three new PAs (32, 33 and 34) east of the existing Specific Plan area to be developed with residential and school land uses, and would increase the residential development capacity in existing PAs 30 and 31. The land ownership associated with the 2021 Amendment is divided

between SL Ontario Development Company, LLC (PAs 32 and 34), and Richland Ontario Development, LLC (PAs 30, 31, and 33). Collectively, the requested approvals described below would allow for the development of up to 1,470 single-family detached and attached residential dwelling units in PAs 30 through 33, and a middle school in PA 34. These uses would be linked by a network of sidewalks connecting the neighborhoods to each other, and to the original Specific Plan area.

It is expected that construction would be initiated in the summer 2022, and would extend over approximately 5 to 10 years.

**Subarea 29 Specific Plan Amendment**

The proposed Subarea 29 Specific includes the following key components:

- Expand the Subarea 29 Specific Plan area to include 117.5 gross acres located to the east (refer to Exhibit 2) and modify text and exhibits throughout the Specific Plan, as appropriate, to reflect the expansion area and proposed land uses, as summarized below.
- Revise Subarea 29 Specific Plan Land Use Plan to add new PAs 32, 33 and 34, and change the land use designations for PAs 30 and 31 as shown on Table 2 and NOP Figure 4, and summarized below:

**Table 2 – Proposed Specific Plan Planning Area and Land Use Revisions**

Planning Area	Land Use (Existing)	Land Use (Proposed)	Max. Units (Existing)	Max. Units (Proposed)	Gross Acres	Gross Density
PA 30	Conventional Large Lot (3-6 du/acre)	Mixed Residential (5.1-25 du/ac)	110	176	28.3	6.2
PA 31	Conventional Medium Lot (4-6 du/acre)	Mixed Residential (5.1-25 du/ac)	87	176	23.1	7.6
PA 32	Agriculture	Mixed Residential (5.1-25 du/ac)	0	671	42.3	15.9
PA 33	Agriculture	Mixed Residential (5.1-25 du/ac)	0	644	52.2	12.3
PA 34	Agriculture	School	0	0	23.0	0.0

- PA 30 – change the land use designation from Conventional Large Lot (3-6 du/acre) to Mixed Residential (5.1-25 du/ac).
  - PA 31 – change the land use designation from Conventional Medium Lot (4-6 du/acre) to Mixed Residential (5.1-25 du/ac).
  - PA 32 – add new PA with a land use designation of Mixed Residential (5.1-25 du/ac).
  - PA 33 – add new PA with a land use designation of Mixed Residential (5.1-25 du/ac).
  - PA 34 – add new PA with a land use designation of School. A school site was previously planned in the expansion area; the 2021 Amendment moves the school site to the south.
- Revise the Subarea 29 Specific Plan Land Summary Table to include new PAs 32, 33, and 34 and revise the land use information for PAs 30 and 31. The proposed changes are shown on Table 3. As shown, there would be a net increase of 1,470 units allowed with the Specific Plan Area (an increase from 2,418 units to 3,888 units). It should be noted that the number of units allowed by the 2021 Amendment would be consistent with TOP Update currently being processed by the City of Ontario, which allows for up to 11.0 dwelling units per gross acre for low-medium density residential uses and 25 dwelling units per gross acre for medium density residential uses, and up to 3,888 units within the Subarea 29 Specific Plan area, as amended.
  - Introduce new home types and architectural styles to support the goals of the Specific Plan. This would include the introduction of Row Townhomes (PAs 30, 31, 32 and 33), and adding PAs 32 and 33 to the list of PAs to include Cluster Homes.
  - Revise text and exhibits in Subarea 29 Specific Plan Chapter 5, Infrastructure and Services, to include the expansion area. This includes the identification of circulation and utility infrastructure information for the new PAs, as applicable, and for Mill Creek Avenue, Bellegrave Avenue and Eucalyptus Avenue adjacent to the expansion area.
  - Revise text and exhibits in Subarea 29 Specific Plan Chapter 7, Residential Design Guidelines, to identify existing architectural styles applicable to the new PAs, and to identify landscape and wall/fence requirements for the expansion area.

City of Ontario Planning Department  
 Notice of Preparation and Scoping Meeting  
 File Nos. PSPA21-005 and PGPA21-003  
 Subarea 29 Specific Plan Amendment and General Plan Amendment

**Table 3 – Subarea 29 Specific Plan Land Use Summary**

Planning Area	Land Use	Minimum Lot Size (S.F)	Planned Dwelling Units <sup>3,4,5</sup>	Net Acre <sup>1</sup>	Planned Net Density (Du/Ac.) <sup>3,5</sup>	Gross Acres <sup>2</sup>	Planned Gross Density (Du/Ac.) <sup>3,5</sup>
1*	Conventional Small Lot	3,500	432	83.1	5.2	89.8	4.8
2*	Commercial	N / A	0	12.1	0.0	14.5	0.0
3*	Conventional Medium Lot	4,500	186	34.5	5.4	40.2	4.6
4**	Conventional Medium Lot	4,250	88	10.1	8.7	17.8	4.9
5**	Conventional Small Lot	3,825	68	7.2	9.4	13.7	5.0
6**	Conventional Medium Lot	5,000	67	13.0	5.2	17.0	4.0
7**	Conventional Large Lot	6,300	65	15.3	4.2	18.3	3.6
8**	Conventional Medium Lot	4,250	46	9.1	5.1	9.6	4.8
9**	Lane Loaded	3,150	69	9.9	7.0	11.9	5.8
10**	Lane Loaded	3,600	57	6.6	8.7	7.8	7.3
11**	Neighborhood Park 2	N / A	0	5.7	0.0	6.2	0.0
12**	Conventional Small Lot	3,825	53	9.5	5.6	9.5	5.6
13**	Cluster Homes	2,100 <sup>A</sup>	75	7.8	9.6	7.8	9.6
14**	Neighborhood Park 1	N / A	0	6.3	0.0	7.7	0.0
15**	Recreation Center	N / A	0	2.7	0.0	3.1	0.0
16**	Conventional Small Lot	3,015	41	5.9	7.0	6.1	6.8
17**	Conventional Small Lot	3,015	56	5.3	10.6	8.4	6.7
18**	School	N / A	0	10.0	N / A	11.2	N / A
19**	Lane Loaded	3,150	61	7.8	7.9	9.0	6.8
20**	Conventional Medium Lot	4,250	67	11.8	5.7	13.3	5.0
21**	Conventional Medium Lot	5,000	48	10.1	4.8	11.5	4.2
22**	Conventional Large Lot	6,300	79	19.7	4.0	21.3	3.7
23**	Conventional Small Lot	3,825	82	12.9	6.3	14.4	5.7
24**	Conventional Small Lot	3,400	75	8.1	9.3	12.8	5.8
25**	Cluster Homes	2,100 <sup>A</sup>	102	8.6	11.8	12.9	7.9
26**	Cluster Homes	2,100 <sup>A</sup>	102	8.7	11.7	13.2	7.7
27**	Cluster Homes	1,750 <sup>A</sup>	73	7.6	9.7	7.6	9.6
28*	Conventional Medium Lot	4,050	121	23.0	5.3	25.8	4.7
29***	Lane Loaded or Conventional Medium Lot	3,150 or 4,000	108	21.4	5.0	27.2	4.0
30*	Conventional Large Lot Mixed Residential	5,040 1,750	110 176	21.2	5.0 8.3	28.3	3.9
31*	Conventional Medium Lot Mixed Residential	4,050 1,750	87 176	16.0	5.4 11.4	23.1	3.8
32**	Mixed Residential	1,750	671	41.7	16.1	42.3	15.9
33*	Mixed Residential	1,750	644	50.6	12.8	52.2	12.3
34**	School	N/A	0	20.0	0.0	23.0	0.0
Flood Control Channel	Flood Control Channel	N / A	0	7.2	0.0	7.2	0.0
Pump Station	Pump Station	N / A	0	0.2	0.0	0.4	0.0
SCE Corridor	Park Place SCE Easement	N / A	0	11.2	0.0	11.2	0.0
<b>Sub Area 29 Total</b>			<b>2418</b> <b>3,888</b>	<b>449.9</b> <b>561.5</b>	<b>5.3</b> <b>6.9</b>	<b>539.7</b> <b>657.2</b>	<b>4.4</b> <b>5.9</b>

- A) Minimum square footage identified is for exclusive use area on a per home basis, recorded lot size may differ.  
 1) Net Acres noted for Planning Areas 1 through 31 exclude street rights-of-way and SCE easements.  
 2) Gross Acres noted for Planning Areas 1 through 31 are calculated to centerline of Master Planned streets and SCE easements.  
 3) Actual total units and gross/net density and acreage will be dependent on final lotting.  
 4) Planned unit count based on submitted Tentative "B" Maps  
 5) A density transfer of 15.0% may occur between Planning Areas.  
 \*) Indicates Planning Areas as controlled/owned by Richland Communities, Inc.  
 \*\*) Indicates "Park Place" Planning Areas as controlled/owned by SLOntario Development Company  
 \*\*\*) Indicates Planning Areas as controlled/owned by Brookfield Homes

**General Plan Amendment**

The City of Ontario is currently in the process of updating TOP, including changes in the land use designations for the 2021 Amendment area. The proposed TOP Update would allow for up to 3,888 units in the Subarea 29 Specific Plan area. The amendments to the Subarea 29 Specific Plan identified above would also allow for 3,888 units in the Specific Plan area; however, the Project is proceeding prior to approval of TOP Update. Therefore, a GPA is proposed as part of the Project in the event the Project is considered by the decision makers prior to approval of the TOP Update. The proposed General Plan Amendment includes the components shown in Table 4 and summarized below, and the proposed Policy Plan land use designations are shown on NOP Figure 5:

**Table 4 – Proposed General Plan Amendment**

Planning Area	Land Use (Existing)	Land Use (Proposed)	Max. Units (Existing)	Max. Units (Proposed)	Gross Acres	Gross Density
PA 30	Low Density (2.1 – 5 du/acre)	Low-Medium Density (5.1-11 du/ac)  Medium Density (11.1- 25 du/ac)	110	176	28.3	6.2
PA 31	Low Density (2.1 – du/acre)	Low-Medium Density (5.1-11 du/ac)  Medium Density (11.1- 25 du/ac)	87	176	23.1	7.6
PA 32	Public School /Low Density (2.1 – du/acre)	Low-Medium Density (5.1-11 du/ac)  Medium Density (11.1-25 du/ac)	5 du/ac	671	42.3	15.9
PA 33	Low Density (2.1 – du/acre)/ Open Space-Water	Low-Medium Density (5.1-11 du/ac)  Medium Density (11.1- 25 du/ac)	5 du/ac (developable land would be based on water area).	644	52.2	12.3
PA 34	Low Density (2.1 – du/acre)/ Open Space-Water	School	5 du/ac (developable land would be based on water area).	0	23.0	0.0

- **PAs 30 and 31** – change the land use designations for PAs 30 and 31 from Low Density (2.1-5 du/ac) to Low Density (2.1-5 du/ac), Low-Medium Density (5.1-11 du/ac), Medium Density (11.1-25 du/ac), consistent with the TOP Update currently processed by the City. The land use designation for the SCE corridor would be retained (Open Space – Non Recreation)
- **Expansion Area** – change the land use designations for the expansion area from Low Density (2.1-5 du/ac) with a centralized area designated Open Space-Water to Low-Medium Density (5.1-11 du/ac) and Medium Density (11.1-25 du/ac), consistent with the TOP Update currently processed by the City. The Public School land use designation at the southeast corner of Haven Avenue and Eucalyptus Avenue would be shifted south to the southwest portion of the proposed expansion area.

### **Development Agreement**

The Project Applicant and the City of Ontario would enter into a Development Agreements related to the Project. California Government Code Sections 65864-65869.5 authorize the use of development agreements between any city, county, or city and county, with any person having a legal or equitable interest in real property that is subject to a development proposal. The Development Agreement would provide the Project Applicant with assurance that development of the Project may proceed subject to the rules and regulations in effect at the time of Project approval. The Development Agreement would also provide the City of Ontario with assurance that certain obligations of the Project Applicant would be met, such as the required timing of public improvements, the Applicant's contribution toward funding community improvements, and other conditions.

### **V. ANTICIPATED ENTITLEMENTS AND APPROVALS**

The City of Ontario is the CEQA Lead Agency and will consider approval of the 2021 Amendment and certification of the SEIR. Permits and/or approvals anticipated to be required by the City of Ontario and other agencies that may use the SEIR are listed in Table 5, Anticipated Permits and Approvals Required, below.

### **VI. ENVIRONMENTAL ISSUES TO BE EVALUATED IN THE EIR**

The following issues are anticipated to be addressed in the EIR:

- |                                  |                               |                                 |
|----------------------------------|-------------------------------|---------------------------------|
| • Aesthetics                     | • Greenhouse Gas Emissions    | • Public Services               |
| • Agriculture/Forestry Resources | • Hazards/Hazardous Materials | • Recreation                    |
| • Air Quality                    | • Hydrology and Water Quality | • Transportation                |
| • Biological Resources           | • Land Use and Planning       | • Tribal Cultural Resources     |
| • Cultural Resources             | • Mineral Resources           | • Utilities and Service Systems |
| • Energy                         | • Noise                       | • Wildfire                      |
| • Geology and Soils              | • Population and Housing      |                                 |

**Table 5  
 Anticipated Permits and Approvals Required**

<b>Lead Agency</b>	<b>Action</b>
City of Ontario	<p><i>Discretionary Approvals</i></p> <ul style="list-style-type: none"> <li>• Specific Plan Amendment</li> <li>• General Plan Amendment</li> <li>• Development Agreement</li> <li>• Water Supply Assessment &amp; Written Verification</li> </ul> <p><i>Subsequent Discretionary and Ministerial Approvals</i></p> <ul style="list-style-type: none"> <li>• Development Plan Review</li> <li>• Tentative Tract Maps</li> <li>• Grading and Building Permits</li> <li>• Sewer Subarea Master Plans</li> <li>• Engineers Reports</li> <li>• Infrastructure and Street Improvement Plans</li> <li>• Final Tract Maps</li> </ul>
<b>Responsible Agencies</b>	<b>Action</b>
State Water Resources Control Board	Coverage under the statewide general National Pollutant Discharge Elimination System (NPDES) for stormwater discharges from construction sites
Utility Service Providers	Issuance of permits and associated approvals, as necessary for the installation of on-site new utility infrastructure or connections to existing facilities.

The SEIR will address the short- and long-term effects of the Project on the environment, including the impacts of any off-site improvements. It will also evaluate the potential for the Project to cause direct and indirect growth-inducing impacts, as well as cumulative impacts. Alternatives to the Project will be evaluated that may reduce impacts that are determined to be significant in the EIR. Applicable mitigation measures from the 2006 EIR will be incorporated into the Project, and additional Project-specific mitigation will be proposed for those impacts that are determined to be significant even with incorporation of the 2006 EIR mitigation measures. A mitigation monitoring program will also be developed for any proposed mitigation as required by Section 15097 of the CEQA Guidelines.

# NATIVE AMERICAN HERITAGE COMMISSION

Governor's Office of Planning & Research

December 7, 2021

**Dec 10 2021**

Jeanie Irene Aguilo, Assoc. Planner  
City of Ontario  
303 East B Street  
Ontario, CA 91764

## STATE CLEARINGHOUSE

**Re: 2004011009, Subarea 29 Specific Plan Amendment and General Plan Amendment Project, San Bernardino County**

Dear Ms. Aguilo:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

**Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**



CHAIRPERSON  
**Laura Miranda**  
Luiseño

VICE CHAIRPERSON  
**Reginald Pagaling**  
Chumash

PARLIAMENTARIAN  
**Russell Attebery**  
Karuk

COMMISSIONER  
**William Mungary**  
Paiute/White Mountain  
Apache

COMMISSIONER  
**Isaac Bojorquez**  
Ohlone-Costanoan

COMMISSIONER  
**Sara Dutschke**  
Miwok

COMMISSIONER  
**Buffy McQuillen**  
Yokayo Pomo, Yuki,  
Nomlaki

COMMISSIONER  
**Wayne Nelson**  
Luiseño

COMMISSIONER  
**Stanley Rodriguez**  
Kumeyaay

EXECUTIVE SECRETARY  
**Christina Snider**  
Pomo

**NAHC HEADQUARTERS**  
1550 Harbor Boulevard  
Suite 100  
West Sacramento,  
California 95691  
(916) 373-3710  
[nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)  
[NAHC.ca.gov](http://NAHC.ca.gov)

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

  - a.** A brief description of the project.
  - b.** The lead agency contact information.
  - c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
  - d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).

  - a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

  - a.** Alternatives to the project.
  - b.** Recommended mitigation measures.
  - c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

  - a.** Type of environmental review necessary.
  - b.** Significance of the tribal cultural resources.
  - c.** Significance of the project's impacts on tribal cultural resources.
  - d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

  - a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
  - b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
  - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
    - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
    - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
  - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
    - i.** Protecting the cultural character and integrity of the resource.
    - ii.** Protecting the traditional use of the resource.
    - iii.** Protecting the confidentiality of the resource.
  - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
  - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
  - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
  - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
  - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
  - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)

## SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf).

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
  - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

## NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([http://ohp.parks.ca.gov/?page\\_id=1068](http://ohp.parks.ca.gov/?page_id=1068)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.

- b.** The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
- 3.** Contact the NAHC for:
- a.** A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - b.** A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
- 4.** Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
- a.** Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
  - b.** Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
  - c.** Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:  
[Andrew.Green@nahc.ca.gov](mailto:Andrew.Green@nahc.ca.gov).

Sincerely,



Andrew Green  
Cultural Resources Analyst

cc: State Clearinghouse

## Jeanie Irene T. Aguilo

---

**From:** IGR – Intergovernmental Review <IGR@scag.ca.gov>  
**Sent:** Thursday, December 30, 2021 7:30 AM  
**To:** Jeanie Irene T. Aguilo  
**Cc:** Anita Au; Frank Wen  
**Subject:** SCAG Comments on the NOP of a DEIR for the Subarea 29 Specific Plan Amendment [SCAG NO. IGR10536]  
**Attachments:** IGR10536 NOP Subarea 29 Specific Plan.pdf

Good morning Jeanie,

Please find attached SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the Subarea 29 Specific Plan Amendment [SCAG NO. IGR10536].

Please contact me at (213) 630-1427 or [IGR@scag.ca.gov](mailto:IGR@scag.ca.gov) if you have any questions or difficulties with the attached file.

***In light of the coronavirus and other public health concerns, please be advised that a majority of SCAG staff are teleworking with limited access to the SCAG offices. Therefore, if you wish to submit documents for IGR review, please submit it online via the [IGR webpage \[scag.ca.gov\]](https://www.scag.ca.gov) or via email to [IGR@scag.ca.gov](mailto:IGR@scag.ca.gov).***

Thank you!



### **Intergovernmental Review (IGR) Program**

Annaleigh Ekman (she/her), Assistant Regional Planner

Tel: (213) 630-1427

[IGR@scag.ca.gov](mailto:IGR@scag.ca.gov)

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

900 Wilshire Blvd., Ste. 1700, Los Angeles, CA 90017

[f \[facebook.com\]](https://www.facebook.com/scag) [t \[twitter.com\]](https://twitter.com/scag) [in \[linkedin.com\]](https://www.linkedin.com/company/scag)



SOUTHERN CALIFORNIA  
ASSOCIATION OF GOVERNMENTS  
900 Wilshire Blvd., Ste. 1700  
Los Angeles, CA 90017  
T: (213) 236-1800  
www.scag.ca.gov

REGIONAL COUNCIL OFFICERS

- President  
**Clint Lorimore, Eastvale**
- First Vice President  
**Jan C. Harnik, Riverside County  
Transportation Commission**
- Second Vice President  
**Carmen Ramirez, County of Ventura**
- Immediate Past President  
**Rex Richardson, Long Beach**

COMMITTEE CHAIRS

- Executive/Administration  
**Clint Lorimore, Eastvale**
- Community, Economic &  
Human Development  
**Jorge Marquez, Covina**
- Energy & Environment  
**David Pollock, Moorpark**
- Transportation  
**Sean Ashton, Downey**

**December 30, 2021**

Ms. Jeanie Irene Aguilo, Associate Planner  
City of Ontario, Planning Department  
303 East B Street  
Ontario, California 91764  
Phone: (909) 395-2418  
E-mail: [JAguilo@ontarioca.gov](mailto:JAguilo@ontarioca.gov)

**RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the Subarea 29 Specific Plan Amendment [SCAG NO. IGR10536]**

Dear Ms. Aguilo,

Thank you for submitting the Notice of Preparation of a Draft Environmental Impact Report for the Subarea 29 Specific Plan Amendment (“proposed project”) to the Southern California Association of Governments (SCAG) for review and comment. SCAG is responsible for providing informational resources to regionally significant plans, projects, and programs per the California Environmental Quality Act (CEQA) to facilitate the consistency of these projects with SCAG’s adopted regional plans, to be determined by the lead agencies.<sup>1</sup>

Pursuant to Senate Bill (SB) 375, SCAG is the designated Regional Transportation Planning Agency under state law and is responsible for preparation of the Regional Transportation Plan (RTP) including the Sustainable Communities Strategy (SCS). SCAG’s feedback is intended to assist local jurisdictions and project proponents to implement projects that have the potential to contribute to attainment of Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) goals and align with RTP/SCS policies. Finally, SCAG is also the authorized regional agency for Inter-Governmental Review (IGR) of programs proposed for Federal financial assistance and direct Federal development activities, pursuant to Presidential Executive Order 12372.

SCAG staff has reviewed the Notice of Preparation of a Draft Environmental Impact Report for the Subarea 29 Specific Plan Amendment in San Bernardino County. The proposed project includes amendments to the Subarea 29 Specific Plan to add 117.5 gross acres of land, increase the total number of allowed units from 2,418 dwelling units (DU) to 3,888 DU, and construct a new middle school in the new planning areas.

**When available, please email environmental documentation to [IGR@scag.ca.gov](mailto:IGR@scag.ca.gov) providing, at a minimum, the full public comment period for review.**

If you have any questions regarding the attached comments, please contact the Intergovernmental Review (IGR) Program, attn.: Anita Au, Senior Regional Planner, at (213) 236-1874 or [IGR@scag.ca.gov](mailto:IGR@scag.ca.gov). Thank you.

Sincerely,

Frank Wen, Ph.D.  
Manager, Planning Strategy Department

<sup>1</sup> Lead agencies such as local jurisdictions have the sole discretion in determining a local project’s consistency with the 2020 RTP/SCS (Connect SoCal) for the purpose of determining consistency for CEQA.

**COMMENTS ON THE NOTICE OF PREPARATION OF A  
DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE  
SUBAREA 29 SPECIFIC PLAN AMENDMENT [SCAG NO. IGR10536]**

**CONSISTENCY WITH CONNECT SOCIAL**

SCAG provides informational resources to facilitate the consistency of the proposed project with the adopted 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS or Connect SoCal). For the purpose of determining consistency with CEQA, lead agencies such as local jurisdictions have the sole discretion in determining a local project’s consistency with Connect SoCal.

**CONNECT SOCIAL GOALS**

The SCAG Regional Council fully adopted [Connect SoCal](#) in September 2020. Connect SoCal, also known as the 2020 – 2045 RTP/SCS, builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. The long-range visioning plan balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health. The goals included in Connect SoCal may be pertinent to the proposed project. These goals are meant to provide guidance for considering the proposed project. Among the relevant goals of Connect SoCal are the following:

SCAG CONNECT SOCIAL GOALS	
Goal #1:	<i>Encourage regional economic prosperity and global competitiveness</i>
Goal #2:	<i>Improve mobility, accessibility, reliability and travel safety for people and goods</i>
Goal #3:	<i>Enhance the preservation, security, and resilience of the regional transportation system</i>
Goal #4:	<i>Increase person and goods movement and travel choices within the transportation system</i>
Goal #5:	<i>Reduce greenhouse gas emissions and improve air quality</i>
Goal #6:	<i>Support healthy and equitable communities</i>
Goal #7:	<i>Adapt to a changing climate and support an integrated regional development pattern and transportation network</i>
Goal #8:	<i>Leverage new transportation technologies and data-driven solutions that result in more efficient travel</i>
Goal #9:	<i>Encourage development of diverse housing types in areas that are supported by multiple transportation options</i>
Goal #10:	<i>Promote conservation of natural and agricultural lands and restoration of habitats</i>

For ease of review, we encourage the use of a side-by-side comparison of SCAG goals with discussions of the consistency, non-consistency or non-applicability of the goals and supportive analysis in a table format. Suggested format is as follows:

SCAG CONNECT SOCIAL GOALS	
Goal	Analysis
Goal #1: <i>Encourage regional economic prosperity and global competitiveness</i>	<i>Consistent: Statement as to why;                      Not-Consistent: Statement as to why;                      Or                      Not Applicable: Statement as to why;                      DEIR page number reference</i>
Goal #2: <i>Improve mobility, accessibility, reliability and travel safety for people and goods</i>	<i>Consistent: Statement as to why;                      Not-Consistent: Statement as to why;                      Or                      Not Applicable: Statement as to why;                      DEIR page number reference</i>
etc.	etc.

**Connect SoCal Strategies**

To achieve the goals of Connect SoCal, a wide range of land use and transportation strategies are included in the accompanying twenty (20) technical reports. Of particular note are multiple strategies included in Chapter 3 of Connect SoCal intended to support implementation of the regional Sustainable Communities Strategy (SCS) framed within the context of focusing growth near destinations and mobility options; promoting diverse housing choices; leveraging technology innovations; supporting implementation of sustainability policies; and promoting a Green Region. To view Connect SoCal and the accompanying technical reports, please visit the [Connect SoCal webpage](#). Connect SoCal builds upon the progress from previous RTP/SCS cycles and continues to focus on integrated, coordinated, and balanced planning for land use and transportation that helps the SCAG region strive towards a more sustainable region, while meeting statutory requirements pertinent to RTP/SCSs. These strategies within the regional context are provided as guidance for lead agencies such as local jurisdictions when the proposed project is under consideration.

**DEMOGRAPHICS AND GROWTH FORECASTS**

A key, formative step in projecting future population, households, and employment through 2045 for Connect SoCal was the generation of a forecast of regional and county level growth in collaboration with expert demographers and economists on Southern California. From there, jurisdictional level forecasts were ground-truthed by subregions and local agencies, which helped SCAG identify opportunities and barriers to future development. This forecast helps the region understand, in a very general sense, where we are expected to grow, and allows SCAG to focus attention on areas that are experiencing change and may have increased transportation needs. After a year-long engagement effort with all 197 jurisdictions one-on-one, 82 percent of SCAG’s 197 jurisdictions provided feedback on the forecast of future growth for Connect SoCal. SCAG also sought feedback on potential sustainable growth strategies from a broad range of stakeholder groups – including local jurisdictions, county transportation commissions, other partner agencies, industry groups, community-based organizations, and the general public. Connect SoCal utilizes a bottom-up approach in that total projected growth for each jurisdiction reflects feedback received from jurisdiction staff, including city managers, community development/planning directors, and local staff. Growth at the neighborhood level (i.e., transportation analysis zone (TAZ) reflects entitled projects and adheres to current general and specific plan maximum densities as conveyed by jurisdictions (except in cases where entitled projects and development agreements exceed these capacities as calculated by SCAG). Neighborhood level growth projections also feature strategies that help to reduce greenhouse gas emissions (GHG) from automobiles and light trucks to achieve Southern California’s GHG reduction target, approved by the California Air Resources Board (CARB) in accordance with state planning law. Connect SoCal’s Forecasted Development Pattern is utilized for long range modeling purposes and does not supersede actions taken by elected bodies on future development, including entitlements and development agreements. SCAG does not have the authority to implement the plan -- neither through decisions about what type of development is built where, nor what transportation projects are ultimately built, as Connect

SoCal is adopted at the jurisdictional level. Achieving a sustained regional outcome depends upon informed and intentional local action. To access jurisdictional level growth estimates and forecasts for years 2016 and 2045, please refer to the [Connect SoCal Demographics and Growth Forecast Technical Report](#). The growth forecasts for the region and applicable jurisdictions are below.

	Adopted SCAG Region Wide Forecasts				Adopted City of Ontario Forecasts			
	Year 2020	Year 2030	Year 2035	Year 2045	Year 2020	Year 2030	Year 2035	Year 2045
Population	19,517,731	20,821,171	21,443,006	22,503,899	192,072	221,806	236,012	269,050
Households	6,333,458	6,902,821	7,170,110	7,633,451	51,841	60,602	64,787	74,521
Employment	8,695,427	9,303,627	9,566,384	10,048,822	124,571	143,699	152,116	169,331

**MITIGATION MEASURES**

SCAG staff recommends that you review the [Final Program Environmental Impact Report](#) (Final PEIR) for Connect SoCal for guidance, as appropriate. SCAG’s Regional Council certified the PEIR and adopted the associated Findings of Fact and a Statement of Overriding Considerations (FOF/SOC) and Mitigation Monitoring and Reporting Program (MMRP) on May 7, 2020 and also adopted a PEIR Addendum and amended the MMRP on September 3, 2020 (please see the [PEIR webpage](#) and scroll to the bottom of the page for the PEIR Addendum). The PEIR includes a list of project-level performance standards-based mitigation measures that may be considered for adoption and implementation by lead, responsible, or trustee agencies in the region, as applicable and feasible. Project-level mitigation measures are within responsibility, authority, and/or jurisdiction of project-implementing agency or other public agency serving as lead agency under CEQA in subsequent project- and site- specific design, CEQA review, and decision-making processes, to meet the performance standards for each of the CEQA resource categories.

## Jeanie Irene T. Aguilo

---

**From:** Lijin Sun <LSun@aqmd.gov>  
**Sent:** Tuesday, December 21, 2021 8:32 AM  
**To:** Jeanie Irene T. Aguilo  
**Subject:** South Coast AQMD Staff NOP Comments for the Subarea 29 Specific Plan Amendment and General Plan Amendment Project  
**Attachments:** SBC211202-02 NOP Subarea 29 Specific Plan Amendment and General Plan Amendment Project\_20211221.pdf

Dear Ms. Aguilo,

Attached are South Coast AQMD staff's comments on the Notice of Preparation of a Draft Subsequent Environmental Impact Report for the Subarea 29 Specific Plan Amendment and General Plan Amendment Project (South Coast AQMD Control Number: SBC211202-02). Please contact me if you have any questions regarding these comments.

Thank you,  
Lijin Sun  
Program Supervisor, CEQA IGR  
South Coast Air Quality Management District  
21865 Copley Drive, Diamond Bar, CA 91765  
Direct: (909) 396-3308  
Fax: (909) 396-3324  
*\*Please note that the building is closed to the public.*



# South Coast Air Quality Management District

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

SENT VIA E-MAIL:

December 21, 2021

[JAguilo@ontarioca.gov](mailto:JAguilo@ontarioca.gov)

Jeanie Irene Aguilo, Associate Planner  
City of Ontario, Planning Department  
303 East B Street  
Ontario, California 91764

## **Notice of Preparation of a Subsequent Environmental Impact Report for the Subarea 29 Specific Plan Amendment and General Plan Amendment Project (Proposed Project)**

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. Our comments are recommendations on the analysis of potential air quality impacts from the Proposed Project that should be included in the Subsequent Environmental Impact Report (SEIR). Please send a copy of the Subsequent EIR upon its completion and public release directly to South Coast AQMD as copies of the Subsequent EIR submitted to the State Clearinghouse are not forwarded. **In addition, please send all appendices and technical documents related to the air quality, health risk, and greenhouse gas analyses and electronic versions of all emission calculation spreadsheets, and air quality modeling and health risk assessment input and output files (not PDF files). Any delays in providing all supporting documentation for our review will require additional review time beyond the end of the comment period.**

### **CEQA Air Quality Analysis**

Staff recommends that the Lead Agency use South Coast AQMD's CEQA Air Quality Handbook and website<sup>1</sup> as guidance when preparing the air quality and greenhouse gas analyses. It is also recommended that the Lead Agency use the CalEEMod<sup>2</sup> land use emissions software, which can estimate pollutant emissions from typical land use development and is the only software model maintained by the California Air Pollution Control Officers Association.

South Coast AQMD has developed both regional and localized significance thresholds. South Coast AQMD staff recommends that the Lead Agency quantify criteria pollutant emissions and compare the emissions to South Coast AQMD's CEQA regional pollutant emissions significance thresholds<sup>3</sup> and localized significance thresholds (LSTs)<sup>4</sup> to determine the Proposed Project's air quality impacts. The localized analysis can be conducted by either using the LST screening tables or performing dispersion modeling.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips, and

---

<sup>1</sup> South Coast AQMD's CEQA Handbook and other resources for preparing air quality analyses can be found at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>.

<sup>2</sup> CalEEMod is available free of charge at: [www.caleemod.com](http://www.caleemod.com).

<sup>3</sup> South Coast AQMD's CEQA regional pollutant emissions significance thresholds can be found at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.

<sup>4</sup> South Coast AQMD's guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

hauling trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers and air pollution control devices), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis. Furthermore, emissions from the overlapping construction and operational activities should be combined and compared to South Coast AQMD's regional air quality CEQA *operational* thresholds to determine the level of significance.

If the Proposed Project generates diesel emissions from long-term construction or attracts diesel-fueled vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead Agency perform a mobile source health risk assessment<sup>5</sup>.

In the event that implementation of the Proposed Project requires a permit from South Coast AQMD, South Coast AQMD should be identified as a Responsible Agency for the Proposed Project in the Subsequent EIR. The assumptions in the air quality analysis in the Subsequent EIR will be the basis for evaluating the permit under CEQA and imposing permit conditions and limits. Questions on permits should be directed to South Coast AQMD's Engineering and Permitting staff at (909) 396-3385.

The California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective*<sup>6</sup> is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process with additional guidance on strategies to reduce air pollution exposure near high-volume roadways available in CARB's technical advisory<sup>7</sup>.

### **Mitigation Measures**

In the event that the Proposed Project results in significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize these impacts. Any impacts resulting from mitigation measures must also be analyzed. Several resources to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project include South Coast AQMD's CEQA Air Quality Handbook<sup>1</sup>, South Coast AQMD's Mitigation Monitoring and Reporting Plan for the 2016 Air Quality Management Plan<sup>8</sup>, and Southern California Association of Government's Mitigation Monitoring and Reporting Plan for the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy<sup>9</sup>.

South Coast AQMD staff is available to work with the Lead Agency to ensure that air quality, greenhouse gas, and health risk impacts from the Proposed Project are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact me at [lsun@aqmd.gov](mailto:lsun@aqmd.gov).

Sincerely,

*Lijin Sun*

Lijin Sun

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS

SBC211202-02

Control Number

---

<sup>5</sup> South Coast AQMD's guidance for performing a mobile source health risk assessment can be found at:

<http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

<sup>6</sup> CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* can be found at:

<http://www.arb.ca.gov/ch/handbook.pdf>.

<sup>7</sup> CARB's technical advisory can be found at: <https://www.arb.ca.gov/ch/landuse.htm>.

<sup>8</sup> South Coast AQMD's 2016 Air Quality Management Plan can be found at: <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf> (starting on page 86).

<sup>9</sup> Southern California Association of Governments' 2020-2045 RTP/SCS can be found at:

[https://www.connectsocial.org/Documents/PEIR/certified/Exhibit-A\\_ConnectSoCal\\_PEIR.pdf](https://www.connectsocial.org/Documents/PEIR/certified/Exhibit-A_ConnectSoCal_PEIR.pdf).