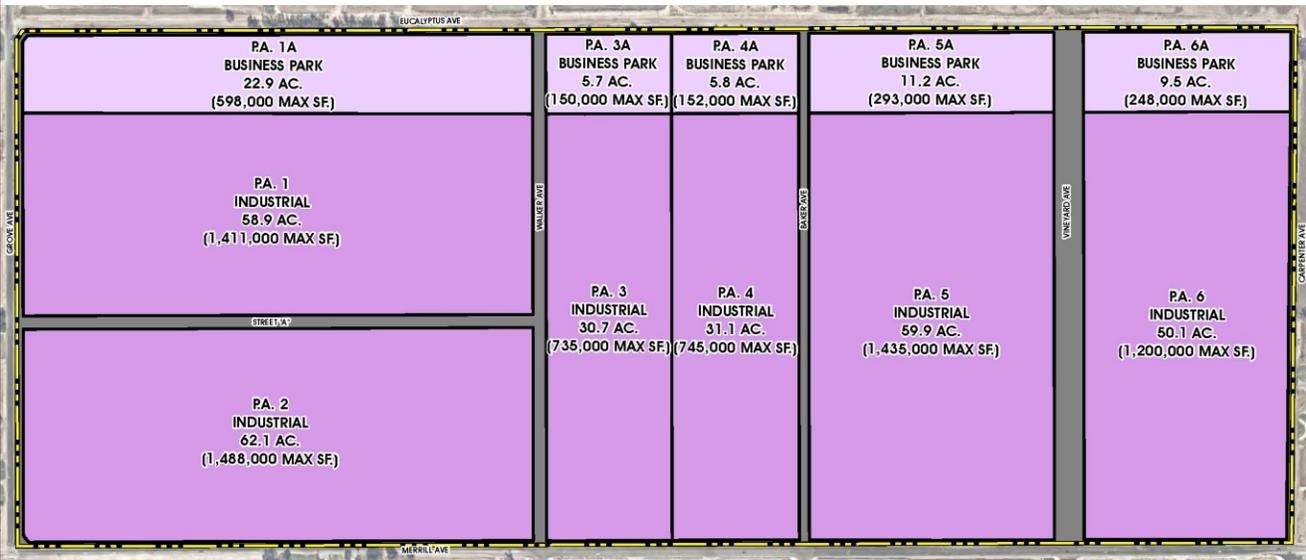


Merrill Commerce Center Specific Plan Initial Study



April 2019

INITIAL STUDY

for the

Merrill Commerce Center Specific Plan

Prepared for:

City of Ontario
303 East "B" Street
Ontario, CA 91764

Prepared by:

Applied Planning, Inc.
11762 De Palma Road
Suite 1-C 310
Corona, CA 92883

April 2019

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1.0 INTRODUCTION

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1.1 DOCUMENT PURPOSE AND SCOPE

This Initial Study (IS) addresses potential environmental impacts associated with construction and operation of the proposed Merrill Commerce Center Specific Plan (Project, Specific Plan). In summary, the Project proposes development and operation of up to 7,014,000 square feet of high-cube fulfillment center warehouse uses and up to 1,441,000 square feet of business park uses (total of 8,455,000 square feet of development) on approximately 376.3 acres located in the City of Ontario, within San Bernardino County.

This IS was prepared pursuant to Section 15063 of the California Environmental Quality Act (CEQA) Guidelines. Although this IS was prepared with consultant support, all analysis, conclusions, findings and determinations presented in the IS fully represent the independent judgment and position of the City of Ontario, acting as Lead Agency under CEQA. In accordance with the provisions of CEQA and the State and local CEQA Guidelines, as the Lead Agency, the City of Ontario is solely responsible for approval of the Project. As part of the decision-making process, the City is required to review and consider the Project's potential environmental effects.

This Initial Study is an informational document, providing the City of Ontario decision-makers, other public agencies, and the public with an assessment of the potential environmental impacts that could result from the Project.

1.2 DISPOSITION OF THIS DOCUMENT

This IS has been prepared to determine the appropriate scope and focus of environmental analysis for the Project. Based on the findings and conclusions of this IS, potential environmental impacts of the Project will be evaluated within an Environmental Impact Report (EIR, Project EIR).

The Initial Study and accompanying Notice of Preparation (NOP) for the EIR will be available for review for 30 days from April 12, 2019 to May 13, 2019 and can be reviewed at:

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

The public is encouraged to contact the City of Ontario for information regarding the Project and related CEQA processes.

1.3 DOCUMENT ORGANIZATION

This IS includes the following sections:

Introduction: This Section (1.0) describes the CEQA context of the Project, the IS format, and provides a summary of the findings of the IS.

Project Description: This Section (2.0) describes the Project and its Objectives. Discretionary actions, permits, and consultation necessary to realize the Project are also identified.

Environmental Evaluation: This Section (3.0) provides background information regarding the Project and Lead Agency, and presents responses to each question on the CEQA Initial Study Checklist regarding the possible environmental impacts of the Project. Answers provided in the checklist are substantiated qualitatively in all instances, and quantitatively where feasible and appropriate.

Determination: This Section (4.0) summarizes the results of the IS, and presents the determination regarding the appropriate environmental document for the Project.

Source information cited within this IS is available through, or by contacting, the City of Ontario Planning Department.

1.4 POTENTIAL ENVIRONMENTAL EFFECTS

The analysis presented in this IS indicates that the Project may result in or cause potentially significant effects related to:

- Agricultural Resources;
- Air Quality and Greenhouse Gas Emissions (including Energy);
- Biological Resources;
- Cultural/Tribal Resources;
- Geology and Soils;
- Hazards/Hazardous Materials;
- Hydrology/Water Quality;
- Land Use;
- Noise;
- Population/Housing;
- Transportation; and
- Utilities and Service Systems.

Consistent with the conclusion and findings of this IS, an EIR will be prepared for the Project. At a minimum, the EIR will evaluate the Project's potential environmental impacts under the topical areas identified above. Additional issues or concerns that may be raised pursuant to the EIR NOP process and/or scoping meeting(s) conducted for the Project will also be evaluated and addressed in the EIR.

2.0 PROJECT DESCRIPTION

2.0 PROJECT DESCRIPTION

2.1 PROJECT OVERVIEW AND LOCATION

The Merrill Commerce Center Specific Plan (Project, Specific Plan) proposes development and operation of up to 7,014,000 square feet of high-cube fulfillment center warehouse uses and up to 1,441,000 square feet of business park uses (total of 8,455,000 square feet of development) on approximately 376.3 acres located in the City of Ontario, within San Bernardino County. The Project would also implement off-site infrastructure (roads, potable water, recycled water, sanitary sewer, storm drains, and fiber optic lines) necessary to support the Project. Preliminary studies prepared for the Project indicate that an additional 113.3 acres of off-site areas could be disturbed during construction of off-site infrastructure improvements. Predominantly, off-site areas that would be affected by construction of infrastructure improvements comprise already-disturbed/developed rights-of-ways and easements.

The Project site¹ is located within the Ontario Ranch (formerly known as New Model Colony, NMC) area of the City. More specifically, the Project site is located along Merrill Avenue, between Grove Avenue and Carpenter Avenue. Eucalyptus Avenue forms the northerly boundary of the Specific Plan area. Please refer to Figure 2.1-1, *Project Location and Existing Land Uses*.

¹ The Project site is defined as the area encompassed by the Merrill Commerce Center Specific Plan (the Specific Plan area). The analysis presented in this Initial Study considers and addresses environmental impacts resulting from development of the Project site proper, and also evaluates impacts that would result from off-site activities or improvements necessary to implement and support the Project. Similarly, the subsequent Environmental Impact Report (EIR) prepared for the Project will consider and address environmental impacts resulting from development of the Project site proper, and will also evaluate impacts that would result from off-site activities or improvements necessary to implement and support the Project.

2.2 EXISTING LAND USES

Existing land uses on and adjacent to the site are illustrated at Figure 2.1-1, and described below.

2.2.1 On-Site Land Uses

The Project site currently evidences a dairy farm with interior unpaved roads, cattle stockades, support equipment for cattle and dairy farming, bio-retention basins located at the southern boundary, a trucking operation on the eastern portion, and appurtenant residences at various locations within the Project site.

2.2.2 Vicinity Land Uses

Eucalyptus Avenue comprises the northerly Project site boundary. Northerly, across Eucalyptus Avenue, are dairy farming and agricultural land uses. Carpenter Avenue comprises the easterly Project site boundary. Easterly, across Carpenter Avenue, are dairy farming and agricultural land uses. Merrill Avenue comprises the southerly Project site boundary. Merrill Avenue at this location is also the common City of Ontario/City of Chino municipal boundary. Southerly, across Merrill Avenue, are dairy farming, agricultural, and industrial/business park land uses located in the City of Chino. Grove Avenue comprises the westerly Project site boundary. Westerly, across Grove Avenue, are dairy farming land uses and Chino Airport.

2.3 EXISTING LAND USE DESIGNATIONS

The Project site is currently designated for Business Park, Office Commercial, and General Commercial uses within the City of Ontario Policy Plan (General Plan). Zoning for the site is Specific Plan with an AG (Agricultural) Overlay. As discussed below, approval of a Policy Plan Amendment (Land Use) would be required to accommodate the Project.

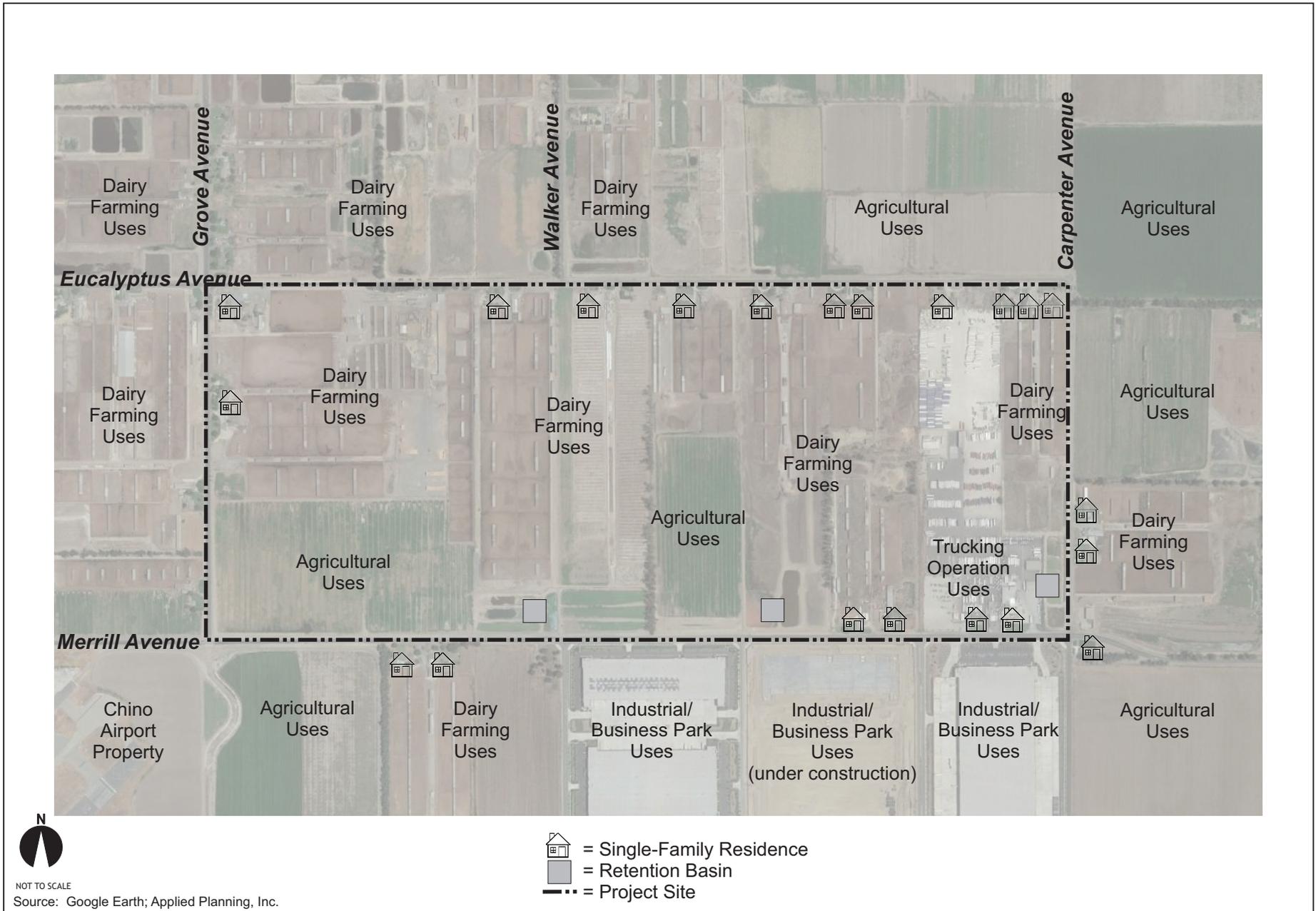


Figure 2.1-1
Project Location and Existing Land Uses

2.4 PROJECT ELEMENTS

2.4.1 Existing and Proposed Land Use Designations

The existing Project site Land Use designations under the City of Ontario Policy Plan (General Plan) are: “Business Park,” “Office Commercial,” and “General Commercial.” To allow for the Project, the Applicant proposes to amend the current Project site Policy Plan Land Use designations to “Business Park” and “Industrial.” Existing and proposed Policy Plan Land Use designations are summarized at Table 2.4-1 and are illustrated at Figure 2.4-1.

**Table 2.4-1
Proposed Policy Plan Amendment**

| Existing | Proposed |
|---------------------------------|---------------------------------------|
| Business Park - 303.5 acres | Business Park - 55.1 acres |
| Office Commercial - 43.3 acres | Industrial - 292.8 acres |
| General Commercial - 18.3 acres | Right-of-Way Dedications - 28.4 acres |

The existing Zoning designation of the Project site is “Specific Plan” with an “AG” (Agricultural) Overlay. No change in zoning designation is proposed or required. If adopted, the proposed Merrill Commerce Center Specific Plan would establish the effective Zoning of the Project site.

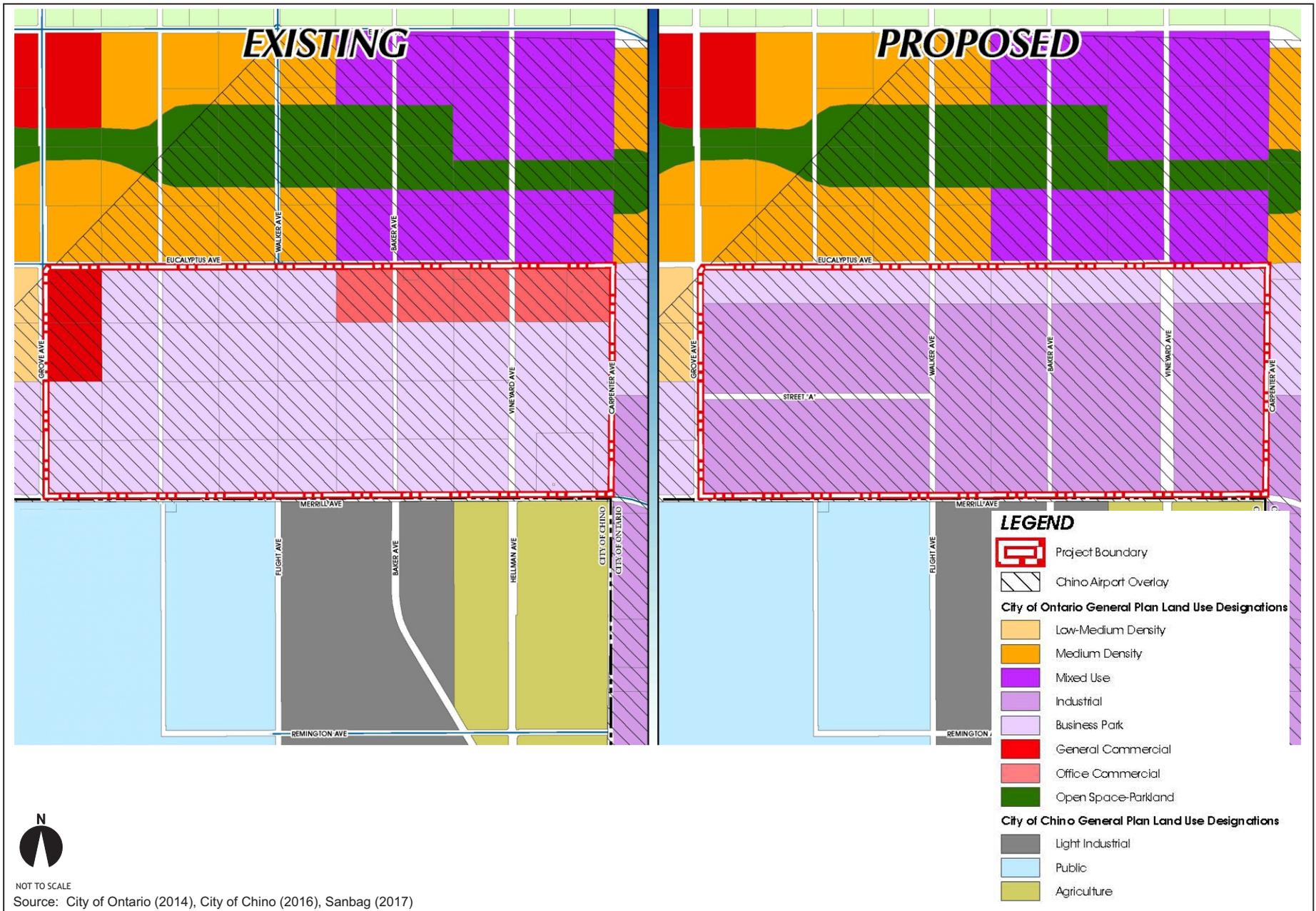


Figure 2.4-1
 Existing and Proposed Policy Plan Land Use Designations

2.4.2 Site Preparation

As an initial action, the Project site would be cleared of vegetation. All on-site improvements associated with or supporting the existing on-site land uses noted above at Section 2.2.1 *On-Site Land Uses* would be demolished or removed. Any debris generated by site preparation and demolition activities would be disposed of/recycled consistent with provisions of the California Integrated Waste Management Plan Act (AB 939) and the City's Solid Waste Department *Refuse and Recycling Planning Manual*.² Preliminary grading concepts have not yet been developed, however it is anticipated that import and/or export of soil would be required as part of the site preparation processes.

To avoid or minimize temporary construction-related traffic impacts, the Project Applicant would be required to prepare and implement a City-approved construction traffic management plan.

New and/or modified utility service line improvements would be necessary to support the Project uses. All utilities systems improvements and modifications would be installed/configured pursuant to City and purveyor requirements. Please refer also to subsequent Section 2.4.3.3, *Utilities Infrastructure*.

2.4.3 Development Concept

2.4.3.1 Land Use Plan Concept

The Project proposes development of up to 7,014,000 square feet of high-cube fulfillment center warehouse uses and up to 1,441,000 square feet of business park uses on approximately 376.3 acres. The Project Land Use Plan Concept apportions land uses within the Project site as summarized below:

- approximately 292.8 acres of high-cube fulfillment center warehouse uses;
- approximately 55.1 acres of business park uses; and
- approximately 28.4 acres allocated for right-of-way dedications.

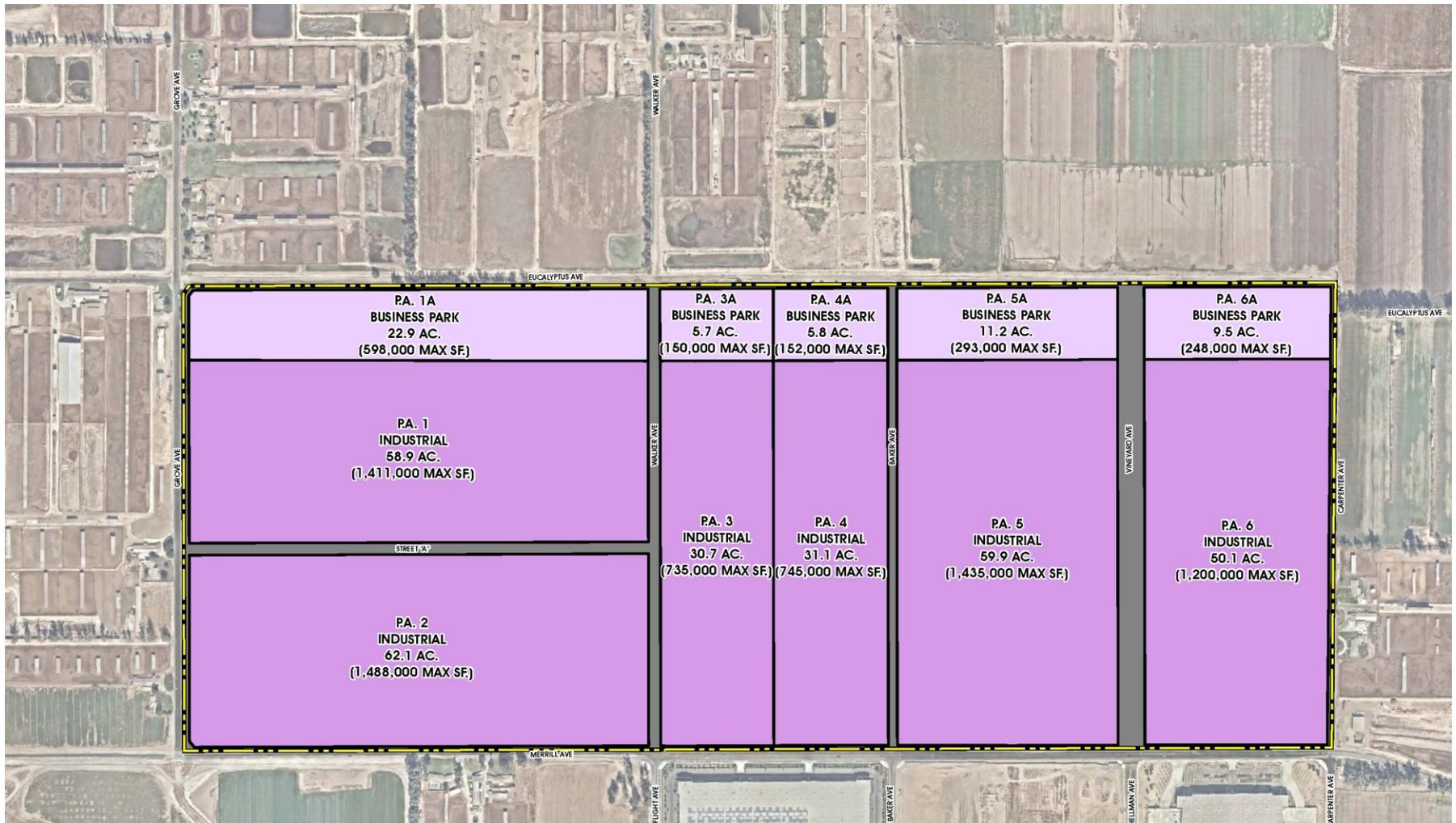
² City of Ontario, California: Solid Waste Department Refuse and Recycling Manual, Updated March 17, 2016. <https://www.ontarioca.gov/omuc/integrated-waste>.

As illustrated at Figure 2.4-2, development of the Project site would comprise 11 Planning Areas, with business park uses located along the site's northerly (Eucalyptus Avenue) frontage, and high-cube fulfillment center warehouse uses located to the south. Table 2.4-2 presents a breakdown of the proposed development by Planning Area.

**Table 2.4-2
Proposed Development**

| Planning Area | Building Use/Occupancy | Acreage | Max. Square Footage |
|--------------------------|---------------------------------|----------------|----------------------------|
| 1 | Fulfillment Center Warehouse | 58.9 | 1,411,000 |
| 1A | Business Park | 22.9 | 598,000 |
| 2 | Fulfillment Center Warehouse | 62.1 | 1,488,000 |
| 3 | Fulfillment Center Warehouse | 30.7 | 735,000 |
| 3A | Business Park | 5.7 | 150,000 |
| 4 | Fulfillment Center Warehouse | 31.1 | 745,000 |
| 4A | Business Park | 5.8 | 152,000 |
| 5 | Fulfillment Center Warehouse | 59.9 | 1,435,000 |
| 5A | Business Park | 11.2 | 293,000 |
| 6 | Fulfillment Center Warehouse | 50.1 | 1,200,000 |
| 6A | Business Park | 9.5 | 248,000 |
| Right-of-Way Dedications | | 28.4 | - |
| Total | - | 376.3 | 8,455,000 |

The Project is anticipated to be implemented in 3 Phases – “A,” “B,” and “C” as illustrated at Figure 2.4-3, *Phasing Concept*. Phase A is anticipated to be completed by 2022, Phase B by 2025, and Phase C by 2026. Project phasing would ultimately respond to market demands and would be contingent on availability of supporting infrastructure. Unless otherwise noted, this Initial Study evaluates likely maximum environmental impacts of the Project, anticipated to occur under Project buildout conditions. The subsequent Project EIR will also focus on likely maximum environmental impacts of the Project.



NOT TO SCALE

Source: Near Map Aerial (2017), Sanbag (2017)

Figure 2.4-2
Land Use Plan

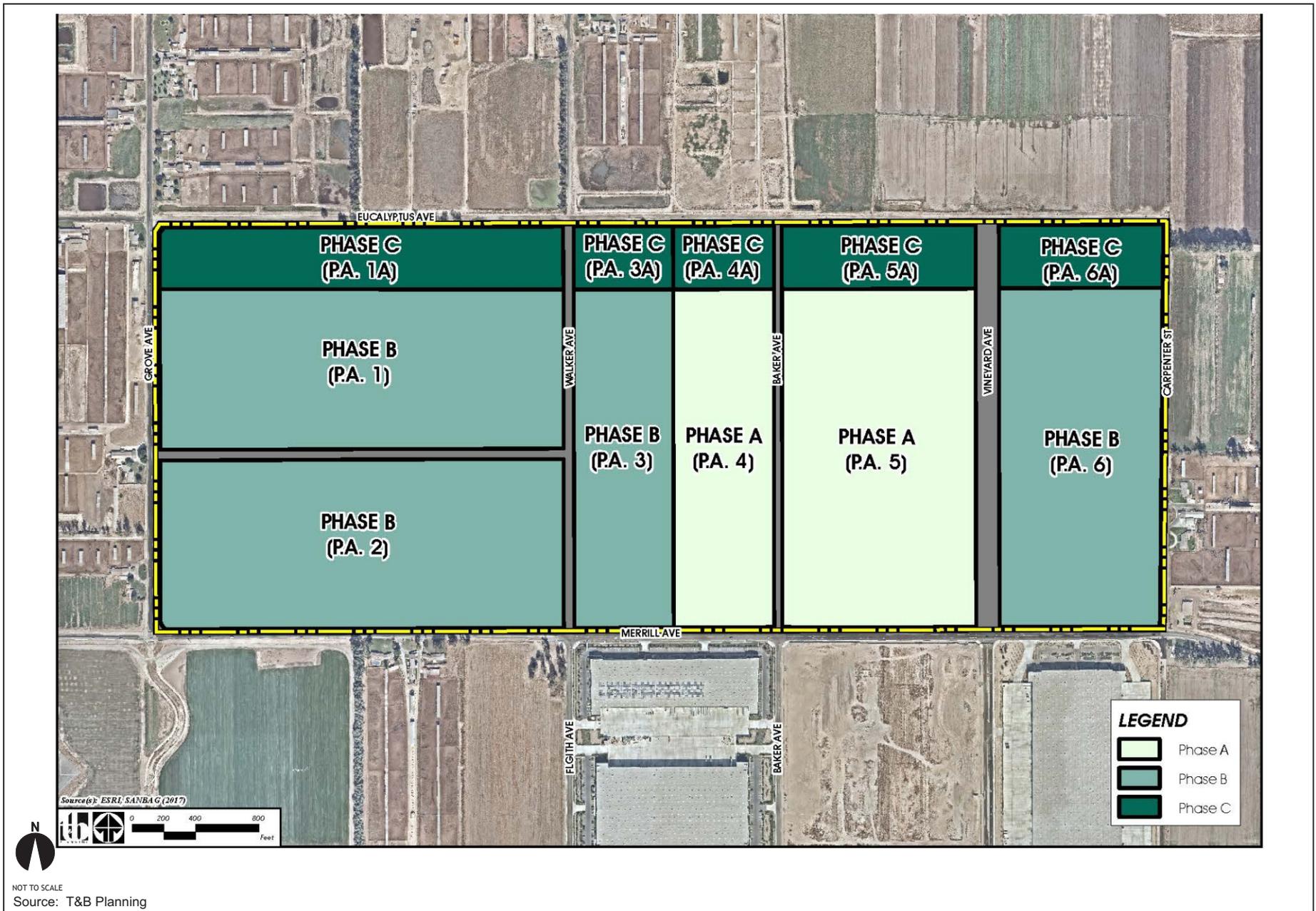
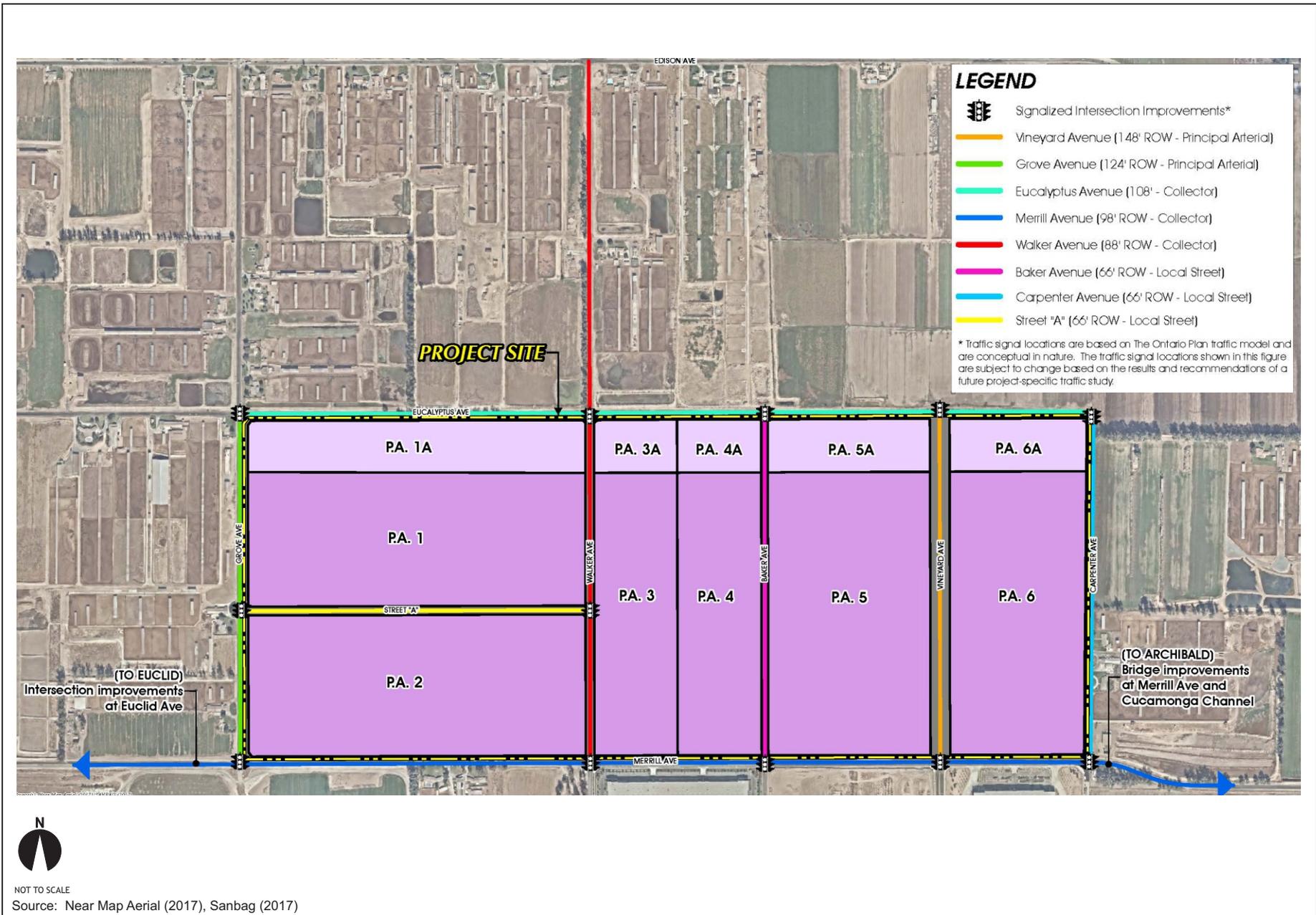


Figure 2.4-3
Phasing Concept

2.4.3.2 Access and Circulation

As illustrated at Figure 2.4-4, access to the Specific Plan area would be provided via surrounding roadways, including Merrill Avenue, Grove Avenue, Vineyard Avenue, and Eucalyptus Avenue. The following roadway improvements would be installed as part of the Specific Plan buildout:

- Walker Avenue would be constructed as a north-south oriented 88-foot-wide Collector road that would connect to Edison Avenue/Ontario Ranch Road to the north and Merrill Avenue to the south;
- Street “A” would be constructed as an east-west oriented 66-foot Local Street that would provide access through the western portion of the Specific Plan area and connect to Grove Avenue at its westerly terminus and future Walker Avenue at its easterly terminus;
- Baker Avenue would be constructed as a north-south oriented 66-foot Local Street that would provide access through the Specific Plan area and connect to Eucalyptus Avenue at its northerly terminus and Merrill Avenue at its southerly terminus;
- Vineyard Avenue would be constructed as a north-south oriented 148-foot wide Principal Arterial that would provide access through the Specific Plan area and connect to Eucalyptus Avenue at its northerly terminus and Merrill Avenue at its southerly terminus;
- Frontage improvements to Carpenter Avenue (14 feet of a 66-foot wide Local Industrial roadway) along the entirety of the easterly Specific Plan boundary;
- Frontage improvements to Eucalyptus Avenue (79 feet of a 108-foot wide Collector roadway) along the entirety of the northerly Specific Plan boundary;
- Frontage improvements to Grove Avenue (96 feet of a 124-foot wide Principal Arterial) along the entirety of the westerly Specific Plan boundary;
- Improvements to the segment of Merrill Avenue (86 feet of a 98-foot wide Collector roadway) located between Euclid Avenue and Archibald Avenue; and
- Widening of the existing bridge crossing Merrill Avenue at the Cucamonga Flood Control Channel.



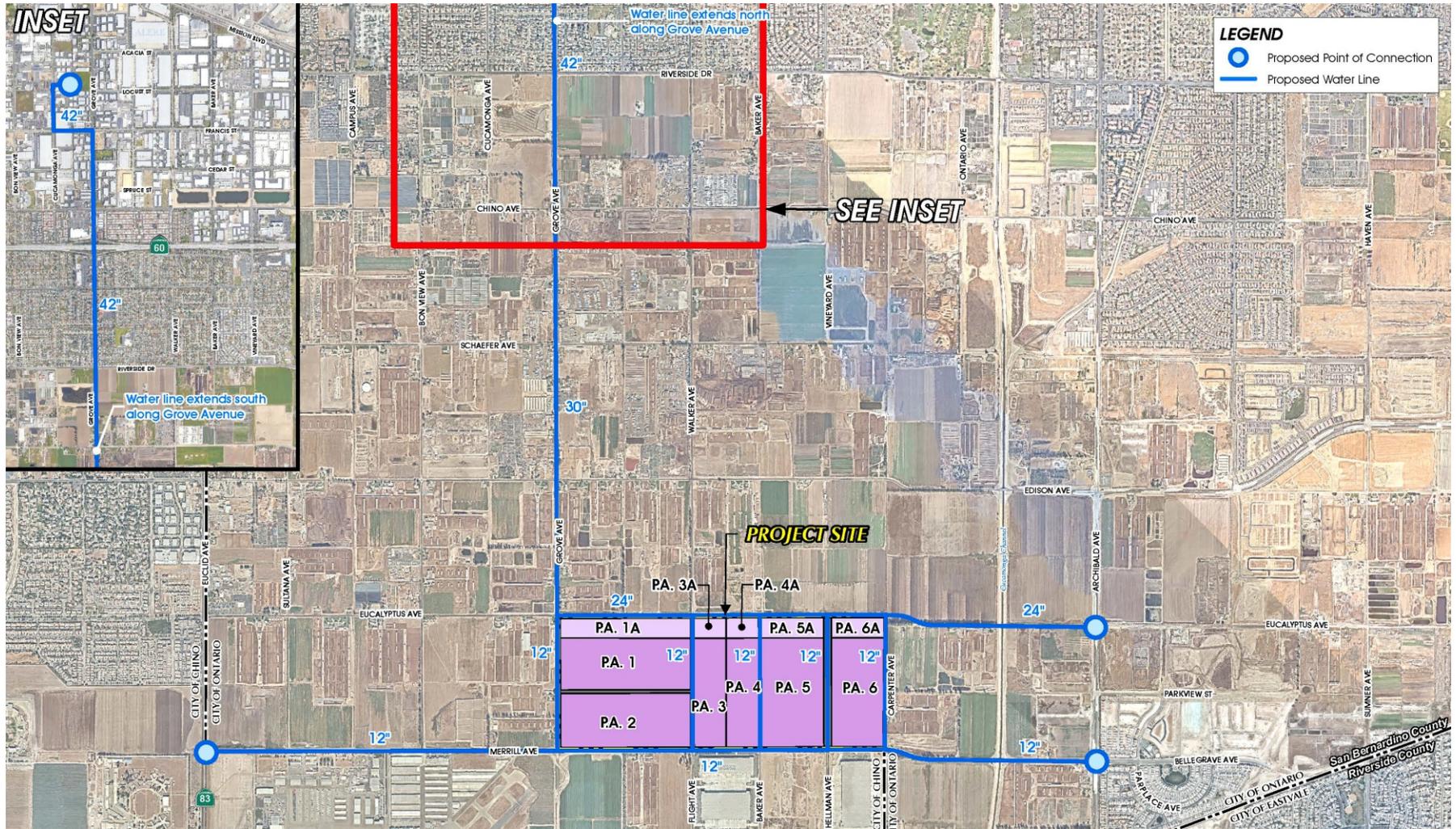
2.4.3.3 Utilities Infrastructure

Development of the Project would require the installation of water, sewer, drainage and other utility facilities. Proposed utilities infrastructure plans and improvements to be implemented by the Project are summarized below.

Water Plan

Potable water services to the Specific Plan area would be provided by the City of Ontario (Municipal Utilities Company). As shown at Figure 2.4-5, *Conceptual Water Plan*, a network of domestic water lines would connect to the existing water mains located in Euclid Avenue and Archibald Avenue, and master-planned water facilities to be located north of the intersection of Cucamonga Avenue and Francis Street. The following water plan improvements would be installed to serve the Specific Plan area:

- A 24-inch water line in the segment of Eucalyptus Avenue located between Grove Avenue and Archibald Avenue, with the point of connection at the intersection of Eucalyptus Avenue and Archibald Avenue;
- 12-inch water lines in the segments of Grove Avenue, Walker Avenue, Baker Avenue, Vineyard Avenue, and Carpenter Avenue located between Eucalyptus Avenue and Merrill Avenue;
- A 12-inch water line in the segment of Merrill Avenue between Euclid Avenue and Archibald Avenue that will connect to the existing water main in Archibald Avenue;
- A 30-inch water line in the segment of Grove Avenue located between Eucalyptus Avenue and Chino Avenue; and
- A 42-inch water line in the segment of Grove Avenue located between Chino Avenue and Francis Street; in the segment of Francis Street between Grove Avenue and Cucamonga Avenue; and in the segment of Cucamonga Avenue between Francis Street and approximately Locust Street where the point of connection would occur.



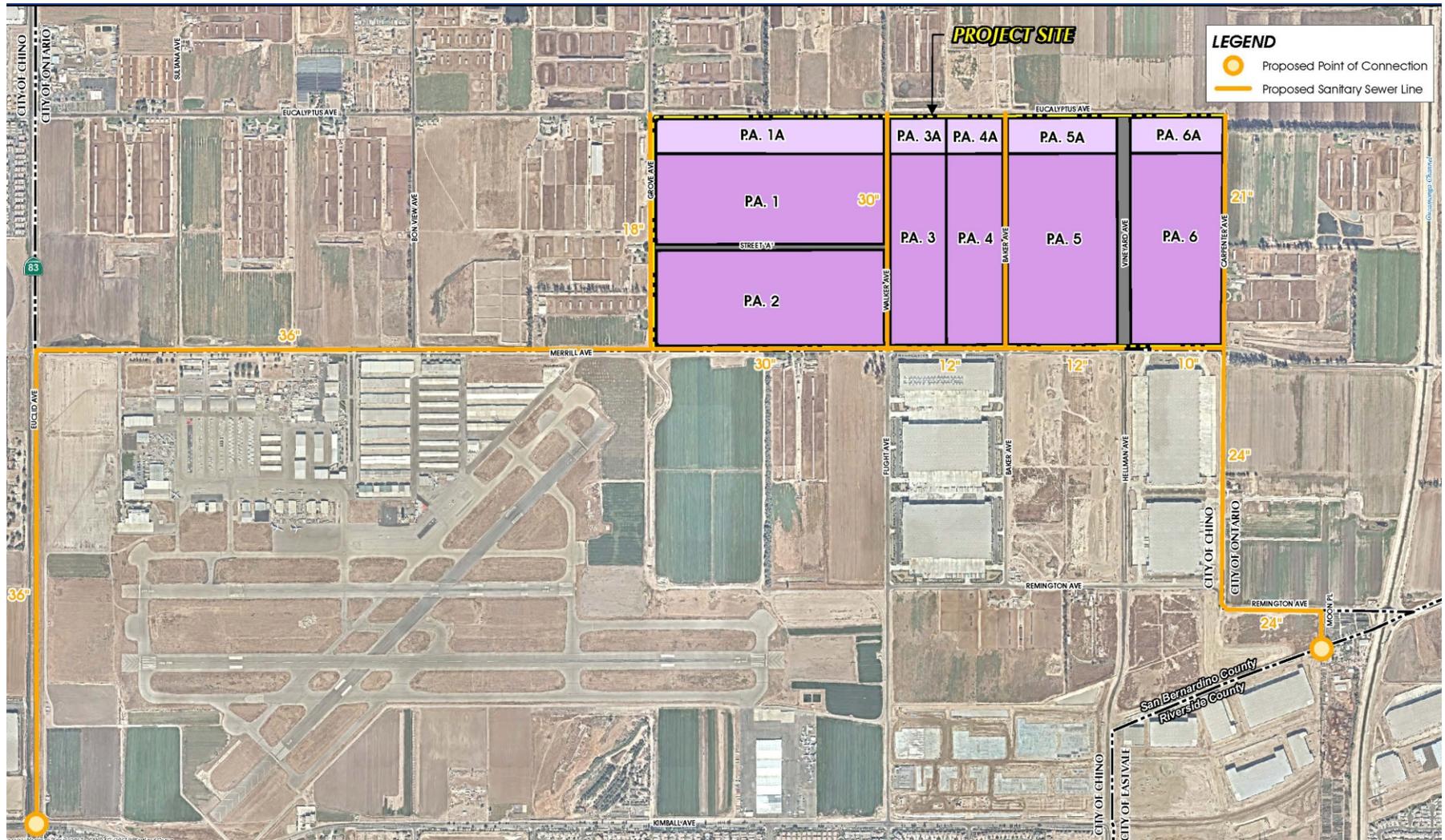
NOT TO SCALE

Source: Near Map Aerial (2017), Sanbag (2017), Westland Group

Sewer Plan

The City of Ontario would provide sewer services to the Project site. As shown at Figure 2.4-6, *Conceptual Sewer Plan*, new sewer lines would be installed along portions of Grove Avenue, Walker Avenue, Merrill Avenue, Carpenter Avenue, Remington Avenue, and Moon Place. The following sewer system improvements would be installed to serve the Specific Plan area:

- An interim sewer line would be constructed to provide sewer service to Phase 1 of the Project and would consist of a 12-inch sewer line in the segment of Merrill Avenue located between Flight Avenue and Hellman Avenue; a 10-inch sewer line in the segment of Merrill Avenue between Vineyard Avenue and Carpenter Avenue; a 21-inch sewer line in the segment of Carpenter Avenue located between Eucalyptus Avenue and Merrill Avenue; a 24-inch sewer line in the segment of Carpenter Avenue located between Merrill Avenue and Remington Avenue; and a 24-inch sewer line in the segment of Remington Avenue between Carpenter Avenue and Moon place and the segment of Moon Place located between Remington Avenue and the point of connection depicted in Figure 2.4-6. This interim sewer line would be properly abandoned once installation of the master sewer plan that would connect to the existing trunk sewer line located at the intersection of Kimball Avenue and Euclid Avenue (as described below) is completed.
- A 30-inch sewer line would be constructed in the segment of Walker Avenue located between Eucalyptus Avenue and Merrill Avenue.
- An 18-inch sewer line would be constructed in the segment of Grove Avenue located between Eucalyptus Avenue and Merrill Avenue.
- A 30-inch sewer line would be constructed in the segment of Merrill Avenue located between Walker Avenue and Grove Avenue.
- A 36-inch sewer line would be constructed in the segment of Merrill Avenue located between Grove Avenue and Euclid Avenue.
- A 36-inch sewer line would be constructed in the segment of Euclid Avenue located between Merrill Avenue and Kimball Avenue with the point of connection to the existing trunk sewer line at the intersection of Kimball Avenue and Euclid Avenue.



NOT TO SCALE

Source: Near Map Aerial (2017), Sanbag (2017), Westland Group

Recycled Water Plan

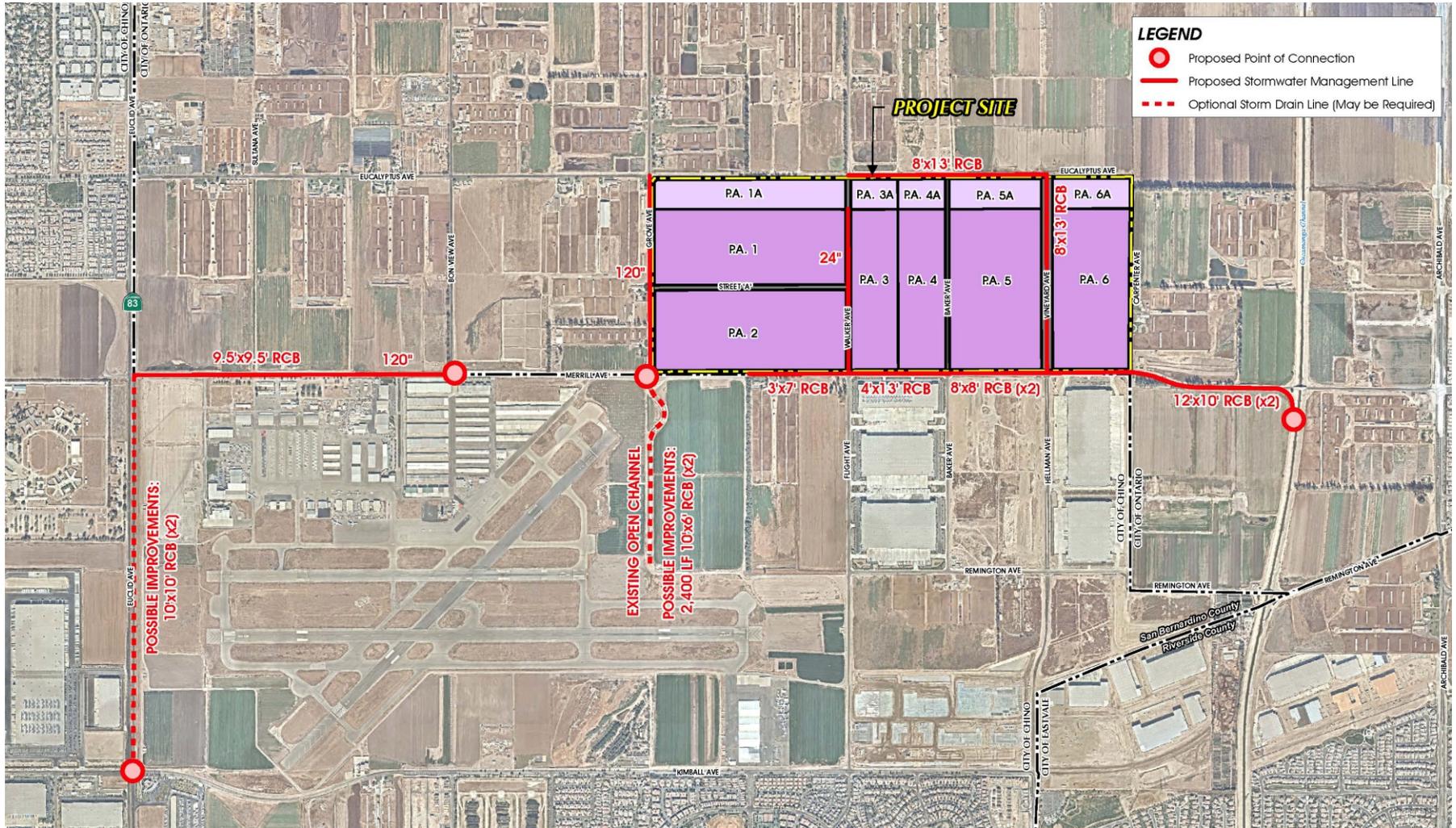
The City of Ontario would provide recycled water services to the Specific Plan area. As shown at Figure 2.4-7, *Conceptual Recycled Water Plan*, new recycled water system lines would be installed in portions of Grove Avenue, Eucalyptus Avenue, Walker Avenue, and Merrill Avenue. The following recycled water system improvements would be installed as part of the Specific Plan buildout:

- An 8-inch recycled water line in the segment of Walker Avenue located between Eucalyptus Avenue and Merrill Avenue;
- A 12-inch recycled water line in the segment of Eucalyptus Avenue located between Grove Avenue and Vineyard Avenue;
- A 16-inch recycled water line in the segment of Eucalyptus Avenue located between Vineyard Avenue and Archibald Avenue (with point of connection to the existing recycled water main in Archibald Avenue);
- A 12-inch recycled water line the segment of Vineyard Avenue located between Eucalyptus Avenue and Merrill Avenue;
- A 12-inch recycled water line in the segment of Merrill Avenue located between Baker Avenue and Archibald Avenue (with point of connection to the existing recycled water main in Archibald Avenue); and
- An 8-inch recycled water line in the segment of Merrill Avenue located between Euclid Avenue and Baker Avenue (with point of connection to the existing recycled water main in Euclid Avenue).

Storm Drain Plan

The proposed storm drain system for the Specific Plan area is illustrated at Figure 2.4-8. As shown, a network of drainage lines is proposed on- and off-site to accommodate stormwater runoff flows. The proposed drainage plan concept reflects City of Ontario Master Plan of Drainage standards. The following storm drain improvements would be installed to service the Specific Plan area:

- A new 8-foot by 13-foot Reinforced Concrete Box (RCB) in the segment of Eucalyptus Avenue located between Walker Avenue and Vineyard Avenue;



NOT TO SCALE

Source: Near Map Aerial (2017), Sanbag (2017), Westland Group

Figure 2.4-8
Conceptual Storm Drain Plan

- A 120-inch storm drain line in the segment of Merrill Avenue located between Bon View Avenue and Campus Avenue (with point of connection to the existing storm drain system at the intersection of Bon View Avenue and Merrill Avenue);
- A 24-inch storm drain line in the segment of Walker Avenue located between the southerly boundary of Planning Area 1A and Merrill Avenue;
- A 9.5-foot by 9.5-foot RCB in the segment of Merrill Avenue between Campus Avenue and Euclid Avenue;
- A possible double 10-foot by 10-foot RCB in the segment of Euclid Avenue located between Merrill Avenue and Kimball Avenue (with point of connection to the existing storm drain system at the intersection of Euclid Avenue and Kimball Avenue);
- A 120-inch storm drain line in the segment of Grove Avenue located between Eucalyptus Avenue and Merrill Avenue (with point of connection to the existing open flood channel located south of the intersection of Merrill Avenue and Grove Avenue);
- Improvements to the existing open flood channel located south of the intersection of Merrill Avenue and Grove Avenue, which may consist of either lowering the elevation of the existing earthen channel, or installation of a double 10-foot by 6-foot RCB within the existing earthen channel that would connect to an existing RCB located at the southerly terminus of the existing earthen flood channel;
- An 8-foot by 13-foot RCB in the segment of Vineyard Avenue located between Merrill Avenue and Eucalyptus Avenue; and
- A 3-foot by 7-foot RCB, 4-foot by 13-foot RCB, a double 8-foot by 8-foot RCB, and a double 12-foot by 10-foot RCB in various segments of Merrill Avenue between the midpoint of the southerly boundary of Planning Area 2 and the Cucamonga Channel (point of connection).

Additional on-site storm drain improvements would include storm water detention/retention/water quality basins, which would capture, treat, and/or gradually release storm water to the public storm drain system.

Fiber Optics Plan

The proposed fiber optics plan for the Specific Plan area is illustrated at Figure 2.4-9. As shown, a network of fiber optic lines is proposed on- and off-site in accordance with the City of Ontario's Master Plan standards. A new fiber optic lateral line is proposed along Vineyard Avenue, Grove Avenue, and Eucalyptus Avenue, with point of connection to the existing fiber optic line in Archibald Avenue. Additionally, the Project proposes to install a primary fiber optic line in the segment of Merrill Avenue located between Euclid Avenue and Archibald Avenue.

2.4.4 Specific Plan Development Standards

The proposed Specific Plan Development Standards would address physical requirements and attributes of development within the Specific Plan area including, but not limited to: building/facility setbacks, lot coverage requirements, and maximum building heights. In instances where the Specific Plan is silent, applicable development standards of the City of Ontario Municipal Code would apply.

2.4.5 Specific Plan Design Guidelines

The Specific Plan document would propose architectural and landscape Design Guidelines that would establish the quality and character of the built environment within the Specific Plan area. More specifically, the proposed Design Guidelines would provide criteria for architecture, lighting, signage, and landscape design. In instances where the Specific Plan is silent, applicable design guidelines of the City of Ontario Municipal Code would apply.

2.5 PROJECT OBJECTIVES

The primary goal of the Project is the development of the subject site with a productive mix of business park and light industrial uses. Complementary Project Objectives include the following:

- Provide a Specific Plan development supporting varied business park and light industrial tenants and that provides a broad range of employment opportunities.
- Provide safe and convenient access for trucks in a manner that minimizes any potential disruption to residential areas.
- Provide business park and light industrial uses near existing roadways and freeways to reduce traffic congestion and air emissions.
- Facilitate goods movement locally, regionally, nationally, and internationally.
- Provide land uses that are compatible with surrounding land uses and that would not conflict with the policies and environmental constraints identified in the Policy Plan.
- Support the Policy Plan vision for urbanization of the Ontario Ranch area of the City.
- Provide infrastructure and public improvements necessary to support each increment of Project development, and the Project in total.
- Establish new development that would further the City's near-term and long-range fiscal goals.

2.6 DISCRETIONARY APPROVALS AND PERMITS

Anticipated discretionary actions, permits, and consultation(s) necessary to approve the Project are summarized below.

2.6.1 Discretionary Actions

CEQA Guidelines Section 15124 states in pertinent part that if “a public agency must make more than one decision on a project, all its decisions subject to CEQA should be listed...” Requested decisions, or discretionary actions, necessary to realize the Merrill Commerce Center Specific Plan would include:

- Certification of the Merrill Commerce Center Specific Plan EIR;
- Approval of Policy Plan Amendment (Land Use);
- Adoption of the Merrill Commerce Center Specific Plan;
- Approval of Parcel Maps; and
- Adoption of a Development Agreement.

2.6.2 Consultation and Permits

CEQA Guidelines Section 15124 also states that environmental documentation should, to the extent known, list other permits or approvals required to implement the Project. Anticipated permits and consultation necessary to realize the Project would likely include but would not be limited to the following:

- Permitting may be required by/through the Regional Water Quality Control Board (RWQCB) pursuant to requirements of the City's National Pollutant Discharge Elimination System (NPDES) Permit.
- Permitting may be required by/through the South Coast Air Quality Management District (SCAQMD) for certain equipment or land uses that may be implemented within the Project area.
- Various construction, grading, and encroachment permits allowing implementation of the Project facilities.
- Consultation with requesting Tribes as provided for under *AB 52, Gatto. Native Americans: California Environmental Quality Act*; and *SB 18, Burton. Traditional tribal cultural places*.

3.0 ENVIRONMENTAL EVALUATION

3.0 ENVIRONMENTAL EVALUATION

3.1 PROJECT TITLE

Merrill Commerce Center Specific Plan

3.2 LEAD AGENCY NAME AND ADDRESS

City of Ontario, Planning Department

303 East "B" Street

Ontario, CA 91764

(909) 395-2036

Contact: Richard Ayala, Senior Planner

3.3 PROJECT APPLICANTS

Merrill Commerce Center East LLC/Merrill Commerce Center West LLC

3546 Concours Street, Suite 100

Ontario, CA 91764

Contact: Thomas Donahue

Liberty Property Limited Partnership

650 East Swedesford Road, Suite 400

Wayne, PA 19087

Contact: Kenneth Chang

3.4 PROJECT LOCATION

The Project site¹ is located within the Ontario Ranch (formerly known as New Model Colony, NMC)² area of the City of Ontario (City). More specifically, the Project site is bounded by Merrill Avenue to the south, Eucalyptus Avenue to the north, Grove Avenue to the west, and Carpenter Avenue to the east. Please refer to Initial Study Section 2, *Project Description*, Figure 2.1-1, *Project Location and Existing Land Uses*.

3.5 POLICY PLAN AND ZONING DESIGNATIONS

The existing Project site Land Use designations under the City of Ontario Policy Plan (General Plan) are: “Business Park,” “Office Commercial,” and “General Commercial.” To allow for the Project, the Applicant proposes to amend the current Project site Policy Plan Land Use designations to “Business Park” and “Industrial.”

The existing Zoning designation of the Project site is “Specific Plan” with an “AG” (Agricultural) Overlay. No change in zoning designation is proposed or required. If adopted, the proposed Merrill Commerce Center Specific Plan would establish the effective Zoning of the Project site.

3.6 PREVIOUS ENVIRONMENTAL DOCUMENTATION, DOCUMENTS INCORPORATED BY REFERENCE

Section 15150 of the State *CEQA Guidelines* permits and encourages that an environmental document incorporate by reference other documents that provide relevant data. The documents outlined in this Section are hereby incorporated by reference, and the pertinent material is summarized throughout this Initial Study. All documents

¹ The Project site is defined as the area encompassed by the Merrill Commerce Center Specific Plan (the Specific Plan area). The analysis presented in this Initial Study considers and addresses environmental impacts resulting from development of the Project site proper, and also evaluates impacts that would result from off-site activities or improvements necessary implement and support the Project. Similarly, the subsequent Environmental Impact Report (EIR) prepared for the Project will consider and address environmental impacts resulting from development of the Project site proper, and will also evaluate impacts that would result from off-site activities or improvements necessary to implement and support the Project.

² Within these discussions, City documents referring to or citing the “New Model Colony” area have been revised to reference the “Ontario Ranch” area.

incorporated by reference are available through the City of Ontario Planning Department.

- **The Policy Plan (General Plan) Component of The Ontario Plan and associated EIR.** The Policy Plan component of The Ontario Plan provides a framework for the physical development of the City, and forms the basis of decisions concerning the development of property. To this end, the Policy Plan establishes City land use designations and development policies, and identifies planned land uses and supporting infrastructure systems. State-mandated Elements incorporated in the Policy Plan include: Land Use, Housing, Mobility, Safety (including Noise), Environmental Resources (including Conservation), Parks and Recreation (including Open Space), Community Economics, Community Design, and Social Resources. Development of the City is shaped by the Policy Plan’s Goals and Policies, which are integral to each of the Policy Plan Elements. The Policy Plan and The Ontario Plan EIR documents contain background information employed in this Initial Study.

3.7 EXPLANATION OF CHECKLIST CATEGORIES

“No Impact” applies where the impact simply does not apply to projects like the one involved. For example, if the project site is not located in a fault rupture zone, then the item asking whether the project would result in or expose people to potential impacts involving fault rupture should be marked as “No Impact.”

“Less-Than-Significant Impact” applies where the impact would occur, but the magnitude of the impact is considered insignificant or negligible. For example, a development which would only slightly increase the amount of surface water runoff generated at a project site would be considered to have a less-than-significant impact on surface water runoff.

“Potentially Significant Unless Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less-Than-Significant Impact.” Incorporated mitigation measures should be outlined

within the checklist and a discussion should be provided which explains how the measures reduce the impact to a less-than-significant level. This designation is appropriate for a Mitigated Negative Declaration, where potentially significant issues have been analyzed and mitigation measures have been recommended.

“Potentially Significant Impact” applies where the project has the potential to cause a significant and unmitigable environmental impact. If there are one or more items marked as “Potentially Significant Impact,” an EIR is required.

3.8 INITIAL STUDY CHECKLIST AND SUBSTANTIATION

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project: | | | | |
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to trees, rocks, outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) In a non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare, which would adversely affect the day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Substantiation:

a, c) *Less-Than-Significant Impact.* There are no scenic vistas within the Project site, nor would the Project otherwise adversely affect a designated scenic vista. Views of the San Gabriel Mountains, located to the north of the City, are the dominant scenic resource in the area. As described in the Ontario Plan Draft EIR, "... the scale and design of the City, including its land uses, would not deter views of the mountain backdrop" (Ontario Plan Draft EIR, p. 5.1-8).

The Project is located in an urbanized area and is subject to those provisions of the City of Ontario Policy Plan (Policy Plan) and City of Ontario Development Code governing scenic quality. The Policy Plan Community Development Element establishes multiple Policies that protect scenic resources and promote high quality, visually compatible development. For example, Community Design Element Policy CD 1-2 requires that “development in growth areas to be distinctive and unique places within which there are cohesive design themes”; Policy CD 1-5 requires that “all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountains, which are part of the City’s visual identity and a key to geographic orientation. Such views should be free of visual clutter, including billboards and may be enhanced by framing with trees”; Policy CD 2-1 encourages “all development projects to convey visual interest and character . . .”; Policy CD 2-15 supports “excellence in design and construction quality through collaboration with trade and professional organizations that provide expertise, resources and programs for developers, builders and the public.”³

Policy Plan measures governing scenic quality including those noted above ensure protection of scenic resources and promote visually compatible and appealing development. These Policies are implemented through the City of Ontario Development Code (Development Code Chapter 6.0 *Development and Subdivision Regulations*, et al.). The City would assure that the proposed Merrill Commerce Center Specific Plan, as implemented, contains Development Regulations and Design Guidelines that would, at a minimum, conform to provisions of the Policy Plan and Development Code. All subsequent development within the Specific Plan area would be required to comply with the Specific Plan Development Regulations and Design Guidelines addressing visual and scenic qualities. Conformance with the Specific Plan would minimize the potential for the Project to adversely affect scenic resources or result in development that would conflict with applicable zoning and other regulations governing scenic quality.

³ City of Ontario. “Policy Plan.” The Ontario Plan, City of Ontario, www.ontarioplan.org/policy-plan/.

Based on the preceding, the potential for the Project to have a substantial adverse effect on a scenic vista or to conflict with applicable zoning and other regulations governing scenic quality is considered less-than-significant.

- b) *No Impact.* The City of Ontario is served by three freeways, including Interstate 10 (I-10), Interstate 15 (I-15), and State Route 60 (SR-60). The segments of these freeways located within the City are not designated as scenic highways by the California Department of Transportation. There are no scenic resources, including, but not limited to trees, rocks, outcroppings, and historic buildings within a state scenic highway located within the Project site. Nor does the Project propose or require facilities or operations that would otherwise substantially damage such resources. On this basis, there is no potential for the Project to substantially damage scenic resources, including, but not limited to trees, rocks, outcroppings, and historic buildings within a state scenic highway.

- d) *Less-Than-Significant Impact.* The Project would create new sources of lighting, including ground, building-mounted, wall-mounted, and pole-mounted lighting fixtures. The Project would also provide illuminated exterior signs. The City would assure that the proposed Merrill Commerce Center Specific Plan, as implemented, contains Development Regulations and Design Guidelines that would, at a minimum, conform to City regulations addressing lighting and light overspill (see: Development Code, Division 6.01 – *District Standards and Guidelines, Lighting*). All subsequent development within the Specific Plan area would be required to conform with the Specific Plan Development Regulations and Design Guidelines addressing light, glare and overspill.

Conformance with the Specific Plan would minimize the potential for the Project to result in adverse light and glare impacts.

Based on the preceding, the potential for the Project to create a new source of substantial light or glare, which would adversely affect the day or nighttime views in the area is considered less-than-significant.

Sources: *The Ontario Plan; The Ontario Plan Draft Environmental Impact Report, SCH NO. 2008101140* (The Planning Center) April 2009; City of Ontario Development Code; Preliminary Plans for the Merrill Commerce Center Specific Plan.

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|-------------------------------------|--|------------------------------|-------------------------------------|
| <p>II. AGRICULTURE AND FOREST RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the Project:</p> | | | | |
| <p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>d) Result in the loss of forest land or conversion of forest land to non-forest use?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Substantiation:

- a) *Potentially Significant Impact.* The California Farmland Mapping and Monitoring Program, established in 1982, divides the state’s land into eight categories of land use designation based on soil quality and existing agriculture uses to produce maps and statistical data. The highest rated category is Prime Farmland, which has the most desirable combination of physical and chemical features and is able to sustain long-term agricultural production. As illustrated at Figure 5.2-1, *Important Farmland*, of The Ontario Plan Draft EIR, a portion of the Specific Plan area is designated as Prime Farmland. The Project EIR will examine the loss of these agricultural resources.

- b) *Potentially Significant Impact.* Zoning for the site is Specific Plan with an AG (Agricultural) Overlay. Additionally, as presented at Figure 5.2-2, *Williamson Act Contract Lands*, of The Ontario Plan Draft EIR, portions of the site are under active Williamson Act contract. As such, the potential for the Project to conflict with any existing agricultural zoning designations, or affect any existing Williamson Act contract(s) will be discussed further in the Draft EIR for the Project.

- c, d) *No Impact.* There is currently no land in the City of Ontario that qualifies as forest land or timberland. Neither the Policy Plan nor the City’s Development Code provide such designations. As such, the Project will not conflict with existing zoning for, or cause rezoning of, forest land or timberland, or result in the loss or conversion of forest land.

- e) *No Impact.* The Project does not involve other changes to the environment which could result in the conversion of farm land or forest land to other uses beyond those previously identified under the preceding discussions.

Sources: *The Ontario Plan; The Ontario Plan Draft Environmental Impact Report, SCH NO. 2008101140 (The Planning Center) April 2009; Preliminary Plans for the Merrill Commerce Center Specific Plan.*

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|--|-------------------------------------|--|-------------------------------------|--------------------------|
| III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project: | | | | |
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Expose sensitive receptors to substantial pollutant concentrations? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Substantiation:

- a) *Potentially Significant Impact.* The Project site is located within the South Coast Air Basin (Basin), which includes all of Orange County, and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties. The SCAQMD is locally responsible for administration and implementation of the Air Quality Management Plan (AQMP). Development of the Project could result in the production of

additional criteria air pollutants which may interfere with, or obstruct, implementation of the AQMP. These potential impacts will be addressed in the Project Air Quality Impact Analysis (AQIA) prepared as part of the EIR. Mitigation measures will be developed to address any potentially significant impacts.

- b, c) *Potentially Significant Impact.* Project demolition activities would result in site disturbance and generation of fugitive dust, and could also result in disturbance and release of asbestos, lead or other toxic materials that may be present in existing on-site structures or in subsurface improvements. Project construction activities would generate fugitive dust and construction equipment emissions.

The implemented Project land uses would generate vehicular trips and associated vehicular-source air pollutant emissions. Project truck traffic would generate diesel emissions and diesel particulate matter (DPM). DPM is a known carcinogen that could result in, or contribute to adverse health effects. On-site Project operations would result in energy consumption and byproduct air pollutant emissions. Construction-source and operational-source emissions resulting from the Project may contribute to existing and projected regional exceedances of criteria pollutants within the Basin. Localized concentrations of construction-source and operational-source emissions could adversely affect sensitive receptors.

These potential impacts will be addressed in the Project Air Quality Impact Analysis (AQIA) prepared as part of the EIR. Mitigation measures will be developed to address any potentially significant impacts.

- d) *Less-Than-Significant Impact.* Temporary, short-term odor releases are potentially associated with Project construction activities. Potential sources of odors associated with construction activities would include, but not be limited to: asphalt/paving materials, glues, paint, and other architectural coatings. Construction-source odor impacts are minimized through compliance with established regulations (Code of Federal Regulations[CFR], Subpart H-*Materials Handling, Storage Use and Disposal*, et al.) addressing construction materials storage, use, and disposal. In pertinent part

the isolation/containment devices or mechanisms specified under these regulations prevent significant release of odors. The Project would be required to comply with these regulations.

Uses typically considered to be sources of odors or other emissions that could adversely affect a substantial number of people include agricultural operations, cement plants, wastewater treatment plants, and the like. The Project proposes none of these. Rather, the Project would implement contemporary high-cube fulfillment center warehouse and business park uses. Refuse generated by the Project uses could be a source of localized odors. Project refuse is required to be collected, contained, and disposed of as stipulated in the City of Ontario Municipal Code (see: Municipal Code, Chapter 3: *Integrated Solid Waste Management*). As required under the Municipal Code, refuse is to be disposed of in covered receptacles and routinely removed, thereby limiting the escape of odors to the open air. Any odors generated would be temporary and transient, with little or no potential to adversely affect a substantial number of people.

Further, all Project construction activities, uses and occupancies would be required to conform to SCAQMD Rule 402. Rule 402 provides in pertinent part that there shall be no “discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.”

Based on the preceding discussion, the potential for the Project to result in other emissions (such as those leading to odors) adversely affecting a substantial number of people is considered less-than-significant.

Sources: *The Ontario Plan; The Ontario Plan Draft Environmental Impact Report, SCH NO. 2008101140* (The Planning Center) April 2009; Code of Federal Regulations;

SCAQMD Rule 402; Preliminary Plans for the Merrill Commerce Center Specific Plan.

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|--|-------------------------------------|--|------------------------------|--------------------------|
| IV. BIOLOGICAL RESOURCES. Would the Project: | | | | |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Substantiation:

a – f) *Potentially Significant Impact.* The Project site evidences a variety of land uses and improvements including a dairy farm, a trucking operation, and limited ancillary residential uses (fewer than 20 single-family residences). The development of these uses has substantially altered the Project site from its natural state. Notwithstanding, certain biological resources may be adversely affected by the Project. Special status species that have the potential to occur within the Project or that could be otherwise affected by Project construction and operations include but are not limited to: the Delhi Sands Flower Loving Fly, the San Bernardino Kangaroo Rat, and the Burrowing Owl. Additionally, given the scope of the Project site proper, its location in the Ontario Ranch area (known to evidence sensitive wildlife species [Ontario Plan EIR, p. 5.4-15, et al.]), and the Project's potential effects at off-site locations (due to either construction or operations), there is a potential for the Project to result in a range of potentially significant biological resources impacts. Accordingly, a Project Biological Resources Assessment will be conducted. The Assessment will evaluate all potential on-site and off-site biological resources impacts listed above at Checklist Items IV. a – f, that could result from Project construction and operations. The results of the Assessment, along with any necessary mitigation measures, will be presented in the Project EIR.

Sources: *The Ontario Plan; The Ontario Plan Draft Environmental Impact Report, SCH NO. 2008101140 (The Planning Center) April 2009; Preliminary Plans for the Merrill Commerce Center Specific Plan.*

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|--|-------------------------------------|--|-------------------------------------|--------------------------|
| V. CULTURAL RESOURCES. Would the project: | | | | |
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Substantiation:

a, b) *Potentially Significant Impact.* There are no known historic structures or archaeological resources located within the Project site nor would the Project affect any known off-site resources of historical or archaeological significance.

The Ontario Plan EIR indicates that no known archeological sites or archaeological resources have been recorded within the City. However, only about 10 percent of the City of Ontario has been adequately surveyed for prehistoric or historic archaeology. Thus, the potential to uncover significant archaeological resources within the City during development activities is considered high (Ontario Plan EIR, p. 5.5-20).

In areas affected by Project development, historic or archaeological resources may persist in a buried context. These resources could be disturbed during on-site and off-site development activities proposed by the Project. The Project EIR will include a Cultural Resources Assessment of potential historical and archaeological resources impacts that could result from the Project. The Assessment will evaluate and address all potential on-site and off-site cultural resources impacts that could

result from the Project. The results of the Assessment , along with any necessary mitigation measures, will be presented in the Project EIR.

- c) *Less-Than-Significant Impact.* There are no known formal cemeteries or informal burial sites within the Project site or in off-site areas that would likely be affected by Project construction activities. The likelihood of encountering human remains in the course of Project development is therefore considered minimal. However, as required under California Health and Safety Code Section 7050.5 (b) should human remains be encountered in the course of Project development, “there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined . . . that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code.”

Additionally, California Health and Safety Code Section 7050.5 (c) provides that “[i]f the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.”

All Project activities would be required to comply with provisions of the California Health and Safety Code and Public Resources Code as summarized above, thereby reducing the potential for the Project to disturb any human remains, including those interred outside of formal cemeteries to levels that would be less-than-significant.

Sources: *The Ontario Plan; The Ontario Plan Draft Environmental Impact Report, SCH NO. 2008101140* (The Planning Center) April 2009; California Health and Safety Code; California Public Resources Code; Preliminary Plans for the Merrill Commerce Center Specific Plan.

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|-------------------------------------|--|------------------------------|--------------------------|
| VI. ENERGY. Would the project: | | | | |
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Substantiation:

a, b) *Potentially Significant Impact.* The Project would allow for development and operation of up to 8,455,000 square feet of high-cube fulfillment center warehouse and business park uses. When compared to existing conditions, construction and operation of the Project would result in increased consumption of energy resources. The Project EIR will analyze the potential for Project consumption of energy resources to result in environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy. Potential for the Project to conflict with state or local energy plans for renewable energy or energy efficiency will also be evaluated in the Project EIR. Mitigation measures will be proposed for those impacts determined to be potentially significant.

Sources: Preliminary Plans for the Merrill Commerce Center Specific Plan.

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|--|-------------------------------------|--|-------------------------------------|-------------------------------------|
| VII. GEOLOGY AND SOILS. Would the Project: | | | | |
| a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|-------------------------------------|--|------------------------------|--------------------------|
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Substantiation:

a.i) *Less-Than-Significant Impact.* The Ontario Plan Draft EIR (Figure 5.7-2) identifies active and/or potentially active fault zones in the region, none of which are located within the City. There are no active faults known with the Project site, or in off-site areas that would be affected by Project construction activities. The Project site and potentially affected off-site locations are outside any Fault Rupture Hazard Zone (formerly Alquist-Priolo Zone). The Project does not propose actions or facilities that would otherwise exacerbate known or probable adverse earthquake fault conditions.

Based on the preceding, the potential for the Project to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving rupture of a known earthquake fault is considered less-than-significant.

a.ii – iii) *Potentially Significant Impact.* The Project does not propose actions or facilities that would exacerbate known or probable adverse strong seismic ground shaking, or seismic-related ground failure conditions. However, Southern California in general, including the Project site and surrounding areas, are generally susceptible to seismic events. And is therefore considered to be a potential for the Project to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving strong seismic ground shaking, and/or seismic-related ground failure (including liquefaction). As part of the Project EIR, a Preliminary Geotechnical Investigation will be prepared, addressing these potential impacts. Mitigation will be proposed for any impacts determined to be potentially significant.

a. iv) *Less-Than-Significant Impact*. The Project site topography evidences little internal difference, with a general northeast to southwest downward trending slope. Elevations within the Project site range from approximately 672 feet above mean sea level (amsl) at the northeast corner of the Project site, to approximately 632 feet amsl at the northeast corner of the Project site – an elevation difference of approximately 40 feet over approximately 1.3 miles with average slopes ranging between +1.8 % to -2.0% (Google Earth Imagery 2018). The Project site is not considered internally susceptible to land sliding. Any slopes manufactured in the course of Project development would be subject to review and approval by the City Building Department to ensure their stability. Adjacent properties also present little topographic relief.

Based on the preceding, the potential for the Project to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving landslides is considered less-than-significant.

b) *Less-Than-Significant Impact*. Project construction activities would temporarily expose underlying soils, thereby increasing their susceptibility to erosion. Potential erosion impacts incurred during construction activities are mitigated below the level of significance through the Project’s mandated compliance with a City-approved Storm Water Pollution Prevention Plan (SWPPP), as well as compliance with SCAQMD Rules that prohibit grading activities and site disturbance during high wind events. At Project completion, potential soil erosion impacts in the area will be resolved, as pavement, roads, buildings, and landscaping are established, overcovering previously exposed soils.

The Project does not propose to significantly alter existing topography in a manner that would result in substantial soil erosion or the loss of topsoil. All Project development plans would be subject to review and approval by the City. As part of this review, the City would ensure that permanent slopes and slope protection would conform to City requirements, thereby minimizing the potential for soil erosion over the life of the Project. City review and approval of development plans

would also ensure that stormwater management systems are incorporated that would minimize potential erosion from stormwater runoff, both on-site and off-site.

Based on the preceding, the potential for the Project to result in substantial soil erosion or the loss of topsoil is considered less-than-significant.

- c,d) *Potentially Significant Impact.* Adverse/unstable soils or subsurface conditions may exist within the Project site, and would be considered potentially significant impacts. As part of the Project EIR, a Preliminary Geotechnical Investigation will be prepared, addressing these potential impacts. Mitigation will be proposed for any impacts determined to be potentially significant.

- e) *No Impact.* The Project would be served by municipal sewer services. No septic tanks or other alternative wastewater disposal systems are proposed by the Project. On this basis, there is considered to be no potential for the Project to affect or be affected by soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems.

- f) *Potentially Significant Impact.* No known paleontological resources or unique geological features exist within the Specific Plan area. However, such resources may exist within the Project site and/or off-site areas that would be affected by Project construction activities. As part of the Project EIR, a Paleontological Resources Assessment will be prepared. This Assessment in combination with the Project Geotechnical Investigation will evaluate and substantiate the potential for the Project to directly or indirectly destroy a unique paleontological resource or site or unique geological feature. Pending the results of these reports, there is considered to be the potential for the Project to directly or indirectly destroy a unique paleontological resource or site or unique geological feature. The EIR will evaluate these impacts, mitigation measures will be proposed for those impacts determined to be potentially significant.

Sources: *The Ontario Plan; The Ontario Plan Draft Environmental Impact Report, SCH NO. 2008101140 (The Planning Center) April 2009; Preliminary Plans for the Merrill Commerce Center Specific Plan.*

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|--|-------------------------------------|--|------------------------------|--------------------------|
| VIII. GREENHOUSE GAS EMISSIONS. Would the project: | | | | |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Substantiation:

a, b) *Potentially Significant Impact.* Project construction and operations would generate Greenhouse Gas (GHG) emissions. The Project’s contribution to greenhouse gas emissions may be potentially significant, both as a source of environmental impacts and in context of applicable plans, policies and regulations adopted for the purpose of reducing GHGs. Accordingly a Greenhouse Gas Analysis (GHGA) will be prepared as part of the Project EIR. The GHGA findings, together with any necessary mitigation measures, will be presented within the Project EIR.

Source: Preliminary Plans for the Merrill Commerce Center Specific Plan.

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|-------------------------------------|--|-------------------------------------|--------------------------|
| IX. HAZARDS AND HAZARDOUS MATERIALS. | | | | |
| Would the project: | | | | |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for the people residing or working in the project area? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Substantiation:

a – c) *Potentially Significant Impact.* Implementation of the Project would not require the transportation, use, storage, or disposal of hazardous or potentially hazardous materials beyond those typically employed for the construction and maintenance of the Project uses. However, Phase I Environmental Site Assessments (Phase I ESAs) prepared for the Project indicate the Project site is affected by existing hazards or hazardous conditions including:

- Hazards associated with current and past use of the Project site for dairy farming, agricultural, and trucking operations;
- Potential presence of existing groundwater contamination;
- Hazardous materials (e.g., asbestos, lead) that may be released during site demolition and preparation activities;
- Above ground tanks (ASTs) and underground tanks (USTs) used for storage of diesel and gasoline;
- Soils contaminated with various automotive maintenance products (motor oil, antifreeze, transmission fluid, etc.);
- Abandoned vehicles/farm equipment, waste tires, and debris;
- Presence of groundwater wells; and
- Presence of septic tanks.

Off-site areas that would be disturbed by construction of Project infrastructure may be similarly affected.

Prior to, or concurrent with construction of the Project facilities, remediation of existing significant hazards/hazardous materials conditions would be required. These remedial actions could create a significant hazard to the public or the environment through the routine transport or disposal of hazardous materials; could create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment; and could emit hazardous emissions or

handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The Project EIR will evaluate these potential impacts and will propose mitigation for those impacts determined to be potentially significant.

- d) *Potentially Significant Impact.* It has not yet been determined if the Project site, or off-site areas that would be disturbed by construction of off-site infrastructure, comprise areas included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Pending this determination, there is considered to be the potential that the Project site, or areas that would be disturbed by construction of off-site infrastructure, may appear on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; and could as a result create a significant hazard to the public or the environment. This potential impact will be evaluated in the Project EIR, and if determined to be potentially significant, mitigation will be proposed.
- e) *Potentially Significant Impact.* The Project site is located within the Chino Airport Influence Area and within the Policy Plan Chino Airport Overlay land use designation. The Project could result in or could contribute to safety hazards or adverse noise conditions associated with the Airport. The EIR will include a discussion of Project consistency with the Airport Land Use Compatibility Plan (ALUCP) developed for Chino Airport, to include evaluation of the Project's potential to result in or contribute to airport-related safety hazards, or result in or contribute to airport-related adverse noise impacts that would affect people residing or working in the Project area. Mitigation will be proposed for those impacts determined to be potentially significant.
- f) *Potentially Significant Impact.* The Project proposes to amend the Policy Plan Land Use designations for the subject site. The Project would also alter site and area access conditions. Construction of off-site infrastructure could affect emergency access and evacuation plans. Project traffic and Project circulation system improvements could affect area traffic patterns. These and other aspects of the Project have the potential

to impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. This potential impact will be addressed in the EIR. Mitigation will be proposed for those impacts determined to be potentially significant.

- g) *Less-Than-Significant Impact.* The Project site is located in an urbanizing area, and no wildlands are located in the vicinity of the Project site. Fire protection services are provided to the City and the Project site by the Ontario Fire Department. Pre-construction coordination with Fire Department staff and adherence to local fire regulations during construction and operation of the Project would be required. The City and Fire Department would require that fire prevention/fire suppression measures are incorporated in the Project designs and that water delivery systems serving the Project site provide adequate fire flow. Creation and maintenance of firebreaks and fire-defensible spaces adjacent to building and roadways as required by the City and Fire Department would further reduce the potential for exposure to wildland fires and the spread of wildland fires. The City would also enforce weed abatement measures, minimizing potential fire fuel loads. Lastly, as noted in the Ontario Plan Draft EIR, “development of the Ontario Ranch [including the Project site] would actually reduce fire hazard risks for that area because, upon buildout, it would eliminate brush, dry grass, manure, and hay (Ontario Plan Draft EIR, p. 5.8-29).

Based on the preceding, the potential for the Project to result in significant risk of loss, injury or death involving wildland fires is considered less-than-significant. Please also refer also to the discussions at subsequent Checklist Item XX., *Wildfire*.

Sources: *The Ontario Plan; The Ontario Plan Draft Environmental Impact Report, SCH NO. 2008101140* (The Planning Center) April 2009; *Phase I Environmental Site Assessment Reports* [Alewyn Land, Lanting Land, Minaberry Land] (Partner Engineering and Science) February 2017, August 2018; Preliminary Plans for the Merrill Commerce Center Specific Plan.

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|-------------------------------------|--|-------------------------------------|--------------------------|
| X. HYDROLOGY AND WATER QUALITY. Would the project: | | | | |
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would: | | | | |
| (i) result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (iv) impede or redirect flood flows? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Substantiation:

- a, e) *Potentially Significant Impact.* Runoff from the Project area may include oils from paved areas and other chemicals which may contribute to degradation of surface and groundwater quality. The Project may also conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan, thereby resulting in potentially significant environmental impacts. Analysis of potential impacts in regard to water quality standards/waste discharge requirements, and consistency with an applicable water quality control plan and/or sustainable groundwater management plan will be included in the Project EIR. Mitigation measures will be incorporated to address any potentially significant impacts.
- b) *Less-Than-Significant Impact.* Direct additions or withdrawals of groundwater are not proposed by the Project. Further, construction proposed by the Project will not involve substructures or other intrusions at depths that would significantly impair or alter the direction or rate of flow of groundwater. Water is provided throughout the City by the City of Ontario Utilities Department.⁴ Groundwater which may be consumed by the Project and the City of Ontario, as a whole, would be recharged pursuant to the Department's policies and programs. The Project site is not a designated groundwater recharge area. The Project does not propose or require facilities or operations that would otherwise adversely affect designated recharge areas.

Based on the preceding, the potential for the Project to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin is considered less-than-significant.

⁴Water supply availability to the Project generally is discussed at Checklist Item XIX. *Utilities and Service Systems.*

- c (i) *Less-Than-Significant Impact*. Please refer to previous discussions at Checklist Item VII. (b).
- c (ii, iv) *Potentially Significant Impact*. The Project would implement new structures and surface improvements that could result in substantially increased rates of surface runoff, with resulting increased on-site or off-site flooding potential. Similarly, Project structures and surface improvements could alter existing area stormwater runoff patterns in a manner that would create, impede, or redirect, flood flows. The Project EIR will address these potential impacts. Mitigation will be proposed for impacts determined to be potentially significant.
- c (iii) *Potentially Significant Impact*. The increase in impervious surfaces created by development of the Project site would result in decreased absorption rates and increased surface runoff. Development of the Project site could also substantially alter the existing drainage pattern of the site or area in manner that could create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. The Project EIR will address these potential impacts. Mitigation will be proposed for impacts determined to be potentially significant.
- d) *Potentially Significant Impact*. As shown at Policy Plan Figure S-2, *Flood Hazards*, the Project site is located within a 500-year flood plain, and is within the San Antonio Creek Dam Failure Inundation Area. The Project uses would include limited on-site storage of conventional materials such as petroleum products, landscape fertilizer, cleaning products, etc. that could be released should the Project site be inundated. On this basis, there is a potential risk of release of pollutants due to Project inundation. This impact will be evaluated in the Project EIR. Mitigation will be proposed if the impact is determined to be potentially significant.

Sources: *The Ontario Plan; The Ontario Plan Draft Environmental Impact Report, SCH NO. 2008101140* (The Planning Center) April 2009; Preliminary Plans for the Merrill Commerce Center Specific Plan.

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|--|-------------------------------------|--|-------------------------------------|--------------------------|
| XI. LAND USE AND PLANNING. Would the project: | | | | |
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Substantiation:

- a) *Less-Than-Significant Impact.* Pursuant to the Specific Plan as approved by the City, the Project would establish a pattern of cohesive and complementary land uses. The Specific Plan configuration and orientation of land uses, combined with integral development standards and design guidelines, act to preclude division or disruption of an established community, whether that community be internal or external to the Project site.

Physical arrangement of surrounding areas would not be modified or otherwise affected by the Project. Based on the preceding discussion, the Project’s potential to disrupt or divide the physical arrangement of an established community is considered less-than-significant.

- b) *Potentially Significant Impact.* A Policy Plan Amendment (Land Use) would be required to allow for the Project. Policy Plan Land Use designations would be modified as summarized at Table 3.8-1. The proposed Policy Plan Land Use Amendment could result in potentially significant impacts not previously considered and addressed in the Ontario Plan Draft EIR; or could conflict with other plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect.

**Table 3.8-1
Proposed Policy Plan Amendment**

| Existing | Proposed |
|---------------------------------|---------------------------------------|
| Business Park - 303.5 acres | Business Park - 55.1 acres |
| Office Commercial - 43.3 acres | Industrial - 292.8 acres |
| General Commercial - 18.3 acres | Right-of-Way Dedications - 28.4 acres |

The Project EIR will address these potential impacts. If potentially significant impacts are identified, mitigation measures will be proposed.

Sources: *The Ontario Plan; The Ontario Plan Draft Environmental Impact Report, SCH NO. 2008101140 (The Planning Center) April 2009; Preliminary Plans for the Merrill Commerce Center Specific Plan.*

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| XII. MINERAL RESOURCES. Would the project: | | | | |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and to the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Substantiation:

a, b) *Less-Than-Significant Impact.* Mineral resources in the City are limited to construction aggregates such as sand and gravel. There are currently no permitted mining operations located within the City (Ontario Plan Draft EIR, p. 5.11-2). The Ontario Plan Draft EIR at Figure 5.11-1, *Mineral Resources Zones*, indicates that the Project site is classified pursuant to the California Geological Survey as Mineral Resource Zone 3 (MRZ-3). The Ontario Plan Draft EIR concludes that

“[d]evelopment in a MRZ-3 [area] would not result in significant impacts as mineral resources of statewide or local importance are not identified in the California Geological Survey PC maps” (Ontario Plan Draft EIR, p, 5.11-6). On this basis, the potential for the Project to: result in the loss of availability of a known mineral resource that would be of value to the region and to the residents of the state; or result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan is considered less-than-significant.

Sources: *The Ontario Plan; The Ontario Plan Draft Environmental Impact Report, SCH NO. 2008101140* (The Planning Center) April 2009; Preliminary Plans for the Merrill Commerce Center Specific Plan.

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|-------------------------------------|--|------------------------------|--------------------------|
| XIII. NOISE. Would the project result in: | | | | |
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Generation of excessive groundborne vibration or groundborne noise? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Substantiation:

a, b) *Potentially Significant Impact.* Construction of the Project would temporarily increase localized noise levels, and occupation of Project facilities will establish long-term stationary operational noise sources. These noise sources could adversely affect sensitive receptors. Further, Project-related traffic may increase noise levels along affected area roadways, with potentially adverse effects at receiving land uses.

Accordingly, a Noise Impact Analysis will be prepared as part of the Project EIR and the EIR will evaluate Project-source noise impacts. Mitigation measures will be proposed for impacts determined to be potentially significant.

c) *Potentially Significant Impact.* The Project site is located within the Chino Airport Influence Area and within the Policy Plan Chino Airport Overlay land use designation. The Project could result in or could contribute to adverse noise conditions associated with the Airport. The EIR will include a discussion of Project consistency with the Airport Land Use Compatibility Plan (ALUCP) developed for Chino Airport, to include evaluation of the Project's potential to result in or contribute to airport-related adverse noise impacts that would affect people residing or working in the Project area. Mitigation will be proposed for those impacts determined to be potentially significant.

Sources: *The Ontario Plan; The Ontario Plan Draft Environmental Impact Report, SCH NO. 2008101140 (The Planning Center) April 2009; Preliminary Plans for the Merrill Commerce Center Specific Plan.*

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|--|-------------------------------------|--|-------------------------------------|--------------------------|
| XIV. POPULATION AND HOUSING. Would the project: | | | | |
| a) Induce substantial unplanned population growth in the area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through the extension of roads or other infrastructure)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Substantiation:

- a) *Potentially Significant Impact.* The Project does not propose residential development, and therefore would not directly result in increased City resident population. The Project represents a component of development and growth generally anticipated by the City, as reflected by the site’s current Policy Plan Land Use designations (Business Park, Office Commercial, and General Commercial). Development proposed by the Project responds globally to existing and anticipated market demands of the City and region, and employment generated by the Project would be a byproduct of this anticipated growth.

The Project does, however, propose to amend the Project site Policy Plan Land Use designations (from Business Park, Office Commercial, and General Commercial to Business Park and Industrial) and could therefore result in growth not anticipated under the Ontario Plan and/or other applicable regional planning documents (e.g., 2016 – 2040 Southern California Association of Governments Regional Transportation Plan/ Sustainable Communities Strategy [2016 – 2040 SCAG RTP/SCS]; South Coast Air Quality Management District Air Quality Management Plan [AQMP]). Further, major supporting infrastructure improvements to be implemented by the Project

would facilitate development of the area generally. These infrastructure improvements could induce substantial unanticipated growth, and/or result in an unanticipated accelerated rate of growth. The potential for the Project to induce substantial unanticipated growth in the area, either directly or indirectly, that could result in potentially significant environmental impacts will be considered and addressed in the Project EIR. Mitigation will be proposed for impacts determined to be potentially significant.

- b) *Less-Than-Significant Impact.* Limited single-family residential uses (fewer than 20 single-family residences) exist within the Project site. These residences are ancillary to the site's current dairy/agricultural/trucking operations and would be demolished along with all other surface improvements as part of the Project site preparation activities. The loss of these residential units in the context of the City's existing 50,000 +/- housing units⁵ is not considered substantial.

Based on the preceding, the potential for the Project to displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere is considered less-than-significant.

Sources: *The Ontario Plan; The Ontario Plan Draft Environmental Impact Report, SCH NO. 2008101140 (The Planning Center) April 2009; City of Ontario Policy Plan, Housing Element Technical Report (PMC) October 15, 2013; Preliminary Plans for the Merrill Commerce Center Specific Plan.*

⁵ <http://www.ontarioplan.org/wp-content/uploads/sites/4/2016/05/29467.pdf>

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| XV. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of the new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | |
| a) Fire Protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Police Protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Substantiation:

a) *Less-Than-Significant Impact.* Fire suppression and emergency response services for the Project would be provided by the Ontario Fire Department. The Ontario Plan Draft EIR (see discussion excerpted below) recognizes the potential for development pursuant to the Ontario Plan, including development of the Ontario Ranch (formerly known as New Model Colony, NMC) area encompassing the Project site, to result in increased demands for fire protection services.

Future growth in accordance with the Ontario Plan is expected to increase the demand for fire services throughout the city but especially in the NMC. . . . The number of stations needed is based on the fractile response times for specific areas of the City. The locations of these stations are speculative at this point in time. The funding needed to

build these stations has been assessed and incorporated into the fee schedule and it would be adequate for the proposed development and relocation of stations (Ontario Plan Draft EIR, p. 5.14-5).

The Ontario Plan Draft EIR also recognizes that evaluation of potential environmental impacts resulting from the construction or expansion of new or modified fire protection facilities would be speculative until such time the location(s) of such facilities are determined. Environmental review of new or modified fire stations would be conducted when and as required by the City.

The Project does not propose or require construction or modification of fire protection facilities. The Project site is not designated or proposed as the location for new or modified fire protection facilities. Incremental fire protection service demands generated by the Project are offset through Project payment of City of Ontario General City (GC) Development Impact Fees. A portion of the City's GC Development Impact Fees are allocated for fire protection services. The Project Applicant would pay incumbent City GC Development Impact Fees at issuance of building permit(s).

The Ontario Plan Draft EIR also recognizes that evaluation of potential environmental impacts resulting from the construction or expansion of new or modified fire protection facilities would be speculative until such time the location(s) of such facilities are determined. Environmental review of new or modified fire protection facilities would be conducted when and as required by the City.

Additionally, to the satisfaction of the Ontario Fire Department, the Project would comply with City and Fire Department fire prevention and suppression requirements, including building/site design requirements, fire flow adequacy, and provisions for emergency access, thereby reducing potential increased demands for fire protection services.

Based on the preceding, the potential for the Project to result in substantial adverse physical impacts associated with the provision of the new or physically altered fire protection facilities is considered less-than-significant.

- b) *Less-Than-Significant Impact.* Police protection services for the Project would be provided by the Ontario Police Department. The Ontario Plan Draft EIR (see discussion excerpted below) recognizes the potential for development pursuant to the Ontario Plan, including development of the Ontario Ranch (formerly known as New Model Colony, NMC) area encompassing the Project site, to result in increased demands for police protection services.

Future growth in accordance with The Ontario Plan is expected to increase demand for police services within the City of Ontario, particularly in the NMC. . . . As a result, additional police equipment, facilities, and personnel would be required to provide adequate response times, acceptable public service ratios, and other performance objectives for law enforcement services (Ontario Plan Draft EIR, p. 5.14-8).

The Project does not propose or require construction or modification of police protection facilities. The Project site is not designated or proposed as the location for new or modified police protection facilities. Incremental police protection service demands generated by the Project are offset through Project payment of City of Ontario General City (GC) Development Impact Fees. A portion of the City's GC Development Impact Fees are allocated for police protection services. The Project Applicant would pay incumbent City GC Development Impact Fees at issuance of building permit(s).

Additionally, the Project site plan concept and proposed building designs would be reviewed by the Ontario Police Department to ensure incorporation of appropriate safety and security elements. Such design features would include secure building designs, defensible spaces, and area and facility security lighting. These design features would act to reduce Project demands for police protection services.

Based on the preceding, the potential for the Project to result in substantial adverse physical impacts associated with the provision of the new or physically altered police protection facilities is considered less-than-significant.

c) *Less-Than-Significant Impact*. Public school services for the City of Ontario are provided by the following school districts:

- Ontario-Montclair Elementary School District;
- Cucamonga Elementary School District;
- Mountain View Elementary School District; and
- Chino Valley Unified School District.

The Project site lies within the Chino Valley Unified School District. The Project does not propose residential uses that would result in populations of resident school-aged children requiring public education, and would therefore not directly cause or contribute to a need to construct new or physically altered public school facilities. Indirectly, the Project may contribute to area demands for school services if Project employees and their school age children would relocate to school districts serving the City.

The Project does not propose or require construction or modification of school facilities. The Project site is not designated or proposed as the location for new or modified school facilities. Project incremental impacts to school services would be offset through payment of school impact fees. The Project Applicant would pay incumbent school impact fees at issuance of building permit(s). Payment of school impact fees would reduce the Project's potential impacts to schools services to levels that would be less-than-significant.

Based on the preceding, the potential for the Project to result in substantial adverse physical impacts associated with the provision of the new or physically altered school facilities is considered less-than-significant.

- d) *Less-Than-Significant Impact.* As discussed at following Checklist Item XVI., *Recreation*, uses proposed by the Project would not increase demands for parks or parks services. On this basis, the potential for the Project to result in substantial adverse physical impacts associated with the provision of the new or physically altered parks facilities.
- e) *Less-Than-Significant Impact.* Development of the Project would require established public agency oversight including, but not limited to, various plan check and permitting actions by the City. Impacts of the Project would fall within routine tasks of these agencies/departments and are paid for via plan check and inspection fees. Impacts of the Project would not be of such magnitude that new or physically altered facilities would be required. There are no known or probable other public facilities that would be substantially affected by the Project.

Based on the preceding, the potential for the Project to result in substantial adverse physical impacts associated with the provision of the new or physically altered other public facilities is considered less-than-significant.

Sources: *The Ontario Plan; The Ontario Plan Draft Environmental Impact Report, SCH NO. 2008101140 (The Planning Center) April 2009; Preliminary Plans for the Merrill Commerce Center Specific Plan.*

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| XVI. RECREATION | | | | |
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Substantiation:

a, b) *Less-Than-Significant Impact*. The Project does not propose residential development, and would not directly contribute to resident populations that would increase the use of existing neighborhood and regional parks or other recreational facilities. Job opportunities created by the Project may result in relocation of persons to the City that could indirectly contribute to resident populations, demands for new housing, and resulting increased use of existing neighborhood and regional parks or other recreational facilities. New residential development within the City is required to pay GC Development Impact Fees, a portion of which would be allocated for parks facilities, acting to offset incremental demands on neighborhood and regional parks or other recreational facilities.

The Project does not propose recreational facilities. Based on the discussion above, the Project would not require the construction or expansion of recreational facilities.

Based on the preceding, the potential for the Project to increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial deterioration of the facility would occur or be accelerated; or to require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment is considered less-than-significant.

Sources: *The Ontario Plan; The Ontario Plan Draft Environmental Impact Report, SCH NO. 2008101140 (The Planning Center) April 2009; Preliminary Plans for the Merrill Commerce Center Specific Plan.*

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|--|-------------------------------------|--|------------------------------|--------------------------|
| XVII. TRANSPORTATION. Would the project: | | | | |
| a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially increase hazards to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Result in inadequate emergency access? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Substantiation:

- a) *Potentially Significant Impact.* The Project would increase auto, transit, pedestrian, and bicycle trips to and from the Project site, and create new ingress and egress points to the Project site. The Project has the potential to result in increased demand on the local transportation system, including the roadway network, transit service, pedestrian and bicycle facilities.

New and intensified land uses at the Project site would result in various changes to circulation patterns. Based on the preceding, the Project would have the potential to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

The Project EIR will evaluate and assess the potential for the Project to conflict with a program, plan, ordinance or policy addressing the circulation system, including

transit, roadway, bicycle and pedestrian facilities, and thereby result in potentially significant environmental impacts.

- b) *Potentially Significant Impact.* Project traffic may result in substantial additional vehicle miles traveled (VMT). The EIR will evaluate Project VMT impacts against per capita, per service population, or other VMT significance thresholds implemented by the Lead Agency. Mitigation will be developed for impacts determined to be potentially significant.

For informational purposes, and to facilitate Lead Agency planning of area transportation system improvements, the EIR will also present a summary of anticipated level-of-service (LOS) deficiencies, together with recommended improvements to address identified deficiencies.

- c, d) *Potentially Significant Impact.* Although preliminary review of the Project does not indicate elements or aspects that would be considered hazardous design features or result in inadequate emergency access, these considerations will be further evaluated in the Project EIR. Mitigation will be developed for impacts determined to be potentially significant.

Source: Preliminary Plans for the Merrill Commerce Center Specific Plan.

| | | | |
|--------------------------------|------------------------------|------------------------------|-----------|
| | Less-Than-Significant | | |
| Potentially Significant Impact | With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |

XVIII. TRIBAL CULTURAL RESOURCES.

- a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|-------------------------------------|--|------------------------------|--------------------------|
| (i) Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code Section 5020.1(k), or | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Substantiation:

- a) *Potentially Significant Impact.* There are no known Tribal Cultural Resources (TCRs) within the Project site. Nor is it anticipated that the Project would adversely affect off-site TCRs. However, detailed surveys confirming the presence or absence of these resources has not yet been conducted. A Tribal Cultural Resources Assessment of the Project site and potentially affected off-site areas will be prepared as an element of the Project EIR. Tribal Resources consultation with requesting Tribes will be conducted as provided for under *AB 52, Gatto. Native Americans: California Environmental Quality Act*. Pending completion of the Project Cultural Resources survey and any requested Tribal Consultation(s), the potential for the Project to cause a substantial adverse change in the significance of a tribal cultural resource is considered potentially significant. The EIR will address these potential impacts. Mitigation will be proposed for impacts determined to be potentially significant.

Source: Preliminary Plans for the Merrill Commerce Center Specific Plan.

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|-------------------------------------|--|------------------------------|--------------------------|
| XIX. UTILITIES AND SERVICE SYSTEMS. | | | | |
| Would the project: | | | | |
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Substantiation:

- a) *Potentially Significant Impact.* The Project would require new or altered infrastructure improvements for: water delivery, wastewater collection, storm water management, electric power distribution, natural gas service, and telecommunications service. Construction of or alteration of these facilities has the

potential to cause significant environmental effects. The EIR will evaluate these potential impacts. Mitigation will be proposed for impacts determined to be potentially significant.

- b) *Potentially Significant Impact.* The City of Ontario water supply is derived from a combination of local and imported water, obtained primarily from Ontario wells and treatment in the Chino Groundwater Basin, the Chino Desalter Authority (CDA) wells and treatment in the Chino Groundwater Basin, treated State Water Project water from the Water Facilities Authority (WFA), and recycled water from the Inland Empire Utilities Agency (IEUA), a member agency of the Metropolitan Water District of Southern California (MWD).

The Project uses would increase demands on available water supplies. Water supply and availability are recognized as general issues of concern. The City will prepare a Water Supply Assessment (WSA) pursuant to the requirements of SB 610. The results of this Assessment will be summarized within the Project EIR.

Pending completion of the Project WSA, the Project's potential impacts to water supplies and potential effects on the availability of water are considered potentially significant, and will be further addressed in the Project EIR. Mitigation measures will be proposed for those impacts determined to be potentially significant.

- c) *Potentially Significant Impact.* The City maintains a wastewater collection system and contracts with the Inland Empire Utilities Agency (IEUA) for wastewater treatment. The Project uses would result in increased wastewater treatment demands that could exceed available wastewater treatment capacities. The EIR will evaluate the potential for the Project to generate wastewater exceeding available treatment capacities. Mitigation will be proposed for impacts determined to be potentially significant.

d, e) *Potentially Significant Impact.* Solid waste collection services are currently provided to City residents by the City of Ontario Solid Waste Department. Solid Waste generated by the Project would be disposed of at the Mid-Valley Sanitary Landfill, located in the City of Rialto. This 498-acre landfill is operated by the County of San Bernardino Solid Waste Management Division, and has an estimated closure date of 2033⁶. Implementation of the Project would result in increased solid waste generation. The EIR will evaluate the potential for Project uses to generate waste in excess of state or local standards, or to conflict with federal, state, and local management and reduction statutes and regulations related to solid waste. Mitigation will be proposed for impacts determined to be potentially significant.

Sources: *The Ontario Plan; The Ontario Plan Draft Environmental Impact Report, SCH NO. 2008101140 (The Planning Center) April 2009; Preliminary Plans for the Merrill Commerce Center Specific Plan.*

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project: | | | | |
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

⁶ <https://www2.calrecycle.ca.gov/SWFacilities/Directory>

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Substantiation:

a-d) *Less-Than-Significant Impact.* CAL FIRE maintains California Fire Hazard Severity Zone Maps, including maps for State responsibility areas, as well as local responsibility areas.⁷ As shown on the State responsibility map for southwestern San Bernardino County, the City of Ontario is located within a local responsibility area. According to the local responsibility map, Ontario is located in a non-very high fire hazard severity zone (Non-VHFHSZ).

As such, the Project is not located within or near a state responsibility area, or within an area classified as a very high fire hazard severity zone. All development within the Specific Plan area would be required to comply with City building and Fire Codes. All building plans within the City are reviewed by the Ontario Fire Department to ensure their compliance with the City’s fire code. Additionally, the Ontario Plan Draft EIR at page 5.8-29 states, “. . . development of the Ontario Ranch would actually reduce fire hazard risks for that area because, upon buildout, it would eliminate brush, dry grass, manure, and hay.”

Based on the preceding, the potential for the Project to substantially impair an adopted emergency response or evacuation plan, expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire, involve infrastructure that may exacerbate fire risk, or result in significant post-fire risks is considered less-than-significant.

⁷ http://www.fire.ca.gov/fire_prevention/fhsz_maps_sanbernardinow

Sources: CAL FIRE; *The Ontario Plan*; *The Ontario Plan Draft Environmental Impact Report, SCH NO. 2008101140* (The Planning Center) April 2009; Preliminary Plans for the Merrill Commerce Center Specific Plan.

| | Potentially Significant Impact | Less-Than-Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|-------------------------------------|--|------------------------------|--------------------------|
| XXI. MANDATORY FINDINGS OF SIGNIFICANCE. | | | | |
| a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when reviewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Substantiation:

- a) *Potentially Significant Impact.* Certain biological and cultural resources may be adversely affected by the Project. Potential impacts in this regard will be addressed within the Project EIR.

b) *Potentially Significant Impact.* The Project has the potential to result in cumulatively considerable impacts. As discussed in the previous environmental evaluation, implementation of the Project may result in potentially significant impacts under the environmental topics of:

- Agricultural Resources;
- Air Quality and Greenhouse Gas Emissions (including Energy);
- Biological Resources;
- Cultural/Tribal Resources;
- Geology and Soils;
- Hazards/Hazardous Materials;
- Hydrology/Water Quality;
- Land Use;
- Noise;
- Population/Housing;
- Transportation; and
- Utilities and Service Systems.

To a certain extent, impacts of the Project, together with other known or anticipated projects in the area, will likely have a cumulative effect under all of the aforementioned environmental considerations. The Project EIR will identify the Project's contribution to, and context within, potentially significant cumulative environmental effects influencing the vicinity and region.

c) *Potentially Significant Impact.* As indicated by this IS evaluation, the Project may cause or result in certain potentially significant environmental effects, resulting in potentially adverse effects to human beings. While adverse environmental effects that could affect human beings could, to some degree, be substantiated under all CEQA issue areas, Project impacts considered to be potentially significant and that could directly affect human beings include:

- Air Quality and Greenhouse Gas Emissions (including Energy);
- Geology and Soils;
- Hazards/Hazardous Materials;
- Hydrology/Water Quality;
- Land Use;
- Noise;
- Population/Housing;
- Transportation; and
- Utilities and Service Systems.

The Project EIR will address these environmental topics and present mitigation measures for potentially significant impacts.

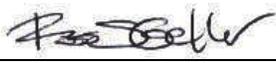
4.0 DETERMINATION

4.0 DETERMINATION

On the basis of this initial evaluation:

| | |
|--|-------------------------------------|
| I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. | <input type="checkbox"/> |
| I find that although the project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described previously have been added to the project. A NEGATIVE DECLARATION will be prepared. | <input type="checkbox"/> |
| I find that the project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required. | <input checked="" type="checkbox"/> |
| I find that the project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on an earlier analysis as described on attached sheets. If the effect is a potentially significant impact or potentially significant unless mitigated an ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that need to be addressed. | <input type="checkbox"/> |
| I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project. | <input type="checkbox"/> |

City of Ontario:

Signature  Date April 11, 2019

Printed Signature: Ross S. Geller for Richard Ayala, Senior Planner