

## **II. ENVIRONMENTAL EFFECTS FOUND NOT SIGNIFICANT AND MANDATORY FINDINGS OF SIGNIFICANCE**

The California Environmental Quality Act (CEQA) provides that an EIR shall focus on the significant effects on the environment, discussing the effects with emphasis in proportion to their severity and probability of occurrence. Effects dismissed in an initial study as clearly insignificant and unlikely to occur need not be discussed further in the EIR. Since the NOP for this project did not include an Initial Study, the EIR must provide a brief explanation of possible significant effects that have been determined not to be significant (CEQA Guidelines Section 15128).

### **1. EFFECTS FOUND NOT SIGNIFICANT AS PART OF THE EIR PROCESS**

#### **Aesthetics**

*Threshold: Would the project have a substantial adverse effect on a scenic vista?*

Scenic views of the mountains located approximately 15 miles north of the site are visible on clear days from all north/south roadways in the project area. Currently, rural residences, barns, windrows, houses and apartments, and other visual obstructions exist within and near the project site. The proposed project will not create new types of structures that would impair views of the mountains from north/south roadways in any more significant ways than existing obstructions currently do. Therefore, no substantial effect on a scenic vista will result from project implementation. See also the response to the following threshold.

*Threshold: Would the project substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?*

There are no designated Official State Scenic Highways within forty miles of the project site, therefore, no impacts to scenic highways will occur.

No specific scenic resources such as rock outcroppings or unique features exist on the site, however, the proposed project will change the appearance of the site from the adjacent public roadways from rural/agricultural to suburban appearing uses.

Existing operating dairies, cropland, and open space will be replaced by residential units, similar to those being established in the project vicinity. The New Model Colony General Plan Amendment (GPA for the NMC) has specific land use policies that apply to development along major arterials and highways for the purpose of creating scenic roadways and view corridors. The project site is located within the NMC, so the proposed project must meet these local policies. In general, the policies focus on extensively landscaping major streets, such as Milliken/Hamner Avenue and on providing view corridors from public places towards the San Gabriel Mountains, where possible. Project site development will include buffers, screens,

setbacks, landscaping, trash enclosures, and other design measures to screen undesirable aspects of site development from these major roadways. Inclusion of these design features in the project is addressed through the requirements of the Esperanza Specific Plan (the Specific Plan) and standard City of Ontario conditions of approval, plan check and permit procedures, and code enforcement practices. Views of the mountains from the school site and park site within the project can be maintained through design. Since no adverse impacts to scenic vistas will occur, this issue is determined to be less than significant.

***Threshold:** Would the project substantially degrade the existing visual character or quality of the site and its surroundings?*

The proposed Specific Plan will place urban development in a previously agricultural setting. The visual character of the site will be changed dramatically but not degraded. Although some individuals may prefer the visual character of the dairy and crop land, the well-planned, landscaped, new residential community will not degrade the visual character or quality of the site. Impacts related to the degrading of visual character or quality will be less than significant.

***Threshold:** Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

The proposed project will introduce new sources of nighttime light and glare into the area from parking lot, residential and security lighting. Spill of light onto surrounding properties, and “night glow” can be reduced by using hoods and other design features. Inclusion of these design features in the project is addressed through standard City of Ontario<sup>1</sup> conditions of approval, plan check and permit procedures, and code enforcement practices. Potential impacts associated with light and glare will be reduced to less than significant levels through these standard City practices and procedures (pursuant to Article 32, Section 9-1.3215). Therefore, this issue is determined to be less than significant.

### **Biological Resources**

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

No riparian habitat was observed on site in earlier site surveys (L&L Env. 2002) and none is expected due to long-standing agricultural activities and lack of streams or water courses. Therefore, this issue is considered to be less than significant.

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<sup>1</sup> Exterior lighting shall be arranged or shielded in such a manner as to contain the direct illumination on the site and avoid glare into adjacent residential areas – City of Ontario Development Code, Article 14, Sec. 9-1.1620 c

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

A formal delineation for either state or federal wetland jurisdiction was not conducted for this analysis. Based on the preliminary field investigations by Ecological Sciences, Inc. (2005), United States Army Corp of Engineers “waters of the United States” per Sections 401-404 of the Federal Clean Water Act and “streambeds” per Section 1600-1603 of the California Fish and Game Code were not observed on the property. The Corona North USGS (United States Geologic Survey) map does not identify any blue-line and/or drainage courses or streams within the proposed project area.

### **Land Use/Planning**

***Threshold:** Would the project physically divide an established community?*

Since the proposed project is not located within a “community” and all major circulation routes will be maintained through the site, the project development will not interfere or adversely disrupt or divide the physical arrangement of a community. Therefore, no impact from project site development is expected and effects of the project related to this topic are not considered significant.

***Threshold:** Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?*

The majority of the area around the project site is in dairy or agricultural use, with dairy farms, row crops, and agricultural related structures. Occupied single-family residential units and outbuildings associated with those farm activities still exist in the area. Onsite land uses consist of active crop, dairy, agricultural outbuildings, and residences. Single-family residences exist in the area directly southeast of the project site and apartments to the southeast.

The predominant surrounding existing land uses are as follows:

- North: Agricultural/Dairy
- East: Abandoned dairy, two small rural houses (*Riverside County*)
- South: Single-Family Residential (*Riverside County*)
- West: Agricultural/Dairy and Farm Residential

The proposed project site is within the City of Ontario. The City of Ontario adopted a General Plan Amendment (GPA) for the New Model Colony (NMC) on January 7, 1998. There are thirty Specific Plan subareas identified within the NMC area. Figure 3-5 on page 3-18 of the GPA established General Plan Land Use Designations for the Subarea 25 Specific Plan (Esperanza) area of Residential-Low Density (4.6 d.u./gross acre) and Residential-Medium Density (12.0 d.u./gross acre). The maximum number of dwelling units allowed for Subarea 25 per the GPA is 1,456. Surrounding areas are designated as Residential-Low Density and Residential-High Density (18.0 d.u./gross acre) with a Major Center designated for areas along realigned Edison Avenue, north of the site. The areas located to the east and south of the site, within Riverside County, are existing residential tracts and apartments, and planned residential communities.

The Esperanza project proposes 1,410 units with 9 acres of parks and a 10-acre elementary school site. If the school district does not utilize the school site, an additional 46 units would be allowed. Development of the proposed project site will be generally consistent with the planned, and some existing, land use in the area. Therefore, no significant impact related to planned land use is expected since the Subarea 25 (Esperanza) Specific Plan is consistent with the GPA. Potential significant impacts between proposed land uses and existing agricultural uses are evaluated in the Agricultural Section of this DEIR.

The proposed project will meet the land use designations and the land use policies in the GPA for the NMC and is considered to be consistent with those policies. The project is considered to have less than significant impacts related to land use policies and this issue is determined to be less than significant.

*Threshold: Would the proposed project conflict with any applicable habitat conservation plan or natural community conservation plan?*

There is not an applicable habitat or natural community conservation plan for this area. Therefore, no impacts to such result from the proposed project. Potential impacts associated with biological resources are discussed in Section III-3 of this DEIR.

## **Mineral Resources**

*Threshold: Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

The project site does not contain any known mineral resource and is not located within an area that has been classified or designated as a mineral resource area by the State Board of Mining and Geology. There are no known mines on or near the project site. Therefore, no impacts are expected by the project to known mineral resources.

*Threshold: Would the project result in the loss of availability of locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?*

The project site is not located within an area of locally-important mineral resource recovery delineated in the GPA. The project site is not located within an area that has been classified or designated as a mineral resource area by the GPA for the NMC. Therefore, no impacts are expected by the project to mineral resources and this topic is determined to be less than significant.

## **2. MANDATORY FINDINGS OF SIGNIFICANCE**

Pursuant to CEQA Guidelines Section 15065, an EIR must be prepared if a project may have a significant effect on the environment where any of the following conditions occur. Because an Initial Study was not prepared for this project, these issues are discussed below:

*“a) The project has the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, . . . or eliminate important examples of major periods of California history or prehistory.”*

Impacts to biological resources were found to be less than significant with mitigation, as discussed in Section III-3. Impacts to archaeological and paleontological resources were also found to be less than significant with mitigation, as discussed in Section III-4. Impacts to historic resources were found to be less than significant with mitigation and are analyzed in Section III-4.

*“b) The project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.”*

Potential short-term and long-term impacts that result from the proposed project are discussed in detail in Section III and are summarized in Sections I-4 and IV of this document. Providing housing, school, and parks meets short- and long-term environmental goals that will have long-term environmental effects to loss of agricultural land and air quality.

*“c) The project has possible environmental effects which are individually limited but cumulatively considerable. . . .”*

The cumulative effects of the proposed project are discussed within each issue area included in Section III of this Draft EIR and within Section IV-1, Cumulative Environmental Effects.

*“d) The environmental effects of the project will cause substantial adverse effects on human beings, either directly or indirectly.”*

Potential direct and indirect impacts that result from the proposed project are discussed in detail in Section III and are summarized in Sections I-4 and IV of this document.