

8.0 MITIGATION MONITORING AND REPORTING PROGRAM

8.1 INTRODUCTION

The Mitigation Monitoring and Reporting Program (MMRP) has been prepared to implement the mitigation measures identified in the Ontario Gateway Specific Plan EIR. CEQA Section 21081.6 requires adoption of a monitoring or reporting program when mitigation measures have been identified that would reduce or avoid significant environmental effects. Because some of the measures identified in the EIR would be implemented through monitoring of an activity such as grading or excavation and other measures must be implemented through a reporting mechanism such as preparing and/or updating an Emergency/Contingency Plan, this MMRP has been developed as a Mitigation Monitoring and Reporting Program.

CEQA requires adoption of a MMRP for those measures or conditions placed on a project to mitigate or avoid adverse effects on the environment. The law states that the MMRP shall be designed to ensure compliance during project implementation. When implemented environmental effects associated with the expansion project through implementation of the CUP and Reclamation Plan, will be reduced or eliminated.

The MMRP has been prepared as a matrix containing the following elements:

- Measures that would mitigate significant impacts on the environment are recorded with the action and the procedure necessary to ensure compliance.
- A procedure of compliance and verification has been outlined for each measure. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported.
- The MMRP has been designed to provide focused, yet flexible guidelines. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program.

8.2 PROGRAM MANAGEMENT

The MMRP will be in place through all phases of the project. The project planner, assigned by the Planning Director, shall coordinate enforcement of the MMRP and oversee it to ensure that proper action is taken on each mitigation measure. Each City department shall ensure compliance of the conditions (mitigation) that relate to that department.

For impacts related to construction of the project, the project planner or responsible City department has the authority to stop the work of construction contractors if compliance with any aspects of the MMRP is not occurring after written notification has been issued. The project planner or responsible City department also has the authority to deny expansion into new mining areas until compliance with a mitigation measure occurs.

If any impacts require long-term monitoring, Ontario Gateway Specific Plan shall provide the City with a plan for monitoring the mitigation activities at the project site and reporting the monitoring results to the City.

Table 8-1
Mitigation Monitoring Program

Impact Category	Impact/Issue	Mitigation Measure	Implementation Timing	Responsible Party	Verification of Compliance		
					Signature	Date	Remarks
Aesthetics and Visual Quality	Implementation of the proposed Ontario Gateway Specific Plan would result in new sources of increased lighting and glare.	<p>AVQ-1: Lighting fixtures constructed as part of new developments shall be oriented and focused onto the specific onsite location intended for illumination (e.g., parking lots, driveways, and walkways and shielded away from adjacent sensitive uses (e.g., hospitals) and public rights-of-way to minimize light spillover onto off-site areas.</p> <p>AVQ-2: Ensure that lighting spillover onto adjacent sensitive uses (e.g., hospitals) shall be reduced by minimizing interior nighttime lighting of new developments.</p> <p>AVQ-3: Where appropriate and feasible, project design features shall be incorporated to shield light and/or glare from vehicles entering or exiting parking lots and structures that face sensitive uses (e.g., hospitals) by providing barriers so that light from vehicle headlights would not illuminate off-site sensitive uses.</p> <p>AVQ-4: Where appropriate and feasible, project design features shall be incorporated to provide landscaping, physical barriers, screening, or other buffers to minimize project-generated illumination from entering off-site areas and to prevent glare or interference with vehicular traffic.</p> <p>AVQ-5: To the extent feasible, driveways shall be located and oriented into parking lots, parking structures, and subterranean garages in a manner that will not result in headlights from vehicles entering or exiting the parking areas directly lighting any off-site sensitive uses.</p>	Prior to the issuance of building permits	Planning Department			

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Aesthetics and Visual Quality (Continued)		<p>AVQ-6: To the extent practical, the height of new lighting structures shall be minimized for surface parking areas, vehicular access ways, and walkways.</p> <p>AVQ-7: To the extent feasible, proposed new structures shall be designed to maximize the use of textured or other non-reflective exterior surfaces and non-reflective glass.</p>					
Air Quality	Development of the proposed Specific Plan would violate pollutant level thresholds of established by the SCAQMD during the construction phase.	<p>AQ-1: Comply with SCAQMD's Rules 402 and 403 as well as the following measures:</p> <ul style="list-style-type: none"> • Submit a fully executed Large Operation Notification (SCAQMD Form 403N) to the SCAQMD Executive Officer within 7 days of qualifying as a large operation; • Include, as part of the notification, the name(s), address(es), and phone number(s) of the person(s) responsible for the submittal, and a description of the operation(s), including a map depicting the location of the site; • Maintain daily records to document the specific dust control actions taken, maintain such records for a period of not less than three years; and make such records available to the Executive Officer upon request. • Install and maintain project signage with project contact signage that meets the minimum standards of the Rule 403 Implementation Handbook, prior to initiating any earthmoving activities. • Identify a dust control supervisor that is employed by or contracted with the property owner or developer, is on the site or available on-site within 30 	Throughout Construction	SCAQMD			

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Air Quality (Continued)		<p>minutes during working hours, has the authority to expeditiously employ sufficient dust mitigation measures to ensure compliance with all Rule requirements, and has completed the AQMD Fugitive Dust Control Class and has been issued a valid Certificate of Completion for the class; and</p> <ul style="list-style-type: none"> • Notify the SCAQMD Executive Officer in writing within 30 days after the site no longer qualifies as a large operation. 					
Air Quality		<p>AQ-2: Reduce construction equipment emissions by implementing the following measures.</p> <ul style="list-style-type: none"> • Use low emission mobile construction equipment. The property owner/developer shall comply with CARB requirements for heavy construction equipment. • Maintain construction equipment engines by keeping them tuned. • Use low sulfur fuel for stationary construction equipment. This is required by SCAQMD Rules 431.1 and 431.2. • Utilize existing power sources (i.e., power poles) when available. This measure would minimize the use of higher polluting gas or diesel generators. • Configure construction parking to minimize traffic interference. • Minimize obstruction of through-traffic lanes. Construction should be planned so that lane closures on existing streets are kept to a minimum. • Schedule construction operations affecting traffic for off-peak hours to the best extend when possible. 	On an on-going basis throughout the construction phase of the project.	SCAQMD			

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Air Quality (Continued)		<ul style="list-style-type: none"> Develop a traffic plan to minimize traffic flow interference from construction activities (the plan may include advance public notice of routing, use of public transportation and satellite parking areas with a shuttle service.) 					
Air Quality		<p>AQ-3: Reduce ROG emissions with the implementation of the following measures to the greatest extent feasible:</p> <ul style="list-style-type: none"> Minimize the amount of paint used by using pre-coated, pre-colored and naturally colored building materials; and Use high transfer efficiency painting methods such as HVLP (High Volume Low Pressure) sprayers and brushes/rollers where possible. <p>AQ-4: Reduce NOx and VOC with the implementation of the following measures:</p> <p>NOx</p> <ul style="list-style-type: none"> Provide dedicated turn lanes for movement of construction trucks and equipment on- and off- site; and Alternative fueled off-road equipment; and Use street sweepers that comply with SCAQMD Rules 1186 and 1186.1; and Reroute construction haul trucks away from congested streets or sensitive receptor areas; and Improve traffic flow by signal synchronization; and Provide temporary traffic controls such as flag person, during all phases of construction to maintain smooth traffic flow; and 	On an on-going basis throughout the construction phase of the project.	SCAQMD			

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Air Quality (Continued)		<ul style="list-style-type: none"> Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site <u>VOC</u> <ul style="list-style-type: none"> Use required coatings and solvents with a VOC content lower than required under Rule 1113. 					
Air Quality	Development of the Specific Plan would increase vehicular travel to the site and increase urban land uses.	AQ-5: Transportation Demand Management measures <ul style="list-style-type: none"> Provide adequate ingress and egress at all entrances to public facilities to minimize vehicle idling at curbsides. Provide dedicated turn lanes as appropriate and provide roadway improvements at heavily congested roadways. Energy Efficient Measures <ul style="list-style-type: none"> Improve thermal integrity of the buildings and reduce thermal load with automated time clocks or occupant sensors. Install energy efficient street lighting. Capture waste heat and reemploy it in nonresidential buildings. Landscape with native drought-resistant species to reduce water consumption and to provide passive solar benefits. Provide lighter color roofing and road materials and tree planning programs to comply with the AQMP Miscellaneous Sources MSC-01 measure. Synchronize traffic signals. Introduce window glazing, wall insulation, and efficient ventilation methods. 	Submittal of plans prior to construction.	Planning Department			

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Biological Resources	The project would result in the reduction of vegetation on-site that may be used as nesting sites.	BIO-1: To avoid incidental killing of birds protected under the Migratory Bird Treaty Act and the California Fish and Game Code, scheduling initial grading and brush removal of any previously undisturbed habitat shall occur outside the breeding season. No vegetation removal should occur between early spring (February 115 March) and mid summer (15 July - August 30). If construction activities occur during the nesting season, a survey shall be conducted by a qualified expert within one week prior to removal of the trees. If active bird nests are found, impacts shall be avoided unless proper permits are obtained.	Grading and vegetation removal shall occur outside breeding season.	Planning Department			
Cultural Resources	Excavation during development may result in the disturbance of historic or archaeological resources.	CR-1: During grading activities the project site shall be monitored by an archaeologist to record and/or evaluate any resources that may be uncovered as a result of ground altering activities.	During site grading or any other earthmoving activities	Planning Department			
Cultural Resources	Excavation during development may result in the disturbance of previously unidentified human remains.	CR-2: In the event any evidence of human remains is uncovered, the County Coroner shall be notified within 24 hours and permitted to assess the origin of the remains. If the remains are determined to be of Native American origin, the Native American Heritage Commission shall be notified and permitted to name the Most Likely Descendant (MLD).	During site grading or other construction activities	San Bernardino County Coroner			

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Geology and Soils	The City of Ontario is subject to high winds between September and April. The project site lies within a designated "Soil Erosion Control Area."	GS-1: Prior to issuance of grading permits, the applicant shall submit a detailed Dust Control Plan in compliance with the City of Ontario Building Department and obtain all required permits from necessary agencies.	Prior to issuing grading permits.	Building Department			
Hazards and Hazardous Materials	The proposed project may include a hospital that would involve transportation, use, storage, and/or disposal of hazardous materials (medical waste).	HAZ-1: In addition to complying with all State and local regulations the applicant will be required to prepare a Medical Waste Management Plan per the County Waste Management Division.	Prior to issuance of Certificate of Occupancy for any Hospital-related use	Public Works Department/ Planning Department			
Hazards and Hazardous Materials	The proposed project may include auto related uses that would involve transportation, use, storage, and/or disposal of hazardous materials (petroleum products).	HAZ-2: Prior to issuance of occupancy permits, the applicant will be required to comply with all State and local regulations including preparation of a Business/Emergency Contingency Plan.	Prior to issuance of Certificate of Occupancy for any auto-related use.	Planning Department			
Hazards and Hazardous Materials	The proposed project includes demolition of buildings that may contain lead-based paint and asbestos.	HAZ-3: Prior to the issuance of a demolition or building permit the applicant shall prepare an updated Asbestos Survey and Lead Inspection reports as the 2003 analysis have lapsed over one calendar year. The applicant will be required to comply with the findings of the analysis.	Prior to issuance of demolition permit	Planning Department			

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Hazards and Hazardous Materials	The project site is located within two miles of LA/Ontario International Airport. The project may include a heliport which may interfere with Airport approach and departure flight patterns.	HAZ-4: Construction contractors shall keep the flight approach and departure path within the Specific Plan area free of obstructions.	Throughout construction	Planning Department			
Hazards and Hazardous Materials	The proposed project could impair the implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan resulting in a significant impact.	<p>HAZ-5: Guasti Road shall terminate in a cul de sac at the eastern boundary of the project site, as required and approved by the City of Ontario Fire Department, until a through connection is established.</p> <p>HAZ-6: The construction contractors for future projects within the Ontario Gateway Specific Plan area shall notify the City of Ontario Police Department, Fire Department, Public Works Department—Traffic and Transportation Division, and the City Planning Department when project activities shall impede movement (such as road or lane closures) along roads within the Specific Plan area in order to allow for these first emergency response teams to reroute traffic to an alternative route, if needed. Notification will occur well in advance allowing time for the appropriate City departments to act accordingly. Consultation with the City will dictate the amount of time necessary to give notice of such an event.</p>	<p>Prior to Issuance of First Certificate of Occupancy for the project.</p> <p>Throughout construction of the project.</p>	<p>Fire Department</p> <p>Planning Department</p>			

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Hazards and Hazardous Materials (Continued)		HAZ-7: The construction contractors for future projects within the Ontario Gateway Specific Plan area shall keep at least one lane of traffic open at all times within the Specific Plan area in order to allow for movement of emergency response teams to and through the project site, if needed.	Throughout construction of the project	Planning Department			
Hydrology and Water Quality	Construction activities associated with the proposed Specific Plan would alter the drainage pattern of the site, increasing on-site flow by changing the impermeable surfaces on-site.	HWQ-1: Prior to issuance of grading permits, the applicant shall submit a detailed storm water drainage plan that includes design drawings for the drainage facilities that would capture, hold and/or convey storm water through the site. The plans shall meet the minimum criteria that the flow downstream of the site would match pre-construction discharge rates, quantity and locations. The plans shall be subject to approval of the City of Ontario Public Works Department.	Prior to issuance of grading permits	Public Works Department			
Hydrology and Water Quality	During storm events, construction activities, particularly vegetation removal, grading and excavation, could affect the amounts of sediments and suspended solids leaving the site ultimately affecting water quality down stream.	HWQ-2: Prior to the issuance of the grading permit, the applicant shall prepare a SWPPP which satisfies NPDES and all area wide permitting requirements. The applicant shall comply with NPDES requirements and the SWPPP and employ BMPs identified in the SWPPP during all phases of construction. BMPs shall be shown on all construction drawings and grading plans.	Prior to issuance of grading permits	Public Works Department			

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Hydrology and Water Quality	Development of vacant land within the project site would result in new quantities of urban pollutants entering the local drainages thereby creating or contributing runoff water which would provide substantial additional sources of polluted runoff; or otherwise substantially degrade water quality, and violate any water quality standards or waste discharge requirements.	HWQ-3: Prior to issuance of grading permits, the Applicant must prepare a Water Quality Management Plan and file a Notice of Intent (NOI) to comply with RWQCB requirements for storm water discharge, including a full description of the discharge and a demonstration of compliance with EPA-specified effluent limits.	Prior to issuance grading permits	Public Works Department			
		HWQ-4: Landscaping plans shall include provisions for controlling and minimizing the use of fertilizers/pesticides/herbicides. Plans for these areas shall be submitted to the City for review and approval prior to the issuance of grading permits.	Prior to the issuance of grading permits	Planning Department			
Noise	The surrounding land uses may be subject to noise levels in excess of the City Noise Standards during operation of the Specific Plan both due to increased traffic and on-site activities.	N-1: Prior to issuance of building permits, City staff shall review the proposed designs for location and type of mechanical equipment and location of any auto repair bays for the proposed auto dealership. If staff determines that these sources have the potential to exceed the City's Noise Ordinance criteria, a detailed noise assessment shall be prepared to ensure that these sources do not violate the Noise Ordinance. The assessment shall be prepared by a qualified acoustical engineer and shall document the noise generation characteristics of the proposed equipment and the projected noise levels at the nearest use. Compliance with the Noise Ordinance	Prior to the issuance of building permits	Planning Department			

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					Signature	Date	Remarks
Noise (Continued)		shall be demonstrated and any measures required to comply with the Noise Ordinance will be included in the project plans. The report shall be completed and approved by the City prior to issuance of building permits.					
Noise	The proposed project would be impacted by traffic noise from the I-10 freeway and local streets, train noise from the railroad located along the southern boundary of the project site, and aircraft noise from LA/Ontario International Airport.	N-2: Prior to issuance of building permits for a hotel that features an outdoor recreation area or a hospital that features outdoor patio areas a detailed noise assessment shall be prepared to show that noise levels in those areas will not exceed the City's 65 CNEL standard. The noise assessment shall be prepared by a qualified acoustical consultant and shall document the sources of noise impacting the areas and describe any measures required to meet the City's standard. These measures shall be incorporated into the project plans. The report shall be completed and approved by the City prior to issuance of building permits.	Prior to issuance of building permits	Planning Department			
		N-3: Prior to issuance of building permits for any structure with interior noise standards specified by the City a detailed noise assessment shall be prepared to demonstrate that the interior noise levels will not exceed the applicable standard. The noise assessment shall be prepared by a qualified acoustical consultant and shall document the sources of noise impacting the building and describe any measures required to meet the City's standard. These measures will be incorporated into the project plans. The report shall be completed and approved by the City prior to issuance of building permits.	Prior to issuance of building permits	Planning Department			

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Traffic and Circulation	The proposed project would increase vehicle trips, and affect the level of service along arterial roadways and intersections.	TC-1: Haven Avenue shall be constructed from the north project boundary to the south project boundary at its ultimate half-section width as a Divided Arterial (120+ foot right-of-way) including landscaping and parkway improvements in conjunction with the development.	Prior to Issuance of First Certificate of Occupancy for the project.	Engineering Department			
		TC-2: Guasti Road shall be constructed from Haven Avenue to its existing terminus at its ultimate cross-section width including landscaping and parkway improvements in conjunction with the development.	Prior to Issuance of First Certificate of Occupancy for the project.	Engineering Department			
		TC-3: On-site traffic signing and striping shall be implemented in conjunction with detailed construction plans for the project.	Prior to Issuance of First Certificate of Occupancy for the project.	City Engineer/ Planning Department			
		TC-4: The proposed project shall contribute towards the cost of necessary study area improvements on a fair share or “pro-rata” basis as determined by the City Engineer.	Prior to issuance of building permits	City Engineer			
		TC-5: The City of Ontario shall periodically review traffic operations in the vicinity of the proposed project once the project is constructed to assure that the traffic operations are satisfactory.	Upon build-out	City Engineer			
		TC-6: The project proponent shall contribute towards the cost of necessary off-site improvements as detailed in Section IV of the Traffic Impact Analysis, on a fair share or pro-rata basis as determined by the City Engineer.	Prior to issuance of building permits	City Engineer			

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Traffic and Circulation (Continued)		<p>TC-7: The proposed project shall contribute on a fair share basis, through an adopted traffic impact fee program, in the implementation of the recommended intersection lane improvements, or in dollars equivalent to in lieu mitigation contributions, or in the implementation of additional capacity on parallel routes to offset potential impacts to Congestion Management Program intersections and freeway segments.</p> <p>TC-8: The proposed project shall include a traffic signal at the intersection of Project Central Driveway and Guasti Road, if necessary as determined by the City Engineer.</p>	Prior to the issuance of building permits	City Engineer			
Traffic and Circulation	The proposed project could result in inadequate parking.	TC-9: The proposed project shall provide sufficient parking spaces to meet City of Ontario parking code requirements in order to service on-site parking demand.	Prior to Issuance of First Certificate of Occupancy for the project.	Planning Department			
Public Utilities and Infrastructure	The proposed project would result in the development of more intense land uses than what currently exists on-site, and therefore would place additional demand on the existing sewer and wastewater treatment facility.	PU-1: Prior to submittal of building permits, a final sewer study shall be prepared and submitted to the City of Ontario for review and approval.	Prior to issuance of building permits	Public Works Department			

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Public Utilities and Infrastructure	The proposed project would result in the development of more intense land uses than what currently exists on-site, resulting in additional demand on existing water resources.	PU-2: Prior to obtaining recycled water service, the user shall enter into a Recycled Water Use Agreement with the City. Recycled water use shall be subject to terms and conditions established in the agreement, and in accordance with Chapter 8C, Section 6-8.711 Conditions of Service, Municipal Code, and other applicable codes, rules and regulations. The procedures for obtaining recycled water service shall include: 1) submitting a recycled water service application, to include as-built drawings or proposed facility plans, and the description of recycled water use; 2) preparing an Engineering Report in accordance with State Department of Health Services (DHS) guidelines for review and approval by the City and DHS; 3) entering into a Recycled Water Use Agreement with the City, and pay applicable fees; and 4) scheduling a start-up test of on-site recycled water system.	Prior to obtaining recycled water	Public Works Department			
Public Utilities and Infrastructure	The proposed project would result in the development of more intense land uses than what currently exists on-site, and therefore would increase the burden on the existing solid waste system resulting in a potentially significant impact.	PU-3: Prior to the issuance of any demolition/building permit, the applicant shall submit a Construction & Demolition Recycling Plan to be prepared in accordance with Ordinance No. 2806, Article 6, Section 6-3.602. The report shall be submitted to the Director of Public Works/Community Service Agency and shall contain the following information: (1) The estimated and actual quantities of all construction waste and demolition debris listed in the construction and demolition recycling plan; (2) Copies of recycling receipts or other pertinent documentation that demonstrates waste diversion and	Prior to issuance of demolition/building permits	Public Works Department			

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Public Utilities and Infrastructure (Continued)		recycling in conformance with the approved construction and demolition recycling plan. Customers shall make reasonable efforts to ensure that all construction and demolition debris diverted by recycling or landfill are measured and recorded using the most accurate method of measurement available. To the extent practical, all construction and demolition debris shall be weighed by measurement on scales in compliance with all regulatory requirements for accuracy and maintenance. For construction and demolition debris for which weighing is not practical due to small size or other considerations, a volumetric measurement shall be used. For conversion of volumetric measurements to weight, customers shall use the standardized conversion rates approved by the City for this purpose; and (3) Any additional information the customer believes is relevant to determining its efforts to comply in good faith with this section.					