

**THE AVENUE SPECIFIC PLAN AMENDMENT
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

1.0 Introduction

1.1 PURPOSE OF THE SUPPLEMENTAL EIR

This Draft Supplemental Environmental Impact Report (SEIR) has been prepared in accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines to evaluate the potential environmental impacts associated with the construction of 2,606 residences, 250,000 square feet of commercial space, and two schools on 569.4 acres within the New Model Colony General Plan area of the City of Ontario, California (Project). The Project includes a Specific Plan Amendment and a General Plan Amendment.

This Draft SEIR has been prepared in accordance with CEQA, California Public Resources Code (PRC) Section 21000 et seq., and the rules, regulations, and procedures for implementing CEQA as adopted by the City. This Draft SEIR provides supplemental environmental review of the Project and actions related to the development of the Project site, as described in Section 3, Project Description, which is being considered by the City and decision makers in other agencies. The analysis in this Draft SEIR is intended to supplement the analysis presented in the previously certified FEIR and covers environmental issues which are specific to the Project and Project site. The conclusions and recommendations in the previously certified FEIR which apply to the Project and Project site are identified and referenced. This Draft SEIR is intended to serve as an informational document, which is supplemental to the previously certified FEIR, for public agency decision-makers and the public regarding the environmental impacts from implementation of the objectives and components of the Project. This document will address the potential or probably significant adverse environmental impacts that may be associated with the Project and related actions as well as identify feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts. This Draft SEIR considers a series of actions needed to achieve the implementation of the Project.

Approval of the Project requires discretionary approval by the City of Ontario, and the City is the Lead Agency for the Project. According to the CEQA Guidelines, a discretionary action or project must be reviewed by the Lead Agency to determine its potential effects on the environment. The City of Ontario is responsible for ensuring that the CEQA document has been prepared in conformance with the PRC, Section 21000 et seq.; the CCR Title 14, Section 15000 et seq.; and the rules, regulation, and procedures for implementing CEQA as adopted by the City.

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1.2 EXPLANATION OF DECISION TO PREPARE A SUPPLEMENTAL EIR**1.2.1 Supplemental EIR Analysis**

Supplemental environmental review is a method of CEQA analysis where only minor additions or changes in a previously certified FEIR can be made so that the previous FEIR can be used in the decision-making process to approve proposed revisions to a Project. The CEQA Guidelines Section 15163 explains that a supplement to an EIR is still subject to the same public notice, review, and circulation requirements of a full EIR, and is characterized by the following:

- A SEIR augments a previously certified FEIR to address the fact that new information is now available and was not available at the time the FEIR was certified, as described in Section 15163 of the CEQA Guidelines, and to examine mitigation measures and project alternatives accordingly.
- A SEIR need only contain the information necessary to make the previous EIR adequate for the project as revised.

In contrast, a subsequent EIR is required when: substantial changes are proposed in the project which require major revisions of the previous FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; new information is available which was not known and could not have been known with the exercise of reasonable diligence at the time of certification of the previous FEIR; and/or new mitigation is available that could reduce previously significant impacts.

Per the CEQA Guidelines, Section 15163, the Lead Agency (the City of Ontario) has chosen to prepare a supplement to the Final EIR based on the following:

- The project requires additional discretionary approval by the Lead Agency for the Specific Plan Amendment and the General Plan Amendment.
- The changes in the project description have the potential to change the evaluation of the impacts by the project to the following:
 - Air Quality Impacts
 - Biological Resources
 - Land Use/Planning
 - Noise
 - Population and Housing
 - Public Services
 - Recreation
 - Transportation/Traffic
 - Utilities/Service Systems

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- Only minor additions or changes are necessary to make the previous FEIR adequate to apply to the project and the proposed changes.

1.3 SCOPE AND FOCUS

The scope of this SEIR is based on information in the previously approved Avenue Specific Plan FEIR.

1.3.1 Environmental Issues Analyzed in the SEIR

Based on analysis in the Initial Study and comment letters received in response to the NOP, the City determined that the following environmental issues would be further analyzed in the SEIR:

- Air Quality
- Biological Resources
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities and Service Systems

Detailed analyses of the revised Project's potential impacts to the environmental resources mentioned above are provided in Section 4 of this document. All remaining CEQA Topics are sufficiently evaluated in the previous FEIR, which has been incorporated by reference and is available for review at the office of the Lead Agency listed in Section 1.5.1. The Project changes do not warrant additional evaluation.

1.3.2 Technical Studies

A series of revised technical studies have been completed for the revised Project. These studies support the environmental analysis in Section 4 and cover the following issues:

- Air Quality
- Biological Resources
- Noise
- Transportation/Traffic

These reports are referenced in Section 9. Copies of each technical report are provided in the Appendices.

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1.3.3 Organization of the SEIR

This section contains an introduction to the regulatory environment and a brief history of the proposed Project. The remainder of the SEIR is organized as follows:

- Section 2.0 – Executive Summary
- Section 3.0 – Project Description
- Section 4.0 – Issues Requiring Changes to the Prior EIR
- Section 5.0 – Cumulative Impacts
- Section 6.0 – Impacts Found to Have No Substantial Change from the Previous Analysis
- Section 7.0 Mandatory CEQA Topics
- Section 8.0 Alternatives
- Section 9.0 References
- Section 10.0 Organizations and Persons Consulted

1.3.4 Agencies that will use this SEIR

Project approvals will include compliance with the National Pollution Discharge Elimination System (NPDES) process: Storm Water Pollution Prevention Plan (SWPPP) and a Project Specific Water Quality Management Plan (WQMP) from the Regional Water Quality Control Board or the State Water Control Board; various permits as needed from the South Coast Air Quality Management District (SCAQMD); and various permits and approvals from the City. It is anticipated that the following agencies, in addition to the City of Ontario, will use this EIR while reviewing potential Project permits, entitlements, and other actions as discussed above:

- California Public Utilities Commission
- County of San Bernardino Department of Public Health Division of Environmental Health Services.
- County of San Bernardino Department of Public Works – Flood Control District
- Mountain View School District
- Santa Ana Regional Water Quality Control Board
- State Water Resources Control Board
- South Coast Air Quality Management District

1.4 ITEMS INCLUDED IN THIS SEIR

This SEIR is meant to contain only that information necessary to make the previously certified FEIR adequate for the project as revised per the CEQA Guidelines Section 15163. The previous FEIR is hereby incorporated by reference as well as the New Model Colony EIR, pursuant to CEQA Guidelines Section 15150. These documents are available for review at the office of the Lead Agency listed in 1.5.1, below.

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This SEIR will be used by the City as the Lead Agency to assess the potential environmental impacts associated with the implementation of the Project as revised.

1.5 CEQA PROCESS**1.5.1 Lead agency and Contact Persons**

The City of Ontario will continue to serve as the Lead Agency. According to Section 15084 of the CEQA Guidelines, the SEIR shall be prepared directly by or under contract to the Lead Agency. The City has contracted with Stantec Consulting, Inc. (Stantec) to prepare this SEIR. The SEIR will be distributed to agencies, organization, and interested parties to provide the opportunity to comment on the document during the 45-day public review period. Written comments on this Draft SEIR should be addressed to:

City of Ontario
Planning Department
303 East "B" Street
Ontario, CA 91764
Contact: Mr. Richard Ayala, Senior Planner
(909) 395-2421
rayala@ci.ontario.ca.us

Key contact persons for the Project Sponsor and Environmental Consultant (Stantec) are:

Project Sponsor: Brookfield Homes Southland, Inc.
3090 Bristol Street, Suite 200
Costa Mesa, CA 92626
David E. Bartlett, Vice President – Land Entitlement
(714) 200-1533

Environmental Consultant: Stantec Consulting, Inc.
73-733 Fred Waring Drive, Suite 100
Palm Desert, CA 92260
Michael A. Peroni, Principal-in-Charge
(760) 346-9844

1.5.2 Definitions Used in the SEIR

The definitions set forth in the previously certified FEIR are incorporated by reference. No additions are necessary.

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1.5.3 CEQA Process

As previously stated, the purpose of the SEIR is to evaluate any environmental impacts that are potentially changed from the previously certified FEIR due to the revision of the project description.

The City previously circulated a Notice of Preparation (NOP) for The Avenue Specific Plan Amendment (SCH 2005071109) for which the public review period ended July 17, 2008. During the 30-day public review period (required by Public Resources Code Section 21080.4 and CEQA Guidelines Section 15082), the City received comment letters from the following agencies:

- County of San Bernardino, Department of Public Works: waste generation
- South Coast Air Quality Management District: potential air quality impacts
- Native American Heritage Commission: cultural resources and SB-18 notification of local tribes
- City of Fontana
- California Department of Fish and Game
- California Department of Toxic Substances Control

Comments from these agencies have been addressed in this SEIR and the comment letters are included in *Appendix A* along with a copy of the distributed NOP and Initial Study.

This Draft SEIR will be circulated for a 45-day public review period (CEQA Guidelines Section 15105). Per Section 15088 of the CEQA Guidelines, after receiving all public comments, the City will prepare written responses and include them in the Final SEIR.