

## 5.0 Mitigation Monitoring and Reporting Program

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### 5.1 REGULATORY SETTING

The California Environmental Quality Act (CEQA) requires that a Mitigation Monitoring and Reporting Program (MMRP) be adopted upon certification of an environmental document, to ensure that the mitigation measures identified within it are implemented. This MMRP ensures compliance with Public Resources Code Section 21081.6 during implementation of mitigation resources. At a minimum, the MMRP is required to identify:

- The party responsible for the mitigation;
- What is to be monitored;
- How the monitoring shall be accomplished; and
- The monitoring and reporting schedule.

A record of the MMRP for the Project (i.e. The Avenue Specific Plan Amendment, General Plan Amendment, cancellation of Williamson Act contracts, relocation of aboveground electrical facilities, development agreements, and tentative tract maps) will be maintained at the City of Ontario Planning Department, 303 East “B” Street, Ontario, California 91764.

Mitigation measures are defined for the issues of: Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Geology, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Public Services, and Transportation/Circulation. For all other issues analyzed in the EIR mitigation was not required or mitigation was not feasible.

### 5.2 APPROACH

The objective of this MMRP is to provide a program to monitor, document, and record compliance with all measures and conditions required to reduce potential environmental impacts associated with implementation of the Project. The previously approved Final EIR included mitigation measures identified in the NMC Final EIR that are applicable to the Project and are identified under the heading “NMC Mitigation Measures” and mitigation measures specific to the Project, identified as “Project Mitigation Measures.”

#### 5.2.1 NMC Mitigation Measures

A mitigation monitoring program was prepared as part of the *Final Environmental Impact Report for the City of Ontario Sphere of Influence (State Clearinghouse No. 98-061035)*, hereinafter referred to as the NMC MMP. The NMC MMP, states:

*Within the Sphere of Influence General Plan Amendment are the policies that mitigate the Plan’s potential environmental impacts. These policies are*

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*implemented through the programs that identify responsible agencies and time tables. In accordance with Government Code Section 65103(c), local officials must implement all the adopted general plan policies and programs. Furthermore, Government Code Section 65400(b) required the Development Department to annually report the General Plan's implementation status to the City Council. As a result, the program's required implementation will suffice for the policies mitigation monitoring plan.<sup>1</sup>*

The NMC MMP provides a table identifying the mitigation measures and the implementation programs that will serve as the mitigation monitoring plan. Table MMRP-1 below, presents the NMC Mitigation Measures identified in the previously approved Final EIR as applicable to the Project and the applicable General Plan program that implements said mitigation.

**Table MMRP-1 NMC Mitigation Measures and Existing General Plan Implementation Programs**

<b>NMC Measure<sup>2</sup></b>	<b>Mitigation</b>	<b>Implementation Program</b>	<b>Responsible Agency<sup>3</sup></b>
<b>Air Quality</b>			
NMC AQ-1	I-14	Ongoing Monitoring or Updates	Development Agency Public Works Agency
<b>Cultural Resources</b>			
NMC C-1	I-10	Development Review Entitlement Processing	Development Agency Public Works Agency
<b>Hazards and Hazardous Materials</b>			
NMC HM-1	I-10	Development Review Entitlement Processing	Development Agency Public Works Agency
NMC HM-2	I-10	Development Review Entitlement Processing	Development Agency Public Works Agency
NMC HM-3	I-14	Ongoing Monitoring or Updates	Development Agency Public Works Agency

<sup>1</sup> Envicom Corporation. *City of Ontario, Sphere of Influence, Final Environmental Impact Report, Mitigation Monitoring Program (State Clearinghouse No. 97-061035)*. January 1998, document pages not numbered.

<sup>2</sup> Reference is made to the Project's Draft EIR for the complete text of the mitigation measure.

<sup>3</sup> Envicom Corporation. *City of Ontario Sphere of Influence New Model Colony General Plan Amendment*. January 1998. Section 8.0.

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NMC Measure <sup>2</sup>	Mitigation	Implementation Program				Responsible Agency <sup>3</sup>
Hydrology and Water Quality <sup>4</sup>						
NMC WQ-1	I-10	Development Processing	Review	Entitlement	Development Agency Public Works Agency	
NMC WQ-2	I-10	Development Processing	Review	Entitlement	Development Agency Public Works Agency	
NMC WQ-3	I-10	Development Processing	Review	Entitlement	Development Agency Public Works Agency	
NMC WQ-4	I-10	Development Processing	Review	Entitlement	Development Agency Public Works Agency	
NMC WQ-5	I-10	Development Processing	Review	Entitlement	Development Agency Public Works Agency	
NMC WQ-7	I-10	Development Processing	Review	Entitlement	Development Agency Public Works Agency	
NMC WQ-8	I-14	Ongoing Monitoring or Updates				Development Agency Public Works Agency
Noise <sup>5</sup>						
NMC N-1	I-7	Subarea Specific Plans				Planning Department
	I-10	Development Processing	Review	Entitlement	Development Agency Public Works Agency	
NMC N-2	I-7	Subarea Specific Plans				Planning Department
	I-10	Development Processing	Review	Entitlement	Development Agency Public Works Agency	
NMC N-3	I-7	Subarea Specific Plans				Planning Department
	I-10	Development Processing	Review	Entitlement	Development Agency Public Works Agency	
NMC N-4	I-7	Subarea Specific Plans				Planning Department
	I-10	Development Processing	Review	Entitlement	Development Agency Public Works Agency	

<sup>4</sup> NMC WQ-6 is included in Table MMRP-2.

<sup>5</sup> NMC N-5, NMC N-7, and NMC N-9 are included in Table MMRP-2.

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<b>NMC Measure<sup>2</sup></b>	<b>Mitigation</b>	<b>Implementation Program</b>	<b>Responsible Agency<sup>3</sup></b>
NMC N-6	I-14	Ongoing Monitoring or Updates	Development Agency Public Works Agency
NMC N-8	I-10	Development Review Entitlement Processing	Development Agency Public Works Agency

### **5.2.2 Project Mitigation Measures**

For the Project, monitoring may be initiated during planning and design, and/or construction. *Table MMRP-2* lists the mitigation measure, the responsible entity, frequency of reporting, monitoring method, and monitoring agency. It provides space for documenting verification of compliance (signature, date, and remarks).

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**Table MMRP-2 Mitigation Monitoring and Reporting Program for the Project**

Impact Category and Mitigation Measures	Responsible Party	Frequency of Reporting	Monitoring Method	Monitoring Entity	Verification of Compliance		
					Signature	Date	Remarks
5.2.2.1 Agricultural Resources							
AG-1 All residential units in the Project shall be provided with a deed disclosure or similar notice approved by the City Attorney regarding the proximity and nature of neighboring agricultural uses. This disclosure shall be applied at the tentative map stage to the affected properties, or otherwise prior to finalizing the sale or rental agreement of any property. The written disclosure shall be supplied to the property purchaser or renter by the vendor or vendor's agent. The content and text of the disclosure shall include language to inform new residents that existing agricultural uses may create nuisances such as flies, odors, dust, night light, and chemical spraying.	City of Ontario  Developer	Prior to finalizing the sale or rental agreement of any property within the Project Site	Disclosure Documentation	Developer			

Impact Category and Mitigation Measures	Responsible Party	Frequency of Reporting	Monitoring Method	Monitoring Entity	Verification of Compliance		
					Signature	Date	Remarks
5.2.2.2 Air Quality							

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Impact Category and Mitigation Measures	Responsible Party	Frequency of Reporting	Monitoring Method	Monitoring Entity	Verification of Compliance			
					Signature	Date	Remarks	
5.2.2.2 Air Quality								
AQ-1 Contractors shall maximize the use of construction equipment with low emission factors and high energy efficiency.	Developer Contractor	Ongoing throughout Project construction	Maintenance receipts and logs	SCAQMD				
AQ-2 During all phases of construction, all equipment shall be properly and routinely maintained, as recommended by manufacturer manuals.	Developer Contractor	Ongoing throughout Project construction	Maintenance receipts and logs	SCAQMD				
AQ-3 During all phases of construction, all contractors shall restrict idling time to five minutes or less in any given hour.	Developer Contractor	Ongoing throughout Project construction	Foreman's daily field notes	SCAQMD				
AQ-4 Where diesel equipment has to be used because there are no practical alternatives, the construction contractor shall use particulate filters, oxidation catalysts, and low sulfur diesel fuel as defined in SCAQMD Rule 431.2, i.e. diesel with sulfur content of 15 ppm by weight or less.	Developer Contractor	Ongoing throughout Project construction	Fuel Receipts  Maintenance receipts and logs	SCAQMD				
AQ-5 If feasible, schedule intense earth-moving activities to occur outside the ozone season of May through October.	Developer Contractor	Ongoing throughout Project construction	Developer  Contractor	Developer  Contractor				
AQ-6 Schedule equipment usage to avoid simultaneous use of equipment.	Developer Contractor	Ongoing throughout Project construction	Developer  Contractor	Developer  Contractor				

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Impact Category and Mitigation Measures	Responsible Party	Frequency of Reporting	Monitoring Method	Monitoring Entity	Verification of Compliance			
					Signature	Date	Remarks	
5.2.2.2 Air Quality								
AQ-7 Maximize the use aqueous or emulsified diesel fuel for construction equipment.	Developer Contractor	Ongoing throughout Project construction	Fuel receipts	Developer Contractor				
AQ-8 During construction of later phases, onsite electrical hookups shall be installed for electric hand tools such as saws, drills, and compressors, which will decrease the need for fuel powered generators and other fuel powered equipment.	Developer Contractor	Ongoing throughout Project construction	Foreman's daily field notes	Developer Contractor				
AQ-9 Maximize the use of zero-VOC paints (assumes no more than 100 gram/liter of VOC).	Developer Contractor	Ongoing throughout Project construction	Paint receipts	Developer Contractor				
AQ-10 Apply all paints using either high volume low-pressure (HVLP) spray equipment or by hand applications.	Developer Contractor	Ongoing throughout Project construction	Foreman's daily field notes	Developer Contractor				
AQ-11 In the event a dry cleaning or gasoline dispensing facility is proposed for the Project's commercial sites, the applicant shall prepare a health risk assessment prior to the issuance of occupancy permits.	Developer	Prior to issuance of occupancy permits	Health risk assessment document  Plan Check	City of Ontario				

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Impact Category and Mitigation Measures	Responsible Party	Frequency of Reporting	Monitoring Method	Monitoring Entity	Verification of Compliance			
					Signature	Date	Remarks	
5.2.2.2 Air Quality								
AQ-12A mobile source health risk assessment shall be prepared for the Project's commercial sites prior to the issuance of occupancy permits.	Developer	Prior to issuance of occupancy permits	Health risk assessment document  Plan Check	City of Ontario				
AQ-13The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather.	Contractor	Ongoing throughout Project construction	Foreman's daily field notes	City of Ontario				
AQ-14The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).	Contractor	Ongoing throughout Project construction	Foreman's daily field notes	City of Ontario				
AQ-15During grading activities, chemical soil stabilizers shall be applied to inactive areas to reduce fugitive dust emissions.	Contractor	Ongoing throughout Project construction	Foreman's daily field notes	City of Ontario				
AQ-16Contractor shall ensure that all off-road heavy-duty construction equipment utilized during construction activity will be CARB Tier 2 Certified or better (to the extent feasible).	Contractor	Ongoing throughout Project construction	Maintenance logs	City of Ontario				



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Impact Category and Mitigation Measures	Responsible Party	Frequency of Reporting	Monitoring Method	Monitoring Entity	Verification of Compliance			
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5.2.2.2 Air Quality								
AQ-17 Construction of buildings shall exceed current minimum statewide energy requirements 20% beyond Title 24 standards for combined space heating, cooling and water heating; this may include, at a minimum, but is not limited to: <ul style="list-style-type: none"><li>o Use of low emission water heaters</li><li>o Use of central water heating systems</li><li>o Use of energy efficient appliances</li><li>o Use of increased insulation</li><li>o Use of automated controls for air conditioners</li><li>o Use of energy-efficient parking lot lights</li><li>o Use of lighting controls and energy-efficient lighting</li></ul>	Developer	Project Design Phase	Plan Check	City of Ontario				
AQ-18Provide additional outdoor air ventilation through the design and implementation of a high efficiency HVAC system to improve indoor air quality for improved occupant comfort, well-being, and productivity in the office buildings.	Developer	Project design phase	Plan Check	City of Ontario				
AQ-19Reduce the quantity of indoor air contaminants that are odorous, irritating and/or harmful to the comfort and well-being of installers and occupants through compliance with SCAQMD Rule 1168, which limits the VOC content of paints, varnish, floor coatings, stains, adhesives, sealants, and primers.	Developer	Project design phase	Plan Check	City of Ontario				

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Impact Category and Mitigation Measures	Responsible Party	Frequency of Reporting	Monitoring Method	Monitoring Entity	Verification of Compliance		
					Signature	Date	Remarks
5.2.2.2 Air Quality							
AQ-20Provide site improvements such as street lighting, street furniture, route signs, and sidewalks or pedestrian paths to promote pedestrian activity for short trips.	Developer	Project design phase	Plan Check	City of Ontario			

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					Signature	Date	Remarks	
5.2.2.2 Air Quality								
AQ-21 The Project will implement the following measures as Project design features in order to reduce the Project's impact on global climate change:  Energy Efficiency <ul style="list-style-type: none"><li>• Design buildings to be energy efficient. Site buildings to take advantage of shade, prevailing winds, landscaping and sun screens to reduce energy use.</li><li>• Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings.</li><li>• Install light colored “cool” roofs, cool pavements, and strategically placed shade trees.</li><li>• Provide information on energy management services for large energy users.</li><li>• Install energy efficient heating and cooling systems, appliances and equipment, and control systems.</li><li>• Install light emitting diodes (LEDs) for traffic, and other outdoor lighting.</li><li>• Limit the hours of operation of outdoor lighting.</li><li>• Provide education on energy efficiency.</li></ul>	Developer	Project design phase	Plan Check	City of Ontario				

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5.2.2.2 Air Quality							
<p>Renewable Energy</p> <ul style="list-style-type: none"><li>• Install solar and tankless hot water heaters, and energy-efficient heating ventilation and air conditioning. Educate consumers about existing incentives.</li></ul> <p>Water Conservation and Efficiency</p> <ul style="list-style-type: none"><li>• Create water-efficient landscapes.</li><li>• Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls.</li><li>• Use reclaimed water for landscape irrigation in new developments and on public property. Install the infrastructure to deliver and use reclaimed water.</li><li>• Design buildings to be water-efficient. Install water-efficient fixtures and appliances.</li><li>• Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.</li><li>• Restrict the use of water for cleaning outdoor surfaces and vehicles.</li><li>• Implement low-impact development practices that maintain the existing hydrologic character of the site to manage storm water and protect the environment. (Retaining storm water runoff on-site can drastically reduce the need for energy-intensive imported water at the site.)</li></ul>	Developer	Project design phase	Plan Check	City of Ontario			

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					Signature	Date	Remarks
5.2.2.2 Air Quality							
<ul style="list-style-type: none"><li>• Devise a comprehensive water conservation strategy appropriate for the project and location. The strategy may include many of the specific items listed above, plus other innovative measures that are appropriate to the specific project.</li><li>• Provide education about water conservation and available programs and incentives.</li></ul> Solid Waste Measures <ul style="list-style-type: none"><li>• Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).</li><li>• Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.</li><li>• Provide education and publicity about reducing waste and available recycling services.</li></ul>	Developer	Project design phase	Plan Check	City of Ontario			

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					Signature	Date	Remarks	
5.2.2.3 Biology								
BR-1 No less than two weeks and not more than four weeks prior to the commencement of any ground-disturbing activities, a preconstruction survey for burrowing owls shall be conducted by a qualified biologist. If ground-disturbing activities are delayed or suspended for more than 30 days after the preconstruction survey, the site shall be resurveyed for owls. If owls are determined to be present within the construction footprint, they will be relocated in accordance with current California Department of Fish and Game protocol.	Developer	No less than two weeks and not more than four weeks prior to any ground-disturbing activities	Biological Report	City of Ontario  CDFG				
BR-2 A Biological Resources Survey shall be conducted for Planning Areas 1A, 1C, 2B, and 8B prior to the approval of the Tentative Tract Maps prepared for those properties. If suitable habitat is determined present onsite, subsequent focused surveys shall be completed and no “take” of any protected species and/or their habitat shall occur without obtaining the requisite regulatory permits from State and Federal agencies.	Developer	Prior to Tentative Tract Map approval	Biological Report  Plan Check	City of Ontario  USFWS  CDFG				

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Impact Category and Mitigation Measures	Responsible Party	Frequency of Reporting	Monitoring Method	Monitoring Entity	Verification of Compliance			
					Signature	Date	Remarks	
5.2.2.3 Biology								
BR-3 A breeding bird survey shall be conducted prior to the removal of windrows scheduled between January 15 <sup>th</sup> and August 31 <sup>st</sup> . A nesting/breeding bird survey must be conducted one week prior to commencing tree removal. If any active nests are detected within the windrow, a buffer area around the nest(s) will be flagged and avoided until the nesting cycle is complete or it is determined that the nest(s) has failed. No grading, heavy equipment, or tree removal activities shall take place within at least 500 feet of an active listed species or raptor nest, 300 feet of other sensitive bird nests (non-listed), and 100 feet of most common songbird nests. A qualified biological monitor will be present on the site to monitor tree removal or other construction activity in the vicinity of nest sites to assure that active nests are not disturbed. If no active nests are found during the survey, construction activities may proceed.	Developer	Between January 15 <sup>th</sup> and August 31 <sup>st</sup> if tree removal is scheduled for that timeframe	Biological Report	City of Ontario  USFWS				

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5.2.2.3 Biology								
BR-4 The Project proponent shall be required to pay City of Ontario development impact fees. Fees collected will be used “to acquire and restore mitigation lands to offset impacts to species now living in the New Model Colony and impacts to existing open space,” according to the City of Ontario Development Impact Fee Calculation Report and the Settlement and General Release Agreement. This fee is currently \$4,320 per acre.	Developer	Prior to occupancy permit	Plan Check Receipt of payment	City of Ontario				
BR-5 To avoid direct impacts to burrowing owls, a pre-construction survey will be conducted by a qualified biologist no more than 30 days prior to any ground-disturbing activities, including demolition, manure clean up, and site grading. If burrowing owls are detected on site, they will be relocated in accordance with current protocols recognized by the CDFG. If present on site, burrowing owls must be relocated outside of the nesting season (February 1 through August 31), unless a qualified biologist confirms that the burrowing owls are not nesting, and CDFG approves in writing the relocation during the nesting season. If ground-disturbing activities are delayed or suspended for more than 30 days after the pre-construction survey, then the site shall be re-surveyed for burrowing owls.	Developer	No more than 30 days prior to ground-disturbing activities	Biological Report	City of Ontario  CDFG				



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					Signature	Date	Remarks
5.2.2.3 Biology							
BR-6 To avoid impacts to nesting migratory birds, a nesting bird survey will be conducted by a qualified biologist prior to the removal of any potential nesting vegetation (or demolition of structures) between January 15 and August 31. This includes all trees, shrubs, herbaceous vegetation, ruderal areas, buildings, and other structures with the potential to support nesting birds. Nesting bird surveys will be conducted one week prior to any vegetation removal or demolition activities. If nesting birds are identified, then the vegetation or structures will be clearly marked with flagging, and the nest will not be disturbed until the nesting event has completed. No grading, heavy equipment, or vegetation removal activities shall take place within at least 500 feet of an active listed species or raptor nest, 300 feet of other sensitive bird nests (non-listed), and 100 feet of most common songbird nests, in order to avoid impacts to nesting birds through construction noise. The biologist will consult with CDFG and or USFWS to finalize appropriate avoidance buffers from the nests.	Developer	Between January 15 <sup>th</sup> and August 31 <sup>st</sup> if vegetation removal is scheduled for that timeframe	Biological Report	City of Ontario  USFWS			

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Impact Category and Mitigation Measures	Responsible Party	Frequency of Reporting	Monitoring Method	Monitoring Entity	Verification of Compliance			
					Signature	Date	Remarks	
5.2.2.4 Cultural Resources								
CR-1 In the event that any subsurface archeological materials are encountered within any part of the Project Site, all ground-disturbing construction activities shall be suspended in the vicinity of the find until the deposit is recorded and evaluated by a qualified archeologist.	City of Ontario  Developer	Immediately upon encountering suspected archeological materials	Archaeologist's Report	City of Ontario  NHAC				
CR-2 In the event that any human remains are found, all construction activities must cease immediately and a qualified archeologist and the San Bernardino County Coroner must be notified.	City of Ontario  Developer	Immediately upon encounter- ing suspected human remains	Archaeologist's and Coroner's Reports	City of Ontario  San Bernardino County Coroner				
CR-3 If the coroner determines the remains to be of Native American origin, he or she will immediately notify the Native American Heritage Commission (NAHC). The NAHC will then identify the most likely descendants to be consulted regarding treatment and/or reburial of the remains. The developer shall implement the recommendations of the most likely descendent pursuant to Public Resources Code Section 5097.98 et seq.	Developer San Bernardino County Coroner NAHC	Upon assessment of the remains	Coroner's Report	City of Ontario  San Bernardino County Coroner  NAHC				

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5.2.2.4 Cultural Resources							
CR-4 Prior to any excavation into undisturbed, older Pleistocene sediment, a qualified paleontologist shall be retained during construction excavations in underlying, older Pleistocene deposits, if any, to observe construction excavations. In the event any unique paleontological resource is encountered, the resource shall be salvaged, recorded, and curated.	Developer	Ongoing during excavation	Prior to any excavation into undisturbed, older Pleistocene sediment	City of Ontario  Paleontologist			

Impact Category and Mitigation Measures	Responsible Party	Frequency of Reporting	Monitoring Method	Monitoring Entity	Verification of Compliance			
					Signature	Date	Remarks	
5.2.2.5 Geology and Soils								
GS-1 Structural design shall conform to the seismic related recommendations contained within the Geotechnical Reports. These recommendations shall be reviewed and be approved by the City.	Developer	Prior to issuance of grading and/or building permits	Plan Check	City of Ontario				
GS-2 Seismic related structural design shall conform to applicable recommendations from the Structural Engineers Association of California, the California Building Code, the Uniform Building Code, and City codes.	Developer	Prior to issuance of grading and/or building	Plan Check	City of Ontario				

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5.2.2.5 Geology and Soils							
		permits					
GS-3 As part of site grading and prior to the commencement of building construction, unconsolidated fill materials, organic rich soils, and manure, shall be excavated and removed off-site, and shall be replaced with engineered fill.	Developer	Prior to issuance of grading permits	Plan Check	City of Ontario			
GS-4 As part of the site grading and prior to the commencement of building construction, potentially compressible soils, which includes undocumented fill, shall be excavated to firm, competent native material and removed off-site.	Developer	Prior to issuance of grading permits	Plan Check	City of Ontario			
GS-5 Soils shall be tested to determine their corrosive potential. If corrosive soils are proven to be located onsite, all concrete that comes into contact with corrosive soil shall be designed based on Table 19-A-4 of the Uniform Building Code. All metals that come into contact with corrosive soils shall be protected according to the recommendations of a corrosion engineer.	Developer	Prior to approval of infrastructure and/or building permits	Plan Check	City of Ontario			

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5.2.2.5 Geology and Soils							
GS-6 At the conclusion of site grading and prior to the commencement of building construction, soils at the finished grade elevation shall be tested to determine their expansion index. If the tested soils at the finished grade elevation exhibit a low, or higher, potential for expansion, the following construction measures shall be implemented: stiffened foundation design in accordance with the Uniform Building Code; deepened footings; and pre-saturation of the building pad to specified moisture content.	Developer	Prior to issuance of building permits	Plan Check	City of Ontario			

Impact Category and Mitigation Measures		Responsible Party	Frequency of Reporting	Monitoring Method	Monitoring Entity	Verification of Compliance		
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5.2.2.6 Hazardous and Hazardous Materials								
HM-1	Removal of structures, including, but limited to, under- and aboveground storage tanks, septic systems, and water wells shall conform to all Federal, State, and local agency regulations (specifically with those required by the City Building and Safety Department and the Hazardous Materials Division of the San Bernardino County Fire Department).	Developer  Contractor	Prior to removal of structures	Manifests  Federal, State, and local agency reporting	City of Ontario  County of San Bernardino			

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						Signature	Date	Remarks
5.2.2.6 Hazardous and Hazardous Materials								
HM-2	<p>Prior to grading activities, testing for the presence of methane gas in soils on Planning Areas 1A, 1C, 2B, 3A, 4, 6A, 6B, 8B, 9A-9D, and 11 shall be conducted. (The remaining Planning Areas within the Project Site have completed Methane Gas Investigations. The findings are summarized in Table 5.7-2 of this EIR.) Pursuant to the City Municipal Code Section 9-2.0435 (L), “A methane gas assessment shall be prepared by a licensed professional with expertise in soil gas assessments for subdivisions proposed on former dairies, poultry ranches, hog ranches, livestock feed operations and similar facilities to determine the presence of methane gas within the project boundary. The methane gas assessment shall identify monitoring and mitigation strategies and approaches. All mitigation measures/plans and specifications shall be reviewed and approved by the City of Ontario.”</p> <p>Such an assessment may take two steps. A preliminary assessment will be done prior to grading to determine exactly where dairies have existed in the past so that the post grading assessment/mitigation measures can be focused on the portions of the Planning Areas that have included former agricultural activities. The second step will include actual</p>	Developer	Prior to issuance of grading permits	Methane gas investigation report	City of Ontario			

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					Signature	Date	Remarks	
5.2.2.6 Hazardous and Hazardous Materials								
testing of graded pads no sooner than 30 days after construction to determine if methane is detected above 5,000 ppm. In addition to Project-specific Mitigation Measure HM-2, the following grading guidelines included in the various Methane Gas Investigations conducted for the Project shall also be adhered to: <ul style="list-style-type: none"><li>Careful clearing, grubbing, segregation, and stockpiling or disposal near surface, of organics-rich soils at the site prior to the initiation of mass grading activities.</li><li>The identification and segregation/stockpiling or disposal of deeper soils which contain elevated levels of organic material. Soils with an organic content of 0.4% or higher shall be segregated for controlled placement that ensures that methane levels are below 5,000 ppm.</li><li>Soils with organic content in excess of 0.4% shall not be placed as “deep” fill. Soils with organic contents in excess of this amount shall be placed in open areas within approximately two feet of the finished ground surface.</li></ul>								
HM-3 To eliminate the risk of ground cracking, manure shall be removed from the site, such	Developer	Prior to issuance of	Plan Check	City of Ontario				

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5.2.2.6 Hazardous and Hazardous Materials								
	that the organic matter content of onsite soils shall not exceed 2% (a 2% total organic content is allowed, of which no more than 1% can be manure) in the building foundation areas when mixed with underlying clean soils and imported fill.	Contractor	building permits					
HM-4	To the extent not previously prepared and to properly assess and address potential hazardous materials within Planning Areas 1A, 1C, 2B, and 8B, a Phase I Environmental Site Assessment (ESA) shall be performed by a registered environmental assessor (REA) prior to the approval of the Tentative Tract Map, site plan or other discretionary approval for a given phase of development. If potential hazardous materials or conditions are identified in the Phase I report, the recommendations of the ESA shall be implemented. Such recommendations shall include surficial sampling and chemical analysis within agricultural areas or where soil staining was observed. The Phase I ESA shall be provided to the City and shall be included in any CEQA analysis prepared in connection with the consideration of the discretionary approval for development.	Developer	Prior to approval of Tentative Tract Maps	Plan Check	City of Ontario			
HM-5	If, while performing any excavation as part of Project construction, material that is believed to be hazardous waste as defined in Section	Developer	Ongoing throughout Project	Incident Report	City of Ontario			



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					Signature	Date	Remarks
5.2.2.6 Hazardous and Hazardous Materials							
25117 of the California Health and Safety Code is discovered, the developer shall contact the City Fire Department and the County of San Bernardino Fire Department Hazardous Materials Division. Excavation shall be stopped until the material has been tested and the absence of hazardous waste has been confirmed. If hazardous waste is determined to be present, the California Department of Toxic Substances Control shall be contacted and the material shall be removed and disposed of pursuant to applicable provisions of California law.	Contractors	construction		San Bernardino County Fire Department  DTSC			

Impact Category and Mitigation Measures		Responsible Party	Frequency of Reporting	Monitoring Method	Monitoring Entity	Verification of Compliance		
						Signature	Date	Remarks
5.2.2.7 Hydrology and Water Quality								
NMC WQ-6	During construction of individual projects, the City Engineer shall ensure compliance with all the terms and conditions outlined in the National Pollutant Discharge Elimination System (NPDES) permit, including the implementation of Best Management Practices (BMPs).	City of Ontario Engineering Department	Ongoing	Inspection	City of Ontario			

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						Signature	Date	Remarks
5.2.2.7 Hydrology and Water Quality								
HWQ-1	All Project related development and construction activities shall comply with the National Pollutant Discharge Elimination System (NPDES) regulations. Prior to the issuance of a grading permit, applicants shall demonstrate compliance with NPDES Storm Water Permit requirements to the satisfaction of the City. Applicable BMP provisions shall be incorporated into the NPDES Permit.	Developer  Contractor	Prior to issuance of grading permit	Plan Check	City of Ontario			
HWQ-2	All new residences within the Project Site shall be provided with water conservation devices such as low flow showers and toilets.	Developer  Contractor	Prior to issuance of occupancy permit	Plan Check	City of Ontario			
HWQ-3	All public landscaped areas resulting from implementation of the Project shall be required to use recycled water for irrigation purposes once the planned regional reclaimed water system becomes functional at the Project Site.	Developer  Contractor	Prior to approval of Landscape Plan	Plan Check	City of Ontario			
HWQ-4	All new storm drain infrastructure, other than interim facilities, shall be consistent with either the NMC Master Plan of Drainage, the Master Plan of Drainage Update for NMC East unless formal amendments or deviations are coordinated with and approved by the City.	Developer  Contractor	Prior to approval of Storm Drain Plan	Plan Check	City of Ontario			

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					Signature	Date	Remarks
5.2.2.7 Hydrology and Water Quality							
HWQ-5 If grading or construction within any Planning Area proceeds prior to the installation of NMC Master Storm Drain Improvements needed to serve such Planning Area, interim detention basins, sized to accept upstream undeveloped flow in accordance with SWRCB requirements must be installed.	Developer  Contractor	Prior to approval of Storm Drain Plan	Plan Check	City of Ontario			

Impact Category and Mitigation Measures	Responsible Party	Frequency of Reporting	Monitoring Method	Monitoring Entity	Verification of Compliance			
					Signature	Date	Remarks	
5.2.2.8 Noise								
NMC N-5	All prospective owners and occupants of residential units on the project site shall be formally notified prior to purchase, lease or rental, that certain units (without windows and doors closed), and outdoor areas could be subject to noise levels above City standards for residential uses. Such notification shall be in language approved by the City Planning Department, and shall be formalized in written Covenants, Conditions and Restrictions (CC&R) recorded on the title	Home Sellers  Rental Agents	Ongoing	Ongoing	City of Ontario Planning Department			

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						Signature	Date	Remarks
5.2.2.8 Noise								
	of each residential lot in the project. In addition, each advertisement, solicitation and sales brochure or other literature regarding the project shall contain the approved notification language.							
NMC N-7	All project construction vehicles or equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers.	Developer  Contractor	Ongoing throughout Project construction	Maintenance receipts and logs  Foreman's daily field notes	Developer  Contractor			
NMC N-9	Whenever feasible, the noisiest construction operations should be scheduled to occur together to avoid continuing periods of the greatest annoyance.	Developer  Contractor	Ongoing throughout Project construction	Developer  Contractor	Developer  Contractor			
N-1	During all Project Site excavation and grading, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufactures' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.	Developer  Contractor	Ongoing throughout Project construction	Maintenance receipts and logs  Foreman's daily field notes	Developer  City of Ontario			
N-2	The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise sensitive receptors	Developer  Contractor	Ongoing throughout Project construction	Foreman's daily field notes	Developer  City of			

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						Signature	Date	Remarks
5.2.2.8 Noise								
	nearest the project site during all project construction.				Ontario			
N-3	The construction contractor shall limit all construction-related activities that would result in high noise levels according to the construction hours to be determined by City staff.	Developer  Contractor	Ongoing throughout Project construction	Foreman's daily field notes	Developer  City of Ontario			
N-4	The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.	Developer  Contractor	Ongoing throughout Project construction	Foreman's daily field notes	Developer  City of Ontario			
N-5	Architectural plans shall be submitted to the City for an acoustical plan check prior to the issuance of building permits to assure that the proper windows and/or doors are upgraded for sound reduction and proper ventilation systems are incorporated in order to meet the interior noise level requirement.	Developer	Prior to issuance of building permits	Plan Check	City of Ontario			

Impact Category and Mitigation Measures	Responsible Party	Frequency of Reporting	Monitoring Method	Monitoring/Regulatory Entity	Verification of Compliance		
					Signature	Date	Remarks
5.2.2.9 Public Services							

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					Signature	Date	Remarks	
5.2.2.9 Public Services								
PS-1 To reduce fire hazards, wood-shingled and shake-shingled roofs are prohibited.	Developer	Prior to issuance of building permits	Plan Check	City of Ontario				
PS-2 To reduce fire hazards, fire hydrant locations and water main sizes shall meet standards established by Ontario Fire Department and reviewed and implemented by the Engineering Department.	Developer	Prior to approval of Water and Sewer Plan and Street Improvement Plan	Plan Check	City of Ontario				
PS-3 To reduce fire hazards when water is provided to the site, adequate fire flow pressure shall be provided for residential areas and non-residential projects in accordance with currently adopted standards.	Developer	Prior to approval of Water and Sewer Plan	Plan Check	City of Ontario				
PS-4 To reduce fire hazards, adequate water supply shall be provided as approved by the Ontario Fire Department prior to the framing stages of construction.	Developer	Prior to issuance of building permit	Plan Check	City of Ontario				
PS-5 To reduce fire hazards, houses located on cul-de-sacs longer than 300 feet shall be constructed with residential fire sprinklers.	Developer	Prior to issuance of building permit	Plan Check	City of Ontario				

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					Signature	Date	Remarks	
5.2.2.9 Public Services								
PS-6 To reduce fire hazards, access roadways designed in accordance with Ontario Fire Department standard to within 150' of all structures, shall be provided prior to the framing stages of construction. This access is to be maintained in an unobstructed manner throughout construction.	Developer  Contractor	Prior to issuance of building permit  Ongoing throughout Project construction	Plan Check  Foreman's daily field notes	City of Ontario  Developer				
PS-7 A fire station located within the Parkside Specific Plan must be operational prior to the issuance of any certificates of occupancy in The Avenue Specific Plan.	Developer	Prior to issuance of occupancy permit	Plan Check	City of Ontario				
PS-8 The developers/builders shall pay library, police, and fire service development impact fees.	Developer	Prior to issuance of occupancy permit	Receipt of payment	City of Ontario				

Impact Category and Mitigation Measures	Responsible Party	Frequency of Reporting	Monitoring Method	Monitoring Entity	Verification of Compliance		
					Signature	Date	Remarks
5.2.2.10 Recreation							

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					Signature	Date	Remarks
5.2.2.10 Recreation							
REC-1 The developers/builders shall pay in lieu park fees to meet the standard of five acres of parkland per thousand residents.	Developer	Prior to recordation of Final Map and/or issuance of occupancy permit	Plan Check  Receipt of payment	City of Ontario			

Impact Category and Mitigation Measures		Responsible Entity	Frequency of Reporting	Monitoring Method	Monitoring Agency	Verification of Compliance		
						Signature	Date	Remarks
5.2.2.11 Transportation/Circulation								
T-1	The Project developers shall pay the DIF Program Traffic Funding Contribution set forth on Table 5.15-4 (found in the Project EIR) consistent with the requirements contained in the DIF Program.	Developer	Monthly	Plan Check  Receipt of payment	City of Ontario			
T-2	The Project developers shall pay the Additional Fair Share Project Improvement Cost as set forth on Table 5.15-5.	Developer	Monthly	Plan Check  Receipt of payment	City of Ontario			
T-3	Right-in and right-out only access with appropriate signing on Carpenter Avenue for	Developer	At City acceptance	Plan Check	City of Ontario			



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						Signature	Date	Remarks
5.2.2.11 Transportation/Circulation								
	the intersection of Carpenter Avenue at Schaefer Avenue.		of facility	Signage				
T-4	Construct Carpenter Avenue (half-section improvements) as a Collector from Schaefer Avenue to Edison Avenue.	Developer	At City acceptance of facility	Plan Check	City of Ontario			
T-5	Construct Hellman Avenue as Collector from Schaefer Avenue to Edison Avenue.	Developer	At City acceptance of facility	Plan Check	City of Ontario			
T-6	Construct Archibald Avenue as a Divided Arterial from Schaefer Avenue to Edison Avenue.	Developer	At City acceptance of facility	Plan Check	City of Ontario			
T-7	Construct “A” Street as a Neighborhood entry Street (66-feet right-of-way and 36-feet paved travel area) from The Avenue to Edison Avenue.	Developer	At City acceptance of facility	Plan Check	City of Ontario			
T-8	Construct Turner Avenue as Collector from Schaefer Avenue to Edison Avenue.	Developer	At City acceptance of facility	Plan Check	City of Ontario			
T-9	Construct Haven Avenue (half-section improvements) as a Divided Arterial from the northern Project boundary to the southern Project boundary.	Developer	At City acceptance of facility	Plan Check	City of Ontario			
T-10	Construct Schaefer Avenue (full or half-section improvement as appropriate) as a Standard Arterial from the western Project boundary to Edison Avenue.	Developer	At City acceptance of facility	Plan Check	City of Ontario			

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5.2.2.11 Transportation/Circulation								
T-11 Construct The Avenue (118' right-of-way) from Archibald to Turner Avenue.	Developer	At City acceptance of facility	Plan Check	City of Ontario				
T-12 Construct Edison Avenue (full or half-section improvements as appropriate) as a Divided Arterial from the western Project boundary to the eastern Project boundary.	Developer	At City acceptance of facility	Plan Check	City of Ontario				
T-13 Right-in and right-out only access with the appropriate signing on Carpenter Avenue for the intersection of Carpenter Avenue at Edison Avenue.	Developer	At City acceptance of facility	Plan Check Signage	City of Ontario				
T-14 Modify the existing traffic signals at the intersections of Archibald Avenue at Schaefer Avenue and Archibald Avenue at Edison Avenue.	Developer	At City acceptance of facility	Plan Check	City of Ontario				
T-15 The applicant shall pay their proportionate share (prior to building permit issuance) for or install (prior to occupancy of any structure), the above transportation improvements needed to serve the Project. The determination of whether the payment of proportionate share or installation of the improvements is required shall be made by the City Engineer at the time of Tentative Tract Map approval. The method for determining proportionate share is identified in the TIS,	Developer  City Engineer	Prior to issuance of building permit or occupancy permit	City Notification	City of Ontario				
T-16 Adequate sight distance at the Project	Developer	Prior to	Plan Check	City of				

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					Signature	Date	Remarks
5.2.2.11 Transportation/Circulation							
driveways shall be provided to meet the minimum City requirements.		approval of Street Improve-ment Plan		Ontario			