

1.0 INTRODUCTION

The Environmental Impact Report (EIR) (State Clearinghouse No. 2006091039) has been prepared by the City of Ontario to evaluate the environmental effects of the proposed Specific Plan referred to as Ontario Gateway Specific Plan for the development of a mixed-use master plan on approximately 41.29 acres of land (including Caltrans property and right-of-way).

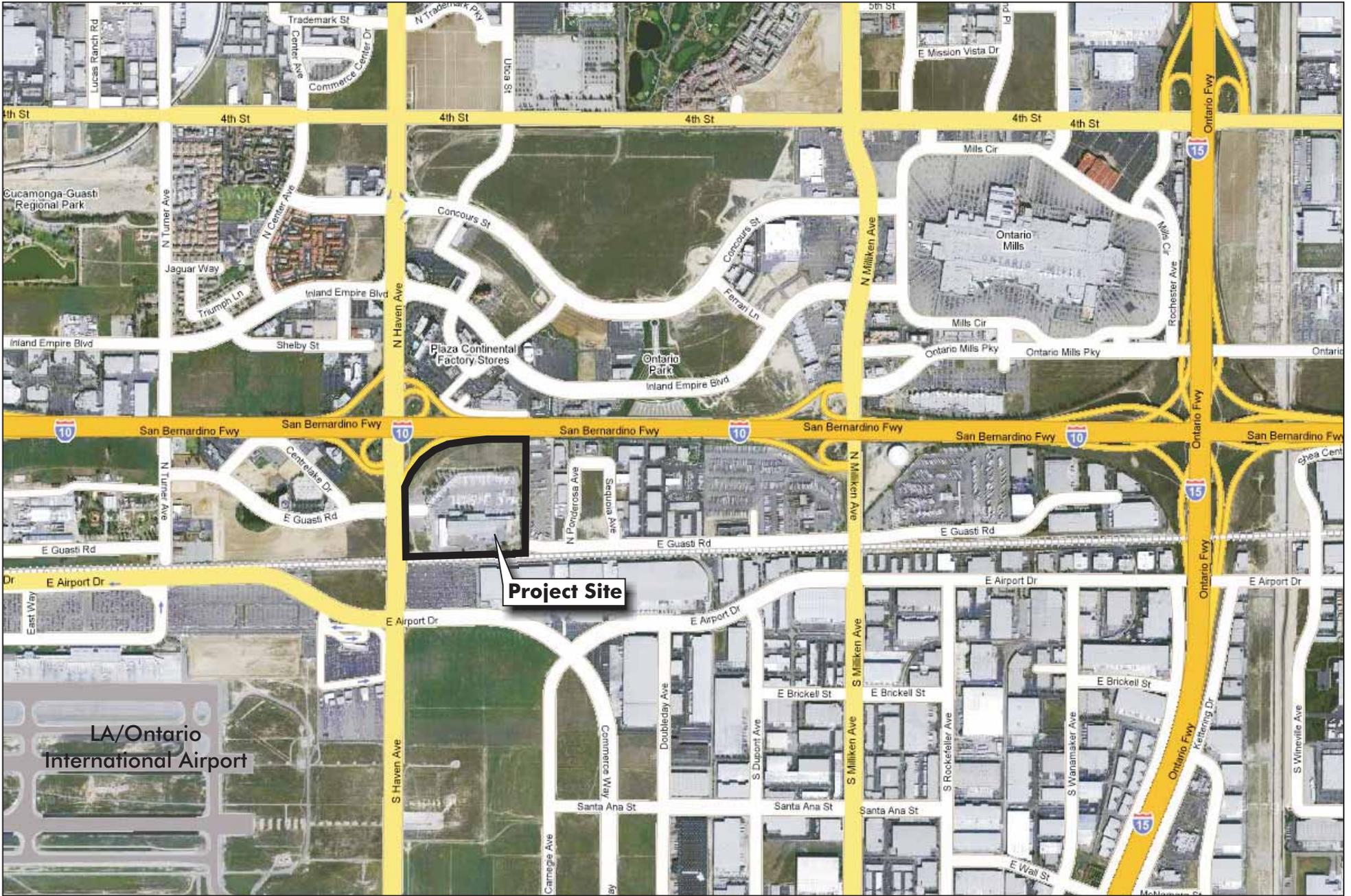
The City of Ontario Planning Department is the lead agency as defined in Section 15051(b) of the Guidelines for implementing California Environmental Quality Act (CEQA) which states “If the project is to be carried out by a non-governmental person or entity, the Lead Agency shall be the public agency with the greatest responsibility for supervising or approving the project as a whole.”

1.1 PROJECT UNDER REVIEW

The proposed project is the development of a mixed-use master plan on approximately 41.29 acres of land (37.39 developable acres). The project site is located in southwestern San Bernardino County, within the City of Ontario (see Figure 1-1). As illustrated on Figure 1-2, the project site is located one block east of the LA/Ontario International Airport, and is adjacent, with freeway access, on the north boundary line to I-10. I-15 and State Route 60 are within three miles of the project site to the east and south, respectively. Haven Avenue is on the west boundary and the Union Pacific Railroad (UPRR) abuts the site on the south. Ponderosa Avenue lies approximately 460 feet to the east. Approximately 60 percent of the proposed project site is paved and contains an approximate 200,000 square-foot metal industrial building (industrial/storage and distribution) and approximately 9,600 square feet of office space which is situated on the southern portion of the project site.

The proposed Ontario Gateway Specific Plan would include the demolition of existing structures and development of visitor-serving and freeway-serving commercial uses, medical-related uses, hospitality uses, business park uses, and office uses. The project site would be transformed from an industrial distribution use to a visitor, customer, and patient-serving area. The proposed project includes the extension of East Guasti Road approximately 1400 feet east from its present termination approximately 220 feet east of Haven Avenue to connect sometime in the future to the existing East Guasti Road that terminates at the eastern boundary of the project site. In order to allow for development flexibility, the project site is divided into five different Planning Areas; each area with specific allowed uses (refer to Figure 1-3). The land use and development site concept plan envisioned in the proposed Ontario Gateway Specific Plan includes the following five planning categories:

- Mixed Use Planning Area
- Entertainment Planning Area
- Office Planning Area 1
- Office Planning Area 2
- Auto Planning Area



Vicinity Map

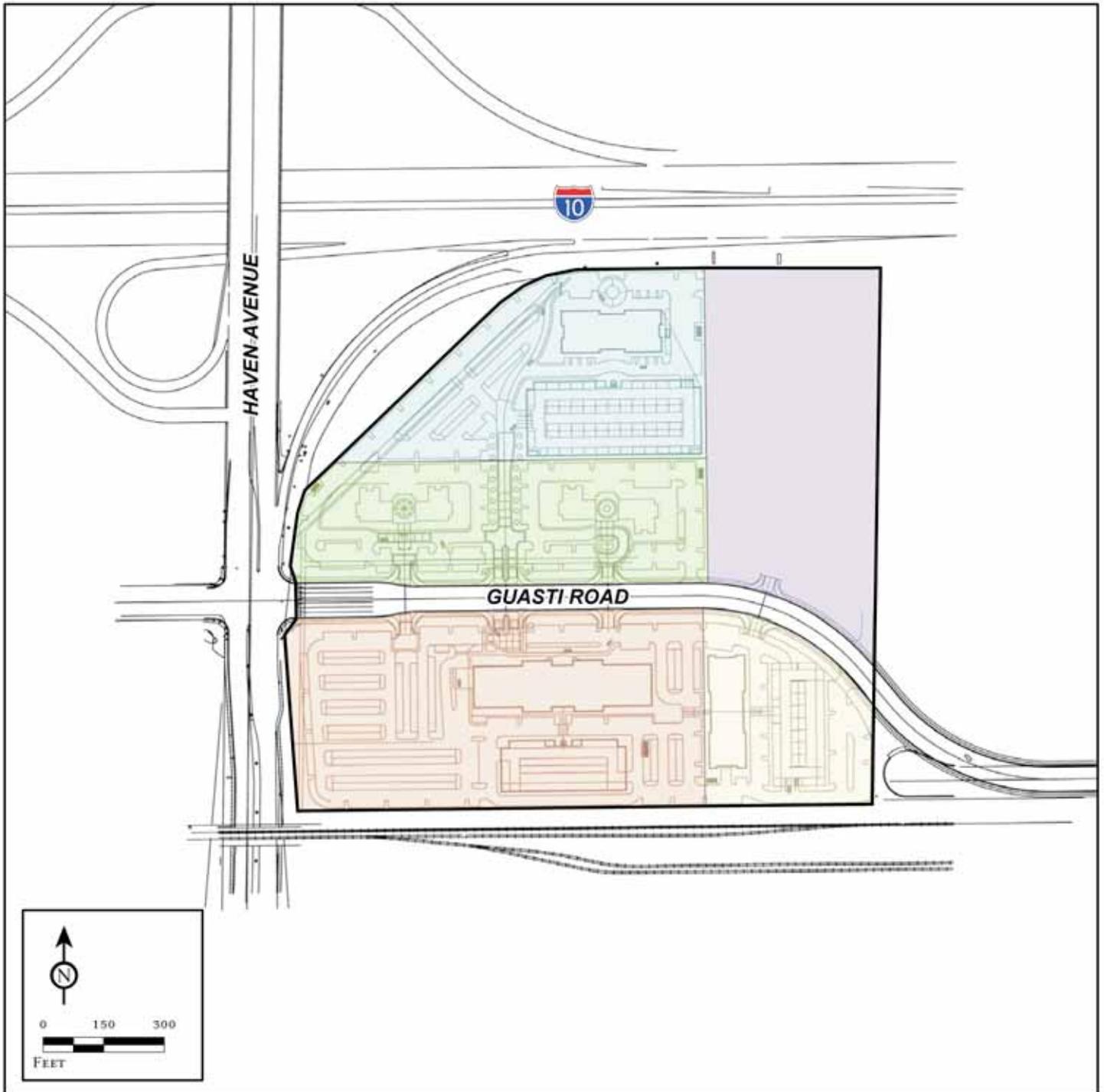
Ontario Gateway Specific Plan
City of Ontario, California

Figure 1-2



Source: Google.com

LILBURN CORPORATION



Source: MacDavid Aubort and Assoc., Inc. 12/06.

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|---|---|
| <ul style="list-style-type: none"> PROJECT BOUNDARY PLANNING AREAS AUTO PLANNING AREA (3.17 ACRES) ENTERTAINMENT PLANNING AREA (6.00 ACRES) | <ul style="list-style-type: none"> MIXED USE PLANNING AREA (11.72 ACRES) OFFICE PLANNING AREA 1 (7.14 ACRES) OFFICE PLANNING AREA 2 (3.00 ACRES) |
|---|---|

Conceptual Planning Areas

Ontario Gateway Specific Plan
City of Ontario, California

Figure 1-3

The uses permitted in these Planning Areas provide opportunities for a broad range of commercial, office, Business Park, hospitality, and medical uses to accommodate an ever-changing business and commercial environment. Table 1-1 lists the Planning Areas and gives the potential use and intensity in addition to the allowable Floor Area Ratio (FAR) which is the ratio of the floor area of a building to the area of the lot on which the building is located. The FAR represents the relationship of the size of the building to the size of the building area.

Table 1-1
Potential Land Use Concept by Planning Area

Planning Area	Gross Acres	Potential Use and Intensity	Max. Allowable Floor Area Ratio (FAR)²
Mixed Use Planning Area	11.22	Scenario 1: Hospital ¹ (4 stories) 200 beds and Parking Structure Scenario 2: Business Park (225,000 sq. ft.)	1.0
Entertainment Planning Area	6.96	Scenario 1: Two Hotels (400 rooms) and ancillary retail Scenario 2: General Office (8+ stories, 200,000 sq. ft.) and Parking Structure plus possible Restaurant (5,500 sq. ft.) and Support Commercial-Retail (35,000 sq. ft.)	1.0
Office Planning Area 1	7.14	General Office (10 stories, 250,000 sq. ft.) Support Retail, Parking Structure	1.0
Office Planning Area 2	3.90	Flex Medical Office (3 stories, 7,500 sq. ft.) and Parking Structure	1.0
Auto Planning Area	8.17	Auto Dealership (80,000 sq. ft.)	1.0
Non Buildings			
Public Right-of-Way	2.40	Includes Future Guasti Road Connection	
Caltrans Property	1.5	Not a Part	
Total	41.29		

¹ Includes emergency room and heliport.

² FAR of 1.0 implies that total area (area on all the floors) of a building could be equal to or less than the building's lot size.

The Ontario Gateway Specific Plan is consistent with the General Plan designation for the project site. Approval of this Specific Plan would however require amendment to the City's Zoning Map from Specific Plan to Ontario Gateway Specific Plan. The project site also lies within the City of Ontario Redevelopment Project Area 1. A vast majority of land within Project Area 1 has been redeveloped with new businesses that include: Ontario Mills Mall (a super-regional retail outlet complex), the Ontario Auto Center, a large-scale office, and hospitality complex.

The general area surrounding the project site is characterized by industrial, office, and retail commercial development reflecting the area's close proximity to the LA/Ontario International Airport and regional freeways. Surrounding land uses and zoning are shown in Table 1-2.

**Table 1-2
Surrounding Land Uses**

	Zoning	Current Land Use
North	Ontario Center Specific Plan	Interstate 10 Freeway and Commercial Uses
South	California Commerce Center (2591 Specific Plan)	Distribution facility and an airport parking lot
East	Limited Industrial	Truck rental facility
West	Centerlake Business Park (2560 Specific Plan)	Office buildings and restaurants

1.2 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

The purpose of an EIR is to serve as an informational document to generally inform public agency decision-makers and the public of the potentially significant environmental effects associated with the proposed project, identify ways to minimize or eliminate the significant effects, and evaluate a reasonable range of alternatives that would meet the major objectives of the proposed project but further reduce or avoid significant environmental effects. An EIR provides objective planning and environmental information to guide and assist decision-makers, lead agency staff and the public in their evaluation of the potential environmental effects that may result from implementation of the project as proposed. The California Environmental Quality Act (CEQA) Guidelines Section 15151 contains the following standards of adequacy:

“An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection; but for adequacy, completeness, and good faith effort at full disclosure.”

This EIR has been prepared in compliance with CEQA, the State Guidelines for Implementation of CEQA, and the City of Ontario Guidelines for CEQA Implementation, to document existing environmental conditions and evaluate the potentially significant environmental effects that could result from the implementation of the proposed project.

1.2.1 Lead Agency

The City of Ontario is the lead agency as defined in section 15051(b) of the Guidelines for implementing the California Environmental Quality Act (CEQA) which states “If the project is to be carried out by a non-governmental person or entity, the Lead Agency shall be the public agency with the greatest responsibility for supervising or approving the project as a whole.”

The Draft EIR will circulate for a 45-day review period. Anyone reviewing the document may submit written comments to the City of Ontario during this period. Responses to the comments received will be prepared and included in the Final EIR to be prepared prior to the City taking action on the proposed project during a public hearing before the City's Planning Commission. Comments on the Draft EIR may be sent to:

Contact Person: City of Ontario
Attn: Richard Ayala, Senior Planner
303 East "B" Street,
Ontario, California 91764

1.2.2 Responsible, Trustee, and Other Interested Public Agencies

A responsible agency means a public agency other than the lead agency, which has permitting authority or approval power over some aspect of the overall project. Caltrans and the Regional Water Quality Control Board (RWQCB) are responsible agencies for this project.

Another agency responsible for the protection of natural resources with interest in the proposed project includes the South Coast Air Quality Management District (SCAQMD). The above mentioned agencies are not meant to be an all inclusive list and other agencies may have responsibility over some aspect of the project.

Required Permits and Approvals

The discretionary actions listed below are required prior to implementation of the Ontario Gateway Specific Plan. The lead agency and responsible agencies will use the EIR in their consideration of the Bates Company's application for the various permits and approvals.

City of Ontario

- Grading and Building Permits

Regional Water Quality Control Board

- Storm Water Pollution Prevention Plan (SWPPP)
- Water Quality Management Plan (WQMP)

Caltrans

- Encroachment Permits
- New Heliport Permit

South Coast Air Quality Management District

- Air Quality Permits for the storage and dispensing of gasoline

1.3 ENVIRONMENTAL REVIEW PROCESS

1.3.1 Notice of Preparation

A Notice of Preparation (NOP) was prepared and circulated to all responsible agencies and interested parties on September 11, 2006 for a period of 30 days. An Initial Study was attached to the NOP that included a project description and a preliminary evaluation of environmental issues in order to determine the focus of the analysis of the EIR. The NOP was distributed to all responsible agencies and interested parties as required by CEQA and City of Ontario CEQA procedures. In addition, a public scoping meeting was conducted at the Ontario Senior Center on September 20, 2006 at which no comments were received. A copy of the NOP, the NOP distribution list, and written comments received by the City on the NOP are included in Appendix A. Responses to the NOP were used to establish the scope of issues to be addressed in this EIR.

Issues Raised in Comments on the NOP

The following issues were raised in comments received on the NOP:

- Los Angeles World Airports
 - Indicated that the EIR should discuss land use compatibility near an active international airport. The EIR should also discuss helicopter movements to and from the project site and noise impacts of helicopter operations on existing land uses.
- Southern California Association of Governments (SCAG)
 - Indicated that the proposed project is not regionally significant per SCAG Intergovernmental Review (IGR) Criteria and CEQA Guidelines (Section 15206).
- State of California Public Utilities Commission (PUC)
 - Indicated that certain design elements and safety factors should be considered when developing new projects. Safety factors identified included, but not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings. They also indicated that pedestrian circulation patterns/destinations with respect to railroad right-of-way should be considered.
- Southern California Gas Company (SCG)
 - Recommends that the DEIR includes a discussion of the activities associated with the extension of new natural gas service including: existing utility infrastructure and right-of-way/easements, number and description of new natural gas facilities, need for utility relocation/abandonment, permitting of new right-of-way/easement, erosion impacts around SCG facilities.
 - Indicated that a detailed discussion of issues with appropriate diagrams pertaining to extension of off-site natural gas lines to the project site should be considered.

- Department of Toxic Substances Control (DTSC)
 - Indicated that the EIR should discuss hazards related to current/historic use of the project site and proximity to other identified contaminated sites. In addition the EIR should identify any remediation mechanism for the site.

- Native American Heritage Commission
 - Indicated that the EIR should discuss any potential impacts to cultural resources and recommend appropriate mitigation measures.

1.3.2 Draft EIR

Circulation of the Draft EIR begins when a Notice of Completion (NOC) is filed with the State Office of Planning and Research (State Clearinghouse). Filing the NOC starts the 45-day review period for the Draft EIR. Concurrent with the filing of the NOC, the lead agency will also provide a Notice of Availability of the Draft EIR to all organizations and individuals that have previously requested such notice or are located in proximity to the project site. This notice briefly describes the proposed project; identifies the date when comments must be received and where they are to be sent; and provides locations where copies of the Draft EIR can be reviewed (CEQA Guidelines section 15085 through section 15087).

In conjunction with the preparation of the Draft EIR, a Mitigation Monitoring Program (MMP) has been prepared (CEQA section 21081.6). The MMP contains the mitigation measures along with the action that must be taken to implement them and the method that would be used to document or verify fulfillment of the measure. A procedure for determining and recording compliance is outlined for each action that must be implemented by the project applicant to mitigate impacts as identified in the EIR and adopted when the project is approved. This procedure identifies what action would be taken and when, designates who would be responsible for implementing the action, and to whom and when compliance would be reported. The MMP is included in this EIR in Chapter 8.0.

1.3.3 Final EIR

At the end of the public review period, written comments on the project will be compiled and responses generated in conjunction with the preparation of the Final EIR. The Final EIR will consist of a list of all persons, organizations, and public agencies commenting on the Draft EIR; copies of the comments received on the Draft EIR; responses to comments; and any other pertinent information added by the lead agency (CEQA Guidelines section 15132).

The Final EIR will serve as the CEQA compliance document for the City of Ontario and any other agencies that may be responsible for review of the proposed project and issuance of required permits (see Section 1.2.2).

1.4 ORGANIZATION OF THE EIR

The Draft EIR is organized into the following chapters:

Chapter 1.0 - Introduction: Provides an introduction and overview that describes the intended use of the document and the lead agency authority under CEQA. Also provides a list of acronyms and a glossary of terms used to describe and evaluate the project.

Chapter 2.0 - Summary: Summarizes the proposed project, areas of controversy, issues to be resolved, the potential environmental effects that may result from the implementation of the proposed project, the mitigation measures identified to reduce or eliminate significant effects, and a summary of alternatives to the project.

Chapter 3.0 - Project Description: Provides a detailed description of conditions on the project site and vicinity and the various components of the proposed project. This chapter includes a statement of project objectives and provides background data on the project and project site. This chapter also includes a list of permits required to implement the project and responsible agencies or City departments that would issue those permits.

Chapter 4.0 - Environmental Impact Evaluation: Describes the existing environmental conditions on the site and in the vicinity of the project site, and the regulatory environment. Describes the project's characteristics related to each of the topical environmental issues and states the significance criteria used to evaluate potentially significant effects of the proposed project. Evaluates the potential environmental effects, identifies mitigation measures to reduce or eliminate effects found to be significant, and determines the level of significance of the effect after measures have been implemented.

Chapter 5.0 - Other CEQA-Required Analysis: Evaluates environmental effects of the project when considered with the effects of other approved and/or reasonably foreseeable projects that when combined, would be cumulatively significant. Also includes descriptions of: 1) ways in which the project may foster economic or population growth and thereby be growth inducing; and 2) any significant irreversible environmental changes which may result with the implementation of the proposed project (CEQA Guidelines section 15126.2(c)(d)).

Chapter 6.0 - Alternatives: Describes a reasonable range of alternatives to the project that would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects identified in the environmental analysis of the project.

Chapter 7.0 - References: Includes a list of lead agency staff members who participated in the preparation of the EIR as well as the consultants who prepared the technical reports to support the environmental analysis. Chapter 7.0 also includes a bibliography of information used to prepare the EIR and lists persons and organizations consulted during report preparation.

Chapter 8.0 - Mitigation Monitoring Program: Includes a list of all measures, responsible department, timing of implementation and description of whether the measure is time specific or on-going.

1.5 INCORPORATION BY REFERENCE

As permitted by section 15150 of the CEQA Guidelines, this Draft EIR has referenced several technical studies, analyses, and reports, which are included in the technical appendices included in the EIR. Information from documents incorporated by reference has been summarized in the appropriate section(s) that follow. The following documents are hereby incorporated by reference and are available for review at the City of Ontario Planning Department.

- City of Ontario General Plan
- City of Ontario Zoning Ordinance

1.6 ACRONYMS

AAQS	Ambient air quality standards
AASHTO	American Association of Safe Highway and Transportation Officials
ADT	Average daily traffic
AQMD	Air Quality Management District
AQMP	Air Quality Management Plan
BMP	Best Management Practices
CAA	Clean Air Act
CAAA	Clean Air Act Amendments
CAAQS	California Ambient Air Quality Standards
CALTRANS	California Department Of Transportation
CARB	California Air Resources Board
CCR	California Code of Regulations
CDFG	California Department of Fish and Game
CESA	California Endangered Species Act
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CHP	California Highway Patrol
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO	Carbon monoxide
CO₂	Carbon dioxide
CRHR	California Register of Historical Resources
dB	Decibel
dBA	A-weighted decibel scale
EIR	Environmental Impact Report
ESA	Endangered Species Act
EPA	Environmental Protection Agency (federal and state)
F	Fahrenheit
FATO	Final Approach and Takeoff
FESA	Federal Endangered Species Act
GPM	Gallons per minute
HCM	Highway Capacity Manual

ITE	Institute of Transportation Engineers
L_{eq}	Equivalent noise levels
L_{max}	Maximum sound level
L_{min}	Minimum sound level
LOS	Level of service
MG	million gallons
MGD	Million gallons per day
MMP	Mitigation Monitoring Program
mph	Miles per hour
MSL	Mean sea level
NAAQS	National ambient air quality standards
NO₂	Nitrogen dioxide
NOC	Notice of Completion
NOI	Notice of Intent
NOP	Notice of Preparation
NO_x	Nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Place
O₃	Ozone
Pb	Lead
PCE	Passenger car equivalent, generally 1 truck being equal to approximately 1.5-2 cars
PM_{2.5}	Fine particulate matter (2.5 microns or less)
PM₁₀	10-micron or less particulate matter
ppm	Parts per million
ppm_v	Parts per million by volume
ROWD	Report of Waste Discharge
ROG	Reactive organic gases
RWQCB	Regional Water Quality Control Board
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SO₂	Sulfur dioxide
SR	State Route
SWPPP	Stormwater Pollution Prevention Program
TAC	Toxic air contaminants
TIA	Traffic Impact Analysis
UPRR	Union Pacific Railroad
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
VOC	Volatile organic compound
WDR	Waste discharge requirements
WQMP	Water Quality Management Plan

1.7 GLOSSARY OF TERMS

Acre-foot: Volume of liquid or solid required to cover an area of one acre to a depth of one foot. Equals approximately 325,850 gallons of water.

Active fault: Geologic fault with recent seismic activity that has displaced materials not more than 12,000 years old.

Alquist-Priolo Fault Zone: State-identified areas of potentially active and recently active faults.

Alquist-Priolo Special Studies Zones Act: Places specific responsibilities on local governments for identification and evaluation of seismic and geologic hazards, and formulation of programs and regulations to reduce risk in identified locations.

Aquifer: A geological formation that is sufficiently permeable to conduct groundwater and to yield significant quantities of water to wells and springs.

California Endangered Species Act: California state legislation, enacted in 1984, with the intent to protect floral and faunal species by listing them as “rare,” “threatened” “endangered,” or “candidate” and by providing a consultation process for the determination and resolution of potential adverse impact to the species.

California Environmental Quality Act (CEQA): Policies enacted in 1970, and subsequently amended (through September 2004), the intent of which is the maintenance of a quality environment for the people of California now and in the future.

CALINE4: Computer Model, air quality model developed by the California Department of Transportation.

CNEL: Community Noise Equivalent Level—a noise index that accounts for the greater annoyance of noise during evening and nighttime hours.

Discretionary actions: Conditions which can be imposed on a project action prior to approval for implementation. The approval would thus be “at the discretion” of an agency.

EMFAC2002: A computer program published by the California Air Resources Board (CARB) that calculates on road vehicle emissions.

Endangered species: A species whose prospects of survival and reproduction in the wild are in immediate jeopardy from one or more causes.

Environmental Impact Report (EIR): Document in which the impacts of any state or local, public or private project action which may have a significant environmental effect are evaluated prior to its approval and subsequent construction or implementation, as required by the California Environmental Quality Act.

Fault: A geologic fracture or fracture zone along which there has been displacement of the sides relative to one another.

Groundwater: Water found beneath the land surface in the zone of saturation below the water table.

Hazardous material: Substance which, because of its potential for either corrosivity, toxicity, ignitability, chemical reactivity, or explosiveness, may cause injury to persons or damage to property.

Hydrogeology: The study of surface and subsurface water.

Lead Agency: The public agency which has the principal responsibility for carrying out or approving a project.

Level of Service (LOS): An indicator of traffic conditions at an intersection or on a stretch of roadway, and of the delay that can be expected in the general area; A is the best (no delay) and F is the worst.

Notice of Preparation (NOP): A brief notice sent by the public agency with principal responsibility for carrying out or approving a project to notify other agencies that an EIR is being prepared.

NO_x: A generic term for various oxides of nitrogen.

Ozone (O₃): An end product of complex reactions between reactive organic gases (or non-methane hydrocarbons) and nitrogen oxides (NO_x) in the presence of intense ultraviolet radiation.

Rare species: A species which, although not presently threatened with extinction, is in such small numbers throughout its range that it may become endangered if its present environmental worsens.

Regional Water Quality Control Board (RWQCB): Agency which administers the requirements of the California Administrative Code, Title 23, Division 3, Chapter 15 (Section 2595,g,7) to ensure the highest possible water quality consistent with all demands.

Responsible agency: A public agency which proposes to carry out or approve a project for which a lead agency has prepared an EIR. A responsible agency is any agency with discretionary approval over a project.

Right-of-way (ROW): The right to pass over property owned by another. The strip of land over which facilities such as roadways, railroads, or power lines are built.

Seismicity: The likelihood of an area being subject to earthquakes.

Sensitive species: Generic term for any plant or animal species which is recognized by the government or by any conservation group as being depleted, rare, threatened, or endangered.

Significant environmental impact: As defined by CEQA, Chapter 3, Article 1, Section 15002(g), “a substantial adverse change in the physical conditions which exist in the area affected by the proposed project.”

Threatened Species: Species which, although not presently threatened with extinction, is likely to become endangered in the foreseeable future in the absence of special protection and management efforts.

Trustee Agency: A state agency having jurisdiction over natural resources that may be affected by the project, which are held in trust by the state. These include the California Department of Fish and Game, State Lands Commission, and State Department of Parks and Recreation.

Waste discharge requirements: Regulation described in Title 23, Division 3, Chapter 15, of the California Code of Regulations which governs discharge of wastes to land in order to preserve the quality of the state's surface and ground waters.