

# FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT AND RESPONSE TO COMMENTS

## ONTARIO RANCH BUSINESS PARK SPECIFIC PLAN AMENDMENT

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SCH No. 2019050018

### LEAD AGENCY



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## 1.0 INTRODUCTION

The City of Ontario (City), as the Lead Agency, has prepared this Final Subsequent Environmental Impact Report (EIR) in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code [PCR] §§21000 et seq.) and CEQA Guidelines (California Code of Regulations [CCR] §§15000 et seq.).

According to the CEQA Guidelines Section 15132, the Final Subsequent EIR shall consist of:

- (a) The Draft Environmental Impact Report (EIR) or a revision of the Draft;
- (b) Comments and recommendations received on the Draft Subsequent EIR either verbatim or in summary;
- (c) A list of persons, organizations, and public agencies comments on the Draft Subsequent EIR;
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and
- (e) Any other information added by the Lead Agency.

This document contains responses to comments received on the Draft Subsequent EIR for the Ontario Ranch Business Park Specific Plan Amendment (Project) during the public review period, which began June 7, 2022, and closed July 22, 2022. This document has been prepared in accordance with CEQA and the CEQA Guidelines and represents the independent judgment of the Lead Agency. Pursuant to CEQA Guidelines §15132, this document, in conjunction with the circulated Draft Subsequent EIR, comprise the Final Subsequent EIR.

### 1.1 ORGANIZATION OF THE FINAL SUBSEQUENT EIR

This document is organized as follows:

- **Section 1, Introduction.** This section describes CEQA requirements and content of this Final Subsequent EIR.
- **Section 2, Response to Comments.** This section provides a list of agencies and interested persons commenting on the Draft Subsequent EIR; copies of comment letters received during the public review period, and individual responses to written comments. To facilitate review of the responses, each comment letter has been reproduced and assigned a number. Individual comments have been numbered for each letter and the letter is followed by responses with references to the corresponding comment number.

### 1.2 CEQA REQUIREMENTS FOR A FINAL SUBSEQUENT EIR

As described in CEQA Guidelines §§15088, 15089, 15090 and 15132, the Lead Agency must evaluate comments received on the Draft Subsequent EIR and prepare written responses and consider the information contained in a Final Subsequent EIR before approving a project.

CEQA Guidelines §15204(a) outlines parameters for submitting comments, and reminds persons and public agencies that the focus of review and comment of Draft Subsequent EIRs should be:

*...on the sufficiency of the document in identifying and analyzing possible impacts on the environment and ways in which significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible. ...CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.*

CEQA Guidelines §15204(c) further advises, “Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to §15064, an effect shall not be considered significant in the absence of substantial evidence.” Section 15204(d) also states, “Each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency’s statutory responsibility.” Section 15204(e) states, “This section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section.”

State CEQA Guidelines §15088 recommends that where a response to comment makes important changes in the information contain in the text of the Draft Subsequent EIR, that the Lead Agency either revise the text of the Draft Subsequent EIR or include marginal notes showing that information. The Final Subsequent EIR for the Project has been prepared in accordance with CEQA. CEQA Guidelines §15132 indicates that the contents of a Final Subsequent EIR shall consist of:

- “The Draft Subsequent EIR or a revision of the draft;
- Comments and recommendations received on the Draft Subsequent EIR either verbatim or in summary;
- A list of persons, organizations, and public agencies commenting on the Draft Subsequent EIR;
- The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and
- Any other information added by the Lead Agency.”

The City has evaluated comments on environmental issues from persons who reviewed the Draft Subsequent EIR and has prepared a written response, pursuant to CEQA Guidelines §15088(a). Pursuant to CEQA Guidelines §15088(b), the City provided written responses to comments to any public agency that commented on the Draft Subsequent EIR, at least ten (10) days prior to the City Council consideration of certifying the EIR as adequate under CEQA. Written responses to comments will also be provided to non-public agency individuals, organizations, and entities that commended on the Draft

Subsequent EIR. In addition, the Final Subsequent EIR will be made available to the general public at the City's Planning Division office and on the City's website a minimum of 10 days prior to the City Council public hearing.

The Final Subsequent EIR, along with other relevant information and public testimony at the Planning Commission and City Council public hearings, will be considered by the City's Council.

### **1.3 CLARIFICATIONS, AMPLIFICATIONS AND MODIFICATIONS TO THE DRAFT SUBSEQUENT EIR**

CEQA requires recirculation of a Draft Subsequent EIR only when "significant new information" is added to a Draft Subsequent EIR after public notice of the availability of the Draft Subsequent EIR has occurred (refer to California Public Resources Code [PRC] Section 21092.1 and CEQA Guidelines Section 15088.5), but before the EIR is certified. Section 15088.5 of the CEQA Guidelines specifically states::

- “(a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the Draft Subsequent EIR for public review under Section 15087 but before certification. As used in this section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. “Significant new information” requiring recirculation include, for example, a disclosure showing that:
- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
  - (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
  - (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to apply it.
  - (4) The Draft Subsequent EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded (Mountain Lion Coalition v. Fish and Game Com. (1989) 214 Cal.App.3d 1043).”

CEQA Guidelines Section 15088.5 also provides that “[re]circulation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR... A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.” As demonstrated in this Final Subsequent EIR, the responses to comments do not constitute new significant information warranting recirculation of the Draft Subsequent EIR as set forth in CEQA Guidelines Section 15088.5. Rather, the Draft Subsequent EIR is comprehensive and has been prepared in accordance with CEQA.

As discussed herein and as elaborated upon in the respective Response to Comments, none of the responses to Draft Subsequent EIR comments reflect a new significant environmental impact, a “substantial increase” in the severity of an environmental impact for which mitigation is not proposed, or a new feasible alternative or mitigation measure that would clearly lessen significant environmental impacts but is not adopted, nor do the responses to Draft Subsequent EIR comments reflect a “fundamentally flawed” or “conclusory” Draft Subsequent EIR. In all cases, these minor clarifications do not identify new or substantially more severe environmental impacts that the City has not committed to mitigate. Here, the public has not been deprived of a meaningful opportunity to comment upon a substantial adverse environmental effect of the Project or an unadopted feasible Project alternative or mitigation measure. There were no revisions required to the Draft Subsequent EIR and recirculation is not required for further public comment under CEQA Guidelines Section 15088.5. The project will not result in a significant new environmental impact not previously disclosed or analyzed in the Draft Subsequent EIR. Therefore, this Final Subsequent EIR is not subject to recirculation prior to certification.

Furthermore, following approval of the City’s TOP 2050 Update on August 16, 2022, which modified the land use designation for a portion of the Project site, the unavoidable significant impact for Land Use and Planning identified in the Draft Subsequent EIR is no longer applicable. This change was already noted as an anticipated occurrence in the Draft Subsequent EIR (See Section 1.0, Executive Summary, page 1-7, 8, Section 2.0, Introduction, page 2-5; Section 3.0, Project Description, page 3-4, 6; Section 4.10, Land Use, pages 4.10-2,3,5,7,9,20,21), it does not represent a new or substantially more severe environmental impact and therefore does not warrant recirculation of the Draft Subsequent EIR.

## **Section 1.0, Executive Summary**

1. Subsection 1.5.2 on Page 1-7 through 1-8 is revised as follows:

### **1.5.2 No Project/Existing General Plan Alternative**

Section 15126.6(e) of the State CEQA Guidelines requires that an EIR evaluate and analyze the impacts of the “No-Project” Alternative. When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the no-project alternative is the continuation of the plan, policy, or operation into the future. Therefore, under the No Project/Existing General Plan Alternative, the current General Plan land uses, and zoning would remain in effect. Development in accordance with the existing General Plan and zoning would occur. ~~The City’s current TOP designates the Project site for development of Business Park (0.6 FAR), and Low-Medium Density Residential at 5.1-11 dwelling units per acre (du/ac). Following approval of the City’s TOP 2050 Update, the existing land use designations would allow approximately 473,061 sf of business park, and 479 dwelling units at 8.5 du/ac. This alternative would generate approximately 1,660 employees and 1,914 residents. However, as part of the forthcoming proposed TOP 2050 Update that will precede this Project, the underlying land use designations for the Project site will include 11.63 acres of Business Park (at a maximum FAR of 0.6) and 60.06 acres of Industrial (at a maximum FAR of 0.55). The maximum allowable FARs in the TOP 2050 Update are greater than those proposed for this Project; as such, the No Project/Existing General Plan Alternative under the TOP 2050 Update would generate approximately 227,951 sf of business park development, 1,412,739 sf of industrial development, 1,631 employees, and zero residents.~~

**Ability to Reduce Impacts**

~~The No Project/Existing General Plan Alternative would result in reduced impacts to air quality, energy, greenhouse gas emissions, land use and planning, noise, population and housing, and transportation and traffic under the current TOP land use districts when compared to the impacts under the Project. This alternative will have greater impacts compared to the proposed Project related to hazards and hazardous materials, public services, and utilities and service systems. Impacts related to agricultural and forestry resources, biological resources, cultural resources, geology and soils, hydrology and water quality, and tribal cultural resources would be similar compared to the proposed Project.~~

However, as part of the forthcoming proposed TOP 2050 Update that will precede this Project, ~~the~~ The No Project/Existing General Plan Alternative would result in increased impacts to air quality, energy, greenhouse gas emissions, ~~land use and planning,~~ noise, population and housing, and transportation and traffic under the ~~proposed~~ TOP 2050 Update, when compared to the impacts under the Project. Under the TOP 2050 Update, this alternative will have similar impacts compared to the proposed Project related to agricultural and forestry resources, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, and public services, tribal cultural resources, and utilities and service systems would be similar compared to the proposed Project.

2. Table 1-2: Summary of Significant Impacts and Proposed Mitigation Measures, is revised as follows:

Section 4.10, Land Use and Planning			
<p><b>Impact 4.10-1</b></p> <p>Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?                      [Threshold LU-2]</p>	<p><b>Significant                      Less Than                      Significant</b></p>	<p><del>No mitigation measures are feasible. City's adoption of the proposed TOP 2050 Update this August would remedy this impact, should Project approval follow TOP 2050 Update approval. <u>No mitigation is required.</u></del></p>	<p><b>Significant and                      Unavoidable                      Less Than                      Significant</b></p>

**Section 2.0, Introduction**

The second paragraph on Page 2-5 is revised as follows:

**City of Ontario General Plan and The Ontario Plan:** The City's General Plan was comprehensively updated and adopted as a component of The Ontario Plan (TOP) on ~~January 27, 2010~~ August 16, 2022. TOP 2050 Update is the City's comprehensive business plan and serves as the major blueprint for directing growth in Ontario for the next 20 years or more. The General Plan analyzes existing conditions in the City, including physical, social, cultural, and environmental resources and opportunities. The General Plan also looks at trends, issues, and concerns that affect the region, includes City goals and objectives, and provides policies to guide development and change. The General Plan consists of a six-part Component Framework: 1) Vision, 2) Governance Manual, 3) Policy Plan, 4) City Council Priorities, 5) Implementation, and 6) Tracking and Feedback. The General Plan and TOP can be found here: <https://www.ontarioplan.org/>. ~~Note~~

~~that TOP is currently in the process of being updated, referred to as TOP 2050 Update, scheduled for approval by the City in August 2022. However, this Project is analyzed in accordance with the currently adopted The Ontario Plan. Note that the proposed Project is planned for City consideration after the City's planned adoption of TOP 2050 Update in August 2022 (the Project's proposed land use designations are consistent with those shown in the proposed TOP Update 2050). With the City's adoption of TOP 2050, the Project is consistent with TOP 2050 designated land uses and associated underlying zoning.~~

### Section 3.0, Project Description

1. The first paragraph on page 3-4 is revised as follows:

#### ***Existing TOP Land Use Designations***

TOP's existing land use designations for the Project site are shown in Figure 3-5, Existing Land Use and Zoning. The 71.69-acre Project site has a ~~LMDR and BP and IND~~ land use designation with an Agricultural-Specific Plan (SP-AG) Overlay. ~~Following adoption of the TOP 2050 Update, The City's current TOP designates the Project site for development of BP (0.6 FAR), and LMDR at 5.1 11 du/ac. However, the City is planning to adopt TOP 2050 Update in August 2022, that will precede this Project, and change the underlying land use designations for the Project site to include 11.63 acres of BP (at a maximum FAR of 0.6) and 60.06 acres of IG (at a maximum FAR of 0.55).~~

TOP existing land use designations for the Project site by parcel number are as follows:

- ~~• LMDR (5.1 11 du/ac)~~

~~APNs: 1054-041-02, 1054-031-02, 1054-261-02, 1054-261-01, 1054-031-01, 1054-041-01~~

- ~~• BP (0.6 FAR)~~

~~APNs: 1054-291-01, 1054-291-02~~

TOP 2050 Update land use designations for the Project site by parcel number are as follows:

- Industrial (0.55 FAR)

APNs: 1054-041-02, 1054-031-02, 1054-261-02, 1054-261-01, 1054-031-01, 1054-041-01

- BP (0.6 FAR)

APNs: 1054-291-01, 1054-291-02.

2. The second paragraph on page 3-6, is revised as follows:

#### **3.5.2 SB330 Compliance**

The Housing Accountability Act, or Senate Bill 330 (SB330), requires that, when approving a Project, a City must ensure that there is "no net loss" of residential zoning capacity within the City. Although the Project

site is currently zoned with SP-AG, this overlay zone requires preparation of a Specific Plan to implement the policies in the City’s TOP. ~~With planned adoption of TOP 2050 Update this August, Following adoption of the TOP 2050 Update,~~ the Project site ~~has~~ would general plan land use designations of Business Park and Industrial, no residential zoning capacity will be lost as part of Project approval.

The City’s TOP 2050 Update process is a comprehensive policy planning process with “a particular focus on conducting technical updates to the Policy Plan to comply with state housing mandates; conform with new state laws related to community health, environmental justice, climate adaption, and mobility; bring long-term growth and fiscal projections into alignment with current economic conditions; and advance the Tracking and Feedback system and Implementation Plan.”

**Section 4.10, Land Use and Planning**

1. The following paragraph on page 4.10-2 through 4.10-3 is revised as follows:

~~As discussed in Section 3.0, Project Description, the Project site’s current land use designation in the City’s General Plan (TOP) is Low Medium Density Residential (LMDR) and BP. However, the City is planning to adopt TOP 2050 Update in August 2022, Following approval of the TOP 2050 Update, which shows the Project site is designated as BP and IND consistent with the proposed SPA. As this Draft Subsequent EIR is planned for approval after approval of the City’s TOP 2050 Update, the Project would be consistent with the land use designations following TOP 2050 Update. As part of the forthcoming proposed TOP 2050 Update that will precede this Project, t~~The underlying land use designations for the Project site will include 11.63 acres of BP (at a maximum FAR of 0.6) and 60.06 acres of IND (at a maximum FAR of 0.55). The maximum allowable FARs in the current TOP 2050 Update are greater than those proposed for this Project. TOP 2050 Update land use designations and the Ontario MC - Title 9 Development Code zoning classifications for the Project site is shown below in Table 4.10-2, TOP 2050 Update General Plan Land Use Designations and Zoning Classifications.<sup>1</sup>

**Table 4.10-2: TOP 2050 Update General Plan Land Use Designations and Zoning Classifications**

Location	General Plan Land Use Designation	Zoning Classification
Project Site	Industrial (0.55 FAR) Business Park (0.6 FAR) Chino Airport Overlay	SP, Specific Plan AG, Agricultural Overlay
1. City of Ontario. 2022. <i>The Ontario Plan 2050 Supplemental EIR, Figure ES-3 Place Types</i> . Retrieved from: <a href="https://files.ceganet.opr.ca.gov/271618-2/attachment/eWuGwlyBRUCdOW7ZaCm4H1mV0w8mPGsss0XHvAPaJ8sKEtqYcqDQkAGVxgSCOnxC8eog7OIGLi0AWg4X0">https://files.ceganet.opr.ca.gov/271618-2/attachment/eWuGwlyBRUCdOW7ZaCm4H1mV0w8mPGsss0XHvAPaJ8sKEtqYcqDQkAGVxgSCOnxC8eog7OIGLi0AWg4X0</a> . 2. City of Ontario. Zoning Map. (2015). Retrieved from: <a href="https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Documents/Zoning%20Map/Zoning_20210212.pdf">https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Documents/Zoning%20Map/Zoning_20210212.pdf</a>		

2. The last and first paragraph on Page 4.10-4 through 4.10-5 is revised as follows:

**The Ontario Plan**

The City adopted TOP ~~2050 Update on January 27, 2010~~ August 16, 2022. TOP is the community’s blueprint for future development ~~through 2035~~. The Project site is made of 8 parcels total—2 is designated as BP

<sup>1</sup> This is the current land use designation in the City’s TOP. However, the City is planning to adopt TOP 2050 Update this August, which shows the Project site as Business Park and Industrial, consistent with the proposed SPA. As the ORBP II SPA Subsequent EIR is planned for approval after approval of the City’s TOP 2050 Update, the Project would be consistent with the land use designations following TOP 2050 Update.

and 6 as LMDR IND. The existing land use designations and descriptions are provided in Table 4.10-3, Existing TOP Land Use Designations.

**Table 4.10-3: Existing TOP Land Use Designations**

Land Use	Dwelling Units per Acre or Floor Area Ratio	Description of Land Use Designation
Business Park	0.6 FAR	Employee-intensive office uses including corporate offices, technology centers, research and development, “clean” industry, light manufacturing, and supporting retail.
Low-Medium Density Residential	5.1–11 du/ac	Single/multi-family attached and detached residences, including small lot subdivisions, townhouses, and courtyard homes.
Source: City of Ontario. Rev 2017. LU-02 Land Use Designations Summary Table. <a href="https://www.ontarioplan.org/wp-content/uploads/sites/4/2020/11/LU-02-Land-Use-design-table-032017.pdf">https://www.ontarioplan.org/wp-content/uploads/sites/4/2020/11/LU-02-Land-Use-design-table-032017.pdf</a> .		

The City is planning to adopt TOP 2050 Update in August 2022, which shows the Project site as BP and IND, consistent with the proposed Project SPA. With the City’s adoption of TOP 2050 Update following release of the Draft Subsequent EIR, the Project is consistent with existing TOP 2050 land use and associated underlying zoning. As this Draft Subsequent EIR is planned for approval after approval of the City’s TOP 2050 Update, the Project would be consistent with the land use designations following TOP 2050 Update, as shown in Table 4.10-4 Table 4.10-3, TOP 2050 Update Land Use Designations.

3. The first impact on page 4.10-6 is revised as follows:

Impact 4.10-1 Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? [Threshold LU-2]

Level of Significance Before Mitigation: Potentially Significant Impact. Less Than Significant Impact.

4. The second paragraph on page 4.10-7 is revised as follows:

The 71.69-acre Project site’s proposed industrial and business park use is consistent with the TOP 2050 Update, approved August 16, 2022. is inconsistent with the Project site’s current TOP land use designation, which is currently 56 acres of LMDR and 18 acres of BP (the Project proposes approximately 12 acres of BP, and approximately 60 acres of IND, to facilitate development of the Project). The Project SPA would provide a land use plan, circulation plan, streetscape plan, infrastructure service plan, grading plan, maintenance plan, phasing plan, design guidelines, development regulations, and implementation measures to guide the development of the Project site. Although the Project would be inconsistent with the City’s current TOP (a significant unavoidable impact), this would be remedied upon the City’s planned adoption of TOP 2050 Update, which is scheduled for City approval in August 2022. Should the Project follow approval of TOP 2050 (which proposes the site as BP and IND land uses consistent with the Project’s proposed SPA), the Project would be consistent with the City’s TOP 2050 land use designations.

5. The first paragraph on page 4.10-9 is revised as follows:

**The Ontario Plan Compatibility**

An analysis of the Project’s consistency with Citywide goals in the ~~current~~ TOP 2050 Update is provided in Table 4.10-6, Consistency with the City of Ontario General Plan (TOP). Because CEQA Impact Threshold 4.10-2 emphasizes consistency with land use goals “adopted for the purpose of avoiding or mitigating an

environmental effect,” Table 4.10-6 focuses on consistency with the City’s TOP 2050 Update Elements that address environmental issues. Goals and policies that do not address environmental effects or are not applicable to the Project are not addressed below. ~~Note that the following TOP consistency analysis is based upon Project consistency with the City’s current TOP. While the Project is consistent with the current TOP goals and policies noted below, the Project’s proposed land use designations as reflected in the proposed SPA are inconsistent with current TOP land use designations of LMDR and BP, which represents a significant impact. The Project is consistent with TOP 2050 Update goals and policies noted below, the Project’s proposed land uses as reflected in the proposed SPA are consistent with the TOP 2050 Update land use designations, which represent a less than significant impact. As discussed further below, this land use inconsistency would be remedied upon the City’s approval of the proposed TOP 2050 Update planned for August 2022. Should the Project approval follow TOP 2050 Update approval, the Project’s land uses would be consistent with the City’s General Plan land use designations as proposed in TOP 2050 Update.~~

6. The sixth paragraph on page 4.10-20 is revised as follows:

The Project would develop business park and industrial uses that would benefit from the Chino Airport to further develop the local economy and business. With the City’s adoption of TOP 2050 Update, August 16, 2022, following release of the Draft Subsequent EIR, the Project is consistent with existing TOP 2050 Update land use designations and associated underlying zoning. Although the proposed Project land uses are not consistent with current TOP land use designations, the City’s proposed TOP 2050 Update includes land uses designations that are consistent with the Project. Furthermore, the SPA would promote orderly development to coincide with adjacent land uses, including Chino Airport. The proposed Project SPA embodies the goals and policies in the applicable long-range planning documents. However, as noted above, the Project’s proposed land uses are inconsistent with current TOP land uses and as such, this represents a significant impact. This impact would be remedied upon the City’s adoption of TOP 2050 Update which is planned for August 2022. Therefore, no significant impact would result with respect to TOP land use and City zoning consistency.

7. The last four paragraphs on page 4.10-21 is revised as follows:

Cumulative projects could include General Plan amendments and/or zone changes, modifications to existing land uses. However, such amendments do not necessarily represent an inherent negative effect on the environment, particularly if the proposed changes involve changes in types and intensity of uses, rather than eliminating application of policies that were specifically adopted for the purpose of avoiding or mitigating environmental effects. Determining whether any future project might include such amendments and determining the cumulative effects of any such amendments would be speculative since it cannot be known what applications that are not currently filed might request. As noted above the Project’s proposed land uses are ~~inconsistent~~ consistent with the City’s ~~current~~ TOP 2050 Update, which represents a less than significant Project impact and ~~potentially less than~~ less than significant cumulative impact. Therefore, the Project ~~represents a~~ is not a cumulatively considerable impact related to policy consistency. ~~This Project and cumulative impact would be remedied upon the City’s adoption of TOP 2050 Update planned for August 2022.~~

#### 4.10.7 Level of Significance Before Mitigation

Upon implementation of regulatory requirements, impacts on 4.10 1 would be less than significant. ~~a significant and unavoidable impact due to conflict with current TOP land use designations: 4.10-1.~~

#### 4.10.8 Mitigation Measures

~~No mitigation measures feasible. Should the City adopt TOP 2050 Update, there would be no mitigation measures necessary relative to land use and planning. No significant Project-level or cumulative impacts to land use and planning were identified and no mitigation measures are necessary.~~

#### 4.10.9 Level of Significance After Mitigation

~~Even with implementation of regulatory requirements and standard conditions of approval, the Project would result in unavoidable significant impacts with respect to conflict with the City's land use plan (Impact 4.10-1). This impact would be remedied upon the City's planned approval of TOP 2050 Update scheduled for August 2022. Compliance with existing regulatory requirements will ensure that impacts remain less than significant.~~

### Section 6.0, Alternatives

1. Subsection 6.4.10 on page 6-6, is revised as follows:

The No Project/No Build Alternative would continue the existing agriculture and residential uses, and the City's existing TOP land use and zoning designations for the Project site would remain consistent. The Project site is located within an Agricultural Overlay Zoning, which allows for agricultural uses within the City, until such time that urban development consistent with the Ontario Plan (TOP) occurs. Due to provisions of the Agricultural Overlay Zoning which would allow for the existing agricultural land uses to continue as-is, impacts under the No Project/No Build Alternative would be less than significant. ~~The Project as proposed conflicts with the existing TOP land use designations and as such results in a significant and unavoidable impact. This land use inconsistency would be remedied upon the City's approval of the proposed TOP 2050 Update planned for in August 2022. Should the Project approval follow TOP 2050 Update approval, t~~ The Project's land uses would are be consistent with the City's General Plan land use designations as ~~proposed shown~~ in TOP 2050 Update. Impacts under this alternative would be reduced compared to the proposed Project.

2. Subsection 6.5 on page 6-8 through 6-9 is revised as follows:

#### 6.5 No Project/Existing General Plan Alternative

Section 15126.6(e) of the State CEQA Guidelines requires that an EIR evaluate and analyze the impacts of the "No-Project" Alternative. When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the no-project alternative is the continuation of the plan, policy, or operation into the future. Therefore, under the No Project/Existing General Plan Alternative, the current General Plan land uses and zoning would remain in effect. Development in accordance with the existing General Plan and zoning would occur. ~~The City's TOP designates the Project site for development of Business Park (0.6 floor area ratio [FAR]), and Low-Medium Density Residential at 5.1-11 dwelling units per acre (du/ac). The existing land use designations would allow approximately 473,061 sf of business park, and 479~~

~~dwelling units at 8.5 du/ac. This alternative would generate approximately 1,660 employees and 1,914 residents. However, as part of the forthcoming proposed The City's TOP 2050 Update designates that will precede approval of this the Project site will include as 11.63 acres of Business Park (at a maximum FAR of 0.6) and 60.06 acres of Industrial (at a maximum FAR of 0.55). The maximum allowable FARs in the TOP 2050 Update are greater than those proposed for this Project; as such, the No Project/Existing General Plan Alternative under the TOP 2050 Update would generate approximately 227,951 sf of business park development, 1,412,739 sf of industrial development, 1,631 employees, and zero residents.~~

3. Subsection 6.5.10 on page 6-11 is revised as follows:

#### **6.5.10 Land Use and Planning**

~~The No Project/Existing General Plan Alternative would develop the Project site with business park and residential industrial land uses. This alternative would be consistent with existing TOP 2050 Update and zoning designations and would result in a less than significant impact. However, the Project's proposed land uses are inconsistent with current TOP 2050 Update land use designations and zoning, and the Project would result in a significant and unavoidable less than significant impact for land use consistency under the current TOP. However, the City is planning to adopt TOP 2050 Update in August 2022, which shows the Project site as Business Park and Industrial, consistent with the proposed Specific Plan Amendment (SPA) for the Project. As the Project SPA is planned for approval after approval of the City's TOP 2050 Update, the Project would be consistent with the land use designations as proposed in TOP 2050 Update. Therefore, impacts would be similar to those of the proposed Project. Unlike the proposed Project, the No Project/Existing General Plan Alternative would result in a less than significant impact related to land use, and impacts are reduced compared to the proposed Project.~~

4. Subheading on page 6-13 through 6-14 would be revised as follows:

#### **6.5.17 Conclusion**

##### ***Ability to Reduce Impacts***

~~The No Project/Existing General Plan Alternative would result in reduced impacts to air quality, energy, GHG emissions, land use and planning, noise, population and housing, and transportation and traffic under the current TOP land use districts when compared to the impacts under the Project. This alternative will have greater impacts compared to the proposed Project related to hazards and hazardous materials, public services, and utilities and service systems. Impacts related to agricultural and forestry resources, biological resources, cultural resources, geology and soils, hydrology and water quality, and tribal cultural resources would be similar compared to the proposed Project.~~

~~However, as part of the forthcoming proposed TOP 2050 Update that will precede this Project, the No Project/Existing General Plan Alternative would result in increased impacts to air quality, energy, GHG emissions, land use and planning, noise, population and housing, and transportation and traffic under the proposed TOP 2050 Update, when compared to the impacts under the Project. Under the TOP 2050 Update, this alternative will have similar impacts compared to the proposed Project related to agricultural and forestry resources, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, and public services, tribal cultural resources, and utilities and service systems would be similar compared to the proposed Project.~~

5. Subheading on page 6-14 is revised as follows:

### ***Ability to Achieve Project Objectives***

~~Implementation of the No Project/Existing General Plan Alternative would not meet four of the six Project objectives. For example, this alternative would not create a professional, well-maintained and attractive environment for the development of a multi-purpose business park, light industrial and warehousing/logistics complex that is compatible with nearby residential neighborhoods (Objective 1); provide the entitlements and framework for the development of approximately 1.6 million sf of business park and light industrial uses (Objective 2); expand Ontario's industrial uses in proximity to local airports and regional transportation networks (Objective 5); nor would it create an economic engine to drive future growth in Ontario Ranch, spur infrastructure improvements in the area and implement the Specific Plan vision (Objective 6). This alternative would provide employment opportunities for community residents (Objective 3) and facilitate the construction of utilities, roads, and other major infrastructure investments that will be sufficiently sized to adequately serve the Specific Plan area (Objective 4).~~

~~However, as part of the forthcoming proposed TOP 2050 Update that will precede this Project, ~~the~~ underlying land use designations for the Project site are Business Park and Industrial. Therefore, under the TOP 2050 Update, the No Project/Existing General Plan Alternative would meet all six Project objectives as it would create a professional, well-maintained and attractive environment for the development of a multi-purpose business park, light industrial and warehousing/logistics complex that is compatible with nearby residential neighborhoods (Objective 1); provide the entitlements and framework for the development of approximately 1.6 million sf of business park and light industrial uses (Objective 2); expand Ontario's industrial uses in proximity to local airports and regional transportation networks (Objective 5); and it would create an economic engine to drive future growth in Ontario Ranch, spur infrastructure improvements in the area and implement the Specific Plan vision (Objective 6). This alternative would provide employment opportunities for community residents (Objective 3) and facilitate the construction of utilities, roads, and other major infrastructure investments that will be sufficiently sized to adequately serve the Specific Plan area (Objective 4).~~

6. Subheading 6.6.10 is revised as follows:

### **6.6.10 Land Use and Planning**

~~The Reduced-Intensity Alternative would require a SPA to implement the Project. This alternative would have similar levels of consistency with the SCAG RTP/SCS policies, the City's General Plan, the City's Development Code, and consistency with airport plans. Similar to the Project, the Reduced-Intensity Alternative would be inconsistent with current TOP 2050 Update land use designations and would require a SPA, resulting in a significant and unavoidable less than significant impact for land use consistency under the current TOP. However, the City is planning to adopt TOP 2050 Update in August 2022, which shows the Project site as Business Park and Industrial, consistent with the proposed SPA for the Project. As the Project SPA is planned for approval after approval of the City's TOP 2050 Update, the Project would be consistent with the land use designations following TOP 2050 Update. Therefore, like the proposed Project, the Reduced-Intensity Alternative would result in a less than significant ~~significant and unavoidable~~ impact related to land use and would be similar compared to the proposed Project.~~

## 2.0 RESPONSE TO COMMENTS

CEQA Guidelines Section 15088(a) states that: “The lead agency shall evaluate comments on environmental issues received from persons who reviewed the Draft Subsequent EIR and shall prepare a written response. The Lead Agency shall respond to comments that were received during the noticed comment period and any extensions and may respond to late comments.” In accordance with these requirements, this section of the Final Subsequent EIR provides the City of Ontario’s responses to each of the comments on the Draft Subsequent EIR received during the public comment period.

Comment letters and specific comments are given letters and numbers for reference purposes. Where sections of the Draft Subsequent EIR are excerpted in this document, the sections are shown indented.

The following is a list of agencies and persons that submitted comments on the Draft Subsequent EIR during the public review period.

### 2.1 LIST OF DRAFT SUBSEQUENT EIR COMMENTS

Comments have been numbered as shown below, with responses to each comment following the respective comment letter.

Letter	Date Received	Organization/Name
<b>Local</b>		
L1	June 17, 2022	Riverside County Airport Land Use Commission (ALUC)
L2	June 21, 2022	Jurupa Unified School District
L3	July 6, 2022	South Coast Air Quality Management District (SCAQMD)
L4	July 19, 2022	City of Chino
L5	July 22, 2022	City of Eastvale

**Comment Letter L1 – Riverside County Airport Land Use Commission (ALUC)**

From: [Vega, Jacqueline](#)  
To: [Alexis Vaughn](#)  
Cc: [Rull, Paul](#)  
Subject: SPA2019050018  
Date: Friday, June 17, 2022 9:31:44 AM  
Attachments: [image001.png](#)

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Hello Alexis,

Thank you for transmitting the above reference project to ALUC for review. Please note that the project location is outside the Riverside County boarder, and therefor not in our jurisdiction and will not require ALUC review at this time.

However, please refer to the Ontario airport land use compatibility plan and its potential impact on the project.

Should you have any questions, please contact, me

a

Jackie Vega  
Urban Regional Planner I



**Riverside County Airport Land Use Commission**  
4080 Lemon Street, 14<sup>th</sup> Floor  
Riverside, Ca 92501  
(951) 955-0962  
[Javega@RIVCO.ORG](mailto:Javega@RIVCO.ORG)  
[www.rcaluc.org](http://www.rcaluc.org)

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[County of Riverside California \[countyofriverside.us\]](http://www.countyofriverside.us)

**Response to Letter L1 Riverside County Airport Land Use Commission (ALUC)**

June 17, 2022

**Response L1-a**

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The commenter notes that the Project is outside of Riverside County, and therefore, it will not require Airport Land Use Commission (ALUC) review. Additionally, the commenter recommends referring to the Ontario Airport Land Use Compatibility Plan and its potential impact on the Project.

As discussed in Section 4.8, Hazards, Section 4.10, Land Use and Section 4.11, Noise, of the Draft Subsequent EIR, the Ontario Airport Land Use Compatibility Plan was utilized to evaluate potential Project impacts. The Project site is located five miles south of the Ontario International Airport. The Project site is not within a safety zone, a noise impact zone, or an airspace protection zone of the Ontario International Airport. Therefore, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area and impacts would be less than significant.

## Comment Letter L2 – Jurupa Unified School District

**From:** [Maria Christy](#)  
**To:** [Alexis Vaughn](#)  
**Cc:** [Robin Griffin](#)  
**Subject:** FW: Notice of Availability of a Draft Subsequent EIR - City of Ontario - Ontario Ranch Business Park Specific Plan Amendment Project State Clearinghouse #2019050018 - June 2022  
**Date:** Tuesday, June 21, 2022 10:22:34 AM  
**Attachments:** [image001.png](#)  
[image002.gif](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[01 CRBP NOA\\_OCR.pdf](#)

Alexis,

Jurupa Unified School District has received the Notice of Availability of a Draft EIR for the Ontario Ranch Business Park. At this time, the District has no comments.

Best,



**Maria Christy**  
Facilities Analyst  
Planning & Development  
**Phone** (951) 361-6571  
**Email** [maria\\_christy@jUSD.k12.ca.us](mailto:maria_christy@jUSD.k12.ca.us)

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[\[nam11.safelinks.protection.outlook.com\]](#)

***Response to Letter L2 Jurupa Unified School District***

June 21, 2022

**Response L2-a**

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The commenter notes that the Jurupa Unified School District received the Notice of Availability for the Draft Subsequent EIR and has no comments. The comment is noted for the record and no further action is needed.

### Comment Letter L3 – South Coast Air Quality Management District (SCAQMD)

From: [Dung Nguyen](#)  
To: [Alexis Vaughn](#)  
Cc: [Michael Morris](#)  
Subject: Technical Data Request: Proposed Ontario Ranch Business Park Specific Plan Amendment Project  
Date: Wednesday, July 6, 2022 8:50:21 AM

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Dear Mr. Vaughn:

South Coast AQMD staff received the Draft Subsequent Environmental Impact Report (Draft SEIR) for the Proposed Ontario Ranch Business Park Specific Plan Amendment Project ([South Coast AQMD Control Number: SBC220607-04](#)). Staff is currently in the process of reviewing the Draft EIR. The public commenting period is from 6/7/2022 – 7/22/2022.

Upon reviewing the files provided as part of the public review period, I was able to access the Draft SEIR through the City's website.

Please provide all technical documents related to air quality, health risk, and GHG analyses, electronic versions of all emission calculation files, and air quality modeling and health risk assessment files (complete files, not summaries) that were used to quantify the air quality impacts from construction and/or operation of the Proposed Project as applicable, including the following:

- CalEEMod Input Files (.csv files);
- EMFAC output files (not PDF files);
- All emission calculation spreadsheet file(s) (not PDF files) used to calculate the Project's emission sources (i.e., truck operations);
- AERMOD Input and Output files, including AERMOD View file(s) (.isc);
- Any HARP Input and Output files and/or cancer risk calculation files (excel file(s); not PDF) used to calculate cancer risk and chronic and acute hazards from the Project;
- Any files related to post-processing done outside AERMOD to calculate pollutant-specific concentrations (if applicable).

You may send the files mentioned above via a Dropbox link in which they may be accessed and downloaded by South Coast AQMD staff **by COB on Monday, 7/11/22**. Without all files and supporting documentation, South Coast AQMD staff will be unable to complete a review of the air quality analyses in a timely manner. Any delays in providing all supporting documentation will require additional time for review beyond the end of the comment period.

If you have any questions regarding this request, please don't hesitate to contact me.

Regards,

Dung Nguyen (*She/Her/Hers*)  
Air Quality Specialist, CEQA IGR  
Planning, Rule Development & Area Sources  
South Coast Air Quality Management District  
21865 Copley Drive, Diamond Bar, CA 91765  
Phone: (909) 396-3531  
E-mail: [dnguyen1@aqmd.gov](mailto:dnguyen1@aqmd.gov)  
*Please note South Coast AQMD is closed on Mondays.*

a  
b  
c  
d

**Response to Letter L3 South Coast Air Quality Management District**

July 6, 2022

**Response L3-a**

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The comment is introductory and general in nature. No further action is needed.

**Response L3-b**

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The comment is noted for the record and no further action is needed.

**Response L3-c**

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The commenter requests that all technical documents related to air quality, health risk, and greenhouse gas emissions, and related files that were used to quantify the air quality impacts from construction and/or operation of the Project, be sent via a Dropbox link to the South Coast South Coast Air Quality Management District (AQMD) staff by Monday July 11, 2022.

In response, all technical documents were provided to the South Coast AQMD via an emailed Dropbox with a confirmed receipt dated July 7, 2022.

**Response L3-d**

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The comment is noted for the record and no further action is needed.

**Comment Letter L4 – City of Chino**

EUNICE M. ULLOA  
Mayor

MARC LUCIO  
Mayor Pro Tem



KAREN C. COMSTOCK  
CHRISTOPHER FLORES  
WALT POCKOCK  
Council Members

ANTHONY ARROYO  
Interim City Manager

**CITY of CHINO**

July 19, 2022

**VIA US POSTAGE AND VIA EMAIL**  
[avaughn@ontarioca.gov](mailto:avaughn@ontarioca.gov)

Alexis Vaughn, Associate Planner  
City of Ontario Planning Department  
303 East "B" Street  
Ontario, CA 91764

Re: Notice of Availability of a Draft Subsequent Environmental Impact Report (SEIR): Ontario Ranch Business Park Specific Plan Amendment (State Clearinghouse #2019050018)

Dear Ms. Vaughn:

This letter is in response to the Notice of Availability of a draft SEIR for the Ontario Ranch Business Park Specific Plan Amendment, made available on June 6, 2022. The City's comments are outlined below:

**Planning**

- 1) On page 4-5, Table 4-1, City of Chino – The projects listed below should be added or revised to the EIR so that the documents projections/analyses have greater accuracy.
  - a. The list is outdated, many of the projects noted as partially complete are now complete with some projects missing. It is unclear if this would impact the EIR analysis.
  - b. Eagle's Nest V and VI airport hangar project proposed to be developed on the Chino Airport along the southern portion of Merrill Avenue, west of the Grove/Merrill intersection. The project currently proposes 155,299-square feet of hangar space with 7,528-square feet of office mezzanine.
- 2) The current Land Use as shown on Figure 3-5 indicates the current approved land uses for the City of Ontario. Figure 3-4 indicates the proposed land use changes associated with this SEIR. There are significant land use changes proposed to properties located north of Merrill Avenue, south of Eucalyptus Avenue between Sultana Avenue and Campus Avenue. The City of Chino and the City of Ontario share Merrill Avenue for truck and vehicular access to this area. The SEIR indicates, approximately 56 acres of land are proposed to be changed from Low Medium Density Residential (LMDR) (5.11-11.00 du/ac) to Industrial (IND) (0.55 FAR), and an increase of 6 acres of land are proposed to be changed from Business Park (BP) (0.60 FAR) to Industrial (IND) (0.55 FAR). IND designated land will likely have a significant impact to truck traffic along Merrill Avenue, Euclid Avenue, and other streets in the City of Chino. It is unclear in the EIR if the BP/IND

a

b



13220 Central Avenue, Chino, California 91710  
Mailing Address: P.O. Box 667, Chino, California 91708-0667  
(909) 334-3250 • (909) 334-3720 Fax  
Web Site: [www.cityofchino.org](http://www.cityofchino.org)

Alexis Vaughn, Assistant Planner  
City of Ontario Planning Department

Re: Notice of Availability of a Draft Subsequent Environmental Impact Report (SEIR): Ontario  
Ranch Business Park Specific Plan Amendment (State Clearinghouse #2019050018)

July 19, 2022

Page 2

land has been transferred from other areas of the City of Ontario or if these are newly proposed land uses in this area. Either way, more detail related to VMT and specifically truck traffic increases to this area based on the potential industrial building square footage on this land are needed to determine the impacts to traffic and air quality in the vicinity.

b

- 3) Chapter 6.6 of the SEIR provides for a Reduced-Intensity Alternative to the proposed project, which indicates it would provide for a 25% reduction in total building square footage equaling a reduction of 410,173 square feet from the proposed 1,640,690 square feet. This section is not specific as to where the reduction in industrial development would occur related to which buildings would be eliminated or reduced in square footage. With this alternative how would the reduction impact truck traffic specifically. More details are needed related to what proposed land use changes and which specific parcels and/or buildings would be associated with the utilization of the Reduced-Intensity Alternative. A land use map outlining the Reduced Industrial Alternative is required along with the details needed as outlined in Comment 2 above to determine the environmental impacts to the vicinity of Merrill Avenue associated with the Reduced-Intensity Alternative.

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**Traffic / Transportation**

- 4) City of Chino did not participate in the scoping or review of the TIA for this project as previously requested.

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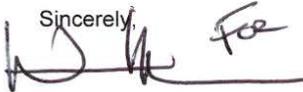
a. The TIA should include the analysis of the two primary Chino Airport access intersections on Merrill (Cal Aero Dr. & Stearman Dr.) in the vicinity of the project.

- 5) The City of Chino has the Strategic Goal to coordinate potential truck traffic impacts along Merrill and Euclid with the City of Ontario as this area continues to develop with industrial land uses. Within the City of Chino, we have implemented a requirement of new industrial projects to provide a truck routing plan that clearly indicates to the development and their tenants the allowable truck routes to and from the project. We have also enhanced truck routing signage along truck routes. These efforts are intended to help address increasing impacts of trucks traveling off-route in the region. Chino requests that this industrial project include the same type of requirements to assist in ensuring truck traffic has minimized impacts to sensitive land uses.

e

If you have any questions, please contact me by email at [mhitz@cityofchino.org](mailto:mhitz@cityofchino.org), or you can call me at 909-334-3448.

Sincerely,



Michael Hitz  
Principal Planner

cc: Warren Morelion, AICP, City Planner  
Dennis Ralls, Transportation Manager

## **Response to Letter L4 City of Chino**

July 19, 2022

### **Response L4-a**

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The commentor indicates that the list of Related Approved and Pending Projects listed on Table 4-1 on Page 4-5 of the Draft Subsequent EIR includes outdated or missing related projects or project components. Most noticeably, the letter requests that the Eagles' Nest V and VI airport hangar project proposed to be developed on the Chino Airport along the southern portion of Merrill Avenue should be included.

The cumulative development list was compiled at the time the Traffic Analysis (Appendix I of the Draft Subsequent EIR) was prepared. Due to school and business closures associated with the COVID-19 pandemic, historic traffic counts from January 2019, in conjunction with a 2%-5% per year growth rate, were utilized for existing conditions. As such, some cumulative development projects that have recently been completed are still included in the cumulative projects list, since their traffic would not be captured within the 2019 traffic counts. Including cumulative projects that have recently been completed provides a more conservative CEQA analysis, as it can be unclear if these projects are fully occupied and operational upon completion of construction of these cumulative projects.

According to the Initial Study for the Eagle's Nest V and VI Aviation Business Park Project, prepared by Crable & Associates, September 2020, the proposed Eagle's Nest airport hangar project would not generate any significant impacts. The Initial Study determined that impacts to biological resources, noise, cultural resources, hazards and hazardous materials, and tribal cultural resources would be reduced to less than significant with the implementation of mitigation. All other impacts were determined to be less than significant and did not require mitigation measures. Regarding traffic, the proposed Eagle's Nest airport hangar project is anticipated to generate 17 AM peak hour trips, 30 PM peak hour trips, and 198 daily trips. Since the cumulative project is anticipated to generate fewer than 50 peak hour trips, the project would not generate enough trips to significantly affect the results of the Traffic Analysis (see Appendix I of the Draft Subsequent EIR). Additionally, the initial study prepared for the Eagle's Nest V and VI Aviation Business Park project concluded that since the project is anticipated to generate fewer than 50 peak hour trips, there would be no apparent safety or operational concerns. As such, the cumulative development project identified in this comment letter has not been included in the transportation analysis. Moreover, traffic from this cumulative Eagle's Nest V and VI Aviation Business Park project would be captured in the ambient traffic growth included for Opening Year Cumulative traffic conditions.<sup>1</sup>

Similar to the traffic impacts discussed above, a review of other Eagle's Nest V and VI Aviation Business Park project impacts would also not result in any new cumulative impacts.

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<sup>1</sup> City of Chino. 2020. Initial Study for the Eagle's Nest V and VI Aviation Business Park Project Located at Chino Airport, Chino, California. Available at <https://cityofchino.org/DocumentCenter/View/628/Eagles-Nest-Initial-Study---Mitigated-Negative-Declaration-PDF>.

## Response L4-b

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The commentor is requesting clarification on potential traffic and air quality impacts caused by the increased industrial building square footage associated with this Project.

In general, the proposed land use designation changes for the Project from residential or business park to industrial are anticipated to result in an overall net reduction to vehicular trips, although there would be a net increase in truck traffic associated with the proposed industrial uses in comparison to residential uses. The Project Traffic Analysis (Appendix I of the Draft Subsequent EIR) evaluates the allocation of the proposed Project truck trips along the nearby truck routes, including Merrill Avenue to both Euclid Avenue (SR-83) and Archibald Avenue (Grove Avenue is not a designated truck route). As such, the analysis accounts for the anticipated increase in trips associated with the Project. The Horizon Year (2040) Without Project traffic conditions accounts for the currently adopted underlying land uses while the Horizon Year (2040) With Project traffic conditions assess the effects of the proposed land use changes, including any potential impacts caused by an increase in truck traffic along the Merrill Avenue corridor.

Air quality and greenhouse gas impacts were analyzed based on the Project Traffic Analysis (Appendix I of the Draft Subsequent EIR) which stated the Project would generate 3,656 new vehicle trips (2,908 new passenger vehicle trips and 748 new truck trips). Mobile source emissions were modeled by conservatively assuming the Project would generate 28,461,798 total annual VMT (17,571,222 VMT associated with passenger vehicles and 10,890,576 VMT associated with trucks). As a result, operational air quality impacts and greenhouse gas impacts were determined to be significant and unavoidable (refer to section 4.2 Air Quality and section 4.7 Greenhouse Gas of the Draft Subsequent EIR).

Additionally, air quality cumulative impacts were fully discussed in Draft Subsequent EIR Section 4.2. As described on pages 4.2-22 through 4.2-24, the South Coast AQMD has not established separate cumulative thresholds and does not require combining impacts from cumulative projects. Specifically, Appendix D of the South Coast AQMD White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution (2003) notes that projects that result in emissions that do not exceed the project-specific South Coast AQMD regional thresholds of significance should result in a less than significant impact on a cumulative basis unless there is other pertinent information to the contrary. The Draft Subsequent EIR explains that Project construction emissions would not be cumulatively considerable.

The South Coast AQMD has developed strategies to reduce criteria pollutant emissions outlined in the Air Quality Management Plan (AQMP) pursuant to the Federal Clean Air Act mandates. South Coast AQMD rules, mandates, and compliance with adopted AQMP emissions control measures would also be imposed on projects throughout the South Coast Air Basin, which would include related projects. Compliance with South Coast AQMD rules and regulations would further reduce the Project impacts. Even with implementation of regulatory requirements, standard conditions of approval and implementation of **MM AQ-1** through **MM AQ-6**, NO<sub>x</sub> emissions would remain above the South Coast AQMD's operational threshold. Therefore, as disclosed in the Draft Subsequent EIR operational air quality impacts would be cumulatively considerable.

The Traffic Analysis recommends the construction of the half width section along the each of the Project fronting roadways, including along Merrill Avenue. This is a standard practice and often a requirement for most developments, however, the south side of the Project frontage located along the Chino Airport is controlled by San Bernardino County. As such, it is recommended that the Project Applicant work with the City and County of San Bernardino, to obtain easements for the Project's frontage in order to make full width improvements along Merrill Avenue. If an agreement is reached with the County of San Bernardino, these roadway improvements will only be made to the curb and gutter along the south side of Merrill Avenue under the jurisdiction of San Bernardino County (does not include sidewalks, landscaping to the south, or other utilities within the City of Chino). The ultimate roadway improvement will accommodate two lanes in each direction of travel once completed.

Traffic Analysis study area intersections along Merrill Avenue are anticipated to operate at an acceptable level of service during the peak hours with the ultimate roadway cross-section in place. Intersections along roadways are typically the "choke points" along roadway segments. In other words, the detailed peak hour intersection operations analysis on either side of a roadway segment is conducted to assess whether intersections and roadway segments can adequately process anticipated traffic flows. Additional roadway widening is typically not recommended if the adjacent intersections achieve acceptable operations without the need for additional through lanes. Since the Traffic Analysis study area intersections along Merrill Avenue are anticipated to operate at an acceptable level of service during the peak hours with the identified improvements to Merrill Avenue (4-lane roadway), the roadway segment is anticipated to process the future traffic flows, including truck traffic, along Merrill Avenue. The City of Ontario uses the methodology of Origin-Destination (OD) and the VMT efficiency metric of VMT per service population. The OD method includes calculation of all trips by trip purpose, which includes light, medium and heavy-duty truck related trips generated by the Project.

Lastly, as identified within Section 3.0, Project Description, the Project site's current land use designation in the City's General Plan (TOP) is Low-Medium Density Residential and Business Park (BP). However, the City is expected to adopt TOP 2050 Update in August 2022, which shows the Project site as BP and Industrial (IND) consistent with this Project. As certification of this Draft Subsequent EIR will post-date approval of the City's TOP 2050 Update, the Project would be consistent with the land use designations following TOP 2050 Update. As part of the TOP 2050 Update, the underlying land use designations for the Project site will include 11.63 acres of BP (at a maximum FAR of 0.6) and 60.06 acres of IND (at a maximum FAR of 0.55).

#### **Response L4-c**

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The commentor would like greater clarification on the Reduced-Intensity Alternative. The commentor also requests clarification on how this Alternative would reduce potential impacts related to truck traffic compared to the Project.

Draft Subsequent EIR Section 6.6, page 6-14, states that under the Reduced-Intensity Alternative, a total of 1,640,690 square feet of industrial and warehouse uses will be reduced by 410,173 square feet and would instead be developed with 982,838 square feet of high-cube fulfillment center

warehousing and 158,843 square feet of office uses. This results in a reduction of 429,901 square feet specifically for the industrial uses on the Project site. With this Alternative, the development impact area would be similar to that of the Project, with a reduction in square footage. The truck traffic associated with the Reduced-Intensity Alternative would result in a proportional reduction in truck traffic.

Additionally, as stated in Table 4-2: Project Trip Generation Summary (Actual) in Appendix I of the Draft Subsequent EIR, the Fulfillment Center Warehouse, High-Cube Cold Storage Warehouse, and the Warehouse, would generate approximately 632 daily truck tips. Based on the 25% reduction under the Reduced-Intensity Alternative, the Reduced-Intensity Alternative is estimated to result in approximately 474 daily truck trips.

While there would be an associated reduction in truck trips under the Reduced-Intensity Alternative, the Reduced-Intensity Alternative would, as described on page 6-18 of Section 6.6 of the Draft Subsequent EIR, still result in a potential impact and still be required to implement mitigation measures in locations that are (1) not within the jurisdiction of the City of Ontario, and thus, the City cannot guarantee implementation of the mitigation measure improvements, and (2) within the City of Ontario, but not accounted for in an adopted plan or program for improvements. This alternative would not reduce total VMT/service population (SP) by at least 15 percent compared to the Citywide average. As a result, transportation and traffic impacts based on VMT generated from this alternative would be reduced compared to the proposed Project, but would remain significant and unavoidable, as concluded in Section 6.6.

Pursuant to CEQA Guidelines Section 15126.6(d), alternatives do not need to be described or analyzed at the same level of detail as the Project. Sufficient detail and analysis have been provided in Section 6.0, Alternatives, of the Draft Subsequent EIR, such that the Lead Agency can differentiate the impacts between the alternatives to select the Environmentally Preferred Alternative.

#### **Response L4-d**

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The commentor is requesting that the Traffic Analysis include the analysis of two primary Chino Airport access intersections on Merrill Avenue (Cal Aero Drive and Stearman Drive) in the vicinity of the Project.

Since the identified intersections are not included in the Circulation Plan of the City of Chino General Plan, they were not selected for evaluation for the purposes of this Traffic Analysis (see Appendix I of the Draft Subsequent EIR). Consistent with other recent traffic studies performed in the City of Chino and City of Ontario, the intersections selected for evaluation include intersections with two roadways crossing one another that are classified as a Secondary or higher. The Chino Airport access intersections noted in the comment at Cal Aero Drive and Stearman Drive appear to be private roadways or local roadways that do not appear as classified roadways in the City's General Plan. Therefore, they were not included in the Traffic Analysis study area.

#### **Response L4-e**

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The commenter states that the City of Chino has implemented a requirement that new industrial projects to provide a truck routing plan that clearly indicates to the development and their tenants

the allowable truck routes to and from the project, along with enhanced truck routing signage. The commentor requests that the Project include the same type of requirements to assist in ensuring truck traffic has minimized impacts to sensitive land uses.

The City of Ontario does not require truck route plans for industrial projects. Therefore, a truck route plan is not a requirement for the proposed Project. As such, no changes to the Traffic Analysis are necessary.

**Comment Letter L5 –City of Eastvale**



**CITY OF EASTVALE**

12363 Limonite Avenue | Suite 910 | Eastvale, CA 91752  
951.361.0900

July 22, 2022

Alexis Vaughn, Associate Planner  
Ontario Planning Department  
303 East “B” Street  
Ontario, CA 91764

Sent via email to: [avaughn@ontarioca.gov](mailto:avaughn@ontarioca.gov)

**RE: NOTICE OF AVAILABILITY (NOA) OF A DRAFT SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (SEIR)  
ONTARIO RANCH BUSINESS PARK SPECIFIC PLAN (FILE NO. PSPA21-002)**

Dear Ms. Vaughn:

Thank you for the opportunity to comment on the NOA of a SEIR for the Ontario Ranch Business Park Specific Plan. Eastvale values its relationship with neighboring jurisdictions and is not opposed to development of this site; however, this project has the potential to generate traffic impacts in Ontario and Eastvale. The City of Eastvale offers the following comments for consideration by the Planning Commission:

- **Piecemealing** – The California Environment Quality Act (CEQA) Guidelines define a “project” as “... the whole of the action that may result either directly or indirectly in physical changes to the environment”. This broad definition is intended to provide the maximum protection of the environment. Piecemealing or segmenting means dividing a project into two or more pieces and evaluating each piece in a separate environmental document, rather than evaluating the whole of the project in one environmental document. This is explicitly forbidden by CEQA, because dividing a project into several pieces would allow a Lead Agency to minimize the apparent environmental impacts of a project by evaluating individual pieces separately, each of which may have a less-than-significant impact on the environment, but which together may result in a significant impact. Segmenting a project may also hinder developing comprehensive mitigation strategies. Further, for a phased development project, even if details about future phases are not known, future phases must be included in the project description if they are a reasonably foreseeable consequence of the initial phase and will significantly change the initial project or its impacts. (Association of Environmental Professionals, *CEQA Topic Papers*, <https://ceqaportal.org/> - accessed 7/5/2022).

The *Draft Subsequent Environmental Impact Report for the Ontario Ranch Business Park Specific Plan Amendment* (Draft SEIR) fails to analyze the additive impacts that would result based on the development of an additional 1,604,690 square feet of industrial land and business park uses on a 72-acre site located directly adjacent to the original Ontario Ranch Business Park Specific Plan. The City of Eastvale requests that the Draft EIR is revised to analyze the environmental impacts expected from development of the approved Specific Plan (which proposed 905,027 square feet of warehouse) and the Specific Plan Amendment’s addition of two new planning areas allowing for up to 1,604,690 square feet for industrial land and business park. Please indicate whether buildout of the approved Specific Plan and the two new planning areas proposed under the Specific Plan Amendment would have the potential to interact with the City of Eastvale.

- **Supplemental Traffic Impact Analysis** – As stated in the Draft SEIR, operational Level of Service (LOS) were analyzed, and improvements recommended to meet applicable local agency transportation policies. The Draft SEIR also states that while LOS is not a significant impact under CEQA per SB 743, this information is

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provided to be considered by decision-makers, and recommended improvements are likely to be incorporated into the Project's conditions of approval for construction or payment of fair share contributions.

The traffic analysis included with the FEIR analyzed 52 intersections in the study area, seven of which impact the City of Eastvale. The following deficiencies in the environmental document are listed herein:

- **Summary of Deficient Intersection** – The traffic analysis (Section 2.5.3 and Table 1-2) incorrectly assumes that the acceptable Level of Service is D for the seven intersections impacted. However, the City of Eastvale General Plan sets the Level of Service at C for industrial development. The traffic analysis (Exhibit 7-1 and 7-3) also shows intersections along Limonite Ave, within the City of Eastvale, experiences increased Average Daily Traffic (ADT). However, three (3) intersections along Limonite Avenue has been omitted from the analysis: Cloverdale Marketplace and Limonite, Eastvale Gateway and Limonite, and I-15 S ramp and Limonite. Therefore, the table should be revised.
- **Summary of Improvements Recommended to Meet City of Ontario or Surrounding Agency LOS Requirements (Table 1-3)** – The table recommends improvements to the seven intersections in the City of Eastvale to mitigate LOS deficiencies. However, the LOS is incorrectly based on LOS D and no condition of approval is included to require payment to the City of Eastvale for the improvements. Lastly, additional improvements may be warranted. Therefore, the table must be revised.

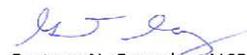
To mitigate for the traffic impacts caused by the project, the City of Eastvale asks that the following condition of approval be added to the project entitlements:

- Prior to the issuance of grading permits the developer shall construct the improvements or pay the fair share costs for the improvements, or pay the City of Eastvale's Transportation Development Impact Fees (DIF) for the following ten intersections impacted by the project:
  - Archibald and Limonite
  - Harrison and Limonite
  - Sumner and Limonite
  - Scholar and Limonite
  - Cloverdale Marketplace and Limonite
  - Hamner and Ontario Ranch Road (Cantu Galleano)
  - Hamner and Limonite
  - Eastvale Gateway and Limonite
  - I-15 S ramp and Cantu Galleano
  - I-15 S ramp and Limonite

Eastvale staff would like to request a meeting to discuss these comments and potential solutions that address concerns for both cities. Please contact me at (951) 703-4499 or [ggonzalez@eastvaleca.gov](mailto:ggonzalez@eastvaleca.gov). to set a date and time to meet.

We look forward to working cooperatively with Ontario on regional issues that affect our respective communities.

Sincerely,

  
Gustavo N. Gonzalez, AICP  
Planning Manager

**Response to Letter L5 City of Eastvale**

July 22, 2022

**Response L5-a**

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The commentor states that the Draft Subsequent EIR for the Project fails to analyze the Project's true potential impacts. The commentor requests that the Draft Subsequent EIR be revised to analyze the environmental impacts expected from development of the Ontario Ranch Business Park Specific Plan (Approved SP) and this Project.

The City disagrees with this Project assertion. As stated in Section 3.0, Project Description of the Draft Subsequent EIR, the Approved SP consisted of a General Plan Amendment (GPA), Specific Plan, Development Plan Review, Tentative Parcel Maps, and a Development Agreement to allow for development of an industrial and business park on 11 parcels covering 85 acres in the City of Ontario. The Approved SP project included eight warehouse buildings ranging from 46,900 square feet to 618,353 square feet, totaling a maximum development of 1,905,027 square feet of warehouse and office uses. The City Council certified an EIR for the Approved SP in October of 2020. Two months later, in December of 2020, the City issued the Notice of Preparation for this Project, which would incorporate the abutting 71.69 acres to the east of the Approved SP site into the overall Approved SP area.

An EIR can only analyze possible future actions that are a reasonably foreseeable consequence of the project that the EIR studies. Here, the Project was never a reasonably foreseeable consequence of any previous project, including Approved SP.

A project is not a piecemealed portion of a larger development if the project has independent utility or serves an independent purpose, and it is not dependent on or compelled by the completion of another development. The Project has been designed and is being processed by the City as an independent project, and can move forward regardless of the status of any other project in Ontario.

Finally, it should be noted that the Draft Subsequent EIR specifically includes the Approved SP development in its cumulative impacts analysis, and the Project's environmental analysis considered any potential impacts on the surrounding cities' traffic circulation, including the City of Eastvale (refer to Appendix I of the Draft Subsequent EIR). The cumulative impacts analysis ensures that all applicable past, present, and probable future developments are appropriately analyzed for environmental impacts that may not be individually significant but may be cumulatively significant. In summary, no analysis was "piecemealed." No additional analysis is required.

**Response L5-b**

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The comment is noted for the record and no further action is needed.

**Response L5-c**

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The commentor states that the Traffic Analysis contained in the Subsequent EIR is deficient as it relates to intersections in the City of Eastvale.

According to Policy C-10 of the City of Eastvale General Plan, a peak hour level of service of “D” may be allowed in commercial and employment areas, and at intersections of any combination of major highways, urban arterials, secondary highways, or freeway ramp intersections. As such, LOS D has been utilized as the target LOS for City of Eastvale intersections, consistent with the City of Eastvale’s General Plan. All study area intersections within the City of Eastvale currently meet this criterion.

Consistent with other projects evaluated in the City of Eastvale and based on guidance from City of Eastvale staff, a 50 peak hour trip criterion has been utilized to determine study area intersections within the City of Eastvale. The 50 peak hour trip criterion is based on guidance from the County of Riverside’s Transportation Analysis Guidelines for Level of Service and Vehicle Miles Traveled, December 2020. Additional intersections along Limonite Avenue have not been evaluated since the proposed Project is anticipated to contribute fewer than 50 trips to these intersections. Therefore, it is anticipated that the Project would not significantly affect the traffic operations at the intersections identified in the comment letter, based on the guidance set forth in the County’s traffic study guidelines. Additionally, as shown in Table 1-3 of the Traffic Analysis, the Project responsibility towards these improvements is a fair share payment, with the exception of a second westbound right turn lane at Archibald Avenue Limonite Avenue. This improvement is identified as a construct obligation since it is deficient under E+P conditions. All other improvements are identified as being cumulative traffic deficiencies. Since the City of Eastvale utilizes a target LOS of D per the City of Eastvale General Plan, adopted June 13, 2012, and since the traffic study achieves LOS D for all study area intersections, with improvements, there are no additional changes necessary to the traffic study.

#### **Response L5-d**

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The commentor requests that the following condition of approval be added to Project entitlements: Prior to the issuance of grading permits, the developer shall construct the improvements or pay the fair share costs for the improvements, or pay the City of Eastvale’s Transportation Development Impact Fees (DIF) for the following ten intersections impacted by the project: Archibald and Limonite, Harrison and Limonite, Sumner and Limonite, Scholar and Limonite, Cloverdale Marketplace and Limonite, Hamner and Ontario Ranch Road (Cantu Galleano), Hamner and Limonite, Eastvale Gateway and Limonite, I-15 S ramp and Cantu Galleano, and I-15 S ramp and Limonite.

See Response L5-c above. The subject intersections have not been evaluated as the Project is anticipated to contribute fewer than 50 trips to these locations. As a result, no Project impacts will occur, and no improvements or fees are necessary.