

**CEQA FINDINGS, FACTS IN SUPPORT OF FINDINGS,
AND STATEMENT OF OVERRIDING CONSIDERATIONS**

FOR THE

**ONTARIO INTERNATIONAL AIRPORT
SOUTH AIRPORT CARGO CENTER PROJECT
(SCH#2021100226)**

TABLE OF CONTENTS

1.0	INTRODUCTION.....	1
1.1	Statutory Requirements for Findings.....	1
1.2	Organization/Format of Findings.....	2
2.0	PROJECT DESCRIPTION.....	3
2.1	Location of the Project.....	3
2.2	Project Description.....	3
2.3	Project Objectives.....	4
3.0	EFFECTS DETERMINED TO BE SIGNIFICANT AND UNAVOIDABLE	4
3.1	Air Quality.....	5
3.2	Air Quality (Cumulative).....	11
3.3	Greenhous Gas Emissions.....	18
3.4	Greenhous Gas Emissions (Cumulative).....	26
3.5	Transportation.....	27
3.5	Transportation (Cumulative).....	30
4.0	POTENTIALLY SIGNIFICANT EFFECTS THAT CAN BE MITIGATED TO BELOW A LEVEL OF SIGNIFICANCE.....	34
4.1	Biological Resources.....	34
4.2	Biological Resources (Cumulative).....	38
4.3	Cultural Resources.....	41
4.4	Cultural Resources (Cumulative).....	44
4.5	Geology and Soils.....	47
4.6	Geology and Soils (Cumulative).....	55
4.7	Hazards and Hazardous Materials.....	57
4.8	Hazards and Hazardous Materials (Cumulative).....	62
4.9	Noise.....	64
4.10	Noise (Cumulative).....	66
4.11	Tribal Cultural Resource.....	69
4.12	Tribal Cultural Resource (Cumulative).....	75
5.0	EFFECTS DETERMINED TO BE NOT SIGNIFICANT OR LESS THAN SIGNIFICANT.....	81
5.1	Aesthetics.....	81
5.2	Aesthetics (Cumulative).....	82
5.3	Air Quality.....	83
5.4	Biological Resources.....	86
5.5	Cultural Resources.....	88
5.6	Energy.....	89
5.7	Energy (Cumulative).....	90
5.8	Geology and Soils.....	92
5.9	Hazards and Hazardous Materials.....	93
5.10	Hydrology.....	95
5.11	Hydrology (Cumulative).....	98
5.12	Noise.....	98
5.13	Public Services.....	99

5.14	Public Services (Cumulative)	100
5.15	Transportation.....	101
5.16	Utilities	103
5.17	Utilities (Cumulative).....	105
5.18	Issues Deemed No Impact or Less than Significant Impact in the Initial Study/Notice of Preparation	107
6.0	FINDINGS REGARDING PROJECT ALTERNATIVES.....	109
6.1	Alternative 1: No Project/No Development Alternative.....	110
6.2	Alternative 2: Reduced Project Size Alternative	111
6.3	Alternative 3: Different Location on Airport Alternative.....	113
7.0	OTHER CEQA CONSIDERATIONS	114
7.1	Reasons Why the Project is Being Proposed, Notwithstanding Significant Unavoidable Impacts.....	114
7.2	Growth-Inducing Impacts.....	114
7.3	Significant Irreversible Environmental Changes.....	115
7.4	Potentially Significant Effects from Implementation of Mitigation Measures.....	115
8.0	GENERAL CEQA FINDINGS.....	115
8.1	Mitigation Monitoring and Reporting Program.....	115
8.2	CEQA Guidelines Sections 15091 and 15092 Findings.....	116
8.3	OIAA’s Preparation of the EIR Pursuant to CEQA Guidelines Section 15084(d).....	116
8.4	OIAA’s Independent Judgment	117
8.5	Nature of Findings	117
8.6	Reliance on Record.....	117
8.7	Custodian of Records.....	117
8.8	Relationship of Findings to EIR	117
8.9	Recirculation Not Required	117
9.0	CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT, CEQA GUIDELINES, § 15090.....	118
10.0	STATEMENT OF OVERRIDING CONSIDERATIONS.....	118
10.1	Background.....	118
10.2	Overriding Considerations.....	120
10.3	Conclusion.....	122

**CEQA FINDINGS, FACTS IN SUPPORT OF FINDINGS,
AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE
ONTARIO INTERNATIONAL AIRPORT
SOUTH AIRPORT CARGO CENTER PROJECT
(SCH#2021100226)**

1.0 INTRODUCTION

1.1 Statutory Requirements for Findings

The Commission of the Ontario International Airport Authority (OIAA) certifies that OIAA has reviewed and considered the information contained in the Final Environmental Impact Report (EIR), identified below, for the Ontario International Airport South Airport Cargo Center Project (Project). These Findings Regarding Significant Effects (Findings) have been prepared to support and justify approval of the Project.

OIAA further certifies that the Final EIR has been completed in compliance with the California Environmental Quality Act (CEQA), Public Resources Code sections 21000 et seq., and the CEQA Guidelines (Guidelines), California Code of Regulations, Title 14, sections 15000 et seq. In certifying the Final EIR as adequate under CEQA, OIAA also adopts these CEQA Findings and Statement of Overriding Considerations.

CEQA section 21081 and the CEQA Guidelines section 15091 require that the lead agency, in this case OIAA, prepare written findings for identified significant impacts, accompanied by a brief explanation of the rationale for each finding. Specifically, State CEQA Guidelines section 15091 states, in part, that:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR.
 - (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

For those significant effects that cannot be mitigated to below a level of significance, the public agency is required to find that specific overriding economic, legal, social, technological, or other

benefits of the needed Ontario International Airport South Airport Cargo Center Project outweigh the significant effects on the environment. (CEQA Guidelines, §15093.)

In addition, CEQA requires a public agency to make a finding that the EIR reflects the public agency's independent review and judgment. Therefore, in accordance with the provisions of CEQA and the Guidelines, OIAA, acting in its capacity as the CEQA lead agency, expressly finds that the Final EIR for the Ontario International Airport South Airport Cargo Center Project reflects OIAA's independent review and judgment.

The Final EIR identifies significant or potentially significant environmental effects, prior to and after mitigation, which may occur as a result of OIAA's approval of the Project. However, OIAA finds that the inclusion of certain specified mitigation measures as part of the Project approval will reduce many, but not all, of those effects to less-than-significant levels. Certain impacts not reduced to less-than-significant levels are impacts related to air quality, greenhouse gas (GHG) emissions and transportation (see Section 3.0 – Effects Determined to be Significant and Unavoidable); and are overridden due to specific Project benefits (see, Section 10, Statement of Overriding Considerations).

All of the findings discussed above, and those otherwise required under CEQA and the Guidelines, are collectively referred to as the "Findings." In accordance with CEQA and the Guidelines, OIAA certifies the Final EIR for the Project, adopts these Findings, the statement of overriding considerations, and the Mitigation Monitoring and Reporting Program (MMRP), which have been prepared and are incorporated into the Project's conditions of approval, and approves the Project. Further, based on its independent review and judgment of the complete and entire administrative record, including, but not limited to the Draft EIR, Final EIR, and staff's recommendations, and in accordance with the provisions of CEQA and the Guidelines, OIAA adopts these Findings as part of its certification of the Final EIR for the Ontario International Airport South Airport Cargo Center Project.

1.2 Organization/Format of Findings

In compliance with the statutory requirements, the Findings are organized as follows:

- (1) Significant effects that cannot be mitigated to below the level of significance;
- (2) Effects that can be mitigated to below the level of significance;
- (3) Effects that are less than significant;
- (4) Feasibility and desirability of Project alternatives;
- (5) Other and general CEQA Findings; and
- (7) Statement of Overriding Considerations.

To the extent relevant, the above-enumerated components of these Findings are accompanied by a discussion of significant effects, mitigation measures relevant to the specific effects being considered, findings, and facts in support of those findings.

2.0 PROJECT DESCRIPTION

2.1 Location of the Project

The Project site consists of approximately 97 acres located at Ontario International Airport (Airport) in the City of Ontario, San Bernardino County. Regional access to the Airport and the Project site is via Interstate 10 (I-10), one-mile to the north; State Route 60 (SR-60), approximately 1.25 mile to the south; and I-15, approximately 2.75 miles to the east.

The Project site includes portions of Assessor Parcel Numbers (APN) 11326106, 11326107, 11326108, 11327101, and 11327102, located in the southern half of the Airport, immediately west of the Cucamonga Channel and north of Mission Boulevard. Most of the Project site is located north of East Avion Street with the remainder located between East Avion Street and Mission Boulevard west of South Hellman Avenue.

2.2 Project Description

The proposed Project is an aeronautical development and use that is within the Airport boundaries and is consistent with the Ontario International Airport Layout Plan. The proposed Project would replace existing, underutilized airport related buildings and site improvements with an air cargo center. The proposed Project would include demolition of the existing buildings, site improvements, and the development of a new air cargo center in two phases, as described further below.

The proposed air cargo center includes an Air Cargo Sort Building, truckyard, parking facilities, two aviation support buildings (ground service equipment [GSE] and aircraft line maintenance buildings), and aircraft apron improvements. The Air Cargo Sort Building, proposed north of East Avion Street, would contain a sorting facility and office spaces. The aircraft parking apron would surround the building to the west, north, and east. A ground-level visitor parking lot and truckyard are proposed on the south side of the cargo building, with access from East Avion Street. A parking structure for employees is proposed south of East Avion Street with a pedestrian bridge connecting the parking structure to the office building. The proposed Project would be implemented in two phases. Phase 1 would take place on the easternmost 62 acres of the Project site and Phase 2 would occur on the remaining western 35 acres.

Phase 1 construction would include the demolition of existing structures and site improvements in the Phase 1 area, as well as site preparation and construction of all proposed improvements on the eastern 62 acres of the Project site, including the initial phase of the Air Cargo Sort Building, aircraft apron improvements, and parking structure. Phase 2 would occur on the western 35 acres of the Project site and include the demolition of structures and site improvements in the Phase 2 area, site preparation, and construction of the remaining improvements, including the expansion of the Air Cargo Sort Building and aircraft apron improvements.

Landscaping would be proposed along the northern and southern sides of E. Avion Street. Landscaping would include Desert Museum Palo Verde trees with complementary shrub and groundcover species. Some existing Canary Island Pine trees would be retained and incorporated into the landscape areas.

2.3 Project Objectives

Section 15124(b) of the CEQA Guidelines states that “the statement of objectives should include the underlying purpose of the project.” The underlying purpose of the proposed Project is to develop and operate an air cargo facility at the Airport to meet increased regional air cargo volumes and Project proponent facility requirements. The objectives of the OIAA for the proposed Project include:

- A. Allow the Project proponent to accommodate current and projected air cargo volumes.
- B. Integrate the Project proponent’s airside, landside, and sorting facilities in a location with access to major surface transportation corridors to improve operational efficiency.
- C. Redevelop underutilized Airport property.
- D. Maximize revenue generation from Airport property.
- E. Provide employment opportunities for residents of the City of Ontario and the Inland Empire.

3.0 EFFECTS DETERMINED TO BE SIGNIFICANT AND UNAVOIDABLE

Pursuant to CEQA Section 21081, and Guidelines Sections 15091 and 15126.2(b), the following Section sets forth the significant unavoidable effects of the Project, and with respect to each effect, identifies one or more of the required findings, states facts in support of those findings and, as appropriate, refers to the Statement of Overriding Considerations (see Section 10, below). All significant environmental impacts that can be feasibly avoided have been eliminated, or substantially lessened through implementation of the Project Design Features and/or mitigation measures. Based on the Final EIR, the Statement of Overriding Considerations set forth below, and other documents and information in the record with respect to the construction and operation of the Project, all remaining unavoidable significant impacts, as set forth in these findings, are overridden by the benefits of the Project as described in the Statement of Overriding Considerations for the construction and operation of the Project and implementing actions.

Pursuant to CEQA Section 21081(a) and Guidelines Section 15091(a)(3) OIAA finds that, for each of the following significant effects, specific economic, legal, social, technological, or other considerations, including provisions of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the Final EIR. These findings are explained below and are supported by substantial evidence in the record of proceedings.

Based on the analysis contained in the Final EIR, the following impacts to air quality, greenhouse gas (GHG) emissions, and transportation have been determined to be significant and unavoidable. Such impacts are overridden by the benefits of Project as set forth in the Statement of Overriding Considerations in Section 10 below.

3.1 Air Quality

Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard.

Impact Summary:

A significant impact could occur if the proposed Project would result in a considerable contribution of federal or State nonattainment pollutants. In regard to determining the significance of the proposed Project's contribution, the South Coast Air Quality Management District's (SCAQMD) significance thresholds determine if a project would contribute a cumulatively considerable increase in emissions for those pollutants for which the Air Basin is in nonattainment.

Significant Effects: AQ-2

The proposed Project's operational emissions during Phase 1 would exceed SCAQMD significance thresholds for CO, VOC, and NO_x, primarily due to aircraft emissions, followed by employee vehicles, delivery trucks, and emergency generators. During Phase 2 (buildout of the Project), the proposed Project's operational emissions would exceed SCAQMD significance thresholds for CO, VOC, NO_x, and SO₂. Therefore, the Project would result in a significant operational air quality impact.

Findings:

Pursuant to Public Resources Code Section 21081(a)(1), the OIAA finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the foregoing significant impact as identified in the EIR. However, these effects have not been reduced to a less-than-significant level.

Thus, pursuant to Public Resources Code Section 21081(a)(3), the OIAA finds that specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR. There are no feasible mitigation measures or alternatives that would reduce the identified significant impact to a level below significant or otherwise reduce the impact. Therefore, the impact remains significant and unavoidable.

Facts in Support of Findings:

Operational sources of Project-related air pollutant emissions include aircraft, APU, GSE, stationary sources (e.g., emergency generators), motor vehicles (employees and deliveries), area sources (consumer products and landscaping), and energy usage (natural gas and electrical). As discussed above, the proposed Project's operational emissions during Phase 1 and Phase 2 (buildout of the Project) would exceed regional SCAQMD significance thresholds for CO, VOC, NO_x and SO₂ (as to Phase 2 (buildout of the Project) only), primarily due to aircraft emissions, followed by employee vehicles, delivery trucks, and emergency generators. Impacts would be potentially significant.

The proposed Project would incorporate Project Design Features **PDF AQ-1** through **PDF AQ-11** and Mitigation Measures **MM AQ-1** through **MM AQ-16**, as well as **MM TRANS-1** through

MM TRANS-5, to reduce operational air quality emissions to the greatest extent feasible. However, neither the SCAQMD nor OIAA have the authority to regulate aircraft operations or emissions from aircraft engines and the majority of the emissions estimated for operation of the Project are from aircraft operations. The federal Clean Air Act exclusively vests the authority to promulgate emission standards for aircraft and aircraft engines with the United States Environmental Protection Agency (USEPA); states and other municipalities are preempted from adopting or enforcing any standard with respect to aircraft engine emissions unless such standard is identical to USEPA standards.

The 2022 Air Quality Management Plan (AQMP) identifies actions that can be taken to address these sources of emissions, including the federal adoption of more stringent criteria pollutant standards for aircraft engines and use of cleaner aviation fuels. It is anticipated that these types of future technology improvements will reduce the aviation emissions associated with the Project over time. As the proposed Project is an air cargo facility serving the region, the operational and economic viability of the proposed Project relies on these aviation operations. For these reasons, there are no additional feasible mitigation measures that would reduce operational emissions to below significance thresholds and operational air quality emissions would remain significant after implementation of all feasible mitigation.

Thus, pursuant to Public Resources Code Section 21081(a)(3), based on the evidence described below in Section 10.0, Statement of Overriding Considerations, the OIAA finds that specific, economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, makes infeasible the mitigation measures or alternatives identified in the EIR to reduce this impact to a less-than-significant level.

Mitigation Measures:

AQ-1, AQ-2, AQ-3, AQ-4, AQ-5, AQ-6, AQ-7, AQ-8, AQ-9, AQ-10, AQ-11, AQ-12, AQ-13, AQ-14, AQ-15, AQ-16, TRANS-1, TRANS-2, TRANS-3, TRANS-4, and TRANS-5.

AQ-1 The Applicant shall require that construction vendors, contractors, and/or haul truck operators commit to using 2010 model year trucks (e.g., material delivery trucks and soil import/export with a gross vehicle weight rating of at least 14,001 pounds), that meet CARB's 2010 engine emissions standards or newer, cleaner trucks. The OIAA shall confirm that the Applicant includes this requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with Project construction to document that each truck used meets these emission standards and make the records available for inspection.

AQ-2 The Applicant shall require that construction equipment such as concrete/industrial saws, pumps, aerial lifts, light stands, air compressors, and forklifts be electric or alternative-fueled (i.e., non-diesel), where feasible. Pole power shall be utilized at the earliest feasible point in time and shall be used to the maximum extent feasible in lieu of generators.

AQ-3 The Applicant shall support and encourage ridesharing and transit incentives for the construction crew by providing crews with the resources needed to organize

rideshares, such as bulletin boards or email announcements. The Applicant shall also partially subsidize transit fares or passes for the construction crew members who can feasibly use transit. The Applicant shall set a goal to achieve ten percent total construction worker participation in ridesharing programs and transit use.

- AQ-4** The Applicant shall require, in addition to the GSE noted within PDF AQ-3, all other on-site cargo-handling equipment, such as yard trucks, holsters, yard goats, pallet jacks, and similar equipment, to be electric, with the necessary electrical charging stations provided.
- AQ-5** The Applicant shall require, if and to the extent feasible, the use of zero-emission or near zero-emission on-road heavy duty trucks as part of business operations beginning in 2025 (within at least 25 percent of the Project fleet).
- The Applicant also shall require, if and to the extent feasible, the use of zero-emission or near zero-emission on-road heavy duty trucks as part of the business operations beginning in 2029 (within at least 50 percent of the Project fleet).
- AQ-6** The Applicant shall include in the design requirements for the Project, cool roof installation to the extent roof space is not occupied by solar panels, in order to reduce energy use and urban heat island effects.
- AQ-7** The Applicant shall encourage the use of single engine taxi operations for Project aircraft.
- AQ-8** The Applicant shall utilize Energy Star heating, cooling, and lighting devices, and appliances (e.g., Heating, Ventilation, and Air Conditioning (HVAC) units in the form of energy efficient commercial heat pumps) within the interior of the Air Cargo Sort Building.
- AQ-9** In order to reduce trips to and from the Project site during construction, the Applicant shall provide on-site food trucks during meal times.
- AQ-10** Interior- and exterior-facing signs, including signs directed toward all dock and delivery areas, shall be posted by the Applicant to identify contact information to report idling violations to CARB, SCAQMD, and the building manager. These signs also shall inform truck drivers to shut off their engines when not in use.
- AQ-11** Electric plugs for electric transport refrigeration units shall be provided at dock doors located at the Air Cargo Sort Building.
- AQ-12** The Applicant shall train operational managers and employees on efficient scheduling and load management to eliminate unnecessary queuing of trucks.
- AQ-13** Signs shall be posted by the Applicant at every truck exit driveway providing directional information to use truck routes as designated by the City of Ontario.

AQ-14 The Applicant shall require its facility operator(s) to train the staff in charge of keeping vehicle records on diesel technologies and compliance with CARB regulations by attending CARB-approved courses. Also, the Applicant shall require its facility operator(s) to maintain records on-site demonstrating regulatory compliance and make records available for inspection by OIAA, SCAQMD, and State of California upon request.

AQ-15 The Applicant shall include a provision in all operational freight hauling contracts requiring the use of 2010 model year trucks that meet CARB's 2010 engine emission standards, or newer and cleaner trucks, if and to the extent feasible.

AQ-16 During construction, the Applicant shall post interior- and exterior-facing signs to inform construction contractors to shut off truck and equipment engines when not in use.

TRANS-1 **Voluntary Commute Reduction Program.** The proposed Project shall implement Voluntary Commute Trip Reduction (CTR) programs that discourage single-occupancy vehicle trips and encourage alternative modes of transportation, such as carpooling, taking transit, walking, and biking. Voluntary CTR programs shall include the following elements to apply the VMT reductions reported in literature:

- Employer-provided services, infrastructure, and/or incentives for commuting to work using alternative modes (e.g., walking, biking, carpooling/vanpooling, or taking transit).
- Provide information, coordination, and marketing for employee rideshare services, provide onsite infrastructure to support carpools/vanpools, and provide incentives (e.g., free transit passes, monthly bonus for carpooling 3 or more times a week, etc.).

Employer costs may include recurring costs for carpool/vanpool subsidies, capital and maintenance costs for the alternative transportation infrastructure (e.g., showers and lockers), and labor costs for staff to manage the program.

TRANS-2 **Provide Ridesharing Program.** A ridesharing program shall be implemented for employees of the site. The following elements designed to support the Project's ridesharing program:

- Provide vanpool parking with designated passenger loading/unloading area near employee entrance.
- Create a Carpool Incentive Program.
 - Provide a minimum of ten (10) carpool parking spaces provided closer to the employee entrance than standard parking spaces.
 - Provide access to a carpool database (Metro rideshare) and/or an on-site matching program for employees.

- Provide a monthly incentive for employees that carpool a minimum of three (3) days per week (e.g., \$50 gas card or a \$50 green commuter bonus).

In addition, a staff person would be designated to provide rideshare information to employees and monitoring the effectiveness of the program.

It is assumed all employees are eligible and that additional carpool spaces could be designated if warranted by demand.

TRANS-3 Implement Subsidized or Discounted Transit Program. Subsidized, discounted, or free Omnitrans, Metrolink or Amtrak transit passes shall be provided to employees to encourage use of transit routes/stops located less than a mile from the Project. It is assumed free transit passes are available to all employees.

Based on the given shift times of the Project, shifts that start or end at 11:00 PM shall have limited available options as most routes do not provide service that late. This shall limit approximately half the employees from the ability to rely on transit.

TRANS-4 Bicycle Facilities. On-site bicycle parking and end-of-trip facilities shall be provided for employee use. End-of-trip facilities include bike parking, bike lockers, showers, and personal lockers.

A bike share program (standard or electric bikes) for employees shall supplement bicycle facilities.

TRANS-5 Employer-Sponsored Vanpool Program. An employer-sponsored vanpool service shall be implemented and be fully funded by the tenant as follows:

- Provide a minimum of one (1) and up to three (3) vanpool vehicles and associated parking with designated passenger loading/unloading area near employee entrance.
- Pay for the lease of a minimum of one (1) van and up to three (3) vans for the purpose of employee vanpooling.
- A ten percent voluntary participation rate is assumed to be the high end of the range for this project.

Project Design Features:

AQ-1, AQ-2, AQ-3, AQ-4, AQ-5, AQ-6, AQ-7, AQ-8, AQ-9, AQ-10, and AQ-11

AQ-1 For all phases of construction activity, the Applicant shall require use of off-road construction equipment that is zero emission, if and to the extent available, or diesel-fueled off-road construction equipment that meets the USEPA's Tier 4 emissions standards for offroad diesel-powered construction equipment with 50 horsepower (hp) or greater. To ensure that Tier 4 or the cleanest construction

equipment available would be used during the Project's construction, the OIAA shall confirm that the Applicant includes this requirement in applicable bid documents, purchase orders, and contracts. Additionally, the OIAA shall confirm that the Applicant also requires periodic reporting and provision of written construction documents by construction contractor(s) and conducts regular inspections to the maximum extent feasible to ensure and enforce compliance.

- AQ-2** The Applicant shall conduct concrete/asphalt demolition on-site to reuse concrete/asphalt generated during construction. During Phase 1, demolition would involve removal of approximately 2,047,320 square feet of asphalt/concrete, which would be recycled within the project site and not require offsite haul truck trips (i.e., avoiding 2,616 haul truck trips). During Phase 2, demolition would involve removal of approximately 1,045,440 square feet of asphalt/concrete, which would be recycled within the project site and not require offsite haul truck trips (i.e., avoiding 910 haul truck trips).
- AQ-3** The Ground Support Equipment (GSE), including (but not limited to) aircraft tugs, baggage tugs, belt loaders, cargo loaders, forklifts, and ground power units, ramp support carts/vans, servicing aircrafts shall be electric by Phase 2.
- AQ-4** A portion of the proposed Project's aircraft fleet shall include electric cargo aircraft. (See Table 3.4 in Section 3.0: Project Description).
- AQ-5** All new aircraft parking positions shall be equipped with ground power and pre-conditioned air, therefore reducing the need to operate auxiliary power units.
- AQ-6** The Applicant shall conduct maintenance and/or testing on each of the seven standby generators on separate days to limit daily emissions from maintenance/testing activities.
- AQ-7** The Air Cargo Sort Building shall meet Leadership in Energy and Environmental Design (LEED) certification standards, shall include enhanced building automation systems, and shall utilize advanced low energy HVAC systems.
- AQ-8** The visitor parking lot shall include 29 parking stalls, 6 of which shall have access to electric charging points. The employee parking structure shall include 932 parking stalls, 300 of which shall have access to electric charging points.
- AQ-9** The Air Cargo Sort Building shall incorporate all of the following design specifications and technologies:
- Building automation
 - Efficient, heat pump HVAC
 - Natural ventilation
 - Purchase of electricity from the SCE 100% Clean Rate Program, if and to the extent feasible
 - Efficient dock seals

- Rapid rise doors
- Solar shades
- Low use water appliances
- Sustainable, drought-tolerant landscaping featuring a native, non-invasive vegetation palette
- Submeters with advanced energy monitoring
- Main meter energy monitoring
- Efficient transformers
- Battery storage-ready infrastructure
- Building automation by an enhanced building management system
- Enhanced glazing

AQ-10 The Project shall include electric charging infrastructure in the truckyard that, at a minimum, accords with all applicable requirements of California’s Building Energy Efficiency Standards, as set forth within Title 24, Part 6, of the California Code of Regulations.

AQ-11 The storage and maintenance of Project-related delivery trucks shall occur only onsite. In the event that overnight parking of delivery trucks is necessary, such trucks shall be parked within the Project site.

Reference:

For a complete discussion of Project impacts related to air quality, see Section 5.2.3 of the Draft EIR at pages 5.2-70 – 5.2-74, Section 2.0 of the Final EIR at pages 2.0-29 through 2.0-37, and Section 3.0 of the Final EIR (Topical Responses 1, Responses to Comment Letter C, and Responses to Comment Letter H).

3.2 Air Quality (Cumulative)

The Draft EIR discusses the impacts related to air quality in Section 5.2. The following discussion addresses potential cumulative impacts with respect to air quality.

Impact Summary:

During operations, the proposed Project’s daily criteria pollutant emissions would exceed SCAQMD significance thresholds for CO, VOC, and NO_x in Phase 1, and CO, VOC, NO_x, and SO₂ in Phase 2 (buildout of the Project). Impacts from the proposed Project would be significant and unavoidable and would result in a cumulatively considerable increase of air emissions during operations.

Significant Effects:

The Project’s cumulative contribution to air quality would be cumulatively considerable.

Findings:

Pursuant to Public Resources Code Section 21081(a)(1), the OIAA finds that change or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the

foregoing significant impact as identified in the EIR. However, these effects have not been reduced to a less-than-significant level.

Thus, pursuant to Public Resources Code Section 21081(a)(3), the OIAA finds that specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR. There are no feasible mitigation measures or alternatives that would reduce the identified significant impact to a level below significant or otherwise reduce the impact. Therefore, the impact remains significant and unavoidable.

Facts in Support of Findings:

During operations, the proposed Project's daily criteria pollutant emissions would exceed SCAQMD thresholds for CO, VOC, and NO_x in Phase 1, and CO, VOC, NO_x, and SO₂ in Phase 2 (buildout of the Project). Operations would not exceed the ambient air quality standards at nearby receptors. Impacts from the proposed Project would be significant and unavoidable and would result in a cumulatively considerable increase of air emissions during operations.

Based on SCAQMD methodology, the proposed Project's operational emissions would represent a cumulatively considerable contribution, and thus the Project would also result in a cumulatively significant impact.

There are no feasible mitigation measures that would reduce the proposed Project's operational impacts to below SCAQMD thresholds because neither SCAQMD or OIAA have the authority to regulate aircraft operations or emissions from aircraft engines, and the majority of the emissions estimated for operation of the Project are from aircraft operations. The federal Clean Air Act exclusively vests the authority to promulgate emission standards for aircraft and aircraft engines with the USEPA; states and other municipalities are preempted from adopting or enforcing any standard with respect to aircraft engine emissions unless such standard is identical to USEPA standards. For these reasons, there are no additional feasible mitigation measures that would reduce operational emissions to below significance thresholds and the proposed Project's operational air quality emissions at the Project-specific and cumulative levels would remain significant and unavoidable.

Thus, pursuant to Public Resources Code Section 21081(a)(3), based on the evidence described below in Section 10.0, Statement of Overriding Considerations, the OIAA finds that specific, economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, makes infeasible the mitigation measures or alternatives identified in the EIR to reduce this impact to a less-than-significant level.

Mitigation Measures:

AQ-1, AQ-2, AQ-3, AQ-4, AQ-5, AQ-6, AQ-7, AQ-8, AQ-9, AQ-10, AQ-11, AQ-12, AQ-13, AQ-14, AQ-15, AQ-16 TRANS-1, TRANS-2, TRANS-3, TRANS-4, and TRANS-5.

- AQ-1** The Applicant shall require that construction vendors, contractors, and/or haul truck operators commit to using 2010 model year trucks (e.g., material delivery trucks and soil import/export with a gross vehicle weight rating of at least 14,001 pounds), that meet CARB's 2010 engine emissions standards or newer, cleaner

trucks. The OIAA shall confirm that the Applicant includes this requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with Project construction to document that each truck used meets these emission standards and make the records available for inspection.

- AQ-2** The Applicant shall require that construction equipment such as concrete/industrial saws, pumps, aerial lifts, light stands, air compressors, and forklifts be electric or alternative-fueled (i.e., non-diesel), where feasible. Pole power shall be utilized at the earliest feasible point in time and shall be used to the maximum extent feasible in lieu of generators.
- AQ-3** The Applicant shall support and encourage ridesharing and transit incentives for the construction crew by providing crews with the resources needed to organize rideshares, such as bulletin boards or email announcements. The Applicant shall also partially subsidize transit fares or passes for the construction crew members who can feasibly use transit. The Applicant shall set a goal to achieve ten percent total construction worker participation in ridesharing programs and transit use.
- AQ-4** The Applicant shall require, in addition to the GSE noted within PDF AQ-3, all other on-site cargo-handling equipment, such as yard trucks, holsters, yard goats, pallet jacks, and similar equipment, to be electric, with the necessary electrical charging stations provided.
- AQ-5** The Applicant shall require, if and to the extent feasible, the use of zero-emission or near zero-emission on-road heavy duty trucks as part of business operations beginning in 2025 (within at least 25 percent of the Project fleet).
- The Applicant also shall require, if and to the extent feasible, the use of zero-emission or near zero-emission on-road heavy duty trucks as part of the business operations beginning in 2029 (within at least 50 percent of the Project fleet).
- AQ-6** The Applicant shall include in the design requirements for the Project cool roof installation to the extent roof space is not occupied by solar panels, in order to reduce energy use and urban heat island effects.
- AQ-7** The Applicant shall encourage the use of single engine taxi operations for Project aircraft.
- AQ-8** The Applicant shall utilize Energy Star heating, cooling, and lighting devices, and appliances (e.g., Heating, Ventilation, and Air Conditioning (HVAC) units in the form of energy efficient commercial heat pumps) within the interior of the Air Cargo Sort Building.
- AQ-9** In order to reduce trips to and from the Project site during construction, the Applicant shall provide on-site food trucks during meal times.

- AQ-10** Interior- and exterior-facing signs, including signs directed toward all dock and delivery areas, shall be posted by the Applicant to identify contact information to report idling violations to CARB, SCAQMD, and the building manager. These signs also shall inform truck drivers to shut off their engines when not in use.
- AQ-11** Electric plugs for electric transport refrigeration units shall be provided at dock doors located at the Air Cargo Sort Building.
- AQ-12** The Applicant shall train operational managers and employees on efficient scheduling and load management to eliminate unnecessary queuing of trucks.
- AQ-13** Signs shall be posted by the Applicant at every truck exit driveway providing directional information to use truck routes as designated by the City of Ontario.
- AQ-14** The Applicant shall require its facility operator(s) to train the staff in charge of keeping vehicle records on diesel technologies and compliance with CARB regulations by attending CARB-approved courses. Also, the Applicant shall require its facility operator(s) to maintain records on-site demonstrating regulatory compliance and make records available for inspection by OIAA, SCAQMD, and State of California upon request.
- AQ-15** The Applicant shall include a provision in all operational freight hauling contracts requiring the use of 2010 model year trucks that meet CARB's 2010 engine emission standards, or newer and cleaner trucks, if and to the extent feasible.
- AQ-16** During construction, the Applicant shall post interior- and exterior-facing signs to inform construction contractors to shut off truck and equipment engines when not in use.
- TRANS-1** **Voluntary Commute Reduction Program.** The proposed Project shall implement Voluntary Commute Trip Reduction (CTR) programs that discourage single-occupancy vehicle trips and encourage alternative modes of transportation, such as carpooling, taking transit, walking, and biking. Voluntary CTR programs shall include the following elements to apply the VMT reductions reported in literature:
- Employer-provided services, infrastructure, and/or incentives for commuting to work using alternative modes (e.g., walking, biking, carpooling/vanpooling, or taking transit).
 - Provide information, coordination, and marketing for employee rideshare services, provide onsite infrastructure to support carpools/vanpools, and provide incentives (e.g., free transit passes, monthly bonus for carpooling 3 or more times a week, etc.).

Employer costs may include recurring costs for carpool/vanpool subsidies, capital and maintenance costs for the alternative transportation infrastructure (e.g., showers and lockers), and labor costs for staff to manage the program.

TRANS-2 Provide Ridesharing Program. A ridesharing program shall be implemented for employees of the site. The following elements designed to support the Project's ridesharing program:

- Provide vanpool parking with designated passenger loading/unloading area near employee entrance.
- Create a Carpool Incentive Program.
 - Provide a minimum of ten (10) carpool parking spaces provided closer to the employee entrance than standard parking spaces.
 - Provide access to a carpool database (Metro rideshare) and/or an on-site matching program for employees.
 - Provide a monthly incentive for employees that carpool a minimum of three (3) days per week (e.g., \$50 gas card or a \$50 green commuter bonus).

In addition, a staff person would be designated to for provide rideshare information to employees and monitoring the effectiveness of the program.

It is assumed all employees are eligible and that additional carpool spaces could be designated if warranted by demand.

TRANS-3 Implement Subsidized or Discounted Transit Program. Subsidized, discounted, or free Omnitrans, Metrolink or Amtrak transit passes shall be provided to employees to encourage use of transit routes/stops located less than a mile from the Project. It is assumed free transit passes are available to all employees.

Based on the given shift times of the Project, shifts that start or end at 11:00 PM shall have limited available options as most routes do not provide service that late. This shall limit approximately half the employees from the ability to rely on transit.

TRANS-4 Bicycle Facilities. On-site bicycle parking and end-of-trip facilities shall be provided for employee use. End-of-trip facilities include bike parking, bike lockers, showers, and personal lockers.

A bike share program (standard or electric bikes) for employees shall supplement bicycle facilities.

TRANS-5 Employer-Sponsored Vanpool Program. An employer-sponsored vanpool service shall be implemented and be fully funded by the tenant as follows:

- Provide a minimum of one (1) and up to three (3) vanpool vehicles and associated parking with designated passenger loading/unloading area near employee entrance.
- Pay for the lease of a minimum of one (1) van and up to three (3) vans for the purpose of employee vanpooling.

- A ten percent voluntary participation rate is assumed to be the high end of the range for this project.

Project Design Features:

AQ-1, AQ-2, AQ-3, AQ-4, AQ-5, AQ-6, AQ-7, AQ-8, AQ-9, AQ-10, and AQ-11

- AQ-1** For all phases of construction activity, the Applicant shall require use of off-road construction equipment that is zero emission, if and to the extent available, or diesel-fueled off-road construction equipment that meets the USEPA’s Tier 4 emissions standards for off-road diesel-powered construction equipment with 50 horsepower (hp) or greater. To ensure that Tier 4 or the cleanest construction equipment available would be used during the Project’s construction, the OIAA shall confirm that the Applicant includes this requirement in applicable bid documents, purchase orders, and contracts. Additionally, the OIAA shall confirm that the Applicant also requires periodic reporting and provision of written construction documents by construction contractor(s) and conducts regular inspections to the maximum extent feasible to ensure and enforce compliance.
- AQ-2** The Applicant shall conduct concrete/asphalt demolition on-site to reuse concrete/asphalt generated during construction. During Phase 1, demolition would involve removal of approximately 2,047,320 square feet of asphalt/concrete, which would be recycled within the project site and not require off-site haul truck trips (i.e., avoiding 2,616 haul truck trips). During Phase 2, demolition would involve removal of approximately 1,045,440 square feet of asphalt/concrete, which would be recycled within the project site and not require offsite haul truck trips (i.e., avoiding 910 haul truck trips).
- AQ-3** The Ground Support Equipment (GSE), including (but not limited to) aircraft tugs, baggage tugs, belt loaders, cargo loaders, forklifts, and ground power units, ramp support carts/vans, servicing aircrafts shall be electric by Phase 2.
- AQ-4** A portion of the proposed Project’s aircraft fleet shall include electric cargo aircraft. (See Table 3.4 in Section 3.0: Project Description).
- AQ-5** All new aircraft parking positions shall be equipped with ground power and pre-conditioned air, therefore reducing the need to operate auxiliary power units.
- AQ-6** The Applicant shall conduct maintenance and/or testing on each of the seven standby generators on separate days to limit daily emissions from maintenance/testing activities.
- AQ-7** The Air Cargo Sort Building shall meet Leadership in Energy and Environmental Design (LEED) certification standards, shall include enhanced building automation systems, and shall utilize advanced low energy HVAC systems.

AQ-8 The visitor parking lot shall include 29 parking stalls, 6 of which shall have access to electric charging points. The employee parking structure shall include 932 parking stalls, 300 of which shall have access to electric charging points.

AQ-9 The Air Cargo Sort Building shall incorporate all of the following design specifications and technologies:

- Building automation
- Efficient, heat pump HVAC
- Natural ventilation
- Purchase of electricity from the SCE 100% Clean Rate Program, if and to the extent feasible
- Efficient dock seals
- Rapid rise doors
- Solar shades
- Low use water appliances
- Sustainable, drought-tolerant landscaping featuring a native, non-invasive vegetation palette
- Submeters with advanced energy monitoring
- Main meter energy monitoring
- Efficient transformers
- Battery storage-ready infrastructure
- Building automation by an enhanced building management system
- Enhanced glazing

AQ-10 The Project shall include electric charging infrastructure in the truckyard that, at a minimum, accords with all applicable requirements of California’s Building Energy Efficiency Standards, as set forth within Title 24, Part 6, of the California Code of Regulations.

AQ-11 The storage and maintenance of Project-related delivery trucks shall occur only on site. In the event that overnight parking of delivery trucks is necessary, such trucks shall be parked within the Project site.

Reference:

For a complete discussion of Project cumulative impacts related to air quality, see Section 5.2.4 of the Draft EIR at pages 5.2-88 – 5.2-90, Section 2.0 of the Final EIR at pages 2.0-29 through 2.0-37, and Section 3.0 of the Final EIR (Topical Responses 1, Responses to Comment Letter C, and Responses to Comment Letter H).

3.3 Greenhouse Gas Emissions

Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

Impact Summary:

The proposed Project's net increase in GHG emissions during Phase 1 and Phase 2 (buildout of the Project) compared to Baseline Conditions is considered a significant impact on the environment. It is the accumulation of GHGs in the atmosphere that may result in global climate change. Climate change impacts are cumulative in nature and, thus, no typical single project would result in emissions of such a magnitude that it, in and of itself, would be significant on a project basis. Implementation of the proposed Project would result in a significant and unavoidable impact related to GHG emissions; hence, the proposed Project's incremental contribution of GHG emissions, both before and after mitigation, is considered to be cumulatively considerable.

Significant Effect: GHG-1

The Project would result in a net increase in GHG emissions during Phase 1 and Phase 2 (buildout of the Project) operation over Baseline Conditions, which is considered to be a significant impact on the environment.

Findings:

Pursuant to Public Resources Code Section 21081(a)(1), the OIAA finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the foregoing significant impact as identified in the EIR. However, these effects have not been reduced to a less-than-significant level.

Thus, pursuant to Public Resources Code Section 21081(a)(3), the OIAA finds that specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR. There are no feasible mitigation measures or alternatives that would reduce the identified significant impact to a level below significant or otherwise reduce the impact. Therefore, the impact remains significant and unavoidable.

Facts in Support of Findings:

The estimated construction GHG emissions for the proposed Project are 7,248 MTCO_{2e}. The 30-year amortized construction related GHG emissions would be approximately 242 metric tons of MTCO_{2e} per year. With implementation of the proposed Project, operational annual GHG emissions would be 79,798 MTCO_{2e} annually for Phase 1 and 128,057 MTCO_{2e} annually for Phase 2 (buildout of the Project) when compared to emissions under Baseline Conditions. The net increase in GHG emissions over Baseline Conditions is considered to be a significant impact on the environment. As such, impacts would be potentially significant.

The Applicant's approach to building design employs a broad range of green building technologies to achieve carbon neutral design for all of its new buildings (*i.e.*, zero emission buildings) by incorporating a variety of technologies into the building design to reduce energy use, track energy

consumption to support identification of further improvements, generate renewable energy on site and utilize clean energy sources.

Project Design Features **PDF AQ-1** through **PDF AQ-11** and **Mitigation Measures MM AQ-1** through **MM AQ-16**, as well as **MM TRANS-1** through **MM TRANS-5** would serve to reduce GHG emissions. Additionally, the proposed Project includes Project Design Features **PDF GHG-1** and **PDF GHG-2** to reduce GHG emissions to the greatest extent feasible. Neither the SCAQMD nor OIAA have the authority to regulate aircraft operations or emissions from aircraft engines and the majority of the emissions estimated for operation of the Project are from aircraft operations. The federal Clean Air Act exclusively vests the authority to promulgate emission standards for aircraft and aircraft engines with the USEPA; states and other municipalities are preempted from adopting or enforcing any standard with respect to aircraft engine emissions unless such standard is identical to USEPA standards. As with the operational air quality emissions associated with the Project, while it is anticipated future technology improvements are anticipated to reduce Project GHG emissions over time, there are no additional feasible mitigation measures available at this time that would reduce GHG emissions to below significance thresholds and for this reason, operational GHG emissions would remain significant after implementation of all feasible mitigation.

Thus, pursuant to Public Resources Code Section 21081(a)(3), based on the evidence described below in Section 10.0, Statement of Overriding Considerations, the OIAA finds that specific, economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, makes infeasible the mitigation measures or alternatives identified in the EIR to reduce this impact to a less-than-significant level.

Mitigation Measures:

AQ-1, AQ-2, AQ-3, AQ-4, AQ-5, AQ-6, AQ-7, AQ-8, AQ-9, AQ-10, AQ-11, AQ-12, AQ-13, AQ-14, AQ-15, AQ-16 TRANS-1, TRANS-2, TRANS-3, TRANS-4, and TRANS-5.

AQ-1 The Applicant shall require that construction vendors, contractors, and/or haul truck operators commit to using 2010 model year trucks (e.g., material delivery trucks and soil import/export with a gross vehicle weight rating of at least 14,001 pounds), that meet CARB's 2010 engine emissions standards or newer, cleaner trucks. The OIAA shall confirm that the Applicant includes this requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with Project construction to document that each truck used meets these emission standards and make the records available for inspection.

AQ-2 The Applicant shall require that construction equipment such as concrete/industrial saws, pumps, aerial lifts, light stands, air compressors, and forklifts be electric or alternative-fueled (i.e., non-diesel), where feasible. Pole power shall be utilized at the earliest feasible point in time and shall be used to the maximum extent feasible in lieu of generators.

AQ-3 The Applicant shall support and encourage ridesharing and transit incentives for the construction crew by providing crews with the resources needed to organize

rideshares, such as bulletin boards or email announcements. The Applicant shall also partially subsidize transit fares or passes for the construction crew members who can feasibly use transit. The Applicant shall set a goal to achieve ten percent total construction worker participation in ridesharing programs and transit use.

- AQ-4** The Applicant shall require, in addition to the GSE noted within PDF AQ-3, all other on-site cargo-handling equipment, such as yard trucks, holsters, yard goats, pallet jacks, and similar equipment, to be electric, with the necessary electrical charging stations provided.
- AQ-5** The Applicant shall require, if and to the extent feasible, the use of zero-emission or near zero-emission on-road heavy duty trucks as part of business operations beginning in 2025 (within at least 25 percent of the Project fleet).
- The Applicant also shall require, if and to the extent feasible, the use of zero-emission or near zero-emission on-road heavy duty trucks as part of the business operations beginning in 2029 (within at least 50 percent of the Project fleet).
- AQ-6** The Applicant shall include in the design requirements for the Project cool roof installation to the extent roof space is not occupied by solar panels, in order to reduce energy use and urban heat island effects.
- AQ-7** The Applicant shall encourage the use of single engine taxi operations for Project aircraft.
- AQ-8** The Applicant shall utilize Energy Star heating, cooling, and lighting devices, and appliances (e.g., Heating, Ventilation, and Air Conditioning (HVAC) units in the form of energy efficient commercial heat pumps) within the interior of the Air Cargo Sort Building.
- AQ-9** In order to reduce trips to and from the Project site during construction, the Applicant shall provide on-site food trucks during meal times.
- AQ-10** Interior- and exterior-facing signs, including signs directed toward all dock and delivery areas, shall be posted by the Applicant to identify contact information to report idling violations to CARB, SCAQMD, and the building manager. These signs also shall inform truck drivers to shut off their engines when not in use.
- AQ-11** Electric plugs for electric transport refrigeration units shall be provided at dock doors located at the Air Cargo Sort Building.
- AQ-12** The Applicant shall train operational managers and employees on efficient scheduling and load management to eliminate unnecessary queuing of trucks.
- AQ-13** Signs shall be posted by the Applicant at every truck exit driveway providing directional information to use truck routes as designated by the City of Ontario.

AQ-14 The Applicant shall require its facility operator(s) to train the staff in charge of keeping vehicle records on diesel technologies and compliance with CARB regulations by attending CARB-approved courses. Also, the Applicant shall require its facility operator(s) to maintain records on-site demonstrating regulatory compliance and make records available for inspection by OIAA, SCAQMD, and State of California upon request.

AQ-15 The Applicant shall include a provision in all operational freight hauling contracts requiring the use of 2010 model year trucks that meet CARB's 2010 engine emission standards, or newer and cleaner trucks, if and to the extent feasible.

AQ-16 During construction, the Applicant shall post interior- and exterior-facing signs to inform construction contractors to shut off truck and equipment engines when not in use.

TRANS-1 **Voluntary Commute Reduction Program.** The proposed Project shall implement Voluntary Commute Trip Reduction (CTR) programs that discourage single-occupancy vehicle trips and encourage alternative modes of transportation, such as carpooling, taking transit, walking, and biking. Voluntary CTR programs shall include the following elements to apply the VMT reductions reported in literature:

- Employer-provided services, infrastructure, and/or incentives for commuting to work using alternative modes (e.g., walking, biking, carpooling/vanpooling, or taking transit).
- Provide information, coordination, and marketing for employee rideshare services, provide onsite infrastructure to support carpools/vanpools, and provide incentives (e.g., free transit passes, monthly bonus for carpooling 3 or more times a week, etc.).

Employer costs may include recurring costs for carpool/vanpool subsidies, capital and maintenance costs for the alternative transportation infrastructure (e.g., showers and lockers), and labor costs for staff to manage the program.

TRANS-2 **Provide Ridesharing Program.** A ridesharing program shall be implemented for employees of the site. The following elements designed to support the Project's ridesharing program:

- Provide vanpool parking with designated passenger loading/unloading area near employee entrance.
- Create a Carpool Incentive Program.
 - Provide a minimum of ten (10) carpool parking spaces provided closer to the employee entrance than standard parking spaces.
 - Provide access to a carpool database (Metro rideshare) and/or an on-site matching program for employees.

- Provide a monthly incentive for employees that carpool a minimum of three (3) days per week (e.g., \$50 gas card or a \$50 green commuter bonus).

In addition, a staff person would be designated to provide rideshare information to employees and monitoring the effectiveness of the program.

It is assumed all employees are eligible and that additional carpool spaces could be designated if warranted by demand.

TRANS-3 Implement Subsidized or Discounted Transit Program. Subsidized, discounted, or free Omnitrans, Metrolink or Amtrak transit passes shall be provided to employees to encourage use of transit routes/stops located less than a mile from the Project. It is assumed free transit passes are available to all employees.

Based on the given shift times of the Project, shifts that start or end at 11:00 PM shall have limited available options as most routes do not provide service that late. This shall limit approximately half the employees from the ability to rely on transit.

TRANS-4 Bicycle Facilities. On-site bicycle parking and end-of-trip facilities shall be provided for employee use. End-of-trip facilities include bike parking, bike lockers, showers, and personal lockers.

A bike share program (standard or electric bikes) for employees shall supplement bicycle facilities.

TRANS-5 Employer-Sponsored Vanpool Program. An employer-sponsored vanpool service shall be implemented and be fully funded by the tenant as follows:

- Provide a minimum of one (1) and up to three (3) vanpool vehicles and associated parking with designated passenger loading/unloading area near employee entrance.
- Pay for the lease of a minimum of one (1) van and up to three (3) vans for the purpose of employee vanpooling.
- A ten percent voluntary participation rate is assumed to be the high end of the range for this project.

Project Design Features:

AQ-1, AQ-2, AQ-3, AQ-4, AQ-5, AQ-6, AQ-7, AQ-8, AQ-9, AQ-10, and AQ-11, GHG-1, GHG-2

AQ-1 For all phases of construction activity, the Applicant shall require use of off-road construction equipment that is zero emission, if and to the extent available, or diesel-fueled off-road construction equipment that meets the USEPA's Tier 4 emissions standards for off-road diesel-powered construction equipment with 50

horsepower (hp) or greater. To ensure that Tier 4 or the cleanest construction equipment available would be used during the Project's construction, the OIAA shall confirm that the Applicant includes this requirement in applicable bid documents, purchase orders, and contracts. Additionally, the OIAA shall confirm that the Applicant also requires periodic reporting and provision of written construction documents by construction contractor(s) and conducts regular inspections to the maximum extent feasible to ensure and enforce compliance.

- AQ-2** The Applicant shall conduct concrete/asphalt demolition on-site to reuse concrete/asphalt generated during construction. During Phase 1, demolition would involve removal of approximately 2,047,320 square feet of asphalt/concrete, which would be recycled within the project site and not require offsite haul truck trips (i.e., avoiding 2,616 haul truck trips). During Phase 2, demolition would involve removal of approximately 1,045,440 square feet of asphalt/concrete, which would be recycled within the project site and not require offsite haul truck trips (i.e., avoiding 910 haul truck trips).
- AQ-3** The Ground Support Equipment (GSE), including (but not limited to) aircraft tugs, baggage tugs, belt loaders, cargo loaders, forklifts, and ground power units, ramp support carts/vans, servicing aircrafts shall be electric by Phase 2.
- AQ-4** A portion of the proposed Project's aircraft fleet shall include electric cargo aircraft. (See Table 3.4 in Section 3.0: Project Description).
- AQ-5** All new aircraft parking positions shall be equipped with ground power and pre-conditioned air, therefore reducing the need to operate auxiliary power units.
- AQ-6** The Applicant shall conduct maintenance and/or testing on each of the seven standby generators on separate days to limit daily emissions from maintenance/testing activities.
- AQ-7** The Air Cargo Sort Building shall meet Leadership in Energy and Environmental Design (LEED) certification standards, shall include enhanced building automation systems, and shall utilize advanced low energy HVAC systems.
- AQ-8** The visitor parking lot shall include 29 parking stalls, 6 of which shall have access to electric charging points. The employee parking structure shall include 932 parking stalls, 300 of which shall have access to electric charging points.
- AQ-9** The Air Cargo Sort Building shall incorporate all of the following design specifications and technologies:
- Building automation
 - Efficient, heat pump HVAC
 - Natural ventilation
 - Purchase of electricity from the SCE 100% Clean Rate Program, if and to the extent feasible

- Efficient dock seals
- Rapid rise doors
- Solar shades
- Low use water appliances
- Sustainable, drought-tolerant landscaping featuring a native, non-invasive vegetation palette
- Submeters with advanced energy monitoring
- Main meter energy monitoring
- Efficient transformers
- Battery storage-ready infrastructure
- Building automation by an enhanced building management system
- Enhanced glazing

AQ-10 The Project shall include electric charging infrastructure in the truckyard that, at a minimum, accords with all applicable requirements of California’s Building Energy Efficiency Standards, as set forth within Title 24, Part 6, of the California Code of Regulations.

AQ-11 The storage and maintenance of Project-related delivery trucks shall occur only onsite. In the event that overnight parking of delivery trucks is necessary, such trucks shall be parked within the Project site.

GHG-1 The Air Cargo Sort Building shall be all-electric (no natural gas usage).

GHG-2 The proposed Project shall include a 3.8-Megawatt Solar PV Panel System on the rooftop of the Air Cargo Sort Building and Parking Structure.

Reference:

For a complete discussion of Project impacts related to greenhouse gas emissions, see Section 5.7. of the Draft EIR at pages 5.7.35 – 5.7-38, Section 2.0 of the Final EIR at pages 2.0-38 through 2.0-44, and Section 3.0 of the Final EIR (Topical Responses 1, Responses to Comment Letter C, and Responses to Comment Letter H).

Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Impact Summary:

Implementation of the proposed Project would not conflict with many of the plans, policies, and regulations that have been adopted for the purpose of reducing GHG emissions. However, the Project may conflict with some plans, policies, and regulations (including Executive Orders S-3-05, B-30-15 and B-55-18, and the 2022 Climate Change Scoping Plan) that are targeting overall reductions in California’s emissions profile and carbon neutrality due to its incremental contribution of additional GHG emissions to the atmosphere.

Significant Effect: GHG-2

The Project would conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Findings:

Pursuant to Public Resources Code Section 21081(a)(1), the OIAA finds that change or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the foregoing significant impact as identified in the EIR. However, these effects have not been reduced to a less-than-significant level.

Thus, pursuant to Public Resources Code Section 21081(a)(3), the OIAA finds that specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR. There are no feasible mitigation measures or alternatives that would reduce the identified significant impact to a level below significant or otherwise reduce the impact. Therefore, the impact remains significant and unavoidable.

Facts in Support of Findings:

The proposed Project may conflict with some plans, policies, and regulations, including Executive Orders S-3-05, B-30-15, and B-55-18; and the 2022 Climate Change Scoping Plan due to its incremental contribution of additional GHG emissions to the atmosphere. Statewide GHG reduction targets are not directly applicable to individual projects. However, the proposed Project would increase emissions at the Airport when compared to Baseline Conditions. Further, OIAA does not have the authority to regulate aircraft operations or emissions from aircraft engines. The federal Clean Air Act exclusively vests the authority to promulgate emission standards for aircraft and aircraft engines with the USEPA; states and other municipalities are preempted from adopting or enforcing any standard with respect to aircraft engine emissions unless such standard is identical to USEPA standards. In light of the proposed Project's increase in GHG emissions above Baseline Conditions, the proposed Project may conflict with the State's ability to achieve statewide GHG reduction targets. As such, impacts would be potentially significant.

It is anticipated, however, that future aircraft-related GHG emissions will be lower than currently projected based on the continuing trend of improvements in aircraft engine design and lighter, more fuel-efficient aircraft, and use of cleaner aviation fuels, which would serve to reduce GHG emissions, even though these improvements are beyond the scope of the proposed Project and are not within the control of the OIAA.

While it is anticipated future technology improvements are anticipated to reduce Project GHG emissions over time, there are no additional feasible mitigation measures available at this time that would reduce GHG emissions to below significance thresholds and for this reason, operational GHG emissions would remain significant after implementation of all feasible mitigation.

Thus, pursuant to Public Resources Code Section 21081(a)(3), based on the evidence described below in Section 10.0, Statement of Overriding Considerations, the OIAA finds that specific, economic, legal, social, technological, or other considerations, including considerations for the

provision of employment opportunities for highly trained workers, makes infeasible the mitigation measures or alternatives identified in the EIR to reduce this impact to a less-than-significant level.

Mitigation Measures:

None

Project Design Features:

None

Reference:

For a complete discussion of Project impacts related to greenhouse gas emissions, see Section 5.7 of the Draft EIR at pages 5.7.38 – 5.7-44. Section 2.0 of the Final EIR at pages 2.0-38 through 2.0-44, and Section 3.0 of the Final EIR (Topical Responses 1, Responses to Comment Letter C, and Responses to Comment Letter H).

3.4 Greenhouse Gas Emissions (Cumulative)

The Draft EIR discusses the impacts related to greenhouse gas emissions in Section 5.7. See 3.3 Greenhouse Gas Emissions, above, for discussion addressing potential cumulative impacts with respect to greenhouse gas emissions.

Impact Summary:

See 3.3 Greenhouse Gas Emissions, above..

Significant Effect:

See 3.3 Greenhouse Gas Emissions, above.

Findings:

See 3.3 Greenhouse Gas Emissions, above.

Facts in Support of Findings:

See 3.3 Greenhouse Gas Emissions, above.

Reference

For a complete discussion of Project cumulative impacts related to greenhouse gas emissions, see Section 5.7.4 of the Draft EIR at pages 5.7-44 – 5.7-45. Section 2.0 of the Final EIR at pages 2.0-38 through 2.0-44, and Section 3.0 of the Final EIR (Topical Responses 1, Responses to Comment Letter C, and Responses to Comment Letter H).

3.5 Transportation

Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

Impact Summary:

The VMT analysis for the Project was conducted in accordance with the VMT guidelines in the City of Ontario's VMT Impact Resolution, adopted in June 2020. For employees, guests, deliveries and empty trucks, trip generation estimates were multiplied by average trip lengths to estimate average daily VMT. Average trip lengths from SBTAM were interpolated between base and future years to estimate Project Opening Years Phase 1 (2025) and Phase 2 (2029) trip lengths for the employee trips. The fixed-route truck trips were each multiplied by the route distance to estimate fixed-route truck VMT. Fuel truck trips were also multiplied by the route distance to estimate fuel truck trip VMT. Implementation of these mitigation measures is not anticipated to reduce the VMT impact of the proposed Project to a less-than significant level.

Significant Effect: TRA-2

The truck, employee and other trips generated by the proposed Project during operation would result in the Project Total vehicle miles traveled (VMT) per service population (employees for this proposed Project) being 22 percent above the City's VMT significance threshold of 29.76 VMT per service population. Therefore, the Project would result in a significant, unavoidable impact due to operation related VMT.

Findings:

Pursuant to Public Resources Code Section 21081(a)(1), the OIAA finds that change or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the foregoing significant impact as identified in the EIR. However, these effects have not been reduced to a less-than-significant level.

Thus, pursuant to Public Resources Code Section 21081(a)(3), the OIAA finds that specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR. There are no feasible mitigation measures or alternatives that would reduce the identified significant impact to a level below significant or otherwise reduce the impact. Therefore, the impact remains significant and unavoidable.

Facts in Support of Findings:

The Total VMT per service population of the Project site is compared to the Ontario Plan Buildout Conditions VMT per service population to determine if it exceeds the City's impact threshold for VMT under for Phase 1 Opening Year (2025), Phase 2 Opening Year (2029), and under Cumulative Year (2040) conditions. Trip generation estimates were multiplied by average trip lengths to estimate average daily VMT. Phase 1 Opening Year (2025) anticipates 2,777 new Project trips and a VMT of 45,411. Phase 2 Opening Year (2029) anticipates 2,824 new Project trips and a VMT of 50,163.

A compilation of substantial evidence that describes why the Project would or would not have a significant impact on VMT, utilized for projects with unique characteristics that cannot be accurately analyzed using SBTAM or the SCAG RTP/SCS model. The proposed Project Total VMT per service population is 23 percent above the City's VMT significance threshold. The majority of the proposed Project VMT would be generated by trucks, as the proposed Project is a logistics facility. The operations and economic viability of the proposed Project relies on trucks picking up and delivering goods. SCAG identifies 900 daily truck trips for Ontario Airport in 2016 and projects 1,725 daily truck trips in 2045 (Table 14 in the Aviation and Ground Access appendix to the RTP/SCS). The Project would generate 672 truck trips per day, an amount that is within, and consistent with, the 2045 truck trip estimate for Ontario Airport. When these truck trips are considered as part of the total Project VMT, the impact of the Project is significant in relation to the City's VMT threshold.

The Cumulative Conditions (2040) anticipated 2,824 new Project trips and 50,465 new proposed Project VMT would increase Citywide VMT on a daily level in the City. The truck VMT is anticipated to be slightly higher compared to more urbanized airports, given the frequency of trips between these airports and other locations. The proposed Project would cause total daily VMT within the City to be higher than the no project alternative under cumulative conditions, based on the qualitative assessment. The proposed Project Total VMT per service population is 23 percent above the City's VMT significance threshold. The majority of the proposed Project VMT would be generated by trucks, as the proposed Project is a logistics facility. When these truck trips are considered as part of the total Project VMT, the impact of the proposed Project is significant in relation to the City's VMT threshold. **Mitigation Measures TRANS-1 through TRANS-5** would be implemented to reduce proposed Project VMT to the maximum extent feasible, with maximum effectiveness of 5.10% reduction on total or commute VMT. Note that page 5.12-65 of the Draft EIR, and page 57-58 of the Updated Traffic Study (Appendix 1.0 of the Final EIR), discuss that the voluntary participation rate for the vanpool program for this proposed Project was reduced to 0.00-5.17% because of duplicative dampening, which occurs when multiple Transportation Demand Management (TDM) measures are applied that target the same users, the effectiveness of these mitigation measures is reduced when they are implemented together. Implementation of these mitigation measures is not anticipated to reduce the VMT impact of the proposed Project to a less-than significant level. Therefore, the impact remains significant and unavoidable.

No feasible mitigation is available because the Project Applicant is only responsible for mitigating impacts of their Project to the extent feasible and cannot implement or be responsible for mitigation measures on other development projects that are under construction at the same time as the Project in a manner that would reduce cumulative noise impacts. Thus, pursuant to Public Resources Code Section 21081(a)(3), based on the evidence described below in Section 10.0, Statement of Overriding Considerations, the OIAA finds that specific, economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, makes infeasible the mitigation measures or alternatives identified in the EIR to reduce this impact to a less-than-significant level.

Mitigation Measures:

TRANS-1, TRANS-2, TRANS-3, TRANS-4, and TRANS-5

TRANS-1 Voluntary Commute Reduction Program. The proposed Project shall implement Voluntary Commute Trip Reduction (CTR) programs that discourage single-occupancy vehicle trips and encourage alternative modes of transportation, such as carpooling, taking transit, walking, and biking. Voluntary CTR programs shall include the following elements to apply the VMT reductions reported in literature:

- Employer-provided services, infrastructure, and/or incentives for commuting to work using alternative modes (e.g., walking, biking, carpooling/vanpooling, or taking transit).
- Provide information, coordination, and marketing for employee rideshare services, provide onsite infrastructure to support carpools/vanpools, and provide incentives (e.g., free transit passes, monthly bonus for carpooling 3 or more times a week, etc.).

Employer costs may include recurring costs for carpool/vanpool subsidies, capital and maintenance costs for the alternative transportation infrastructure (e.g., showers and lockers), and labor costs for staff to manage the program.

TRANS-2 Provide Ridesharing Program. A ridesharing program shall be implemented for employees of the site. The following elements designed to support the Project's ridesharing program:

- Provide vanpool parking with designated passenger loading/unloading area near employee entrance.
- Create a Carpool Incentive Program.
 - Provide a minimum of ten (10) carpool parking spaces provided closer to the employee entrance than standard parking spaces.
 - Provide access to a carpool database (Metro rideshare) and/or an on-site matching program for employees.
 - Provide a monthly incentive for employees that carpool a minimum of three (3) days per week (e.g., \$50 gas card or a \$50 green commuter bonus).

In addition, a staff person would be designated to for provide rideshare information to employees and monitoring the effectiveness of the program.

It is assumed all employees are eligible and that additional carpool spaces could be designated if warranted by demand.

TRANS-3 Implement Subsidized or Discounted Transit Program. Subsidized, discounted, or free Omnitrans, Metrolink or Amtrak transit passes shall be provided to employees to encourage use of transit routes/stops located less than a mile from the Project. It is assumed free transit passes are available to all employees.

Based on the given shift times of the Project, shifts that start or end at 11:00 PM shall have limited available options as most routes do not provide service that late. This shall limit approximately half the employees from the ability to rely on transit.

TRANS-4 Bicycle Facilities. On-site bicycle parking and end-of-trip facilities shall be provided for employee use. End-of-trip facilities include bike parking, bike lockers, showers, and personal lockers.

A bike share program (standard or electric bikes) for employees shall supplement bicycle facilities.

TRANS-5 Employer-Sponsored Vanpool Program. An employer-sponsored vanpool service shall be implemented and be fully funded by the tenant as follows:

- Provide a minimum of one (1) and up to three (3) vanpool vehicles and associated parking with designated passenger loading/unloading area near employee entrance.
- Pay for the lease of a minimum of one (1) van and up to three (3) vans for the purpose of employee vanpooling.
- A ten percent voluntary participation rate is assumed to be the high end of the range for this project.

Reference:

For a complete discussion of Project impacts related to transportation, see Section 5.12. of the Draft EIR at pages 5.12-61 – 5.16-65.

3.6 Transportation (Cumulative)

The Draft EIR discusses the impacts related to transportation in Section 5.12. The following discussion addresses potential cumulative impacts with respect to transportation.

Impact Summary:

The City boundary VMT was evaluated, finding under baseline conditions, 5,501,208 daily VMT, and under future general plan buildout conditions, 8,320,682 daily VMT. Project VMT under Year (2040) conditions would be above the citywide average threshold of significance.

Significant Effect:

The Project's cumulative contribution to transportation would be cumulatively considerable.

Findings:

Pursuant to Public Resources Code Section 21081(a)(1), the OIAA finds that change or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the foregoing significant impact as identified in the EIR. However, these effects have not been reduced to a less-than-significant level.

Thus, pursuant to Public Resources Code Section 21081(a)(3), the OIAA finds that specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR. There are no feasible mitigation measures or alternatives that would reduce the identified significant impact to a level below significant or otherwise reduce the impact. Therefore, the impact remains significant and unavoidable.

Facts in Support of Findings:

Construction-related cumulative impacts would be less than significant.

A hybrid approach was used to estimate Project VMT because the available travel demand models for the region (SBTAM and the Southern California Association of Governments (SCAG) Model) are not as accurate at estimating trips, trip length, or VMT associated with the trucking activity associated with an air cargo facility serving a large region. The best way to perform boundary method VMT forecasts consistent with the City's Adopted VMT Resolution would be with a travel demand model. Given the model limitations noted above, the value in the results of the boundary method assessment to understand the Project's effect on VMT would be erroneous.

Given these limitations, a qualitative assessment of the Project's effect on VMT was performed. A qualitative assessment of VMT is a compilation of substantial evidence that describes why a project would or would not have a significant impact on VMT. Qualitative assessments may be used for projects that have unique characteristics that cannot be accurately analyzed using SBTAM or the SCAG RTP/SCS model. Qualitative assessments can include economic or market analysis, socioeconomic or demographic data, or other substantial evidence to support the significance finding.

The City boundary VMT was evaluated, finding under baseline conditions, 5,501,208 daily VMT, and under future general plan buildout conditions, 8,320,682 daily VMT. As shown in **Table 5.12-16**, of the Draft EIR, VMT under Year (2040) conditions would be above the citywide average threshold of significance.

Based on the 2,824 new trips estimated for the Project with an average travel length of approximately five miles within the City boundary, it is estimated that the boundary VMT would increase by approximately 14,120 VMT. This would equate to an increase in Base Year boundary VMT of approximately 0.25 percent in Base Year conditions and 0.17 percent in future buildout conditions. Based on these estimates, it is reasonable to conclude that the Project would increase citywide VMT on a daily level in the City.

Truck VMT was reviewed associated with the Project as proposed based on other available airports in the SCAG region and based on the known Project origins and destinations for Project trucks and known truck routes. The truck VMT is anticipated to be slightly higher as compared to more urbanized airports given the frequency of trips between Long Beach Airport, LAX, and the Airport, and other locations to the north. It is anticipated that commute VMT in Los Angeles would be lower due to higher densities and better access to transit such that the overall VMT would be higher in the City.

Based on this qualitative assessment, it was concluded that the Project would cause total daily VMT within the City to increase under cumulative conditions (see **Appendix 5.12-1**, of the Draft EIR). Though development of the proposed Project is expected to occur over an 8-year timeframe, the operational improvement measures would be implemented to ensure the safe and efficient operation of the roadway system. Therefore, the Project's contribution to cumulative VMT impacts would be cumulatively considerable.

The proposed Project is anticipated to increase citywide daily VMT within the City boundary. For these reasons, the Project VMT impacts are significant. Feasible VMT reduction strategies that would be appropriate for the proposed Project are recommended. However, given the maximum reduction potential associated with **Mitigation Measures TRANS-1** through **TRANS-5**, the VMT impacts of the Project would remain significant. Note that page 5.12-65 of the Draft EIR, and page 57-58 of the Updated Traffic Study (Appendix 1.0 of the Final EIR), discuss that the voluntary participation rate for the vanpool program for this proposed Project was reduced to 0.00-5.17% because of duplicative dampening, which occurs when multiple Transportation Demand Management (TDM) measures are applied that target the same users, the effectiveness of these mitigation measures is reduced when they are implemented together.

No feasible mitigation is available because the Project Applicant is only responsible for mitigating impacts of their Project to the extent feasible and cannot implement or be responsible for mitigation measures on other development projects that are under construction at the same time as the Project in a manner that would reduce cumulative noise impacts. Thus, pursuant to Public Resources Code Section 21081(a)(3), based on the evidence described below in Section 10.0, Statement of Overriding Considerations, the OIAA finds that specific, economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, makes infeasible the mitigation measures or alternatives identified in the EIR to reduce this impact to a less-than-significant level.

Mitigation Measures:

TRANS-1, TRANS-2, TRANS-3, TRANS-4, and TRANS-5

TRANS-1 Voluntary Commute Reduction Program. The proposed Project shall implement Voluntary Commute Trip Reduction (CTR) programs that discourage single-occupancy vehicle trips and encourage alternative modes of transportation, such as carpooling, taking transit, walking, and biking. Voluntary CTR programs shall include the following elements to apply the VMT reductions reported in literature:

- Employer-provided services, infrastructure, and/or incentives for commuting to work using alternative modes (e.g., walking, biking, carpooling/vanpooling, or taking transit).
- Provide information, coordination, and marketing for employee rideshare services, provide onsite infrastructure to support carpools/vanpools, and provide incentives (e.g., free transit passes, monthly bonus for carpooling 3 or more times a week, etc.).

Employer costs may include recurring costs for carpool/vanpool subsidies, capital and maintenance costs for the alternative transportation infrastructure (e.g., showers and lockers), and labor costs for staff to manage the program.

TRANS-2 Provide Ridesharing Program. A ridesharing program shall be implemented for employees of the site. The following elements designed to support the Project's ridesharing program:

- Provide vanpool parking with designated passenger loading/unloading area near employee entrance.
- Create a Carpool Incentive Program.
 - Provide a minimum of ten (10) carpool parking spaces provided closer to the employee entrance than standard parking spaces.
 - Provide access to a carpool database (Metro rideshare) and/or an on-site matching program for employees.
 - Provide a monthly incentive for employees that carpool a minimum of three (3) days per week (e.g., \$50 gas card or a \$50 green commuter bonus).

In addition, a staff person would be designated to provide rideshare information to employees and monitoring the effectiveness of the program.

It is assumed all employees are eligible and that additional carpool spaces could be designated if warranted by demand.

TRANS-3 Implement Subsidized or Discounted Transit Program. Subsidized, discounted, or free Omnitrans, Metrolink or Amtrak transit passes shall be provided to employees to encourage use of transit routes/stops located less than a mile from the Project. It is assumed free transit passes are available to all employees.

Based on the given shift times of the Project, shifts that start or end at 11:00 PM shall have limited available options as most routes do not provide service that late. This shall limit approximately half the employees from the ability to rely on transit.

TRANS-4 Bicycle Facilities. On-site bicycle parking and end-of-trip facilities shall be provided for employee use. End-of-trip facilities include bike parking, bike lockers, showers, and personal lockers.

A bike share program (standard or electric bikes) for employees shall supplement bicycle facilities.

TRANS-5 Employer-Sponsored Vanpool Program. An employer-sponsored vanpool service shall be implemented and be fully funded by the tenant as follows:

- Provide a minimum of one (1) and up to three (3) vanpool vehicles and associated parking with designated passenger loading/unloading area near employee entrance.
- Pay for the lease of a minimum of one (1) van and up to three (3) vans for the purpose of employee vanpooling.
- A ten percent voluntary participation rate is assumed to be the high end of the range for this project.

Reference

For a complete discussion of Project cumulative impacts related to transportation, see Section 5.12.4 of the Draft EIR at pages 5.12-68 – 5.7-69.

4.0 POTENTIALLY SIGNIFICANT EFFECTS THAT CAN BE MITIGATED TO BELOW A LEVEL OF SIGNIFICANCE

The following section sets forth the potentially significant environmental effects of the Project, determined to be mitigated to below a level of significance, and identifies one or more of the required findings that states facts in support of those findings with respect to each effect.

4.1 Biological Resources

Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.

Impact Summary:

The Project site could support the Cooper's Hawk, California horned lark, and California gull, which are CDFW Watch List Species. The Project site has a low potential to support burrowing owls and for this reason, focused surveys for burrowing owl were not warranted. Nevertheless, the vacant grassy area in the southeast corner of the Project site may provide suitable foraging and cover habitat for the burrowing owl, and construction activities in this area could potentially impact burrowing owls.

Less than Significant Effects with Mitigation: BIO-2

The Project is not expected to have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

Findings:

Pursuant to Public Resources Code Section 21081(a)(1), the OIAA finds that mitigation measures have been incorporated into the Project which mitigate or avoid the significant effects on the environment to Burrowing Owls and nesting birds. Therefore, impacts would be less than significant with mitigation incorporated.

Facts in Support of Findings:

The Project site is not located within federally designated Critical Habitat. Based on habitat requirements for the identified special-status plant species, the Project site does not have the potential to support any of the special-status plant species known to occur within the vicinity of the site. Additionally, the plant species found in the proposed Project area do not provide suitable long-term roosting or maternity habitat. Of the 57 special-status wildlife species have been recorded as observed in the Guasti and Ontario quadrangles, none of the species were observed during the field survey. No burrowing owls or recent signs (i.e., pellets, feathers, castings, or whitewash) were observed at the Project site. Portions of the Project site—primarily the vacant areas on the eastern end— is unvegetated and/or vegetated with a variety of low-growing plant species that allow for line-of-sight observation favored by burrowing owls. However, no suitable burrows (>4 inches in diameter) capable of providing roosting and nesting opportunities were observed. Additionally, the Project site supports and is surrounded by tall structures, light poles, and fences that offer perching opportunities for larger raptor species (i.e., red-tailed hawk) that prey on burrowing owls. Due to the predominance of vacant land in the immediate vicinity of the Project site, the site is isolated from suitable habitats. Further, the intensity and frequency of routine human disturbance associated with on-site weed abatement activities (i.e., mowing) and Airport-related uses (i.e., cargo storage) precludes burrowing owls from occurring on site.

To avoid potential impacts, **Mitigation Measure BIO-1** would require pre-construction surveys to determine the presence of burrowing owls to ensure that any burrowing owls potentially within this area are protected in accordance with CDFW recommendations. Implementation of **Mitigation Measure BIO-2** would require pre-construction Nesting Bird Surveys and would reduce potential impacts to migratory and nesting birds. **Mitigation Measure BIO-3** would require a pre-construction bat roosting survey shall be conducted by a qualified bat biologist on structures and trees being removed or impacted by construction on site that may provide suitable roosting opportunities for local common bat species within 14 days prior to construction. If bats are determined to be present, CDFW shall be consulted on creating a bat mitigation plan.

Project Design Features:

None

Mitigation Measures:

BIO-1, BIO-2, and BIO-3

- BIO-1 Burrowing Owl.** All disturbed areas of the Project site that were determined to have a low potential to provide suitable habitat for burrowing owls, which primarily includes the existing track infield grassy areas of the Project site, require focused preconstruction surveys to be conducted; the first take avoidance survey shall be conducted within 14 days prior to ground disturbance and the second take avoidance survey shall be conducted 24 hours prior to ground disturbance to determine presence of burrowing owls. These surveys shall conform to the survey protocol established by the CDFW Staff Report on Burrowing Owl Mitigation (CDFW 2012) and will be conducted by a qualified biologist across all suitable breeding, wintering, and foraging habitat within the

Project and appropriate buffer. Copies of the survey results shall be submitted to CDFW and OIAA.

- If no burrowing owls are detected, no further mitigation is necessary.
- If burrowing owls are detected during focused surveys and/or take avoidance surveys, CDFW will be immediately informed of its location and status. The project will avoid all impacts to burrowing owls onsite. If this is not feasible, a Burrowing Owl Protection Plan will be prepared by a qualified biologist, which must be approved by CDFW prior to initiating the project. The Burrowing Owl Protection Plan will include conserving all nesting, occupied, and satellite burrows and/or burrowing owl habitat such that the habitat acreage, number of burrows, and burrowing owls impacted are maintained and/or replaced. Further coordination with CDFW will occur to identify mitigation for the loss of habitat through the acquisition, conservation, and management of in-kind habitat. Lands conserved will include 1) sufficiently large acreage with fossorial mammals present; 2) permanent protection through a conservation easement for the purpose of conserving burrowing owl habitat and prohibiting activities incompatible with burrowing owl use; 3) development and implementation of a mitigation land management plan to address long-term ecological sustainability and maintenance of the site for burrowing owls; and 4) funding for the maintenance and management of mitigation land through the establishment of a long-term funding mechanism such as an endowment (CDFW, 2012).

BIO-2 Nesting Birds. Bird nesting season generally extends from February 1 through September 15 in southern California and, specifically, April 15 through August 31 for migratory passerine birds and January 15 to August 31 for raptors. In order to ensure compliance with the Migratory Bird Treaty Act and to avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist must be retained to conduct pre-construction Nesting Bird Surveys (NBS) will occur prior to Project-related disturbance to nestable vegetation to identify any active nests. The NBS shall be performed no more than three days prior to the commencement of construction activities. The survey(s) will occur at the appropriate time of day/night, during appropriate weather conditions. Surveys will encompass all suitable areas, including trees, shrubs, bare ground, burrows, cavities, and structures. Survey duration will take into consideration the acreage of the Project impacts; density, and complexity of the habitat; number of survey participants; survey techniques employed; and will be sufficient to ensure the data collected is complete and accurate. Pre-construction surveys will focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior (i.e., copulation, carrying of food or nest materials, nest building, removal of fecal sacks, flushing suddenly from atypically close range, agitation, aggressive interactions, feigning injury or distraction displays, or other behaviors). The results of the NBS shall be documented by the qualified biologist. If construction is inactive for more than seven days, an additional survey shall be conducted. If no active nests are found, no further action will be required. If a nest is suspected, but not confirmed, the qualified biologist will

establish a disturbance-free buffer until additional surveys can be completed, or until the location can be inferred based on observations. The qualified biologist will not risk failure of the nest to determine the exact location or status and will make every effort to limit the nest to potential predation as a result of the survey/monitoring efforts (i.e., limit number of surveyors, limit time spent at/near the nest, scan the site for potential nest predators before approaching, or immediately depart nest area if indicators of stress or agitation are displayed). If a nest is observed, but thought to be inactive, the qualified biologist will monitor the nest for 1 hour (4 hours for raptors during the nonbreeding season) prior to approaching the nest to determine status. The qualified biologist will use their best professional judgement regarding the monitoring period and whether approaching the nest is appropriate. If an active nest is found, the biologist will set appropriate no-work buffers (typically 300 feet for passerine and non-special status species, and 500 feet for hawks and special-status species) around the nest, which will be based upon the nesting species, its sensitivity to disturbance, nesting stage and expected types, intensity, and duration of disturbance – typically 300 feet of a migratory bird and 500 feet for raptors. Once the buffer is established, the qualified biologist will document baseline behavior, stage of reproduction, and existing site conditions, including vertical and horizontal distances from proposed work areas, visual or acoustic barriers, and existing level of disturbance. Following documentation of baseline conditions, the qualified biologist may choose to make adjustments to the buffer based on site characteristics, stage of reproduction, and types of Project activities proposed at/near that location. The qualified biologist will monitor the nest at the onset of Project activities, and at the onset of any changes in Project activities (i.e., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the qualified biologist determines that Project activities may be causing an adverse reaction, the qualified biologist will adjust the buffer accordingly. The qualified biologist will be onsite daily to monitor all existing nests, the efficacy of established buffers, and to document any new nesting occurrences. The qualified biologist will document the status of all existing nests, including the stage of reproduction and the expected fledge date. If a nest is suspected to have been abandoned or failed, the qualified biologist will monitor the nest for a minimum of 1 hour (4 hours for raptors), uninterrupted, during favorable field conditions. If no activity is observed during that time, the qualified biologist may approach the nest to assess the status. The permittee, under the direction of the qualified biologist, may also take steps to discourage nesting on the Project site, including moving equipment and materials daily, covering material with tarps or fabric, and securing all open pipes and construction materials. The qualified biologist will ensure that none of the materials used pose an entanglement risk to birds or other species.

The buffer shall remain until the young have fledged the nest and the nest is confirmed to no longer be active, or as determined by the qualified biologist. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field,

within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.

BIO-3 Roosting Bats. A pre-construction bat roosting survey shall be conducted by a qualified bat biologist on structures and trees being removed or impacted by construction on site that may provide suitable roosting opportunities for local common bat species within 14 days prior to construction. If bats are determined to be present, CDFW shall be consulted on creating a bat mitigation plan.

Reference

For a complete discussion of Project impacts related to biological resources, see Section 5.3.3 of the Draft EIR at pages 5.3-12 – 5.3-21 and Section 3.0 of the Final EIR (Response to Comment G-3).

4.2 Biological Resources (Cumulative)

The Draft EIR discusses the impacts related to biological resources in Section 5.3. The following discussion addresses potential cumulative impacts with respect to biological resources.

Impact Summary:

The geographic context for cumulative impact analysis on biological resources includes the City of Ontario and the surrounding cities and communities within the Guasti and Ontario quadrangles. The Draft EIR analyzed the potential cumulative biological resource impacts to these surrounding cities and communities.

Less than Significant Effects with Mitigation:

The Project's cumulative impacts to biological resources would be less than significant with mitigation.

Findings:

Pursuant to Public Resources Code Section 21081(a)(1), the OIAA finds that mitigation measures have been incorporated into the Project which mitigate or avoid the significant effects on the environment to Burrowing Owls and nesting birds. Therefore, cumulative impacts to biological resources would be less than significant with mitigation incorporated.

Facts in Support of Findings:

The Project site is developed and does not contain any sensitive species or habitat. Given the absence of sensitive species and habitat at the Project site, the proposed redevelopment would not significantly contribute to the cumulative loss and/or degradation of the region's biological resources. The proposed Project's potential effects on burrowing owls, migratory and nesting birds, and common bat species are localized and would be fully mitigated with the implementation of **Mitigation Measures BIO-1, BIO-2, and BIO-3**. The proposed Project's potential effects on the Cucamonga Channel would not be significant. Additionally, Project implementation would be on Airport property, away from public right-of-way. Separate from the proposed Project, the OIAA approved the East Avion Street Realignment Project, which will realign East Avion Street from its current configuration to connect the western Jurupa Avenue terminus (located east of the Project

site) to the existing segment of East Avion Street, near South Hellman Avenue; the realignment project will also improve the segment of East Avion Street fronting the Project site, westward to South Vineyard Street. The East Avion Street Realignment Project's potential impact to trees on public right-of-way was evaluated under a separate environmental review. If required, the proposed Project would maintain any parkway trees adjacent to the Project site to preserve a neat appearance and non-obstructed use of the realigned East Avion Street and impacts would be less than significant. Therefore, the proposed Project's impacts to biological resources would not be cumulatively considerable.

Mitigation Measures BIO-1, BIO-2, and BIO-3 would reduce potentially significant impacts on burrowing owls, sensitive wildlife species, including migratory and nesting birds, and bats to a less than significant level. Therefore, no cumulative significant and unavoidable adverse impacts related to biological resources would occur from Project implementation.

Project Design Features:

None

Mitigation Measures:

BIO-1, BIO-2, and BIO-3

BIO-1 Burrowing Owl. All disturbed areas of the Project site that were determined to have a low potential to provide suitable habitat for burrowing owls, which primarily includes the existing track infield grassy areas of the Project site, require focused preconstruction surveys to be conducted; the first take avoidance survey shall be conducted within 14 days prior to ground disturbance and the second take avoidance survey shall be conducted 24 hours prior to ground disturbance to determine presence of burrowing owls. These surveys shall conform to the survey protocol established by the CDFW Staff Report on Burrowing Owl Mitigation (CDFW 2012) and will be conducted by a qualified biologist across all suitable breeding, wintering, and foraging habitat within the Project and appropriate buffer. Copies of the survey results shall be submitted to CDFW and OIAA.

- If no burrowing owls are detected, no further mitigation is necessary.
- If burrowing owls are detected during focused surveys and/or take avoidance surveys, CDFW will be immediately informed of its location and status. The project will avoid all impacts to burrowing owls onsite. If this is not feasible, a Burrowing Owl Protection Plan will be prepared by a qualified biologist, which must be approved by CDFW prior to initiating the project. The Burrowing Owl Protection Plan will include conserving all nesting, occupied, and satellite burrows and/or burrowing owl habitat such that the habitat acreage, number of burrows, and burrowing owls impacted are maintained and/or replaced. Further coordination with CDFW will occur to identify mitigation for the loss of habitat through the acquisition, conservation, and management of in-kind habitat. Lands conserved will include 1) sufficiently large acreage with fossorial mammals present; 2) permanent protection

through a conservation easement for the purpose of conserving burrowing owl habitat and prohibiting activities incompatible with burrowing owl use; 3) development and implementation of a mitigation land management plan to address long-term ecological sustainability and maintenance of the site for burrowing owls; and 4) funding for the maintenance and management of mitigation land through the establishment of a long-term funding mechanism such as an endowment (CDFW, 2012).

BIO-2 Nesting Birds. Bird nesting season generally extends from February 1 through September 15 in southern California and, specifically, April 15 through August 31 for migratory passerine birds and January 15 to August 31 for raptors. In order to ensure compliance with the Migratory Bird Treaty Act and to avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist must be retained to conduct pre-construction Nesting Bird Surveys (NBS) will occur prior to Project-related disturbance to nestable vegetation to identify any active nests. The NBS shall be performed no more than three days prior to the commencement of construction activities. The survey(s) will occur at the appropriate time of day/night, during appropriate weather conditions. Surveys will encompass all suitable areas, including trees, shrubs, bare ground, burrows, cavities, and structures. Survey duration will take into consideration the acreage of the Project impacts; density, and complexity of the habitat; number of survey participants; survey techniques employed; and will be sufficient to ensure the data collected is complete and accurate. Pre-construction surveys will focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior (i.e., copulation, carrying of food or nest materials, nest building, removal of fecal sacks, flushing suddenly from atypically close range, agitation, aggressive interactions, feigning injury or distraction displays, or other behaviors). The results of the NBS shall be documented by the qualified biologist. If construction is inactive for more than seven days, an additional survey shall be conducted. If no active nests are found, no further action will be required. If a nest is suspected, but not confirmed, the qualified biologist will establish a disturbance-free buffer until additional surveys can be completed, or until the location can be inferred based on observations. The qualified biologist will not risk failure of the nest to determine the exact location or status and will make every effort to limit the nest to potential predation as a result of the survey/monitoring efforts (i.e., limit number of surveyors, limit time spent at/near the nest, scan the site for potential nest predators before approaching, or immediately depart nest area if indicators of stress or agitation are displayed). If a nest is observed, but thought to be inactive, the qualified biologist will monitor the nest for 1 hour (4 hours for raptors during the nonbreeding season) prior to approaching the nest to determine status. The qualified biologist will use their best professional judgement regarding the monitoring period and whether approaching the nest is appropriate. If an active nest is found, the biologist will set appropriate no-work buffers (typically 300 feet for passerine and non-special status species, and 500 feet for hawks and special-status species) around the nest, which will be based upon the nesting species, its sensitivity to disturbance, nesting stage and expected types, intensity, and duration of disturbance –

typically 300 feet of a migratory bird and 500 feet for raptors. Once the buffer is established, the qualified biologist will document baseline behavior, stage of reproduction, and existing site conditions, including vertical and horizontal distances from proposed work areas, visual or acoustic barriers, and existing level of disturbance. Following documentation of baseline conditions, the qualified biologist may choose to make adjustments to the buffer based on site characteristics, stage of reproduction, and types of Project activities proposed at/near that location. The qualified biologist will monitor the nest at the onset of Project activities, and at the onset of any changes in Project activities (i.e., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the qualified biologist determines that Project activities may be causing an adverse reaction, the qualified biologist will adjust the buffer accordingly. The qualified biologist will be onsite daily to monitor all existing nests, the efficacy of established buffers, and to document any new nesting occurrences. The qualified biologist will document the status of all existing nests, including the stage of reproduction and the expected fledge date. If a nest is suspected to have been abandoned or failed, the qualified biologist will monitor the nest for a minimum of 1 hour (4 hours for raptors), uninterrupted, during favorable field conditions. If no activity is observed during that time, the qualified biologist may approach the nest to assess the status. The permittee, under the direction of the qualified biologist, may also take steps to discourage nesting on the Project site, including moving equipment and materials daily, covering material with tarps or fabric, and securing all open pipes and construction materials. The qualified biologist will ensure that none of the materials used pose an entanglement risk to birds or other species.

The buffer shall remain until the young have fledged the nest and the nest is confirmed to no longer be active, or as determined by the qualified biologist. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.

BIO-3 **Roosting Bats.** A pre-construction bat roosting survey shall be conducted by a qualified bat biologist on structures and trees being removed or impacted by construction on site that may provide suitable roosting opportunities for local common bat species within 14 days prior to construction. If bats are determined to be present, CDFW shall be consulted on creating a bat mitigation plan.

Reference

For a complete discussion of Project cumulative impacts related to biological resources, see Section 5.3.4 of the Draft EIR at pages 5.3-47.

4.3 Cultural Resources

The Draft EIR discusses impacts related to cultural resources in Section 5.4. The following discussion addresses potential impacts with respect to archaeological resources.

Cause a substantial change adverse change in the significance of an archaeological resource pursuant to Section 15064.5

Impact Summary:

The Draft EIR analyzed the possibility that farming in the early twentieth century and potential prehistoric occupation at the Project area may have resulted in surface disturbances and deposition of objects and features at the Project site. Therefore, there is a moderate potential for buried objects in the native soil under the Project site. There is low potential for more deeply buried archaeological deposits associated with the early Holocene and late Pleistocene eras. Because ground disturbing activities for the Project could extend to a depth of up to 20 feet below the existing ground surface, ground disturbing activities during construction may encounter native soils containing potential archeological resources.

Less than Significant Effects with Mitigation: CUL-2

The Project would have a less than significant impact with mitigation on archaeological resources.

Findings:

Pursuant to Public Resources Code Section 21081(a)(1), the OIAA finds that mitigation measures have been incorporated into the Project which mitigate or avoid the significant effects on the environment to archaeological resource.

Facts in Support of Findings:

The Archaeological Resource Assessment, which includes a record search and background research, communication with the Native American Heritage Commission (NAHC), and a reconnaissance pedestrian survey, indicate that subsurface soil has been extensively disturbed. This is additionally evidenced by the built nature of the Project site with pavement, multiple buildings, structures, and landscape, as well as installation of related underground utilities. Archival research indicates the proposed Project area was used for agricultural purposes prior to the construction of the Airport and Cucamonga Channel. Geological mapping indicates artificial fill covers the Project site; however, no indication was seen in the historic aerial imagery of either the emplacement of fill or its potential depth. Additionally, the surface may have been used prehistorically. Ground disturbing activities for the proposed Project could extend to a depth of up to 20 feet below the existing ground surface, therefore, there is a moderate potential for buried objects in the native soil under the Project site. Implementation of **Mitigation Measure CUL-1** during construction activities requires archaeological monitoring during grading or other ground disturbing activities and, if objects are encountered, that work in the immediate area be halted and the resources evaluated.

Project Design Features:

None

Mitigation Measures:

CUL-1

CUL-1 Archaeological Monitoring of All Ground-Disturbing Activities During Construction of Phase 1 and Phase 2.

- a) Prior to the issuance of grading permits by the City of Ontario for Phase 1 and Phase 2 of the proposed Project, the OIAA and/or its construction contractor must retain a qualified professional archeologist meeting the Secretary of Interior's PQS for Archaeology (as defined in the Code of Federal Regulations, 36 CFR Part 61). The qualified archaeologist will be retained to conduct monitoring of rough grading activities conducted during both Project phases. The qualified archaeologist shall have the authority to redirect earthmoving activities in the event that suspected cultural resources are unearthed during construction activities.
- b) The qualified archaeologist shall prepare a Cultural Resources Monitoring and Treatment Plan that will describe processes for archaeological monitoring and for handling incidental discovery of objects, features, and cultural resources for all ground-disturbing construction and preconstruction activities.
- c) Prior to the issuance of a grading permit, all construction workers involved with grading and trenching operations shall receive training by the qualified archaeologist to recognize unique archaeological resources, including tribal cultural resources, should such resources be unearthed during ground-disturbing construction activities. The training of all construction workers involved with grading and trenching operations shall explain the importance and legal basis for the protection of significant archaeological resources. It will include a brief review of the cultural sensitivity of the construction area and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel involved with grading and trenching operations that begin work following the initial training session must take the training prior to beginning work; the qualified archaeologist shall be available to provide the training on an as needed basis.
- d) In the event subsurface artifacts or features are encountered during ground-disturbing activities, the construction supervisor shall be required by his contract to immediately halt and redirect grading operations within a 100-foot radius of the discovery and see identification and evaluation and evaluation of the suspected resource by the qualified archaeologist for listing in the NRHP and CRHR. This requirement shall be noted on all grading plans and the construction contractor shall be obligated to comply with the note.
- e) After the qualified archaeologist makes his/her initial assessment of the nature of the find. The archaeologist shall pursue either protection in place or recovery, salvage, and treatment of the deposits. Recovery, salvage, and

treatment protocols shall be developed in accordance with applicable provisions of Public Resource Code Section 21083.2 and State CEQA Guidelines 15064.5 and 15126.4 in consultation with OIAA or with a recognized scientific or educational repository, including the SCCIC. Preservation in place shall be the preferred means to avoid impacts to archaeological resources qualifying as historical resources, consistent with CEQA Guidelines Section 15126.4(b)(3)(C).

Reference

For a complete discussion of Project impacts related to cultural resources, see Section 5.4.3 of the Draft EIR at pages 5.4-28 – 5.4-36.

4.4 Cultural Resources (Cumulative)

The Draft EIR discusses the impacts related to cultural resources in Section 5.4. The following discussion addresses potential cumulative impacts with respect to cultural resources.

Impact Summary:

The Draft EIR analyzed the cumulative cultural resource impact to Project site and the surrounding area. The proposed Project, like other related development projects, would have the potential to impact archaeological resources that may be present in undisturbed native soils during construction.

Less than Significant Effects with Mitigation:

The Project's cumulative impacts to cultural resources would be less than significant with mitigation.

Findings:

Pursuant to Public Resources Code Section 21081(a)(1), the OIAA finds that mitigation measures have been incorporated into the Project which mitigate or avoid the significant effects on the environment to cultural resources. Therefore, cumulative impacts would be less than significant with mitigation incorporated.

Facts in Support of Findings:

The Project would not directly or indirectly impact any historical resources on the Project site and surrounding area. The Project is not a part of a historical district at the Airport, nor is it a contributor to the significance of historical resources and districts in the City, San Bernardino County, and Southern California (as a region); the growth of aviation in the State or nation; or the prewar efforts related to WWII. None of the built environment resources present on the Project site are eligible for listing in the National Register of Historic Places (NRHP), California Register of Historic Resources (CRHR), or as Ontario Landmarks/Historic Districts, and are not historic properties as defined by CEQA. For this reason, the Project will not contribute to any cumulative impact to historic resources on the Airport or in the City of Ontario.

The proposed Project, like other related development projects, would have the potential to impact archaeological resources that may be present in undisturbed native soils during construction. The

Project would be required to implement **Mitigation Measure CUL-1**, which would require an archaeological monitor to observe all ground disturbing activities associated with the Project. If objects are encountered, work in the immediate area will halt and the resources will be evaluated to mitigate potential impacts to less than significant. For this reason, the Project will not contribute to any cumulative impact to archeological resources. Related projects would be required to comply with PRC Section 21083.2(i), which states a lead agency may make provisions for archaeological sites accidentally discovered during construction. If the find is determined to be a unique archaeological resource, contingency funding and a time allotment sufficient to allow recovering an archaeological sample or to employ one of the avoidance measures may be required, during which construction work may continue on other parts of the site. Compliance with PRC Section 21083.2(i) would ensure that provisions are in place to address accidental discoveries of archaeological resources. For these reasons, no significant cumulative impacts to archeological resources will occur.

Every development project in the State would be required to comply with the provisions of California Health and Safety Code § 7050.5, and Public Resources Code § 5097 et seq., which would ensure that human remains uncovered during construction activities are treated in accordance with prescribed, respectful, and appropriate practices. Therefore, the proposed Project—in combination with related projects—would not result in significant cumulative impacts on human remains.

With implementation of **Mitigation Measure CUL-1** and compliance with the regulatory requirements, Project impacts to cultural resources would be less than significant.

Project Design Features:

None

Mitigation Measures:

CUL-1

CUL-1 Archaeological Monitoring of All Ground-Disturbing Activities During Construction of Phase 1 and Phase 2.

- a) Prior to the issuance of grading permits by the City of Ontario for Phase 1 and Phase 2 of the proposed Project, the OIAA and/or its construction contractor must retain a qualified professional archeologist meeting the Secretary of Interior’s PQS for Archaeology (as defined in the Code of Federal Regulations, 36 CFR Part 61). The qualified archaeologist will be retained to conduct monitoring of rough grading activities conducted during both Project phases. The qualified archaeologist shall have the authority to redirect earthmoving activities in the event that suspected cultural resources are unearthed during construction activities.
- b) The qualified archaeologist shall prepare a Cultural Resources Monitoring and Treatment Plan that will describe processes for archaeological monitoring and

for handling incidental discovery of objects, features, and cultural resources for all ground-disturbing construction and preconstruction activities.

- c) Prior to the issuance of a grading permit, all construction workers involved with grading and trenching operations shall receive training by the qualified archaeologist to recognize unique archaeological resources, including tribal cultural resources, should such resources be unearthed during ground-disturbing construction activities. The training of all construction workers involved with grading and trenching operations shall explain the importance and legal basis for the protection of significant archaeological resources. It will include a brief review of the cultural sensitivity of the construction area and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel involved with grading and trenching operations that begin work following the initial training session must take the training prior to beginning work; the qualified archaeologist shall be available to provide the training on an as needed basis.

- d) In the event subsurface artifacts or features are encountered during ground-disturbing activities, the construction supervisor shall be required by his contract to immediately halt and redirect grading operations within a 100-foot radius of the discovery and see identification and evaluation and evaluation of the suspected resource by the qualified archaeologist for listing in the NRHP and CRHR. This requirement shall be noted on all grading plans and the construction contractor shall be obligated to comply with the note.

- e) After the qualified archaeologist makes his/her initial assessment of the nature of the find. The archaeologist shall pursue either protection in place or recovery, salvage, and treatment of the deposits. Recovery, salvage, and treatment protocols shall be developed in accordance with applicable provisions of Public Resource Code Section 21083.2 and State CEQA Guidelines 15064.5 and 15126.4 in consultation with OIAA or with a recognized scientific or educational repository, including the SCCIC. Preservation in place shall be the preferred means to avoid impacts to archaeological resources qualifying as historical resources, consistent with CEQA Guidelines Section 15126.4(b)(3)(C).

Reference

For a complete discussion of Project cumulative impacts related to cultural resources, see Section 5.4.4 of the Draft EIR at pages 5.4-36 – 5.4-39.

4.5 Geology and Soils

The Draft EIR discusses impacts related to geology and soils in Section 5.6. The following discussion addresses potential impacts with respect to geology and soils.

Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: strong seismic ground shaking.

Impact Summary:

The Project site sits in the Upper Santa Ana River Valley, a highly seismically active area within Southern California. Active or potentially active faults are not known to exist on or trend toward the Project site. There are several active faults surrounding the Project site to the north, east, south, and west, within the Upper Santa Ana River Valley. For these reasons, there is a potential for ground shaking due to an earthquake. Additionally, potential for settlement, foundation, and pavement bearing conditions could occur with the construction of the proposed Project. Therefore, impacts related to strong seismic ground shaking could be potentially significant.

Less than Significant Effects with Mitigation: GEO-1(ii.)

The Project would have a less than significant impact with mitigation from strong seismic ground shaking.

Findings:

Pursuant to Public Resources Code Section 21081(a)(1), the OIAA finds that mitigation measures have been incorporated into the Project which mitigate or avoid the significant effects on the environment from strong seismic ground shaking. Therefore, impacts would be less than significant with mitigation incorporated.

Facts in Support of Findings:

The Project site sits in the Upper Santa Ana River Valley, a highly seismically active area within Southern California. Active or potentially active faults are not known to exist on or trend toward the Project site. There are several active faults surrounding the Project site to the north, east, south, and west. For these reasons, there is a potential for ground shaking due to an earthquake. Recommendations identified in the Geotechnical Study (see **Appendix 5.6-1**, of the Draft EIR) will be incorporated and implemented into the proposed Project through **Mitigation Measure GEO-5**. These recommendations will be incorporated into proposed Project plans and specifications and implemented during construction of the proposed Project. The proposed Project would adhere to the appropriate engineering design measures as required by the latest Greenbook and California Building Code (CBC).

Mitigation Measures:

GEO-5

GEO-5 Geotechnical Investigation Recommendations. The proposed Project shall implement and incorporate the recommendations in the Geotechnical Investigation, Section 5.0 Conclusion and Recommendations (see pages 7 through 24 of Appendix 5.6-1 of this EIR). Prior to contract bidding, site grading

and foundation plans shall be reviewed and approved by Cotton, Shires and Associates, Inc. or a certified Geologist, for consistency with the Geotechnical Investigation recommendations.

Less than Significant Effects with Mitigation: GEO-1(iii.)

The Project would have a less than significant impact with mitigation from seismic-related ground failure, including liquefaction and lateral spreading.

Findings:

Mitigation measures have been incorporated into the Project which mitigate or avoid the significant effects on the environment from seismic-related ground failure, including liquefaction and lateral spreading. Therefore, impacts would be less than significant with mitigation incorporated.

Facts in Support of Findings:

The Project site is located in the Southern California region which is seismically active and commonly experiences strong ground shaking. The Project site surface generally consists of loose to dense silty sand and medium stiff sandy silt to a depth of 4.5 feet. The Project site is not located on a steep slope. Subsurface, the artificial fill (Qaf) encountered to a depth of 4.5 feet generally consists of loose to dense silty sand and medium stiff sandy silt. Seismic settlement for dry sandy soils within the upper 40 feet of alluvium is estimated to be about two (2) to four (4) inches. Recommendations identified in the proposed Project’s Geotechnical Study (see **Appendix 5.6-1**, of the Draft EIR) will be incorporated and implemented into the proposed Project through **Mitigation Measure GEO-5**. These recommendations will be incorporated into proposed Project plans and specifications and implemented during construction of the proposed Project. These recommendations include, but are not limited to, design standards and requirements pertaining to site preparation, excavation, subgrade stabilization, retaining walls, fill materials and compaction, foundations, site drainage, backdrains, utility trenches, pipe bedding, trench backfilling, corrosivity, pavements, and the infiltration basin. The proposed Project would adhere to the appropriate engineering design measures, as required by the latest Standard Specifications for Public Works Construction (Greenbook) and CBC.

Project Design Features:

None

Mitigation Measures:

GEO-5

GEO-5 Geotechnical Investigation Recommendations. The proposed Project shall implement and incorporate the recommendations in the Geotechnical Investigation, Section 5.0 Conclusion and Recommendations (see pages 7 through 24 of Appendix 5.6-1 of this EIR). Prior to contract bidding, site grading and foundation plans shall be reviewed and approved by Cotton, Shires and Associates, Inc. or a certified Geologist, for consistency with the Geotechnical Investigation recommendations.

Would the project result in substantial soil erosion or loss of topsoil?

Impact Summary:

Construction activities could result in soil erosion or loss of topsoil. Further, there is potential for intermittent areas of exposed graded soil on the Project site to be subject to wind-related erosion. Additionally, potential for settlement, foundation, and pavement bearing conditions could occur with the construction of the proposed Project. During operations, the proposed Project could result in a limited degree of soil erosion from vegetated areas. Therefore, impacts related to soil erosion, or the loss of topsoil, could be potentially significant.

Less than Significant Effects with Mitigation: GEO-2

The Project would have a less than significant impact with mitigation on substantial soil erosion or the loss of topsoil.

Findings:

Pursuant to Public Resources Code Section 21081(a)(1), the OIAA finds that mitigation measures have been incorporated into the Project which mitigate or avoid the significant effects on the environment for substantial soil erosion or the loss of topsoil. Therefore, impacts would be less than significant with mitigation incorporated.

Facts in Support of Findings:

During construction, prior to commencing grading operations, soil materials containing debris, organics, pavement, or other unsuitable materials would be stripped. Demolition would include removal of old foundations, pavements, slabs, abandoned utilities, and soils disturbed during the demolition process. The proposed Project would obtain coverage under the National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP). A Storm Water Pollution Prevention Plan (SWPPP) would be developed and implemented prior to the construction, and a Standard Urban Storm Water Mitigation Plan (SUSMP) to be implemented to reduce the level of pollutants in stormwater and urban runoff.

During operations, nonerosive drainage features such as infiltration basins and associated infrastructure, and the maintenance of these structures would be conducted over the long-term operations of the proposed Project. Per CEQA and the San Bernardino County Technical Guidance Document for Water Quality Management Plans (WQMP), a level of low impact design (LID) must be incorporated into all new development projects by implementing Best Management Practices (BMPs). Surface runoff would be directed away from foundations or on-grade improvements. The proposed Project would comply with all applicable City grading permit regulations, plans, and inspections to reduce sedimentation and erosion. The proposed Project would adhere to the appropriate engineering design measures as required by the latest Greenbook and CBC. The potential for adverse impacts as a result of the proposed development from erosion is considered to be low provided with the incorporation of **Mitigation Measure GEO-5**.

Project Design Features:

None

Mitigation Measures:

GEO-5

GEO-5 Geotechnical Investigation Recommendations. The proposed Project shall implement and incorporate the recommendations in the Geotechnical Investigation, Section 5.0 Conclusion and Recommendations (see pages 7 through 24 of Appendix 5.6-1 of this EIR). Prior to contract bidding, site grading and foundation plans shall be reviewed and approved by Cotton, Shires and Associates, Inc. or a certified Geologist, for consistency with the Geotechnical Investigation recommendations.

Would the project be located on a geographic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.

Impact Summary:

Existing soils within the Project site are artificial fill and alluvial subsurface materials that are primarily coarse-grained with varying amounts of silt and low levels of clay. Therefore, the Project could potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.

Less than Significant Effects with Mitigation: GEO-3

The Project would have a less than significant impact with mitigation on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

Findings:

Pursuant to Public Resources Code Section 21081(a)(1), the OIAA finds that mitigation measures have been incorporated into the Project which mitigate or avoid the significant effects on the environment for a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. Therefore, impacts would be less than significant with mitigation incorporated.

Facts in Support of Findings:

Prior to commencing grading operations, unsuitable soil materials would be stripped. Demolition activities would include removal of soils disturbed during the demolition process. The over-excavation and re-compaction of artificial fill and upper alluvial materials in the airfield apron area would reduce the potential for settlement and provide uniform bearing conditions. Additionally, the artificial fill and upper alluvial materials within the truck area south of the cargo facility, as well as site retaining walls with shallow foundations, would be over-excavated. The proposed Project would comply with all applicable City grading permit regulations, plans, and inspections to reduce sedimentation and erosion.

The California Department of Conservation Landslide Inventory indicates that the Project site is not located in an area that is susceptible to landslides. The Geotechnical Study (see **Appendix 5.6-**

1, of the Draft EIR) indicates the estimation of lateral movements resulting from seismic events is uncertain. There is a potential for ground lurching due to an earthquake. Deep groundwater, and relatively level site grade, the potential for large lateral movements caused by post-seismic residual shear strength reduction is considered to be very low. The proposed Project would adhere to the appropriate engineering design measures, as required by the latest Greenbook and CBC. The risk of subsidence due to water extraction is also low. The Geotechnical Study indicated the Project site is not located within a Liquefaction Hazard Zone as mapped by the State of California. The Ontario Plan Safety Element identifies that the Project site is not located in an area that would be susceptible to liquefaction. The potential for liquefaction to occur on the Project site is very low. Potential for settlement and foundation and pavement bearing conditions could occur with the construction of the proposed Project. Through compliance with the City's construction requirements, implementation of BMPs, compliance with applicable City grading permit regulations, and requirements of the statewide general construction stormwater permit, construction activities would not result in a collapse. Recommendations identified in the Geotechnical Study will be incorporated and implemented into the proposed Project through **Mitigation Measure GEO-5**.

Project Design Features:

None

Mitigation Measures:

GEO-5

GEO-5 Geotechnical Investigation Recommendations. The proposed Project shall implement and incorporate the recommendations in the Geotechnical Investigation, Section 5.0 Conclusion and Recommendations (see pages 7 through 24 of Appendix 5.6-1 of this EIR). Prior to contract bidding, site grading and foundation plans shall be reviewed and approved by Cotton, Shires and Associates, Inc. or a certified Geologist, for consistency with the Geotechnical Investigation recommendations.

Would the Project be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property.

Impact Summary:

The existing soils within the Project site are artificial fill and alluvial subsurface materials that are primarily coarse-grained with varying amounts of silt and low levels of clay. The potential for soil expansiveness is considered very low due to existing soil conditions. However, water infiltration can cause or exacerbate expansive soil movement. Potential for settlement, foundation, and pavement bearing conditions could occur with construction of the proposed Project.

Less than Significant Effects with Mitigation: GEO-4

The Project would have a less than significant impact with mitigation on expansive soil.

Findings:

Pursuant to Public Resources Code Section 21081(a)(1), the OIAA finds that mitigation measures have been incorporated into the Project which mitigate or avoid the significant effects on the environment for expansive soil. Therefore, impacts would be less than significant with mitigation incorporated.

Facts in Support of Findings:

As discussed in the Geotechnical Study (see **Appendix 5.6- 1**, of the Draft EIR) the existing soils within the Project site are artificial fill and alluvial subsurface materials that are primarily coarse-grained with varying amounts of silt and low levels of clay. Consolidation testing performed on near surface sandy soils similar to those encountered within the percolation test holes generally showed less than 0.5 percent collapse upon inundation with water, and at a higher overburden stress than should be experienced by the basin soils. Existing concrete and asphalt demolished at the site may be pulverized and re-used as general compacted fill. The recycled material used as general compacted fill will meet all grading and compaction requirements. Potential for settlement and foundation and pavement bearing conditions could occur with the construction of the proposed Project. The proposed Project would adhere to the appropriate engineering design measures as required by the latest Greenbook and CBC. Recommendations identified in the Geotechnical Study will be incorporated and implemented into the proposed Project through **Mitigation Measure GEO-5**.

Project Design Features:

None

Mitigation Measures:

GEO-5

GEO-5 Geotechnical Investigation Recommendations. The proposed Project shall implement and incorporate the recommendations in the Geotechnical Investigation, Section 5.0 Conclusion and Recommendations (see pages 7 through 24 of Appendix 5.6-1 of this EIR). Prior to contract bidding, site grading and foundation plans shall be reviewed and approved by Cotton, Shires and Associates, Inc. or a certified Geologist, for consistency with the Geotechnical Investigation recommendations.

Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Impact Summary:

Deeper excavations, i.e., beyond nine (9) feet bgs, at the Project site may extend down into older Pleistocene sediments, which are considered to have a high paleontological sensitivity. Accordingly, ground disturbing activities beyond 9 feet bgs could potentially result in significant impacts related to paleontological resource.

Less than Significant Effects with Mitigation: GEO-6

The Project would have a less than significant impact with mitigation on paleontological resources.

Findings:

Pursuant to Public Resources Code Section 21081(a)(1), the OIAA finds that mitigation measures have been incorporated into the Project which mitigate or avoid the significant effects on the environment for paleontological resources. Therefore, impacts would be less than significant with mitigation incorporated.

Facts in Support of Findings:

As indicated in the Paleontological Resource Assessment (see **Appendix 5.6- 1**, of the Draft EIR), the Project site contains artificial fill (Qaf) of the late Holocene epoch, which was deposited on Young alluvial-fan deposits (Qyf₁ and Qyf₃) of the Pleistocene epoch. Due to the artificial nature and origin off-site of this fill, the Qaf has no paleontological sensitivity. Holocene units typically are considered to have a low paleontological sensitivity. As Holocene units transition with greater depth, they encounter Pleistocene deposits, which have higher sensitivity for findings and the potential to produce the remains of diverse land animals. The proposed Project would require ground disturbance of 20 feet below ground surface (bgs), related to utilities trenching, although most of the ground disturbance would be less than 7 feet bgs. Deeper excavations, beyond nine (9) feet bgs, at the Project site may extend down into older Pleistocene sediments, which are considered to have a high paleontological sensitivity. Accordingly, ground disturbing activities beyond 9 feet bgs could potentially result in significant impacts related to paleontological resources. To reduce potential impacts, monitoring by a qualified paleontological monitor to identify and effectively salvage any recovered resources would be conducted during ground disturbing activities (**Mitigation Measure GEO-1 through GEO-4**). With the implementation of Mitigation Measure GEO-1 through GEO-4, Project impacts to paleontological resources would be less than significant.

Project Design Features:

None

Mitigation Measures:

GEO-1, GEO-2, GEO-3, and GEO-4

- GEO-1 Paleontological Resources Mitigation and Monitoring Plan (PRMMP).** A professional paleontologist shall be retained to monitor earth-disturbing construction activities. Prior to the commencement of ground-disturbing activities, the qualified paleontologist, meeting the Society of Vertebrate Paleontology (SVP) Standards, must prepare a Paleontological Resources Mitigation and Monitoring Plan (PRMMP) for the proposed Project. The PRMMP shall describe the monitoring required during excavations that extend into Pleistocene sediment, at approximately 9 feet bgs, and the location of areas deemed to have a high paleontological resource potential. The results of the geotechnical investigation conducted for the proposed Project shall be consulted to determine the approximate depth of Pleistocene sediment in the Project site.

Paleontological monitoring shall entail the visual inspection of excavated and graded areas and trench sidewalls. If the qualified Paleontologist determines full-time monitoring is no longer warranted, based on the geologic conditions at depth, he or she may recommend that monitoring be reduced or cease entirely.

GEO-2 Workers Environmental Awareness Program (WEAP). Prior to the start of the proposed Project ground-disturbing activities, all field personnel shall receive a worker's environmental awareness training on paleontological resources. The training must provide a description of the laws and ordinances protecting fossil resources, the types of fossil resources that may be encountered in the proposed Project area, the role of the paleontological monitor, outline steps to follow in the event that a fossil discovery is made and provide contact information for the qualified Paleontologist. The training must be developed by the qualified Paleontologist and can be delivered concurrent with other training.

GEO-3 Fossil Discoveries. In the event that a paleontological resource is discovered, the Paleontological monitor shall have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and, if appropriate, collected. If the resource is determined to be of scientific significance, the Paleontologist shall complete the following:

1. **Salvage of Fossils.** If fossils are discovered, all work in the immediate vicinity shall be halted to allow the paleontological monitor, and/or Project-qualified Paleontologist to evaluate the discovery and determine if the fossil may be considered significant. If the fossils are determined to be potentially significant, the Project-qualified Paleontologist shall recover them following standard field procedures for collecting paleontological as outlined in the PRMMP prepared for the Project. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils, such as complete skeletons or large mammal fossils, require more extensive excavation and longer salvage periods. In this case the Paleontologist shall have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner.
2. **Fossil Preparation and Curation.** The PRMMP must identify a museum that has agreed to accept fossils that may be discovered during Project-related excavations. Upon completion of fieldwork, all significant fossils collected must be prepared in a properly equipped laboratory to a point ready for curation. Preparation may include the removal of excess matrix from fossil materials and stabilizing or repairing specimens. During preparation and inventory, the fossils specimens must be identified to the lowest taxonomic level practical prior to curation at an accredited museum. The fossil specimens must be delivered to the accredited museum or repository no later than 90 days after all fieldwork is completed. The cost of curation shall be assessed by the repository and shall be the responsibility of the client.

GEO-4 Final Paleontological Mitigation Report. Upon completion of ground disturbing activity, and curation of fossils if necessary, the qualified Paleontologist shall prepare a final mitigation and monitoring report outlining the results of the mitigation and monitoring program. The report shall include discussion of the location, duration and methods of the monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated.

Reference

For a complete discussion of Project impacts related to geology and soils, see Section 5.6.3 of the Draft EIR at pages 5.6-12 – 5.3-28.

4.6 Geology and Soils (Cumulative)

The Draft EIR discusses the impacts related to geology and soils in Section 5.6. The following discussion addresses potential cumulative impacts with respect to geology and soils.

Impact Summary:

Geotechnical impacts tend to be site-specific rather than cumulative in nature, and any development occurring within the Airport and the surrounding area would be subject to, at a minimum, site development and construction standards relative to seismic and other geologic conditions that are prevalent within the region. As with the Project site, related projects would be subject to the same local, regional, State, and federal regulations pertaining to geology and soils, as well as to the Greenbook to reduce potentially significant impacts related to geology and paleontological resources.

Less than Significant Effects with Mitigation:

The Project's cumulative impacts to geology and soils would be less than significant with mitigation.

Findings:

Pursuant to Public Resources Code Section 21081(a)(1), the OIAA finds that mitigation measures have been incorporated into the Project which mitigate or avoid the significant effects on the environment to geology and soils. Therefore, impacts would be less than significant with mitigation incorporated.

Facts in Support of Findings:

Geotechnical impacts tend to be site-specific rather than cumulative in nature, and any development occurring within the Airport and the surrounding area would be subject to, at a minimum, site development and construction standards relative to seismic and other geologic conditions that are prevalent within the region. As with the Project site, related projects would be subject to the same local, regional, State, and federal regulations pertaining to geology and soils, as well as to the Standard Specifications for Public Works Construction (Greenbook). Related project impacts would be addressed through imposition of recommendations specific to each project. With conformance to such regulations, cumulative impacts related to geology and soils would be less than significant. Therefore, no significant cumulative impacts will result from the

proposed Project. Related projects, other growth, and the proposed Project's contribution to cumulative impacts will not be cumulatively considerable. **Mitigation Measures GEO-1 through GEO-5** would reduce potentially significant impacts related to geology and paleontological resources to a less than significant level for the Project. Therefore, no significant and unavoidable adverse cumulative impacts related to geology and soils would occur from proposed Project implementation.

Mitigation Measures:

GEO-1, GEO-2, GEO-3, GEO-4, and GEO-5

GEO-1 Paleontological Resources Mitigation and Monitoring Plan (PRMMP). A professional paleontologist shall be retained to monitor earth-disturbing construction activities. Prior to the commencement of ground-disturbing activities, the qualified paleontologist, meeting the Society of Vertebrate Paleontology (SVP) Standards, must prepare a Paleontological Resources Mitigation and Monitoring Plan (PRMMP) for the proposed Project. The PRMMP shall describe the monitoring required during excavations that extend into Pleistocene sediment, at approximately 9 feet bgs, and the location of areas deemed to have a high paleontological resource potential. The results of the geotechnical investigation conducted for the proposed Project shall be consulted to determine the approximate depth of Pleistocene sediment in the Project site. Paleontological monitoring shall entail the visual inspection of excavated and graded areas and trench sidewalls. If the qualified Paleontologist determines full-time monitoring is no longer warranted, based on the geologic conditions at depth, he or she may recommend that monitoring be reduced or cease entirely.

GEO-2 Workers Environmental Awareness Program (WEAP). Prior to the start of the proposed Project ground-disturbing activities, all field personnel shall receive a worker's environmental awareness training on paleontological resources. The training must provide a description of the laws and ordinances protecting fossil resources, the types of fossil resources that may be encountered in the proposed Project area, the role of the paleontological monitor, outline steps to follow in the event that a fossil discovery is made and provide contact information for the qualified Paleontologist. The training must be developed by the qualified Paleontologist and can be delivered concurrent with other training.

GEO-3 Fossil Discoveries. In the event that a paleontological resource is discovered, the Paleontological monitor shall have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and, if appropriate, collected. If the resource is determined to be of scientific significance, the Paleontologist shall complete the following:

1. **Salvage of Fossils.** If fossils are discovered, all work in the immediate vicinity shall be halted to allow the paleontological monitor, and/or Project-qualified Paleontologist to evaluate the discovery and determine if the fossil may be considered significant. If the fossils are determined to be potentially significant, the Project-qualified Paleontologist shall recover them following

standard field procedures for collecting paleontological as outlined in the PRMMP prepared for the Project. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils, such as complete skeletons or large mammal fossils, require more extensive excavation and longer salvage periods. In this case the Paleontologist shall have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner.

2. **Fossil Preparation and Curation.** The PRMMP must identify a museum that has agreed to accept fossils that may be discovered during Project-related excavations. Upon completion of fieldwork, all significant fossils collected must be prepared in a properly equipped laboratory to a point ready for curation. Preparation may include the removal of excess matrix from fossil materials and stabilizing or repairing specimens. During preparation and inventory, the fossils specimens must be identified to the lowest taxonomic level practical prior to curation at an accredited museum. The fossil specimens must be delivered to the accredited museum or repository no later than 90 days after all fieldwork is completed. The cost of curation shall be assessed by the repository and shall be the responsibility of the client.

GEO-4 Final Paleontological Mitigation Report. Upon completion of ground disturbing activity, and curation of fossils if necessary, the qualified Paleontologist shall prepare a final mitigation and monitoring report outlining the results of the mitigation and monitoring program. The report shall include discussion of the location, duration and methods of the monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated.

GEO-5 Geotechnical Investigation Recommendations. The proposed Project shall implement and incorporate the recommendations in the Geotechnical Investigation, Section 5.0 Conclusion and Recommendations (see pages 7 through 24 of Appendix 5.6-1 of this EIR). Prior to contract bidding, site grading and foundation plans shall be reviewed and approved by Cotton, Shires and Associates, Inc. or a certified Geologist, for consistency with the Geotechnical Investigation recommendations.

Reference

For a complete discussion of Project cumulative impacts related to cultural resources, see Section 5.6.4 of the Draft EIR at page 5.6-28.

4.7 Hazards and Hazardous Materials

The Draft EIR discusses impacts related to hazards and hazardous materials in Section 5.8. The following discussion addresses potential impacts with respect to hazards and hazardous materials.

Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Impact Summary:

The Project's Phase I ESA based on former uses of the Project site, the constituents of concern include: metals, petroleum hydrocarbons, volatile organic compounds (VOCs), semi-volatile compounds (SVOCs), polycyclic aromatic hydrocarbons (PAHs), polychlorinated biphenyls (PCBs), organochlorine pesticides (OCPs), herbicides, per- and polyfluoroalkyl substances (PFAS), asbestos containing materials, and lead-based paint. The Phase II ESA was conducted to assess soil and soil vapor conditions at the Project site, as well as to establish a baseline understanding of the existing subsurface conditions and potential risk to human health by drilling 143 soil borings on Parcels 61, 62, 63, and 68, and collecting soil and soil vapor samples to evaluate subsurface conditions.

Metals, total petroleum hydrocarbons (TPH), VOCs, PAHs, and OCPs, were detected above laboratory reporting limits but below their respective commercial/industrial DTSC SLc and SFBRWQCB ESLs screening levels. Additionally, as the potential human health risks of PFAS are currently under study by regulatory authorities, avoidance of contact with soils containing PFAS during construction is recommended. Based on these results, impacts related to the release of PFAS into the environment are potentially significant.

Less than Significant Effects with Mitigation: HAZ-2

The Project would have a less than significant impact with mitigation on soil management and vapor intrusion.

Findings:

Pursuant to Public Resources Code Section 21081(a)(1), the OIAA finds that mitigation measures have been incorporated into the Project which mitigate or avoid the significant effects on the environment for soil management and vapor intrusion. Therefore, impacts would be less than significant with mitigation incorporated.

Facts in Support of Findings:

No evidence of RECs in connection with the Project site were observed in the Phase I ESA, with the exception of those identified in **Table 5.8-1: RECs Identified**, of the Draft EIR. The Phase II ESA noted the presence of per- and polyfluoroalkyl substances (PFAS) impacted materials where Aqueous Film-Forming Foam (AFFF) is currently stored and in soils within the northern and southern Guardian Jet Center hangars, and former fire house associated with the former ANG facility. Mitigation Measure HAZ-1 includes development, approval, and implementation of a Soil Management Plan (SMP) to reduce the potential for accidental exposure to hazardous materials that may be present in soil that may be disturbed by construction of the proposed Project to a less than significant impact. Based on the results of the additional investigations conducted for the Phase II ESA, **Mitigation Measure HAZ-2** includes installation of a vapor intrusion mitigation system (VIM system) under Phase II of the proposed Air Cargo Sort Building to prevent potential vapor intrusion from the subsurface. Installation of the VIM would reduce the potential for this

exposure to a less than significant impact. With implementation of **Mitigation Measures HAZ-1** and **HAZ-2**, impacts would be less than significant.

Project Design Features:

None

Mitigation Measures:

HAZ-1 and HAZ-2

HAZ-1 Soil Management Plan. A Soil Management Plan (SMP) containing soil criteria and soil management and construction risk management protocols to be implemented during proposed Project development shall be prepared prior to disturbance of soils on the site by construction activities and implemented during construction to address any soil containing or suspected to contain PFAs on the proposed Project site and any previously undetected contamination encountered during construction. Special attention shall be made to soils disturbed in the Guardian Jet Center, southern hangar and structure previously housing fire prevention equipment due to the known presence of PFAs in these areas. Additional soil sampling shall be conducted as necessary to delineate the extent of PFAs contamination to enable segregation and proper disposal of any contaminated soil during construction.

HAZ-2 Vapor Intrusion Mitigation System. A vapor intrusion mitigation system (VIM system) shall be installed under Phase II of the proposed Air Cargo Building to address the potential for vapor intrusion from the subsurface. Alternatively, a soil vapor extraction remediation system could be utilized to reduce trichloroethene (TCE) and chloroform vapor concentrations through removal of volatile organic compounds (VOCs) in Phase II development area.

For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area.

Impact Summary:

The proposed Project is located as a public airport and construction noise could potentially result in a safety hazard or excessive noise for people residing or working in the area. Additionally, the noise impact from aircraft operations a potentially significant impact.

Less than Significant Effects with Mitigation: HAZ-5

The Project would have a less than significant impact with mitigation, being located within an airport land use plan, on safety hazards or excessive noise for people residing or working in the Project area.

Findings:

Pursuant to Public Resources Code Section 21081(a)(1), the OIAA finds that mitigation measures have been incorporated into the Project which mitigate or avoid the significant effects on the environment, being located within an airport land use plan, on safety hazards or excessive noise for people residing or working in the Project area. Therefore, impacts would be less than significant with mitigation incorporated.

Facts in Support of Findings:

During construction, compliance with applicable aviation-related regulations would establish exposure limits for workers, require protective equipment or other protective measures when warranted, and require employers to provide a written health and safety program, worker training, emergency response training, and medical surveillance. Construction noise levels would not exceed the 85 dBA (Leq-1 hour) threshold at nearby sensitive receptors, nor would construction result in excessive noise for people residing or working in the proposed Project area. Therefore, although the proposed Project would be located at a public airport, construction of the proposed Project would not result in a safety hazard or excessive noise for people residing or working in the Project area.

Operational roadway noise levels would not create a readily perceptible increase of 5 dBA or greater at locations where ambient noise levels are less than 60 dBA; a barely perceptible increase of 3 dBA or greater at locations where ambient noise levels from 60 to 65 dBA; or a community noise level impact increase of 1.5 dBA or greater at locations where ambient noise levels already exceed 65 dBA. Roadway noise levels during Phase 1 and Phase 2 of the proposed Project would not result in excessive noise for people residing or working in the Project area and impacts would be less than significant.

The proposed Project is located within the Ontario Airport Land Use Compatibility Plan (ALUCP). As indicated in the ALUCP, the Project site is also within the Airport's Influence Area (AIA), which contains the safety zones within the Airport. The Safety Zones are determined based upon the generic safety zones provided in the California Airport Land Use Planning Handbook and take into account historic aircraft accidents, existing aircraft flight patterns and aircraft characteristics, as well as the pattern of accidents. The Project site is partially within Safety Zone 5, which is located primarily on airport property, adjacent to the runway, approximately 500 to 1000 feet from the centerline. As a proposed aeronautical development, the proposed Project is consistent with the aeronautical development identified as allowed on the Airport Layout Plan (ALUCP, Chapter 1, Exhibit 1-6) and generally under the ALUCP. The proposed Project is consistent with the applicable safety provisions for Safety Zone 5 in the ALUCP and the proposed Project would not result in a safety hazard for people residing or working in the Project area.

The ALUCP designates the airport influence area, safety zones, noise impact zones, airspace protection zones, and overflight notification zones. Height and noise restrictions for future land uses are established for the airport approach safety zones. All construction and operation of the proposed Project would comply with applicable aviation-related regulations and safeguards. For aircraft noise, implementation of **Mitigation Measure NOI-1** would require a residential sound insulation program (RSIP) for housing units within the future 65-69 dBA which have not been provided with an opportunity to install sound attenuation. With implementation of **Mitigation**

Measure NOI-1 impacts related to aircraft noise would be reduced to less than significant levels. Therefore, implementation of the proposed Project would result in less than significant impacts with mitigation incorporated related to a safety hazard or excessive noise for people residing or working in the proposed Project area.

Project Design Features:

None

Mitigation Measures:

NOI-1

NOI-1 Residential Sound Insulation Program (RSIP). Non-compatible residential land uses within the 65+ decibel (dB) contour with habitable areas inside the home with average noise levels of 45 dB or greater with all windows closed would be eligible for the RSIP.

The goal of the Program is to reduce the interior noise level within affected homes by at least five (5) decibels (dB). The results may vary depending upon the existing structural characteristics of the home. In order to achieve this goal, modifications may include the retrofit of exterior doors and windows, installation of a ventilation system, and other miscellaneous treatments. The RISP would include the following:

A noise audit will be conducted for each home in the RISP to measure the noise reduction properties of a residence in its existing condition to confirm that average interior aircraft sound levels are greater than a Community Noise Equivalent Level (CNEL) of 45 decibels (dB), and to provide an indication of the potential effectiveness of noise reducing treatments.

The goal of the RISP is to reduce the average interior CNEL of habitable rooms by a minimum of 5 dB (i.e., a clearly detectable reduction), and reduce the average interior CNEL of habitable rooms to below 45 dB.

Sound levels will be measured using aircraft as the noise source or simulation methods (loudspeaker(s)).

Property owners will be required to sign an avigation easement, guaranteeing the right of flight over a residence, as a requirement to participate in the RISP.

Upon completion, current owners will be required to disclose the residence was included in the RISP and is subject to an avigation easement.

If housing units do not meet the local building codes required to qualify for sound insulation, a homeowner shall be given the option to sell the property. The residence may be resold to a new owner. The housing unit may or may not be sound insulated and/or upgraded prior to resale but will be subject to an avigation easement.

Reference

For a complete discussion of Project impacts related to hazards and hazardous materials, see Section 5.8.3 of the Draft EIR at pages 5.8-26 – 5.8-44. For a complete discussion of Project impacts related to noise, see Section 5.10.3 of the Draft EIR at pages 5.10-25 – 5.10-55.

4.8 Hazards and Hazardous Materials (Cumulative)

The Draft EIR discusses the cumulative impacts related to hazards and hazardous materials in Section 5.8. The following discussion addresses potential cumulative impacts with respect to hazards and hazardous materials.

Impact Summary:

The Project vicinity is either existing airport uses or is largely urbanized with residential, commercial, and industrial uses. As the area continues to develop, the addition of more development could create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Less than Significant Effects with Mitigation:

The Project's cumulative impacts to hazards and hazardous materials would be less than significant with mitigation.

Findings:

Pursuant to Public Resources Code Section 21081(a)(1), the OIAA finds that mitigation measures have been incorporated into the Project which mitigate or avoid the significant effects on the environment to hazards and hazardous materials. Therefore, impacts would be less than significant with mitigation incorporated.

Facts in Support of Findings:

Although some of the related projects listed in the Draft EIR also have potential impacts associated with hazardous materials, the environmental concerns associated with hazardous materials are site specific. Each project is required to address any issues related to hazardous material or waste. Like the proposed Project, the related projects would be required to comply with federal, State, and local regulations, and require proven mitigation to remediate or protect against site contamination by hazardous materials. Therefore, the Project's contribution to cumulative impacts related to hazards and hazardous materials would not be cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measure HAZ-1 would mitigate potentially significant impacts related to the accidental exposure of PFAS in soil on the Project site to a less than significant level. **Mitigation Measure HAZ-2** would mitigate potentially significant impacts related to accidental vapor intrusion exposure to a less than significant level. Implementation of **Mitigation Measure NOI-1** will mitigate impacts related to aircraft noise to less than significant for the Project. Implementation of the proposed Project would result in less than significant impacts with mitigation incorporation related to a safety hazard or excessive noise for people residing or working in the Project area. Therefore, no significant and unavoidable adverse impacts related to hazards and hazardous materials would occur from Project implementation.

Project Design Features:

None

Mitigation Measures:

HAZ-1, HAZ-2, and NOI-1

HAZ-1 Soil Management Plan. A Soil Management Plan (SMP) containing soil criteria and soil management and construction risk management protocols to be implemented during proposed Project development shall be prepared prior to disturbance of soils on the site by construction activities and implemented during construction to address any soil containing or suspected to contain PFAs on the proposed Project site and any previously undetected contamination encountered during construction. Special attention shall be made to soils disturbed in the Guardian Jet Center, southern hangar and structure previously housing fire prevention equipment due to the known presence of PFAs in these areas. Additional soil sampling shall be conducted as necessary to delineate the extent of PFAs contamination to enable segregation and proper disposal of any contaminated soil during construction.

HAZ-2 Vapor Intrusion Mitigation System. A vapor intrusion mitigation system (VIM system) shall be installed under Phase II of the proposed Air Cargo Building to address the potential for vapor intrusion from the subsurface. Alternatively, a soil vapor extraction remediation system could be utilized to reduce trichloroethene (TCE) and chloroform vapor concentrations through removal of volatile organic compounds (VOCs) in Phase II development area.

NOI-1 Residential Sound Insulation Program (RSIP). Non-compatible residential land uses within the 65+ decibel (dB) contour with habitable areas inside the home with average noise levels of 45 dB or greater with all windows closed would be eligible for the RSIP.

The goal of the Program is to reduce the interior noise level within affected homes by at least five (5) decibels (dB). The results may vary depending upon the existing structural characteristics of the home. In order to achieve this goal, modifications may include the retrofit of exterior doors and windows, installation of a ventilation system, and other miscellaneous treatments. The RISIP would include the following:

A noise audit will be conducted for each home in the RISIP to measure the noise reduction properties of a residence in its existing condition to confirm that average interior aircraft sound levels are greater than a Community Noise Equivalent Level (CNEL) of 45 decibels (dB), and to provide an indication of the potential effectiveness of noise reducing treatments.

The goal of the RISIP is to reduce the average interior CNEL of habitable rooms by a minimum of 5 dB (i.e., a clearly detectable reduction), and reduce the average interior CNEL of habitable rooms to below 45 dB.

Sound levels will be measured using aircraft as the noise source or simulation methods (loudspeaker(s)).

Property owners will be required to sign an aviation easement, guaranteeing the right of flight over a residence, as a requirement to participate in the RISP.

Upon completion, current owners will be required to disclose the residence was included in the RISP and is subject to an aviation easement.

If housing units do not meet the local building codes required to qualify for sound insulation, a homeowner shall be given the option to sell the property. The residence may be resold to a new owner. The housing unit may or may not be sound insulated and/or upgraded prior to resale but will be subject to an aviation easement.

Reference

For a complete discussion of Project cumulative impacts related to hazards and hazardous materials, see Section 5.8.4 of the Draft EIR at pages 5.8-44 – 5.8-45.

4.9 Noise

The Draft EIR discusses impacts related to noise in Section 5.10. The following discussion addresses potential impacts with respect to noise.

Located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, if the project would expose people residing or working in the project area to excessive noise levels.

Impact Summary:

Unmitigated residences would be exposed to aircraft noise that would be considered significant, the Baseline Condition and Proposed Project condition would result in a potentially significant impact.

Less than Significant Effects with Mitigation: N-3

The Project would have a less than significant impact with mitigation, located within the vicinity of an airport land use plan, on exposing people residing or working in the Project area to excessive noise levels.

Findings:

Pursuant to Public Resources Code Section 21081(a)(1), the OIAA finds that mitigation measures have been incorporated into the Project which mitigate or avoid the significant effects on the environment, for projects located within the vicinity of an airport land use plan, from exposing people residing or working in the Project area to excessive noise levels. Therefore, impacts would be less than significant with mitigation incorporated.

Facts in Support of Findings:

In the year 2025 with the proposed Project, it is estimated that there would be 4 additional unmitigated housing units and 18 persons within the CNEL 65-69 dBA contour and no housing units or persons within the CNEL 70+ dBA contour when compared to the baseline condition. By the year 2029, it is estimated that there would be 12 additional unmitigated housing units and 43 additional persons within the CNEL 65-69 dBA contour and no housing units or persons within the CNEL 70+ dBA contour. When aviation easements are considered for the proposed Project compared to Baseline Conditions, the number of additional unmitigated housing units in 2025 is 3 units with the affected population being 14 additional persons and in 2029 the number of housing units affected is 12 units with the affected population being 51 additional persons. To define the significance of the impact of a proposed project, CEQA regulations require future conditions with a proposed project be compared to existing (i.e., Baseline) conditions. Because such a comparison also includes the potential impact that would occur in the future without a project (i.e., the No Action Alternative), a comparison of the proposed Project and No Action Alternative was completed. Notably, the growth in passenger activity at the Airport, which would occur with or without the proposed Project, would result in increases in aircraft operations and aircraft noise.

When comparing the proposed Project to the No Action Alternative, in the year 2025 with the proposed Project it is estimated that there would be five (5) additional unmitigated housing units and 23 persons within the CNEL 65-69 dBA contour and no housing units or persons within the CNEL 70+ dBA contour. By the year 2029 with the proposed Project, it is estimated that there would be 15 additional unmitigated housing units and 63 additional persons within the CNEL 65-69 dBA contour and no housing units or persons within the CNEL 70+ dBA contour. Because unmitigated residences would be exposed to aircraft noise that would be considered significant, the Baseline Condition and Proposed Project condition would result in a potentially significant impact. Implementation of Mitigation Measure NOI-1 would define a residential noise program for housing units affected by aviation noise generated by the Project. Implementation of Mitigation Measure NOI-1 would include a residential noise program for housing units located within the 65+ dB contour to reduce the interior noise level within affected homes by at least five (5) dB and reduce average interior CNEL of habitable rooms to below 45 dB. Mitigation Measure NOI-1 would reduce impacts related to aircraft noise to less than significant levels.

Project Design Features:

None

Mitigation Measures:

NOI-1

NOI-1 Residential Sound Insulation Program (RSIP). Non-compatible residential land uses within the 65+ decibel (dB) contour with habitable areas inside the home with average noise levels of 45 dB or greater with all windows closed would be eligible for the RSIP.

The goal of the Program is to reduce the interior noise level within affected homes by at least five (5) decibels (dB). The results may vary depending upon the existing structural characteristics of the home. In order to achieve this goal,

modifications may include the retrofit of exterior doors and windows, installation of a ventilation system, and other miscellaneous treatments. The RISP would include the following:

A noise audit will be conducted for each home in the RISP to measure the noise reduction properties of a residence in its existing condition to confirm that average interior aircraft sound levels are greater than a Community Noise Equivalent Level (CNEL) of 45 decibels (dB), and to provide an indication of the potential effectiveness of noise reducing treatments.

The goal of the RISP is to reduce the average interior CNEL of habitable rooms by a minimum of 5 dB (i.e., a clearly detectable reduction), and reduce the average interior CNEL of habitable rooms to below 45 dB.

Sound levels will be measured using aircraft as the noise source or simulation methods (loudspeaker(s)).

Property owners will be required to sign an avigation easement, guaranteeing the right of flight over a residence, as a requirement to participate in the RISP.

Upon completion, current owners will be required to disclose the residence was included in the RISP and is subject to an avigation easement.

If housing units do not meet the local building codes required to qualify for sound insulation, a homeowner shall be given the option to sell the property. The residence may be resold to a new owner. The housing unit may or may not be sound insulated and/or upgraded prior to resale but will be subject to an avigation easement.

Reference

For a complete discussion of Project impacts related to noise, see Section 5.10.3 of the Draft EIR at pages 5.10-25 – 5.10-55.

4.10 Noise (Cumulative)

The Draft EIR discusses the impacts related to noise in Section 5.10. The following discussion addresses potential cumulative impacts with respect to noise.

Impact Summary:

Related projects, and growth in the general area of the Project site (within 500 feet), would contribute to cumulative noise impacts. Cumulative construction- noise impacts have the potential to occur when multiple construction projects in the local area generate noise within the same time frame and contribute to the local ambient noise environment. With regard to stationary sources, cumulative significant noise impacts may result from cumulative development.

For operational roadway noise cumulative impacts, the maximum noise level increase along the studied roadway segments would be 0.70 dBA CNEL along Vineyard Avenue between Avion and

Mission. Roadway noise levels along this segment would remain classified with the “Clearly Acceptable” designation. For operational aircraft noise impacts the Runway 8R-26L runway rehabilitation/reconstruction project is scheduled to begin in 2023 and end in 2025, one of the same years for which the proposed Project was evaluated. To evaluate the impact due to the overlap of the proposed Project that is the subject of this report and the Runway 8R-26L runway rehabilitation/reconstruction project, a cumulative aircraft noise analysis was performed.

Less than Significant Effects with Mitigation:

The Project’s cumulative impacts to noise would be less than significant with mitigation.

Findings:

Pursuant to Public Resources Code Section 21081(a)(1), the OIAA finds that mitigation measures have been incorporated into the Project which mitigate or avoid the significant effects on the environment to noise. Therefore, cumulative noise impacts would be less than significant with mitigation incorporated.

Facts in Support of Findings:

It is expected that, as with the proposed Project, the related projects would implement noise reduction techniques such as mufflers, shields, and sound barriers, which would minimize any noise-related nuisances during construction. In addition, distance attenuation and intervening structures would further reduce construction noise levels and not result in noticeable increases. Therefore, combined construction-noise impacts of related projects and the proposed Project’s contribution would be less than significant.

Stationary sources of noise that could be introduced in the area by cumulative projects could include mechanical equipment, loading docks, and parking lots. Given that these projects would be required to adhere to the City’s noise standards, all stationary sources would be required to have shielding or other noise-abatement measures so as not to cause a substantial increase in ambient noise levels. Moreover, due to distance, it is unlikely that noise from multiple cumulative projects would interact to create a significant combined noise impact. As such, it is not anticipated that a significant cumulative increase in permanent ambient noise levels would occur.

Roadway noise levels would not create a readily perceptible increase of 5 dBA or greater at locations where ambient noise levels are less than 60 dBA; a barely perceptible increase of 3 dBA or greater at locations where ambient noise levels from 60 to 65 dBA; and a community noise level impact increase of 1.5 dBA or greater at locations where ambient noise levels already exceed 65 dBA. As such, roadway noise levels during the Future Year (2040) Conditions would not be less than significant.

Implementation of the RSIP in **Mitigation Measure NOI-1** would reduce impacts from the Project to less than significant. the OIAA recently certified a Draft SEIR for the rehabilitation of the Airport’s Runway 8R-26L and associated airfield improvements. These improvements are proposed so that the airfield meets current FAA standards, safety is improved, and the efficiency of the airfield is enhanced. To implement the improvements, temporary runway closures would be required and the only change in the use of the airfield would result from suspension of voluntary restrictions on the use of Contra Flow operations during nighttime hours (10:00 PM to 7:00 AM).

Because these voluntary restrictions would not be available when operating only one runway, the Runway 8R-26L Draft SEIR forecasts that there would be a temporary increase in noise exposure to the west of the Airport during nighttime hours.

The Runway 8R-26L runway rehabilitation/reconstruction project is scheduled to begin in 2023 and end in 2025, one of the same years for which the proposed Project was evaluated. The proposed Project would contribute to temporary cumulative noise impacts during construction of the Runway 8R-26L runway rehabilitation/reconstruction project in 2025. With the related projects, it is estimated that there would be 219 additional unmitigated housing units and 991 persons within the CNEL 65-69 dBA contour and no housing units or persons within the CNEL 70+ dBA contour when compared to the baseline condition with the proposed Project and construction of the Runway 8R-26L runway rehabilitation/reconstruction project. Based on these results, in the year 2025 the proposed Project and construction of the Runway 8R-26L runway rehabilitation/reconstruction project would result in a temporary significant cumulative impact. However, these impacts would be temporary only during construction of Runway 8R-26L runway rehabilitation/reconstruction project. No other related project would contribute to cumulative aircraft noise impacts.

The Runway 8R-26L runway rehabilitation/reconstruction project would result in less than significant aircraft noise impacts once operational. Implementation of Mitigation Measure NOI-1 would include a residential noise program for housing units located near the Airport, which, with implementation of **Mitigation Measure NOI-1** proposed Project impacts related to aircraft noise would be reduced to less than significant levels. Therefore, the proposed Project's contribution to temporary cumulative impacts would not be cumulatively considerable.

Project Design Features:

None

Mitigation Measures:

NOI-1

NOI-1 Residential Sound Insulation Program (RSIP). Non-compatible residential land uses within the 65+ decibel (dB) contour with habitable areas inside the home with average noise levels of 45 dB or greater with all windows closed would be eligible for the RSIP.

The goal of the Program is to reduce the interior noise level within affected homes by at least five (5) decibels (dB). The results may vary depending upon the existing structural characteristics of the home. In order to achieve this goal, modifications may include the retrofit of exterior doors and windows, installation of a ventilation system, and other miscellaneous treatments. The RISP would include the following:

A noise audit will be conducted for each home in the RISP to measure the noise reduction properties of a residence in its existing condition to confirm that average interior aircraft sound levels are greater than a Community Noise

Equivalent Level (CNEL) of 45 decibels (dB), and to provide an indication of the potential effectiveness of noise reducing treatments.

The goal of the RISP is to reduce the average interior CNEL of habitable rooms by a minimum of 5 dB (i.e., a clearly detectable reduction), and reduce the average interior CNEL of habitable rooms to below 45 dB.

Sound levels will be measured using aircraft as the noise source or simulation methods (loudspeaker(s)).

Property owners will be required to sign an avigation easement, guaranteeing the right of flight over a residence, as a requirement to participate in the RISP.

Upon completion, current owners will be required to disclose the residence was included in the RISP and is subject to an avigation easement.

If housing units do not meet the local building codes required to qualify for sound insulation, a homeowner shall be given the option to sell the property. The residence may be resold to a new owner. The housing unit may or may not be sound insulated and/or upgraded prior to resale but will be subject to an avigation

Reference

For a complete discussion of Project cumulative impacts related to noise, see Section 5.10.4 of the Draft EIR at pages 5.10-55 – 5.10.60.

4.11 Tribal Cultural Resource

The Draft EIR discusses impacts related to tribal cultural resources in Section 5.13. The following discussion addresses potential impacts with respect to tribal cultural resources.

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historic Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section

5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.

Impact Summary:

No tribal cultural resources were identified on the Project site. Nevertheless, archival research indicates the Project site in the 1940s contained plowed fields and was adjacent to Cucamonga Channel, which was minimally altered at that time, which flowed into native habitat areas farther east. Accordingly, it is possible that objects and features associated with the prehistoric occupation of local tribes in the Project area are buried in the native soils, underlying the artificial fill at the Project site. Because the Project's ground disturbing activities could extend to a depth of 20 feet below ground surface, there is the potential to encounter native soils and impact any resources that may be present. Impacts related to unidentified tribal cultural resources would be significant.

Less than Significant Effects with Mitigation: TRI-1

The Project would have a less than significant impact with mitigation on tribal cultural resources.

Findings:

Pursuant to Public Resources Code Section 21081(a)(1), the OIAA finds that mitigation measures have been incorporated into the Project which mitigate or avoid the significant effects on the environment for tribal cultural resources.

Facts in Support of Findings:

According to NAHC's Sacred Lands Inventory search, the Project site has not been cataloged as a Native American sacred or cultural place of special religious or social significance, and the NAHC does not have knowledge of Native American cultural resources (e.g., traditional use or gathering area, place of religious or sacred activity, etc.) at and within the immediate vicinity of the Project site. Based on literature review, no tribal cultural resources as defined by PRC Section 5020.1(k) have been identified on the Project site. Observations made during the field survey did not identify any tribal cultural resources. No consultation from the 18 individuals representing 12 Native American tribal groups was requested and no tribes identified any TCRs on site. Two of the 12 tribes—Agua Caliente Band of Cahuilla Indians and San Manuel Band of Mission Indians—responded that the Project site is not within their ancestral territory. No other tribes have responded to date, so no consultation was required or completed. Therefore, no tribal cultural resources were identified on the Project site. **Mitigation Measure CUL-1** would require an archaeological monitor to observe all ground disturbing activities associated with the proposed Project. **Mitigation Measure TCR-1** further requires the archaeological monitor to consult local Native American tribes to determine the tribal cultural significance of the object and its treatment, if required. **Mitigation Measure TCR-2** and **TCR-3** require coordination and procedures with the appropriate Native American Tribe(s) should Native American human remains be discovered or recognized on the Project site. Implementation of **Mitigation Measures CUL-1 and TCR-1 through TCR-3** would reduce potentially significant impacts to tribal cultural resources determined by criteria provided Public Resources Code Section 5020.1(k) to less than significant.

Project Design Features:

None

Mitigation Measures:

CUL-1, TCR-1, TCR-2, and TCR-3

CUL-1 Archaeological Monitoring of All Ground-Disturbing Activities During Construction of Phase 1 and Phase 2.

- a) Prior to the issuance of grading permits by the City of Ontario for Phase 1 and Phase 2 of the proposed Project, the OIAA and/or its construction contractor must retain a qualified professional archeologist meeting the Secretary of Interior's PQS for Archaeology (as defined in the Code of Federal Regulations, 36 CFR Part 61). The qualified archaeologist will be retained to conduct monitoring of rough grading activities conducted during both Project phases. The qualified archaeologist shall have the authority to redirect earthmoving activities in the event that suspected cultural resources are unearthed during construction activities.
- b) The qualified archaeologist shall prepare a Cultural Resources Monitoring and Treatment Plan that will describe processes for archaeological monitoring and for handling incidental discovery of objects, features, and cultural resources for all ground-disturbing construction and preconstruction activities.
- c) Prior to the issuance of a grading permit, all construction workers involved with grading and trenching operations shall receive training by the qualified archaeologist to recognize unique archaeological resources, including tribal cultural resources, should such resources be unearthed during ground-disturbing construction activities. The training of all construction workers involved with grading and trenching operations shall explain the importance and legal basis for the protection of significant archaeological resources. It will include a brief review of the cultural sensitivity of the construction area and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel involved with grading and trenching operations that begin work following the initial training session must take the training prior to beginning work; the qualified archaeologist shall be available to provide the training on an as needed basis.
- d) In the event subsurface artifacts or features are encountered during ground-disturbing activities, the construction supervisor shall be required by his contract to immediately halt and redirect grading operations within a 100-foot radius of the discovery and see identification and evaluation and evaluation of the suspected resource by the qualified archaeologist for listing in the NRHP and CRHR. This requirement shall be noted on all grading plans and the construction contractor shall be obligated to comply with the note.

- e) After the qualified archaeologist makes his/her initial assessment of the nature of the find. The archaeologist shall pursue either protection in place or recovery, salvage, and treatment of the deposits. Recovery, salvage, and treatment protocols shall be developed in accordance with applicable provisions of Public Resource Code Section 21083.2 and State CEQA Guidelines 15064.5 and 15126.4 in consultation with OIAA or with a recognized scientific or educational repository, including the SCCIC. Preservation in place shall be the preferred means to avoid impacts to archaeological resources qualifying as historical resources, consistent with CEQA Guidelines Section 15126.4(b)(3)(C).

TCR-1 Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities.

- a) The project applicant/lead agency shall retain a Native American Monitor from or approved by the appropriate Native American Tribe(s). The monitor shall be retained prior to the commencement of any ground-disturbing activity for the subject project at all project locations (i.e., both onsite and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.
- b) A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.
- c) The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the proposed Project applicant/lead agency upon written request to the appropriate Native American Tribe(s).
- d) On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the appropriate Native American Tribe(s) from a designated point of contact for the proposed Project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the appropriate Native

American Tribe(s) to the proposed Project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the Project site possesses the potential to impact Native American Tribe TCRs.

- e) Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Native American monitor and/or Native American archaeologist. The appropriate Native American Tribe(s) will recover and retain all discovered TCRs in the form and/or manner the Native American Tribe(s) deem appropriate, in the Tribe's sole discretion, and for any purpose the Native American Tribe(s) deem appropriate, including for educational, cultural and/or historic purposes.

TCR-2 Unanticipated Discovery of Human Remains and Associated Funerary Objects.

- a) Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.
- b) If Native American human remains and/or grave goods discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.
- c) Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).
- d) Construction activities may resume in other parts of the Project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the appropriate Native American Tribe(s) determine in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the appropriate Native American Tribe(s) and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f)).

- e) Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods, if feasible. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.
- f) Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

TCR-3 Procedures for Burials and Funerary Remains.

- a) The appropriate Native American Tribe(s) burial policy shall be implemented.
- b) If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.
- c) The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.
- d) In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.
- e) In the event preservation in place is not possible despite good faith efforts by the proposed Project applicant/developer and/or landowner, before ground-disturbing activities may resume on the Project site, the landowner shall arrange a designated site location within the footprint of the proposed Project for the respectful reburial of the human remains and/or ceremonial objects.
- f) Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container

on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

- g) The proposed Project's qualified archaeologist will work closely with the appropriate Native American Tribe(s) to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the appropriate Native American Tribe(s), documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the appropriate Native American Tribe(s). If any data recovery is performed, once complete, a final report shall be submitted to the appropriate Native American Tribe(s) and the NAHC.

Reference

For a complete discussion of Project impacts related to tribal cultural resources, see Section 5.13.3 of the Draft EIR at pages 5.13-6 – 5.13-10.

4.12 Tribal Cultural Resource (Cumulative)

The Draft EIR discusses the impacts related to tribal cultural resources in Section 5.13. The following discussion addresses potential cumulative impacts with respect to tribal cultural resources.

Impact Summary:

The potential for the Project to result in a cumulatively considerable contribution to a significant cumulative impact to tribal cultural resources was analyzed in conjunction with other developments located in the influence areas of the tribes that occupied the region. As discussed, construction of the Project may disturb native soils containing prehistoric objects and features that may be determined to be a tribal cultural resource.

Less than Significant Effects with Mitigation:

The Project's cumulative impacts to tribal cultural resources would be less than significant with mitigation.

Findings:

Pursuant to Public Resources Code Section 21081(a)(1), the OIAA finds that mitigation measures have been incorporated into the Project which mitigate or avoid the significant effects on the environment to tribal cultural resources. Therefore, impacts would be less than significant with mitigation incorporated.

Facts in Support of Findings:

No consultation from the 18 individuals representing 12 Native American tribal groups was requested and no tribes identified any TCRs on site. Two of the 12 tribes—Agua Caliente Band of

Cahuilla Indians and San Manuel Band of Mission Indians—responded that the Project site is not within their ancestral territory. No other tribes have responded to date, so no consultation was required or completed. Therefore, no tribal cultural resources were identified on the Project site. The proposed Project would require **Mitigation Measures CUL-1 and TCR-1 through TCR-3** to reduce Project-level impacts to less than significant. Related projects in the region would also be required to mitigate potential inadvertent discoveries of subsurface resources, including tribal cultural resources, and would comply with PRC 21083.2, which allows lead agencies to make provisions for accidentally discovering archaeological resources, including tribal cultural resources during construction. Furthermore, the proposed Project and related projects would also be required to comply with California Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98, and CEQA Guidelines Section 15064.5, which provides guidance on the discovery of human remains and its treatment or disposition with appropriate dignity. Therefore, compliance with existing policies and regulations, and implementation of Project mitigation, would result in the Project’s contribution to impacts on tribal cultural resources being less than cumulatively considerable.

With implementation of **Mitigation Measures CUL-1, TCR-1, TCR-2, and TCR-3** and compliance with regulatory requirements, Project impacts to tribal cultural resources would be less than significant.

Mitigation Measures:

CUL-1, TCR-1, TCR-2, and TCR-3

CUL-1 Archaeological Monitoring of All Ground-Disturbing Activities During Construction of Phase 1 and Phase 2.

- a) Prior to the issuance of grading permits by the City of Ontario for Phase 1 and Phase 2 of the proposed Project, the OIAA and/or its construction contractor must retain a qualified professional archeologist meeting the Secretary of Interior’s PQS for Archaeology (as defined in the Code of Federal Regulations, 36 CFR Part 61). The qualified archaeologist will be retained to conduct monitoring of rough grading activities conducted during both Project phases. The qualified archaeologist shall have the authority to redirect earthmoving activities in the event that suspected cultural resources are unearthed during construction activities.
- b) The qualified archaeologist shall prepare a Cultural Resources Monitoring and Treatment Plan that will describe processes for archaeological monitoring and for handling incidental discovery of objects, features, and cultural resources for all ground-disturbing construction and preconstruction activities.
- c) Prior to the issuance of a grading permit, all construction workers involved with grading and trenching operations shall receive training by the qualified archaeologist to recognize unique archaeological resources, including tribal cultural resources, should such resources be unearthed during ground-disturbing construction activities. The training of all construction workers

involved with grading and trenching operations shall explain the importance and legal basis for the protection of significant archaeological resources. It will include a brief review of the cultural sensitivity of the construction area and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel involved with grading and trenching operations that begin work following the initial training session must take the training prior to beginning work; the qualified archaeologist shall be available to provide the training on an as needed basis.

- d) In the event subsurface artifacts or features are encountered during ground-disturbing activities, the construction supervisor shall be required by his contract to immediately halt and redirect grading operations within a 100-foot radius of the discovery and see identification and evaluation and evaluation of the suspected resource by the qualified archaeologist for listing in the NRHP and CRHR. This requirement shall be noted on all grading plans and the construction contractor shall be obligated to comply with the note.
- e) After the qualified archaeologist makes his/her initial assessment of the nature of the find. The archaeologist shall pursue either protection in place or recovery, salvage, and treatment of the deposits. Recovery, salvage, and treatment protocols shall be developed in accordance with applicable provisions of Public Resource Code Section 21083.2 and State CEQA Guidelines 15064.5 and 15126.4 in consultation with OIAA or with a recognized scientific or educational repository, including the SCCIC. Preservation in place shall be the preferred means to avoid impacts to archaeological resources qualifying as historical resources, consistent with CEQA Guidelines Section 15126.4(b)(3)(C).

TCR-1 Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities.

- a) The project applicant/lead agency shall retain a Native American Monitor from or approved by the appropriate Native American Tribe(s). The monitor shall be retained prior to the commencement of any ground-disturbing activity for the subject project at all project locations (i.e., both onsite and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

- b) A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.
- c) The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the proposed Project applicant/lead agency upon written request to the appropriate Native American Tribe(s).
- d) On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the appropriate Native American Tribe(s) from a designated point of contact for the proposed Project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the appropriate Native American Tribe(s) to the proposed Project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the Project site possesses the potential to impact Native American Tribe TCRs.
- e) Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Native American monitor and/or Native American archaeologist. The appropriate Native American Tribe(s) will recover and retain all discovered TCRs in the form and/or manner the Native American Tribe(s) deem appropriate, in the Tribe’s sole discretion, and for any purpose the Native American Tribe(s) deem appropriate, including for educational, cultural and/or historic purposes.

TCR-2 Unanticipated Discovery of Human Remains and Associated Funerary Objects.

- a) Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.

- b) If Native American human remains and/or grave goods discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.
- c) Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).
- d) Construction activities may resume in other parts of the Project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the appropriate Native American Tribe(s) determine in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the appropriate Native American Tribe(s) and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f)).
- e) Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods, if feasible. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.
- f) Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

TCR-3 Procedures for Burials and Funerary Remains.

- a) The appropriate Native American Tribe(s) burial policy shall be implemented.
- b) If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.
- c) The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death

or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.

- d) In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.
- e) In the event preservation in place is not possible despite good faith efforts by the proposed Project applicant/developer and/or landowner, before ground-disturbing activities may resume on the Project site, the landowner shall arrange a designated site location within the footprint of the proposed Project for the respectful reburial of the human remains and/or ceremonial objects.
- f) Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.
- g) The proposed Project's qualified archaeologist will work closely with the appropriate Native American Tribe(s) to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the appropriate Native American Tribe(s), documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the appropriate Native American Tribe(s). If any data recovery is performed, once complete, a final report shall be submitted to the appropriate Native American Tribe(s) and the NAHC.

Reference

For a complete discussion of Project cumulative impacts related to tribal cultural resources, see Section 5.13.4 of the Draft EIR at page 5.13.10.

5.0 EFFECTS DETERMINED TO BE NOT SIGNIFICANT OR LESS THAN SIGNIFICANT

OIAA finds that, based upon substantial evidence in the record, the following impacts associated with the Project, and other effects identified as less than significant in the Final EIR, are less than significant and no mitigation is required pursuant to CEQA Section 21081(a) and CEQA Guidelines Section 15091(a).

5.1 Aesthetics

Less than Significant Effects: Impact AES-1

The Project is not expected to have a substantial adverse effect on a scenic vista. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

Views of the Santa Ana Mountains and Chino Hills to the east and south would not be affected with implementation of the proposed Project. During construction of Phase 1 and Phase 2 of the proposed Project, equipment would be staged on-site, which would have a minimal impact on scenic views from East Mission Boulevard looking north during proposed Project development. Development within this area of the Airport would not substantially alter the scenic views provided along Mission Boulevard of the San Gabriel Mountains backdrop because the peaks rise to 7,000 feet above mean sea level (amsl). For these reasons, the development of the proposed Project would not have a substantial adverse effect on a scenic vista. Therefore, impacts would be less than significant, and no mitigation is required. (Draft EIR at pages 5.1-19 – 5.1-29).

No Effects: AES-2

The Project is not expected to impact scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

The Project site is not located in the vicinity of a State Scenic Highway. Due to the distance and intervening land uses, no portion of the Project site or surrounding area is viewable from the officially designated SR-91 or the eligible portion of the SR-142, which are approximately 16 miles southwest and 9.5 miles southwest of the Project site, respectively. Additionally, the Project site does not contain any scenic resources, such as rock outcroppings or trees, or historic buildings that would be damaged by the proposed Project. As such, the Project would not result in impacts related to the substantial damage of scenic resources within a State Scenic Highway. Therefore, impacts would be less than significant, and no mitigation is required. (Draft EIR at page 5.1-29).

Less than Significant Effects: AES-3

The Project is not expected to conflict with applicable zoning and other regulations governing scenic quality. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

The Project site is designated “Airport” in the Ontario Plan and zoned “ONT” – Ontario Airport zone. Use of the Project site is subject to regulatory oversight by OIAA and the FAA through the approved Ontario International Airport Layout Plan (ALP) and Airport Land Use Compatibility Plan (ALUCP). The proposed Project would be consistent with applicable policies in The Ontario Plan to the Airport and regulations in the ALUCP. Therefore, the proposed Project would not conflict with applicable zoning and other regulations governing scenic quality, and impacts would be less than significant. (Draft EIR at pages 5.1-29 – 5.1-30).

Less than Significant Effects: AES-4

The Project is not expected to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

Construction activities would occur during daylight hours to the extent feasible. Additional lighting during the construction period would be placed within and along the exterior of the Project site and would be available during night-time for on-site security and pedestrian safety purposes. The proposed Project would not introduce a substantial source of light which would affect day or nighttime views in the area. Outdoor lights would be designed and constructed to reflect light away from East Avion Street and adjacent properties. Additionally, lighting would be installed such that light would not shine directly at or cause reflections on the Airport’s taxiways or runways. All new lighting would comply with applicable regulations of the 2019 State Building Energy Efficiency Standards (Title 24). Glare associated with the proposed Project design would be minimal and site efforts would be taken to reduce as much glare as possible. Impacts would be less than significant. (Draft EIR at pages 5.1.30 – 5.1-32).

5.2 Aesthetics (Cumulative)

Less than Significant Effects:

The Project’s cumulative contribution to aesthetics would not be cumulatively considerable.

Facts in Support of Findings:

Implementation of the proposed Project would not result in a significant impact related to aesthetics. The proposed Project and all related projects are required to adhere to Airport, City, and State regulations designed to reduce and/or avoid impacts related to aesthetics. Additionally, projects within the Airport and the proposed Project would be subject to FAA and OIAA approval to avoid impacts related to aesthetics and aviation. With compliance with these regulations, no significant cumulative impacts related to aesthetics would result from the proposed Project, related projects, and other growth; and the proposed Project's contribution to cumulative impacts would not be cumulatively considerable. (Draft EIR at pages 5.1-32 – 5.1-33).

5.3 Air Quality

Less Than Significant Effects: AQ-1

The Project is not expected to conflict with or obstruct implementation of the applicable air quality plan. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

During construction, the proposed Project would comply with CARB's requirements to minimize short-term emissions from on-road and off-road diesel equipment, including limiting heavy duty diesel motor vehicle idling to no more than 5 minutes at any given time, and with SCAQMD's regulations, such as Rule 403 for controlling fugitive dust and Rule 1113 for controlling VOC emissions from architectural coatings. Furthermore, the proposed Project would use vehicles from vendors that comply with fleet rules to reduce on-road truck emissions under CARB's Truck and Bus regulation. Compliance with these measures and requirements would be consistent with and meet or exceed the 2016 AQMP and 2022 AQMP requirements for control strategies intended to reduce emissions from construction equipment and activities. Additionally, the proposed Project would comply with the measures included in the Airport's Air Quality Improvement Plan (AQIP) such as using Tier 4 construction equipment. The proposed Project would result in short-term employment growth and would not conflict with employment or housing projections within the AQMP. Impacts related to construction are not expected to conflict with or obstruct implementation of the applicable air quality plan and would be less than significant.

For operations, the AQIP includes a GSE Policy (RM1), which requires the Airport to implement a GSE policy that promotes the use of newer, cleaner equipment for ground operations. The proposed Project would include the use and operation of electric-powered equipment, including forklifts, loaders, tugs, ground power units, and ramp support (vans/carts) that would be stored and charged in designated areas in the cargo building and aircraft apron.

The region is projected to see a 12 percent growth in population, 17 percent growth in housing units, 11 percent growth in employment, and 5 percent growth in vehicle miles traveled between 2018 and 2037. As such, aircraft operations within the region are also expected to increase.

The SCAQMD does not have regulatory authority over the aircraft or aircraft operations, which are the primary sources of air emissions associated with airports. Operation of the proposed Project would be consistent with the measures in the Airport's AQIP as it would include all-electric GSE, which is consistent with control strategy MOB:4 Emissions Reductions at Commercial Airports in the 2022 AQMP. The RTP/SCS notes that SCAG has no authority over airports or airport activity and that the FAA has this authority. SCAG is interested in how traffic going and coming from airports affects the roads, highways, and transit systems in the region. The Aviation and Ground Access appendix to the RTP/SCS has air cargo forecasts and SCAG modeling estimates truck trips for the 5 busiest airports in the region and Ontario is one of these airports. As shown in Table 14 in the Aviation and Ground Access appendix, SCAG identifies 900 daily truck trips for Ontario Airport in 2016 and projects 1,725 daily truck trips in 2045. The proposed Project would generate 450 additional truck trips per day, an amount that is within, and consistent with, the 2045 truck trip estimate for Ontario Airport. As such, the proposed Project would accommodate the regional

movement of goods per SCAG projections. Impacts related to operation would be less than significant. (Draft EIR at pages 5.2-65 – 5.2-70).

Less Than Significant Effects: AQ-2 (Construction)

Construction activities also would not exceed the ambient air quality standards at nearby receptors and cumulative impacts would be less than significant. Implementation of mitigation measures would further reduce potential daily emissions from construction activities.

Facts in Support of Findings:

During construction, the proposed Project's daily criteria pollutant emissions would not exceed SCAQMD thresholds. Implementation of mitigation measures would further reduce potential daily emissions from construction activities. As such, air quality impacts from the construction of the proposed Project would be less than significant and would not result in a cumulatively considerable increase of air emissions during the construction period.

Less Than Significant Effects: AQ-3

The Project is not expected to expose sensitive receptors to substantial pollutant concentrations. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

An air dispersion analysis was conducted to determine the ambient concentrations at nearby receptors which would result from Project construction and operation. Air pollution concentrations during construction and operation of Phase 1 and Phase 2 would be below the significant thresholds for NO₂, PM₁₀, PM_{2.5}, SO₂, and CO.

The maximum impacts due to construction activities occur near the Project site along the Airport boundary and dissipate moderately within 1,000 feet of the Project site. Phase 1 construction activities would occur between 2023 and 2025, while Phase 2 construction activities would occur from 2025 through 2029. For the air quality receptors during Project construction of Phase 1, the incremental 1-hour NO₂ impacts, including background concentrations, would be a maximum of 0.10 ppm, which is below the State threshold of 0.18 ppm. The maximum Project construction incremental annual NO₂ impacts, including background concentrations, would be 0.02 ppm, which is below the thresholds of 0.03 ppm (state) and 0.053 ppm (federal). Moreover, the maximum incremental 24-hour and annual PM₁₀ impacts would be 3.67 µg/m³ and 0.09 µg/m³, respectively; impacts would be below the 24-hour PM₁₀ threshold of 10.4 µg/m³ and below the annual PM₁₀ threshold of 1.0 µg/m³. The Project construction maximum incremental 24-hour PM_{2.5} impacts would be 0.97 µg/m³, which would be below the 24-hour PM_{2.5} threshold of 10.4 µg/m³. Additionally, the maximum incremental SO₂ and CO impacts including background concentrations would be well below the significance thresholds.

For the air quality receptors during Project construction during Phase 2, the incremental 1-hour NO₂ impacts, including background concentrations, would be a maximum of 0.10 ppm, which is below the State threshold of 0.18 ppm. The maximum Project construction incremental annual NO₂ impacts, including background concentrations, would be 0.02 ppm, which is below the thresholds of 0.03 ppm (state) and 0.053 ppm (federal). Moreover, the maximum incremental 24-hour and annual PM₁₀ impacts would be 3.66 µg/m³ and 0.11 µg/m³, respectively; impacts would be below the 24-hour PM₁₀ threshold of 10.4 µg/m³ and below the annual PM₁₀ threshold

of 1.0 $\mu\text{g}/\text{m}^3$. The Project construction maximum incremental 24-hour $\text{PM}_{2.5}$ impacts would be 0.65 $\mu\text{g}/\text{m}^3$, which would be below the 24-hour $\text{PM}_{2.5}$ threshold of 10.4 $\mu\text{g}/\text{m}^3$. Additionally, the maximum incremental SO_2 and CO impacts including background concentrations would be well below the significance thresholds.

For the air quality receptors during Phase 1 of Project operations, the incremental 1-hour NO_2 impacts, including background concentrations, would be a maximum of 0.13 ppm, which is below the State threshold of 0.18 ppm. The maximum 1-hour NO_2 concentrations (i.e., 236 $\mu\text{g}/\text{m}^3$ or 0.13 ppm compared to the threshold of 0.18 ppm) occur to the southeast of the Airport and are mostly a result of aircraft departures. The maximum Project operation incremental annual NO_2 impacts, including background concentrations, would be 0.02 ppm, which is below the thresholds of 0.03 ppm (state) and 0.053 ppm (federal). Moreover, the maximum incremental 24-hour and annual PM_{10} impacts would be 0.64 $\mu\text{g}/\text{m}^3$ and 0.20 $\mu\text{g}/\text{m}^3$, respectively; impacts would be below the 24-hour PM_{10} threshold of 2.5 $\mu\text{g}/\text{m}^3$ and below the annual PM_{10} threshold of 1.0 $\mu\text{g}/\text{m}^3$. The Project operation maximum incremental 24-hour $\text{PM}_{2.5}$ impacts would be 0.39 $\mu\text{g}/\text{m}^3$, which would be below the 24-hour $\text{PM}_{2.5}$ threshold of 2.5 $\mu\text{g}/\text{m}^3$.

For the air quality receptors during Phase 2 of Project (buildout of the Project) operations, the incremental 1-hour NO_2 impacts, including background concentrations, would be a maximum of 0.16 ppm, which is below the State threshold of 0.18 ppm. The maximum 1-hour NO_2 concentrations (291 $\mu\text{g}/\text{m}^3$ or 0.16 ppm compared to the threshold of 0.18 ppm) occur to the southeast of the Airport and are mostly a result of aircraft departures. The maximum Project operation incremental annual NO_2 impacts, including background concentrations, would be 0.02 ppm, which is below the thresholds of 0.03 ppm (state) and 0.053 ppm (federal). Moreover, the maximum incremental 24-hour and annual PM_{10} impacts would be 0.98 $\mu\text{g}/\text{m}^3$ and 0.22 $\mu\text{g}/\text{m}^3$, respectively; impacts would be below the 24-hour PM_{10} threshold of 2.5 $\mu\text{g}/\text{m}^3$ and below the annual PM_{10} threshold of 1.0 $\mu\text{g}/\text{m}^3$. The Project operation maximum incremental 24-hour $\text{PM}_{2.5}$ impacts would be 0.83 $\mu\text{g}/\text{m}^3$, which would be below the 24-hour $\text{PM}_{2.5}$ threshold of 2.5 $\mu\text{g}/\text{m}^3$. Additionally, the maximum incremental SO_2 and CO impacts including background concentrations would be well below the significance thresholds.

Localized CO concentration levels were forecasted at the proposed Project's three most potentially impacted intersections using the CALINE-4 dispersion model developed by Caltrans, peak-hour traffic volumes, and conservative meteorological assumptions. Project generated traffic volumes are forecasted to have a negligible effect on the projected 1-hour and 8-hour CO concentrations at each of the three intersection locations analyzed. None of the proposed Project's studied intersections would exceed 400,000 vehicles per day. Additionally, none of the proposed Project's studied intersections worsen from C to D or increase the V/C ratio at any intersection rated D or worse by two percent or more.

An HRA was conducted for the proposed Project to address the potential for human health impacts associated with construction and operation of the proposed Project. The cancer risk for off-site worker receptors due to construction activities would be below the SCAQMD threshold of 10 per one million persons. Additionally, the chronic health impact due to construction activities at all off-site worker receptors would be below the Project-level threshold of a hazard index greater than 1. The cancer risk for residence, off-site worker receptor (such as office buildings, retail centers, hotels, hospitals), on-site worker terminal receptor, and on-site non-terminal worker receptor due

to operational activities of the proposed Project would be below the SCAQMD threshold of 10 per one million persons. Finally, the acute and chronic health impact due to operational activities at all sensitive receptors would be below the Project-level threshold of 1. As such, impacts would be less than significant. (Draft EIR at pages 5.2-74 – 5.2-87).

Less Than Significant Effects: AQ-4

The Project is not expected to result in other emissions, such as those leading to odors, adversely affecting a substantial number of people. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

The proposed Project does not contain land uses typically associated with emitting objectionable odors. Potential odor sources associated with the proposed Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities and the temporary storage of typical solid waste (refuse) associated with the proposed Project's (long-term operational) uses. Standard construction requirements would minimize odor impacts. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant. It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations. The proposed Project would also be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. As such, impacts would be less than significant. (Draft EIR at page 5.2-88).

5.4 Biological Resources

Less Than Significant Effects: BIO-2 –

The Project is not expected to have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

There are no blue-line streams within the Project site. The Project site is developed with airport and cargo operations and does not support any identifiable drainage courses, inundated areas, wetland features, hydric soils, or hydrogeomorphic features such as perennial creeks. There are no riparian corridors, creeks, or natural areas existing within or connecting the Project site to natural, undeveloped areas. The Cucamonga Channel adjacent to the eastern boundary of the Project site is identified as a riverine resource. However, the Cucamonga Channel is an open concrete box culvert and does not support riparian habitat or other sensitive natural plant communities. Therefore, impacts would be less than significant. (Draft EIR at pages 5.3-21 – 5.3-42).

Less Than Significant Effects: BIO-3

The Project is not expected to have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal,

filling, hydrological interruption, or other means. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

No inundated areas, wetland features, or wetland plant species that would be considered wetlands as defined by Section 404 of the Clean Water Act occur within the proposed Project footprint. As the proposed Project would utilize the existing drainage outlet points and implement BMPs to release stormwater at a controlled rate into the Cucamonga Channel, the proposed Project would not significantly impact the Cucamonga Channel. Should a new outlet into the Cucamonga Channel be needed for the proposed Project, the Cucamonga Channel is an open concrete box culvert and does not support riparian habitat, vegetation, other sensitive natural plant communities, or protected wetland. The proposed Project, utilizing the existing outlet points or a new outlet into the Cucamonga Channel, would not have a substantial adverse effect on state or federally protected wetlands. Therefore, impacts would be less than significant. (Draft EIR at pages 5.3-43 – 5.3-44).

Less Than Significant Effects: BIO-4

The Project is not expected to interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

According to the San Bernardino Countywide Plan, the Project site is not within a wildlife corridor or linkage. Additionally, according to the Ontario General Plan EIR, no regional wildlife movement corridors have been identified in the City. The Project site is developed with airport-related improvements and does not contain any wildlife corridors or linkages. Project implementation would be confined to developed areas on the Project site, which is away from regional wildlife corridors and linkages, such as the Santa Ana River. Project implementation would not directly impact existing wildlife movement opportunities. The segment of the Cucamonga Channel adjacent to the Project site is an open concrete box culvert surrounded by airport operations. It does not support plant communities suitable for use as a wildlife corridor nor connect two comparatively undisturbed habitat fragments. The proposed Project would not change the designated use of the channel as Open Space – Non-Recreation. The proposed Project would not substantially impair the Cucamonga Channel, wildlife movement opportunities, nor prevent local wildlife movement through the area. Therefore, impacts would be less than significant. (Draft EIR at pages 5.3-44 – 5.3-55).

Less Than Significant Effects: BIO-5

The Project is not expected to conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

The proposed Project's design would comply with the ONT Wildlife Hazard Management Plan, the ONT Rules and Regulations, and FAA Policy. The landscape trees for the proposed Project

would be Desert Museum Palo Verde, approved by OIAA in consultation with the United States Department of Agriculture (USDA) Wildlife Biologist. These trees would not cause more wildlife to occupy the Project site. Should birds or other wildlife be observed to be a hazard to flight operations, ONT Airside Operations staff shall report to FAA ONT Air Traffic Control Tower. Additionally, the proposed Project would require the removal of vegetation, including trees. As such, Project implementation would comply with all requirements specified in the City of Ontario Parkway Tree Regulations. If required, the proposed Project would maintain any parkway trees adjacent to the Project site to preserve a neat appearance and non-obstructed use of the realigned East Avion Street. Therefore, impacts would be less than significant. (Draft EIR at pages 5.3-45 – 5.3-46).

Less Than Significant Effects: BIO-6

The Project is not expected to conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

The Project site is not located within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan. Therefore, impacts would be less than significant. Draft EIR at page 5.3-47).

5.5 Cultural Resources

Less Than Significant Effects: CUL-1–

The Project is not expected to cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

The 1980s-era private jet center is not of sufficient age to be eligible for listing in the National Historic Preservation Act (NRHP), California Register of Historical Resources (CRHR), or as local Ontario Landmarks/Historic Districts, based on the records search, research, field survey, and applicable cultural resource codes and regulations. the Ontario ANG hangar and the GE maintenance facility are not eligible for either the NRHP or CRHR. The Ontario ANG hangar is not eligible for listing as an Ontario Historic Landmark. It is not considered a significant historic resource under any of the NRHP criterion analyzed in the Draft EIR, nor within the CRHR. The Ontario Historic Landmark criteria is nearly identical to the NRHP and CRHR criteria, with Criteria 1 and 2 directly relating to meeting the NRHP or CRHR criteria, respectively. Therefore, the Ontario ANG hangar is not eligible for listing in either the NRHP or CRHR.

Further, the GE maintenance facility is not considered a significant historic resource under any of the NRHP criterion analyzed in the Draft EIR, nor within the CRHR. The Ontario Historic Landmark criteria is nearly identical to the NRHP and CRHR criteria, with Criteria 1 and 2 directly relating to meeting the NRHP or CRHR criteria, respectively. As previously discussed, the GE

maintenance facility is not eligible for listing in either the NRHP or CRHR. Therefore, the GE maintenance facility is not eligible for listing as an Ontario Landmark/Historic District.

As such, they are not historical resources as defined by CEQA and the Project would not directly or indirectly impact any historical resources on the Project site and surrounding area. Therefore, impacts to historical resources during construction and operation of the proposed Project would be less than significant. (Draft EIR at pages 5.4-28 – 5.4-34).

Less Than Significant Effects: CUL-3

The Project is not expected to disturb any human remains, including those interred outside of formal cemeteries. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

The Project site is not a dedicated graveyard or cemetery. Additionally, according to the Native American Heritage Commission (NAHC) Sacred Lands Inventory search, the Project site is not cataloged as a Native American sacred or cultural place of special religious or social significance, which would include graves and cemeteries. Based on the developed condition of the Project site and its historic use as farmland, it is very unlikely that human remains would be discovered at the Project site. In the event human remains were discovered during construction ground disturbance activities, the proposed Project would be required to comply with California Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98, and CEQA Guidelines Section 15064.5, which provide guidance on the discovery of human remains and its treatment or disposition, with appropriate dignity. Therefore, impacts would be less than significant. (Draft EIR at pages 5.4-35 – 5.4-36).

5.6 Energy

Less Than Significant Effects: ENE-1

The Project is not expected to result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

During construction, energy would be consumed in the form of electricity associated with the conveyance of water used for dust control, and on a limited basis, powering lights, electronic equipment, or other construction activities necessitating electrical power. An on-site asphalt/concrete recycling operation is proposed on the south side of East Avion Street on a partially paved and flat parcel that is flanked by East Mission Boulevard (and railroad tracks) to the south and industrial abandoned (industrial) uses on either side (which is within the Project site). The recycling operations would reduce the total vehicle miles traveled needed for asphalt/concrete delivery trucks. Moreover, PDF AQ-1 requires the use of Tier 4 off-road equipment during construction, which is more fuel efficient than lower tiered equipment. Due to the temporary nature of the construction process, and the fact that the extent of energy consumption is inherent to construction projects of this size and nature, the proposed Project would not result in inefficient or unnecessary consumption of energy resources during construction.

The proposed Project incorporates sustainable project design features and technology in both design and operation. The Air Cargo Sort Building would meet LEED certification standards and would be all-electric (no natural gas usage). The Project would install a 3.8-Megawatt Solar PV Panel system on the rooftops of the Air Cargo Sort Building and the parking structure. The proposed Project, at full buildout, would include the use and operation of electric-powered equipment, including forklifts, loaders, tugs, ground power units, and ramp support (vans/carts) that would be stored and charged in designated areas in the cargo building and aircraft apron. (see PDF AQ-3). Moreover, a portion of the proposed Project's aviation operations would include electric cargo planes (see **Table 3.4** in **Section 3.0: Project Description**, of the Draft EIR and PDF AQ-4), for which charging stations would be provided in the southeast corner of the Project site. The civil operation of Alice Electric cargo aircraft is subject to FAA certification. For that reason, a footnote has been added in Table 3.4 in Section 3.0: Project Description in the Draft EIR to clarify that the inclusion of Alice Electric cargo aircraft as part of the proposed Project fleet is subject to its certification by the FAA. A new substation proposed by Southern California Edison (SCE) for the proposed Project would be located to the west of the parking structure. As such, the proposed Project would not result in inefficient or unnecessary consumption of energy resources during operation. Therefore, impacts would be less than significant. (Draft EIR at pages 5.5-23 – 5.5-28).

Less Than Significant Effects: ENE-2

The Project is not expected to conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

The proposed Project incorporates sustainable project design features and technology in both design and operation. The Aviation and Ground Access appendix to the RTP/SCS has air cargo forecasts and SCAG modeling estimates truck trips for the 5 busiest airports in the region and Ontario is one of these airports. As shown in Table 14 in the Aviation and Ground Access appendix, SCAG identifies 900 daily truck trips for Ontario Airport in 2016 and projects 1,725 daily truck trips in 2045. The proposed Project would generate 450 additional truck trips per day, an amount that is within, and consistent with, the 2045 truck trip estimate for Ontario Airport. As such, the proposed Project would accommodate the regional movement of goods per SCAG projections. Additionally, the proposed Project would not conflict with the energy policies within the City's general plan and the Environmental Resources Element of the Ontario Plan. As such, the proposed Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Therefore, impacts would be less than significant. (Draft EIR at pages 5.5-28 – 5.5-30).

5.7 Energy (Cumulative)

Less Than Significant Effects:

The Project's cumulative contribution to energy would not be cumulatively considerable. Therefore, impacts related to cumulative energy impacts would be less than significant.

Facts in Support of Findings:

Electricity within the City is supplied by SCE. The geographic scope for cumulative electricity impacts is SCE's electricity service area. Development of the proposed Project and related projects could cumulatively increase demands on the existing electricity supply. However, each project will require a site-specific assessment to determine any impacts to existing and forecasted electricity supply. Specifically, all related projects would be required to assess construction and operational electricity usage and coordinate with SCE prior to project approval.

The proposed Project would include a 3.8-Megawatt Solar PV Panel system on the rooftops of the Cargo Sort Building and the Parking Structure. The proposed Project would also include the use and operation of electric-powered equipment. (see PDF AQ-3). Moreover, a portion of the proposed Project's aviation operations would include electric cargo planes (see **Table 3.4** in **Section 3.0: Project Description**, of the Draft EIR and PDF AQ-4), for which charging stations would be provided in the southeast corner of the Project site. The civil operation of Alice Electric cargo aircraft is subject to FAA certification. For that reason, a footnote has been added in Table 3.4 in Section 3.0: Project Description in the Draft EIR to clarify that the inclusion of Alice Electric cargo aircraft as part of the proposed Project fleet is subject to its certification by the FAA. Electric charging stations would also be provided in the employee and visitor parking lots, and truckyard. As discussed above, the proposed Air Cargo Sort Building would meet LEED certification standards and would be all-electric (no natural gas usage). Further, like the proposed Project, other related projects would be required to incorporate energy conservation features in order to comply with applicable mandatory regulations including CALGreen and State energy standards in Title 24, and incorporate mitigation measures, as necessary. Therefore, the proposed Project's impacts related to the consumption of electricity would not be cumulatively considerable and its cumulative impact would be less than significant.

The geographic scope for cumulative transportation fuel impacts is the SCAG region. As discussed previously, the proposed Project would generate 450 additional truck trips per day, an amount that is within, and consistent with, the 2045 truck trip estimate for Ontario Airport under SCAG's RTP/SCS. As such, the proposed Project would accommodate the regional movement of goods per SCAG projections. The proposed Project also would incorporate various design elements to enhance the efficiency of fuel consumption. (see PDF AQ-2 through PDF AQ-5 and PDF AQ-8). In addition, during the operational lifetime of the proposed Project and related projects, newer vehicles sold on the market would be required to comply with the latest engine efficiency and fuel economy standards, which are reasonably expected and projected to incrementally take effect. Accordingly, fuel consumption is anticipated to decrease each year through implementation of regulation that require higher energy efficiencies and higher efficiency, alternative-fueled vehicles. Similarly, efforts made by the FAA and SFO to increase usage of alternative jet fuels are expected to occur during the lifetime of the proposed Project. Therefore, the proposed Project's impacts related to the consumption of transportation fuels would not be cumulatively considerable and its cumulative impact would be less than significant. (Draft EIR at pages 5.5-30 – 5.5-31).

5.8 Geology and Soils

Less Than Significant Effects: GEO-1(i.)

The Project is not expected to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

As indicated in the Geotechnical Study (see **Appendix 5.6-1**, of the Draft EIR), active or potentially active faults are not known to exist on or trend toward the Project site. There are several active faults surrounding the Project site to the north, east, south, and west, within the Upper Santa Ana River Valley. The Project site is not located within a designated Alquist-Priolo Earthquake Hazard Zone. The proposed Project would adhere to the appropriate engineering design measures as required by the latest Standard Specifications for Public Works Construction (Greenbook) and CBC. Therefore, impacts would be less than significant. (Draft EIR at pages 5.6-14 – 5.6-15).

Less Than Significant Effects: GEO-1(iv.)

The Project is not expected to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

There is a potential for ground lurching due to an earthquake. Based on the California Department of Conservation Landslide Inventory, the Project site is not located in an area that is susceptible to landslides. As such, the potential for landslides at the Project site is very low. Therefore, impacts would be less than significant. (Draft EIR at pages 5.6-18 – 5.6-19).

No Effects: GEO-5

The Project is not expected to have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

The proposed Project will connect to the City's sewer system and will not require the use of septic tanks or alternative wastewater disposal systems. Therefore, the proposed Project will have no construction or operational impacts with respect to site soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems. Therefore, impacts would be less than significant. (Draft EIR at page 5.6-27).

5.9 Hazards and Hazardous Materials

Less Than Significant Effects: HAZ-1

The Project is not expected to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

The use, storage, transport, and disposal of construction and operation related hazardous materials would be required to conform to existing laws and regulations. Furthermore, strict adherence to all emergency response plan requirements set forth by San Bernardino County Fire Protection District (SBCFPD) and the Ontario Fire Department would be required through the duration of the proposed Project construction phase. The materials used during construction would not be in such quantities or stored in such a manner as to pose a significant safety hazard. Activities requiring use of hazardous materials would also be short term in nature or single-use instances and would cease upon completion of the proposed Project's construction phase. Project construction workers would also be trained in safe handling and hazardous materials use.

Project operations activities associated with the proposed Project would not involve the use of unusually high quantities of any materials identified as hazardous. Consistent with existing and former Airport operations for the delivery of fuel for aeronautical activities, Project operation would involve ground transport of fuels and other materials related to air cargo transport. Project operation would involve ground transport of fuels and other materials related to air cargo transport. For Phase 1, while the underground fuel pipeline and fueling hydrants are being completed, fuel trucks would be utilized to transport aircraft fuel from the existing Airport fuel farm to the proposed Project site. Aircraft fuel trucks would operate in compliance with the fueling operations and fuel spills rules set forth in the Ontario International Airport Rules and Regulations to minimize the risk of fuel release. Therefore, implementation of the proposed Project would result in less than significant impacts related to the routine transport, use, or disposal of hazardous materials; no mitigation is required. (Draft EIR pages 5.8-30 – 5.8-32).

Less Than Significant Effects: HAZ-3

The Project is not expected to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

There are no schools located within 0.25 miles of the Project site. The nearest school to the Project site is Bon View Elementary School located approximately two (2) miles southwest. The proposed Project would not pose a significant risk of hazardous emissions or significant handling of hazardous materials or substances within one-quarter mile of an existing or proposed school. Therefore, impacts would be less than significant. (Draft EIR at page 5.8-39).

Less Than Significant Effects: HAZ-4

The Project is not expected to be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

The Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would also not be affected or impacted by contamination identified in the general vicinity of the proposed Project site. For these reasons, the proposed Project would not create a significant hazard to the public or the environment. Impacts would be less than significant. (Draft EIR at pages 5.8-39 – 5.8-40).

Less Than Significant Effects: HAZ-6

The Project is not expected to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

The proposed Project is not located along interstates within the City that would serve as major emergency response and evacuation routes. During construction and long-term operation of the proposed Project, adequate emergency access for emergency vehicles would be maintained along public streets that abut the Project site. The proposed Project would not, therefore, impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, impacts would be less than significant. (Draft EIR at pages 5.8-43 – 5.8-44).

No Effects: HAZ-7

The Project is not expected to expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

The Project site is in a Local Responsibility Area and classified by CAL FIRE as non-VHFHSZ (non-very high fire hazard severity zone). The site and surrounding areas are flat and developed with urban uses that would not contribute to the uncontrolled spread of wildfire or exacerbate potential wildfire risks, including downslope flooding and landslides caused by runoff, slope instability, or drainage changes from wildfire. Furthermore, as further discussed above, the proposed Project would not impair adopted emergency response and evaluation plans. Therefore, the proposed Project would not result in, or be subject to, significant effects related to wildfire risk. Therefore, no impacts would occur. (Draft EIR at page 5.8-44).

5.10 Hydrology

Less Than Significant Effects: HYD-1

The Project is not expected to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

The proposed stormwater treatment system for the proposed Project would target and reduce pollutants of concern in runoff from the proposed Project site in compliance with the San Bernardino County MS4 permit requirements. Submittal and implementation of the SWPPP, and the erosion control plan prior to the construction phase of the proposed Project would address the potential for construction of the Project to affect water quality. The proposed Project would comply with all applicable regional and local water quality standards and waste discharge requirements as stated above in the Regulatory Setting, including the MS4 permit and NPDES permit. Compliance with the regulatory requirements and conditions of the San Bernardino County MS4 Permit as well as the Construction General Permit, including incorporation of operational BMPs to target pollutants of concern, would ensure that water quality impacts, degradation of water quality, increased pollutant discharge, alteration of receiving water quality, or impacts on surface water quality to marine, fresh, or wetland waters during Project operation would be less than significant. (Draft EIR at pages 5.9-21 – 5.9-27).

Less Than Significant Effects: HYD-2

The Project is not expected to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

A Water Supply Assessment (WSA) was prepared for the Project site to determine if the water demand during operation of the proposed Project would be sufficiently accommodated by the existing system within the City.⁴ The WSA concluded that the City would have sufficient water supplies available during normal, single dry, and multiple dry years through the year 2045 to meet all projected water demands associated with its existing and future customers, including the proposed Project. Additionally, there are no existing wells on the Project site and construction and operation of the proposed Project would not include groundwater extraction. For these reasons, the proposed Project will not impede sustainable groundwater management of the Chino Basin and Project impacts related to a decrease in groundwater supplies or interference with groundwater recharge would be less than significant. (Draft EIR at pages 5.9-27 – 5.9-29).

Less Than Significant Effects: HYD-3(i.)

The Project is not expected to substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

The Construction General Permit requires preparation of a SWPPP. The SWPPP would detail erosion control and sediment control BMPs to be implemented during construction to minimize erosion and retain sediment on site. With compliance with the regulatory requirements and conditions of the Construction General Permit, and with implementation of the construction BMPs, construction impacts related to on-site, off-site, or downstream erosion or siltation would be less than significant. Furthermore, the collection, treatment, and controlled release of stormwater runoff in the proposed Project's planned underground water treatment facility to the drainage channels would ensure that runoff from the site does not remove significant amounts of sediment into the drainage channels and result in substantial erosion or siltation on the site. Impacts would be less than significant. (Draft EIR at pages 5.9-29 – 5.9-31).

Less Than Significant Effects: HYD-3(ii.)

The Project is not expected to substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

With the implementation of specified BMPs and detention features, the proposed Project would not substantially increase the rate or amount of surface runoff in a manner that would result in on- or off-site flooding. Also, the site design LID features and on-site detention facilities would ensure that stormwater runoff does not exceed the capacity of the City's storm drain system, which includes the Airport. As the runoff from the Project site would be collected by the new Avion Street drainage facilities, the proposed Project would not result in or contribute to flooding. For these reasons, impacts to related to increase in runoff resulting in flooding would be less than significant. (Draft EIR at pages 5.9-31 – 5.9-33).

Less Than Significant Effects: HYD-3(iii.)

The Project is not expected to substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

Project construction would comply with the requirements of the Construction General Permit and would include the preparation and implementation of a SWPPP and applicable BMPs. The incorporation of the proposed operational BMPs would allow the proposed Project to comply with San Bernardino County drainage requirements. Furthermore, on-site stormwater detention facilities including underground storage would be included in the proposed Project to reduce the amount of additional runoff into the new Avion Street drainage facilities. Operational impacts related to creation or contribution of runoff water that would exceed the capacity of existing, or

planned stormwater drainage systems or provide substantial additional sources of polluted runoff, would be less than significant. (Draft EIR at pages 5.9-33 – 5.9-34).

Less Than Significant Effects: HYD-3(iv.)

The Project is not expected to substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would Substantially increase the rate or amount of surface runoff in a manner which would Impede or redirect flood flows. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

The entire Project site would potentially be subject to inundation by 100-year storm floodwaters at depths of one foot or less. The proposed Project would be required to address these potential flood hazards as stated in Ontario Municipal Code Section 8-13.501: Standards of construction. Additionally, the proposed Project would include an underground stormwater detention and infiltration which would discharge stormwater at a controlled rate not greater than 24 cfs for the main portion of the Project site and 9 cfs for the portion of the Project site for the proposed parking garage (for the 100-year storm) into a new East Avion Street drainage system that will be completed prior to the opening of the proposed Project and into Cucamonga Channel. Based on these design conditions, the proposed Project impacts related to impeding or redirecting flood flows would be less than significant. (Draft EIR at pages 5.9-34 – 5.9-35).

Less Than Significant Effects: HYD-4

The Project is not expected to risk release of pollutants due to Project inundation. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

There are no open bodies of water in the vicinity of the Project site and the proposed Project is therefore not located within an inundation zone of a seiche. The Project site is located approximately 36 miles east of the Pacific Ocean and is not located within a tsunami inundation zone, according to the California Department of Water Resources. The proposed Project would also keep the storage of potentially hazardous materials on-site to a minimum, which would reduce the potential for hazardous materials to be released into surface water during flooding. With implementation of existing regulations to reduce flood hazards, risk of release of pollutants due to Project inundation would be less than significant. (Draft EIR at pages 5.9-35 – 5.9-36).

Less Than Significant Effects: HYD-5

The Project is not expected to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

Adherence to the regulatory requirements and conditions of the State General Construction Permit, implementation of the SWPPP, and adherence to the City's Erosion and Sediment Control Plan requirements, would ensure that surface and groundwater quality are not adversely impacted

during construction. In addition, implementation of the LID and BMP measures at the site, including catch basins, underground detention, and sediment filtration chambers, would ensure that water quality would not be impacted during the operation of the proposed Project. As a result, site development would not obstruct or conflict with the implementation of the Santa Ana River Basin Water Quality Control Plan. The Project would not obstruct or conflict with the Chino Basin Optimum Basin Management Program (OBMP), applicable water quality control plans, or applicable sustainable groundwater management plans. Therefore, impacts would be less than significant. (Draft EIR at page 5.9-36).

5.11 Hydrology (Cumulative)

Less Than Significant Effects:

The Project's cumulative contribution to hydrology would not be cumulatively considerable.

Facts in Support of Findings:

Cumulative projects within the Chino Basin Watershed could increase impervious areas and increase stormwater runoff rates. However, all projects within the watershed would be required to prepare and implement WQMPs that include provisions for the capture and infiltration of runoff or the temporary detention of stormwater runoff so that post-development runoff discharges do not exceed pre-development runoff rates, in accordance with the NPDES and MS4 permits. The Project would increase the area of impervious surface on site and increase the amount of localized runoff during a storm event. However, the peak flow rate would not substantially increase due to the proposed underground storage and infiltration chamber, which would reduce the peak flow rate to a maximum of 24 cfs for the main site and 9 cfs for the parking garage. With implementation of the required BMPs such as underground storage and filters, impacts related to a substantial increase in the rate or amount of surface runoff, flow, and volume that would result in flooding or reduced surface water quality, would be less than significant. Related projects have the potential to generate pollutants during project construction and operation. All construction projects that disturb one acre or more of land would be required to prepare and implement project-specific SWPPPs in order to obtain coverage under the Statewide GCP. All projects within the watershed would also be required to prepare and implement WQMPs specifying BMPs, including LID measures, which would be applied during project design and project operation to minimize water pollution from project operation. Compliance with these existing regulatory requirements will ensure that no significant cumulative impacts would result from the Project, related projects and other growth, and the Project's contribution to cumulative impacts will not be cumulatively considerable. (Draft EIR at page 5.9-37).

5.12 Noise

Less Than Significant Effects: N-1

The Project is not expected to generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

Construction noise levels would not exceed the significance threshold at the nearby sensitive receptors. Additionally, roadway noise levels would not create a readily perceptible increase of 5 dBA or greater at locations where ambient noise levels are less than 60 dBA; a barely perceptible increase of 3 dBA or greater at locations where ambient noise levels range from 60 to 65 dBA; and community noise level impact increase of 1.5 dBA or greater at locations where ambient noise levels already exceed 65 dBA. (Draft EIR at pages 5.10-35 – 5.10-44).

Less Than Significant Effects: N-2

The Project is not expected to generate excessive groundborne vibration or groundborne noise levels. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

The forecasted vibration levels due to on-site construction activities would not exceed the strictest building damage significance threshold of 0.12 PPV ips for all Project-identified sensitive receptors due to distance, changes in elevations, and intervening structures. Based on FTA published vibration data, the anticipated ground vibration environment in the Project vicinity would be below the perceptible levels. As such, impacts related to building damage from operational groundborne vibration would be less than significant. (Draft EIR at pages 5.10-44 – 5.10-45).

5.13 Public Services

Less Than Significant Effects: PUB-1(i.)

The Project is not expected to result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

The existing Ontario Fire Department (OFD) facilities, Station 10, meet current and future needs for fire protection services, including the needs of the proposed Project. Due to Station 10's proximity to the Project site, a potential response to the Project site would be less than three minutes. The existing fire protection equipment and services offered at Station 10 are sufficient to accommodate the proposed Project. Demolition and construction activities would comply with all applicable California Fire Code requirements.

During operation, the primary need for fire services at the Project site would relate to fires and potential incidents involving hazardous materials by aircraft ground operations, aircraft fueling, the storage of cleaning and maintenance materials, and the handling of cargo within the facility. The proposed structures would be built to current fire codes and standards, and would have fire extinguishers, wet and dry sprinkler systems, pre-action sprinkler systems, fire alarm systems, fire pumps, backflow devices, and clean agent waterless fire suppression systems pursuant to the

California Fire Code, CBC, City of Ontario Fire Code, OIAA, and other applicable regulations regarding fire safety. (Draft EIR at pages 5.11-14 – 5.11-17).

Less Than Significant Effects: PUB-1(ii.)

The Project is not expected to result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

The Ontario Police Department (OPD) currently patrols the Project site for suspicious persons and trespassing. The Airport Operations Bureau (AOB) would respond to calls for service requiring a police response. The response time to the Project site would vary by type of call and location of OPD officers. Emergency calls would have officers at the site within one to ten minutes. Non-emergency calls are immediately responded to if there are available officers. During construction, the entire construction area would be fenced off. No access would be allowed into the airfield and other secured Airport areas from the construction site, and access in and out would be limited to one to two access points that would be gated and secured by a security guard. Once constructed, the property would be fully secured, with limited access into the Air Cargo Sort Building. The Air Cargo Sort Building would also include areas for facility security, administered by TSA, FAA, and OIAA. Fencing would be installed along the perimeter of the property in accordance with airport standards. The entire Project site, including the interior and exterior of the cargo building and parking garage on the south side of East Avion Street would be installed with security cameras, alarm systems, and adequate lighting for operations during the day and nighttime security.

Construction of Phase 2 of the proposed Project would require the relocation of the AOB K-9 Substation, currently located in the OIAA administrative offices on East Avion Street, to a vacant hangar on the north side of the Airport prior to the start of Phase 2. The relocation of the K9 substation would not impact response times, which would remain between 1 and 10 minutes. The relocation to the vacant hangar would not result in a substantial adverse physical impact. Therefore, impacts would be less than significant, and no mitigation is required. (Draft EIR at pages 5.11-17 – 5.11-19).

5.14 Public Services (Cumulative)

Less Than Significant Effects:

The Project’s cumulative contribution to public services would not be cumulatively considerable.

Facts in Support of Findings:

The geographic area for cumulative impact analysis is the service areas of OFD and OPD. As discussed above, the proposed Project would not significantly impact OFD and OPD facilities or reduce their existing service ratios, staffing levels, or performance objectives, which could result in the need for new facilities or the expansion of existing facilities for which environmental impact analysis would be required. If the City determines that new facilities are necessary at some point in the future, such facilities (1) would occur where allowed under the designated land use, (2)

would be expected to be located on parcels that are infill opportunities on lots that are typically between approximately 0.5 to 2 acres in size, and (3) would likely qualify for a Categorical Exemption under CEQA Guidelines Section 15301 or 15332, Negative Declaration or Mitigated Negative Declaration, and would not be expected to result in significant impacts. Accordingly, the potential need for additional fire protection services is not an environmental impact that the Project would be required to mitigate. Therefore, no significant cumulative impacts will result from the Project, related projects, and other growth, and the Project's contribution to cumulative impacts will not be cumulatively considerable. (Draft EIR at page 5.11-20).

5.15 Transportation

Less Than Significant Effects: TRA-1

The Project is not expected to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

Truck trips during construction would comply with truck route requirements identified within the Ontario Plan. Construction of the proposed Project would not conflict with any program, plan, ordinance, or policy related to roadway facilities. The addition of proposed Project traffic is forecast to add delay to one intersection, Archibald Avenue at Mission Boulevard, under the Opening Year (2025) Plus Phase 1 Project Conditions scenario. Improvements, consisting of adding a dedicated left-turn pocket for the southbound approach with protected left-turn phasing for the northbound and southbound left-turn phases are identified that will improve operating conditions at this intersection to better than pre-Project conditions. Additionally, Archibald Avenue is programmed in the SCAG RTP to be widened to six lanes in each direction which is greater than the improvements identified as needed to improve this intersection to better than pre-Project conditions. As such, the proposed Project would not conflict with any standard related to roadway facilities or services under Phase 1 Opening Year (2025) Conditions with the implementation of recommended roadway improvements. Roadway facilities improvements to Intersection 1, Euclid Ave/SR-83 at Mission Boulevard and Archibald Avenue at Mission Boulevard, would occur as part of the proposed Project to be completed by Phase 2 Opening Year (2029). The improvements would optimize signal timing, improving intersection operations to better than pre-Project conditions, consistent with the Ontario Plan and CMP requirements related to LOS at Intersection 1, Euclid Ave/SR-83. The improvements for the intersection of Archibald Avenue at Mission Boulevard recommended for Opening Year (2025) Plus Phase 1 Project Conditions would also improve Opening Year (2029) Plus Phase 1 and Phase 2 Project Conditions to better than pre-Project conditions during both peak hours. Additionally, Cumulative Year (2040) roadway improvements, as part of the proposed Project, include intersection realignments and widening. Intersection 1, Euclid Avenue/SR-83 at Mission Boulevard, Intersection 5, Grove Avenue at Mission Boulevard, and Intersection 26, Airport Drive at Haven Avenue, would include lane configurations that would improve intersection operations to acceptable conditions. Storage capacities for all SR-60, I-10, and I-15 off ramps in the Study Area do not exceed the storage capacity defined by Caltrans (see **Appendix 5.12-1**, of the Draft EIR). As such, the proposed Project would not conflict with any program, plan, ordinance, or policy related to roadway facilities or services.

Construction of the proposed Project may result in temporary effects on adjacent streets, including effects from any temporary lane closures needed. Transit facilities would not substantially change during construction of the proposed Project. Construction of the proposed Project would not conflict with a conflict program, plan, ordinance, or policy related to transit facilities. The proposed Project would not substantially change or eliminate bus facilities or transit routes, nor would it conflict with a policy or program related to transit access.

Bicycle facilities are not proposed and would not change as part of the proposed Project. Temporary construction impacts to bicycle facilities may occur during construction as a result of potential lane closures for roadway improvements. Construction of the proposed Project would not conflict with any program, plan, ordinance, or policy related to bicycle facilities. The proposed Project does not include any changes to proposed or existing bicycle facilities. The proposed Project would not conflict with any existing or planned bicycle facilities. The proposed Project is consistent with the adopted plans regarding bicycle facilities and is not expected to decrease the performance or safety of these facilities.

Pedestrian facilities would have temporary construction impacts during construction as a result of potential sidewalk closures for roadway improvements. Construction of the proposed Project would not conflict with any program, plan, ordinance, or policy related to pedestrian facilities. There are no proposed pedestrian facilities on Avion Street or Avion Drive outside the proposed Project area. The proposed Project would not conflict with any existing or planned pedestrian and bicycle facilities. The proposed Project is consistent with the adopted plans regarding pedestrian facilities and is not expected to decrease the performance or safety of these facilities. (Draft EIR at pages 5.12-33 – 5.12-60).

Less Than Significant Effects: TRA-3

The Project is not expected to substantially increase hazards due to a geometric design feature or incompatible uses. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

The proposed Project includes the realignment of and widening of arterial roadways and intersections. The existing roadway network consists of industrial-scaled, block-defining thoroughfares that enable goods movements to and from the Project site and functions well for pedestrians, bicyclists, drivers, transit users, and those operating emergency vehicles. The proposed roadway network identifies access points on the surrounding streets at appropriate locations that would not create any hazards. This includes new driveways to access the proposed Project along East Avion Street. All roadway and driveway improvements would comply with federal, State, and local design and safety standards. All driveway access points are perpendicular to the public right-of-way and adequately spaced from existing signalized intersections. No pedestrian or bicycle facilities are proposed for East Avion Street. All sidewalk and crosswalk improvements as a result of roadway improvements would comply with federal, State, and local design and safety standards. Further, the proposed air cargo facility uses are consistent with surrounding uses. Phase 2 Opening Year (2029) would include roadway improvements to Improvements to Intersection 1, Euclid Avenue/SR-83 at Mission Boulevard. The improvements for the intersection of Archibald Avenue at Mission Boulevard recommended for Opening Year

(2025) Plus Phase 1 Project Conditions would also improve Opening Year (2029) Plus Phase 1 and Phase 2 Project Conditions to better than pre-Project conditions during both peak hours.

Cumulative Year (2040) roadway improvements, as part of the proposed Project, include intersection realignments and widening. Intersection 1, Euclid Avenue/SR-83 at Mission Boulevard, Intersection 5, Grove Avenue at Mission Boulevard, and Intersection 26, Airport Drive at Haven Avenue, would include lane configurations that would improve intersection operations to acceptable conditions. Accordingly, the Proposed Project would not create or substantially increase safety hazards due to a design feature or incompatible use. The proposed Project does not increase hazards due to a geometric design feature. (Draft EIR at pages 5.12-66 – 5.12-67).

Less Than Significant Effects: TRA-4

The Project is not expected to result in inadequate emergency access. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

No hazards would be associated with construction of the proposed Project. All proposed Project-related construction traffic would be required to comply with a temporary traffic control plan that meets the applicable requirements of the California Manual on Uniform Traffic Control Devices. The proposed Project would maintain adequate emergency access during construction. Primary access to the proposed Project area is proposed from East Avion Street. The proposed Project would provide emergency access on East Avion Street to major arterials Archibald Avenue, Jurupa Street, and Vineyard Avenue. The location and design of these access points would be adequate for emergency access. The proposed roadway network improvements would not result in inadequate emergency access to the site and would not impede existing emergency access to the existing surrounding uses. (Draft EIR at page 5.12-68).

5.16 Utilities

Less Than Significant Effects: U-1

The Project is not expected to require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

Short-term construction activities would require minimal water and are not expected to have any adverse impacts on the existing water system or available water supplies. During operation, the Air Cargo Sort Building would be connected to the existing 16-inch water main along East Avion Street. Water would be supplied to the Air Cargo Sort Building, parking garage, and aircraft apron, for consumption as well as fire suppression. The projected water demand for the Project site in the 2020 UWMP is sufficient to account for the water needed for the Project. The proposed Project would not require the construction of new or expanded water conveyance, treatment, or collection facilities. The impacts on water facilities during construction and operation would be less than significant, and no mitigation is required.

Additionally, based on the available sewer line and wastewater treatment capacity, the proposed Project would not require the construction of new or expanded water conveyance, treatment, or collection facilities, and impacts would be less than significant. The Project would implement LID features and stormwater effluent from the Project site during construction and operation, which would be stored and discharged at a controlled rate (not greater than 24 cfs for the main portion of the Project site and 9 cfs for the portion of the Project site for the proposed parking garage), the proposed Project would not require the construction of new or expanded water conveyance, treatment, or collection facilities and impacts would be less than significant. Phase 1 of the proposed Project would require approximately 8.5 MW of power. Phase 2 of the proposed Project would require approximately 2.85 MW of power at buildout. An additional 10 percent of other miscellaneous loads is needed for the proposed Project. At full development, the proposed Project would require approximately 12.4 MW of power. A new substation is being planned by SCE, as a part of the proposed Project, to meet the need for additional power for the proposed Project. This 135-foot by 160-foot proposed substation will be located on previously disturbed areas within the Project site. The Air Cargo Sort Building would not utilize natural gas. Therefore, the proposed Project would not require the construction of new or expanded natural gas facilities and impacts would be less than significant. Construction and operation of the proposed Project would not necessitate the construction of off-site telecommunication facilities that would have the potential to cause significant environmental impacts. The proposed Project would not require the construction of new or expanded telecommunications facilities and impacts would be less than significant. (Draft EIR at pages 5.14-21 – 5.14-27).

Less Than Significant Effects: U-2

The Project is not expected to have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

Based on the information provided in the 2020 UWMP and Project-specific water demand, the OMUC's projected water supplies will be sufficient to satisfy the demands of the proposed Project, in addition to existing and planned future uses under normal, dry, and multiple dry water years. Therefore, impacts would be less than significant. (Draft EIR at pages 5.14-27 – 5.14-30).

Less Than Significant Effects: U-3

The Project is not expected to result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's Projected demand in addition to the provider's existing commitments. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

The proposed Project would constitute approximately 0.28 percent of the total daily wastewater capacity for Regional Plant 1. Considering this facility is already operating below its maximum capacity, the proposed Project would not have significant effect on the processing capacity. Therefore, the proposed Project would not require the construction of new wastewater treatment

facilities or expansion of facilities, the construction of which could cause significant environmental effects and impacts would be less than significant. (Draft EIR at page 5.14-30).

Less Than Significant Effects: U-4

The Project is not expected to generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

Phase 1 demolition would generate approximately 192,484 square feet of building debris and 2,047,320 square feet of concrete and asphalt paving. Phase 2 demolition would generate approximately 432,295 square feet of building debris and approximately 1,045,440 square feet of concrete and asphalt paving. The building debris would need to be removed and disposed of off-site. The concrete and asphalt paving debris would be recycled for use on the site. It is expected that all pavement found suitable for recycling and reuse would be recycled on-site.

Demolition and disposal of demolition debris would be conducted in accordance with applicable laws and regulations, including Ontario Municipal Code Section 6-3.602, Construction & Demolition Recycling Plans, and the 2019 California Green Building Standards Code with regard to the diversion of recyclable material away from landfills, as well as South Coast Air Quality Management District Rule 403 regarding the generation of fugitive dust at construction sites. The proposed Project will also meet the City’s current and future recycling goals during operation and meet the City’s waste management ordinance to divert at least 65 percent of potential waste disposal. As such, the proposed Project would not create a significant impact on solid waste generation. (Draft EIR at pages 5.14-30 – 5.14-32).

Less Than Significant Effects: U-5

The Project is expected to comply with federal, state, and local management and reduction statutes and regulations related to solid waste. Therefore, impacts would be less than significant, and no mitigation is required.

Facts in Support of Findings:

The proposed Project would be consistent with the applicable regulations associated with solid waste. The proposed Project would also comply with AB 939, AB 341, AB 1826, SB 1383, and City waste diversion goals as presented in the Ontario Municipal Code, as applicable. Since the proposed Project would comply with federal, State, and local statutes and regulations related to solid waste, impacts would be less than significant. (Draft EIR at pages 5.14-32 – 5.14-33).

5.17 Utilities (Cumulative)

Less Than Significant Effects:

The Project’s cumulative contribution to utilities would not be cumulatively considerable.

Facts in Support of Findings:

Compliance of the proposed Project and related projects with regulatory requirements that promote water conservation such as the Ontario Municipal Code, the California Green Building Code, as well as AB 32, would assist in ensuring that adequate water supply is available on a cumulative basis. According to the City's 2020 UWMP, the City has adequate supplies to serve 100 percent of its customers during normal, dry year, and multiple dry year demand through 2045 accounting for projected population increases and corresponding increases in water demand. Projected water demand for the Project was included in the 2020 UWMP projections based on the General Plan land use designation for "Industrial" uses. The Project would consist of 857,762 square feet of warehouse and office space in the Air Cargo Sort Building. The remainder of the site acreage would consist of aircraft uses and truckyard and visitor parking. The projected water demand for the Project is 0.48 percent of the water demand for the land use that was accounted for in the 2020 UWMP.

Wastewater generated by the proposed Project would be processed at the RP-1 treatment plant. RP-1 treats an average influent of wastewater flow of approximately 28 mgd. The hydraulic design can treat domestic sewage of up to 44 mgd and 60 mgd of solids. Moreover, this facility is currently operating below its maximum capacity. The proposed Project's wastewater would represent 0.28 percent of the total daily capacity for RP-1.

The proposed Project would meet applicable LID requirements and would meet these standards by retaining and treating all stormwater on the site prior to discharge. As a result, the amount of peak stormwater flows from the Project site will decrease from existing conditions. All other new development would decrease as compared to older sites that did not include recent LID requirements.

Solid waste disposal is addressed by the County of San Bernardino. The County promotes the efforts of individual jurisdictions to maximize waste reduction and recycling, expand existing landfills, and promote alternative technologies to reduce waste. In response to State-mandated waste reduction goals set forth in CalGreen, and as part of the City's commitment to sustainable development, the City adopted an ordinance that requires certain demolition and/or construction projects to divert at least 65 percent of waste either through recycling, salvage, or deconstruction. The El Sobrante Landfill would serve the proposed Project's solid waste generation with a maximum capacity of 10,000 tons per day. SB 1383 establishes statewide greenhouse gas emission reduction goals consisting of reducing the amount of organic material disposed in landfills by 50% from the 2014 level by the year 2020 and reducing the amount of organic material disposed in landfills by 75% from the 2014 level by the year 2025. Detailed components regarding waste reduction and recycling would be finalized for each related project on a project-by-project basis at the time of plan submittal to the City for the necessary building permits and reviews conducted pursuant to the California Green Building Code, as applicable.

During construction and operation, other future related projects would be required to incorporate energy conservation features, comply with applicable regulations including anti-idling construction vehicle regulations, the 2019 Title 24 standards and CALGreen code, and incorporate mitigation measures, as necessary. Natural gas infrastructure is typically expanded in response to increasing demand, and system expansion and improvements by SoCalGas occur as needed. Related projects within its service area would also be anticipated to incorporate site-specific

infrastructure improvements, as appropriate, and incorporate mitigation measures, as necessary. The Air Cargo Sort Building would not utilize natural gas.

During construction and operation, related projects would be required to incorporate energy conservation features, comply with applicable regulations including anti-idling construction vehicle regulations, the 2019 Title 24 standards and CALGreen code, and incorporate mitigation measures, as necessary. A new substation is being planned by SCE to meet the need for additional power for the proposed Project. This 135-foot by 160-foot proposed substation will be located within the Project site to the west of the proposed parking structure. The new substation would connect to existing infrastructure along Mission Boulevard directly south of the Project site. It is not anticipated that development of this new substation will result in any significant environmental effects as it would be sited on previously disturbed areas within the Project site and within the development footprint and profile of other Project components.

Telecommunications are regulated by the Federal Communications Commission and the California Public Utilities Commission. No significant cumulative impacts will result from the Project, cumulatively considered projects and other growth, and the Project's contribution to cumulative impacts will not be cumulatively considerable. (Draft EIR at pages 5.14-33 – 5.14-35).

5.18 Issues Deemed No Impact or Less than Significant Impact in the Initial Study/Notice of Preparation

In accordance with section 15063 of the CEQA Guidelines, OIAA prepared an Initial Study/Environmental Checklist for the Project and distributed it along with the Notice of Preparation (NOP) for the Draft EIR to responsible and interested agencies, and key interest groups. In preparing the Initial Study/Notice of Preparation (IS/NOP), which is **Appendix 1.0** to the Draft EIR, OIAA determined the following issues not to be significant; and, in accordance with section 15128 of the Guidelines, they did not receive further evaluation in the Draft EIR:

- **Agricultural and Forestry Resources:** The Project site is not designated farmland or under a Williamson Act contract. The California Department of Conservation designates the site Urban and Built-Up Land. The site is currently developed with, and surrounded by, airport related and industrial uses. Due to its location within the Airport and its developed condition, the Project site is not suitable for agricultural and timberland production. Based on these characteristics, the proposed Project would not impact agricultural and timberland resources.
- **Land Use/Planning:** The proposed Project has been designed and would operate in accordance with OIAA rules and regulations, and as an aeronautical development and use under OIAA's jurisdiction. Also, the City of Ontario General Plan land use designation for the Project site is Airport, and the site is zoned ONT for Ontario International Airport. The ONT zoning district allows airport terminals (including commercial and service uses related to the terminals), car rental agencies, and airport-related industrial and delivery uses, at a maximum intensity of 0.55 floor to area ratio (FAR). The Project proposes 1,261,712 square feet of buildings and structures on the 97-acre site, which results in a FAR of approximately 0.34, under the maximum allowed intensity of 0.55 FAR.

The proposed Project is also required to comply with the FAA-approved Ontario International Airport Layout Plan (ALP). The ALP serves as a guide for the Airport's future development and identifies the Project site as "Airport Development Area," which is the designation for future development.⁶ The proposed Project would be consistent with adjacent Airport and industrial uses, as well as applicable OIAA, City of Ontario, and FAA-adopted plans, policies, and regulations. The proposed Project would not physically divide an established community or result in off-site land use changes. Accordingly, the proposed Project would have less-than-significant effects related to Land Use and Planning.

- **Mineral Resources:** According to the Ontario General Plan Final EIR, the City contains no mineral resources of Statewide significance. There are, however, a few sites in the City, the closest of which is approximately one mile to the north, which contain regionally significant mineral resources deposited by the Deer and Day Creek alluvial fan with potential aggregate resources, commonly known as gravel. Project implementation would not impact these sites or result in the loss of regionally and locally important mineral resources. Based on this information, the proposed Project would have a less than significant effect on mineral resources.
- **Population/Housing:** The Project site contains airport office buildings, hangars, and support facilities. There are no residences on the Project site. Project implementation would not displace people or result in the demolition of existing housing that would require the construction of replacement housing elsewhere. The proposed Project would not impact housing stock. The proposed Project includes utility improvements; however, these would be designed to serve Project operations and would not directly or indirectly result in unplanned population growth.

The proposed Project would increase employment opportunities in the region. The proposed Project would create approximately 1,315 jobs. According to the US Bureau of Labor Statistics, in June 2021, there was an unemployment rate of 7.9 percent (approximately 165,600 people were unemployed) in the Riverside-San Bernardino-Ontario area. Accordingly, the 1,315 jobs generated by the proposed Project can employ existing residents in the Riverside-San Bernardino-Ontario area; thus, the proposed Project would not trigger the need for new housing. The proposed Project would result in less-than-significant effects related to population and housing.

- **Parks/Recreation:** The City of Ontario contains a variety of recreational opportunities, including regional and City parks, school recreation facilities, private parks and golf courses, and recreational trails for bicycles, horses, and hiking. Park and recreation facilities closest to the Project site include a bicycle corridor along Mission Boulevard and the Cucamonga Creek Multipurpose Trail. Project construction and operation would not directly affect these or other recreation facilities. Therefore, the proposed Project would not result in significant effects on parks and recreation facilities.
- **Public Services (Schools and Other Public Facilities. Potential impacts to Fire and Police Public Services are discussed in Section 5.11 of the Draft EIR):** The Project site is within the boundaries of the Ontario-Montclair Elementary School District and Chaffey Joint Union High School District. The proposed Project does not include residential

development and would not generate students that would need to be housed at public school facilities. Nevertheless, the Project would comply with applicable laws and regulations, including the payment of school impact fees for the proposed commercial/industrial development that would reduce potential impacts to school facilities to less than significant. The Project would not require any other government services, such as library and public health services; therefore, potential effects related to other public facilities would be less than significant.

- **Wildfire:** The Project site is in a Local Responsibility Area and classified by CAL FIRE as non-VHFHSZ (non-very high fire hazard severity zone). The site and surrounding areas are flat and developed with urban uses that would not contribute to the uncontrolled spread of wildfire or exacerbate potential wildfire risks, including downslope flooding and landslides caused by runoff, slope instability, or drainage changes from wildfire. Furthermore, as further discussed in HAZ-6, Section 5.8: Hazards and Hazardous Materials, of the Draft EIR, the proposed Project would not impair adopted emergency response and evaluation plans. Therefore, the proposed Project would not result in, or be subject to, significant effects related to wildfire risk.

Reference:

Additional detail on Effects Found Not to be Significant can be found in the Draft EIR at pages 7.0-1 through 7.0-4 and in Appendix 1.0).

6.0 FINDINGS REGARDING PROJECT ALTERNATIVES

CEQA requires that an EIR analyze a reasonable range of feasible alternatives that could substantially reduce or avoid the significant impacts of a project while also meeting the project’s basic objectives. An EIR must identify ways to substantially reduce or avoid the significant effects that a project may have on the environment (PRC Section 21002.1). Section 15126.6(a) of the CEQA Guidelines requires the discussion of “a reasonable range of alternatives to a project, or the location of a project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives.” Accordingly, the discussion of alternatives shall focus on alternatives to a project or its location which are capable of avoiding or substantially reducing any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly. The alternative analysis included in the Draft EIR, therefore, identified a reasonable range of Project alternatives focused on avoiding or substantially reducing the Project’s significant impacts.

Three alternatives, including the No Project Alternative, were analyzed in detail in the Draft EIR, Chapter 8, Project Alternatives: (1) No Project/No Development Alternative; (2) Reduced Project Size Alternative; and (3) Different Location on Airport Alternative.

These alternatives have been evaluated for their ability to (i) substantially lessen the significant impacts of the Project identified in the EIR, and (ii) substantially meet most of the basic objectives of the Project as described in the EIR. OIAA has determined that the alternatives listed above and evaluated in the EIR constitute a reasonable range of alternatives consistent with CEQA Guidelines Section 15126.6. In addition, the EIR considered but dismissed one alternative: (1) Alternative

Airport Locations. Due to the failure to meet airfield infrastructure operational criteria, the location of the proposed Project at other airports in the region was determined to be infeasible and this alternative was eliminated.

These Findings contrast and compare the Alternatives, where appropriate, to show that the selection of Project, while still resulting in significant environmental impacts, has substantial overriding economic, legal, social, technological, and other benefits. In rejecting the Project alternatives, OIAA has reviewed the environmental impacts and the Project objectives and weighed the ability of the various alternatives to meet the objectives. OIAA finds, after due consideration of a reasonable range of alternatives as set forth in the EIR and below, and based on substantial evidence in the record, that the Project best attains a balance between protecting against local environmental impacts and best meets the approved Project objectives with the least environmental impact.

Section 15126.6(a) of the CEQA Guidelines requires the discussion of “a reasonable range of alternatives to a project, or the location of a project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives.”

6.1 Alternative 1: No Project/No Development Alternative

Description of Alternative:

Section 15126.6(e) of the CEQA Guidelines state: “the No Project/No Build Alternative means ‘no build’ wherein the existing environmental setting is maintained.” Accordingly, for purposes of this analysis, Alternative 1, the No Project/No Development Alternative (Alternative 1), assumes the proposed Project is not built and the existing airport-related buildings located on the Project site, which includes hangars, ancillary structures, and related parking facilities and site improvements, would remain. Existing leases and non-OIAA tenant operations would continue to operate on the Project site and no relocation of these existing uses would occur.

Impact Summary:

The No Project/No Build Alternative would avoid all significant impacts identified for the proposed Project. The No Project Alternative would not, however, achieve any of the objectives of the proposed Project.

Finding:

Pursuant to Public Resources Code Section 21081(a)(3), the OIAA finds that specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make Alternative 1 infeasible.

Facts in Support of Finding:

Alternative 1 would avoid the significant impacts for the Project. However, it would not meet any of the Project’s objectives or the underlying purpose to develop and operate an air cargo facility at

the Airport to meet increased regional air cargo volumes and Project proponent facility requirements. Therefore, for these reasons, Alternative 1 is less desirable than the Project.

Reference:

For a complete discussion of impacts associated with Alternative 1, see Section 6.5 of the Draft EIR at pages 6.0-8 – 6.0-13.

6.2 Alternative 2: Reduced Project Size Alternative

Description of Alternative:

Alternative 2 considers reducing the size of the proposed Project to reduce the significant and unavoidable transportation (VMT), operational air quality, and greenhouse gas emission (GHG) impacts identified for the Project as proposed. The proposed Project would result in an increase in the number of annual aviation operations at the Airport. In 2029, with completion of Phase 2, the proposed Project would include up to 33 daily departures and arrivals (66 total aircraft operations) with up to 17 daytime (7:00 AM–6:59 PM) departures and 20 daytime arrivals, and 3 evening (7:00 PM–9:59 PM) departures. In addition, the proposed Project would accommodate 3 evening arrivals, 13 nighttime (10:00 PM–6:59 AM) departures, and 10 nighttime arrivals. Truck operations would occur daily, primarily coinciding with the arrival and departure times of the scheduled flights. At proposed Project buildout, the proposed facility would operate with 1,315 employees. As discussed in 6.2 Significant Impacts of the Ontario Airport South Airport Cargo Center Project, above, with the total aircraft operations, truck operations, and employee trips under both Phase 1 and Phase 2, the proposed Project would result in significant unavoidable VMT, operational air quality, and GHG impacts.

The proposed Project is an air cargo facility serving a large region, and the operational and economic viability of the proposed Project relies on truck and aviation operations. For these reasons, it is not feasible to modify the proposed Project by reducing the size of the proposed Project and the associated activities could sufficiently reduce the proposed Project’s VMT, operational Air Quality emissions and GHG emissions, to a less than significant level. A reduction in the size of the proposed Project could, however, result in a meaningful reduction in these impacts.

Alternative 2 considers construction and operation of only Phase 1 of the proposed Project. This would include the demolition of existing structures and site improvements in the Phase 1 area, site preparation, and construction of all proposed improvements on the eastern 60 acres of the Project site, including the Air Cargo Sort Building (611,158 square feet on six (6) acres), aircraft apron improvements and GSE support (47 acres), truckyard and visitor parking (five (5) acres), and employee parking garage (four (4) acres).

Aircraft operations would include up to 22 daily arrivals and departures with a maximum of 44 total daily aircraft operations. In 2025, it is anticipated aircraft operations would occur seven days per week, with up to 8 daytime (7:00 AM–6:59 PM) departures and 9 daytime arrivals, 1 evening (7:00 PM–9:59 PM) departure and 3 evening arrivals, and 13 nighttime (10:00 PM–6:59 AM) departures and 10 nighttime arrivals.

Construction of Alternative 2 would start in the third quarter of 2023 and be completed by the third quarter of 2025 when the proposed air cargo flight operations at the Airport would begin. Construction would include the demolition of existing structures and site improvements in the Phase 1 area, site preparation and grading, and construction of all proposed improvements under Phase I.

Impact Summary:

This Alternative would substantially lessen the unavoidable significant air quality and greenhouse gas impacts, and incrementally reduce the VMT impacts identified for the proposed Project. While reduced, these impacts would remain significant after implementation of all feasible mitigation.

Finding:

Pursuant to Public Resources Code Section 21081(a)(3), the OIAA finds that specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make Alternative 2 infeasible.

Facts in Support of Finding:

Development of only Phase 1 of the proposed Project would also not meet the objectives of the proposed Project to accommodate current and projected air cargo volume growth, and would only partially meet the objectives of redeveloping and maximizing revenue for the OIAA from underutilized Airport property.

Additionally, mitigation measures are identified for the proposed Project to avoid the potential for significant noise impacts generated by operation of the proposed facility that would also apply to this alternative. As the proposed Project would result in less than significant impacts with mitigation, and Alternative 2 would not. Therefore, avoiding or substantially lessening any significant noise impacts that would result from the proposed Project could be done with the Project and not with Alternative 2.

With the VMT impacts of Phase 1 of the proposed Project, as Alternative 2 would be incrementally less than those associated with Phase 1 and Phase 2 combined, this impact would remain significant with mitigation. Alternative 2 would therefore not avoid or substantially lessen the significant transportation impacts identified for the proposed Project.

Mitigation measures identified for the proposed Project to avoid the potential for significant impacts to any subsurface tribal cultural resources that may be encountered during construction would apply to Phase 1 and to Alternative 2. Alternative 2 would therefore not avoid or substantially lessen any significant impacts to TCRs.

Mitigation measures are identified for the proposed Project, and would be similarly utilized in Alternative 2, to avoid significant impacts related to hazards and hazardous materials during construction and operational activities. As the proposed Project would result in less than significant impacts with mitigation, Alternative 2 would not, therefore, avoid or substantially lessen any significant hazards and hazardous materials impacts that would occur with the proposed Project.

Reducing Phase 1 operational emissions from aviation operations to a less than significant level would not be feasible and Alternative 2 would result in the same operational emission from aviation operations. While Alternative 2 would substantially lessen emissions and avoid the significant operational SO₂ impact under Phase 2 of the proposed Project, operational air quality impacts would remain significant.

Reference

For a complete discussion of impacts associated with Alternative 2, see Section 6.5 of the Draft EIR at pages 6.0-13 – 6.0-26.

6.3 Alternative 3: Different Location on Airport Alternative

Description of Alternative:

Under this alternative, the proposed Project would be constructed and operate on a site located on the northwest edge of the Airport. This site provides a contiguous land area of approximately 90 acres in size. The site would provide direct airfield access to support the international and domestic cargo aircraft for the proposed Project. The location of Alternative 3 would provide the airfield infrastructure to support the operational needs of the proposed Project, including access to two runways, one at least 12,000 feet in length and one no less than 10,000 feet in length, with at least one runway with CAT III approach capability to accommodate air cargo aircraft fleet mix. This location at the Airport also has connections via the surrounding street network to the I-10, SR-60, and I-15 Freeways.

Impact Summary:

This Alternative would not avoid or substantially lessen any significant impacts when compared to the proposed Project.

Finding:

Pursuant to Public Resources Code Section 21081(a)(3), the OIAA finds that specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make Alternative 3 infeasible.

Facts in Support of Finding:

Alternative 3 therefore would not avoid or substantially lessen any significant impacts to aesthetics, biological resources, cultural resources, energy, geology and soils, GHG emissions, hazards and hazardous materials, noise, hydrology and water quality, public services, tribal cultural resources, transportation, and utilities

The Alternative 3 site is located closer to residential receptors to the north of the Airport. As such, health risk impacts may increase due to this alternative. It is anticipated that Alternative 3 would implement similar PDFs and MMs to reduce construction and operation emissions. However, no feasible mitigation measures are available to mitigate the emissions generated by the aircraft operations associated with the proposed Project to a less than significant impact. Alternative 3 would not, therefore, avoid or substantially lessen the significant air quality impacts identified for the proposed Project.

Reference

For a complete discussion of impacts associated with Alternative 3, see Section 6.5 of the Draft EIR at pages 6.0-27 – 6.0-35.

7.0 OTHER CEQA CONSIDERATIONS

7.1 Reasons Why the Project is Being Proposed, Notwithstanding Significant Unavoidable Impacts

CEQA Guidelines Section 15126.2(c) requires that an EIR describe any significant impacts that cannot be avoided, even with the implementation of feasible mitigation measures. Based on the analysis conducted within this Draft EIR document, operation of the proposed Project would result in significant air quality, greenhouse gas emission, and transportation impacts that cannot be mitigated to a less-than-significant level. While a lead agency must contemplate the implications of adverse environmental impacts and mitigate those impacts to the extent feasible, here, the benefits of the Project (as outlined in Section 10.0, below) will outweigh the significant and unavoidable environmental impacts.

7.2 Growth-Inducing Impacts

Section 15126.2(e) of the CEQA Guidelines requires that a Draft EIR include discussion of the potential growth-inducing impacts of a project. This Draft EIR addresses the ways in which the proposed Project “could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.” This information can be an important factor in a decision to approve a project. As stated in CEQA Guidelines, “It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.”

The proposed Project would not facilitate any unplanned growth and is located entirely on developed and active Airport property within an urbanized area of San Bernardino County. The proposed Project is an air cargo center, and its construction would not open additional areas to development. The proposed Project is required to comply with the FAA-approved Ontario International Airport Layout Plan (ALP), which designates the Project site for future aeronautical development. The proposed Project would be consistent with adjacent Airport and industrial uses, as well as applicable OIAA, City of Ontario, and FAA-adopted plans, policies, and regulations. Land uses surrounding the Project site include airport-related and industrial uses. No changes to existing or planned land uses on or off Airport property would result from the proposed Project. The proposed Project is consistent with plans, goals, policies, zoning, and local controls that have been adopted and govern over the Project site.

The proposed Project would increase employment opportunities in the region by creating approximately 1,315 jobs and it will employ existing residents in the Riverside-San Bernardino-Ontario area. Therefore, the proposed Project would not trigger the need for new housing. Development of the proposed Project would increase runway use and flight patterns; however, there would not be an increase in the number of passengers expected to use the Airport as the proposed Project is an air cargo facility. It is not expected that the proposed Project would affect population growth or tourism in Ontario and the surrounding region. The proposed Project would

not induce growth at the Airport beyond that which would occur without the improvements and therefore would not result in a significant growth-inducing impact.

7.3 Significant Irreversible Environmental Changes

Section 15126.2(d) of the CEQA Guidelines requires discussion of irreversible environmental change. The Guidelines indicate that “uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely” and “irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.”

The Project site is already developed and dedicated to airport uses and would not result in a new commitment of land. Construction of the proposed Project would require the consumption of resources that do not replenish themselves or which may renew so slowly as to be considered nonrenewable. This would include resources such as asphalt and concrete, metals, and petrochemical construction materials. Construction and operation of the proposed Project would also require energy resources such as electricity and various fuels. This would represent the loss of non-renewable resources, which are generally not retrievable; however, there are sufficient resources to serve the proposed Project.

Nonrecoverable materials and energy would be used during construction and operation activities; however, the amounts needed would be accommodated by existing supplies. Further, OIAA is committed to constructing the proposed facilities to meet high standards for efficiency and environmental design. Implementation of best practices and standards that emphasize strategies for sustainable site development, water savings, energy efficiency, materials selection, and environmental quality would reduce the use of renewable and nonrenewable resources that would continue over time through construction and long-term operation of the proposed Project.

Although the implementation of best practices and standards that emphasize strategies for sustainable site development would reduce the use of materials and energy during construction and operation of the proposed Project, they would nevertheless be unavailable for other uses. The resources utilized for the proposed Project would be permanently committed to the Airport and, therefore, be considered irreversible.

7.4 Potentially Significant Effects from Implementation of Mitigation Measures

Pursuant to CEQA Guidelines Section 15126.4(a)(1)(D), the EIR evaluates whether implementation of any of the recommended mitigation measures would result in significant impacts (see Section 8.4: Potential Secondary Effects, of the Draft EIR). Except where such impacts are specifically noted, OIAA finds no significant impacts will occur as a result of implementation of mitigation measures. (Draft EIR at pages 8.0-6 – 8.0-9).

8.0 GENERAL CEQA FINDINGS

8.1 Mitigation Monitoring and Reporting Program

As required by CEQA Section 21081.6, OIAA, in adopting these Findings, also adopts the Project Mitigation Monitoring and Reporting Program (MMRP). The MMRP is incorporated as conditions

of Project approval, and is designed to ensure that, during implementation of the Project, OIAA and other responsible parties will comply with the adopted mitigation measures.

8.2 CEQA Guidelines Sections 15091 and 15092 Findings

Based on the foregoing findings and the information contained in the administrative record, OIAA has made one or more of the following findings with respect to each of the significant effects of the Project:

1. Changes or alterations have been required in, or incorporated into, the project which mitigate, avoid, or substantially lessen the significant effects on the environment as identified in the Final EIR.
2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly-trained workers, make infeasible the mitigation measures or alternatives identified in the Final EIR.

Based on the foregoing findings and the information contained in the administrative record, and as conditioned by the foregoing:

1. All significant effects on the environment due to the project have been eliminated or substantially lessened where feasible.
2. Any remaining significant effects that have been found to be unavoidable are acceptable due to the overriding considerations set forth in Section 10 of these Findings.

8.3 OIAA's Preparation of the EIR Pursuant to CEQA Guidelines Section 15084(d)

CEQA Guidelines Section 15084(d) provides a Lead Agency may choose one of the following arrangements or a combination of them for preparing a draft EIR:

1. Preparing the Draft EIR directly with its own staff.
2. Contracting with another entity, public or private, to prepare the draft EIR.
3. Accepting a draft prepared by the Applicant, a consultant retained by the Applicant, or any other person.
4. Executing a third-party contract or memorandum of understanding with the Applicant to govern the preparation of a draft EIR by an independent contractor.
5. Using a previously prepared EIR.

OIAA has relied on Sections 15084(d)(1) and (3), and 15084(e), of the CEQA Guidelines, which allows the OIAA to prepare and/or review the Draft and Final EIR with its own staff, which EIR materials have been prepared by consultants retained by the applicant.

8.4 OIAA's Independent Judgment

Pursuant to CEQA Section 21082.1(c), OIAA finds it has independently reviewed and analyzed the Draft and Final EIR, and that the Draft and Final EIR reflects the independent judgment of OIAA as the Lead Agency for the Project.

8.5 Nature of Findings

Any finding made by OIAA shall be deemed made, regardless of where it appears in this document. All of the language included in this document constitutes findings by OIAA, whether or not any particular sentence or clause includes a statement to that effect. OIAA intends that these findings be considered as an integrated whole and, whether or not any part of these findings fail to cross reference or incorporate by reference any other part of these findings, that any finding required or committed to be made by OIAA with respect to any particular subject matter of the EIR, shall be deemed to be made if it appears in any portion of these findings.

8.6 Reliance on Record

Each and all of the findings and determinations contained herein are based on the competent and substantial evidence, both oral and written, contained in the entire administrative record relating to the Project.

The findings and determinations constitute the independent findings and determinations of OIAA in all respects and are fully and completely supported by substantial evidence in the record as a whole.

8.7 Custodian of Records

The custodian of the documents or other material which constitute the record of proceedings upon which the OIAA's decision is based is identified as follows:

Kevin Keith
Ontario International Airport Authority
1923 East Avion Street
Ontario, CA 91761

8.8 Relationship of Findings to EIR

These findings are based on the most current information available. Accordingly, to the extent there are any apparent conflicts or inconsistencies between the EIR and these Findings, these Findings shall control, and the EIR is hereby amended as set forth in these findings.

8.9 Recirculation Not Required

CEQA Guidelines Section 15088.5 provides the criteria that a lead agency is to consider when deciding whether it is required to recirculate an EIR. Recirculation is required when "significant new information" is added to the EIR after public notice of the availability of the Draft EIR is given, but before certification. (CEQA Guidelines, § 15088.5(a).) "Significant new information," as defined in CEQA Guidelines Section 15088.5(a), means information added to an EIR that changes the EIR so as to deprive the public of a meaningful opportunity to comment on a "substantial adverse environmental effect" 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.”

An example of significant new information provided by the CEQA Guidelines is a disclosure showing that a “new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented;” that a “substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted to reduce the impact to a level of insignificance;” or that a “feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.” (CEQA Guidelines, § 15088.5(a)(1)-(3).)

Recirculation is not required where “the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.” (CEQA Guidelines, § 15088.5(b).) Recirculation also is not required simply because new information is added to the EIR - indeed, new information is oftentimes added given CEQA’s public/agency comment and response process and CEQA’s post-Draft EIR circulation requirement of proposed responses to comments submitted by public agencies. Instead, recirculation is “intended to be an exception rather than the general rule.” (*Laurel Heights Improvement Assn. v. Regents of University of California* (1993) 6 Cal.4th 1112, 1132.)

In this legal context, OIAA finds that recirculation of the Draft EIR prior to certification is not required. In addition to providing responses to comments, the Final EIR includes revisions to expand upon information presented in the Draft EIR; explain or enhance the evidentiary basis for the Draft EIR’s findings; update information; and make clerical revisions to the Draft EIR. The Final EIR’s revisions, clarifications and/or updates do not result in any new significant impacts or increase the severity of a previously identified significant impact.

In sum, the Final EIR demonstrates that the Project will not result in any new significant impacts or increase the severity of a significant impact, as compared to the analysis presented in the Draft EIR. The changes reflected in the Final EIR also do not indicate that the meaningful public review of the Draft EIR was precluded in the first instance. Accordingly, recirculation of the EIR is not required as revisions to the EIR are not significant as defined in Section 15088.5 of the CEQA Guidelines.

9.0 CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT, CEQA GUIDELINES, § 15090

OIAA certifies that the Final EIR has been completed in compliance with CEQA and the State CEQA guidelines, that the Final EIR was presented to OIAA, and that OIAA reviewed and considered the information contained therein before approving the Project, and that the Final EIR reflects the independent judgment and analysis of OIAA.

10.0 STATEMENT OF OVERRIDING CONSIDERATIONS

10.1 Background

Section 15093 of the Guidelines provides as follows:

- “(a) CEQA requires the decision making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. This statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to § 15091.”

In accordance with the provisions of CEQA and the Guidelines, and as part of its certification of the adequacy of Final EIR for approval of the Project, OIAA finds that the mitigation measures discussed in these Findings and the Mitigation Monitoring and Reporting Plan, when implemented, avoid, mitigate or substantially lessen the significant effects of the Project identified in the Final EIR. Nonetheless, certain significant effects of the Project are unavoidable even after incorporation of all feasible mitigation measures. In summary, even with implementation of the mitigation measures described in Final EIR and the MMRP, the following effects of the Project are considered to be significant and unavoidable at this time:

Air Quality

Impact AQ-2 – The proposed Project’s operational emissions during Phase 1 and Phase 2 would exceed regional SCAQMD significance thresholds for CO, VOC, and NOx, primarily due to aircraft emissions, followed by employee vehicles, delivery trucks, and emergency generators. Therefore, the Project would result in a significant, unavoidable impact due to operation related air quality.

The Project’s cumulative contribution to air quality would be cumulatively considerable.

Greenhouse Gas Emissions

Impact GHG-1 – The Project would result in a net increase in GHG emissions during Phase 1 and Phase 2 operation over baseline conditions, which is considered to be a significant impact on the environment.

Impact GHG-2 – The Project would conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

The Project’s cumulative contribution to greenhouse gas emissions would be cumulatively considerable.

Transportation

Impact TRA-2 – The truck, employee and other trips generated by the proposed Project during operation would result in the Project Total VMT per service population (employees for this proposed Project) being 22 percent above the City’s VMT significance threshold of 29.76 VMT per service population. Therefore, the Project would result in a significant, unavoidable impact due to operation related VMT.

The Project’s cumulative contribution to transportation would be cumulatively considerable.

OIAA finds that (i) all feasible mitigation measures identified in the Final EIR that are within the purview of OIAA will be implemented with the Project; (ii) that those changes or alterations found within the responsibility and jurisdiction of another public agency have been adopted by such other agency, or can and should be adopted by such other agency; and (iii) the remaining significant unavoidable effects are outweighed and are found to be acceptable due to the following specific overriding economic, legal, social, technological, or other benefits, based upon the facts set forth in these Findings, the Final EIR, and the record.

10.2 Overriding Considerations

OIAA finds that the Project would have economic, legal, social, technological, or other overriding benefits, including region-wide or statewide environmental benefits, listed below. Each of the benefits cited below constitutes a separate and independent basis that justifies approval of the Project and outweighs the unavoidable adverse environmental effects of approving the Project and thus makes adverse environmental effects acceptable. Thus, even in the absence of one or more of the reasons set forth below, OIAA has determined that each remaining reason, or any combinations of reasons, is a sufficient basis for approving the Project, notwithstanding any significant and unavoidable impacts that may occur.

Accordingly, the OIAA adopts the following Statement of Overriding Considerations. The City recognizes that significant and unavoidable impacts would result from implementation of the Project. Having (i) adopted all feasible mitigation measures, (ii) rejected as infeasible the alternatives to the Project discussed above, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the Project against the Project’s significant and unavoidable impacts, the OIAA hereby finds that each of the Project’s benefits, as listed below, outweigh and override the significant unavoidable impacts relating to the impacts of the Ontario International Airport South Caro Center Project for air quality, greenhouse gas emissions and transportation.

The below stated reasons summarize the benefits, goals and objectives of the Project, and provide the detailed rationale for the benefits of the Project. These overriding considerations of economic, social, and environmental benefits for the Project justify adoption of the Project and certification of the completed EIR. Each of the listed Project benefits set forth in this Statement of Overriding Considerations provides a separate and independent ground for the OIAA’s decision to approve the Project despite the Project’s identified significant and unavoidable environmental impacts. Each of the following overriding considerations separately and independently (i) outweighs the adverse environmental impacts of the Project, and (ii) justifies adoption of the Project and

certification of the completed EIR. In particular, achieving the underlying purpose for the Project would be sufficient to override the significant environmental impacts of the Project.

1. **The Project Would Develop Improved Air Cargo System Management.** The FAA and Caltrans forecast air cargo volume to increase in the region. The proposed Project would redevelop an underutilized portion of the Airport with an air cargo center that would accommodate a portion of the regional growth in air cargo operations forecasted by the FAA and Caltrans. The new air cargo center would provide an efficient facility for the proposed Project proponent's airside, landside, and sorting operations. Specifically, the Air Cargo Sort Building for the proposed Project would include state of the art technology to support the efficient processing of cargo. The proposed new air cargo center would increase air cargo capacity at the Airport.
2. **The Project Would Improve Existing Transportation Infrastructure at and around the Airport.** Transportation infrastructure includes air transportation facilities in a location with access to major transportation corridors. The proposed Project would include demolition of existing buildings consisting of hangars, ancillary structures, and parking facilities, as well as existing landscaping and trees on the Project site. The proposed Project includes an Air Cargo Sort Building, truckyard, parking facilities, aircraft parking apron improvements, GSE parking, and aviation support facilities. OIAA would terminate existing leases, and non-OIAA tenant operations would vacate the facilities prior to construction of the proposed Project. OIAA occupies facilities on the Project site and their operations would be relocated to existing facilities both on- and off-airport. The proposed Project would redevelop underutilized Airport property, accommodate regional growth of air cargo operations, and integrate proposed Project air transportation facilities in a location with access to major transportation corridors. In addition to protecting air transportation, the proposed Project would not conflict with a program, plan, ordinance, or policy related to the roadway, transit, bicycle, and pedestrian facilities. Therefore, the proposed Project would improve existing transportation infrastructure at and around the Airport.
3. **The Project Would Increase Goods Movement Capacity.** While the proposed air cargo center would not provide more transportation choices for passengers, the proposed Project would increase the air cargo capacity at the Airport and increase transportation choices to meet the increased demand for air cargo services in the region, consistent with this theme.
4. **The Project Would Facilitate The Financial Self-Sustainability Of The Airport As Required By FAA Regulations.** Under federal codes, FAA Orders and rules (FAA Order 5190.6B, Airport Compliance Manual), and FAA grant assurances for Airport projects (49 USC section 47101(a)(13)), the OIAA is required to maximize its revenue generation at the Airport to ensure financial self-sustainability. The Project operations would help to fulfill this requirement by providing significant annual rent revenues and cargo freight landing fees/charges, totaling in the many millions of dollars per year, for the term of a decades-long later lease.
5. **The Project Would Represent Sustainable Airport Development.** The proposed Project would use and operate electric-powered equipment, electric cargo planes, and electric charging stations in the employee and visitor parking lots and truckyard. This technology

would be leveraged to ensure the Air Cargo Sort Building would meet LEED certification standards. The proposed Project incorporates sustainable project design features and technology in both design and operation. The Project would incorporate a variety of technologies into the building design to reduce energy use, track energy consumption to support identification of further improvements, generate renewable energy on site, and utilize clean energy sources. The Air Cargo Sort Building would meet LEED certification standards. A 3.8-Megawatt Solar PV Panel system would be installed on the rooftop of the Air Cargo Sort Building with an option to construct an additional 0.75-megawatt rooftop system on the parking garage. The proposed Project would include the use of zero-emission or near zero-emission trucks as part of business operations beginning in 2025 (within at least 25% of the Project fleet) the use of zero-emission or near zero-emission trucks as part of business operations beginning in 2029 (within at least 50% of the Project fleet). The proposed Project would include the use and operation of electric-powered equipment, including forklifts, loaders, tugs, ground power units, and ramp support (vans/carts) that would be stored and charged in designated areas in the cargo building and aircraft apron. Moreover, the proposed Project proposes the operation of electric cargo planes, for which charging stations would be provided in the southeast corner of the Project site. Electric charging stations would also be provided in the employee and visitor parking lots, as well as the truckyard.

6. **The Project Would Support Commerce, Economic Development, and Employment Opportunities.** The proposed Project would accommodate a portion of the projected regional growth in air cargo operations as forecast by the FAA and Caltrans. By redeveloping an underutilized portion of the Airport, the proposed Project would maximize revenue generation from Airport property. The proposed Project would also increase employment opportunities in the region by creating approximately 1,315 jobs. According to the US Bureau of Labor Statistics, in June 2021 there was an unemployment rate of 7.9 percent (or 165,600 people were unemployed) in the Riverside-San Bernardino-Ontario area.³¹ The 1,315 jobs generated by the proposed Project would be available to existing residents in the Riverside-San Bernardino-Ontario area. For these reasons, the proposed Project would support commerce, economic development, and employment opportunities.

10.3 Conclusion

In light of the foregoing, and the information contained within the Final EIR and other portions of Project record, OIAA concludes that implementation of the Project will result in the development of a beneficial Project as outlined above. OIAA also finds that the benefits identified above outweigh and make acceptable the significant, unavoidable environmental impacts associated with the Project and, accordingly, adopts this Statement of Overriding Considerations.