

Appendix B
NOP Comments



NATIVE AMERICAN HERITAGE COMMISSION

June 30, 2021

Nicole Walker
Ontario International Airport Authority
1923 East Avion Street
Ontario, CA 91761

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Re: 2021060531, Rehabilitation of Runway 8R-26L and Associated Airfield Improvements Project, San Bernardino County

Dear Ms. Walker:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
- b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
- c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
- e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
- f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
- b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
- c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.

- b.** The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
- 3.** Contact the NAHC for:
- a.** A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b.** A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
- 4.** Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
- a.** Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b.** Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c.** Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Andrew.Green@nahc.ca.gov.

Sincerely,



Andrew Green
Cultural Resources Analyst

cc: State Clearinghouse



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL:

July 13, 2021

nwalker@flyontario.com

Nicole Walker, Environmental Planning Manager
Ontario International Airport Authority
1923 East Avion Street
Ontario, California 91761

Notice of Preparation of a Draft Focused Supplemental Environmental Impact Report for the Rehabilitation of Runway 8R-26L and Associated Airfield Improvements (Proposed Project)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. Our comments are recommendations on the analysis of potential air quality impacts from the Proposed Project that should be included in the Draft Focused Supplemental Environmental Impact Report (EIR). Please send a copy of the Draft Focused Supplemental EIR upon its completion and public release directly to South Coast AQMD as copies of the Draft Focused Supplemental EIR submitted to the State Clearinghouse are not forwarded. **In addition, please send all appendices and technical documents related to the air quality, health risk, and greenhouse gas analyses and electronic versions of all emission calculation spreadsheets, and air quality modeling and health risk assessment input and output files (not PDF files). Any delays in providing all supporting documentation for our review will require additional review time beyond the end of the comment period.**

CEQA Air Quality Analysis

Staff recommends that the Lead Agency use South Coast AQMD's CEQA Air Quality Handbook and website¹ as guidance when preparing the air quality and greenhouse gas analyses. It is also recommended that the Lead Agency use the CalEEMod² land use emissions software, which can estimate pollutant emissions from typical land use development and is the only software model maintained by the California Air Pollution Control Officers Association.

South Coast AQMD has developed both regional and localized significance thresholds. South Coast AQMD staff recommends that the Lead Agency quantify criteria pollutant emissions and compare the emissions to South Coast AQMD's CEQA regional pollutant emissions significance thresholds³ and localized significance thresholds (LSTs)⁴ to determine the Proposed Project's air quality impacts. The localized analysis can be conducted by either using the LST screening tables or performing dispersion modeling.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated.

¹ South Coast AQMD's CEQA Handbook and other resources for preparing air quality analyses can be found at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>.

² CalEEMod is available free of charge at: www.caleemod.com.

³ South Coast AQMD's CEQA regional pollutant emissions significance thresholds can be found at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.

⁴ South Coast AQMD's guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips, and hauling trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers and air pollution control devices), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis. Furthermore, emissions from the overlapping construction and operational activities should be combined and compared to South Coast AQMD's regional air quality CEQA *operational* thresholds to determine the level of significance.

If the Proposed Project generates diesel emissions from long-term construction or attracts diesel-fueled vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead Agency perform a mobile source health risk assessment⁵.

In the event that implementation of the Proposed Project requires a permit from South Coast AQMD, South Coast AQMD should be identified as a Responsible Agency for the Proposed Project in the Draft Focused Supplemental EIR. The assumptions in the air quality analysis in the Focused Supplemental EIR will be the basis for evaluating the permit under CEQA and imposing permit conditions and limits. Questions on permits should be directed to South Coast AQMD's Engineering and Permitting staff at (909) 396-3385.

Mitigation Measures

In the event that the Proposed Project results in significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize these impacts. Any impacts resulting from mitigation measures must also be analyzed. Several resources to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project include South Coast AQMD's CEQA Air Quality Handbook¹, South Coast AQMD's Mitigation Monitoring and Reporting Plan for the 2016 Air Quality Management Plan⁶, and Southern California Association of Government's Mitigation Monitoring and Reporting Plan for the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy⁷.

South Coast AQMD staff is available to work with the Lead Agency to ensure that air quality, greenhouse gas, and health risk impacts from the Proposed Project are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact me at lsun@aqmd.gov.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS

SBC210617-09
Control Number

⁵ South Coast AQMD's guidance for performing a mobile source health risk assessment can be found at:

<http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

⁶ South Coast AQMD's 2016 Air Quality Management Plan can be found at: <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf> (starting on page 86).

⁷ Southern California Association of Governments' 2020-2045 RTP/SCS can be found at: https://www.connectsocial.org/Documents/PEIR/certified/Exhibit-A_ConnectSoCal_PEIR.pdf.



Department of Public Works

- Flood Control
- Operations
- Solid Waste Management
- Special Districts
- Surveyor
- Transportation

Brendon Biggs, M.S., P.E.
Director

David Doublet, M.S., P.E.
Assistant Director

July 13, 2021

File: 10(ENV)-4.01

Ontario International Airport Authority
Attn: Nicole Walker, Environmental Planning Manager
1923 East Avion Street
Ontario, CA 91761
nwalker@flyontario.com

Transmitted Via Email

RE: CEQA –NOTICE OF PREPARATION OF A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE REHABILITATION OF RUNWAY 8R-26L AND ASSOCIATED AIRFIELD IMPROVEMENTS PROJECT

Dear Ms. Walker:

Thank you for allowing the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. **We received this request on June 21, 2021** and pursuant to our review, we have the following comments:

Flood Control Planning & Water Resources Division (Michael Fam, Chief, 909-387-8120):

1. We are aware there may be storm drains in and around the site that may be affected by the proposed Project. When planning for or altering existing or future storm drains, be advised that the Project is subject to the City of Ontario MPD, dated March 2012. It is to be used as a guideline for drainage in the area and is available through the City of Ontario. Any revision to the drainage should be reviewed and approved by the City or Jurisdictional Agency. Should construction of new, or alterations to existing storm drains be necessary as part of the Proposed Project, their impacts and any required mitigation should be discussed within the Supplemental EIR before the document is adopted by the Lead Agency.
2. According to the most recent FEMA Flood Insurance Rate Map (FIRM), Panels 06071C8617J & 8636J (dated February 18, 2015); and 8637J (dated September 2, 2016), the Project lies within Zones A, X-shaded (500-yr. floodplain), and X-unshaded. Impacts associated with the project's occurrence in the Zone A area and mitigation, should be discussed within the Supplemental EIR prior to adoption by the Lead Agency.

BOARD OF SUPERVISORS

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Chief Executive Officer

Permits/Operations Support Division (Sameh Basta, Chief, 909-387-7995):

1. The proposed Project area incorporates two San Bernardino County Flood Control District (SBCFCD) facilities and right-of way, Cucamonga Channel, CE (1-301-IF) and West Cucamonga Channel (1-201-IG). Any encroachments including, but not limited to access for grading, fence removal and installation, side drain connections on the District's right-of-way or facilities will require a permit from the SBCFCD prior to start of construction. Also, SBCFCD facilities built by the Army Corps of Engineers (ACOE) will require the SBCFCD to obtain approval (408- Permit) from the ACOE. The necessity for any, or all of these permits, and any impacts associated with them, should be addressed in the Supplemental EIR prior to adoption and certification.

We respectfully request to be included on the circulation list for all project notices, public reviews, or public hearings. In closing, I would like to thank you again for allowing the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. Should you have any questions or need additional clarification, please contact the individuals who provided the specific comment, as listed above.

Sincerely,

Michael Perry

MICHAEL R. PERRY

Supervising Planner

Environmental Management

MP:AJ:nl

Carol A. Coy
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July 17, 2021

Nicole Walker, Environmental Planning Manager
Ontario International Airport Authority
1923 East Avion Street
Ontario, CA 91761

By Email to: nwalker@flyontario.com

Subject: Notice of Preparation Comments
Rehabilitation of Runway 8R-26L and Associated Airfield Improvements
Ontario International Airport

Dear Ms. Walker:

I concur with the Ontario International Airport Authority's (OIAA) conclusion noted in the referenced Notice of Preparation (NOP) and Initial Study that the proposed project as described may have significant impacts in the Biological Resource category, notably on the Burrowing Owl, a California State Species of Special Concern, thus requiring, at the least, preparation of a Supplemental Environmental Impact Report. Minimizing and mitigating the impacts on both Burrowing Owl habitat modification and disturbance of burrows, as well as disruption to the activities of individual birds, constitute important issues that need thorough study and consideration in the Environmental Impact Report materials to be prepared. I urge careful attention to the onsite conservation and protection of this important species.

As Burrowing Owl activity is dynamic in time, conduct of current surveys/population inventories should be undertaken both as part of EIR development, as well as becoming an important preconstruction requirement. Ongoing observation and documentation of Burrowing Owl activity during construction (by a qualified expert) that triggers protective actions as owls are encountered, and scheduling the timing of construction activities outside of breeding season, should be considered as part of developing an onsite mitigation and management plan that embodies good stewardship of this special species.

Please add me to the interest list for any further CEQA-related notices on this project. As a Biologist, I have devoted my thirty-five year career in environmental regulation and protection and have been personally observing and interested in the Airport's offsite Burrowing Owls the past five years. In fact, as part of the Pomona Valley Audubon Society, Burrowing Owl Conservation Committee, I first wrote Mark Thorpe, OIAA CEO, on March 8, 2019, noting my concern regarding "Airport Project Impact on Burrowing Owls" and pointed out "The ambitious Pacific Gateway Cargo Center construction project documentation does not seem to contemplate any biological impacts. We could not locate any construction or rehabilitation project documents that included any anticipated environmental impacts. One would expect from their offsite breeding presence... that Burrowing Owls are present in airport field areas...". Consequently, I am pleased to see OIAA now recognize that major construction projects and the rehabilitation and realignment of runways and taxiways can have a significant impact on this Species of Special Concern. I urge OIA to develop a protective onsite management plan for this species as several other airports have already done.

Thank you for the opportunity to comment on this NOP.

Sincerely,

Carol Coy

cc: California Department of Fish and Wildlife
Pomona Valley Audubon Society

ROBIN IKEDA

625 East I Street, Ontario, CA 91764 | (909) 773-2541 | robin.ikeda@gmail.com

15 July 2021

Nicole Walker
Environmental Planning Manager
Ontario International Airport Authority
1923 East Avion Street
Ontario, CA 91761

Dear Nicole Walker:

I am writing to comment on the Ontario International Airport Authority's (OIAA's) 17 June 2021 Notice of Preparation of a Draft Focused Supplemental Environmental Impact Report (DFSEIR) on the Ontario International Airport Rehabilitation of Runway 8R-26 Land and Associated Airfield Improvements (Runway Project).

By way of introduction, I am a recently retired professor of biology; having served for twenty-one years at Chaffey College, and seventeen years at Ontario and Damien High Schools. I hold a master's degree in biology and have extensive experience in field biology, including in surveying and monitoring vegetation and animals. Eight years of service on the North Etiwanda Preserve (NEP) Advisory Board acquainted me more fully with regulatory frameworks around land use, and I have found the intersections of these experiences to be richly productive. For example, field work performed by my Chaffey College students was routinely shared with NEP managers over the years; and Chaffey College students have been highly involved in monitoring burrowing owls in the area. I began working with burrowing owls in 2017; and have more recently worked with the Pomona Valley Audubon Society's (PVAS's) burrowing owl monitoring and conservation project. It is in the aforementioned spirit of community advocacy that I write to you with the following recommendations concerning protection of the burrowing owls on the OIAA property.

Burrowing owls are listed as a California Species of Special Concern; and are protected under the U.S. Migratory Bird Species Treaty Act. Their numbers locally are in sharp decline, due largely to loss of habitat by development. Burrowing owls are present in the Runway Project area.¹ In short, I recommend that the OIAA engage in comprehensive planning to explore the viability of responsible management of burrowing owls and other sensitive species on its properties, both

¹ Ontario International Airport Authority. May 2021. Initial Study of the Ontario International Airport Rehabilitation of Runway 8R-26 Land and Associated Airfield Improvements [4.0 Environmental Impacts; pp. 24-26, Biological Resources. Appendix C, Cooley and Singleton report of 11 Feb 2020]

within and beyond the Runway Project area (e.g., the “Boot Property”)². Planning tools, such as an OIAA Management Plan (if not already in place) and a full EIR for the Runway Project, (rather than a DFSEIR) are recommended to provide the scientific, planning, and policy framework required to identify and avoid (or meaningfully mitigate for) potential impacts to sensitive species from development; ideally preserving sensitive species in situ.

In the non-breeding surveys conducted for their 2021 Biological Report for the Initial Study of the Runway Project, Cooley and Singleton identify three active burrows in a study area including the runways and immediately adjacent fields.³ The OIAA’s Initial Study for the ranks the environmental impact of the Runway Project—through direct damage to sensitive species and impairment of wildlife movement—as “less than significant impact with mitigation incorporated.” The mitigation outlined is strikingly general. First, breeding surveys are needed to assess the actual value of this site to the burrowing owls. Second, the site needs to be viewed relative to a larger area; both on the airport property and in the area within reasonable dispersal distance for the owls.⁴ Without this information, it isn’t possible to determine the best mitigation strategy for maintaining a healthy owl population on the site and in the region. Third, potential mitigation measures—and the conditions that would trigger them—need to be specified in detail. Because the details make the difference between success and failure of mitigation, the lack of detail here is particularly troublesome. For example:

- It is likely to be best to protect the owls in place during the project. Will that option be explored?
 - Experts agree that conservation of owls in place—especially when supported with comprehensive planning—is dramatically more successful.^{5,6}
 - If so, how will they be protected and monitored?
- If not, how will owls be captured and removed? Where will they be relocated? How will they be protected and monitored? These are long and detailed processes if done correctly.⁷

² Carstens D. 7 July 2021. Letter to Mr. Mark Thorpe: Objection to Pursuit of Development Requiring Removal of Burrowing Owls. Chatten-Brown, Carstens & Minter LLP. Figure 2, page 8

³ Cooley E and L Singleton. 11 February 2020. Letter to Mr. Keith Owens: 2019\2020 non-breeding Burrowing Owl Survey Report for Potential Development of Ontario International Airport’s Parcel Study. Helix Environmental Planning, Inc.

⁴ Rosenberg DK, LA Trulio, D Catlin, D Chromczack, JA Gervais, N Ronan, KA Haley. 2007. The ecology of the Burrowing Owl in California. Unpubl. report to Bureau of Land Management.

⁵ “In summary, burrowing owl populations within southwestern San Bernardino County and southwestern California as a whole are in steep decline and on the verge of extirpation..., because owls are rarely, if ever, preserved on site.” Kidd J. undated. The Burrowing Owls at Ontario International Airport (OIA) Biology, Status, Regulatory Setting, and Mitigation Options report (Biological Report). Helix Environmental Inc. [in Appendix C of OIAA, 2021 Initial Study]

⁶ “The primary desirability of in situ preservation is underscored by Colleen Wisinski, Conservation Program Specialist in Recovery Ecology at the San Diego Zoo Wildlife Alliance and field team leader for their burrowing owl program. In an email communication with PVAS, she stated:”

...setting aside the land the owls already occupy is more efficacious (and probably cheaper in the long run)... I point this out only to be clear that using active translocation should be planned in the context of several years of planning, funding, and commitment in order to be successful. The way that mitigation translocations have routinely been carried out was with a much shorter time horizon (e.g., 1 month of monitoring after release—essentially getting the animals out of immediate danger). The value of this approach as a long-term conservation tool is dubious.

Carstens D, 7 July 2021

⁷ Kidd J, undated, pp 8-10

- If owls must be removed, the goal of preserving remaining burrowing owls in place will likely necessitate their return to the site. Is that option being explored?

How will the public know that the best science and policy around protecting burrowing owls from local extinction is being brought to bear in this project? Indeed, the aforementioned questions and concerns about adequate, appropriate, and effective mitigation for impacts on burrowing owls and their habitat on the OIAA property beg the larger question about whether OIAA's comprehensive planning processes are current. If, as Doug Carstens suggested in a recent letter to OIAA, there is no Master Plan in place,⁸ there is a terrific opportunity to create the kind of comprehensive planning that could make meaningful on-site conservation of burrowing owls (and possibly other sensitive species) possible. Carstens says it well:

Master Plans require review under applicable environmental laws which provides a perfect context for OIA to address the significant biological resources present on its properties, identify potential impacts to them from future development, and devise current, robust, evidence-based strategies (e.g., prioritization of in situ preservation) to avoid and/or mitigate those impacts.⁹

Additionally, the NOP proposes preparation of a DFSEIR in support of the existing EIR from the 1991 Final EIR for Terminals, Other Facilities and Operations to Support 12 Million Annual Passengers. To my eye, the Runway Project calls for a full Environmental Impact Report (EIR), rather than a narrow and limited Focused Supplemental EIR (FSEIR). The Inland Empire has changed dramatically in the twenty years since the last study of the airport and its impacts was made. Burrowing owls, for example, have undergone precipitous decline due to habitat loss during that period.¹⁰ I strongly recommend that the OIAA undertake a full EIR. The effort is likely to dovetail nicely with the development of a Management Plan, the support of which also requires environmental review to identify potential impacts, and plan comprehensively for the avoidance or reduction of impacts of future development.

Indeed, the need for further analysis of the best science and policy guiding the feasibility of in situ preservation of burrowing owls near airports is evidenced by Kidd's recommendation in his undated report¹¹ that owls should not be preserved on-site. Two key pillars of Kidd's rationale are: 1) FAA and other regulations contraindicating the preservation of owls near airports; 2) the low numbers of owls in the area, and the high fragmentation of their habitat. Kidd's assertions about the inadvisability of preserving burrowing owls within 10,000 feet of a runway don't comport with practices at other California airports (e.g., Norman Y. Mineta San José International Airport and Lemoore Naval Air Station), per their management plans. It is evidently possible to manage sensitive species while complying with FAA

⁸ "... we are unaware of any final airport Master Plan approved for Ontario International Airport, or necessary approvals by an airport land use commission." Carstens D, 7 July 2021

⁹ Carstens D, 7 July 2021

¹⁰ Kidd J, undated

¹¹ Ibid

standards and protecting safe air travel.¹² Carstens summarized: “Like other airports, OIA can achieve its safety and air traffic needs while sustaining regionally significant wildlife populations.”

Further, while burrowing owls have suffered steep declines and habitat fragmentation, they are more abundant in the area than Kidd has reported,¹³ and evidently disperse further (between habitat fragments) than he has projected.¹⁴ As central as they are to decision-making about conservation strategies for a species already in precipitous decline in the region, due to habitat loss, I assert that these questions around the viability and safety of preserving burrowing owls in situ on the airport property should be resolved before the OIAA moves forward with the Runway Project in the apparent absence of an adequately-informed plan for managing impacts to burrowing owls.

In summary, I recommend that the OIAA engage in comprehensive planning to explore the viability of responsible management of burrowing owls and other sensitive species on its properties, both within and beyond the Runway Project area. Planning tools, such as an OIAA Management Plan and a full EIR for the Runway Project, are recommended to provide the scientific, planning and policy framework required to identify, avoid, or meaningfully mitigate for, potential impacts to sensitive species from development; and ideally preserve burrowing owls in situ.

Sincerely,



Robin Ikeda
Retired Biology Professor, Chaffey College

¹² Carstens D, 7 July 2021

¹³ The PVAS has been observing owls at several sites not shown on Kidd’s map. I have observed burrowing owls in the 80 acres of undeveloped fields of the Chino campus of Chaffey College (on College Park Ave.) since 2017. I have counted as many as 38 owls in a single visit. Observations from 2017-2019 have been submitted to the CNDDDB.

¹⁴ Rosenberg et al., 2007

DOCUMENTS CITED

Carstens D. 7 July 2021. Letter to Mr. Mark Thorpe: Objection to Pursuit of Development Requiring Removal of Burrowing Owls. Chatten-Brown, Carstens & Minter LLP

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Kidd J. undated. The Burrowing Owls at Ontario International Airport (OIA) Biology, Status, Regulatory Setting, and Mitigation Options report (Biological Report). Helix Environmental Inc. [in Appendix C of OIAA, 2021 Initial Study]

Ontario International Airport Authority. May 2021. Initial Study of the Ontario International Airport Rehabilitation of Runway 8R-26 Land and Associated Airfield Improvements [4.0 Environmental Impacts; pp. 24-26, Biological Resources. Appendix C, Cooley and Singleton report of 11 Feb 2020]

Ontario International Airport Authority. 17 June 2021. Notice of Preparation of a Draft Focused Supplemental Environmental Impact Report on the Ontario International Airport Rehabilitation of Runway 8R-26 Land and Associated Airfield Improvements

Rosenberg DK, LA Trulio, D Catlin, D Chromczack, JA Gervais, N Ronan, KA Haley. 2007. The ecology of the Burrowing Owl in California. Unpubl. report to Bureau of Land Management.

APPENDIX

Carstens D. 7 July 2021. Letter to Mr. Mark Thorpe: Objection to Pursuit of Development Requiring Removal of Burrowing Owls. Chatten-Brown, Carstens & Minter LLP



Chatten-Brown, Carstens & Minter LLP

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Email Address:
dpc@cbcearthlaw.com
Direct Dial:
310-798-2400 Ext. 1

July 7, 2021

Mr. Mark Thorpe,
CEO, Ontario International Airport Authority
1923 East Avion Street
Ontario, CA 91761

Re: Objection to Pursuit of Development Requiring Removal of Burrowing Owls

Dear Mr. Thorpe,

On behalf of Pomona Valley Audubon Society, we write to object to further consideration of development, sale, or lease of property by the Ontario International Airport Authority (OIAA or Authority) that might require removal of Burrowing Owls without undertaking adequate compliance with the California Environmental Quality Act (CEQA). CEQA compliance requires the Authority to analyze alternatives to Burrowing Owl removal. The Authority should not encourage businesses to invest in leases and development without developing a framework that allows the owls to continue to nest and thrive on the site. An adequate framework requires the Authority to finally prepare a proper Master Plan for the airport and address issues including biological resource issues as part of that planning process.

A. The Burrowing Owl is a Protected Species, Which May Not be Removed Without Adequate Environmental Review Under CEQA.

Burrowing Owls (*Athene cunicularia*) are a State Species of Special Concern. The species has undergone substantial decline in the vicinity of the Ontario International Airport (OIA), across southwestern California, and statewide. The species is sufficiently rare, and its range had collapsed to such a degree by 2003, that several local Audubon Society chapters and others petitioned the State of California to list it as an endangered species. In the intervening 18 years since the Fish and Game Commission turned down the petition, the status of Burrowing Owl populations has only worsened, hastened by the rapid loss of habitat development. More protection of Burrowing Owls is warranted, not less.

Development of the area of OIA known as the “boot” (“Boot Property”) would trigger the preparation of an environmental impact report (EIR) based on CEQA’s standard Initial Study screening questions. Specifically, an EIR is required if the Authority can conceivably answer affirmatively:

Would the project: a) 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?¹

As Burrowing Owls are present on the CDFW sensitive species list, loss of the remaining population on the Boot Property would constitute a potentially significant impact under CEQA, triggering the requirement to prepare an EIR.

The Burrowing Owl population on the Boot Property is the largest remaining in the region, to the extent that the Authority’s own consultants argue that no other population in this portion of San Bernardino County is viable (Kidd Biological, undated).² The loss of this population, which would be inevitable if the site is developed, would reduce the range of the species significantly and represent a significant adverse impact under CEQA.

The Burrowing Owls at Ontario International Airport (OIA) Biology, Status, Regulatory Setting, and Mitigation Options report (Biological Report) prepared for Helix Environmental by Kidd Biological Inc. falsely states, “With the failed listing attempt.... Little to no mitigation is required for destruction/development of occupied habitat.” The Biological Report is completely wrong on this point of law.

¹ <https://resources.ca.gov/CNRALegacyFiles/ceqa/docs/ab52/final-approved-appendix-G.pdf>

² The Kidd Biological Report wrongly stated that there were no concentrations of owls nearby. To the contrary, a Pomona Valley Audubon Society project monitors four other Burrowing Owl nesting sites within 5 to 7 miles of the Ontario Airport. Together with the Ontario owls, these five sites are within dispersal range of each other, using the maximum dispersal range of 12.5 miles (for male adults) to 13.8 miles (for female adults) found in the Rosenberg et al. (2007) study. The presence of owl populations within dispersal range of the Airport indicates that there is a source of genetic diversity for the Ontario owls and they, in turn, serve the important role of increasing the viability of the other sites within their range.

On the contrary, CEQA protects California Species of Special Concern. (*Mejia v. City of Los Angeles* (2005) 130 Cal.App.4th 322, 337 [requiring preparation of an environmental impact report where substantial evidence existed to support a fair argument that Species of Special Concern would be adversely impacted by a proposed development project.]) As stated by the Court in *Mejia*, the Department of Fish and Game maintains lists of species of special concern on its website, stating, “ ‘Species of Special Concern’ (SSC) status applies to animals not listed under the federal Endangered Species Act or the California Endangered Species Act, but which nonetheless 1) are declining at a rate that could result in listing, or 2) historically occurred in low numbers and known threats to their persistence currently exist.” (<<http://www.dfg.ca.gov/hcpb/species/ssc/ssc.shtml>>.) (*Mejia, supra*, 130 Cal.App.4th 322, 337.) CEQA thus requires that a project that could have significant and adverse impacts to Species of Special Concern avoid or mitigate those impacts.

The Boot Property east of the airport is prime Burrowing Owl nesting habitat that supported six active burrows and at least 15 owl fledglings in the 2020 nesting season. Burrowing Owl are disappearing fast from the Ontario area and may be listed as an endangered species in the future.

The Biological Report recognizes that “conserving owls on site (in situ)” is “the most important mitigation option” (Biological Report, p. 6.) However, the report then asserts it is “rarely ever conducted since this is not required by the resource agencies.” (Biological Report, p. 6.) Whether resource agencies require on site preservation or not, impacts and alternatives to burrowing owl removal must be fully analyzed in an environmental impact report. The primary desirability of in situ preservation is underscored by Colleen Wisinski, Conservation Program Specialist in Recovery Ecology at the San Diego Zoo Wildlife Alliance and field team leader for their burrowing owl program. In an email communication with PVAS, she stated:

...setting aside the land the owls already occupy is more efficacious (and probably cheaper in the long run)...I point this out only to be clear that using active translocation should be planned in the context of several years of planning, funding, and commitment in order to be successful. The way that mitigation translocations have routinely been carried out was with a much shorter time horizon (e.g., 1 month of monitoring after release—essentially getting the animals out of immediate danger). The value of this approach as a long-term conservation tool is dubious....

The Biological Report falsely asserts, “The best approach for owl mitigation at and adjacent to OIAA property should involve active relocation.” (Biological Report, p. 10.) Contrary to this statement, the best approach would be in situ preservation. If such in situ preservation is infeasible for identifiable reasons, the Authority must make a finding of

overriding considerations pursuant to Public Resources Code section 21081 before it approves any owl relocation or development of owl habitat.

B. The Airport Authority Must Conduct an Initial Study Before It Impermissibly Pre-Commits to Removal of Burrowing Owl, Including Leasing the “Boot Property,” Before Conducting CEQA Review

Ontario International Airport (OIA) is preparing to lease the “Boot Property,” located to the east of the runways and bounded by Airport Drive to the north, Jurupa Street to the south, Haven Avenue to the west, and Doubleday Avenue to the east. The Boot Property contains 24 parcels that amount to 240 acres within the boundary of the airport. We understand OIA has secured a real estate agent broker to locate a lessee. In doing so, OIA staff asserted that any future lease would be exempt from environmental review pursuant to CEQA Guidelines Section 15312. However, this exemption applies to *sales* of surplus properties, while the anticipated action is a *lease* and the property is not surplus³. The exemption is therefore inapplicable. Entering into a lease to develop OIA land is a discretionary action and would therefore be subject to CEQA review because the subsequent development is the inevitable and inseparable outcome of the agreement.

A lead agency may not commit to a definite course of action prior to conducting adequate environmental review pursuant to CEQA. CEQA further requires that environmental review occur before momentum becomes unstoppable and alternatives to a project become foreclosed. (*Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116.) Approval of the displacement of Burrowing Owls would be improper precommitment to a specific action prior to review or approval of an environmental impact report that analyzes future airport development patterns.

Here, OIAA has impermissibly set itself on a path of approving projects that require the removal of the Burrowing Owl. While it does not yet appear that the Authority has actually approved removal of any burrowing owls, the Authority has accepted the Biology Report that improperly incorporates the assumption that removal will be the best option (Biology Report, p. 10) and may be required for subsequent development.

Prior to approval of any further steps toward the development of areas occupied by the burrowing owl, the Authority must conduct an initial study to determine the potential impacts that will occur and consult with the California Department of Fish and Wildlife

³ Disposal of surplus government property requires compliance with the Surplus Lands Act, which the Authority apparently has not contemplated. The Surplus Land Act includes requirements to first offer surplus land to relevant agencies for various purposes including open space preservation.

(CDFW) about those impacts before it prepares that study. As stated by the Court of Appeal:

Our conclusion that a fair argument can be made that the project may have a significant impact on animal wildlife also compels the conclusion that the city was required to consult with the Department of Fish and Game, a trustee agency (Guidelines, § 15386), before conducting an initial study, and subsequently was required to notify the department of the city's intention to adopt a mitigated negative declaration. (Pub. Resources Code, § 21080.3, subd. (a); Guidelines, §§ 15063, subd. (g), 15072, subd. (a); *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1386–1388, 43 Cal.Rptr.2d 170.)

(*Mejia v. City of Los Angeles* (2005) 130 Cal.App.4th 322, 340.)

C. The Authority Must Undertake Proper Airport Planning to Identify and Avoid or Reduce Impacts of Potential Future Development.

Although there may have been initial attempts to start airport master planning in 2002 and 2007, we are unaware of any final airport master plan approved for Ontario International Airport, or necessary approvals by an airport land use commission. The Ontario Airport was transferred to local control under the Authority from the City of Los Angeles on November 1, 2016. Neither the Los Angeles World Airports (LAWA) nor the Authority has ever developed a Master Plan for the Ontario International Airport.

Proper airport planning requires that the Authority prepare a master plan approved by an airport land use commission or similar body. (Pub. Util. Code, § 21670.1.) We are aware of no such Master Plan nor any such approval by an airport land use commission. A Master Plan must be developed prior to any Authority authorization of development on airport property, and any Master Plan prepared must address biological resource impacts, including foreseeable impacts to Burrowing Owls. Rather than deferring proper analysis of this Species of Special Concern to a future point, we urge you to undertake a thorough analysis of potential impacts to Burrowing Owls immediately.

The Authority's approval of Boot Property sales or leases will be legally vulnerable in the absence of a properly prepared and adopted airport master plan and CEQA-compliant environmental review of the potential removal of Burrowing Owl.

The Authority's environmental consultants have advised that it is somehow impermissible for the airport to conserve and manage Burrowing Owls on its property or within 10,000 feet of the runway (Kidd Biological, undated). This histrionic claim is inconsistent with precedent at other airports in California.

The Authority should familiarize itself with the Burrowing Owl management program at the Norman Y. Mineta San José International Airport. San José International Airport is much larger with nearly double the number of annual passengers. Since 1997, the San José International Airport has implemented a Burrowing Owl Management Plan, under which 84 acres of the infield of the airport are managed for Burrowing Owls. As stated on the airport's website:

The Burrowing Owl is one of the smallest and unique species of owls, growing to a height of approximately 9 inches, weighing about 4 oz., and living in underground burrows. We have a wildlife management program that actively manages the Western Burrowing Owls within the infield areas to ensure the ongoing safety of both the burrowing owls and aviation operations. The owls are banded at a young age, with a specific code that allows biologists to observe owls into adulthood.⁴

San José International Airport also constructs artificial burrows for Burrowing Owls, including in areas far closer to the airfield than the Boot Property is to the airfield at OIA. In fact, as approved mitigation for loss of burrows within the airfield, San José International Airport has constructed artificial burrows at a 2:1 ratio within its VOR area, *immediately adjacent to the airfield* (VHF Omnidirectional Radio; marked with a star on Figure 1). Conservation of Burrowing Owls in this location and these active measures to encourage nesting have been approved by California Department of Fish and Wildlife (2020).

In over 20 years of implementation, and nine years at the VOR site, active management of Burrowing Owls adjacent to the San José International Airport airfield has not resulted in the dire consequences from the Federal Aviation Administration (FAA) that OIA's environmental consults imagine (Kidd Biological Report, undated).

Management of rare and endangered species on airport property is simply part of being a responsible public agency. Many airports can and do balance the risks of the presence of sensitive species with FAA regulations ensuring air traffic safety. The San José International Airport management plan for Burrowing Owls is only one example. In the Central Valley, Lemoore Naval Air Station has a Burrowing Owl management plan that includes active management to promote the species adjacent to runways.⁵ Silicon

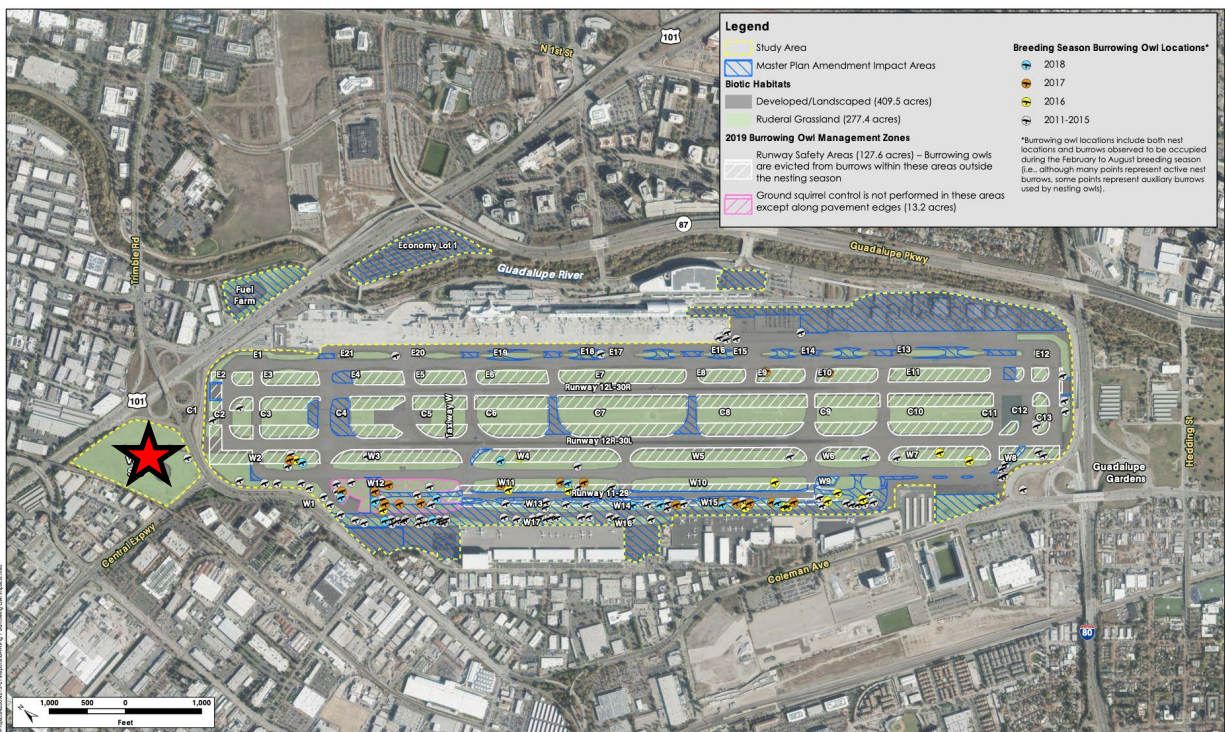
⁴ <https://www.flysanjose.com/node/501>

⁵

https://www.birdpop.org/docs/pubs/Rosenberg_and_Gervais_2009_An_Updated_Management_Plan_For_BUOW_Population_Lemoore.pdf

Valley's Moffett Field discourages nesting on the airfield itself, but constructs artificial burrows on non-airfield areas at the facility.⁶

OIA needs a Master Plan that addresses all of its property and plans for future development. Preparation of such a plan is “strongly recommended” by FAA.⁷ Master Plans require review under applicable environmental laws which provides a perfect context for OIA to address the significant biological resources present on its properties, identify potential impacts to them from future development, and devise current, robust, evidence-based strategies (e.g., prioritization of in situ preservation) to avoid and/or mitigate those impacts. Like other airports, OIA can achieve its safety and air traffic needs while sustaining regionally significant wildlife populations. At the very least, given that OIA has Burrowing Owls within airfield operations areas that may be impacted by future activities, it would be well advised to maintain the Boot Property as a potential mitigation area to offset airfield-related impacts, following the lead of San José International Airport's use of its VOR area for the same purpose. Such mitigation actions, and management to encourage Burrowing Owls has been a key environmental planning and mitigation element that has allowed San José International Airport's Master Plan iterations to withstand legal challenges.



⁶ https://www.nasa.gov/sites/default/files/8_exhibit_b_1_2c_.pdf

⁷ https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_150_5070-6B_with_chg_1&2.pdf

Figure 1. Norman Y. Mineta San José International Airport, showing location of Burrowing Owls (small circular icons) and area where artificial burrows are constructed (red star).

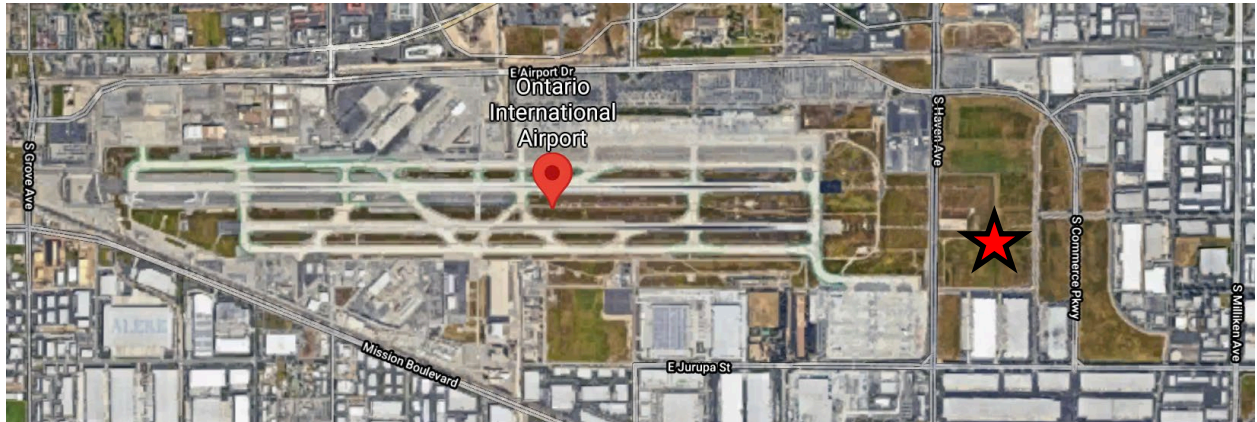


Figure 2. Ontario International Airport, showing location of Boot Property with population of nesting Burrowing Owls.

Conclusion.

We ask that the Authority not issue any approvals for plans, contracts, or leases, or lend any further momentum to developments of Ontario International Airport property without first preparing a proper Airport Master Plan and adequate environmental review to support it. Such a plan should provide for onsite preservation of Burrowing Owl and full mitigation of any impacts to them.

Please notify us of any hearings or the issuance of any findings or permits related to this matter. We also ask that you preserve all records and communications related to development of airport property in accordance with the requirements of *Golden Door Properties, LLC v. County of San Diego*, (2020) 50 Cal.App.5th 467.

Sincerely,

Douglas Carstens

From: [kimberlyfour](#)
To: [Walker, Nicole](#)
Subject: Rehabilitation of Runway 8R-26L
Date: Friday, July 16, 2021 4:47:31 PM

Hello Nicole,

The following comments are in regards to the planed construction to rehabilitate runway 8R-26L. I am involved in the effort to protect the last remaining Burrowing Owls that we have in San Bernardino County. The population is tenuous at best, but we do have active breeding populations at the Ontario Airport as well in three areas in Chino. These small populations are close enough that they can interbreed which will help to insure that they remain genetically healthy. There are active breeding owls in the areas slated for construction. These owls need to have consideration and to be protected during construction. That information definitely needs to be included and addressed in any plans going forward.

Since the 1980's we have basically killed off most of our owls in San Bernardino County by destroying and developing their habitat. Mitigation to address this has been virtually non-existent. This is unfortunately happening all over this planet.

Populations of wild animals have more than halved since 1970, while the human population has doubled.

Only five times before in our planet's history have so many species and so much biodiversity been lost so quickly. The fifth was when the dinosaurs were wiped out. That is why scientists and conservationists call what is happening now the 'sixth mass extinction'. Some have even described the loss of biodiversity today as 'biological annihilation'.

It is my hope that the Ontario Airport and the city of Ontario becomes a friend of the Burrowing Owls and that they act before it is too late to save these beautiful birds.

Sincerely yours,

Kimberly Dillbeck

From: [Suzanne C. Thompson](#)
To: [Walker, Nicole](#)
Subject: Public comment: Rehabilitation of Runway 8R-26L and Associated Airfield Improvements
Date: Friday, July 16, 2021 9:23:06 AM

July 16, 2021

Nicole Walker, Environmental Planning Manager

Dear Ms. Walker,

I am writing to register my concern about the effect of the proposed runway work on the resident Burrowing Owls in the area surrounding the OIA runways.

Burrowing Owls are a California Species of Special Concern and, given their decline throughout their traditional range, could be a candidate for an “endangered” listing in the near future. The owls and their burrows need strong protection throughout the construction period and, if necessary, in the new runway configuration when the project is completed.

A detailed plan for protecting the Burrowing Owls needs to be included in the Environmental Impact Report.

Sincerely,

Suzanne Thompson
Chair, Pomona Valley Audubon Burrowing Owl Committee
sthompson@pomona.edu

APPENDIX A

NATIVE AMERICAN HERITAGE COMMISSION

NATIVE AMERICAN HERITAGE COMMISSION

April 13, 2021

Caroline Pinegar
Ontario International Airport Authority

Via Email to: cpinegar@hntb.com

Re: Native American Tribal Consultation, Pursuant to the Assembly Bill 52 (AB 52), Amendments to the California Environmental Quality Act (CEQA) (Chapter 532, Statutes of 2014), Public Resources Code Sections 5097.94 (m), 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2 and 21084.3, Rehabilitation of Runway 8R-26L and Associated Taxiway Improvements Project, San Bernardino County

Dear Ms. Pinegar:

Pursuant to Public Resources Code section 21080.3.1 (c), attached is a consultation list of tribes that are traditionally and culturally affiliated with the geographic area of the above-listed project. Please note that the intent of the AB 52 amendments to CEQA is to avoid and/or mitigate impacts to tribal cultural resources, (Pub. Resources Code §21084.3 (a)) ("Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.")

Public Resources Code sections 21080.3.1 and 21084.3(c) require CEQA lead agencies to consult with California Native American tribes that have requested notice from such agencies of proposed projects in the geographic area that are traditionally and culturally affiliated with the tribes on projects for which a Notice of Preparation or Notice of Negative Declaration or Mitigated Negative Declaration has been filed on or after July 1, 2015. Specifically, Public Resources Code section 21080.3.1 (d) provides:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

The AB 52 amendments to CEQA law does not preclude initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction prior to receiving requests for notification of projects in the tribe's areas of traditional and cultural affiliation. The Native American Heritage Commission (NAHC) recommends, but does not require, early consultation as a best practice to ensure that lead agencies receive sufficient information about cultural resources in a project area to avoid damaging effects to tribal cultural resources.

The NAHC also recommends, but does not require that agencies should also include with their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential effect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:



CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

SECRETARY
Merri Lopez-Keifer
Luiseño

PARLIAMENTARIAN
Russell Attebery
Karuk

COMMISSIONER
William Mungary
Paiute/White Mountain
Apache

COMMISSIONER
Julie Tumamait-Stenslie
Chumash

COMMISSIONER
[Vacant]

COMMISSIONER
[Vacant]

COMMISSIONER
[Vacant]

EXECUTIVE SECRETARY
Christina Snider
Pomo

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

- A listing of any and all known cultural resources that have already been recorded on or adjacent to the APE, such as known archaeological sites;
- Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
- Whether the records search indicates a low, moderate, or high probability that unrecorded cultural resources are located in the APE; and
- If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.

2. The results of any archaeological inventory survey that was conducted, including:

- Any report that may contain site forms, site significance, and suggested mitigation measures.

All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code section 6254.10.

3. The result of any Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was negative.

4. Any ethnographic studies conducted for any area including all or part of the APE; and

5. Any geotechnical reports regarding all or part of the APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS are not exhaustive and a negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event that they do, having the information beforehand will help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our consultation list remains current.

If you have any questions, please contact me at my email address: Andrew.Green@nahc.ca.gov.

Sincerely,



Andrew Green
Cultural Resources Analyst

Attachment

**Native American Heritage Commission
Tribal Consultation List
San Bernardino County
4/13/2021**

**Agua Caliente Band of Cahuilla
Indians**

Jeff Grubbe, Chairperson
5401 Dinah Shore Drive Cahuilla
Palm Springs, CA, 92264
Phone: (760) 699 - 6800
Fax: (760) 699-6919

Gabrielino-Tongva Tribe

Charles Alvarez,
23454 Vanowen Street Gabrielino
West Hills, CA, 91307
Phone: (310) 403 - 6048
roadkingcharles@aol.com

**Agua Caliente Band of Cahuilla
Indians**

Patricia Garcia-Plotkin, Director
5401 Dinah Shore Drive Cahuilla
Palm Springs, CA, 92264
Phone: (760) 699 - 6907
Fax: (760) 699-6924
ACBCI-THPO@aguacaliente.net

**Morongo Band of Mission
Indians**

Ann Brierty, THPO
12700 Pumarra Road Cahuilla
Banning, CA, 92220 Serrano
Phone: (951) 755 - 5259
Fax: (951) 572-6004
abrierty@morongo-nsn.gov

**Gabrieleno Band of Mission
Indians - Kizh Nation**

Andrew Salas, Chairperson
P.O. Box 393 Gabrieleno
Covina, CA, 91723
Phone: (626) 926 - 4131
admin@gabrielenoindians.org

**Morongo Band of Mission
Indians**

Robert Martin, Chairperson
12700 Pumarra Road Cahuilla
Banning, CA, 92220 Serrano
Phone: (951) 755 - 5110
Fax: (951) 755-5177
abrierty@morongo-nsn.gov

**Gabrieleno/Tongva San Gabriel
Band of Mission Indians**

Anthony Morales, Chairperson
P.O. Box 693 Gabrieleno
San Gabriel, CA, 91778
Phone: (626) 483 - 3564
Fax: (626) 286-1262
GTTribalcouncil@aol.com

**Quechan Tribe of the Fort Yuma
Reservation**

Jill McCormick, Historic
Preservation Officer
P.O. Box 1899 Quechan
Yuma, AZ, 85366
Phone: (760) 572 - 2423
historicpreservation@quechantribe.com

Gabrielino /Tongva Nation

Sandonne Goad, Chairperson
106 1/2 Judge John Aiso St., Gabrielino
#231
Los Angeles, CA, 90012
Phone: (951) 807 - 0479
sgoad@gabrielino-tongva.com

**San Manuel Band of Mission
Indians**

Jessica Mauck, Director of
Cultural Resources
26569 Community Center Drive Serrano
Highland, CA, 92346
Phone: (909) 864 - 8933
jmauck@sanmanuel-nsn.gov

**Gabrielino Tongva Indians of
California Tribal Council**

Robert Dorame, Chairperson
P.O. Box 490 Gabrielino
Bellflower, CA, 90707
Phone: (562) 761 - 6417
Fax: (562) 761-6417
gtongva@gmail.com

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and section 5097.98 of the Public Resources Code.

This list is only applicable for consultation with Native American tribes under Public Resources Code Sections 21080.3.1 for the proposed Rehabilitation of Runway 8R-26L and Associated Taxiway Improvements Project, San Bernardino County.

**Native American Heritage Commission
Tribal Consultation List
San Bernardino County
4/13/2021**

***Santa Rosa Band of Cahuilla
Indians***

Lovina Redner, Tribal Chair
P.O. Box 391820 Cahuilla
Anza, CA, 92539
Phone: (951) 659 - 2700
Fax: (951) 659-2228
lsaul@santarosa-nsn.gov

***Serrano Nation of Mission
Indians***

Wayne Walker, Co-Chairperson
P. O. Box 343 Serrano
Patton, CA, 92369
Phone: (253) 370 - 0167
serranonation1@gmail.com

***Serrano Nation of Mission
Indians***

Mark Cochrane, Co-Chairperson
P. O. Box 343 Serrano
Patton, CA, 92369
Phone: (909) 528 - 9032
serranonation1@gmail.com

***Soboba Band of Luiseno
Indians***

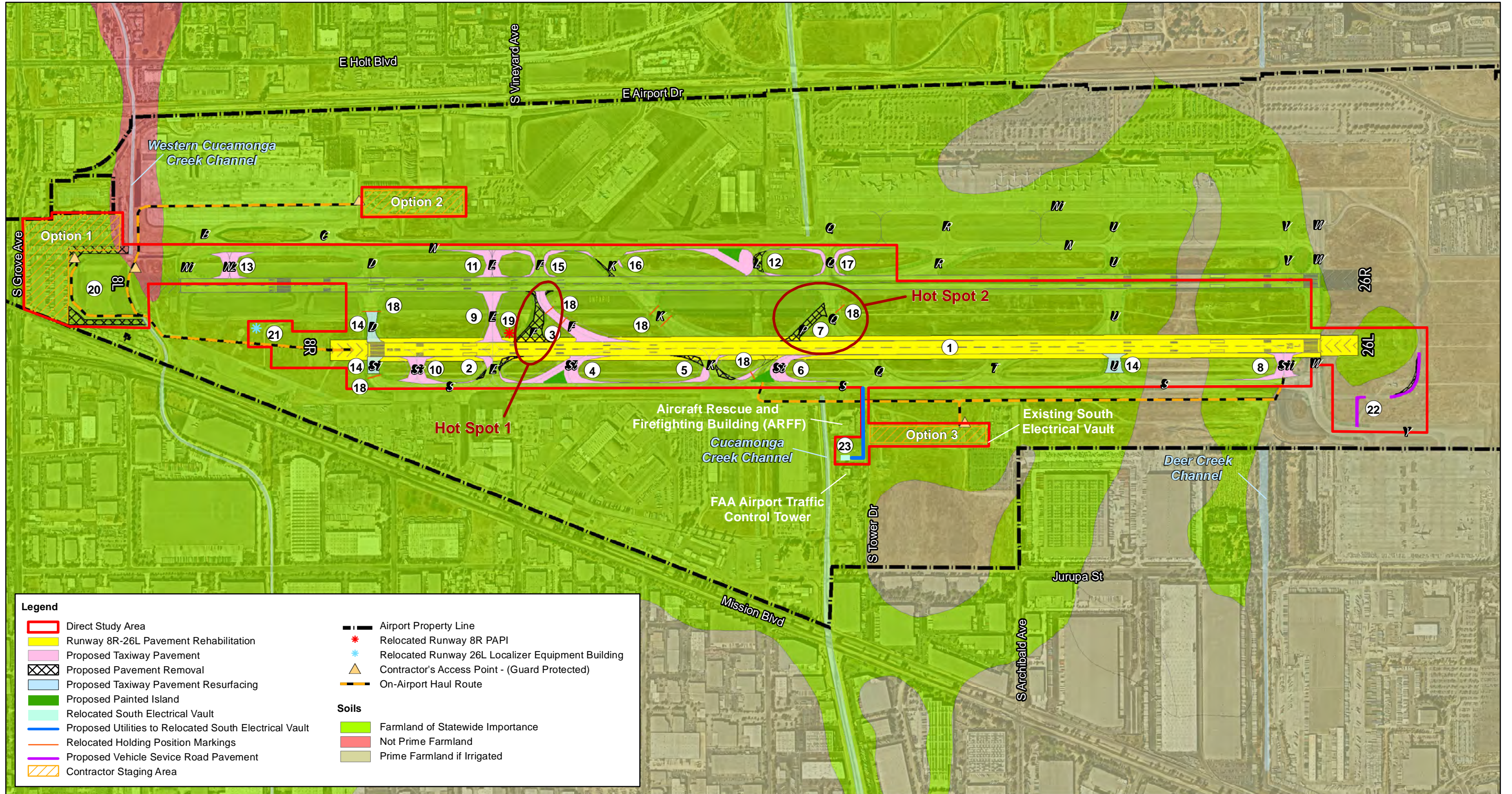
Isaiah Vivanco, Chairperson
P. O. Box 487 Cahuilla
San Jacinto, CA, 92581 Luiseno
Phone: (951) 654 - 5544
Fax: (951) 654-4198
ivivanco@soboba-nsn.gov

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and section 5097.98 of the Public Resources Code.

This list is only applicable for consultation with Native American tribes under Public Resources Code Sections 21080.3.1 for the proposed Rehabilitation of Runway 8R-26L and Associated Taxiway Improvements Project, San Bernardino County.

APPENDIX B

FARMLANDS



PROPOSED ACTION PROJECTS

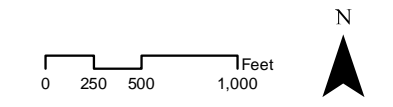
- (1) REHABILITATE RUNWAY 8R-26L
- (2) MODIFY EXISTING CONNECTOR TAXIWAY F AND REDESIGNATE AS TAXIWAY E
- (3) REMOVE EXISTING TAXIWAY F BETWEEN RUNWAYS 8L-26R AND 8R-26L AND CONSTRUCT NEW EXIT TAXIWAY F
- (4) CONSTRUCT EXIT TAXIWAY S5
- (5) RECONSTRUCT EXISTING EXIT TAXIWAY K
- (6) RECONSTRUCT EXISTING EXIT TAXIWAY P TO A HIGH-SPEED EXIT AND REDESIGNATE AS TAXIWAY S8
- (7) REMOVE EXISTING TAXIWAY P BETWEEN RUNWAYS 8L-26R AND 8R-26L
- (8) CONSTRUCT BYPASS TAXIWAY S11

- (9) CONSTRUCT CROSSING TAXIWAY E
- (10) CONSTRUCT BYPASS TAXIWAY S3
- (11) CONSTRUCT CROSSING TAXIWAY E
- (12) RECONSTRUCT EXISTING TAXIWAY LAS A HIGH-SPEED EXIT TAXIWAY
- (13) CONSTRUCT BYPASS TAXIWAY N2
- (14) RESURFACE TAXIWAY D, TAXIWAY S1 AND TAXIWAY U PAVEMENT
- (15) CONSTRUCT FILLET MODIFICATIONS ON TAXIWAY F BETWEEN RUNWAY 8L-26R AND TAXIWAY N
- (16) CONSTRUCT FILLET MODIFICATIONS ON TAXIWAY K BETWEEN RUNWAY 8L-26R AND TAXIWAY N

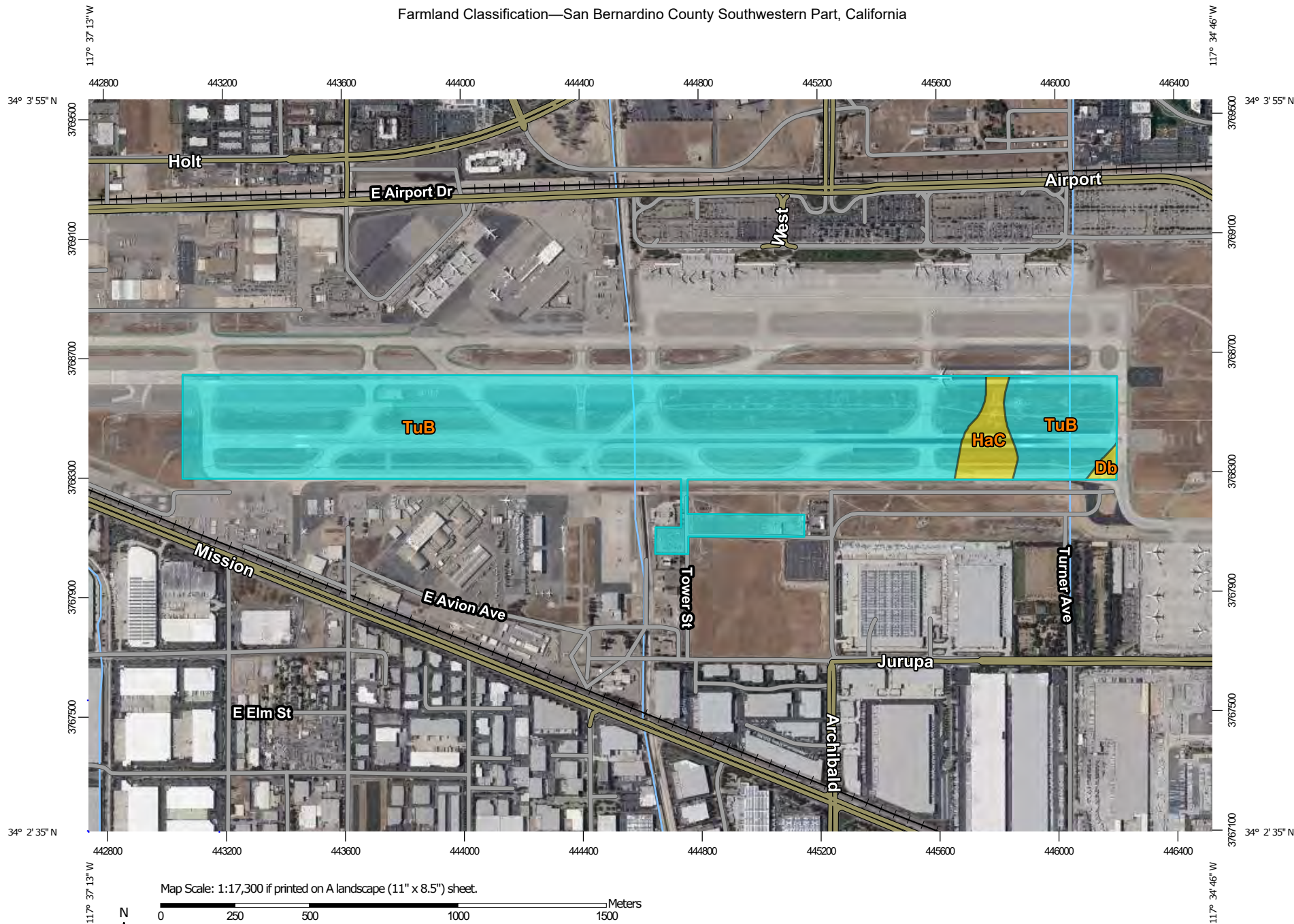
- (17) CONSTRUCT FILLET MODIFICATIONS ON TAXIWAY Q BETWEEN RUNWAY 8L-26R AND TAXIWAY N
- (18) RELOCATE HOLDING POSITION MARKINGS*
- (19) RELOCATE RUNWAY 8R PAPI
- (20) RELOCATE PERIMETER FENCE AND REMOVE OBJECTS WITHIN ROFA
- (21) RELOCATE RUNWAY 26L (8R END) LOCALIZER EQUIPMENT BUILDING
- (22) MODIFY EXISTING VEHICLE SERVICE ROAD
- (23) RELOCATE SOUTH ELECTRICAL VAULT

* DEPICTED IN MULTIPLE LOCATIONS

Figure 1
Farmland Classifications



Farmland Classification—San Bernardino County Southwestern Part, California



Map Scale: 1:17,300 if printed on A landscape (11" x 8.5") sheet.




Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 11N WGS84











MAP LEGEND








Area of Interest (AOI)






-  Area of Interest (AOI)








Soils



Soil Rating Polygons

-  Not prime farmland
-  All areas are prime farmland
-  Prime farmland if drained
-  Prime farmland if protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated
-  Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated and drained
-  Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season









-  Prime farmland if subsoiled, completely removing the root inhibiting soil layer
-  Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
-  Prime farmland if irrigated and reclaimed of excess salts and sodium
-  Farmland of statewide importance
-  Farmland of statewide importance, if drained
-  Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
-  Farmland of statewide importance, if irrigated

-  Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
-  Farmland of statewide importance, if irrigated and drained
-  Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
-  Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer
-  Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60




































-  Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
-  Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season
-  Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
-  Farmland of statewide importance, if warm enough
-  Farmland of statewide importance, if thawed
-  Farmland of local importance
-  Farmland of local importance, if irrigated

-  Farmland of unique importance
-  Not rated or not available

Soil Rating Lines

-  Not prime farmland
-  All areas are prime farmland
-  Prime farmland if drained
-  Prime farmland if protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated
-  Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated and drained
-  Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season

Farmland Classification—San Bernardino County Southwestern Part, California

	Prime farmland if subsoiled, completely removing the root inhibiting soil layer		Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium		Farmland of unique importance		Prime farmland if subsoiled, completely removing the root inhibiting soil layer
	Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60		Farmland of statewide importance, if irrigated and drained		Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season	Soil Rating Points			Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
	Prime farmland if irrigated and reclaimed of excess salts and sodium		Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season		Not prime farmland		Prime farmland if irrigated and reclaimed of excess salts and sodium
	Farmland of statewide importance		Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer		Farmland of statewide importance, if warm enough		Prime farmland if drained		Farmland of statewide importance
	Farmland of statewide importance, if drained		Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60		Farmland of statewide importance, if thawed		Prime farmland if irrigated		Farmland of statewide importance, if drained
	Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season				Farmland of local importance		Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
	Farmland of statewide importance, if irrigated				Farmland of local importance, if irrigated		Prime farmland if irrigated and drained		Farmland of statewide importance, if irrigated
							Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season		

Farmland Classification—San Bernardino County Southwestern Part, California

<p> Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season</p> <p> Farmland of statewide importance, if irrigated and drained</p> <p> Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season</p> <p> Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer</p> <p> Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60</p>	<p> Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium</p> <p> Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season</p> <p> Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season</p> <p> Farmland of statewide importance, if warm enough</p> <p> Farmland of statewide importance, if thawed</p> <p> Farmland of local importance</p> <p> Farmland of local importance, if irrigated</p>	<p> Farmland of unique importance</p> <p> Not rated or not available</p> <p>Water Features</p> <p> Streams and Canals</p> <p>Transportation</p> <p> Rails</p> <p> Interstate Highways</p> <p> US Routes</p> <p> Major Roads</p> <p> Local Roads</p> <p>Background</p> <p> Aerial Photography</p>	<p>The soil surveys that comprise your AOI were mapped at 1:24,000.</p> <p>Please rely on the bar scale on each map sheet for map measurements.</p> <p>Source of Map: Natural Resources Conservation Service Web Soil Survey URL: Coordinate System: Web Mercator (EPSG:3857)</p> <p>Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.</p> <p>This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.</p> <p>Soil Survey Area: San Bernardino County Southwestern Part, California Survey Area Data: Version 12, May 27, 2020</p> <p>Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.</p> <p>Date(s) aerial images were photographed: May 10, 2018—Jun 5, 2018</p> <p>The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.</p>
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Farmland Classification

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
Db	Delhi fine sand	Prime farmland if irrigated	1.6	0.6%
HaC	Hanford coarse sandy loam, 2 to 9 percent slopes	Prime farmland if irrigated	11.4	4.0%
TuB	Tujunga loamy sand, 0 to 5 percent slopes	Farmland of statewide importance	268.5	95.4%
Totals for Area of Interest			281.5	100.0%

Description

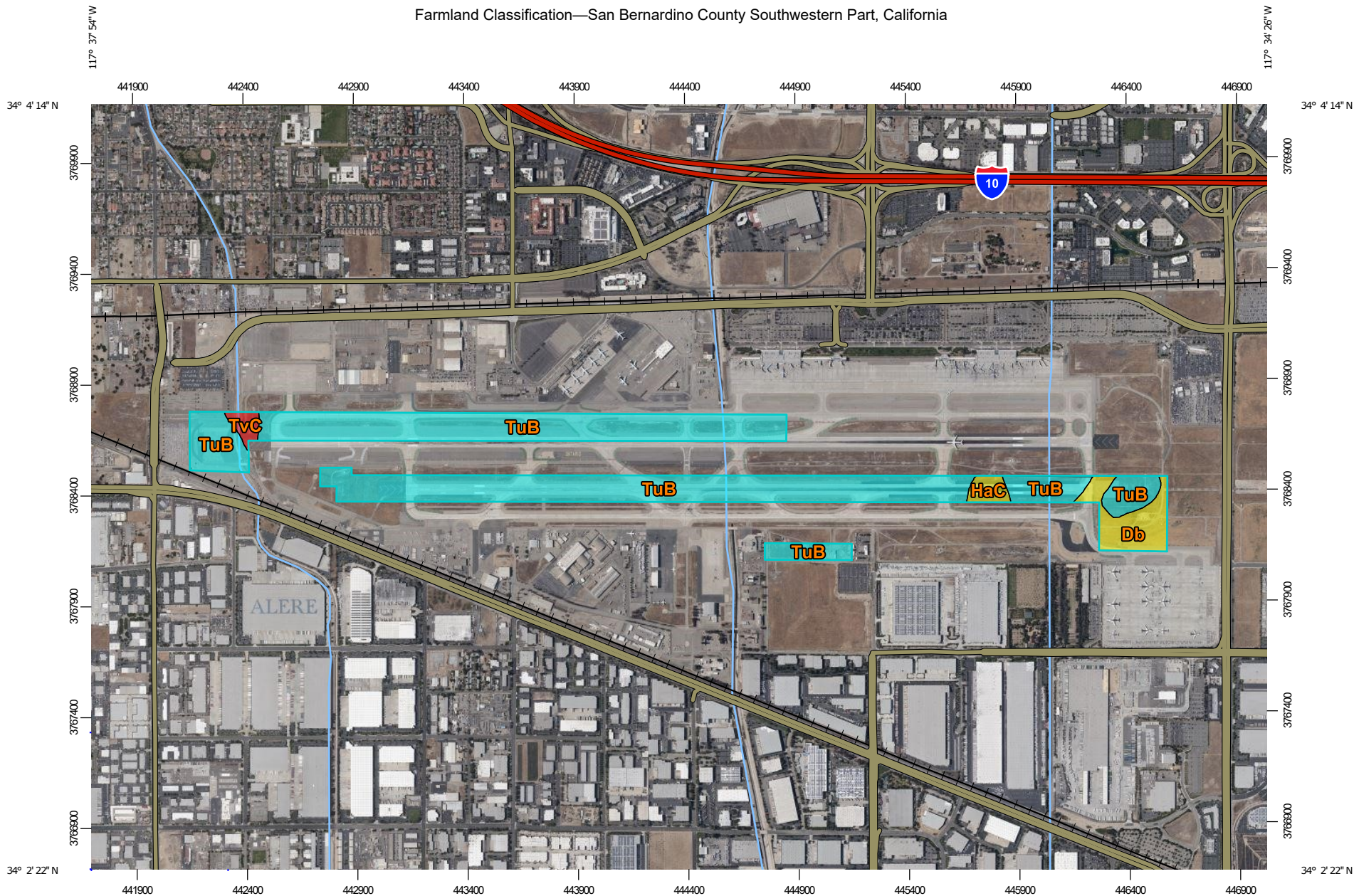
Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

Rating Options

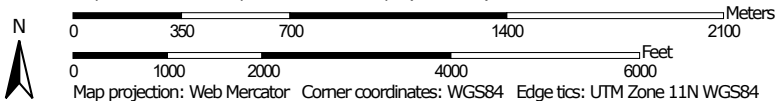
Aggregation Method: No Aggregation Necessary

Tie-break Rule: Lower

Farmland Classification—San Bernardino County Southwestern Part, California




Map Scale: 1:24,400 if printed on A landscape (11" x 8.5") sheet.











MAP LEGEND








Area of Interest (AOI)






-  Area of Interest (AOI)








Soils



Soil Rating Polygons

-  Not prime farmland
-  All areas are prime farmland
-  Prime farmland if drained
-  Prime farmland if protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated
-  Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated and drained
-  Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season









-  Prime farmland if subsoiled, completely removing the root inhibiting soil layer
-  Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
-  Prime farmland if irrigated and reclaimed of excess salts and sodium
-  Farmland of statewide importance
-  Farmland of statewide importance, if drained
-  Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
-  Farmland of statewide importance, if irrigated

-  Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
-  Farmland of statewide importance, if irrigated and drained
-  Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
-  Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer
-  Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60



































-  Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
-  Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season
-  Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
-  Farmland of statewide importance, if warm enough
-  Farmland of statewide importance, if thawed
-  Farmland of local importance
-  Farmland of local importance, if irrigated

-  Farmland of unique importance
-  Not rated or not available

Soil Rating Lines

-  Not prime farmland
-  All areas are prime farmland
-  Prime farmland if drained
-  Prime farmland if protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated
-  Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated and drained
-  Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season

Farmland Classification—San Bernardino County Southwestern Part, California

	Prime farmland if subsoiled, completely removing the root inhibiting soil layer		Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium		Farmland of unique importance		Prime farmland if subsoiled, completely removing the root inhibiting soil layer
	Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60		Farmland of statewide importance, if irrigated and drained		Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season	Soil Rating Points			Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
	Prime farmland if irrigated and reclaimed of excess salts and sodium		Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season		Not prime farmland		Prime farmland if irrigated and reclaimed of excess salts and sodium
	Farmland of statewide importance						Prime farmland if drained		Farmland of statewide importance
	Farmland of statewide importance, if drained		Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer				Prime farmland if protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if drained
	Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60		Farmland of statewide importance, if warm enough		Prime farmland if irrigated		Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
	Farmland of statewide importance, if irrigated				Farmland of statewide importance, if thawed		Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if irrigated
					Farmland of local importance		Prime farmland if irrigated and drained		
					Farmland of local importance, if irrigated		Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season		

Farmland Classification—San Bernardino County Southwestern Part, California

<p> Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season</p> <p> Farmland of statewide importance, if irrigated and drained</p> <p> Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season</p> <p> Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer</p> <p> Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60</p>	<p> Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium</p> <p> Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season</p> <p> Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season</p> <p> Farmland of statewide importance, if warm enough</p> <p> Farmland of statewide importance, if thawed</p> <p> Farmland of local importance</p> <p> Farmland of local importance, if irrigated</p>	<p> Farmland of unique importance</p> <p> Not rated or not available</p> <p>Water Features</p> <p> Streams and Canals</p> <p>Transportation</p> <p> Rails</p> <p> Interstate Highways</p> <p> US Routes</p> <p> Major Roads</p> <p> Local Roads</p> <p>Background</p> <p> Aerial Photography</p>	<p>The soil surveys that comprise your AOI were mapped at 1:24,000.</p> <p>Please rely on the bar scale on each map sheet for map measurements.</p> <p>Source of Map: Natural Resources Conservation Service Web Soil Survey URL: Coordinate System: Web Mercator (EPSG:3857)</p> <p>Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.</p> <p>This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.</p> <p>Soil Survey Area: San Bernardino County Southwestern Part, California Survey Area Data: Version 12, May 27, 2020</p> <p>Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.</p> <p>Date(s) aerial images were photographed: May 10, 2018—Jun 5, 2018</p> <p>The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.</p>
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Farmland Classification

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
Db	Delhi fine sand	Prime farmland if irrigated	18.9	8.2%
HaC	Hanford coarse sandy loam, 2 to 9 percent slopes	Prime farmland if irrigated	5.0	2.2%
TuB	Tujunga loamy sand, 0 to 5 percent slopes	Farmland of statewide importance	203.0	88.0%
TvC	Tujunga gravelly loamy sand, 0 to 9 percent slopes	Not prime farmland	3.9	1.7%
Totals for Area of Interest			230.7	100.0%

Description

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

Rating Options

Aggregation Method: No Aggregation Necessary

Tie-break Rule: Lower

APPENDIX C

BIOLOGICAL RESOURCES



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Carlsbad Fish And Wildlife Office
2177 Salk Avenue - Suite 250
Carlsbad, CA 92008-7385
Phone: (760) 431-9440 Fax: (760) 431-5901
<http://www.fws.gov/carlsbad/>

In Reply Refer To:

January 14, 2021

Consultation Code: 08ECAR00-2021-SLI-0490

Event Code: 08ECAR00-2021-E-01086

Project Name: ONT Taxiway Improvements and South Electrical Vault Relocation

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, and proposed species, designated critical habitat, and candidate species that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at:

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>;

<http://www.towerkill.com>; and

<http://>

www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Carlsbad Fish And Wildlife Office

2177 Salk Avenue - Suite 250

Carlsbad, CA 92008-7385

(760) 431-9440

Project Summary

Consultation Code: 08ECAR00-2021-SLI-0490

Event Code: 08ECAR00-2021-E-01086

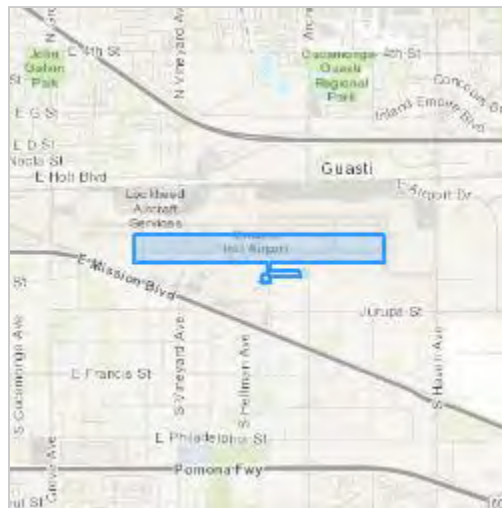
Project Name: ONT Taxiway Improvements and South Electrical Vault Relocation

Project Type: TRANSPORTATION

Project Description: Taxiway improvements and electrical vault relocation proposed in 2023.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@34.05424275,-117.59993624618033,14z>



Counties: San Bernardino County, California

Endangered Species Act Species

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
San Bernardino Merriam's Kangaroo Rat <i>Dipodomys merriami parvus</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/2060	Endangered

Birds

NAME	STATUS
Coastal California Gnatcatcher <i>Polioptila californica californica</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/8178	Threatened

Insects

NAME	STATUS
Delhi Sands Flower-loving Fly <i>Rhaphiomidas terminatus abdominalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1540	Endangered

Flowering Plants

NAME	STATUS
San Diego Ambrosia <i>Ambrosia pumila</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/8287	Endangered

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

HELIX Environmental Planning, Inc.
16485 Laguna Canyon Road
Suite 150
Irvine, CA 2618
949.234.8770 tel
619.462.1515 fax
www.helixepi.com



February 11, 2020

OIA-01

Mr. Keith Owens
Ontario International Airport Authority
1923 E Avion Avenue
Ontario, CA 91761

Subject: 2019\2020 non-breeding Burrowing Owl Survey Report for Potential Development of Ontario International Airport's Parcel Study

Dear Mr. Owens:

This letter report presents the results of the 2019 non-breeding season burrowing owl (*Athene cunicularia*; BUOW) survey conducted by HELIX Environmental Planning, Inc. (HELIX) for the Ontario International Airport (study area) located in the City of Ontario, San Bernardino County, California. The survey was conducted in accordance with the California Department of Fish and Wildlife (CDFW; previously California Department of Fish and Game [CDFG]) Staff Report on BUOW Mitigation (CDFG 2012). This letter report describes the methods used to perform the survey and the survey results.

STUDY AREA LOCATION

The 322-acre study area is generally located south of the Interstate (I-) 10 and west of I-15 (Figure 1, *Regional Location*). The study area is located within Section 25 of Township 1 South, Range 7 West of the Guasti, California U.S. Geological Survey (USGS) 7.5-minute topographic quadrangle (Figure 2, *Vicinity Map*). Specifically, the study area is located to the northwest of the intersection of S Haven Avenue and Jurupa Street; to the northwest and southwest of the intersection of E Airport Drive and S Haven Avenue; and to the southwest and southeast of the intersection of S Grove Avenue and E Airport Drive (Figure 3, *Aerial Photograph*). The study area comprises approximately 320 acres of suitable burrowing owl habitat.

STUDY AREA DESCRIPTION

The study area is located directly on and surrounding the tarmac of the Ontario International Airport. The study area is dominated by non-native grass species, such as common ripgut grass (*Bromus diandrus*), puncture vine (*Tribulus terrestris*), red brome (*Bromus madritensis* ssp. *rubens*), and slender oat (*Avena barbata*), which are maintained as required for weed abatement. The topography of the study area is mostly flat with elevations ranging from 902 feet above mean sea level (AMSL) near the southeast corner to 967 feet AMSL near the northeast corner. Immediate surrounding land uses include the commercial buildings to the north, east, south, and west.

METHODS

The focused BUOW survey was conducted according to the CDFW BUOW survey guidelines (CDFG 2012), which includes Part I Habitat Assessment and Focused Burrow Survey and Part II Focused BUOW Surveys. The CDFW BUOW survey guidelines are described in further detail below.

Part I: Habitat Assessment and Focused Burrow Survey

Prior to conducting the habitat assessment, HELIX consulted the California Natural Diversity Database (CNDDDB) to determine the nearest BUOW occurrence(s). A habitat assessment was conducted by HELIX biologists Ezekiel Cooley and Lauren Singleton on November 1, 2018 to determine whether the study area supports suitable BUOW habitat. A focused burrow survey was conducted concurrently with the habitat assessment. All suitable burrows (i.e., greater than 11 centimeters [cm] in height and width and greater than 150 cm in depth) and burrow surrogates were recorded using a handheld Global Positioning System (GPS) unit (Figure 4, *Suitable Burrow and Transect Locations*). The habitat assessment and focused burrow survey were conducted prior to commencement of the BUOW focused surveys. The assessment was conducted on the study area and within a 150-meter (approximately 500-foot) buffer zone around the periphery of the study area (survey area). The survey area was slowly walked and assessed for suitable BUOW habitat, including:

- disturbed low-growing vegetation within grassland and shrublands (less than 30 percent canopy cover);
- gently rolling or level terrain;
- areas with abundant small mammal burrows, especially California ground squirrel (*Otospermophilus beecheyi*) burrows;
- fence posts, rocks, or other low perching locations; and
- man-made structures, such as earthen berms, debris piles, and cement culverts.

All potential burrows were checked for signs of recent owl occupation. Signs of occupation include:

- pellets/casting (regurgitate fur, bones, and/or insect parts);
- white wash (excrement); and/or
- feathers.

Part II: Locating Burrowing Owls

Since suitable habitat and burrows were observed within the survey area during the habitat assessment, non-breeding focused BUOW surveys were conducted to determine whether the survey area supports BUOW. The focused surveys consisted of four (4) non-breeding season surveys, spread evenly, throughout the nonbreeding season, that were performed by Mr. Cooley and Ms. Singleton and HELIX biologists Matthew Dimson, Amy Lee, and Daniel Torres between October 8, 2019 and January 14, 2020. (Table 1 *Survey Information*)

The biologists walked transects spaced no greater than 20 meters apart (approximately 65 feet) to allow for 100 percent visual coverage of all suitable habitat within the survey area (Figure 4). The biologists walked slowly and methodically, closely checking suitable habitat within the survey area for BUOW diagnostic sign (e.g., molted feathers, pellets/castings, or whitewash at or near a burrow entrance) and individual BUOW. If observed, BUOW sign and BUOW observations were recorded with a GPS unit. Inaccessible areas of the survey area were visually assessed using binoculars.

Table 1
Survey Information

	Biologist	Start/Stop Time	Start/Stop Weather Conditions	Survey Results
10/08/19	Ezekiel Cooley Lauren Singleton	0715-0900	62°F, wind 0-1 mph, 0% clouds 69°F, wind 1-2 mph, 0% clouds	<ul style="list-style-type: none"> Active Burrow #1: One adult was observed next to a grated drain with a burrow located to the west of the drain.
10/11/19	Ezekiel Cooley Lauren Singleton	0710-0900	67°F, wind 4-5 mph, 0% clouds 71°F, wind 4-5 mph, 0% clouds	<ul style="list-style-type: none"> Active Burrow #2: One adult was in a cement culvert.
10/15/19	Lauren Singleton Daniel Torres	0710-1000	56°F, wind 3-4 mph, 0% clouds 73°F, wind 1-2 mph, 0% clouds	<ul style="list-style-type: none"> No BUOW detected.
11/05/19	Matthew Dimson Lauren Singleton	0715-0945	61°F, wind 0-1 mph, 0% clouds 73°F, wind 0-1 mph, 0% clouds	<ul style="list-style-type: none"> No BUOW detected.
11/08/19	Matthew Dimson Lauren Singleton	0730-0915	61°F, wind 2-3 mph, 0% clouds 77°F, wind 2-3 mph, 0% clouds	<ul style="list-style-type: none"> Active Burrow #2: One adult was in a cement culvert.
11/12/19	Amy Lee Lauren Singleton	0715-0945	55°F, wind 0-1 mph, 5% clouds 77°F, wind 0-1 mph, 0% clouds	<ul style="list-style-type: none"> No BUOW detected.
12/03/19	Matthew Dimson Lauren Singleton	0800-1000	56°F, wind 0-1 mph, 100% clouds 63°F, wind 0-1 mph, 100% clouds	<ul style="list-style-type: none"> No BUOW detected.
12/06/19	Matthew Dimson Lauren Singleton	0730-0930	50°F, wind 0-1 mph, 30% clouds 63°F, wind 2-3 mph, 50% clouds	<ul style="list-style-type: none"> No BUOW detected.
12/10/19	Matthew Dimson Lauren Singleton	0710-0930	46°F, wind 1-2 mph, 20% clouds 55°F, wind 0-1 mph, 80% clouds	<ul style="list-style-type: none"> No BUOW detected.
01/07/20	Ezekiel Cooley Matthew Dimson	0715-0900	46°F, wind 0-1 mph, 15% clouds 55°F, wind 0-1 mph, 20% clouds	<ul style="list-style-type: none"> Active Burrow #3: One adult was observed below a grated drain with a burrow located on the south side of the drain.
1/10/20	Ezekiel Cooley Matthew Dimson	0710-0850	43°F, wind 2-3 mph, 100% clouds 50°F, wind 1-2 mph, 100% clouds	<ul style="list-style-type: none"> No BUOW detected.
01/14/20	Ezekiel Cooley Matthew Dimson	0700-0900	43°F, wind 0-1 mph, 100% clouds 47°F, wind 0-1 mph, 100% clouds	<ul style="list-style-type: none"> No BUOW detected.

RESULTS

Suitable BUOW habitat was observed within the survey area during the habitat assessment, including low-growing vegetation within the non-native grassland. Several burrows and burrow surrogates, such as vertical corrugated metal pipe storm drain risers, that could potentially be used by BUOWs were observed within the survey area (Figure 4). Suitable foraging habitat was observed within and adjacent to the survey area. There are CNDDDB records of BUOWs within the survey area from 2007 and 2013 (CDFW 2019).

A total of three active burrows were detected within the survey area (Figure 4). One active burrow was located on the western end of the tarmac (Active Burrow [AB]-1) and two active burrows were located on the northeastern end of the tarmac (Active Burrow [AB]-2 and AB-3). A summary of observations is provided below.

AB-1 was on the study area in the middle of the tarmac between the two runways, approximately 2,100 feet to the northwest of South Vineyard Avenue and Avion Drive intersection. One adult BUOW was observed next to a grated drain with a burrow located to the west of the drain. This adult was only observed once on October 5, 2019 and was not present on subsequent surveys.

AB-2 was located on the eastern portion of the study area, approximately 2,200 feet to the southwest of South Haven Avenue and East Airport Drive. One adult BUOW was observed in a cement culvert on October 11 and November 8, 2019. The BUOW was not present on subsequent surveys.

AB-3 was located on the eastern portion of the study area, approximately 3,000 feet to the southwest of South Haven Avenue and East Airport Drive. One adult was observed below a grated drain with a burrow located on the south side of the drain. This adult was observed only once on January 7, 2020.

The locations of all suitable burrows, BUOW sign, and occupied burrows observed within and adjacent to the study area are shown on Figure 4.

CONCLUSION

A total of three active burrows were detected within the survey area. One adult BUOW was observed at each active burrow: AB-1, AB-2, and AB-3. AB-1 and AB-2 had no adult BUOW present during the final series of surveys.

These surveys are intended to document the non-breeding season activity on the survey area and may not be considered conclusive findings by CDFW even if BUOW are observed. A breeding season focused survey may be required to determine the full extent of use on the survey area.

In addition to breeding season protocol surveys, a take avoidance (pre-construction) survey would also be required and shall be conducted within 14 days prior to ground disturbance in accordance with CDFW Staff Report on BUOW Mitigation (2012). If ground-disturbing activities are delayed more than 14 days after the pre-construction survey has been completed, the study area must be resurveyed.

If you have any questions regarding the information presented in this letter report, please contact Ezekiel Cooley (EzekielC@helixepi.com) or Lauren Singleton (LaurenS@helixepi.com) at (949) 234-8770.

Sincerely,



Ezekiel Cooley
Biologist



Lauren Singleton
Biologist

Attachments:

Figure 1: Regional Location

Figure 2: USGS Topography

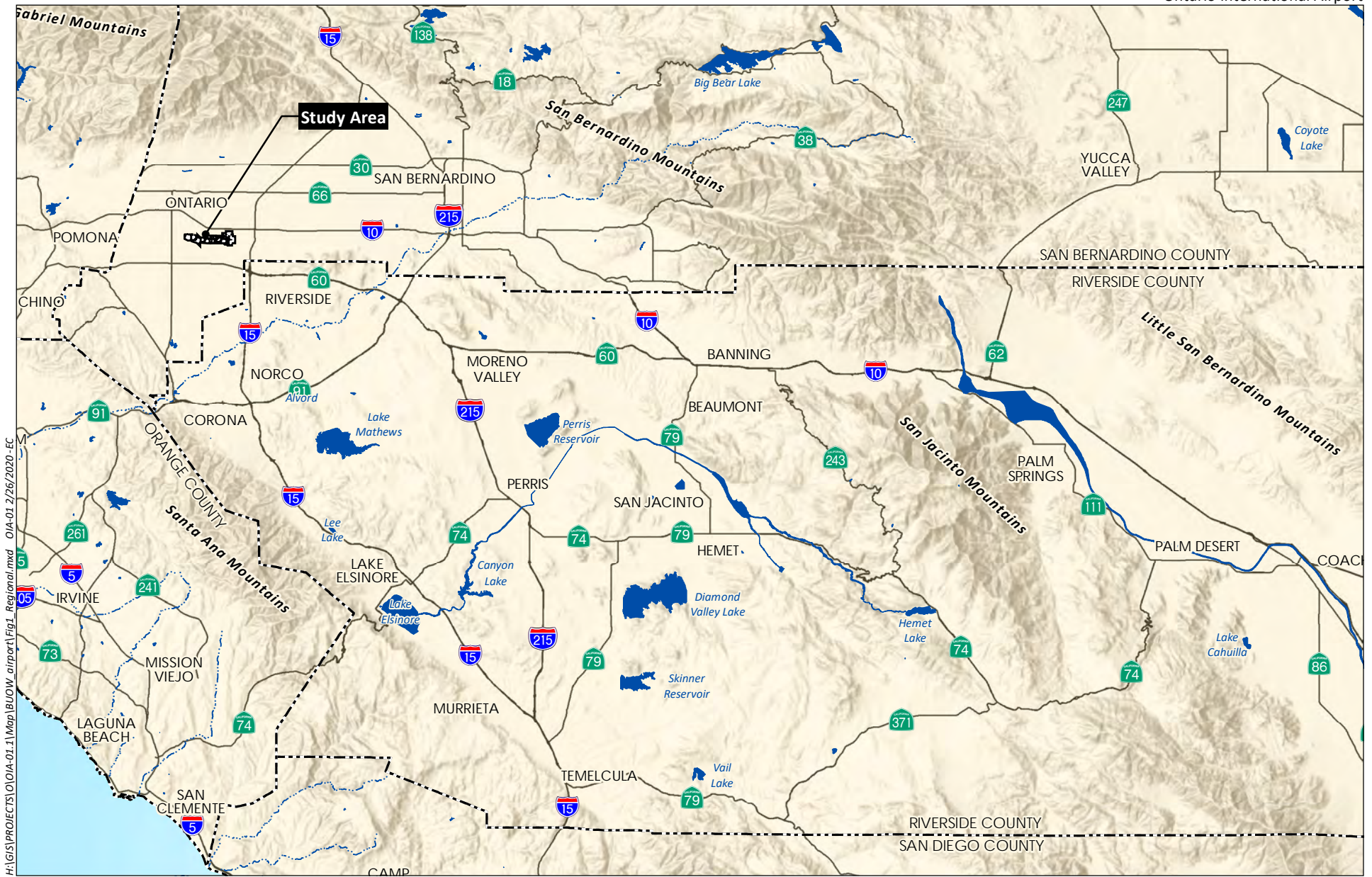
Figure 3: Aerial Photograph

Figure 4: BUOW Observations and Burrow Locations

REFERENCES

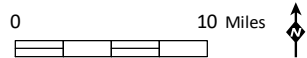
California Department of Fish and Game. 2012. Staff report on burrowing owl mitigation. State of California Natural Resources Agency. March 7, 2012.

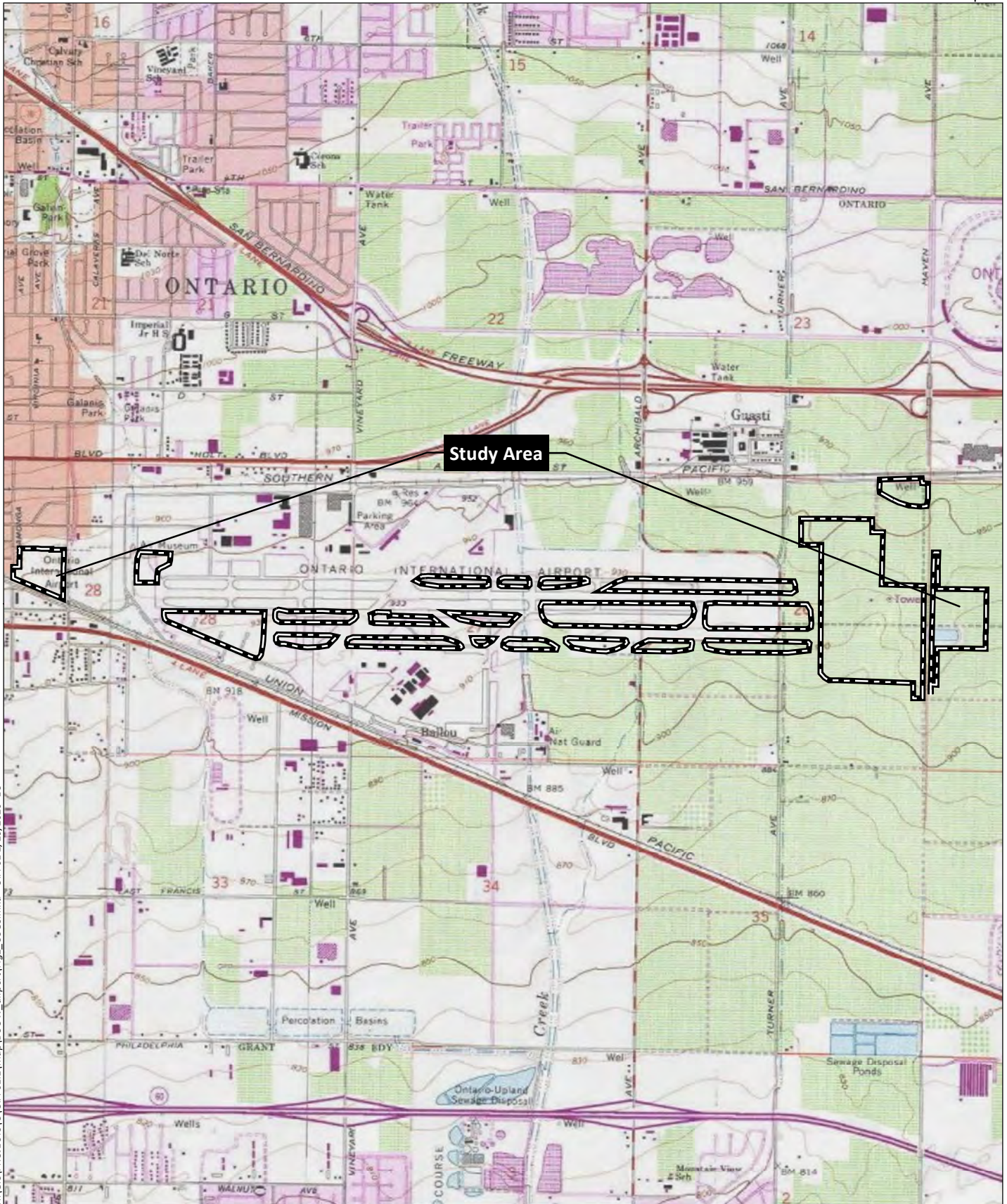
California Department of Fish and Wildlife (CDFW). 2019. California Natural Diversity Database and Rarefind. California Department of Fish and Wildlife: Sacramento, California. Retrieved from: <https://www.wildlife.ca.gov/Data/CNDDDB/Maps-and-Data>. Accessed July 31, 2019.



H:\GIS\PROJECTS\10\10A-01.1\Map\BUOW\airport\Fig1_Regional.mxd 01A-01 2/26/2020-EC

Source: Base Map Layers (ESRI, 2013)





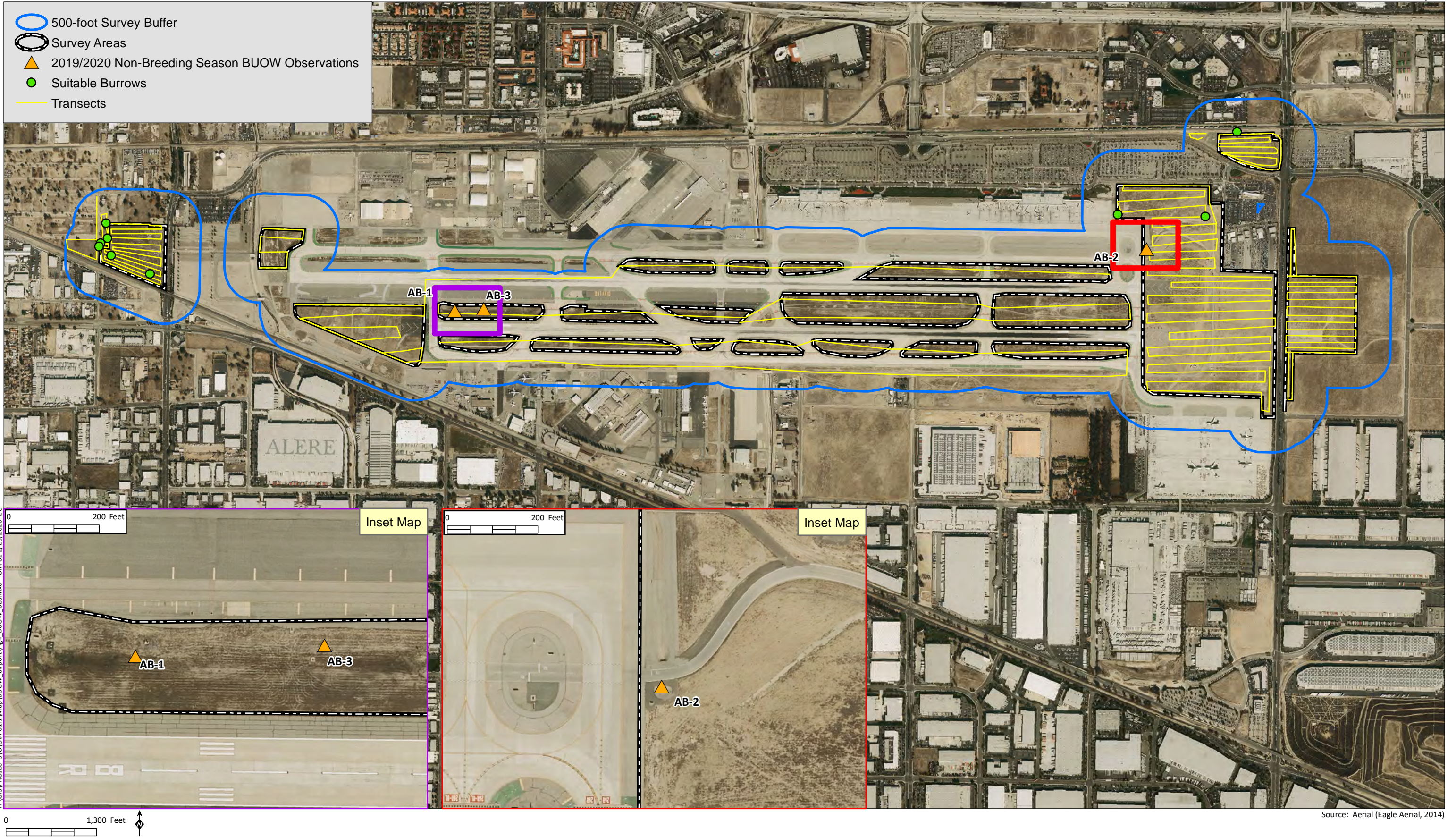
Source: Guasti 7.5' Quad (USGS)

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Source: Base Map Layers (Eagle Aerial, 2014)



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Source: Aerial (Eagle Aerial, 2014)

APPENDIX D

WATER RESOURCES

HELIX Environmental Planning, Inc.
7578 El Cajon Boulevard
La Mesa, CA 91942
619.462.1515 tel
619.462.0552 fax
www.helixepi.com



February 16, 2021

HNT-13.01

Kim Hughes
HNTB Corporation
2900 South Quincy St. Suite 600
Arlington, VA 22206

Subject: Jurisdictional Delineation Letter Report for the Proposed Taxiway Improvements and South Electrical Vault Relocation Project at Ontario International Airport

Dear Ms. Hughes:

This letter presents the results of a jurisdictional delineation conducted by HELIX Environmental Planning, Inc. (HELIX) for the proposed Taxiway Improvements and South Electrical Vault Relocation Project (project) located at Ontario International Airport (ONT). The delineation was conducted to identify and map existing areas within the project area that are “waters of the U.S.” under U.S. Army Corps of Engineers (USACE) jurisdiction pursuant to Section 404 of the Clean Water Act (CWA); waters of the State under Regional Water Quality Control Board (RWQCB) jurisdiction pursuant to Section 401 of the CWA; and streambed habitats under California Department of Fish and Wildlife (CDFW) jurisdiction pursuant to Section 1600 of the California Fish and Game Code. This report presents HELIX’s best efforts to quantify jurisdiction within the project site using the current regulations, written policies, and guidance from USACE, RWQCB, and CDFW (collectively, the “regulatory agencies”).

PROJECT LOCATION

The approximately 282-acre project site is in the City of Ontario, San Bernardino County, California, generally located south of the Interstate (I-) 10 and west of I-15 (Figure 1, *Regional Location*). The project site is located within Section 25 of Township 1 South, Range 7 West of the Guasti, California U.S. Geological Survey (USGS) 7.5-minute topographic quadrangle (Figure 2, *Vicinity Map*). Specifically, the project site is located to the northwest of the intersection of S Haven Avenue and Jurupa Street; to the southwest of the intersection of E Airport Drive and S Haven Avenue; to the southwest of the intersection of S Grove Avenue and E Airport Drive; and to the northeast of the intersection of S Grove Avenue and E Mission Boulevard (Figure 3, *Aerial Photograph*).

PROJECT DESCRIPTION

The proposed project consists of the construction, modification, removal and/or relocation of taxiways, relocation of navigational aids (NAVAIDS); relocation of an electrical vault; and other minor airfield improvements (Figure 4, *Proposed Action*).

METHODS

Prior to beginning fieldwork, aerial photographs (1 inch = 150 feet), topographic maps (1 inch = 150 feet), USGS quadrangle maps, and National Wetland Inventory maps (U.S. Fish and Wildlife Service 2019) were reviewed. HELIX Regulatory Specialist Ezekiel Cooley conducted the jurisdictional delineation field work on January 12, 2021. Delineation methods used to determine each agency's jurisdictional limits are discussed below.

U.S. Army Corps of Engineers

The USACE waters of the U.S. are determined using current USACE guidelines (Environmental Laboratory 1987, U.S. Army Corps of Engineers [USACE] 2008a). Areas are determined to be waters of the U.S. if there is evidence of regular surface flow (e.g., bed and bank). Jurisdictional limits for these areas are measured according to the presence of a discernible Ordinary High Water Mark (OHWM), which is defined in 33 Code of Federal Regulations (CFR) Section 329.11 as "that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank; shelving; changes in the character of the soil; destruction of terrestrial vegetation; the presence of litter or debris; or other appropriate means that consider the characteristics of the surrounding areas." The USACE has issued further guidance on the OHWM (Riley 2005; USACE 2008b), which also was considered in this jurisdictional assessment.

The jurisdictional delineation was conducted in accordance with court decisions (i.e., *Rapanos v. United States*, *Carabell v. United States*, and *Solid Waste Agency of Northern Cook County v. USACE*), as outlined and applied by the USACE (USACE 2007; Grumbles and Woodley 2007); and USACE and U.S. Environmental Protection Agency (EPA; 2007). These publications explain that the EPA and USACE will assert jurisdiction over traditional navigable waters (TNW) and tributaries to TNWs that are a relatively permanent water body (RPW), which has year-round or continuous seasonal flow. For water bodies that are not RPWs, a significant nexus evaluation is used to determine if the non-RPW is jurisdictional. As an alternative to the significant nexus evaluation process, a preliminary jurisdictional delineation may be submitted to the USACE. The preliminary jurisdictional delineation treats all waters and wetlands on a site as if they are jurisdictional waters of the U.S. (USACE 2008a). A significant nexus evaluation or preliminary jurisdictional delineation are typically only required for projects that propose impacts to potentially jurisdictional features and, therefore, require a Section 404 permit from the USACE.

Regional Water Quality Control Board

The RWQCB asserts regulatory jurisdiction over activities affecting wetland and non-wetland waters of the State pursuant to Section 401 of the CWA and the State Porter-Cologne Water Quality Control Act. Potential RWQCB jurisdiction would follow the boundaries of USACE jurisdiction for waters of the U.S.

California Department of Fish and Wildlife

The CDFW jurisdictional boundaries are determined based on the presence of riparian vegetation or regular surface flow, if present. Streambeds within CDFW jurisdiction are delineated based on the definition of streambed as “a body of water that flows at least periodically or intermittently through a bed or channel having banks and supporting fish or other aquatic life. This includes watercourses with surface or subsurface flow that supports riparian vegetation” (Title 14, Section 1.72). This definition for CDFW jurisdictional habitat allows for a wide variety of habitat types to be jurisdictional, including some that do not include wetland species (e.g., oak woodland and alluvial fan sage scrub). Jurisdictional limits for CDFW streambeds are defined by the top of bank. Vegetated CDFW habitats are mapped at the limits of streambed-associated vegetation, if present.

RESULTS

The project site supports two drainages that flow beneath the work area through covered concrete channels and storm drainpipes. The drainages include Cucamonga Creek Channel in the center of the project site and Deer Creek Channel in the eastern portion of the project site, which are both USGS-mapped blue-line streams. Additionally, the project site includes multiple storm drain inlets that convey flows into the two channels.

Based on the results of the jurisdictional delineation, Cucamonga Creek Channel and Deer Creek Channel are considered USACE/RWQCB non-wetland waters of the U.S. and CDFW jurisdiction (Figure 5, *Jurisdictional Features*). These jurisdictional features are underground through the extent of the project site. The channel features are described in detail below.

Cucamonga Creek Channel

Cucamonga Creek Channel is a concrete rectangular channel that runs north to south through the center of the project site and is considered a USACE public works facility. Based on the USGS Guasti quadrangle map, the headwaters of Cucamonga Creek originate approximately seven miles to the north of the project site at the base of Cucamonga Peak in San Gabriel Mountains where it occurs as a natural soft-bottomed creek. Cucamonga Creek generally flows south through Cucamonga Canyon and becomes channelized once it exits the San Gabriel Mountains. Cucamonga Creek Channel flows enter the project site near the northern boundary to the south of Airport Drive. The channel continues for approximately 0.4 mile through the center of the site, flowing underneath the airport taxiway and resurfacing to the south of the taxiway. The channel exits the project site near the southern boundary, just north of Avion Street. After exiting the project site, Cucamonga Creek Channel flows south for 11 miles to the south of the project site and becomes soft-bottomed just prior to meeting the Santa Ana River at the Prado Flood Control Basin in Riverside County. The Santa Ana River ultimately drains into the Pacific Ocean approximately 35 miles to the southwest of the project site. Soils within Cucamonga Creek Channel on the project site are mapped as Tujunga loamy sand (0 to 5 percent slopes; NRCS 2021; Figure 6, *Soils*). However, native soils are no longer present in Cucamonga Creek Channel due to the full concrete channelization of the creek.

Deer Creek Channel

Deer Creek Channel is a concrete rectangular channel that runs north to south along the eastern project site boundary. Based on the USGS Guasti quadrangle map, the headwaters of Deer Creek originate approximately seven miles to the northeast of the project site at the base of Cucamonga Peak in San Gabriel Mountains where it occurs as a natural soft-bottomed creek. Deer Creek generally flows south through Deer Canyon and becomes channelized once it exits the San Gabriel Mountains. The channel likely collects sheet flow from impervious surfaces in the surrounding area and storm drains that empty into the channel. The majority of flows within Deer Creek Channel empty into Cucamonga Creek Channel near Turner Basin, approximately one mile to the north of project site. Some water is diverted into the channel within the historic flow path of Deer Creek, which flows south from Turner Basin as a mostly natural streambed until it reaches Airport Drive. Deer Creek flows underneath the airport and enters and exits the project site as an underground channel. Deer Creek continues south as an underground channel and surfaces as a concrete trapezoidal channel just north of State Route 60, approximately 1.6 miles to the south of the project site. The channel continues southwest as Lower Deer Creek Channel for approximately 2.1 miles, ultimately draining into Cucamonga Creek Channel. Soils within Deer Creek Channel on the project site are mapped as Tujunga loamy sand (0 to 5 percent slopes; NRCS 2021; Figure 6). However, native soils are no longer present in Deer Creek Channel due to the concrete channelization of the creek.

IMPACTS

The project will not result in any impacts to Cucamonga Creek Channel or Deer Creek Channel. The project will require removal and installation of storm drain inlets. The removal and installation of storm drain inlets will be performed in such a way that no incidental fall back to the storm drain system will occur. Since the storm drain inlet removal and installation activities will not result in direct or indirect impacts to downstream jurisdictional waters, the project would not impact USACE, RWQCB, or CDFW, jurisdictional waters. In the absence of impacts to jurisdictional waters, the project would not require regulatory permits from the regulatory agencies.

AVOIDANCE AND MINIMIZATION MEASURES

The project will result in the removal and replacement of several storm drain inlets, which will not require work within USACE, RWQCB, or CDFW jurisdictional waters. No discharge of fill will occur within USACE and/or RWQCB jurisdictional waters and no streambed alterations will occur within CDFW jurisdictional resources, as a result of the proposed project.

The following minimization measures shall be implemented during construction to avoid indirect impacts to downstream jurisdictional waters:

1. General Stormwater Construction Permit compliance.
2. Municipal Storm Drain Permit (MS4) compliance.
3. Source control and treatment control BMPs shall be implemented to minimize the potential contaminants that are generated during and after construction. Source control BMPs and

Treatment control BMPs will follow the ONT Storm Water Pollution Prevention Plan (SWPPP) and standard construction BMPs.

4. A project-specific Construction SWPPP would address construction-related surface water quality impacts and delineate water quality control measures to address those impacts.
5. Construction BMPs would include those outlined in FAA AC 150/5371-10, *Standards for Specifying Construction of Airports, Item P-156, Temporary Air and Water pollution, Soil Erosion and Siltation Control*.
6. Employees shall strictly limit their activities, vehicles, equipment, and construction material to the proposed project footprint, staging areas, and designated routes of travel.

CONCLUSION

Based on HELIX's assessment, the project will not result in direct or indirect impacts to jurisdictional resources regulated by the USACE, RWQCB, or CDFW, provided that the jurisdictional avoidance and minimization measures outlined above are adequately implemented during construction of the project. Given the absence of jurisdictional impacts, HELIX does not anticipate that regulatory permits will be required to implement the project.

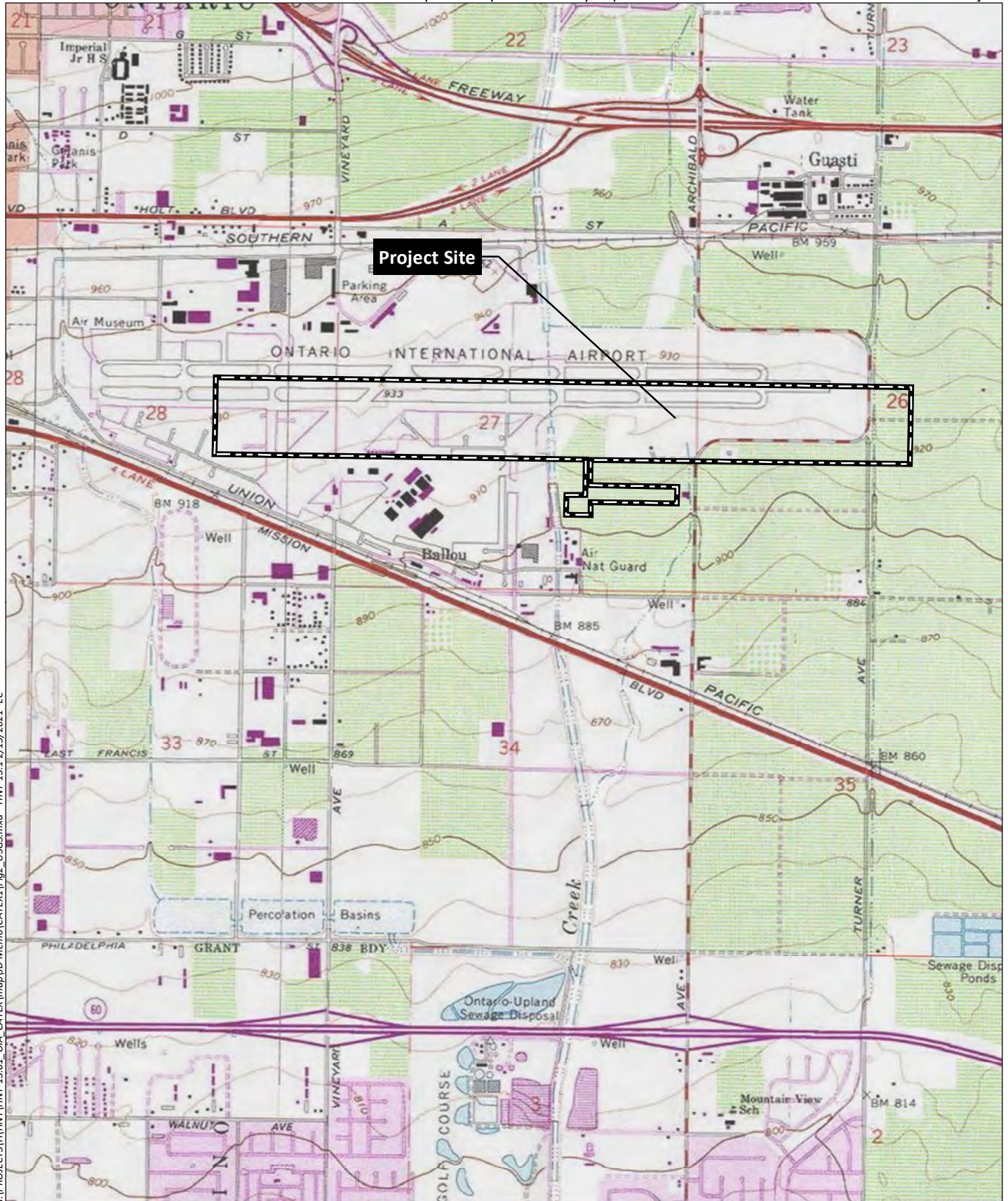
If you have any questions regarding the information presented in this letter report, please contact me at EzekielC@helixepi.com or (949) 234-8770.

Sincerely,

Ezekiel Cooley
Senior Biology Project Manager/Regulatory Specialist

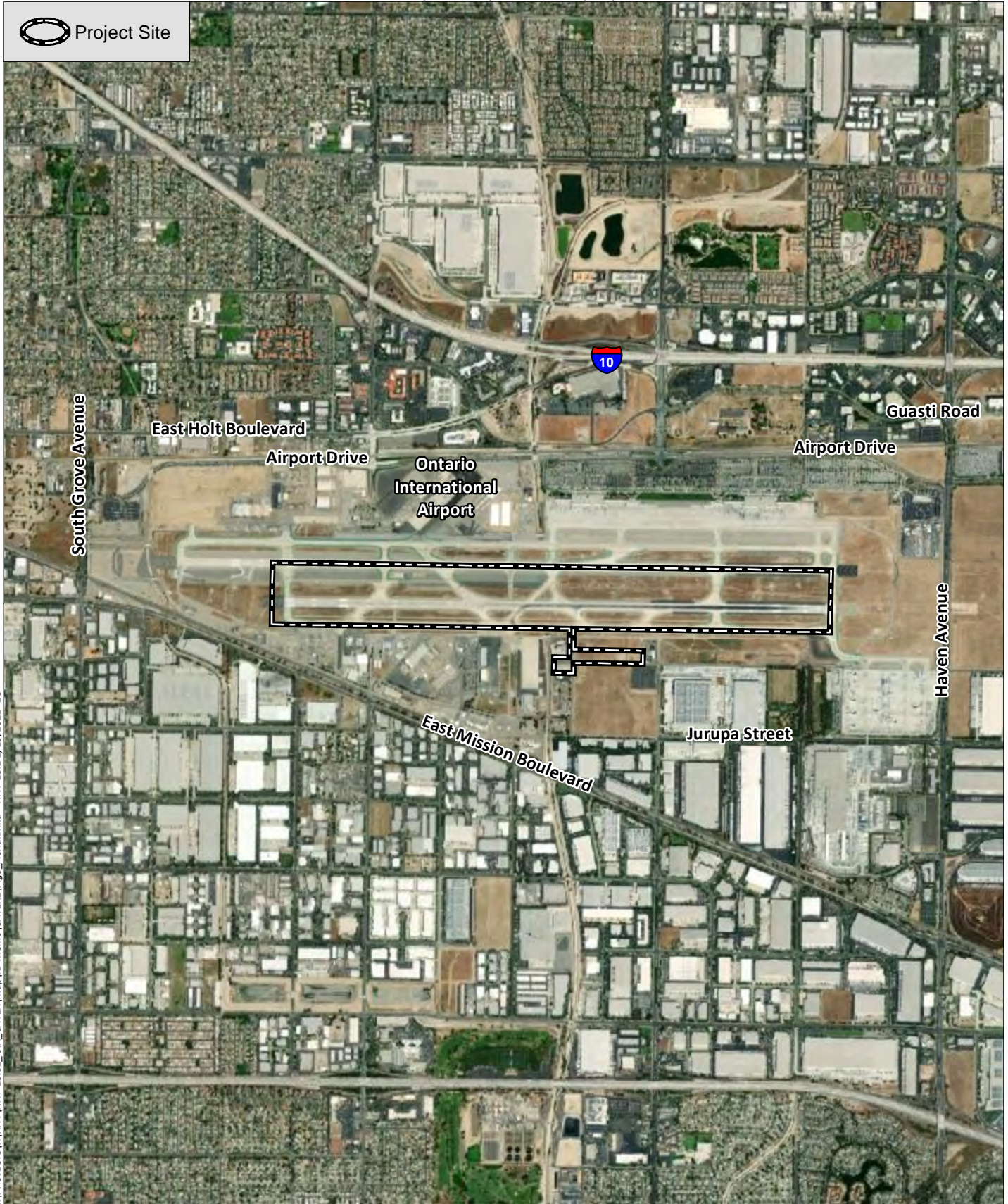
Attachments:

- Figure 1: Regional Location
- Figure 2: Vicinity Map
- Figure 3: Aerial Photograph
- Figure 4: Proposed Action
- Figure 5: Jurisdictional Features
- Figure 6: Soils

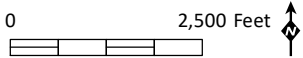


Source: Guasti 7.5' Quad (USGS)

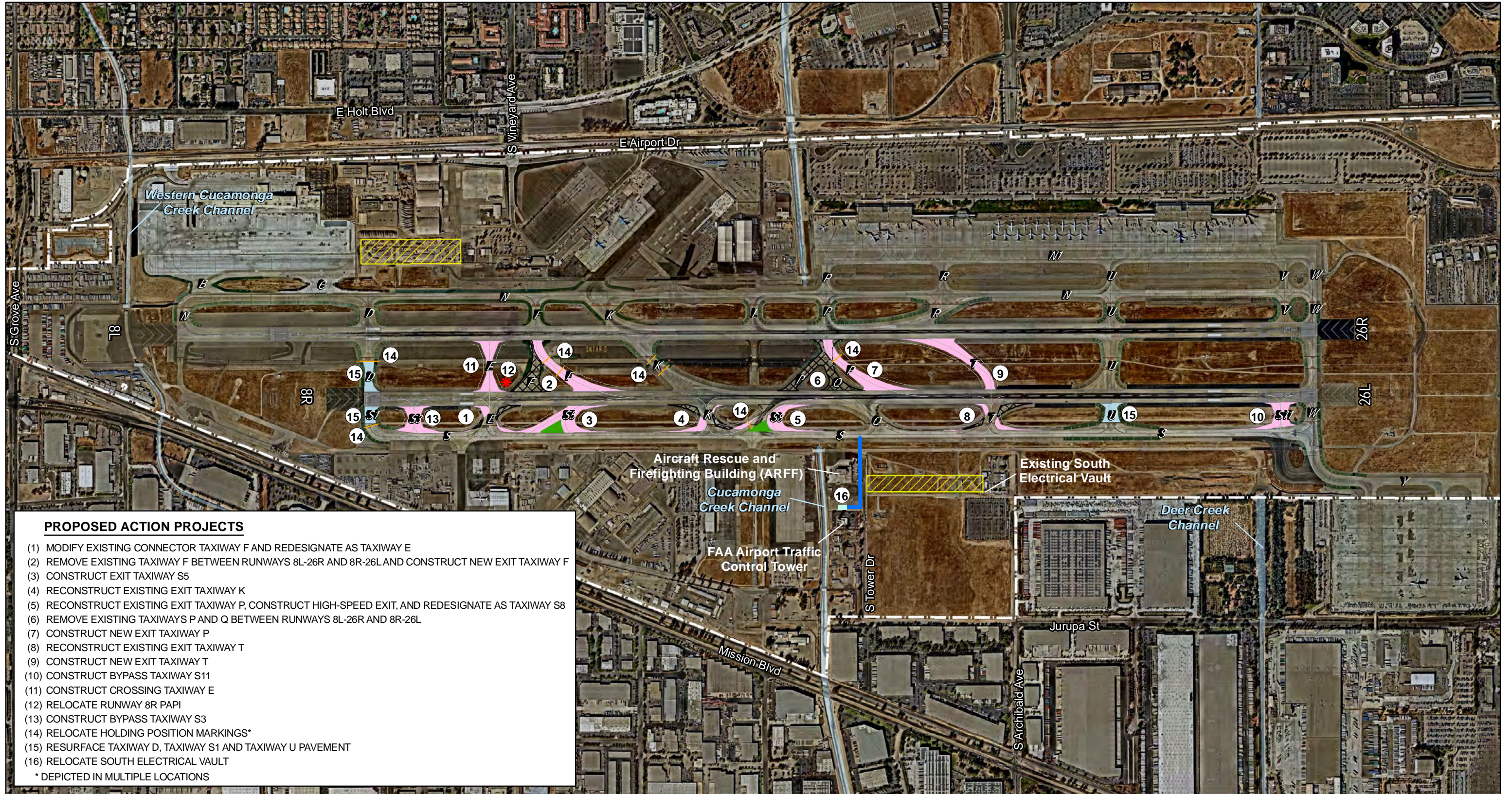
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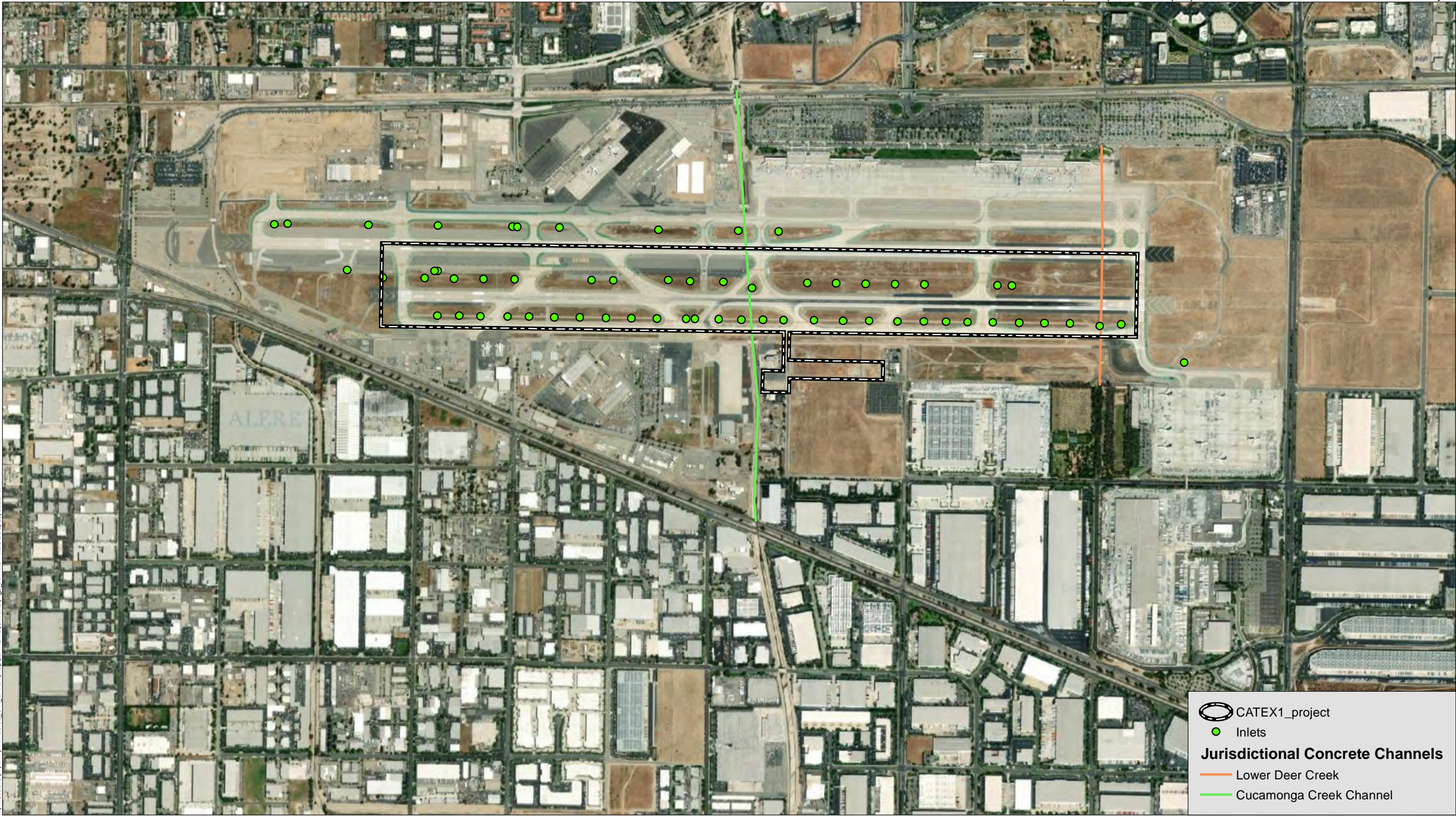
Source: Base Map Layers (Maxar, 2020)



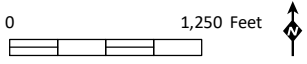
- Legend**
- Proposed Taxiway Pavement
 - Proposed Pavement Removal
 - Proposed Taxiway Pavement Resurfacing
 - Proposed Painted Island
 - Relocated South Electrical Vault
 - Proposed Utilities to Relocated South Electrical Vault
 - Relocated Holding Position Markings
 - Contractor Staging Area
 - Airport Property Line
 - Relocated Runway 8R PAPI

**Figure 4
Proposed Action**



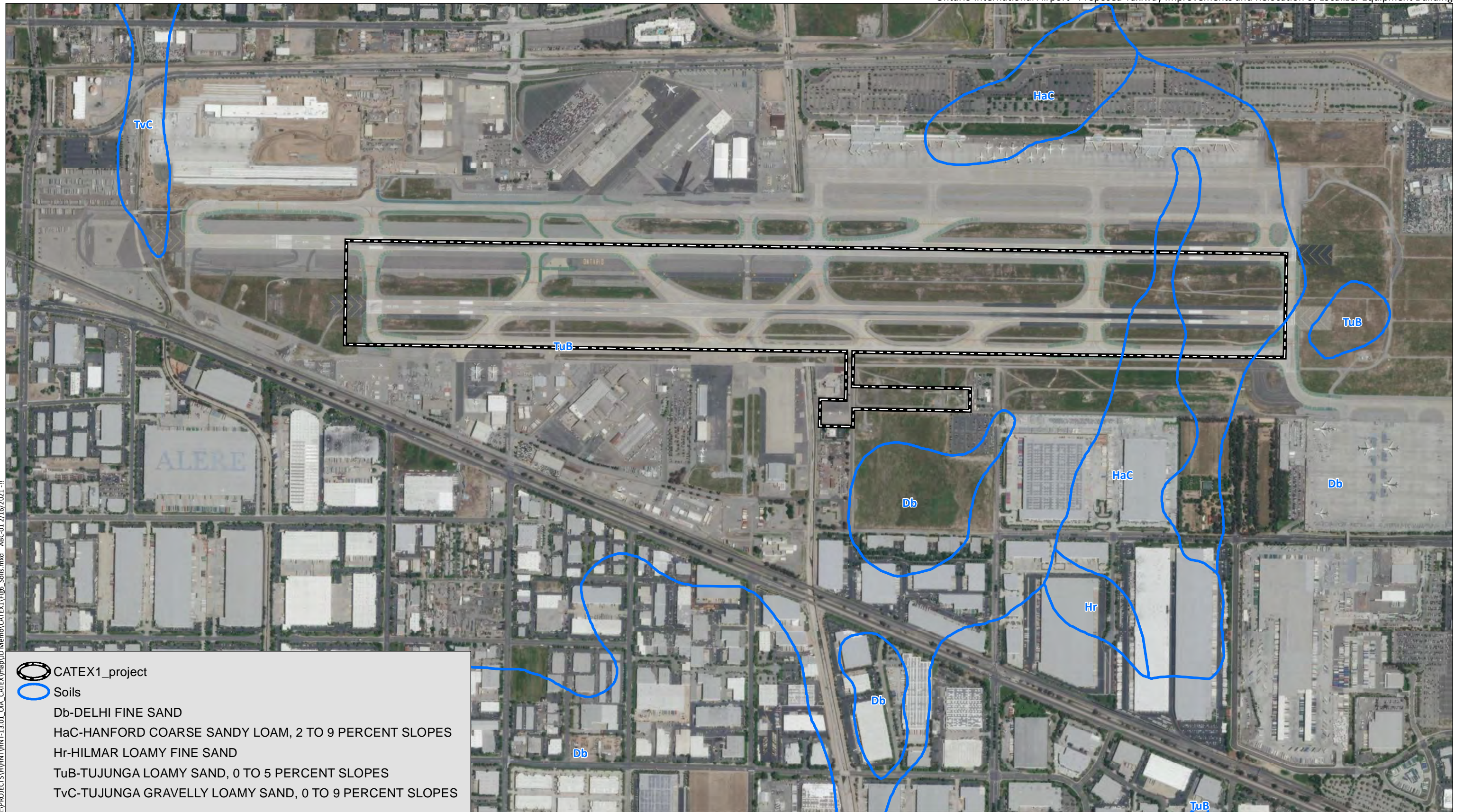


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CATEX1_project
 Inlets
Jurisdictional Concrete Channels
 Lower Deer Creek
 Cucamonga Creek Channel

Source: Aerial (NearMap, 2020)



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CATEX1_project CATEX1_project
Soils Soils
 Db-DELHI FINE SAND
 HaC-HANFORD COARSE SANDY LOAM, 2 TO 9 PERCENT SLOPES
 Hr-HILMAR LOAMY FINE SAND
 TuB-TUJUNGA LOAMY SAND, 0 TO 5 PERCENT SLOPES
 TvC-TUJUNGA GRAVELLY LOAMY SAND, 0 TO 9 PERCENT SLOPES



Source: Aerial (NearMap, 2020)

HELIX Environmental Planning, Inc.
7578 El Cajon Boulevard
La Mesa, CA 91942
619.462.1515 tel
619.462.0552 fax
www.helixepi.com



February 16, 2021

HNT-13.01

Kim Hughes
HNTB Corporation
2900 South Quincy St. Suite 600
Arlington, VA 22206

Subject: Jurisdictional Delineation Letter Report for the Proposed Runway 8R-26L Rehabilitation and Additional Airfield Improvements at Ontario International Airport

Dear Ms. Hughes:

This letter presents the results of a jurisdictional delineation conducted by HELIX Environmental Planning, Inc. (HELIX) for the proposed Taxiway Improvements and Relocation of Localizer Equipment Building (project) located at Ontario International Airport (ONT). The delineation was conducted to identify and map existing areas within the project area that are “waters of the U.S.” under U.S. Army Corps of Engineers (USACE) jurisdiction pursuant to Section 404 of the Clean Water Act (CWA); waters of the State under Regional Water Quality Control Board (RWQCB) jurisdiction pursuant to Section 401 of the CWA; and streambed habitats under California Department of Fish and Wildlife (CDFW) jurisdiction pursuant to Section 1600 of the California Fish and Game Code. This report presents HELIX’s best efforts to quantify jurisdiction within the project site using the current regulations, written policies, and guidance from USACE, RWQCB, and CDFW (collectively, the “regulatory agencies”).

PROJECT LOCATION

The approximately 231-acre project site is in the City of Ontario, San Bernardino County, California, generally located south of the Interstate (I-) 10 and west of I-15 (Figure 1, *Regional Location*). The project site is located within Section 25 of Township 1 South, Range 7 West of the Guasti, California U.S. Geological Survey (USGS) 7.5-minute topographic quadrangle (Figure 2, *Vicinity Map*). Specifically, the project site is located to the northwest of the intersection of S Haven Avenue and Jurupa Street; to the southwest of the intersection of E Airport Drive and S Haven Avenue; to the southwest of the intersection of S Grove Avenue and E Airport Drive; and to the northeast of the intersection of S Grove Avenue and E Mission Boulevard (Figure 3, *Aerial Photograph*).

PROJECT DESCRIPTION

The proposed project consists of the rehabilitation of Runway 8R-26L; relocation or construction of taxiways; construction of a taxiway bypass; relocation of perimeter fencing; relocation of airport

facilities currently within the Runway Object Free Area (ROFA) and/or or Runway Safety Area (RSA); and modification of an existing service road (Figure 4, *Proposed Action*).

METHODS

Prior to beginning fieldwork, aerial photographs (1 inch = 150 feet), topographic maps (1 inch = 150 feet), USGS quadrangle maps, and National Wetland Inventory maps (U.S. Fish and Wildlife Service 2019) were reviewed. HELIX Regulatory Specialist Ezekiel Cooley conducted the jurisdictional delineation field work on January 12, 2021. Delineation methods used to determine each agency's jurisdictional limits are discussed below.

U.S. Army Corps of Engineers

The USACE waters of the U.S. are determined using current USACE guidelines (Environmental Laboratory 1987, U.S. Army Corps of Engineers [USACE] 2008a). Areas are determined to be waters of the U.S. if there is evidence of regular surface flow (e.g., bed and bank). Jurisdictional limits for these areas are measured according to the presence of a discernible OHWM, which is defined in 33 Code of Federal Regulations (CFR) Section 329.11 as "that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank; shelving; changes in the character of the soil; destruction of terrestrial vegetation; the presence of litter or debris; or other appropriate means that consider the characteristics of the surrounding areas." The USACE has issued further guidance on the OHWM (Riley 2005; USACE 2008b), which also was considered in this jurisdictional assessment.

The jurisdictional delineation was conducted in accordance with court decisions (i.e., *Rapanos v. United States*, *Carabell v. United States*, and *Solid Waste Agency of Northern Cook County v. USACE*), as outlined and applied by the USACE (USACE 2007; Grumbles and Woodley 2007); and USACE and U.S. Environmental Protection Agency (EPA; 2007). These publications explain that the EPA and USACE will assert jurisdiction over traditional navigable waters (TNW) and tributaries to TNWs that are a relatively permanent water body (RPW), which has year-round or continuous seasonal flow. For water bodies that are not RPWs, a significant nexus evaluation is used to determine if the non-RPW is jurisdictional. As an alternative to the significant nexus evaluation process, a preliminary jurisdictional delineation may be submitted to the USACE. The preliminary jurisdictional delineation treats all waters and wetlands on a site as if they are jurisdictional waters of the U.S. (USACE 2008a). A significant nexus evaluation or preliminary jurisdictional delineation are typically only required for projects that propose impacts to potentially jurisdictional features and, therefore, require a Section 404 permit from the USACE.

Regional Water Quality Control Board

The RWQCB asserts regulatory jurisdiction over activities affecting wetland and non-wetland waters of the State pursuant to Section 401 of the CWA and the State Porter-Cologne Water Quality Control Act. Potential RWQCB jurisdiction would follow the boundaries of USACE jurisdiction for waters of the U.S.

California Department of Fish and Wildlife

The CDFW jurisdictional boundaries are determined based on the presence of riparian vegetation or regular surface flow, if present. Streambeds within CDFW jurisdiction are delineated based on the definition of streambed as “a body of water that flows at least periodically or intermittently through a bed or channel having banks and supporting fish or other aquatic life. This includes watercourses with surface or subsurface flow that supports riparian vegetation” (Title 14, Section 1.72). This definition for CDFW jurisdictional habitat allows for a wide variety of habitat types to be jurisdictional, including some that do not include wetland species (e.g., oak woodland and alluvial fan sage scrub). Jurisdictional limits for CDFW streambeds are defined by the top of bank. Vegetated CDFW habitats are mapped at the limits of streambed-associated vegetation, if present.

RESULTS

The project site supports three drainages that flow beneath the work area through covered concrete channels. The drainages include Deer Creek Channel in the eastern portion of the project site, Cucamonga Creek Channel in the center of the project site, and West Cucamonga Creek Channel in the western portion of the project site. Additionally, the project site includes multiple storm drain inlets that convey flows into the three concrete channels.

Based on the results of the jurisdictional delineation, Cucamonga Creek Channel, Deer Creek Channel, and Western Cucamonga Creek Channel are considered USACE/RWQCB non-wetland waters of the U.S. and CDFW jurisdiction (Figure 5, *Jurisdictional Features*). These jurisdictional features are underground through the extent of the project site.

Cucamonga Creek Channel

Cucamonga Creek Channel is a concrete rectangular channel that runs north to south through the center of the project site and is considered a USACE public works facility. Based on the USGS Guasti quadrangle map, the headwaters of Cucamonga Creek originate approximately seven miles to the north of the project site at the base of Cucamonga Peak in San Gabriel Mountains where it occurs as a natural soft-bottomed creek. Cucamonga Creek generally flows south through Cucamonga Canyon and becomes channelized once it exits the San Gabriel Mountains. Cucamonga Creek Channel flows enter the project site near the northern boundary to the south of Airport Drive. The channel continues for approximately 0.4 mile through the center of the site, flowing underneath the airport taxiway and resurfacing to the south of the taxiway. The channel exits the project site near the southern boundary, just north of Avion Street. After exiting the project site, Cucamonga Creek Channel flows south for 11 miles to the south of the project site and becomes soft-bottomed just prior to meeting the Santa Ana River at the Prado Flood Control Basin in Riverside County. The Santa Ana River ultimately drains into the Pacific Ocean approximately 35 miles to the southwest of the project site. Soils within Cucamonga Creek Channel on the project site are mapped as Tujunga loamy sand (0 to 5 percent slopes; NRCS 2021; Figure 6, *Soils*). However, native soils are no longer present in Cucamonga Creek Channel due to the full concrete channelization of the creek.

Deer Creek Channel

Deer Creek Channel is a concrete rectangular channel that runs north to south along the eastern project site boundary. Based on the USGS Guasti quadrangle map, the headwaters of Deer Creek originate approximately seven miles to the northeast of the project site at the base of Cucamonga Peak in San Gabriel Mountains where it occurs as a natural soft-bottomed creek. Deer Creek generally flows south through Deer Canyon and becomes channelized once it exits the San Gabriel Mountains. The channel likely collects sheet flow from impervious surfaces in the surrounding area and storm drains that empty into the channel. The majority of flows within Deer Creek Channel empty into Cucamonga Creek Channel near Turner Basin, approximately one mile to the north of project site. Some water is diverted into the channel within the historic flow path of Deer Creek, which flows south from Turner Basin as a mostly natural streambed until it reaches Airport Drive. Deer Creek flows underneath the airport and enters and exits the project site as an underground channel. Deer Creek continues south as an underground channel and surfaces as a concrete trapezoidal channel just north of State Route 60, approximately 1.6 miles to the south of the project site. The channel continues southwest as Lower Deer Creek Channel for approximately 2.1 miles, ultimately draining into Cucamonga Creek Channel. Soils within Deer Creek Channel on the project site are mapped as Tujunga loamy sand (0 to 5 percent slopes; NRCS 2021; Figure 6). However, native soils are no longer present in Deer Creek Channel due to the concrete channelization of the creek.

Western Cucamonga Creek Channel

Western Cucamonga Channel is a concrete rectangular channel that runs north to south along the western project site boundary. Western Cucamonga Creek Channel originates from the percolating basins as Cucamonga Creek exits Cucamonga Canyon, approximately six miles to the northwest of the project site. The channel likely collects sheet flow from impervious surfaces in the surrounding area as well as water collected in the 8th Street storm drains. Western Cucamonga Creek Channel flows mostly underground until it reaches 8th Street Basins. The channel continues south from the basin as an above-ground rectangular concrete channel. The channel passes through the Princeton Basin, and continues five miles south until it reaches the northwestern boundary of the project site. The channel flows along the western boundary and exits near the southwest corner. After exiting the site, the channel continues south through the Ely Basins and connects with Cucamonga Creek Channel approximately seven miles south of the project site. Soils within Western Cucamonga Creek Channel within the project site are primarily mapped as Tujunga loamy sand (0 to 5 percent slopes; NRCS 2021; Figure 6). However, native soils are no longer present in Western Cucamonga Creek Channel due to the concrete channelization of the creek.

IMPACTS

The project will not result in any impacts to Cucamonga Creek Channel, Deer Creek or Western Cucamonga Creek Channel. The project will require removal and installation of storm drain inlets. The removal and installation of storm drain inlets will be performed in such a way that no incidental fall back to the storm drain system will occur. Since the storm drain inlet activities will not result in direct or indirect impacts to downstream jurisdictional waters, the project would not impact USACE, RWQCB, or CDFW jurisdictional waters. In the absence of impacts to jurisdictional waters, the project would not require regulatory permits from the regulatory agencies.

AVOIDANCE AND MINIMIZATION MEASURES

The project will result in the removal and replacement of several storm drain inlets, which will not require work within USACE, RWQCB, or CDFW jurisdictional waters. No discharge of fill will occur within USACE and/or RWQCB jurisdictional waters and no streambed alterations will occur within CDFW jurisdictional resources, as a result of the proposed project.

The following minimization measures shall be implemented during construction to avoid indirect impacts to downstream jurisdictional waters:

1. General Stormwater Construction Permit compliance.
2. Municipal Storm Drain Permit (MS4) compliance.
3. Source control and treatment control BMPs shall be implemented to minimize the potential contaminants that are generated during and after construction. Source control BMPs and Treatment control BMPs will follow the ONT Storm Water Pollution Prevention Plan (SWPPP) and standard construction BMPs.
4. A project-specific Construction SWPPP would address construction-related surface water quality impacts and delineate water quality control measures to address those impacts.
5. BMPs would include those outlined in FAA AC 150/5371-10, *Standards for Specifying Construction of Airports, Item P-156, Temporary Air and Water pollution, Soil Erosion and Siltation Control*.
6. Employees shall strictly limit their activities, vehicles, equipment, and construction material to the proposed project footprint, staging areas, and designated routes of travel.

CONCLUSION

Based on HELIX's assessment, the project will not result in direct or indirect impacts to jurisdictional resources regulated by the USACE, RWQCB, or CDFW, provided that the jurisdictional avoidance and minimization measures outlined above are adequately implemented during construction of the project. Given the absence of jurisdictional impacts, HELIX does not anticipate that regulatory permits will be required to implement the project.

If you have any questions regarding the information presented in this letter report, please contact me at EzekielC@helixepi.com or (949) 234-8770.

Sincerely,

Ezekiel Cooley
Senior Biology Project Manager/Regulatory Specialist

Attachments:

Figure 1: Regional Location

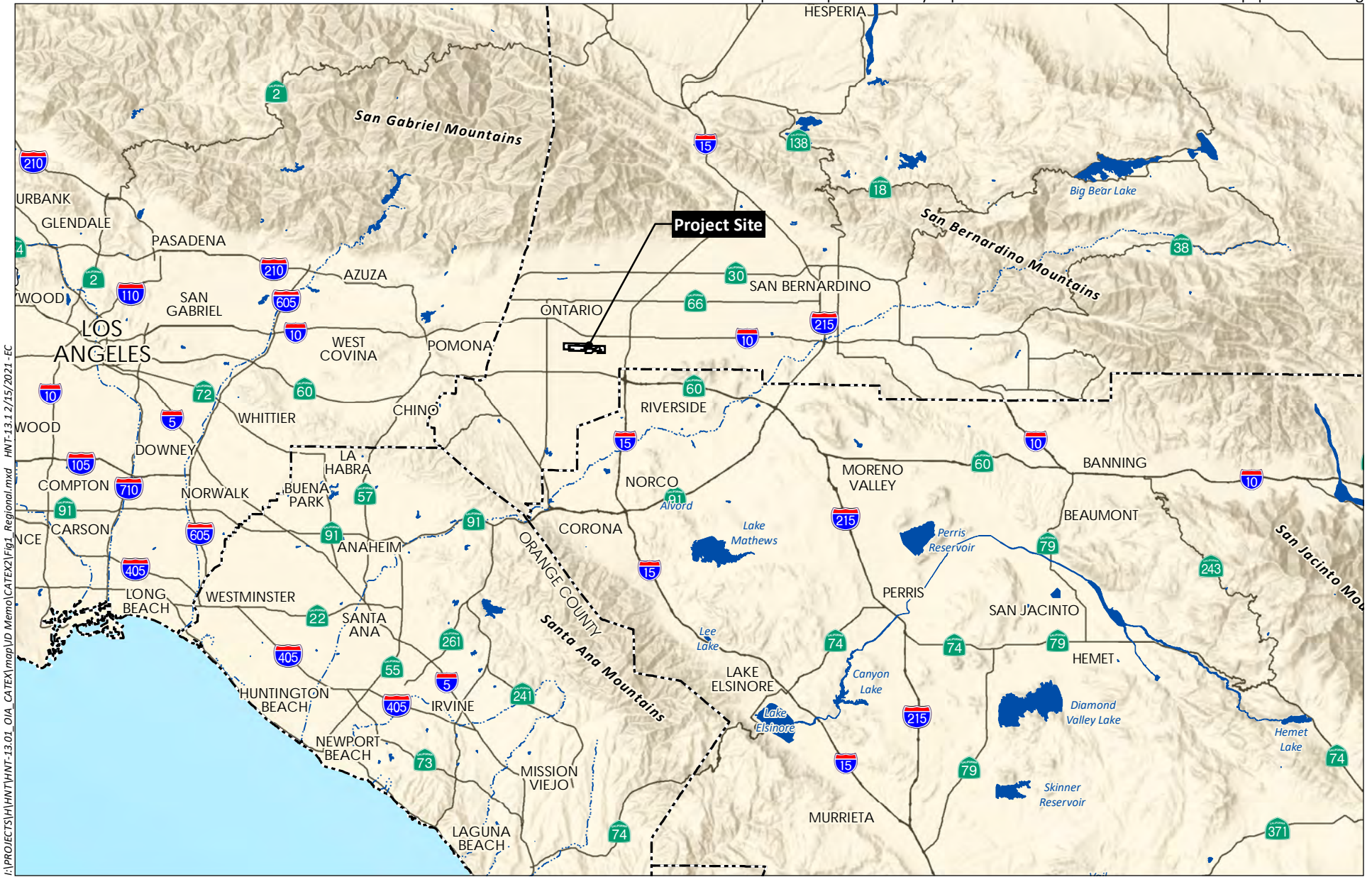
Figure 2: Vicinity Map

Figure 3: Aerial Photograph

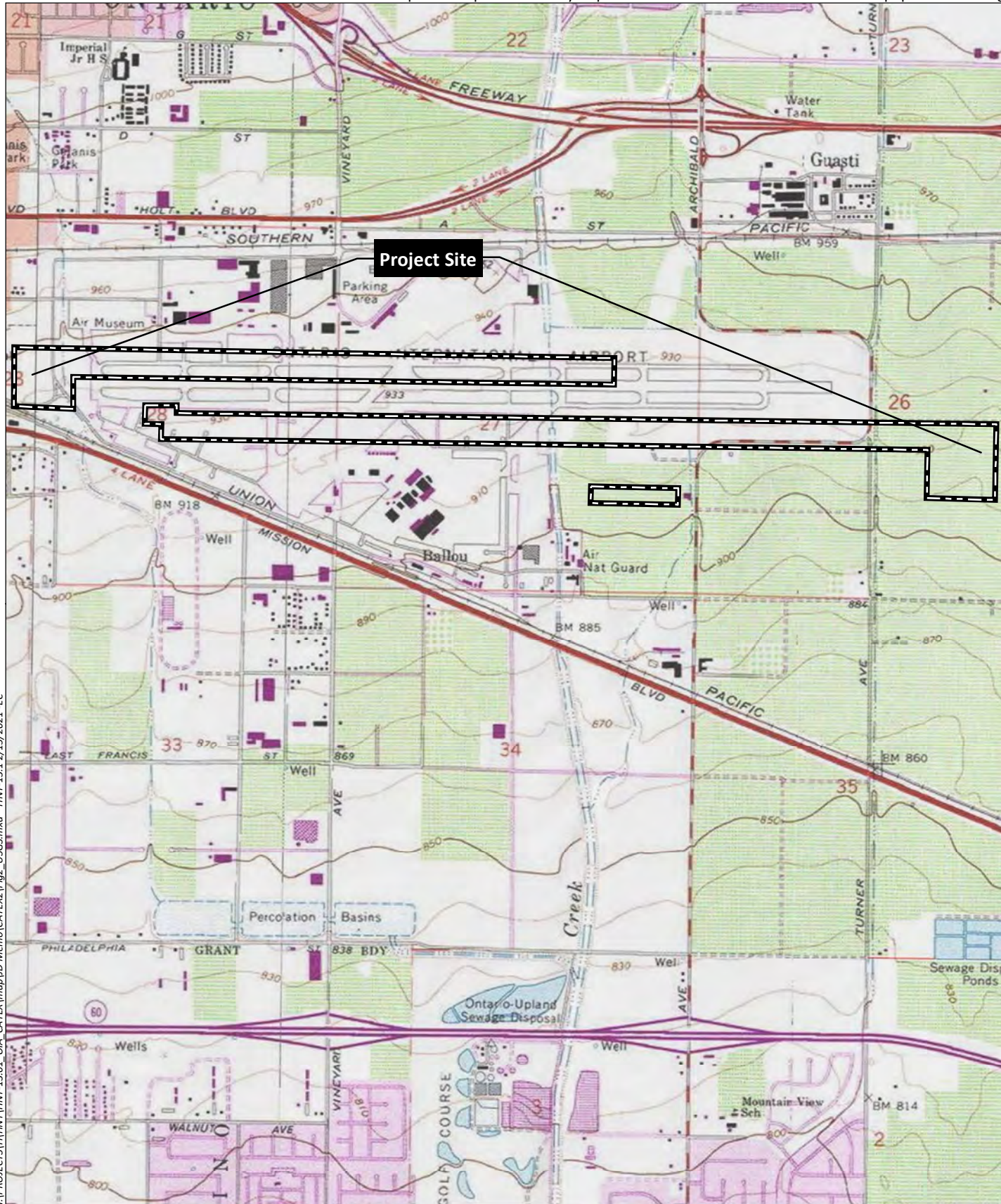
Figure 4: Proposed Action

Figure 5: Jurisdictional Features

Figure 6: Soils

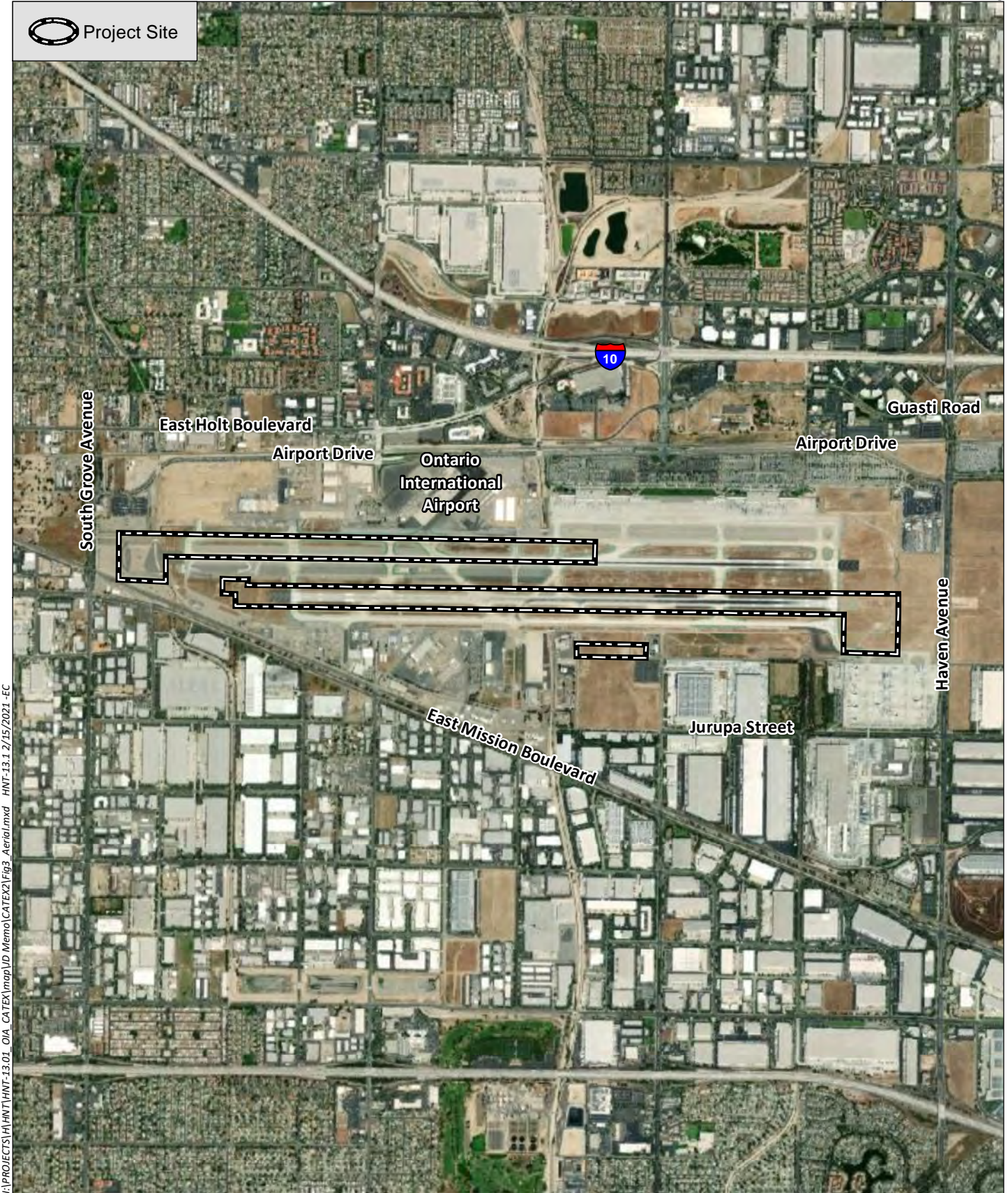


Source: Base Map Layers (ESRI, 2013)



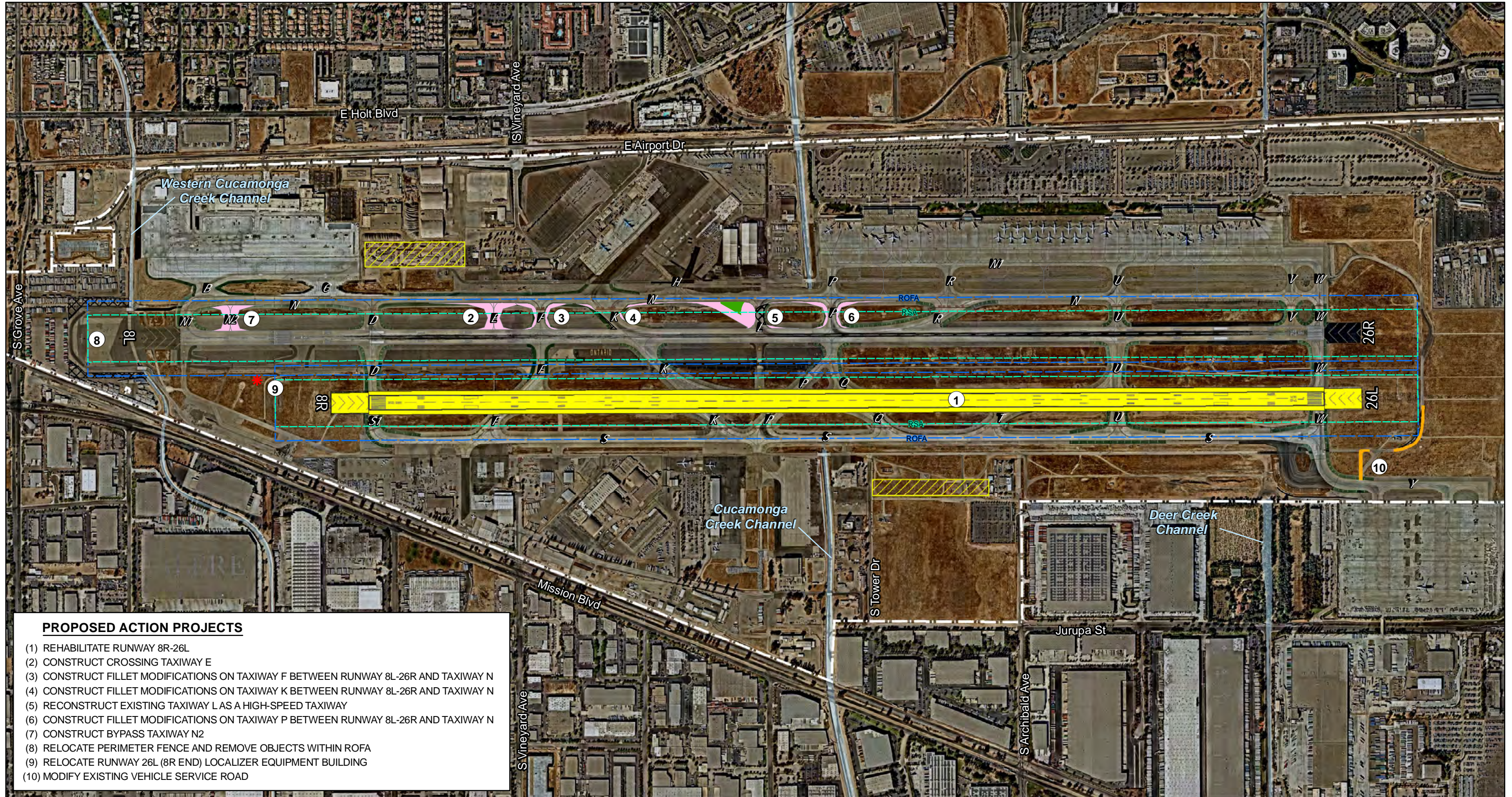
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Source: Guasti 7.5' Quad (USGS)



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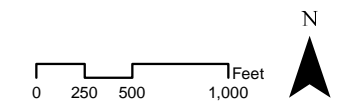
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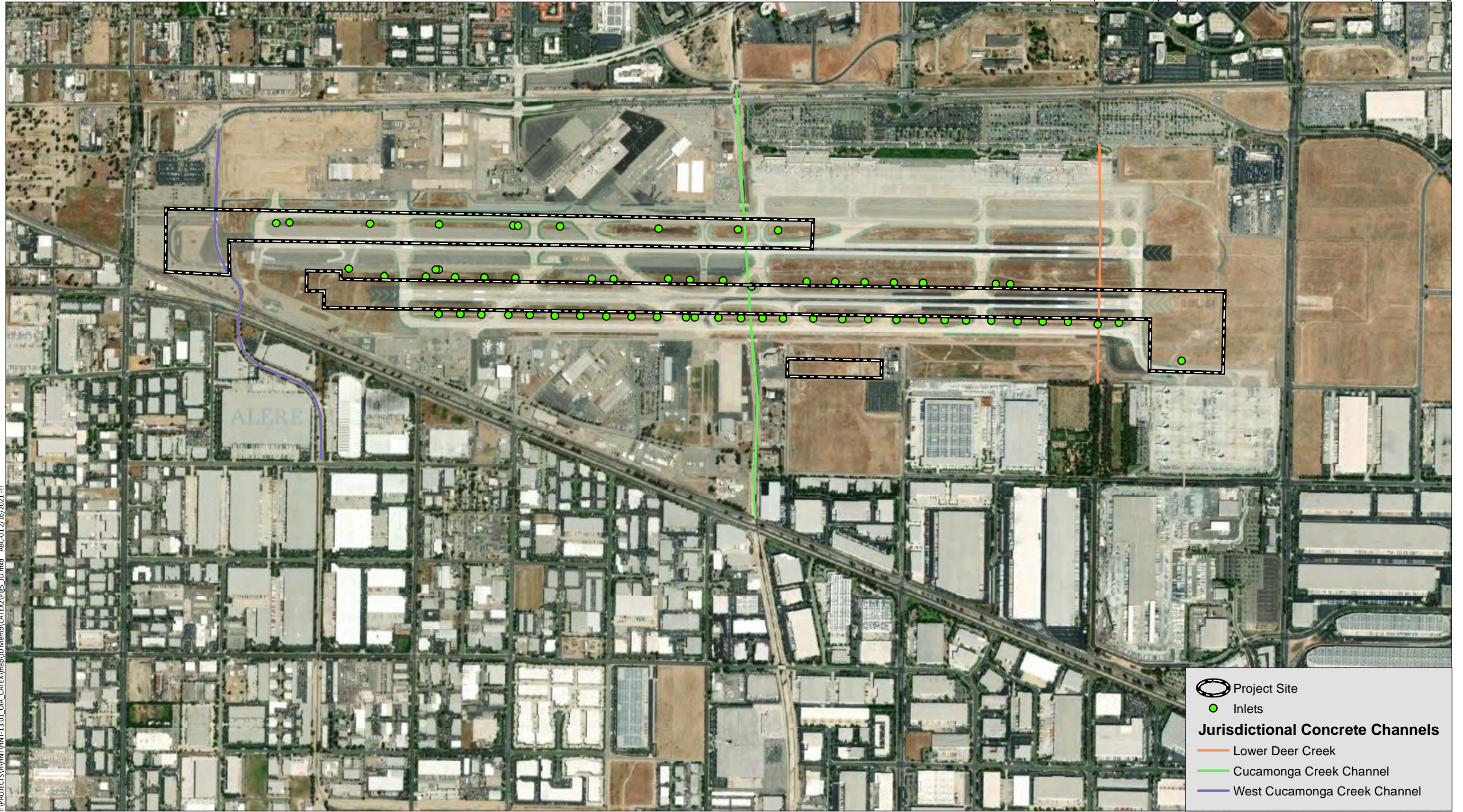


- PROPOSED ACTION PROJECTS**
- (1) REHABILITATE RUNWAY 8R-26L
 - (2) CONSTRUCT CROSSING TAXIWAY N
 - (3) CONSTRUCT FILLET MODIFICATIONS ON TAXIWAY F BETWEEN RUNWAY 8L-26R AND TAXIWAY N
 - (4) CONSTRUCT FILLET MODIFICATIONS ON TAXIWAY K BETWEEN RUNWAY 8L-26R AND TAXIWAY N
 - (5) RECONSTRUCT EXISTING TAXIWAY L AS A HIGH-SPEED TAXIWAY
 - (6) CONSTRUCT FILLET MODIFICATIONS ON TAXIWAY P BETWEEN RUNWAY 8L-26R AND TAXIWAY N
 - (7) CONSTRUCT BYPASS TAXIWAY N2
 - (8) RELOCATE PERIMETER FENCE AND REMOVE OBJECTS WITHIN ROFA
 - (9) RELOCATE RUNWAY 26L (8R END) LOCALIZER EQUIPMENT BUILDING
 - (10) MODIFY EXISTING VEHICLE SERVICE ROAD

Runway 8R-26L Pavement Rehabilitation	Contractor Staging Area
Proposed Taxiway Pavement	Airport Property Line
Proposed Pavement Removal	(RSA) Runway Safety Area
Proposed Painted Island	(ROFA) Runway Object Free Area
Proposed Vehicle Service Road Pavement	Relocated Runway 26L Localizer Equipment Building

**Figure 4
Proposed Action**



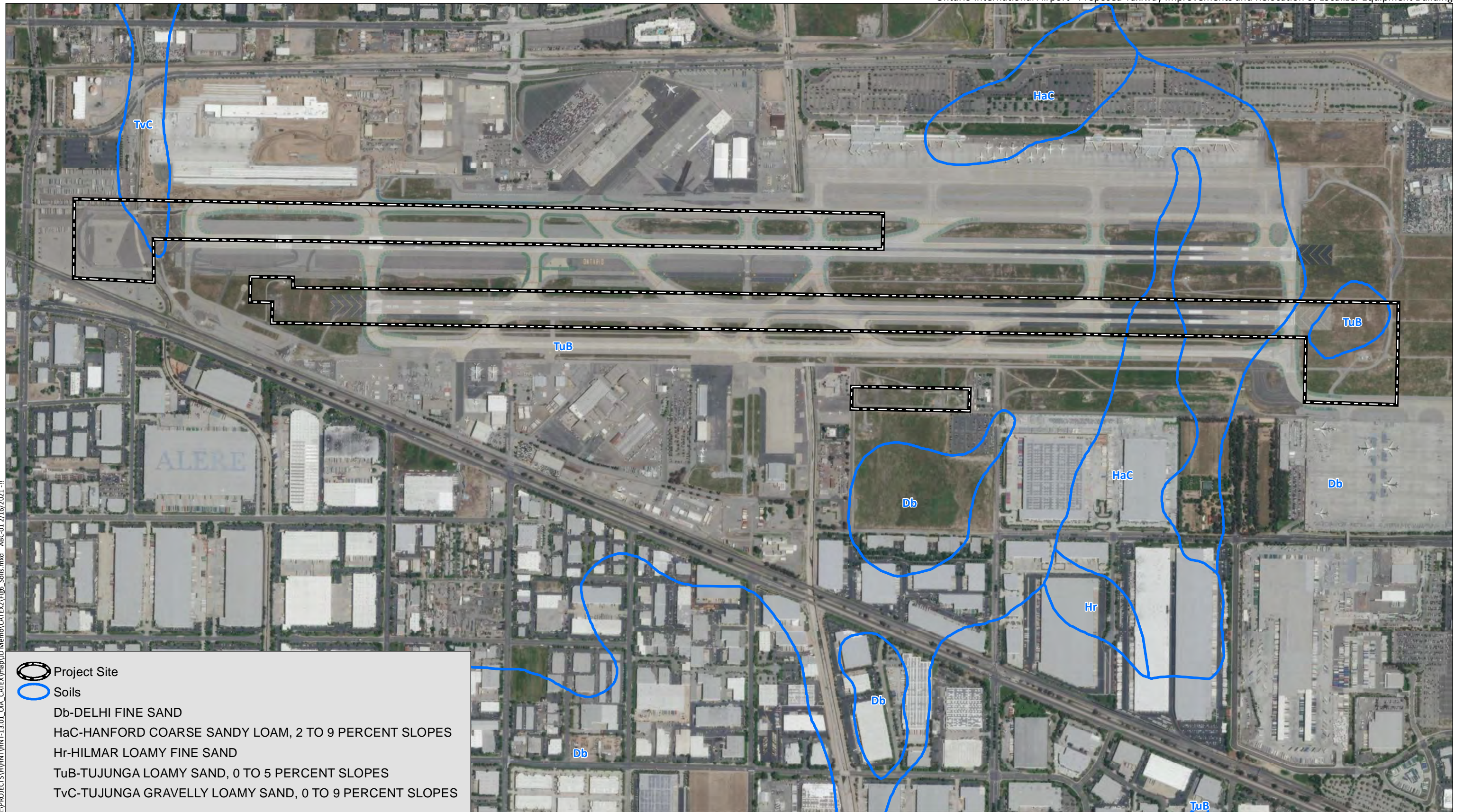


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- Project Site
- Inlets
- Jurisdictional Concrete Channels**
 - Lower Deer Creek
 - Cucamonga Creek Channel
 - West Cucamonga Creek Channel

Source: Aerial (NearMap, 2020)



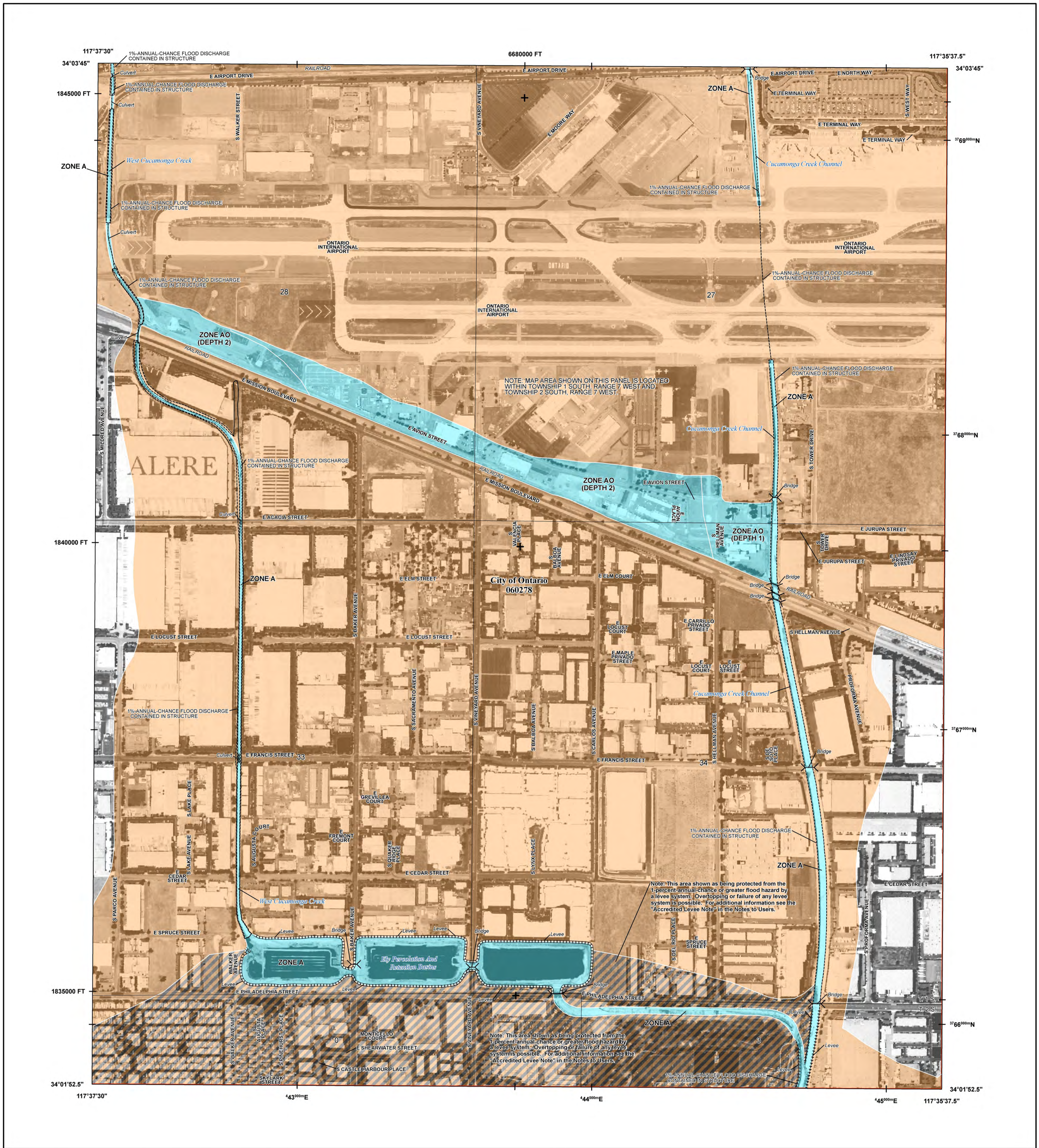
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-  Project Site
-  Soils
- Db-DELHI FINE SAND
- HaC-HANFORD COARSE SANDY LOAM, 2 TO 9 PERCENT SLOPES
- Hr-HILMAR LOAMY FINE SAND
- TuB-TUJUNGA LOAMY SAND, 0 TO 5 PERCENT SLOPES
- TvC-TUJUNGA GRAVELLY LOAMY SAND, 0 TO 9 PERCENT SLOPES



Source: Aerial (NearMap, 2020)

Floodplains



FLOOD HAZARD INFORMATION
SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT
THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT [HTTP://MSC.FEMA.GOV](http://msc.fema.gov)

	Without Base Flood Elevation (BFE) Zone A, V, A99
	With BFE or Depth Zone AE, AO, AH, VE, AR
	Regulatory Floodway
	0.2% Annual Change Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
	Future Conditions 1% Annual Chance Flood Hazard Zone X
	Area with Reduced Flood Risk due to Levee See Notes Zone X
	Areas of Minimal Flood Hazard Zone X
	Area of Undetermined Flood Hazard Zone D
	Channel, Culvert or Storm Sewer
	Accredited or Provisionally Accredited Levee, Dike or Floodwall
	Non-accredited Levee, Dike or Floodwall
	Cross Sections with 1% Annual Chance Water Surface Elevation (BFE)
	Cross Sections with 1% Annual Chance Water Surface Elevation (BFE)
	Coastal Transect
	Coastal Transect Baseline
	Profile Baseline
	Hydrographic Feature
	Base Flood Elevation Line (BFE)
	Limit of Study
	Jurisdiction Boundary

NOTES TO USERS

For information and questions about this map, available products associated with this FIRM including historic versions of this FIRM, how to order products or the National Flood Insurance Program in general, please call the FEMA Map Information eXchange at 1-877-FEMA-MAP (1-877-338-2627) or visit the FEMA Map Service Center website at <http://msc.fema.gov>. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website. Users may determine the current map date for each FIRM panel by visiting the FEMA Map Service Center website or by calling the FEMA Map Information eXchange.

Communities annexing land on adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM Index. These may be ordered directly from the Map Service Center at the number listed above.

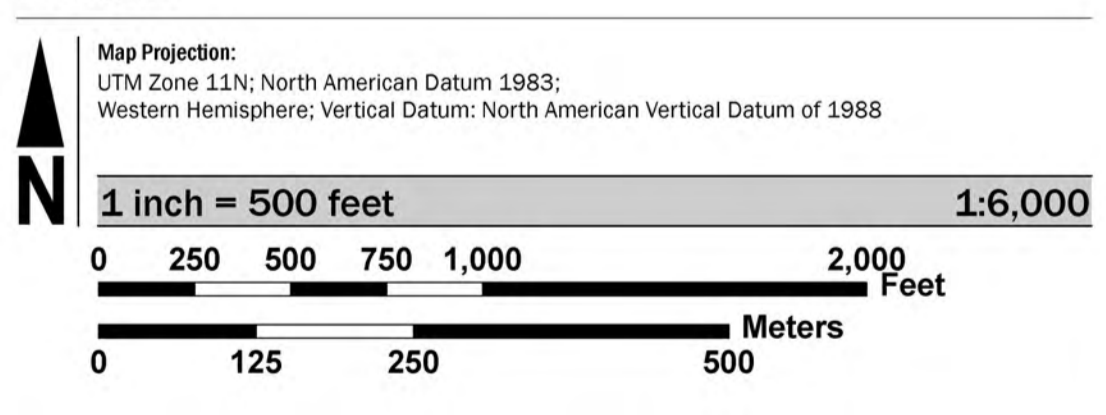
For community and countywide map dates refer to the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your Insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

Base map information shown on this FIRM was derived from digital orthophotography collected by the U.S. Department of Agriculture Farm Service Agency. This imagery was flown in 2012 and was produced with a 1-meter ground sample distance.

Accredited Levee Notes to Users: Check with your local community to obtain more information, such as the estimated level of protection provided (which may exceed the 1-percent-annual-chance level) and Emergency Action Plan, on the levee system(s) shown as providing protection for areas on this panel. To mitigate flood risk in residual risk areas, property owners and residents are encouraged to consider flood insurance and floodproofing or other protective measures. For more information on flood insurance, interested parties should visit the FEMA Website at <http://www.fema.gov/businessinfo/index.shtml>.

SCALE



PANEL LOCATOR

SAN BERNARDINO COUNTY	8628	8629
8609		
8617	8636	8637
8620	8638	8639

FEMA
National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

SAN BERNARDINO COUNTY, CALIFORNIA
and Incorporated Areas
Panel 8636 of 9400

Panel Contains:
COMMUNITY: ONTARIO, CITY OF
NUMBER: 060278
PANEL: 8636
SUFFIX: J

VERSION NUMBER: 2.3.2.3
MAP NUMBER: 06071C8636J
MAP REVISED: FEBRUARY 18, 2015

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The community map repository should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where Base Flood Elevations (BFEs) and/or floodways have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Coastal Base Flood Elevations (BFEs) shown on this map apply only landward of 0.0 North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations table in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations table should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the floodways were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by flood control structures. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The projection used in the preparation of this map was Universal Transverse Mercator (UTM) zone 11 North. The horizontal datum was NAD83, GRS1980 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov> or contact the National Geodetic Survey at the following address:

NGS Information Services
NOAA, NNGS12
National Geodetic Survey
SSMC-3, #9202
1315 East-West Highway
Silver Spring, Maryland 20910-3282
(301) 713-3242

To obtain current elevation, description, and/or location information for bench marks shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242 or visit its website at <http://www.ngs.noaa.gov>.

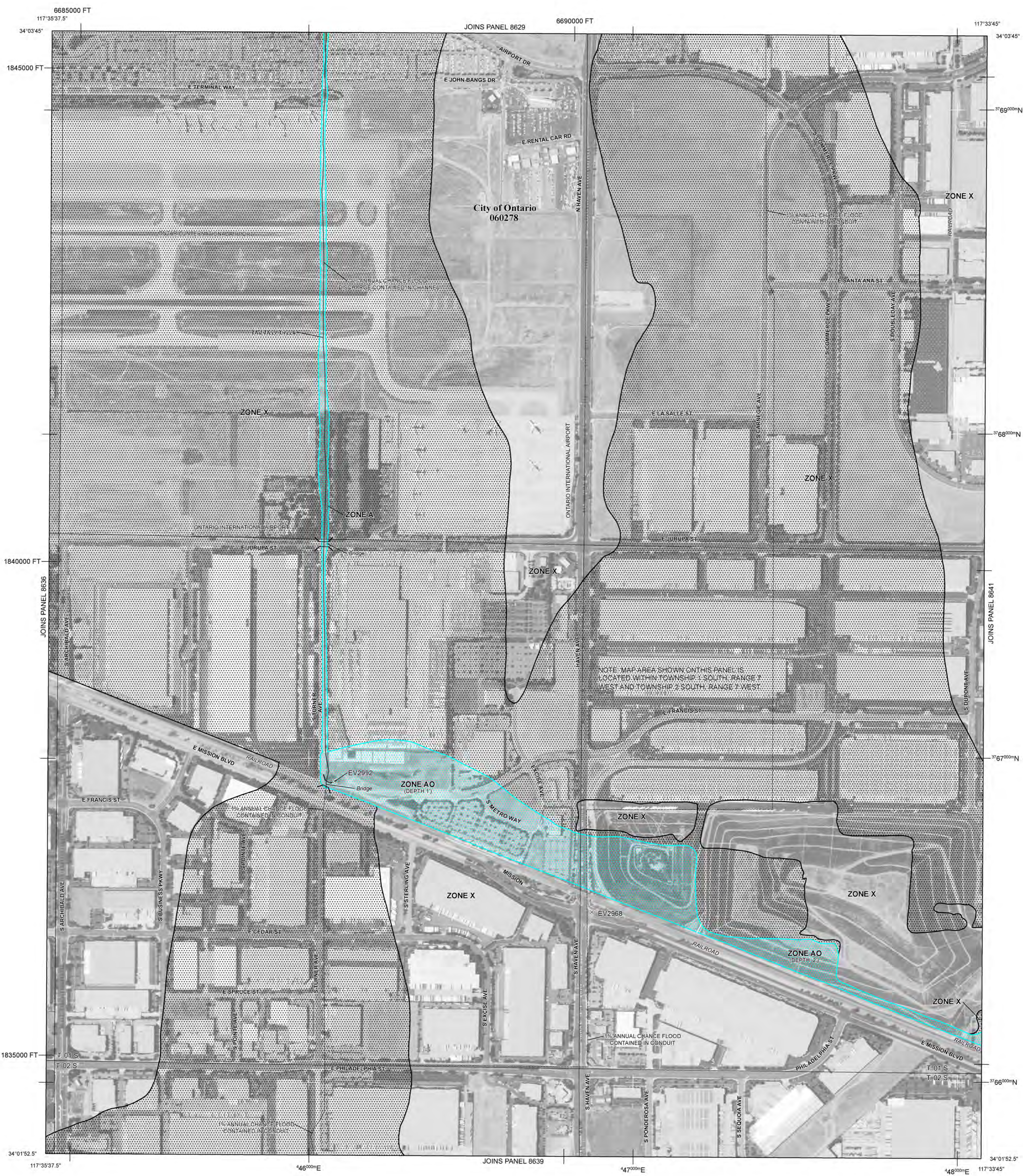
Base map information shown on this FIRM was provided in digital format by the San Bernardino County ISD GIS Department, United States Geological Survey, the Bureau of Land Management, the United States Department of Agriculture, and the National Geodetic Survey. The imagery was flown by U.S. Department of Agriculture Farm Service Agency in 2012 and was produced with a 1-meter ground sampling distance.

This map reflects more detailed and up-to-date stream channel configurations than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profiles and Floodway Data tables in the Flood Insurance Study report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed Map Index for an overview map of the county showing the layout of map panels, community map repository addresses, and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

For information and questions about this map, available products associated with this FIRM including historic versions of this FIRM, how to order products, or the National Flood Insurance Program in general, please call the FEMA Map Information eXchange at 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA Map Service Center website at <http://msc.fema.gov>. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website. Users may determine the current map date for each FIRM panel by visiting the FEMA Map Service Center website or by calling the FEMA Map Information eXchange.



LEGEND

SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

- ZONE A** No Base Flood Elevations determined.
- ZONE AE** Base Flood Elevations determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR** Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE A99** Areas to be protected from 1% annual chance flood event by a Federal flood protection system under construction; no Base Flood Elevations determined.
- ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

- ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

- ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.
- ZONE D** Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

- 1% annual chance floodplain boundary
- 0.2% annual chance floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths, or flood velocities
- Base Flood Elevation line and value; elevation in feet* (EL 987)
- Base Flood Elevation value where uniform within zone; elevation in feet*

* Referenced to the North American Vertical Datum of 1988

MAP REPOSITORIES
Refer to Map Repositories List on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP
August 28, 2008

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL
September 2, 2016 - to change Base Flood Elevations, to add Base Flood Elevations, to change Special Flood Hazard Areas, to add Special Flood Hazard Areas, to change zone designations, to incorporate previously issued Letters of Map Revision, and to reflect updated topographic information.

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

MAP SCALE 1" = 500'

250 0 250 500 750 1,000 FEET
150 0 150 300 METERS

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 8637J

FIRM

FLOOD INSURANCE RATE MAP

SAN BERNARDINO COUNTY, CALIFORNIA AND INCORPORATED AREAS

PANEL 8637 OF 9400

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
ONTARIO, CITY OF	060278	8637	J

Notice to User: The Map Number shown below should be used when placing map orders. The Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER 06071C8637J

MAP REVISED SEPTEMBER 2, 2016

Federal Emergency Management Agency