California Environmental Quality Act (CEQA)

Initial Study/Mitigated Negative Declaration

SPR 21-00001-Freight Company Project
NWC of Avenal Street and US Highway 395

Lead Agency
City of Hesperia
Development Services Department
9700 7th Avenue
Hesperia, California 92345

Project Proponent:
Freight Company
11025 Tamarind Avenue
Bloomington, CA 92316
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Prepared By

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1.0 Background Information

1. Project Title: SPR 21-00001 Freight Company

2. Lead Agency Contact:
Edgar Gonzalez, Associate Planner
City of Hesperia, Development Services Department
9700 7th Avenue, Hesperia, California 92345
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3. Project Description: Construction of a 13,500 square foot industrial warehouse/ distribution building on an existing 4.4-acre parcel (See Section 3.0, *Project Description,* for additional details).

4. Project Location: The Project site is located within the Commercial Industrial Business Park zone of the Main Street and Freeway Corridor Specific Plan located at the northwest corner of Avenal Street and US Highway 395. The Project Site is also identified by the following Assessor Parcel Number: 3064-371-12.

5. General Plan and Zoning Designation: Commercial/Industrial Business Park (CIBP)

6. Other Public Agencies whose Approval is Required: Issuance of building permits, and completion of structures to current building code is required by the City prior to the establishment of the project. Additionally, approvals from the following agencies are required:

- Lahontan Regional Water Quality Control Board (National Pollutant Discharge Elimination System Permit and Report of Waste Discharge).
- Mohave Desert Air Quality Management District (Authority to Construct).
- Caltrans (Encroachment Permit).

7. Native American Tribal Consultation: The City commenced the AB 52 process by sending out consultation invitation letters to tribes previously requesting notification pursuant to Public Resources Code section 21080.3.1. The Project site is located within Serrano ancestral territory and, therefore, is of interest to the Yuhaaviatam of San Manuel Nation (YSMN) As a result, Mitigation Measure TCR-1 and TCR-2 and CR-1 through CR-3 are included in the project/permit/plan conditions.

SIGNIFICANT OR POTENTIALLY SIGNIFICANT ENVIRONMENTAL FACTORS

The following environmental factors have been evaluated in this Initial Study to determine if development of the Project will result in a Significant or Potentially Significant impact(s) to the environment that cannot be mitigated to a level of insignificance. The environmental factors checked below require mitigation measures to reduce impacts to a level of insignificance.

☐ Aesthetics

☐ Agriculture and Forestry Resources

☐ Air Quality

☒ **Biological Resources**

☒ **Cultural Resources**

☐ Energy

☒ **Geology/Soils**

☐ Greenhouse Gas Emissions

☐ Hazards and Hazardous Materials

☐ Hydrology/Water Quality

☐ Land Use/Planning

☒ **Mandatory Findings of Significance**

☐ Mineral Resources

☐ Noise

☐ Population/Housing

☐ Public Services

☐ Recreation

☐ Transportation

☒ **Tribal Cultural Resources**

☒ **Utilities/Service Systems**

☐ Wildfire

Because the environmental factors above have been mitigated to less than significant, the adoption of a Mitigated Negative Declaration is recommended. View Table 2.1 below for further information.

DETERMINATION

Based on this initial evaluation:

I find that the proposed use COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be recommended for adoption.	☐
I find that although the proposal could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project Applicant. A **MITIGATED NEGATIVE DECLARATION** will be recommended for adoption.	X
I find that the proposal MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	☐
I find that the proposal MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	☐
I find that although the proposed Project could have a significant effect on the environment, because all potgentially significnat effect (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION, pursuant to all applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures are are imposed upon the proposed Project, nothing further is required.	☐

Signature	City of Hesperia **Lead Agency**
Edgar Gonzalez, Associate Planner **Printed Name/Title**	7/3/23 **Date**

2.0-Introduction

2.1-Purpose of the Initial Study/Mitigated Negative Declaration

An Initial Study is a preliminary analysis conducted by the City of Hesperia (City) to determine if a project may have a significant physical effect on the environment. The Initial Study also aids in determining what type of environmental document to prepare:

- **Negative Declaration**: If the initial study concludes that the project will not cause a significant effect on the environment, the city can prepare a Negative Declaration. (Pub. Res. Code § 21080(c); Guidelines § 15070 et seq. (negative declaration process).) A Negative Declaration is a written statement that an EIR is not required because a project will not have a significant adverse impact on the environment. (Pub. Res. Code §§ 21064, 21080(c).)

- **Mitigated Negative Declaration**: The City may attach conditions to a Negative Declaration for the purpose of mitigating potential environmental effects. This is referred to as a "Mitigated Negative Declaration." (Guidelines § 15070(b); Pub. Res. Code § 21064.5.) A Mitigated Negative Declaration states that revisions in the project made or agreed to by the applicant would avoid the potentially significant adverse impacts, and that there is no substantial evidence that the revised project will have a significant effect on the environment. (Pub. Res. Code § 21064.5; Guidelines § 15070(b).

- **Environmental Impact Report**: If the Initial Study determines that there are potentially significant physical effects on the environment that cannot be mitigated to a less than significant level, the city will prepare an Environmental Impact Report. Environmental Impact Reports are reports to inform the public and City decision-makers of significant environmental effects of proposed projects, identify possible ways to minimize those effects, and describe reasonable alternatives to those projects.

Based on the Initial Study prepared for the Project, it is recommended that a **Mitigated Negative Declaration** be adopted.

2.2- Environmental Impacts Requiring Mitigation

Table 2-1 lists all the Mitigation Measures contained in this ISMND document.

Table 2.1. Summary of Environmental Impacts and Mitigation Measures

Environmental Impact	Mitigation Measures (MM)
4.4 (a) Biological Resources Construction will impact 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 Wildlife or U.S. Fish and Wildlife Service.	**MM BIO-1. Western Joshua Tree Incidental Take Permit**. If any western Joshua trees (WJT) are to be relocated, removed, or otherwise taken, the Project Proponent shall obtain an incidental take permit (ITP) from the California Department of Fish and Wildlife (CDFW) under CDFW under §2081 of the California Endangered Species Act (CESA), prior to the relocation, removal, or take. (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of western Joshua tree, a Candidate for Threatened CESA-listed species. Take of any CESA-listed species is prohibited except as authorized by state law (Fish and Game Code, §§ 2080 & 2085). Permanent protection and perpetual management of compensatory habitat is necessary and required pursuant to CESA to fully mitigate project-related impacts of the taking of CESA-listed species. CDFW recommends permanent protection through either the purchase of conservation or mitigation bank credits or the establishment of a conservation easement, the development of a long-term management plan, and securing funding sufficient to implement management plan tasks in perpetuity. These tasks should be completed, or financial security must be provided before starting any Project activities. To execute an ITP, CDFW requires documentation of CEQA compliance. CDFW requires the CEQA document have a State Clearing House number, show proof of filing fees, and proof the document has been circulated. **MM BIO-2. Burrowing Owl Pre-Construction Survey.** Prior to any ground disturbance, pre-construction surveys for Burrowing Owls on the project site and in the surrounding area in accordance with the Staff Report on Burrowing Owl Mitigation, State of California Natural Resource Agency, Department of Fish and Game, May 7, 2012, shall be conducted no more than 14-days prior to the beginning of project activities, and a secondary survey must be conducted by a qualified biologist within 24 hours prior to the beginning of project construction to determine if the project site contains suitable burrowing owl or sign thereof and to avoid any potential impacts to the species. The surveys shall include 100 percent coverage of the project site. If both surveys reveal no burrowing owls are present or sign thereof, no additional actions related to this measure are required and a letter shall be prepared by the qualified biologist documenting the results of the survey. The letter shall be submitted to CDFW prior to construction. If occupied active burrows or sign thereof are found within the development footprint during the pre-construction clearance survey, Mitigation Measure BIO-3 shall apply. **MM BIO-3. Burrowing Owl Avoidance/Relocation.** If active burrows or signs thereof are found within the development footprint during the pre-construction clearance surveys, site-specific non-disturbance buffer zones shall

Environmental Impact	Mitigation Measures (MM)
	be established by the qualified biologist and shall be no less than 300 feet. If determined appropriate, a smaller buffer may be established by the qualified biologist following monitoring and assessments of the Project's effects on the burrowing owls. If it is not possible to avoid active burrows, passive relocation shall be implemented if a qualified biologist has determined there are no nesting owls and/or juvenile owls are no longer dependent on the burrows. A qualified biologist, in coordination with the applicant and the City, shall prepare and submit a passive relocation program in accordance with Appendix E (i.e., Example Components for Burrowing Owl Artificial Burrow and Exclusion Plans) of the CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012) for CDFW review/approval prior to the commencement of disturbance activities onsite and proposed mitigation for permanent loss of occupied burrow(s) and habitat consistent with the 2012 Staff Report on Burrowing Owl Mitigation. When a qualified biologist determines that burrowing owls are no longer occupying the Project site and passive relocation is complete, construction activities may begin. A final letter report shall be prepared by the qualified biologist documenting the results of the passive relocation. The letter shall be submitted to CDFW. **MM BIO-4. Mojave Ground Squirrel Pre-Construction Survey.** Pre-construction surveys following the Mohave Ground Squirrel Survey Guidelines (CDFG 2010), or most recent version shall be performed by a qualified biologist authorized by a Memorandum of Understanding issued by CDFW. The pre-construction surveys shall cover the Project Area and a 50- foot buffer zone. Should Mohave ground squirrel presence be confirmed during the survey, the Project Proponent should obtain an ITP for Mohave ground squirrel prior to the start of Project activities. CDFW shall be notified if Mohave ground squirrel presence is confirmed during the pre-construction survey. If a Mohave ground squirrel is observed during Project activities, and the Project Proponent does not have an ITP, all work shall immediately stop, and the observation shall be immediately reported to CDFW. **MM BIO-5. Desert Tortoise Pre-Construction Survey**. A CDFW – approved biologist shall conduct pre-construction presence/absence surveys for desert tortoise during the desert tortoise active season (April to May or September to October) 48 hours prior to initiation of Project activities and after any pause in Project activities lasting 30 days or more. Desert tortoise preconstruction surveys shall be conducted in accordance with the U.S. Fish and Wildlife Service (USFWS) 2019 desert tortoise survey methodology. Preconstruction surveys shall be completed using 100-percent visual coverage for desert tortoise and their sign and shall use perpendicular survey routes within the Project site and 50-foot buffer zone. Pre-construction surveys cannot be combined with other surveys conducted for other species while using the same personnel. Project Activities cannot start until 2 negative results from consecutive surveys using perpendicular survey routes for desert tortoise are documented. Results of the survey shall be submitted to CDFW prior to start of Project activities. If the survey confirms desert tortoise absence, the CDFW approved biologist shall ensure desert tortoise do not enter the Project area.

Environmental Impact	Mitigation Measures (MM)
	Should desert tortoise presence be confirmed during the survey, the Project Proponent shall submit to CDFW for review and approval a desert tortoise specific avoidance plan detailing the protective avoidance measures to be implemented to ensure complete avoidance of take (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") to desert tortoise. If complete avoidance of desert tortoise cannot be achieved, the Project Proponent shall not undertake Project activities, and Project activities shall be postponed until appropriate authorization (i.e., California Endangered Species Act (CESA) Incidental Take Permit (ITP) under Fish and Game Code section 2081) is obtained. If complete avoidance of desert tortoise is infeasible, CDFW recommends that the Project Proponent apply for a CESA ITP and prepare a site-specific Desert Tortoise Translocation Plan (Plan) that will provide details on the proposed recipient site, desert tortoise clearance surveys and relocation, definitions for Authorized Biologists and qualified desert tortoise biologists, exclusion fencing guidelines, protocols for managing desert tortoise found during active versus inactive seasons, protocols for incidental tortoise death or injury, and shall be consistent with project permits and current USFWS and CDFW guidelines. The Plan shall also include a requirement for communication and coordination with the Bureau of Land Management (BLM) regarding the desert tortoise recipient site. Prior to construction, the Plan shall be subject to the review and approval of the CDFW and the USFWS. Impacts shall be offset through acquisition of compensatory land within occupied desert tortoise habitat and/or mitigation bank credit purchase from a CDFW-approved mitigation bank mitigated at a ratio determined by CDFW after Project analysis. **MM BIO-6. Worker Environmental Awareness Training:** A qualified biologist must present a biological resource information training for desert tortoise, Mohave ground squirrel, and burrowing owl prior to project activities to all personnel that will be working within the project site. The same instruction shall be provided for any new workers prior to their performing any work on-site. Interpretation shall be provided for any non-English speaking workers. **MM BIO-7. Deceased or Injured Tortoise Within the Project Site:** USFWS and CDFW shall be informed of any injured or deceased desert tortoise (and other special-status species) found on site (verbal notice within 24-hours and written notification within 5-days). **MM BIO-8-Species Avoidance:** If during project activities a desert tortoise is discovered within the project site, all activities shall immediately stop and the CDFW- shall be immediately notified (within 24 hours). Coordination with respective State and Federal resource agencies shall be required prior to

Environmental Impact	Mitigation Measures (MM)
	restarting activities to determine appropriate avoidance, minimization, and mitigation measures. **MM BIO-9. Nesting Bird Pre-Construction Survey.** Regardless of the time of year, a pre-construction sweep shall be performed to verify absence of nesting birds. A qualified biologist shall conduct the pre-activity sweep within the Project areas (including access routes) and a 500- foot buffer surrounding the Project areas, within 2 hours prior to initiating Project activities. Additionally, a nesting bird survey shall be conducted by a qualified biologist no more than three (3) days prior to the initiation of project activities, including, but not limited to clearing, grubbing, and/or rough grading to prevent impacts to birds and their nests. The survey shall be conducted by a qualified biologist. Surveys shall include any potential habitat (including trees, shrubs, the ground, or nearby structures) that may be impacted by activities resulting in nest destruction or abandonment. If nesting bird activity is present, a no-disturbance buffer zone shall be established by the qualified biologist around each nest to prevent nest destruction or abandonment. If nesting bird activity is present, a no-disturbance buffer zone shall be established by the qualified biologist around each nest to prevent nest destruction and disruption of breeding or rearing behavior. The buffer shall be a minimum of 500 feet for raptors and 300 feet for songbirds, unless a smaller buffer is specifically determined by a qualified biologist familiar with the nesting phenology of the nesting species. The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests, as confirmed by a qualified biologist. A qualified biologist shall inspect the active nest to determine whether construction activities are disturbing the nesting birds or nestlings. If the qualified biologist determines that construction activities pose a disturbance to nesting, construction work shall be stopped in the area of the nest and the 'no disturbance buffer' shall be expanded. If there is no nesting activity, then no further action is needed for this measure.
4.4 (d) Biological Resources Construction will conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	Covered by **MM BIO-1.**Western Joshua Tree Incidental Take Permit.
4.5 (b) Cultural Resources Sub-surface archaeological resources may be encountered during ground disturbance.	**MM CR-1: Resource Discovery.** In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during

Environmental Impact	Mitigation Measures (MM)
	this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment. **MM CR-2: Monitoring and Treatment Plan**. If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly. **MM CR-3**: **Inadvertent Discovery of Human Remains.** If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.
4.7 (f) Geology and Soils Sub-surface paleontological resources may be encountered during ground disturbance.	**MM GEO-1: Inadvertent Discovery of Paleontological Resources.** If paleontological resources are encountered during implementation of the Project, (including areas impacted by off-site street improvements) ground-disturbing activities will be temporarily redirected from the vicinity of the find. A qualified paleontologist (the "Project Paleontologist") shall be retained by the developer to make an evaluation of the find. If the resource is significant, Mitigation Measure PALEO-2 shall apply. **MM GEO-2: Paleontological Treatment Plan.** If a significant paleontological resource(s) is discovered on the property,(including areas impacted by off-site street improvements), in consultation with the Project proponent and the City, the qualified paleontologist shall develop a plan of mitigation which shall include salvage excavation and removal of the find, removal of sediment from around the specimen (in the laboratory), research to identify and categorize the find, curation in the find a local qualified repository, and preparation of a report summarizing the find.
4.18 (b) Tribal Cultural Resources Sub-surface tribal cultural resources may be encountered during ground disturbance.	**MM TCR-1. Contact Yuhaaviatam of San Manuel Nation.** The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all

Environmental Impact	Mitigation Measures (MM)
	subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site. **MM TCR-2**. **Documentation of Tribal Resources.** Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project. *Note: Yuhaaviatam of San Manuel Nation realizes that there may be additional tribes claiming cultural affiliation to the area; however, Yuhaaviatam of San Manuel Nation can only speak for itself. The Tribe has no objection if the agency, developer, and/or archaeologist wishes to consult with other tribes in addition to YSMN and if the Lead Agency wishes to revise the conditions to recognize additional tribes.*
4.19 (a) Utilities and Service Systems Construction/installation of utilities and service systems will impact Biological Resources, Cultural Resources, Geology and Soils, and Tribal Cultural Resources.	**MM BIO-1** through **MM BIO-9, MM CR-1** through **CR-3**, **MM GEO-1, MM GEO-2** and **MM TCR -1 & TCR-2** described above are required.

3.0-Project Description/Environmental Setting

3.1 – Project Location

The Project site is located on the northwest corner of Avenal Street and US Highway 395. The Project site is also identified by the following Assessor Parcel Numbers: 3064-371-12. (See Figure 3.1- *Location Map and Aerial Photo*).

3.2 -Project Description

The proposed improvements to this parcel include the construction of a 12,000 square-foot warehouse, 1,500 square-foot office area, commercial landscaping/trees, perimeter walls/fencing, concrete curbs and gutters, concrete walkways, asphalt pavement, underground utilities, underground storm drain, catch basin and underground infiltration chambers. Auto-mobile parking will be located along the east and west ends of the warehouse/office building with loading dock access to the warehouse being along the north and south ends. Additional trailer parking will be located at the westerly portion of the site.

3.3-Proposed Improvements

The following primary site improvements are proposed.

Street Improvements and Access

The development of the existing parcel will include and offer of dedication along both U.S. Highway 395 and Avenal Street, dedications being 13-feet and 15 feet, respectively. US Highway 395 will be improved along the project frontage with pavement, sidewalk, and parkway landscaping per City Standard “Highway 395 130’ Urban Arterial Highway” within a sixty-five foot half-width right-of-way. No vehicle access is provided onto US Highway 395 from the project site. Avenal Street will be improved along the project frontage pavement, sidewalk, and parkway landscaping per City Standard 80’ Secondary Arterial without Bike Lane” within a thirty-five-foot half width right-of-way. Two fifty-foot-wide driveways will provide vehicle access onto Avenal Street.

Water and Sewer Improvements

Water Service

The Project will connect to the existing 6-inch diameter waterline on US Highway 395.

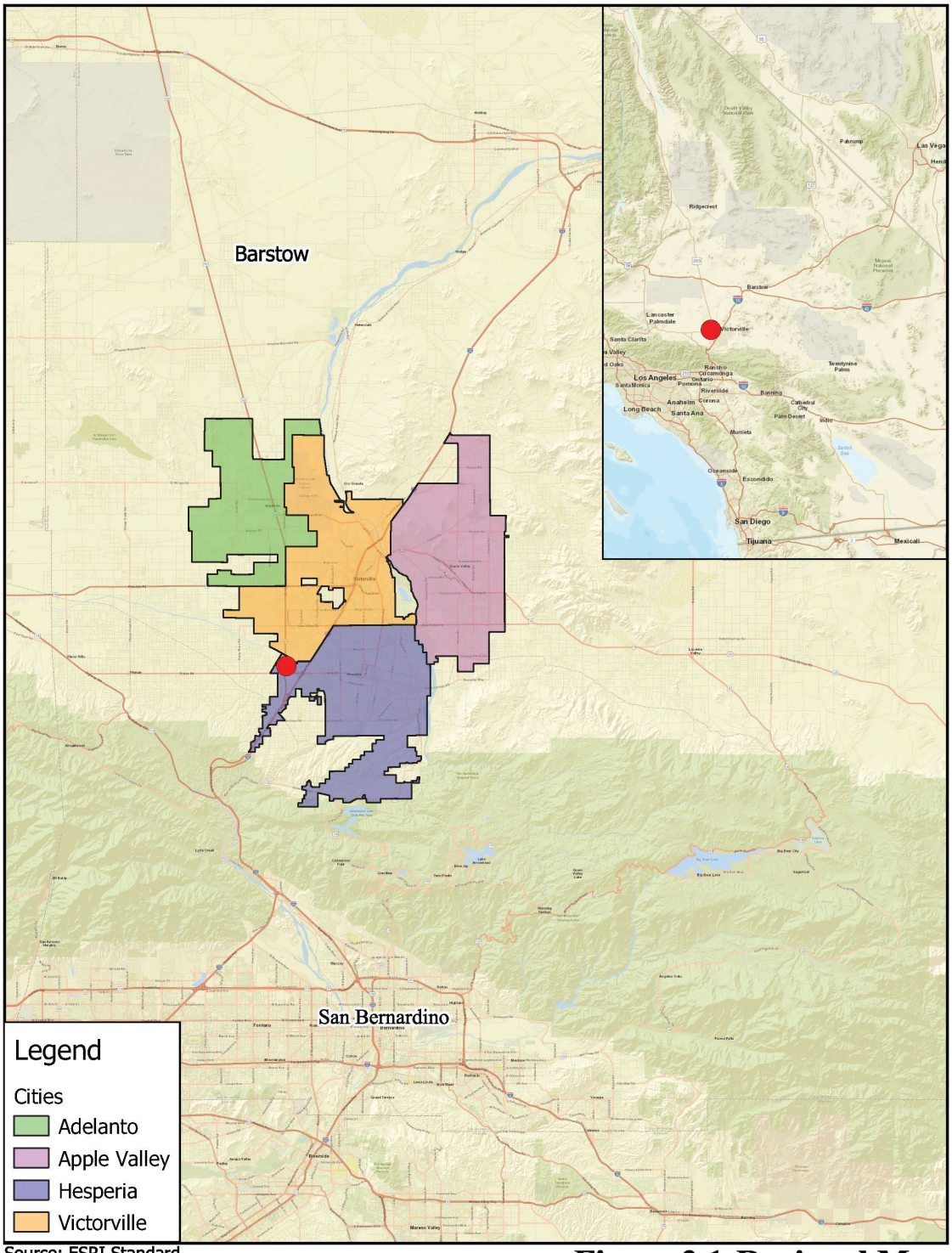
Sewer Service

The Project will be utilizing a septic tank system.

Storm Drainage Improvements

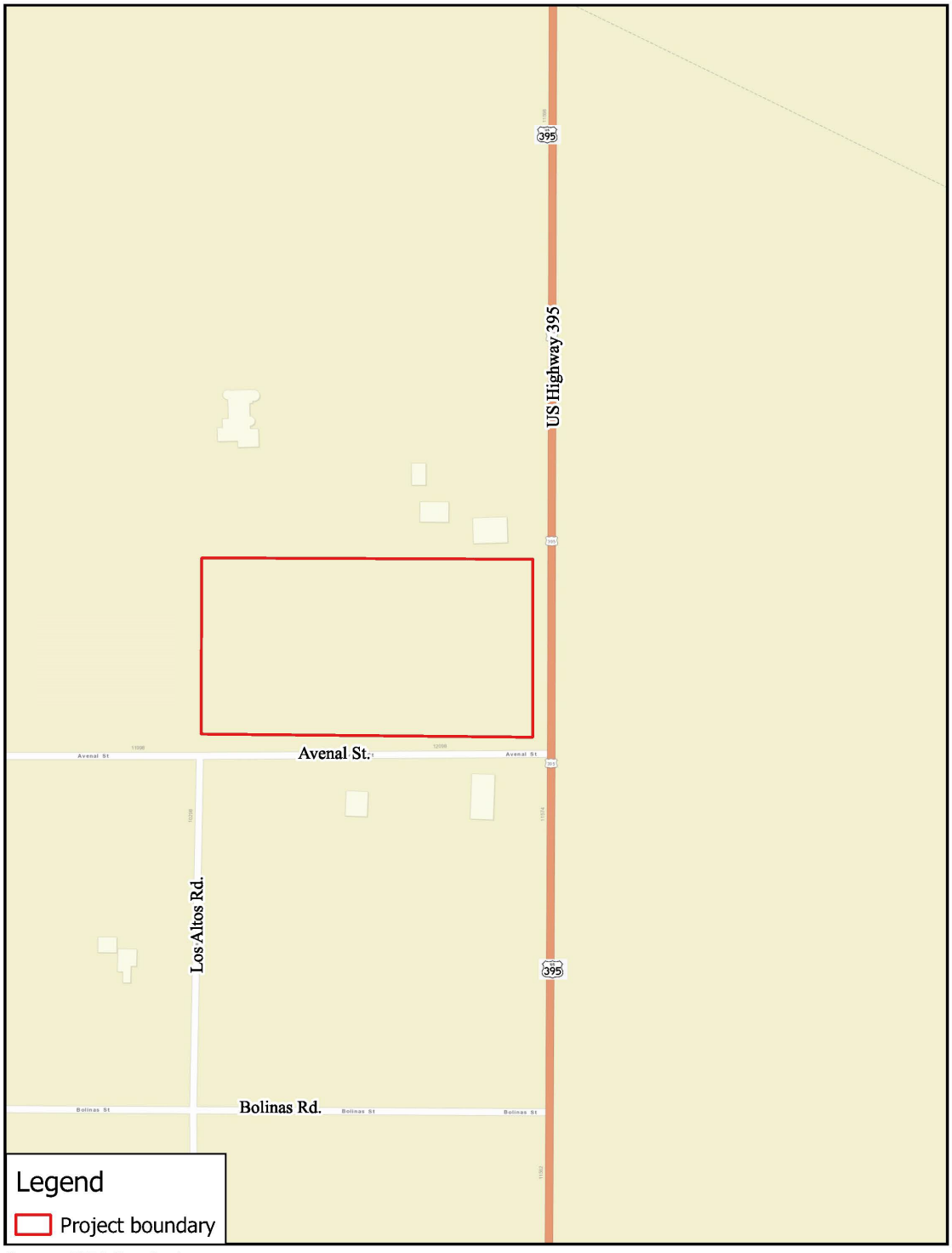
The post-developed condition will mimic the same flow pattern as the pre-developed condition. Stormwater will begin to be generated at the southwesterly corner of the proposed asphalt parking lot and sheet flow northeasterly. Flows will then be concentrated in a concrete v-gutter that will flow northerly and then easterly parallel to the northerly property line of this parcel. A catch basin is proposed at the northeasterly corner along U.S. Highway 395. Stormwater will then be captured and transported to the underground infiltration chambers via a 12-inch storm drainpipe. Stormwater flows and volume that exceeds the capacity of the 12-inch storm drain and underground infiltration chambers will release into the public right-of-way along Highway 395 in the same manner as the pre-developed condition.

(Refer to Figure 3.4 –Site Plan).



Source: ESRI Standard

Figure 3.1-Regional Map
Freight Company Project



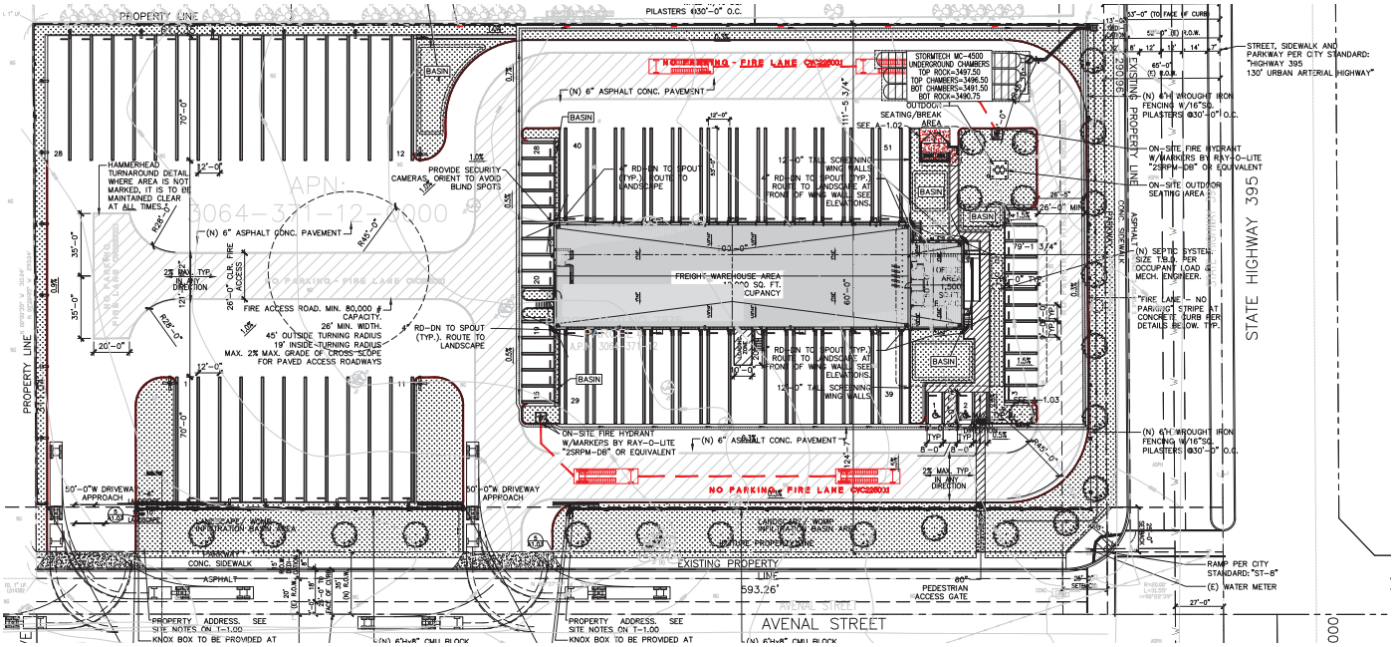
Source: ESRI Standard

Figure 3.2 - Local Area Map
Freight Company Project

Source: Bing Satellite

Figure 3.3 -Aerial View
Freight Company Project

Figure 3.4 –Site Plan



3.4- Construction and Operational Characteristics

Construction Schedule

Construction was estimated for a 279-day construction schedule, which includes site preparation, grading, building construction, paving, and architectural coating. Construction equipment and staging are to occur on-site, and construction vehicle access is planned along Avenal Street.

Operational Characteristics

The proposed Project would operate as a warehouse and general office space. Typical operational characteristics would include employees traveling to and from the site, trucks traveling to and from the site. , There would also be the use of forklifts and pallet jacks on site. Project operate seven days a week, 7 a.m. to 10 p.m.

3.5-Environmental Setting

CEQA Guidelines §15125 establishes requirements for defining the environmental setting to which the environmental effects of a proposed project must be compared. The environmental setting is defined as "…the physical environmental conditions in the vicinity of the project, as they exist at the time the Notice of Preparation is published, or if no Notice of Preparation is published, at the time the environmental analysis is commenced…" (CEQA Guidelines §15125[a]). Because a Notice of Preparation was not required, the environmental setting for the Project is **September 2022**, which is the date that the Project's environmental analysis commenced.

Onsite and adjacent land uses, General Plan land use designations, and zoning classifications are shown in Table 3.1.

Table 3.1: Land Uses, General Plan Land Use Designations, and Zoning Classifications

Location	Current Land Use	General Plan Land Use/Zoning Designations
Site	Vacant land	CIBP (Commercial Industrial Business Park)
North	El Rancho Animal Feed Store and Sunset Stone	CIBP (Commercial Industrial Business Park)
South	Avenal Street followed by single family residential structure with outdoor storage	CIBP (Commercial Industrial Business Park)
East	US 395 followed by vacant land	CIBP (Commercial Industrial Business Park)
West	Vacant land	CIBP (Commercial Industrial Business Park)

Source: Field inspection, City of Hesperia -General Plan Land Use & Zoning District Map, February 2020.

Figure 3.5 –Site Photo

Looking Northwest from Avenal Street and US Highway 395

4.0-Environmental Analysis

The Project is evaluated based on its potential effect on twenty-one (21) environmental topics. Each of the above environmental topics are analyzed by responding to a series of questions pertaining to the impact of the Project on the topic. Based on the results of the Impact Analysis, the effects of the Project are then placed in one of the following four categories, which are each followed by a summary to substantiate the factual reasons why the impact was placed in a certain category.

Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Significant or potentially significant impact(s) have been identified or anticipated that cannot be mitigated to a level of insignificance. An Environmental Impact Report must therefore be prepared.	Potentially significant impact(s) have been identified or anticipated, but mitigation is possible to reduce impact(s) to a less than significant category. Mitigation measures must then be identified.	No "significant" impact(s) identified or anticipated. Therefore, no mitigation is necessary.	No impact(s) identified or anticipated. Therefore, no mitigation is necessary.

4.1 Aesthetics

Threshold 4.1 (a). Would the Project (Except as	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
Have a substantial adverse effect on a scenic vista?			✓	

Impact Analysis

According to the General Plan, natural resources that provide scenic vistas to the City of Hesperia are the Mojave River, the San Bernardino and San Gabriel Mountain ranges, and the neighboring hillsides and the natural desert environment.[1]

[1] *City of Hesperia General Plan, Open Space Element, p. OS-13.*

In relation to the above-described scenic resources, the Project site is located approximately 9 miles west of the Mojave River, 9 miles northwest of the San Bernardino Mountains, and 12 miles northeast of the San Gabriel Mountains.

Impacts to scenic vistas are analyzed from points or corridors that are accessible to the public and that provide a view of a scenic vista. Structures within a viewer's line of sight of a scenic vista may interfere with a public view of a scenic vista, either by physically blocking or screening the scenic vista from view, or by impeding or blocking access to a formerly available viewing position. Those viewers may see the scenic areas prior to development; but would have those views blocked post development. The existing public vantage points from the Project site are from US 395 and Avenal Street.

From the site, the Mojave River is located approximately 9 miles east. Because of distance to the Mojave River and intervening development, public views of this scenic vista would not be blocked by the Project.

From the site, Summit Bell Mountain is located approximately 14 miles northeast. Public views are not available from the project site due to the distance and intervening development.

The Project site is adjacent to vacant land to the west; vacant land to the east; El Rancho Feed Store to the north, followed by vacant land; and two buildings to the south that are zoned for CIPB, followed by vacant land.

Development of the proposed Project in accordance with applicable zoning regulations, including building height detailed above, would ensure scenic vistas would not be adversely affected. Therefore, the Project would have a less than significant impact on scenic vistas, and mitigation is not required. [2].

Threshold 4.1 (b). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓

Impact Analysis

[2] Hesperia Main Street and Freeway Corridor Specific Plan, https://www.cityofhesperia.us/DocumentCenter/View/15940/MSFCSP-update , accessed February 14, 2023

According to the California Department of Transportation, the Project site is not located within a State scenic highway[3]. As such, there is no impact.

Threshold 4.1 (c). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
If located in an Urbanized Area, conflict with applicable zoning and other regulations governing scenic quality?			✓	

Impact Analysis

Because the Project site is located within an incorporated city located contiguous to not more than two contiguous incorporated cities that combined equals at least 100,000 persons, it is classified as being within an "urbanized area," as defined by Public Resources Code Section 21071. In addition, according to US Census Bureau, Hesperia is located within the Victorville Hesperia, CA Urbanized Area[4]. As such, the Project is evaluated for consistency with the City's applicable zoning regulations governing scenic quality contained in the *Main Street and Freeway Corridor Specific Plan* as described below.

Industrial Design Standards and Guidelines C - Architectural Design Standards and Guidelines

This section of the Code includes guidelines for building articulation and detailing, height and roof lines, doors and windows, materials and finishes, and color and texture.

Industrial Design Standards and Guidelines D – Landscape Design Standards and Guidelines

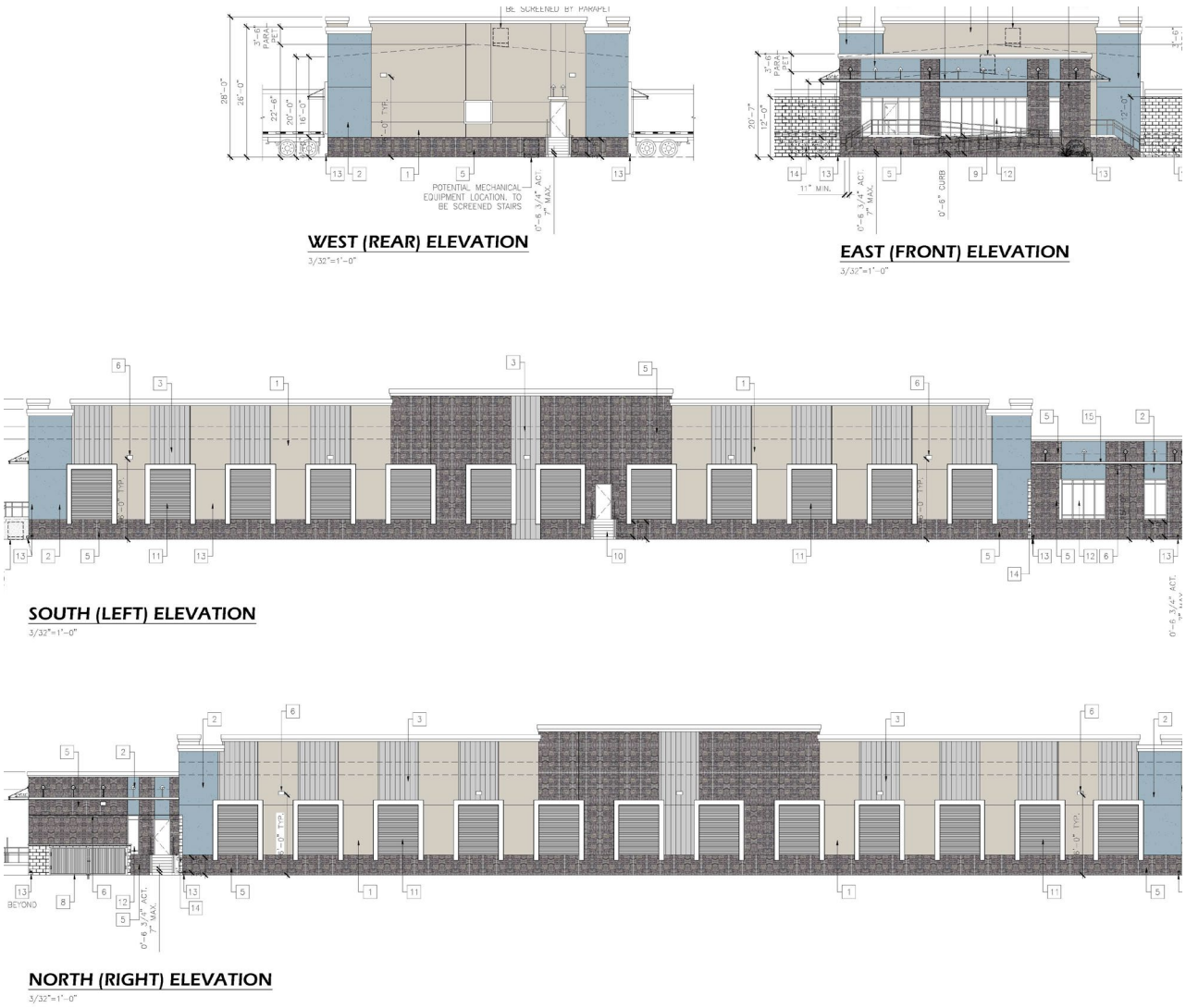
This section of the Code includes guidelines for general landscaping design, landscape materials, parking lot landscaping, preservation of existing trees, landscape lighting, and irrigation and maintenance for landscaped areas.

[3]California Department of Transportation, State Scenic Highway Program, https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways, accessed June 9, 2022.

[4] United States Census Bureau, 2010 Census Urban Area Reference Maps, https://www2.census.gov/geo/maps/dc10map/UAUC_RefMap/ua/ua90541_victorville--hesperia_ca/DC10UA90541_001.pdf accessed April 2021.

Mandatory compliance with the above-described provisions of the General Plan and *Main Street and Freeway Corridor Specific Plan* conducted as part of the Planning Department's review of the project will ensure that the Project will not conflict with regulations governing scenic quality.

Figure 3.6 –Architectural Elevations



Threshold 4.1 (d). Would the project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			✓	

Impact Analysis

Outdoor Lighting and Glare

The Project would increase the amount of light in the area above what is being generated by the vacant site by directly adding new sources of illumination including security and decorative lighting for the proposed structures. All outdoor lighting is required to be designed and installed to comply with *Industrial Design Standards and Guidelines §B. 14, Exterior Lighting, (a)- (c)* §which stipulates:

(a) Exterior lighting shall be used to provide illumination for the security and safety of on-site areas such as building entrances, parking, loading, shipping and receiving, walkways, and working areas. The design of light fixtures and their structural support shall be architecturally compatible with main buildings on-site.

(b) Exterior lighting should be adequate but not overly bright. It shall be located and designed to avoid direct glare onto adjacent properties and public rights-of-way. In addition, the lighting shall have cutoff luminaries that limit the amount of light pollution on nighttime skies.

(c) Buildings and landscaping can be illuminated indirectly to create a strong positive image. Concealing light features within buildings and landscaping can highlight attractive features and avoid intrusion into neighboring properties and public rights-of-way.

Building Material Glare

Industrial Design Standards and Guidelines §C.1.4 (d) - recommends that exterior materials for industrial buildings consist of masonry, concrete, sandblasted concrete, textured block, brick, granite, marble, glass, painted metal elements and similar materials which are non-reflective materials which do not result in glare.

Compliance with the above referenced *Main Street and Freeway Corridor Specific Plan* requirements will ensure that the Project will not adversely affect day or nighttime views in the area.

4.2 Agriculture and Forestry Resources

Threshold 4.2 (a) Would the project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓

Impact Analysis

The Project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as mapped by the State Department of Conservation Farmland Mapping and Monitoring Program.[5] As such, the development of the Project will not convert any type of farmland to a non-agricultural use.

Threshold 4.2 (b) Would the project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Conflict with existing zoning for agricultural use, or a Williamson Act contract?			✓	

Impact Analysis

Agricultural Zoning

The current zoning classification for the site is Commercial Industrial Business Park (CIBP). The CIBP zone district intends to provide an area for commercial, light industrial, light manufacturing and industrial support. This would mainly be conducted in an enclosed building as well. The CIBP zone is not intended for agricultural use.

[5] https://databasin.org/maps/new/#datasets=b83ea1952fea44ac9fc62c60dd57fe48,accessed on June 9, 2022.

Williamson Act

A Williamson Act Contract enables private landowners to voluntarily enter contracts with local governments for the purpose of establishing agricultural preserves. The Project site is not under a Williamson Act Contract.[6]

Threshold 4.2 (c) Would the project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓

Impact Analysis

California Public Resources Code §12220(g) defines forest land as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.

§4526 of the Code defines timberland as land, other than land owned by the federal government or land designated by the state as experimental forest land, which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees.

The Project site does not contain any forest lands, timberland, or timberland zoned as Timberland Production, nor are any forest lands or timberlands located on or nearby the Project site. Because no land within the Project site is currently zoned or proposed for forestland or timberland, there is no potential to impact such zoning.

Threshold 4.2 (d) Would the project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact

[6] https://sbcountyarc.org/wp-content/uploads/arcforms/NPP874-WilliamsonActParcels.pdf, accessed June 9, 2022.

Result in the loss of forest land or conversion of forest land to non-forest use?				✓

Impact Analysis

As noted in the response to Threshold 4.2(c) above, the Project site and surrounding properties do not contain forest lands, are not zoned for forest lands, nor are they identified as containing forest resources by the *General Plan*. Because forest land is not present within the Project site or in the immediate vicinity of the site, the Project has no potential to result in the loss of forest land or the conversion of forest land to non-forest use.

Threshold 4.2 (e) Would the project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				✓

Impact Analysis

As noted under Threshold 4.2 (a), the Project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as mapped by the State Department of Conservation Farmland Mapping and Monitoring Program. In addition, the site is not under agricultural production and there is no land being used primarily for agricultural purposes on or in the vicinity of the site.

4.3 Air Quality

The following analysis is based in part on the following:

- *Air Quality/GHG Assessment*. KPC EHS Consultants, dated December 16, 2022, included as Appendix A to this Initial Study.

- MDAQMD *California Environmental Quality Act (CEQA) and Federal Conformity Guidelines, February 2020,* available at: https://www.mdaqmd.ca.gov/rules/overview.

Air Quality Setting

Topography and Climate

The Project site is located within the Mojave Desert portion of the Mojave Desert Air Basin (MDAB) is bordered in the southwest by the San Bernardino Mountains, separated from the San Gabriel's by the Cajon Pass (4,200 ft). A lesser channel lies between the San Bernardino Mountains and the Little San Bernardino Mountains (the Morongo Valley). The MDAB is classified as a dry-hot desert (BWh), with portions classified as dry-very hot desert (BWhh), to indicate at least three months have maximum average temperatures over 100.4° F.[7]

Air Pollutants and Health Effects

Air Pollutants are the amounts of foreign and/or natural substances occurring in the atmosphere that may result in adverse effects to humans, animals, vegetation and/or materials. The Air Pollutants regulated by the MDAQMD that are applicable to the Project are described below.[8]

Carbon Monoxide (CO). A colorless, odorless gas resulting from the incomplete combustion of hydrocarbon fuels. Over 80 percent of the CO emitted in urban areas is contributed by motor vehicles. Carbon monoxide is harmful when breathed because it displaces oxygen in the blood and deprives the heart, brain, and other vital organs of oxygen.

Nitrogen Dioxide NOx). Nitrogen dioxide (NO2) is a byproduct of fuel combustion. The principal form of nitrogen oxide produced by combustion is nitric oxide (NO), but NO reacts quickly to form NO2, creating a mixture of NO and NO2 commonly called NOx. NOx can irritate the eyes, nose, throat, and lungs, possibly leading to coughing, shortness of breath, tiredness, and nausea.

Particulate Matter ($PM_{2.5}$ and PM_{10}): One type of particulate matter is the soot seen in vehicle exhaust. Fine particles — less than one-tenth the diameter of a human hair — pose a serious

[7] MDAQMD CEQA Guidelines, February 2020, Page 6-7.
[8] http://www.aqmd.gov/home/air-quality

threat to human health, as they can penetrate deep into the lungs. PM can be a primary pollutant or a secondary pollutant from hydrocarbons, nitrogen oxides, and sulfur dioxides. Diesel exhaust is a major contributor to PM pollution.

Sulfur Dioxide (SO_2). A strong-smelling, colorless gas that is formed by the combustion of fossil fuels. Power plants, which may use coal or oil high in sulfur content, can be major sources of SO_2. Sulfur dioxide irritates the skin and mucous membranes of the eyes, nose, throat, and lungs.

Ozone: Ozone is formed when several gaseous pollutants react in the presence of sunlight. Most of these gases are emitted from vehicle tailpipe emissions. Ozone can reduce lung function and worsen bronchitis, emphysema, and asthma.

Volatile Organic Compounds (VOCs): VOCs contribute to the formation of smog and/or may themselves be toxic. VOCs often have an odor, and some examples include gasoline, alcohol and the solvents used in paints. Health effects may include eye, nose and throat irritation, headaches, loss of coordination, and nausea.

Non-attainment Designations and Classification Status

The United States Environmental Protection Agency and the California Air Resources Board have designated portions of the district non-attainment for a variety of pollutants. An "attainment" designation for an area signifies that criteria pollutant concentrations did not exceed the established standard. In contrast to attainment, a "nonattainment" designation indicates that a criteria pollutant concentration has exceeded the established standard. Table 4.3-1 shows the attainment status of criteria pollutants in the MDAB.

Table 4.3-1- Attainment Status of Criteria Pollutants in the Mojave Desert Air Basin

Criteria Pollutant	State Designation	Federal Designation
Ozone – 1-hour standard	Nonattainment	No Standard
Ozone – 8-hour standard	Nonattainment	Attainment
Respirable Particulate Matter (PM_{10})	Nonattainment	Nonattainment
Fine Particulate Matter ($PM_{2.5}$)	Unclassified	Attainment
Carbon Monoxide (CO)	Attainment	Unclassified/Attainment
Nitrogen Dioxide (N0x)	Attainment	Unclassified/Attainment
Sulfur Dioxide (SO_2)	Unclassified /Attainment	Unclassified/Attainment
Lead	Attainment	Attainment

Source: California Air Resources Board, 2015.

As shown in Table 4.3-1 above, the MDAB is classified as Nonattainment for Ozone – 1-hour standard, Ozone – 8-hour standard, Respirable Particulate Matter (PM_{10}) and Fine Particulate Matter ($PM_{2.5}$)

Threshold 4.3 (a). Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Conflict with or obstruct implementation of the applicable air quality plan?			✓	

Impact Analysis

The following analysis is consistent with the preferred analysis approach recommended by the MDAQMD *California Environmental Quality Act (CEQA) and Federal Conformity Guidelines.*

Conformity with Air Quality Management Plans

The Project is located within the Mojave Desert Air Basin and under the jurisdiction of the Mojave Desert Air Quality Management District. Under the Federal Clean Air Act the Mojave Desert Air Quality Management District has adopted a variety of attainment plans (i.e., "Air Quality Management Plans") for a variety of non-attainment pollutants. A complete list of the various air quality management plans is available from the Mojave Desert Air Quality Management District located at 14306 Park Avenue, Victorville, CA 92392 or on their website at: https://www.mdaqmd.ca.gov/rules/overview.

The Mojave Desert Air Quality Management District is responsible for maintaining and ensuring compliance with the various Air Quality Management Plans. Conformity is determined based on the following criteria:

- A project is non-conforming if it conflicts with or delays implementation of any applicable attainment or maintenance plan. A project may also be non-conforming if it increases the gross number of dwelling units, increases the number of trips, and/or increases the overall vehicle miles traveled in an affected area (relative to the applicable land use plan).

- A project is conforming if it complies with all applicable Mojave Desert Air Quality Management District rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan).

The project is in conformity with the General Plan for the following reasons:

Consistet with Emission Thresholds

As shown in Tables 4.3.3 and 4.3.4 below, the Project would not exceed Mojave Desert Air Quality Management District significance thresholds for any criteria pollutant during construction or

during long-term operation. Accordingly, the Project's air quality emissions are less than significant.

Consist with Control Measures

The construction contractors are required to comply with rules, regulations, and control measures to control fugitive dust from grading (Rule 403) and the application of architectural coatings during building construction (Rule 1113).

Consistent with Growth Forecasts

The Project site is currently designated as Commercial Industrial Business Park (CIBP) by the General Plan Land Use & Zoning Map. The CIBP zone district is intended for the development of commercial, light industrial and industrial support uses conducted mainly in enclosed buildings.. The CIBP land use designation was the land use designation that was used by the MDAQMD to generate the growth forecasts for the air quality plans referenced above.

Threshold 4.3 (b). Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			✓	

Impact Analysis

The following provides an analysis based on the applicable regional significance thresholds established by the Mojave Desert Air Quality Management District to meet national and state air quality standards.

Table 4.3.2. MDAQMD Air Quality Significance Thresholds

Pollutant	Daily Emissions (pounds/day)
Carbon Monoxide (CO)	548
Oxides of Nitrogen (NOx)	137
Volatile Organic Compounds (VOC)	137
Oxides of Sulphur (SOx)	137
Particulate Matter (PM10)	82
Particulate Matter (PM 2.5)	82

Source: MDAQMD CEQA Guidelines, February 2020, Table 6.

Both construction and operational emissions for the Project were estimated based on a worst-case scenario of 12,000 square feet of "Unrefrigerated Warehouse- No Rail", 1,500 square feet of general office space, 27 auto parking spaces, and 1 acre of truck and trailer parking by using the California Emissions Estimator Model (CalEEMod) which is a statewide land use emissions computer model designed to provide a uniform platform for government agencies to quantify potential criteria pollutant emissions associated with both construction and operations from a variety of land use projects. The model is authorized for use by the Mojave Desert Air Quality Management District.

Construction Emissions

Construction of the Project is assumed to begin in the year 2023 and last approximately 279 days. Construction phases are assumed to consist of site preparation, grading, building construction, paving and architectural coating. Construction phases are not expected to overlap. Construction activities produce combustion emissions from various sources (utility engines, tenant improvements, and motor vehicles transporting the construction crew). Exhaust emissions from construction activities envisioned on site would vary daily as construction activity levels change. The Project will be required to comply with several standard fugitive dust control measures, per MDAQMD Rule 403. The following measures were factored into CalEEMod and are based upon data provided from MDAQMD:

- Utilize soil stabilizers - 0% PM_{10} and $PM_{2.5}$ reduction.
- Replace ground cover - 0% PM_{10} and $PM_{2.5}$ reduction.
- Water exposed areas 3x per day.

Daily construction emissions based on the above-described parameters are shown in Table 4.3.3 below.

Table 4.3.3 Construction Emissions

Maximum Daily Emissions	Emissions (pounds per day)					
	NOx	ROG	CO	SOx	PM10	PM2.5
	33.12	44.89	20.26	0.07	21.42	11.63
Regional Threshold	**137**	**75**	**548**	**137**	**82**	**65**
Exceeds Regional Threshold?	NO	NO	NO	NO	NO	NO

Source: MDAQMD and CalEEMod 2020.4.0

Operational Emissions

The Project would be operated as a trucking warehouse and office space. Typical operational characteristics include stationary facility emissions, employees and trucks going to and from the

site, consumer product use, and maintenance activities. Table 4.3.3 shows the Mojave Desert Air Quality Management District thresholds for operational emissions compared to the Project's maximum daily emissions

Table 4.3.4. Operational Emissions

Maximum Daily Emissions	Emissions (pounds per day)					
	NOx	VOC	CO	SOx	PM10	PM2.5
	33.12	4.11	20.26	0.07	21.42	11.63
Regional Threshold	**137**	**137**	**548**	**137**	**82**	**65**
Exceeds Regional Threshold?	NO	NO	NO	NO	NO	NO

Source: MDAQMD and CalEEMod 2020.4.0

As shown in Table 4.3.4 above, both construction and operational-related emissions would not exceed Mojave Desert Air Quality Management District thresholds. Accordingly, the Project would not emit substantial concentrations of these pollutants during operation and would not contribute to an existing or projected air quality violation, on a direct or cumulative basis. As such, impacts are less than significant, and no mitigation measures are required.

Threshold 4.3 (c). Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Expose sensitive receptors to substantial pollutant concentrations?				✓

Impact Analysis

According to the MDAQMD residences, schools, daycare centers, playgrounds, and medical facilities are considered sensitive receptor land uses. The nearest sensitive receptors are the residential area located adjacent to the Project site to the south approximately 1.8 miles.

The following project types proposed for sites within the specified distance to an existing or planned (zoned) sensitive receptor land use must be evaluated:

- □ Any industrial project within 1,000 feet.
- □ A distribution center (40 or more trucks per day) within 1,000 feet.
- □ A major transportation project (50,000 or more vehicles per day) within 1,000 feet.
- □ A dry cleaner using perchloroethylene within 500 feet; and,
- □ A gasoline dispensing facility within 300 feet.

Toxic air contaminants (TAC) are defined as an air pollutant which may cause or contribute to an increase in mortality or serious illness, or which might pose a present potential hazard to human health. Diesel particulate matter (DPM) and CO Hotspots from increased traffic are the two TACs of concern with the Project.

The California Air Resources Board (CARB) recommends avoiding the development of urban roads with 100,000 vehicles per day that are withing 500 feet of sensitive receptors as DPM can increase cancer risk. It is also recommended to avoid siting new sensitive land uses within 1,000 feet of a distribution center that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units, or where transport refrigeration unit operations exceed 300 hours in a week.

The nearest receptors to the site are all zoned for Commercial Industrial Business Park usage and would not be considered sensitive receptors. Along with this, the Project is estimated to create 12 truck trips per day and none of the trucks would be equipped with transport refrigeration units. The impact of the DPM would be less than significant.

CO Hotspots would not be a result of the proposed Project. CO Hotspots are caused by vehicular emissions, primarily when idling at congested intersections. In 2003 the South Coast Air Quality Management District modelled CO Hotspots at congested intersections. Some of the modelling was performed at the Wilshire Boulevard and Veteran Avenue intersection which has an ADT of approximately 100,000 vehicles. The CO concentrations modelled at this intersection were below Federal and State thresholds. The Project is bordered by Avenal Street and US Highway 395 which is a major traffic route. As shown in 2020 Traffic Volumes on California State Highways[9], the ADT on US Highway 395 are 24,100 north of Phelan Road and 27,300 south of Phelan Road. The project would generate approximately 13 trips on weekdays. This is an increase of 0.05% north of Phelan Road and 0.047% south of Phelan Road. Therefore the Project would not contribute a significant increase in traffic and would not cause an impact to intersection operations.

Threshold 4.3 (d). Would the Project	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			✓	

Impact

[9] https://dot.ca.gov/programs/traffic-operations/census accessed 2/20/2023.

Potential odor sources associated with the Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities and the temporary storage of typical solid waste (refuse) associated with the proposed Project's long-term operational uses.

The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant. It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations. Therefore, odors associated with the proposed Project construction and operations would be less than significant and no mitigation is required.

4.4 Biological Resources

The analysis in this section is based in part on the following technical reports*:*

- *General Biological Resources Assessment: RCA Associates, Inc.*, October 21, 2022, included as Appendix B to this Initial Study.
- *Protected Plant Preservation Plan: RCA Associates, Inc., April 13, 2023, included as Appendix C to this Initial Study.*

Threshold 4.4 (a) Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 Wildlife or U.S. Fish and Wildlife Service?		✓		

Impact Analysis

As part of the environmental Process, California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) data sources were reviewed. Following the data review, surveys were performed on the site on May 10, 2021 and September 20, 2022, during which the biological resources on the site and in the surrounding areas were documented by biologists from RCA Associates, Inc. As part of the surveys, the property and adjoining areas were evaluated for the presence of native habitats which may support populations of sensitive wildlife and plant species. The property was also evaluated for the presence of sensitive habitats including wetlands, vernal pools, riparian habitats, and jurisdictional areas. Habitat assessments were also conducted for the Desert Tortoise, burrowing owl, and Mohave ground squirrel based on data from USFWS, CDFW, and a search of the California Natural Diversity Database.

Plant Species

The site supports a highly disturbed desert scrub plant community that had been recently cleared of the majority of the vegetation. Species present on the site included flatspine bur ragweed, tumbleweed, bladder sage, Western Joshua Tree, and waterjacket. Only the Joshua tree is considered a sensitive species as further discussed below.

Western Joshua Trees

Western Joshua tree became a candidate species under the California Endangered Species Act (CESA), effective October 9, 2020. The CESA prohibits the take and possession of any species, or any part or product of a species that is designated by the California Fish and Game Commission as an endangered, threatened, or candidate species. As a candidate species, western Joshua tree now has full protection under CESA, and any take of the species (including removal of western Joshua tree or similar actions) will require authorization under CESA.

At its February 8-9 , meeting, regarding whether to list western Joshua tree as threatened or endangered under the California Endangered Species Act (CESA), the Commission continued the agenda item to its June 2023 meeting, keeping the public record open for the specific purpose of continued input from tribal governments. Importantly, the western Joshua tree will remain protected by CESA during this period.

A Joshua Tree Survey was performed in April of 2023 as part of the Protected Plant Preservation Plan (Appendix C of this Initial Study). GPS locations are provided in the report and each tree was evaluated based on various criteria such as height, health, leaning, clonal, and age class. Figure 4.4.1, Locations of Western Joshua Trees, shows the dispersal of 10 WJT's on the Project site. The CDFW requires an impact analysis to assess potential impacts to WJT within a 186-foot buffer zone of each WJT individual, the WJT seed bank, and indirect impacts to WJT. Indirect impacts to WJT include the destruction of the yucca moth, WJT's obligate pollinator, during its dormant and flight phases, which would thereby impact the ability of WJT to sexually recruit new individuals. It should also be noted that the destruction or modification of WJT habitat could eliminate critical nurse plants for WJT seedling survival and disrupt the seed dispersal behavior of rodents; the primary way that WJT seeds are buried deep enough for successful seed germination.

As shown on Figure 4.4.1, *Locations of Joshua Trees,* development of the Project will result in impacts to every WJT on the site when considering a 186-foot buffer zone for each WJT and the size of the Project site being 4.4 acres.

Source: Bing Sattelite

Figure 4.4.1-Location of Joshua Tree
Freight Company Project

Total WJT Seed Bank Buffer Acerage:
7.05 acres

0 100 200 ft

As shown on Figure 4.4.1, *Location of Joshua Trees,* preservation or relocation on-site is not a viable option and would essentially prevent development of the site as envisioned under the City's General Plan. Therefore, Mitigation Measure BIO-1 is recommended.

Mitigation Measure BIO-1. Western Joshua Tree Incidental Take Permit*. If any western Joshua trees (WJT) are to be relocated, removed, or otherwise taken, the Project Proponent shall obtain an incidental take permit (ITP) from the California Department of Fish and Wildlife (CDFW) under CDFW under §2081 of the California Endangered Species Act (CESA), prior to the relocation, removal, or take. (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of western Joshua tree, a Candidate for Threatened CESA-listed species. Take of any CESA-listed species is prohibited except as authorized by state law (Fish and Game Code, §§ 2080 & 2085). Permanent protection and perpetual management of compensatory habitat is necessary and required pursuant to CESA to fully mitigate project-related impacts of the taking of CESA-listed species. CDFW recommends permanent protection through either the purchase of conservation or mitigation bank credits or the establishment of a conservation easement, development of a long-term management plan, and securing funding sufficient to implement management plan tasks in perpetuity. These tasks should be completed, or financial security must be provided before starting any Project activities. To execute an ITP, CDFW requires documentation of CEQA compliance. CDFW requires the CEQA document have a State Clearing House number, show proof of filing fees, and proof the document has been circulated.*

Wildlife Species

Birds observed included ravens, house finch, and Eurasian collard dove. Other mammal species that may occur on site or in the surrounding area include California ground squirrel, black-tailed jackrabbit, desert cottontails, and coyote. Reptiles common in the surrounding area are the common side-blotched lizard and western whiptail. No distinct wildlife corridors were identified on the site or in the immediate area.

As part of the environmental process, a search of the California Natural Diversity Database (CNDDB) search was performed. Based on this review, it was determined that eight special status species have been documented within the Hesperia quad of the property. The following tables provide data on each special status species which has been documented in the area. Table 4.4.1. *Presence of Candidate, Sensitive, or Special Status Wildlife Species*, provides a summary of all wildlife species that may be in the Project area. Additional details follow Table 4.4.1.

Table 4.4.1. Presence of Candidate, Sensitive, or Special Status Wildlife Species

Species	Status	Presence/Absence
Desert Tortoise	Federal: Threatened State: Threatened	**Not Present:** The site is located within the known distribution of the species. An evaluation of the area and property was conducted, and no tortoises or suitable habitat was observed.
Loggerhead Shrike	Federal: None State: None CDFW: Species of Special Concern	**Not Present:** Species was not observed on site but could potentially occur on site. The use of the site by the species would be infrequent as there is a low population and lack of recent sightings.
Yellow warbler	Federal: None State: None CDFW: Species of Special Concern	**Not Present**. Site does support suitable habitat for the species. Surveys conducted on site did not identify any thrashers.
Burrowing Owl	Federal: None State: None CDFW: Species of Special Concern	**Not Present/Future Presence Possible:** The site does support limited suitable habitat for the species; however, no owls or owl sign, or suitable burrows were observed during field surveys.
Coast horned lizard	Federal: None State: None CDFW: Species of Special Concern	**Not Present:** Species was not observed on site and is not expected to occur due to low population in the region and lack of recent sightings.
Mohave ground squirrel	Federal: None State: Threatened	**Not Present:** Site does not support habitat for the species, and none were observed during field investigations

Desert Tortoise: The site is located within the documented tortoise habitat according to CNDDB with the nearest documented sighting about 2-miles southwest of the property (CNDDB, 2022). The property does not support suitable habitat for the desert tortoise; and, no tortoises or tortoise sign (burrows, scats, etc.) were observed anywhere within the property boundaries or in the surrounding area during the September 20, 2022, surveys. Based on the results of the survey and the low population levels of the species in the region, tortoises are not expected to move onto the site in the near future. In addition, there are several commercial developments in the area and relatively busy roadways in the immediate area which may act as barriers to migration of tortoises.

Mohave Ground Squirrel: The site does occur within the known distribution of the Mohave Ground Squirrels, and the nearest documented observation is about 2.5-miles to the northwest

of the property. However, there are no recent observations of Mohave ground squirrels within the area, and it is the opinion of RCA Associates, Inc. that Mohave ground squirrels are unlikely to occur on the site based on the following criteria.

1. Relatively small size (4.4-acres);
2. No recent documented observations in the general region;
3. Lack of suitable habitat.

Burrowing Owl: The site is located within documented burrowing owl habitat according to CNDDB with the nearest documented sighting less than 4-mile east of the property (CNDDB, 2022). Limited habitat for the species is located on site due to it being void of suitable burrows. No owls or owl sign (whitewash, etc.) were seen on the property during the focused owl survey. There is a possibility of owls moving onto this site how it is unlikely based on the results of the field investigations and absence of suitable burrows for utilization. A pre-construction survey maybe necessary 30-days prior to the start of any ground disturbance activities.

Coast horned lizard: Coast horned lizard have been documented in the region (Occurrence # 224, Baldy Mesa, California Quad, 2022). The use of the site by coast horned lizards may be very infrequent given the low population levels in the region as well as the lack of any recent sightings in the immediate region according to the CNDDB (2022).

Loggerhead Shrike: Shrikes have been documented in the surrounding region (CNDDB, 2022). Shrikes could potentially occur on the site; although, the use of the site by the species may be very infrequent given the low population levels in the region as well as the lack of any recent sightings according to the CNDDB (2022).

Yellow warbler: Yellow warbler have been documented in the region (Occurrence #29, Hesperia, California Quad, 2021). Yellow warblers are unlikely to occur on the site since suitable habitat (i.e., dense riparian vegetation) is not present.

Wildlife Species Mitigation Measures

Although wildlife 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 Wildlife or U.S. Fish and Wildlife Service were not detected on-site, the site is located within the range of the Desert Tortoise, , Burrowing Owl, and Mohave Ground Squirrel. Therefore, the following mitigation measures have been included to ensure any impacts are less than significant to these species.

Mitigation Measure BIO-2. Burrowing Owl Pre-Construction Survey. *Prior to any ground disturbance, pre-construction surveys for Burrowing Owls on the project site and in the surrounding area in accordance with the Staff Report on Burrowing Owl Mitigation, State of*

California Natural Resource Agency, Department of Fish and Game, May 7, 2012, shall be conducted no more than 14-days prior to the beginning of project activities, and a secondary survey must be conducted by a qualified biologist within 24 hours prior to the beginning of project construction to determine if the project site contains suitable burrowing owl or sign thereof and to avoid any potential impacts to the species. The surveys shall include 100 percent coverage of the project site. If both surveys reveal no burrowing owls are present or sign thereof, no additional actions related to this measure are required and a letter shall be prepared by the qualified biologist documenting the results of the survey. The letter shall be submitted to CDFW prior to construction. If occupied active burrows or sign thereof are found within the development footprint during the pre-construction clearance survey, Mitigation Measure BIO-3 shall apply.

Mitigation Measure BIO-3. Burrowing Owl Avoidance/Relocation. *If active burrows or signs thereof are found within the development footprint during the pre-construction clearance surveys, site-specific non-disturbance buffer zones shall be established by the qualified biologist and shall be no less than 300 feet. If determined appropriate, a smaller buffer may be established by the qualified biologist following monitoring and assessments of the Project's effects on the burrowing owls. If it is not possible to avoid active burrows, passive relocation shall be implemented if a qualified biologist has determined there are no nesting owls and/or juvenile owls are no longer dependent on the burrows. A qualified biologist, in coordination with the applicant and the City, shall prepare and submit a passive relocation program in accordance with Appendix E (i.e., Example Components for Burrowing Owl Artificial Burrow and Exclusion Plans) of the CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012) for CDFW review/approval prior to the commencement of disturbance activities onsite and proposed mitigation for permanent loss of occupied burrow(s) and habitat consistent with the 2012 Staff Report on Burrowing Owl Mitigation. When a qualified biologist determines that burrowing owls are no longer occupying the Project site and passive relocation is complete, construction activities may begin. A final letter report shall be prepared by the qualified biologist documenting the results of the passive relocation. The letter shall be submitted to CDFW.*

Mitigation Measure BIO-4. Mojave Ground Squirrel Pre-Construction Survey. *Pre-construction surveys following the Mohave Ground Squirrel Survey Guidelines (CDFG 2010), or most recent version shall be performed by a qualified biologist authorized by a Memorandum of Understanding issued by CDFW. The pre-construction surveys shall cover the Project Area and a 50- foot buffer zone. Should Mohave ground squirrel presence be confirmed during the survey, the Project Proponent should obtain an ITP for Mohave ground squirrel prior to the start of Project activities. CDFW shall be notified if Mohave ground squirrel presence is confirmed during the pre-construction survey. If a Mohave ground squirrel is observed during Project activities, and the Project Proponent does not have an ITP, all work shall immediately stop, and the observation shall be immediately reported to CDFW.*

Mitigation Measure BIO-5. Desert Tortoise Pre-Construction Survey. A CDFW – approved biologist shall conduct pre-construction presence/absence surveys for desert tortoise during the desert tortoise active season (April to May or September to October) 48 hours prior to initiation

of Project activities and after any pause in Project activities lasting 30 days or more. Desert tortoise preconstruction surveys shall be conducted in accordance with the U.S. Fish and Wildlife Service (USFWS) 2019 desert tortoise survey methodology. Preconstruction surveys shall be completed using 100-percent visual coverage for desert tortoise and their sign and shall use perpendicular survey routes within the Project site and 50-foot buffer zone. Pre-construction surveys cannot be combined with other surveys conducted for other species while using the same personnel. Project Activities cannot start until 2 negative results from consecutive surveys using perpendicular survey routes for desert tortoise are documented.
Results of the survey shall be submitted to CDFW prior to start of Project activities. If the survey confirms desert tortoise absence, the CDFW approved biologist shall ensure desert tortoise do not enter the Project area.

Should desert tortoise presence be confirmed during the survey, the Project Proponent shall submit to CDFW for review and approval a desert tortoise specific avoidance plan detailing the protective avoidance measures to be implemented to ensure complete avoidance of take (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") to desert tortoise. If complete avoidance of desert tortoise cannot be achieved, the Project Proponent shall not undertake Project activities, and Project activities shall be postponed until appropriate authorization (i.e., California Endangered Species Act (CESA) Incidental Take Permit (ITP) under Fish and Game Code section 2081) is obtained.

If complete avoidance of desert tortoise is infeasible, CDFW recommends that the Project Proponent apply for a CESA ITP and prepare a site-specific Desert Tortoise Translocation Plan (Plan) that will provide details on the proposed recipient site, desert tortoise clearance surveys and relocation, definitions for Authorized Biologists and qualified desert tortoise biologists, exclusion fencing guidelines, protocols for managing desert tortoise found during active versus inactive seasons, protocols for incidental tortoise death or injury, and shall be consistent with project permits and current USFWS and CDFW guidelines. The Plan shall also include a requirement for communication and coordination with the Bureau of Land Management (BLM) regarding the desert tortoise recipient site.

Prior to construction, the Plan shall be subject to the review and approval of the CDFW and the USFWS. Impacts shall be offset through acquisition of compensatory land within occupied desert tortoise habitat and/or mitigation bank credit purchase from a CDFW-approved mitigation bank mitigated at a ratio determined by CDFW after Project analysis.

Mitigation Measure BIO-6. Worker Environmental Awareness Training: A qualified biologist must present a biological resource information training for desert tortoise, Mohave ground squirrel, and burrowing owl prior to project activities to all personnel that will be working within the project site. The same instruction shall be provided for any new workers prior to their performing any work on-site. Interpretation shall be provided for any non-English speaking workers.

Mitigation Measure BIO-7. Deceased or Injured Tortoise Within the Project Site: USFWS and CDFW shall be informed of any injured or deceased desert tortoise (and other special-status species) found on site (verbal notice within 24-hours and written notification within 5-days).

Mitigation Measure BIO-8.Species Avoidance: If during project activities a desert tortoise is discovered within the project site, all activities shall immediately stop and the CDFW- shall be immediately notified (within 24 hours). Coordination with respective State and Federal resource agencies shall be required prior to restarting activities to determine appropriate avoidance, minimization, and mitigation measures.

Mitigation Measure BIO-9. Nesting Bird Pre-Construction Survey. *Regardless of the time of year, a pre-construction sweep shall be performed to verify absence of nesting birds. A qualified biologist shall conduct the pre-activity sweep within the Project areas (including access routes) and a 500- foot buffer surrounding the Project areas, within 2 hours prior to initiating Project activities. Additionally, a nesting bird survey shall be conducted by a qualified biologist no more than three (3) days prior to the initiation of project activities, including, but not limited to clearing, grubbing, and/or rough grading to prevent impacts to birds and their nests.*

The survey shall be conducted by a qualified biologist. Surveys shall include any potential habitat (including trees, shrubs, the ground, or nearby structures) that may be impacted by activities resulting in nest destruction or abandonment. If nesting bird activity is present, a no-disturbance buffer zone shall be established by the qualified biologist around each nest to prevent nest destruction or abandonment. If nesting bird activity is present, a no-disturbance buffer zone shall be established by the qualified biologist around each nest to prevent nest destruction and disruption of breeding or rearing behavior. The buffer shall be a minimum of 500 feet for raptors and 300 feet for songbirds, unless a smaller buffer is specifically determined by a qualified biologist familiar with the nesting phenology of the nesting species. The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests, as confirmed by a qualified biologist. A qualified biologist shall inspect the active nest to determine whether construction activities are disturbing the nesting birds or nestlings. If the qualified biologist determines that construction activities pose a disturbance to nesting, construction work shall be stopped in the area of the nest and the 'no disturbance buffer' shall be expanded. If there is no nesting activity, then no further action is needed for this measure.

With the implementation of Mitigation Measures BIO-1 through BIO-9, impacts would be less than significant relating to candidate, sensitive, or special status plant and wildlife species.

Threshold 4.4 (b). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				✓

Impact Analysis

No riparian vegetation (e.g., cottonwoods, willows, etc.) exist on the site or in the adjacent habitats.

Threshold 4.4 (c) Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			✓	

Impact Analysis

No blue-line riverine features or wetlands occurring on site. No drainage features with defined bed, bank, channels, or wetland indicators (wetland soils, hydrophytic vegetation, wetland hydrology) were observed during habitat assessment surveys. Ephemeral drainages are not present on site. Therefore, the project would not require regulatory water quality permitting (i.e. – Regional Water Quality Control Board Section 401 of the Clean Water Act (CWA), U.S. Army Corps of Engineers Section 404 of the CWA, or California Department of Fish and Wildlife (CDFW) Section 1602 Lake and Streambed Alteration Agreement).

Threshold 4.4 (d). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			✓	

Impact Analysis

Wildlife corridors link together areas of suitable habitat that are otherwise separated by rugged terrain, changes in vegetation, or human disturbance. Corridors effectively act as links between different populations of a species. The Project site does not represent a wildlife travel route, crossing or regional movement corridor between large open space habitats. No distinct wildlife corridors were identified on the site or in the immediate area.

Threshold 4.4 (e) Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		✓		

Impact Analysis

Please refer to the discussion under Threshold 4.4 (a) regarding the Joshua trees.

Threshold 4.4 (f) Would the project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓

Impact Analysis

Regional multiple species conservation plans offer long-term assurances for conservation of covered species at a landscape scale, in exchange for biologically appropriate levels of incidental take and/or habitat loss as defined in the approved plan. California's NCCP Act (FGC §2800 et seq.) governs such plans at the state level, and was designed to conserve species, natural communities, ecosystems, and ecological processes across a jurisdiction or a collection of jurisdictions. Complementary federal HCPs are governed by the Endangered Species Act (7 U.S.C. § 136, 16 U.S.C.§ 1531 et seq.) (ESA). Regional conservation plans provide conservation for unlisted as well as listed species. According to the *California Natural Community Conservation Plans Map* maintained by the California Department of Fish and Wildlife, there are no such plans that encompass the Project site.[10]

4.5 Cultural Resources

The analysis in this section is based in part on the following technical report*: Cultural Resources Assessment Sangha Trucking Project,* BCR Consulting, October 28, 2022, included as Technical Appendix D.

Threshold 4.5 (a) Would the project	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?				✓

Impact Analysis

Records Search

BCR Consulting conducted a historical/archaeological resources records search, initiated a Native American Sacred Lands File search, pursued historical background research, and carried out an intensive-level field survey. The purpose of the records search was to compile an inventory of previously identified cultural resources and existing cultural resources studies within a half-mile radius of the project location. Previously identified cultural resources include properties designated as California Historical Landmarks, Points of Historical Interest, San Bernardino County Landmarks, as well as those listed in the National Register of Historic Places, the California Register of Historical Resources, or the California Historical Resources Inventory.

[10] *California Natural Community Conservation Plans* April 2019. https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=68626&inline. Accessed February 16, 2023.

Through the various avenues of research, this study did not encounter any "historical resources" within or adjacent to the project area. Therefore, BCR Consulting recommends to the City of Hesperia a finding of No Impact regarding "historical resources."

Field Survey

On September 16, 2022, BCR Consulting archaeologists carried out the field survey of the project area. The survey was completed at an intensive level by walking a series of parallel transects spaced 15 meters (approximately 50 feet) apart. In this way, the ground surface in the entire project area was systematically and carefully examined for any evidence of human activities dating to the prehistoric or historic period (i.e., 50 years or older). All soil exposures were inspected carefully for cultural resources. The survey was conducted in almost 100 percent surface visibility.

The field survey found one area of concrete foundation that measures 10 feet by 20 feet and is oriented in a north-south direction. It is made of poor-quality concrete and has a high percentage of gravel. The purpose of his feature was not able to be determined but BCR Consulting archeologists determined is not a cultural resource and does not require further evaluation. No other artifacts or cultural resources were identified. The area has been cleared of almost all vegetation except for low scrub consisting mainly of creosote scrub and Joshua Trees. Disturbances in the area are severe and have resulted from modern dumping, off-road vehicle use and mechanical vegetation clearing.

In conclusion, no surface historic cultural resources would be impacted by the Project.

Threshold 4.5 (b)	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5?		✓		

Impact Analysis

Archaeological Setting

Although no surface cultural resources (including historic-period or prehistoric archaeological resources, or historic-period architectural resources) or cultural resource sensitivity were

identified on or near the Project site, future ground-disturbing activities have the potential to reveal buried deposits not observed on the surface. Therefore, the following mitigation measure is recommended:

MM CR-1: Resource Discovery. *In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.*

MM CR-2: Monitoring and Treatment Plan*. If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.*

MM CR-3: Inadvertent Discovery of Human Remains. *If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.*

Threshold 4.5 (c) Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Disturb any human remains, including those interred outside of formal cemeteries?			✓	

Impact Analysis

The Project site does not contain a cemetery and no known formal cemeteries are located within the immediate site vicinity. If human remains are discovered during Project grading or other ground disturbing activities, the Project would be required to comply with the applicable provisions of California Health and Safety Code §7050.5 as well as Public Resources Code §5097 et. seq.

4.6 Energy

Threshold 4.6 (a) Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			✓	

Impact Analysis

Electricity and Natural Gas

Construction

The Project would require the use of electric power tools. The anticipated construction schedule assumes the Project would require approximately 279 days for completion of the build-out. The consumption of electricity would be temporary in nature and would not represent a significant demand on available supplies. Use of natural gas is not anticipated to be used during construction.

Operations

Occupancy of the commercial industrial business park would result in the consumption of electricity. Energy demands are estimated at 60,651 kWh/year of electricity[11]. The Project does not propose uses that are inherently energy intensive and the energy demands in total would be comparable to other commercial industrial business park use projects of similar scale and configuration. The Project will also comply with the applicable Title 24 standards. Compliance itself with applicable Title 24 standards.

Motor Vehicle Fuels

Construction

Most activities would use fuel powered equipment and vehicles that would consume gasoline or diesel fuel. Heavy construction equipment (e.g., dozers, graders, backhoes, dump trucks) would be diesel powered, while smaller construction vehicles, such as pick-up trucks and personal vehicles used by workers would be gasoline powered.

[11] Appendix A, *Sangha Trucking CalEEMod Datasheets.*

The consumption of fuel would be temporary in nature and would not represent a significant demand on available supplies. Given the physical characteristics of the site and the type of development proposed, there are no unusual Project characteristics or construction processes that would require the use of equipment that would use more fuel than is used for comparable activities; or equipment that would not conform to current emissions standards (and related fuel efficiencies). In addition, as required by state law[12], idling times of construction vehicles are limited to no more than five minutes, thereby minimizing, or eliminating unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Equipment employed in the construction of the Project would therefore not result in inefficient wasteful, or unnecessary consumption of fuel.

Operations

Fuel that would be consumed by Project-generated traffic is a function of total vehicles miles traveled (VMT) and estimated vehicle fuel economies of vehicles accessing the Project site. The Project will result in 87,388 annual VMT[13] and an estimated annual fuel consumption of 3,641 gallons of fuel.[14]

Enhanced fuel economies realized pursuant to federal and state regulatory actions, and related transition of vehicles to alternative energy sources (e.g., electricity, natural gas, biofuels, hydrogen cells) would likely decrease future gasoline fuel demands per VMT. Location of the Project proximate to regional and local roadway systems tends to reduce VMT within the region, acting to reduce regional vehicle energy demands.

Conclusion

As supported by the preceding discussions, Project transportation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

Threshold 4.6(b). Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			✓	

[12] California Code of Regulations Title 13, Motor Vehicles, §2449(d)(3) Idling.
[13] Sangha Trucking CalEEMod Datasheets.
[14] EPA, *2020 Automotive Trend Report*, https://www.epa.gov/automotive-trends/explore-automotive-trends-data, accessed January 10, 2023.

Impact Analysis

The regulations directly applicable to the Project are *Building Energy Efficiency Standards*, Title 24, Part 6, and CALGreen Title 24, Part 11. These regulations include but are not limited to the use of energy efficient heating and cooling systems, water conserving plumbing and water-efficient irrigation systems. The Project is required to demonstrate compliance with these regulations as part of the building permit and inspection process.

4.7 Geology and Soils

Threshold 4.7(a). Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				✓

Impact Analysis

Alquist-Priolo earthquake fault zones are regulatory zones surrounding the surface traces of active faults in California. (A trace is a line on the earth's surface defining a fault.) Wherever an active fault exists, if it has the potential for surface rupture, a structure for human occupancy cannot be placed over the fault and must be a minimum distance from the fault (generally fifty feet).[15] According to The California Geological Survey's Earthquake Hazards Zone Application (EQ Zapp), the Project site is not located within an Alquist-Priolo Earthquake Fault zone.[16]

Threshold 4.7(a1). Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Strong seismic ground shaking?			✓	

Impact Analysis

The Project site is in a seismically active area of Southern California and is expected to experience moderate to severe ground shaking during the lifetime of the Project. This risk is not considered

[15] https://www.conservation.ca.gov/cgs/alquist-priolo.
[16] https://maps.conservation.ca.gov/geologichazards/#dataviewer, accessed June 10, 2022.

substantially different than that of other similar properties in the Southern California area. As a mandatory condition of Project approval, the Project would be required to construct the proposed structures in accordance with the seismic design criteria mandated by the Hesperia Municipal Code Title 15, *Buildings and Construction*. The purpose of this Title is, in part, to provide minimum standards to safeguard life or property by stipulating building and foundation requirements to withstand earthquakes.

Threshold 4.7(a2). Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Seismic-related ground failure, including liquefaction?			✓	

Impact Analysis

According to The California Geological Survey's Earthquake Hazards Zone Application (EQ Zapp), the Project site is not located in a liquefaction zone.[17] Notwithstanding, the Project would be required to comply with Development Code)§15.06.040, *Getechnical Report*, which includes data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures, design criteria for corrective measures and other data required by the Building Official.

Threshold 4.7(a3). Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Landslides?				✓

Impact Analysis

The site is relatively flat and is not adjacent to any slopes or hillsides that could be potentially susceptible to landslides.

Threshold 4.7(b). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Result in substantial soil erosion or the loss of topsoil?			✓	

[17] https://maps.conservation.ca.gov/geologichazards/#dataviewer, accessed June 10, 2022.

Impact Analysis

The Project will not result in substantial soil erosion or the loss of topsoil, because the site will be paved and landscaped after it is developed. To control soil erosion during construction, the Project proponent is required to comply with Chapter 8.30.210-*Erosion and Sediment Control*, of the Hesperia Municipal Code which serves to implement the National Pollutant Discharge Elimination System requirements applicable to the Project area and prepare a Storm Water Pollution Prevention Plan (SWPPP). In addition, a Water Quality Management Plan (WQMP) is required which addresses post-construction soil erosion. Preparation and implementation of these plans is a mandatory requirement.

The SWPPP will identify potential sources of erosion and sedimentation loss of topsoil during construction and identify erosion control measures to reduce or eliminate the erosion and loss of topsoil, such as the use of silt fencing, fiber rolls, or gravel bags, stabilized construction entrance/exit, hydroseeding.

Post construction, much of the site will be covered with paving, structures, and landscaping, which will reduce soil erosion. As detailed in Threshold 4.9 (a), *Hydrology and Water Quality*, stormwater will be controlled using a single basin designed to implement water quality and flood control requirements. Stormwater treatment will be provided by the bottom 1-2 feet of the basin, where the required volume will infiltrate into the ground, and any soil erosion materials will be managed.

(Also see analysis under Issue 4.9, *Hydrology and Water Quality).*

Threshold 4.7(c). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Be located on a geologic unit or soil that is unstable, or that would become unstable because of the Project, and potentially result in on-site or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?			✓	

Impact Analysis

Landslide/Lateral Spreading

Lateral spread or flow are terms referring to landslides that commonly form on gentle slopes and that have rapid fluid-like flow movement, like water. All the land within the Project site is

relatively flat and according to the County of San Bernardino Hazard Maps[18], is not located in areas prone to landslides and thus there are no slopes that may contribute to lateral spreading.

Subsidence

Subsidence is the downward movement of the ground caused by the underlying soil conditions. Certain soils, such as clay soils are particularly vulnerable since they shrink and swell depending on their moisture content. Subsidence is an issue if buildings or structures sink which causes damage to the building or structure. Subsidence is usually remedied by excavating the soil the depth of the underlying bedrock and then recompacting the soil so that it can support buildings and structures.

Liquefaction or Collapse

Liquefaction may occur during seismic ground shaking of relatively loose, granular soils that are saturated or submerged; this can cause soils to liquefy and temporarily behave as a dense fluid.

Collapse occurs in saturated soils in which the space between individual particles is filled with water. This water exerts a pressure on the soil particles that influences how tightly the particles themselves are pressed together. The soil loses their strength beneath buildings and other structures.

Based on the California Geological Survey, the site is not mapped within a zone of potentially liquefiable soils. Based on groundwater data (http://www.water.ca.gov/waterdatalibrary/), it is estimated that groundwater is at a depth of 960 feet below existing grade. The site is also not included within the San Bernardino County Geologic Hazards Maps[19] as being located within an area with a liquefaction hazard. Liquefaction is not considered to be a hazard at the subject site due to the great depth to groundwater (greater than 960 feet) and the current geologic hazard mapping. As such, impacts would be less than significant, and no impacts related to subsidence, liquefaction and collapse will occur through compliance with the California Building Standards Code also known as California Code of Regulations Title 24.

Threshold 4.7(d) Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Be located on expansive soil, as defined in the Uniform Building Code, creating substantial risks to life or property?			✓	

[18] https://countywideplan.com/resources/maps-tables-figures/. Accessed February 15, 2023.
[19] https://countywideplan.com/resources/maps-tables-figures/. February 16, 2023.

Impact Analysis

Expansive soils generally consist of clay that tends to expand (increase in volume) as it absorbs water, and it will shrink (lessen in volume) as water is drawn away. According to the Natural Resources Conservation Service, United States Department of Agriculture, *Web Soil Survey*, the Project site primarily consists of soils classified as "Cajon sand."[20] The Hesperia series consists of deep, well drained soils that formed in alluvium derived primarily from granite and related rocks. The Hesperia series is not a clay soil and is generally not susceptible to expansion. Notwithstanding, the Project would be required to comply with Development Code §15.06.040, *Geotechnical Report*,, which requires corrective action which is likely to prevent structural damage to each structure proposed to be constructed in the area where soils problems exist.

Threshold 4.7(e) Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?			✓	

Impact Analysis

The Project proposes the use of a septic tank. As required by the City of Hesperia Local Agency Management Program (LAMP)[21], the Building and Safety Division is responsible for issuing permits for the installation of new septic tanks. The Development Services Department will review all applications (including site and grading plans), determine percolation testing requirements, conduct on-site inspections, and approve the design and installation. The Development Services Department will also be responsible to retain permit information, and annual reporting to the Lahontan Regional Water Quality Control Board.
As required by the LAMP, the septic system is subject to the following mandatory requirements:

- **Soil Permeability:** Permeability determines the degree to which soil can accept sewage discharge over a period of time. Permeability is measured by percolation rate, in minutes per inch (MPI), within soil types as identified in the California Plumbing Code.

[20] Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey. Available online at the following link: http://websoilsurvey.sc.egov.usda.gov/. Accessed January 1, 2023.

[21] https://www.waterboards.ca.gov/lahontan/water_issues/programs/owts/docs/lamp_tracking/hesperia_lamp.pdf

- **Unsaturated Soil Interval:** The distance between the bottom of the OWTS dispersal field and the highest anticipated groundwater level or the shallowest impervious subsurface layer. All conventional OWTS will require a minimum depth of soil between the bottom of the dispersal field and anticipated level of groundwater, or bottom of dispersal field and impermeable material such as clay or bedrock. The minimum depth of soil is five (5) feet for a leach line system(s) and ten (10) feet for a vertical seepage pit(s).

Through compliance with mandatory LAMP requirements, impacts are less than significant, and no mitigation is required.

Threshold 4.7(f) Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✓		

Impact Analysis

Paleontological resources are the preserved fossilized remains of plants and animals. Fossils and traces of fossils are preserved in sedimentary rock units, particularly fine- to medium-grained marine, lake, and stream deposits, such as limestone, siltstone, sandstone, or shale, and in ancient soils. They are also found in coarse-grained sediments, such as conglomerates or coarse alluvium sediments. Fossils are rarely preserved in igneous or metamorphic rock units. Fossils may occur throughout a sedimentary unit and, in fact, are more likely to be preserved subsurface, where they have not been damaged or destroyed by previous ground disturbance, amateur collecting, or natural causes such as erosion.

The property is situated in the Mojave Desert geomorphic province. The Mojave Desert province is a wedge-shaped area that is enclosed on the southwest by the San Andreas fault zone, the Transverse Ranges province, and the Colorado Desert province, on the north and northeast by the Garlock fault zone, the Tehachapi Mountains and the Basin and Range province, and on the east by the Nevada and Arizona state lines, and the Colorado River. The area is dominated by broad alluvial basins that are mostly aggrading surfaces that are receiving non-marine continental deposits from the adjacent upland areas. More specific to the subject property, the site is in an area geologically mapped to be underlain by Quaternary Alluvium. Alluvium is deposited as lakes, playas, and terraces and has the potential to contain paleontological resources. Therefore, the following mitigation measures are required.

Mitigation Measures

GEO-1: Inadvertent Discovery of Paleontological Resources. *If paleontological resources are encountered during implementation of the Project, (including areas impacted by off-site street*

improvements, ground-disturbing activities will be temporarily redirected from the vicinity of the find. A qualified paleontologist (the "Project Paleontologist") shall be retained by the developer to make an evaluation of the find. If the resource is significant, Mitigation Measure GEO-2 shall apply.

GEO-2: Paleontological Treatment Plan. *If a significant paleontological resource(s) is discovered on the property,(including areas impacted by off-site street improvements), in consultation with the Project proponent and the City, the qualified paleontologist shall develop a plan of mitigation which shall include salvage excavation and removal of the find, removal of sediment from around the specimen (in the laboratory), research to identify and categorize the find, curation in the find a local qualified repository, and preparation of a report summarizing the find.*

With the implementation of Mitigation Measures GEO-1 and GEO-2, impacts are less than significant regarding paleontological resources.

Unique Geologic Feature

The Project site is relatively flat. The site soils generally consist of Cajon sand, which is a common soil type in Hesperia. As such, the Project does not contain a geologic feature that is unique or exclusive locally or regionally.

4.8 Greenhouse Gas Emissions

The following documents were used in the preparation of this analysis:

- *Sangha Trucking Development Project Air Quality/GHG Assessment* (Appendix A).
- Mojave Desert Air Quality Management District, *California Environmental Quality Act (CEQA) And Federal Conformity Guidelines,* February 2020.

Threshold 4.8 (a) Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓	

Impact Analysis

Greenhouse Gas Emissions and Climate Change

Gases that trap heat in the atmosphere are called greenhouse gases (GHGs). The major concern with GHGs is that increases in their concentrations are contributing to global climate change. Global climate change is a change in the average weather on Earth that can be measured by wind patterns, storms, precipitation, and temperature. Although there is disagreement as to the rate of global climate change and the extent of the impacts attributable to human activities, most in the scientific community agree that there is a direct link between increased emissions of GHGs and long-term global temperature increases. The principal GHGs are carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), sulfur hexafluoride (SF_6), perfluorocarbons (PFCs), and hydrofluorocarbons (HFCs). Because different GHGs have different warming potentials, and CO_2 is the most common reference gas for climate change, GHG emissions are often quantified and reported as CO_2 equivalents (CO_2e). No single land-use project could generate enough greenhouse gas (GHG) emissions to change the global average temperature noticeably. Cumulative GHG emissions, however, contribute to global climate change and its significant adverse environmental impacts. Thus, the primary goal in adopting GHG significance thresholds, analytical methodologies, and mitigation measures is to ensure new land use development provides its fair share of the GHG reductions needed to address cumulative environmental impacts from those emissions.

Mojave Desert Air Quality Management District Thresholds of Significance

According to CEQA Guidelines Section 15064.4, when making a determination of the significance of greenhouse gas emissions, the "*lead agency shall have discretion to determine, in the context of a particular project, whether to use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use*." Moreover, CEQA Guidelines section 15064.7(c) provides that "*a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts*" on the condition that "the decision of the lead agency to adopt such thresholds is supported by substantial evidence."

The City of Hesperia has not adopted Greenhouse Gas (GHG) thresholds of significance; therefore, the Mojave Desert Air Quality Management District threshold will be utilized. GHG emissions for the Project were estimated by using the California Emissions Estimator Model (CalEEMod) which is a statewide land use emissions computer model designed to provide a uniform platform for government agencies to quantify potential criteria pollutant emissions associated with both construction and operations emissions. CalEEMod is authorized for use to assess project emissions by the Mojave Desert Air Quality Management District (MDAQMD). MDAQMD significance thresholds were used for determining the project's impacts. The CalEEMod program outputs annual CO2e emissions in Metric Tons per year (MTCO2e/Year), however the MDAQMD threshold is in tons per year (Tons/Year), therefore the emissions results in the tables are included as both MTCO2e/Year and CO2e Tons/Year. Construction and operation emissions are presented in Table 4.8.1 and summarized in Table 4.8.2.

Table 4.8.1. Project Greenhouse Gas Emissions

Source		GHG Emissions MT/yr		
	N2O	CO2	CH4	CO2e
Area	0.000	0.0007	0.0000	0.0007
Energy	0.0001	12.32	0.0009	12.38
Mobile Sources	0.002	29.81	0.002	30.33
Solid Waste	0.000	2.57	0.15	6.38
Water/Wastewater	0.002	8.31	0.10	11.52
30-year Amortized Construction GHG				6.67
TOTAL	*Tons/Year / Metric Tons / Year*			*74.19 / 67.28*
MDAQMD Threshold	*100,000 Tons/Year / 90,718.5 MT/Year* [22]			**100,000/90,718.5**
Exceed Threshold?				**NO**

[23] San Bernardino County Regional Greenhouse Gas Reduction Plan ,available at: https://www.gosbcta.com/wp-content/uploads/2019/09/San_Bernardino_Regional_GHG_Reduction_Plan_Main_Text_Mar_2021.pdf, accessed on June 10, 2022.

Table 4.8.2 - Project Greenhouse Gas Emissions Summary

GHG Emissions Source	Daily Emissions	Daily Threshold	Annual Emissions Tons / Metric Tons	Annual Threshold Tons/Metric Tons	Exceeds Threshold?
Construction 2023	7,612.2	**548,000**	186.3 / 169.0	**100,000 / 90,718.5**	**NO**
Construction 2024	3,022.1	**548,000**	220.4 / 199.9	**100,000 / 90,718.5**	**NO**
Operations	225.1	**548,000**	74.19 / 67.3	**100,000 / 90,718.5**	**NO**

As shown in Tables 4.8.1 and 4.8.2, the Project's greenhouse gas emissions on both a daily and annual basis would not exceed the MDAQMD's significance thresholds. Thus, Project-related emissions would not have a significant direct or indirect impact on greenhouse gas emissions that could impact climate change, and no mitigation or further analysis is required.

Threshold 4.8 (b) Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	

Impact Analysis

In 2006, the California legislature passed Assembly Bill (AB) 32, the Global Warming Solutions Act of 2006. The law establishes a limit on greenhouse gas (GHG) emissions for the state of California to reduce state-wide emissions to 1990 levels by 2020. In 2016, the California Assembly and Senate expanded upon AB 32 with Senate Bill (SB) 32, which mandates a 40% reduction in GHG emissions from 1990 levels by 2030. In January 2017, the California Air Resources Board (CARB) developed a plan (SB 32 Scoping Plan1) that charted a path toward the GHG reduction goal using all technologically feasible and cost-effective means.

In response to these initiatives, an informal project partnership, led by the San Bernardino Council of Governments (SBCOG), adopted the *San Bernardino County Regional Greenhouse Gas Reduction Plan*.[23] The Reduction Plan summarizes the actions that 23 jurisdictions selected to reduce jurisdictional GHG emissions, as well as state-mandated actions. The Reduction Plan is

[23] San Bernardino County Regional Greenhouse Gas Reduction Plan ,available at: https://www.gosbcta.com/wp-content/uploads/2019/09/San_Bernardino_Regional_GHG_Reduction_Plan_Main_Text_Mar_2021.pdf, accessed on June 10, 2022.

not mandatory for partnership jurisdictions. Instead, it provides information that can be used by partnership jurisdictions, if they choose so, to develop individual climate action plans (CAPs).

Pursuant to the Plan, the City of Hesperia selected a goal to reduce its community GHG emissions to a level that is 40% below its 2020 GHG emissions level by 2030. The city will meet and exceed this goal subject to reduction measures that are technologically feasible and cost-effective through a combination of state (~70%) and local (~30%) efforts.

At the project level, prior to issuance of a building permit, the Project Proponent is required to submit plans showing that the Project will be constructed in compliance with the most recently adopted edition of the applicable California Energy Code, (Part 6 of Title 24 of the California Code of Regulations) and the California Green Building Standards Code, 2019 Edition (Part 11 of Title 24 of the California Code of Regulations).

Applicable measures to a nonresidential project include, but are not limited to:

- *Energy Efficiency* - The Project is required to provide electric vehicle (EV) charging outlets; install energy-efficient appliances and HVAC systems, and overall nonresidential buildings shall meet or exceed the minimum standard design required by the 2019 California Energy Code.

- *Insultation* – Roofing and wall insulation must meet requirements set forth by the California Code of Regulations based on material to meet a certain efficiency.

- *Ventilation* – All projects must have an air filtration system through either natural ventilation or mechanical ventilation.

- *Pipe Insulation* – Pipe Insulation must meet certain parameters set forth by the California Code of Regulations on thickness and protection from outside sources.

Based on the analysis above, the Project will not conflict with regional or State plans to reduce greenhouse gas emissions and will support the 40% long-term reduction in greenhouse gas emissions identified in the Reduction Plan.

4.9 Hazards and Hazardous Materials

Threshold 4.9(a) (b)	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	

Impact Analysis

Existing Conditions

The Project site consists of vacant undeveloped land. There have been no previous activities, such as agriculture or industrial uses that resulted in contamination of the Project site. The site consists of vacant land. The vegetation community present on site supports a moderately disturbed desert scrub habitat encompassing mainly native plants and some non-native grasses. There appear to be no previous land uses, including agricultural production, that could result in the release of surface or subsurface hazardous materials during the construction phase of the Project.

Construction Activities

Heavy equipment used during the construction of the proposed Project would be fueled and maintained by substances such as oil, diesel fuel, gasoline, hydraulic fluid, and other liquid materials that would be considered hazardous if improperly stored or handled. In addition, materials such as paints, roofing materials, solvents, and other substances typically used in building construction would be located on the Project site during construction. Improper use, storage, or transportation of hazardous materials could result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. The potential for unintentional releases and spills of hazardous materials during construction is a standard risk on all construction sites, and there would be no greater risk for improper handling, transportation, or spills associated with future development that would be a reasonable consequence of the proposed Project than would occur on any other similar construction site.

Construction contractors are required to comply with all applicable federal, state, and local laws and regulations regarding hazardous materials, including but not limited to requirements imposed by the Environmental Protection Agency, California Department of Toxic Substances Control, Mojave Desert Air Quality Management District, and the Lahontan Regional Water Quality Control Board. As such, impacts due to construction activities would not cause a significant hazard to the public or the environment through the release of hazardous materials into the environment.

Operational Activities

The Project may involve the transport, use, and disposal of hazardous materials during Project operation. All businesses that handle more than a specified amount of hazardous or extremely hazardous materials are required to submit a Hazardous Materials Business Plan to the local Certified Unified Program Agency (CUPA). In Hesperia, the local CUPA is the San Bernardino County Fire Department, Hazardous Materials Division (SBCFD-HMD). These businesses are also required to prepare Risk Management Plans, detailed engineering analyses that identify the potential accident factors present and the mitigation measures that can be implemented to reduce this accident potential. The County of San Bernardino is designated as the Administering Agency for hazardous materials in the City of Hesperia.[24] Through compliance with this mandatory process, impacts from the routine transport, use, or disposal of hazardous materials would be less than significant. Mitigation is not required.

Threshold 4.9 (b) Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓	

See analysis for Section 4.9(a).

Threshold 4.9 (c) Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			✓	

Impact Analysis

[24] City of Hesperia General Plan, Safety Element, p. SF-32. https://www.cityofhesperia.us/DocumentCenter/View/15728/General-Plan-Update-August-2019. Accessed February 16, 2023.

There is not a school within a one-quarter mile of the Project. The Project is 5.8 roadway miles from Hesperia Junior High School, 5 roadway miles from Maple Elementary School, 3.5 miles from Mirus Secondary School, and 3.7 miles from Mission Crest Elementary School.

Threshold 4.9 (d) Would the Project	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and, as a result, would it create a significant hazard to the public or the environment?				✓

Impact Analysis

The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the State and local agencies to comply with the California Environmental Quality Act requirements in providing information about the location of hazardous materials release sites pursuant to Government Code Section 65962.5. Below are the data resources that provide information regarding the facilities or sites identified as meeting the Cortese List requirements.

- *List of Hazardous Waste and Substances sites from the Department of Toxic Substances Control (DTSC) EnviroStor database.*
- *List of Leaking Underground Storage Tank Sites from the State Water Board's GeoTracker database.*
- *List of solid waste disposal sites identified by the Water Board with waste constituents above hazardous waste levels outside the waste management unit.*
- *List of "active" CDO and CAO from Water Board.*
- *List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by DTSC.*

Based on a review of the Cortese List maintained by the California Environmental Protection Agency the Project site is not identified on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. [25]

[25] California Environmental Protection Agency, Cortese List Data Resources, https://calepa.ca.gov/sitecleanup/corteselist/ , accessed June February 16, 2023..

Threshold 4.9 (e) Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the Project area?			✓	

Impact Analysis

The following airports are located in or near Hesperia:

Hesperia Airport – This small airfield is located near the intersection of Holly Road and Beaver Road approximately 9.2 miles to the southeast of the Project site. This airport has two runways. Hesperia Airport is a privately owned airstrip with two unpaved runways. One extends north-south and is 3,930 feet long and 100 feet wide. The other extends east-west and is 5,100 feet long and 100 feet wide. Use of this airstrip is exclusively private, and permission is required prior to any aircraft landing. There is irregular attendance at this facility due to irregular use. All flight plans are required to be cleared with SCLA to avoid conflicting traffic. Due to the private nature of the airstrip, the irregularity of flight scheduling, coordination with SCLA, and the distance of the east-west runway in relation to the Project site, impacts related to aircraft operations will be minimal.

Southern California Logistics Airport (SCLA)- SCLA is located approximately 11.5 miles to the north of the Project site in the City of Victorville. According to San Bernardino Countywide Plan Policy Map HZ-9, *Airport Safety and Planning Areas*[26], the Project site is not located within the boundaries of the SCLA *Comprehensive Land Use Plan*[27] Compatibility Review Area for land use safety with respect to both occupants of aircraft and to people on the ground, protection of airspace, and general concerns related to aircraft overflight.

[26] Airport Safety and Planning Areas https://countywideplan.com/resources/maps-tables-figures/, accessed 2/19/2023
[27] Comprehensive Land Use Plan http://www.sbcounty.gov/Uploads/lus/Airports/SCLA.pdf Accessed 2/19/23

Threshold 4.9 (f) Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			✓	

Impact Analysis

Access to the Project site is proposed from US Highway 395 and Avenal Street. The Project site does not contain any emergency facilities, nor does it serve as an emergency evacuation route. During construction and long-term operation, the Project would be required to maintain adequate emergency access for emergency vehicles from these roadways.

Threshold 4.9 (g) Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				✓

Impact Analysis

According to the *California Fire Hazard Severity Zone Viewer* maintained by Cal Fire, the Project site is not located within a high wildfire hazard area[28]. Also refer to analysis under Section 4.20, *Wildfire*.

[28] https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414, accessed on June 10, 2022.

4.10 Hydrology and Water Quality

The following document was used in the preparation of this analysis:

- □ *Preliminary Drainage Study*, Sitetech Inc., March 5, 2021. (Appendix E).
- □ *Preliminary Water Quality Management Plan, Sitetech Inc., April 22, 2021 (Appendix F)*

Threshold 4.10 (a) Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			✓	

Impact Analysis

Pre-Development Conditions

In pre-developed condition, the site drains via sheet flow from the southwest to the northeast. Stormwater flows begin to generate at a high point at the southwesterly corner of the parcel along Avenal Street and flow northeast to a low point at the northeast corner of the parcel and onto U.S. Highway 395. The entire site is determined to be a single drainage area.

Construction Impacts

Construction of the Project would involve clearing, grading, paving, utility installation, building construction, and the installation of landscaping, which would result in the generation of potential water quality pollutants such as silt, debris, chemicals, paints, and other solvents with the potential to adversely affect water quality. As such, short-term water quality impacts have the potential to occur during construction activities in the absence of any protective or avoidance measures.

Chapter 8.30.210 - *Soil Erosion and Sediment Control Plan* of the Hesperia Municipal Code requires the Project to obtain a National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit for construction activities. The permit is required for all Projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least one acre of total land area.

Compliance with the permit requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) will identify construction Best Management Practices (BMPs) that will be implemented to prevent soil erosion and the discharge of sediment into the local

storm drains during the project's construction phase. Typical BMPs measures include, but are not limited to, preserving natural vegetation, stabilizing exposed soils, use of sandbags, and installation of temporary silt fencing.

Operational Impacts

Storm water pollutants commonly associated with commercial land uses include sediments, nutrients, trash and debris, bacteria and viruses, oil and grease, and pesticides. City of Hesperia Municipal Code Chapter 8.30.220 requires the preparation of a Water Quality Management Plan (WQMP) for managing the quality of storm water or urban runoff that flows from a developed site after construction is completed. The Project will comply with the City of Hesperia and the Phase II Small MS4 General Permit for the Mojave River Watershed as described below.

The post-developed condition will mimic the same flow pattern as the pre-developed condition. Stormwater will begin to be generated at the southwesterly corner of the proposed asphalt parking lot and sheet flow northeasterly. Flows will then be concentrated in a concrete v-gutter that will flow northerly and then easterly parallel to the northerly property line of this parcel. A catch basin is proposed at the northeasterly corner along U.S. Highway 395. Stormwater will then be captured and transported to the underground infiltration chambers via a 12-inch storm drain pipe. Stormwater flows and volume that exceed the capacity of the 12-inch storm drain and underground infiltration chambers will release into the public right-of-way along Highway 395 in the same manner as the pre-developed condition.

Threshold 4.10 (b) Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			✓	

Impact Analysis

Ground Water Supply Discussion

The Project would be served with potable water by the Hesperia Water District. Hesperia has 15 groundwater wells within its distribution system that are actively used to pump groundwater from the Mojave River Groundwater Basin, which lies beneath Victor Valley.[29] The Mojave Basin

[29] *2020 Urban Water Management Plan*, *Victorville Water District*, June 1, 2021, p.6-3, accessed on June 10, 2022.

Area was the subject of a court ordered adjudication in 1993 due to the rapid growth within the area, increased withdrawals, and lowered groundwater levels. The court's Judgment appointed Mojave Water Agency (MWA) as Watermaster of the Mojave Basin Area. The court ordered adjudication of the Mojave Basin Area allocates a variable free production allowance (FPA) to each purveyor that supplies more than 10 AFY, including Hesperia.

Each allocated FPA represents the purveyor's share of the water supply available from the MWA Subarea. FPAs are determined as a percentage of the purveyor's highest verified annual use from 1986 to 1990. The FPA, which is currently set at 80 percent of BAP for agriculture and 60 percent of BAP for municipal and industrial (M&I), can vary from year to year depending on the Watermaster's safe yield projections for the Basin. If Hesperia, or another purveyor, pumps more than its allotted FPA in any year, they are required to purchase replacement water equal to the amount of production in excess of the FPA. Replacement obligations are satisfied by paying MWA and then purchasing unused FPA within the subarea.

Given the City's total reliance on groundwater, the reliability of the City's water supply is thus entirely dependent on the reliability of the groundwater in the Mojave River Basin managed by the Mojave Water Agency. Because almost all the water used within the Mojave Water Agency's service area is supplied by pumped groundwater, to supplement the local groundwater supplies, the Mojave Water Agency recharges the groundwater basins with State Water Project imported water, natural surface water flows, wastewater imports from outside the Mojave Water Agency's service area, agricultural depletion from storage, and return flow from pumped groundwater not consumptively used. The Mojave Water Agency's sources are only used to recharge the groundwater basins and are not supplied directly to any retailers, except for two power plants, the High Desert Power Project, and the LUZ Solar Plant.

Groundwater Recharge Discussion

Development of the Project would increase impervious surface coverage on the Project site which would in turn reduce the amount of direct infiltration of runoff into the ground. The Project proposes underground infiltration chambers. As such, the Project will not interfere substantially with groundwater recharge.

In addition, according to a review of historical groundwater data (California Department of Water Resources and California State Water Resources Control Board groundwater well data [http://wdl.water.ca.gov and http://geotracker.waterboards.ca.gov]), depth to groundwater is greater than 50 feet below ground surface (bgs) in the general Project site area. As such, the Project will not impact groundwater.

Sustainable Groundwater Management Discussion

California depends on groundwater for a major portion of its annual water supply, particularly during times of drought. This reliance on groundwater has resulted in overdraft and unsustainable groundwater usage in many of California's basins.[30] The Sustainable Groundwater Management Act (SGMA) was enacted to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. The City of Hesperia is located within the Upper Mojave River Valley portion of the Mojave River Basin.

The Mojave River is an adjudicated basin (i.e. water rights are determined by court order).[31] Adjudicated basins are exempt from the SGMA because such basins already operate under a court-ordered management plan to ensure the long-term sustainability of a basin. With implementation of the storm drain system improvements described above, the Project would not obstruct with or prevent the implementation of the management plan for the Mojave River Basin. As such, the Project would not conflict with any sustainable groundwater management plan. Impacts would be less than significant.

Conclusion

Based on the analysis above, the Project is not forecast to substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

Threshold 4.10 (c). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:				
(i) Result in substantial erosion or siltation on- or off-site?			✓	
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?			✓	
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			✓	

[30] https://www.waterboards.ca.gov/water_issues/programs/gmp/, accessed on June 10, 2022.
[31] https://gis.water.ca.gov/app/bp-dashboard/final/, accessed on June 10, 2022.

Threshold 4.10 (c). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(iv) Impede or redirect flood flows?			✓	

Existing Condition/Pre-Development

In pre-developed condition, the site drains via sheet flow from the southwest to the northeast. Stormwater flows begin to generate at a high point at the southwesterly corner of the parcel along Avenal Street and flow northeast to a low point at the northeast corner of the parcel and onto U.S. Highway 395. The entire site is determined to be a single drainage area. The peak flow rate for a 2-year storm event and a 100-year storm event are 2.61 cubic feet per second (CFS) and 5.23 cubic feet per second (CFS) respectively.

Proposed Condition/Post Development

The post-developed condition will mimic the same flow pattern as the pre-developed condition. Stormwater will begin to be generated at the southwesterly corner of the proposed asphalt parking lot and sheet flow northeasterly. Flows will then be concentrated in a concrete v-gutter that will flow northerly and then easterly parallel to the northerly property line of this parcel. A catch basin is proposed at the northeasterly corner along U.S. Highway 395. Stormwater will then be captured and transported to the underground infiltration chambers via a 12-inch storm drain pipe. Stormwater flows and volume that exceed the capacity of the 12-inch storm drain and underground infiltration chambers will release into the public right-of-way along Highway 395 in the same manner as the pre-developed condition.

Table 4.10.1. Pre-Development vs. Post Development Storm Water Runoff

Description	Peak Flow Rate cfs (cubic feet per second)
Existing Condition- 2 year storm event	2.61 cfs
Design Criteria (90% of 11.48 cfs).	2.349 cfs
Post Development - 2 year storm event	5.23 cfs
Meets Requirement?	**No**

Description	Peak Flow Rate cfs (cubic feet per second)
Existing Condition- 10 year storm event	11.48 cfs
Design Criteria (90% of 11.48 cfs).	10.33 cfs
Post Development - 10 year storm event	15.75 cfs
Meets Requirement?	**No**

Source: Preliminary Drainage Study, Appendix D.

As shown in Table 4.10-1, *Pre-Development vs. Post Development Storm Water Runoff* proposed development does not meet requirements but the proposed and existing drainage facilities are adequate for both the 2 year and 100 year storm event and can be compatible with the City of Hesperia Water Mater Plan. The development of the subject site will not significantly change area drainage patterns, impact any of the surrounding properties, or change any of the regional master plan facilities.

Threshold 4.10 (d). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				✓

Impact Analysis

According to the Federal Emergency Management Agency (FEMA), the Project site is not located within a flood hazard zone.[32] According to the California Department of Conservation, California Official Tsunami Inundation Maps[33], the site is not located within a tsunami inundation zone. In addition, the Project would not be at risk from seiche because there is no water body around the Project site capable of producing as seiche.

Threshold 4.10 (e) Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			✓	

Impact Analysis

As discussed under Threshold 4.10 (a) and 4.10 (c), with implementation of the proposed drainage system improvements and features, the Project will not conflict with or obstruct implementation of the *Lahontan Basin Plan*. In addition, as discussed under Threshold 4.10 (b),

[32] https://www.fema.gov/flood-maps, accessed on June 10, 2022.
[33] California Department of Conservation, *California Official Tsunami Inundation Maps,* https://www.conservation.ca.gov/cgs/tsunami/maps#:~:text=Coordinated%20by%20Cal%20OES%2C%20California,considered%20tsunamis%20for%20each%20area., accessed June 10, 2022.

the Project site is not subject to a Sustainable Groundwater Water Management program and will not substantially impede sustainable groundwater management of the basin.

4.11 Land Use and Planning

Threshold 4.11 (a)	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide a community?				✓

Impact Analysis

An example of a Project that has the potential to divide an established community includes the construction of a new freeway or highway through an established neighborhood. The Project site is in an area that consists primarily of vacant undeveloped land. The Project site is bordered on the South by Avenal Road, followed by vacant land; on the East by US Highway 395, followed by vacant land; and on the West by vacant land. The Project site is planned for Commercial Industrial Business Park by the General Plan. The properties in the immediate area are also planned for Commercial Industrial Business Park. Thus, the development of the Project site is a logical continuation of the development pattern in the area as proposed by the General Plan and will not divide an established community.

Threshold 4.11 (b). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			✓	

Impact Analysis

The applicable plans and policies relating to a conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect are evaluated throughout this Initial Study document as described below.

City of Hesperia General Plan

- *Land Use Element:* The General Plan Land Use and Zoning designation for the Project site is Commercial Industrial Business Park. This area is defined as a zone intended to provide light industrial, manufacturing, and industrial support uses conducted mainly inside closed buildings and produce only a small environmental impact. As evidenced throughout this Initial Study, all impacts have been identified as having no impact, a less than significant impact, or a less than significant impact with mitigation incorporated. As such, the Project is consistent with the new General Plan land Use and Zoning.
- *Circulation Element:* Please refer to Section 4. 17, *Transportation*, for the analysis.
- *Conservation/Open Space Element:* Please refer to Sections 4.1, *Aesthetics*, and Section 4.4, *Biological Resources*, for the analysis
- *Noise Element:* Please refer to Section 4.13, *Noise,* for the analysis.
- *Safety Element:* Please refer to Section 4.9, *Hazards and Hazardous Materials,* for the analysis.
- Community Design Element: Please refer to Section 4.1, Aesthetics, for the analysis.

Main Street and Freeway Corridor Specific Plan

In instances where the Main Street and Freeway Corridor Specific Plan applies to an environmental effect, it is identified in the Analysis section for each environmental topic. As detailed in such instances, impacts are less than significant.

City of Hesperia Zoning Ordinance

In instances where the Zoning Ordinance applies to an environmental effect, it is identified in the Analysis section for each environmental topic. As detailed in such instances, impacts are less than significant. **Mojave Desert Air Quality Management District Air Quality Management Plan**

Please refer to Section 4.3, *Air Quality*, for the analysis.

San Bernardino County Regional Greenhouse Gas Reduction Plan
Please refer to section 4.8, *Greenhouse Gas Emissions,* for the analysis

Water Quality Control Plan for the Lahontan Region (Basin Plan)

Please refer to Section 4.10, *Hydrology and Water Quality* for the analysis.

Conclusion

As demonstrated throughout this Initial Study document, the Project would not conflict with any applicable land use plan, policy, or regulation due to a conflict with any land use plan, policy, or

regulation adopted for the purpose of avoiding or mitigating an environmental effect, with compliance with mandatory regulatory requirements or mitigation measures.

4.12 Mineral Resources

Threshold 4.12 (a). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓

Impact Analysis

The naturally occurring mineral resources within the Planning Area include sand, gravel, or stone deposits that are suitable as sources of concrete aggregate. The Project site has been designated with a Mineral Land Classification of MRZ-3A, which is an area containing known mineral occurrences of undetermined mineral resource significance. This classification was based on a report by the California Department of Conservation, Division of Mines and Geology, entitled *Mineral Land Classification of Concrete Aggregate Resources in the Barstow - Victorville Area, San Bernardino County, California*. A review of the California Department of Conservation interactive web mapping indicates there are no active mines on the Project site[34]. In addition, a review of the California Division of Oil, Gas, and Geothermal Resources well finder indicates that there are no wells located in the vicinity of the Project site.[35]

Accordingly, implementation of the Project would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State of California.

Threshold 4.12 (b). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				✓

[34] https://maps.conservation.ca.gov/mineralresources/, accessed on February 14,, 2023.
[35] California, State of. Department of Conservation. California Oil, Gas, and Geothermal Resources Well Finder. https://maps.conservation.ca.gov/doggr/wellfinder/#openModal/-117.41448/34.56284/14, accessed on February 14, , 2023.

Impact Analysis

The Project site is not being used for mineral resource recovery. The Project site is designated as CIBP (Commercial Industrial Business Park). If the Project site were intended for mineral recovery, it would be designated as such, and not residential. As such, the Project is not delineated on the General Plan, a specific plan, or other land use plan as a locally important mineral resource recovery site.

4.13 Noise

The following analysis is based in part on the following:

- *Noise Assessment.* KPC EHS Consultants, dated December 23, 2022, included as Appendix F to this Initial Study.

Threshold 4.13 (a). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project more than standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✓	

Impact Analysis

Methodology

In *California Building Industry Association v. Bay Area Air Quality Management District (2015)* 62 Cal.4th 369, Case No. S213478, the California Supreme Court stated "*In light of CEQA's text, statutory structure, and purpose, we conclude that agencies generally subject to CEQA are not required to analyze the impact of existing environmental conditions on a project's future users or residents. But when a proposed project risks exacerbating those environmental hazards or conditions that already exist, an agency must analyze the potential impact of such hazards on future residents or users. In those specific instances, it is the project's impact on the environment – and not the environment's impact on the project – that compels an evaluation of how future residents or users could be affected by exacerbated conditions." Notwithstanding "special CEQA requirements [that] apply to certain airport, school and housing construction projects [,]" the Court held "that ordinary CEQA analysis is concerned with a project's impact on the environment, rather than with the environment's impact on projects and its users or residents*

Exceptions to this are housing projects for agricultural workers, affordable housing, and transit priority projects (a type of development that is either 100% residential or a mixed-use development (where 50% of the project is residential), that has a floor area ratio (ratio of total building square footage to total lot square footage) of 0.75, a minimum net density of at least 20 dwelling units per acre).

Moreover, special CEQA requirements apply to certain airport, school, and housing construction projects. In such situations, CEQA requires agencies to evaluate a project site's environmental

conditions regardless of whether the project risks exacerbating existing conditions. The environmental review must consider—and a negative declaration or exemption cannot issue without considering—how existing environmental risks such as noise, hazardous waste, or wildland fire hazard will impact future residents or users of a project. That these exceptions exist, however, does not alter our conclusion that ordinary CEQA analysis is concerned with a project's impact on the environment, rather than with the environment's impact on a project and its users or residents.

Existing Ambient Noise Levels

The primary source of ambient noise for the Project is from the traffic on US Highway 395 to the immediate east of the Project site. There are also six businesses within a 1,100 feet radius of the Project site as well. These businesses are described in table 4.13.1 *Existing Sources of Ambient Noise*.

Table 4.13.1. Existing Sources of Ambient Noise

Business	Location	Distance
El Rancho Animal Feed Store	Adjacent property to the north	Approximately 15 feet from north boundary.
Sunset Stone	Adjacent property to the north.	Approximately 200 feet north from north boundary.
Trailer Yard (Parking/storage).	Southwest at Avenal and Los Altos	Approximately 130 feet southwest from southwest corner boundary
Industrial Fabricators	Northeast	Approximately 1,100 feet northeast from northeastern boundary.
Previous SFR sold for Future Commercial Development	South across Avenal	Approximately 60 feet south from south boundary.
Five Rivers Fleet Services	South on Yucca Terrace Dr.	Approximately 1,000 feet south from southern boundary.

Table 4.13.2 Ambient Noise Level Measurement

Location	Distance to Project Boundary	Description	Average Noise Level dBA (Leq)
#1	0	Project Site (395 and Avenal St.)	47.3
#2	3,950 feet	US-395 and Main Street	55.1
#3	4,760	Main Street and Mesa Linda Street	44.6
#4	1 mile	Main Street and Key Pointe Ave.	52.5

Figure 4.13 – Noise Measurement Locations

Short-term Construction Noise Impact Analysis

The most significant source of short-term noise impact resulting from the Project is related to noise generated during construction activities on the Project site. Construction is performed in discrete steps, each of which has its own mix of equipment and consequently its own noise characteristics. Thus, noise levels will fluctuate depending upon construction phase, equipment type, duration of equipment use, distance between the noise source and receptor, and the presence or absence of noise attenuation structures. The nearest sensitive receptors to the Project site are single family residences that are 1,050 feet north of the northern border of the Project area. The properties immediately adjacent to the Project are zoned as Commercial Industrial Business Park or are vacant undeveloped parcels. The Project is compatible with the surrounding land uses and would not adversely impact sensitive receptors. The potential impacts on sensitive receptors were estimated using the Federal Highway Administration Roadway Construction Noise Model to general maximum noise levels (Lmax) and the equivalent continuous sound (Leq.). Site preparation and grading produce the most amount of noise of all the construction phases due to the equipment moving around and not being stationary. Table 4.13.3, Construction Equipment Noise Levels at the Nearest Receptor, identifies the level of noise generated by construction equipment.

Table 4.13.3 Construction Equipment Noise Levels at the Nearest Receptor

Source	Approximate Distance to Nearest Receptor [1] (Property Line of Construction Site) (feet)	Sound Level at Nearest Receptor		
		Lmax	Acoustical Use Factor (%)	Leq
Backhoe	1,000	51.5	40	47.6
Compactor (ground)	1,000	57.2	20	50.2
Compressor (air)	1,000	51.6	40	47.7
Crane	1,000	54.5	16	46.6
Concrete Mixer Truck	1,000	52.8	40	48.8
Dozer	1,000	55.6	40	51.7
Dump Truck	1,000	50.4	40	46.5
Excavator	1,000	54.7	40	50.7
Front End Loader	1,000	53.1	40	49.1
Generator	1,000	54.6	50	51.6
Grader	1,000	59.0	40	55.0
Offroad Forklift	1,000	57.4	40	53.4
Paver	1,000	51.2	50	48.2
Pickup Truck	1,000	49.0	40	45.0
Roller	1,000	54.0	20	47.0
Scraper	1,000	57.6	40	53.6
Welder / Torch	1,000	48.0	40	44.0

Using the equipment from the Air Quality GHG Technical Memorandum CalEEMod data for Site Preparation and Grading Phases, each piece of equipment operating simultaneously, in the same location, for an eight hour period was calculated to create a Worst Case Construction Noise Level (Site Preparation and Grading), Table 4.13.4

Table 4.13.4 Worst Case Construction Noise Level (Site Preparation and Grading)

Phase	Equipment Type	Number of Units	Leq dBA/unit	Leq dBA Total
Site Preparation	Tractor/Loader/Backhoe	4	58	
Site Preparation	Rubber Tired Dozer	3	62.1	
Site Preparation	**Total Noise Level**			**68.7**
Grading	Grader	1	65.5	
Grading	Tractor/Loader/Backhoe	3	58	
Grading	Rubber Tired Dozer	1	62.1	
Grading	Excavator	1	61.2	
Grading	**Total Noise Level**			**69.2**

Based upon the National Institute of Occupational Safety and Health recommended exposure limit of 85 dBA 8-hour time weighted average, the effects would be less than significant and would not present any long-term impacts on the Project site or surrounding area.

Although project construction noise has the potential to be louder than the ambient noise in the project vicinity, this noise would cease once project construction is completed. Development Code §16.20.125, *Noise*, allows temporary demolition and construction noise in excess of normally defined thresholds between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and Saturdays, except federal holidays. Because construction noise is exempt during specific hours, a project fully compliant with the City's construction noise standards would not generate a significant construction-related noise impact.

Operational Noise Analysis

On site Project related noise sources include but are not limited to: rooftop heating ventilation and air conditioning units (HVAC), idling trucks, truck activities, backup alarms, loading and unloading of goods, and parking lot vehicle movement. These noises are associated with expected typical operational activities on the purposed site. The proposed Project site would have two docks doors, one on the north and one on the southside of the warehouse.

Noise measurements were collected at the Amazon Fulfillment Center in the City of Moreno Valley to determine a worst-case scenario of the noise level impacts. The measurements represent a typical weekday loading and unloading operation with 1.2 million square feet distribution center, 200 trailer parking spaces, and 90 docks. No shielding from the buildings or walls was calculated but the proposed project will have 6 foot stucco walls bordering the property and that will provide some attenuation. The results from the measurements are shown in table 4.13.5, Reference Noise Level Measurements.

Table 4.13.5 Reference Noise Level Measurements

Noise Source	Reference Distance (feet)	Reference Noise Level (dBA)	Distance to Receptor (feet)	Noise Level (dBA)
Rooftop HVAC [1]	1 '	88	142'	44.95
Truck Loading Dock Activity [2]	50 '	63.6	142 '	54.53
Truck Backup Alarm [2]	50 '	75.0	142 '	65.93
Parking Lot Activity [2]	25 '	54.4	142 '	39.31

[1] Reference Level Lennox 10-ton air handler unit (AHU) manufacturer specifications.

[2] Reference Level collected at Amazon Fulfillment Center ONT-6 (24208 San Michele Rd., Moreno Valley)

The USEPA identifies noise levels affecting health and welfare as exposure levels over 70 dBA over a 24-hour period. Noise levels for various levels are identified according to the use of the area. Levels of 45 dbA are associated with indoor residential areas, hospitals, and schools, whereas 55 dBA is identified for outdoor areas where typical human activity takes place. According to the USEPA levels of 55 dbA outdoors and 45 dbA indoors are identified as levels of noise considered to permit spoken conversation and other activities such as sleeping, working, and recreation, which are part of the daily human condition.[34] Since the Project site is located in an area with mainly vacated land and is zoned for commercial and industrial purposes, the proposed Project has no significant noise impacts.

Traffic Noise Impacts

The primary increase in noise will the result of adding vehicle traffic generated by the Project to US Highway 395 and Avenal Street. The level of traffic noise depends on three primary factors (1) the volume of traffic, (2) the speed of traffic, and (3) the number of trucks in the flow of traffic.

(1) **Volume of Traffic**
The Proposed project is expected to generate 31 average daily vehicle trips. 39% or 12 trips will be from trucks. During morning and afternoon peak traffic is calculated to be 5 ADT and 7 ADT respectively. This will increase the ambient traffic noise in the vicinity of

[34] USEPA "EPA Identifies Noise Levels Affecting Health and Welfare" https://archive.epa.gov/epa/aboutepa/epa-identifies-noise-levels-affecting-health-and-welfare.html accessed February 19, 2023[36] Caltrans, Traffic Noise Analysis Protocol, April 2020, p.7-1.

the Project compared to the existing site conditions. Current daily average trips along US Highway 395 are 24,100 north of Main Street/Phelan Road and 27,300 south of Main Street/Phelan Road. Assuming all 31 vehicle trips take US Highway 385, the results would not be doubling traffic volume.

According to Caltrans, the human ear can begin to detect sound level increase of 3 dBA in a typical noisy environment. Doubling the volume of traffic on a highway would result in 3 dBA increase in sound which would barely be detectable. The Project will increase traffic volume but not to an extent where it will result in a perceivable noise change. The operational noise impacts are less than significant[36].

(2) **Speed of Traffic**
In the area of the Project site, US Highway 395 has a speed limit of 55 mph as it is classified as a Special Street.

(3) **Number of Trucks in the flow of Traffic**
The Project will generate noise from the large trucks, however the area it is in is used for similar purposes. The total number of daily trips from all vehicles is 31 average daily trips and 12 of those will be from trucks. The trucks are required to use the City designated truck routes which will decrease the impact on sensitive receptors such as residential areas.

Conclusion

Through compliance with mandatory requirements to reduce noise during construction, the Project's construction noise impacts will not result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project. In addition, as shown above, the Project's operational noise would not be significant either.

Threshold 4.13 (b). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Generation of excessive ground borne vibration or groundborne noise levels?			✓	

Impact Analysis

[36] Caltrans, Traffic Noise Analysis Protocol, April 2020, p.7-1.

The closest structure to the property is 142 feet from the center of the Project and 15 feet from the northern border. The estimated worst case scenario ground vibration from a large bulldozer measured from 15 feet away creates a vibration level of 0.191 in/sec PPV. The damage criteria thresholds from the City of Hesperia Development Code 16.20.130 requires that no vibration greater than 0.2 in/sec PPV be felt at or beyond the lot line. Temporary construction activities performed between 7:00 AM and 7:00 PM on weekdays and Saturdays are exempt. Therefore, the Project construction is not considered to result in exposure of people to excessive ground vibration.

During operations, the Project's primary source of vibrations would be from truck traffic. The typical vibration level from heavy truck activity at normal speeds is 0.004 in/sec PPV at 25 feet away based on the FTA's Transit Noise Impact and Vibration Assessment[37]. Trucks on site would be travelling at low speeds and it is expected that the vibrations produced from the trucks would not exceed the 0.2 in/sec PPV threshold.

Due to the rapid drop off rate of ground-borne vibrations and the short duration of the events vehicular traffic induced ground-borne vibrations are rarely perceptible beyond the roadway and rarely result in vibrations levels that would cause annoyance or damage to buildings in the vicinity.

Threshold 4.13 (c). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			✓	

Impact Analysis

The nearest airports from the site are Hesperia Airport approximately 9.2 miles southeast and the Southern California Logistics Airport located approximately 11.5 miles to the north. According to the County of San Bernardino Department of Airports, Hesperia Airport is a privately owned airport and does not have an airport land use plan[38]. According to the *Southern California Logistics Airport Comprehensive Land Use Plan,* Figure 2H, *Existing Noise Contours,* and Figure 2I,

[37] https://www.transit.dot.gov/research-innovation/transit-noise-and-vibration-impact-assessment-manual-report-0123.
[38] http://cms.sbcounty.gov/airports/Airports.aspx, accessed February 7, 2022.

Long Range Noise Contours, the Project site is not located in an area impacted by aircraft noise.[39] Therefore, the Project would not exacerbate an existing condition that exposes people residing or working in the project area to excessive noise levels.

[39] https://www.victorvilleca.gov/government/city-departments/airport, accessed February 7, 2022.

4.14 Population and Housing

Threshold 4.14 (a). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	

Impact Analysis

Population Growth

The Project follows the General Plan Land Use and Zoning Map for Commercial and Industrial Business Park (CIBP). There is not likely to be population growth assuming the employees would be living in the surrounding area already.

Infrastructure Extensions

The Project site is in an undeveloped area. The Project would connect to the existing waterline located to the east on US Highway 395. The Project would implement a septic tank system and would not connect to existing sewer lines. Gas and electric utilities are available in the vicinity of the Project site. No additional infrastructure will be needed to serve the Project other than to improve the existing dirt roads and connect to infrastructure near the site.

Threshold 4.14 (b). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				✓

Impact Analysis

The Project site consists of undeveloped vacant land. Therefore, implementation of the Project would not displace a substantial number of existing housing, nor would it necessitate the construction of replacement housing elsewhere.

4.15 Public Services

Threshold 4.15 (a). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
1) Fire protection?			✓	
2) Police protection?			✓	
3) Schools?			✓	
4) Parks?			✓	
5) Other public facilities?			✓	

Fire Protection: The San Bernardino County Fire Department provides fire protection services to the Project area. The Project would be primarily served by the San Bernardino Station #305, an existing station located approximately 2.8 roadway miles south of the Project site at 8331 Caliente Road. Development of the Project would not impact fire protection services by placing an additional demand on existing County Fire Department resources should its resources not be augmented.

In addition, the city collects a Development Impact Fee to assist the city in providing fire protection facilities. Payment of the Development Impact Fee would be applied to fire facilities and/or equipment, to offset the incremental increase in the demand for fire protection services that would be created by the Project. Therefore, the Project would not result in the need to construct new or physically altered fire facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for fire protection.

Police Protection: The San Bernardino County Sheriff's Department provides community policing to the Project area via the Hesperia Patrol Station located at 15840 Smoketree Street in Hesperia, approximately 5.8 roadway miles east. The city collects a Development Impact Fee to assist the city in providing for capital improvement costs for police protection facilities. Payment of the Development Impact Fee would be applied to police facilities and/or equipment, to offset the incremental increase in the demand for police protection services that would be created by the Project. Therefore, the Project would not result in the need to construct new or physically altered

police facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for police protection.

Schools: Hesperia is served by the Unified Hesperia School District. The nearest schools from the Project site are Hesperia High School (4.2 miles), Donald E. Cedar Middle School (4.2 miles), and Oak Hills High School (6.3 miles).

The Project is not forecasted to generate additional students.

Parks: The nearest public park to the Project site is Dogwood Park, which is located approximately 2.1 miles to the southeast. It is unlikely the Project will result in an increase in use of parks.

Other Public Facilities: As noted above, development of the Project would be unlikely to result in a direct increase in the population of persons. The current population of the city is 99,287 (assuming all employees are currently residents of the city). It is not anticipated the Project would increase the demand for public services, including public health services and library services to the degree that the construction of new or expanded public facilities would be required based on this small increase in population.

4.16 Recreation

Threshold 4.16 (a). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				x

Impact Analysis

The nearest public park to the Project site is Dogwood Park, which is located approximately 2.1 miles to the southeast. The Project is not likely to increase use of existing parks and recreation facilities.

Threshold 4.16 (b). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?				✓

Impact Analysis

The Project does not propose the construction or expansion of recreational facilities.

4.17 Transportation

Threshold 4.17(a). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?			✓	

Impact Analysis

A significant impact would occur if the development of the Project would conflict with programs, plans, or ordinances that support transit services, bicycle lanes, sidewalks, and trails.

Future street improvements that are programmed to implement the updated circulation network plan will be designed in accordance with all applicable engineering standards relating to vehicle traffic, bicycles, pedestrian safety, line of site, and other design criteria. Impacts will be less than significant.

The Project would construct the following circulation system improvements:

Roadway Facilities

For CEQA purposes, roadway facilities are viewed in the context of how they reduce the amount of vehicle miles traveled and promote the use of other non-motorized modes of travel such as transit, bicycle, and pedestrian. The proposed roadway improvements will promote a reduction in VMT by constructing sidewalks to facilitate pedestrians and by improving roadway to allow access for transit service.

Bicycle and Pedestrian Facilities

There are no bicycle or pedestrian projects proposed adjacent to the Project site. Thus, the Project would not interfere with proposed bicycle and pedestrian facilities planned elsewhere in the city. However, the Project would construct streets that meet City standards that provides sidewalks and pavement that would accommodate bicycle travel.

Public Transit Facilities

Public transportation services within the City of Hesperia and near the proposed Project are provided by the Victor Valley Transit Authority (VVTA). The closest connection points to the VVTA transit system are Route No. 68 (Cataba Rd SB & Main St), located approximately 1.19 miles

southeast. The Project is not proposing any improvements that would conflict with any future transit route in the area.

Conclusion

As detailed above, the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

Threshold 4.17(b). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?			✓	

Impact Analysis

Changes to California Environmental Quality Act (CEQA) Guidelines were adopted in December 2018, which require all lead agencies to adopt Vehicle Miles Traveled (VMT) as a replacement for automobile delay-based level of service (LOS) as the new measure for identifying transportation impacts for land use projects. This statewide mandate took effect July 1, 2020. Impacts related to LOS will be evaluated through the City's development review process apart from CEQA.

The City of Hesperia City Council adopted Resolution No. 2020-036 Adopting Vehicle Miles Traveled Thresholds of Significance For Purposes of Analyzing Transportation Impacts Under CEQA, July 21, 2020 and *City of Hesperia Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service (LOS),* July 2020.

The City's Traffic Impact Analysis Guidelines provides VMT screening thresholds to identify projects that would be considered to have a less-than significant impact on VMT and therefore could be screened out from further analysis. If a project meets one of the following criteria, then the VMT impact of the project would be considered less-than significant and no further analysis of VMT would be required:

1) The project is located within a Transit Priority Area (TPA).
2) The project is located in a low VMT generating area.
3) Project Type Screening (the project generates fewer than 110 daily vehicle trips or is considered a local-serving land use)

According to the *City of Hesperia TIA Guidelines September 2022*, Project Scoping Form, approved by the City, the project is forecast to generate 51 daily trips. According to the City's Traffic Impact Guidelines, projects which generate fewer than 110 daily vehicle trips, propose local serving retail (retail projects less than 50,000 square feet) or other local serving uses would have a less than significant impact on VMT. Therefore, the project meets Screening Criterion #3 VMT, and impacts are less than significant.

Threshold 4.17(b). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✓	

Impact Analysis

The proposed roadway improvements on Avenal Street and US Highway 395 will be designed in accordance with the City of Hesperia's *Standard Drawings and Specifications* requirements and applicable Caltrans requirements. In addition, the Project is located in an area planned for Commercial Industrial Business Park uses. As such, the Project would not be incompatible with existing development in the surrounding area to the extent that it would create a transportation hazard because of an incompatible use.

Threshold 4.17(b). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Result in inadequate emergency access?			✓	

Impact Analysis

Emergency access would be available from US Highway 395 and Avenal Street connecting to the citywide circulation system. During the preliminary review of the Project, the Project's transportation design was reviewed by the City's Engineering Department, Fire Department, and

Sheriff's Department to ensure that adequate access to and from the site would be provided for emergency vehicles.

4.18 Tribal Cultural Resources

Threshold 4.18 (a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?				✓

Impact Analysis

§21074 of the Public Resources Code describes Tribal Cultural Resources as follows:

(a) "Tribal cultural resources" are either of the following:

(1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

(A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.

(B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

(2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

(b) A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.

(c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "nonunique archaeological resource" as

defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

California Register of Historical Resources/Local Register of Historical Resources

A historical resource or archaeological resource may also be a tribal cultural resource if it conforms with the criteria described in Public Resources §21084 (a) above. As discussed in Section 4.5 *Cultural Resources*, based on a records search and a pedestrian field survey, no historic or archaeological resources eligible for listing on the California Register of Historical Resources or a local register were encountered on the surface of the Project site. However, grading, utility trenching, and the construction of the water quality basin have the potential to reveal buried deposits below the surface. Therefore, Mitigation Measures CR-1 through CR-3 under Section 4.5, *Cultural Resources* shall apply. These measures require that the Yuhaaviatam of San Manuel Nation (YSMN) Cultural Resources Department be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the discovery, to provide Tribal input with regards to significance and treatment. In addition, if significant pre-contact cultural resources, as defined by CEQA, are discovered, and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment.

Threshold 5.18 (b) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	**Potentially Significant Impact**	**Less than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?		✓		

Sacred Lands File Search

A Sacred Lands File request was sent by BCR Consulting to the State of California Native American Heritage Commission (NAHC) for a records search. The NAHC is the State of California's trustee agency for the protection of "tribal cultural resources," as defined by California Public Resources Code §21074 and is tasked with identifying and cataloging properties of Native American cultural value, including places of special religious, spiritual, or social significance and known graves and

cemeteries throughout the state. The Sacred Lands File yielded negative results for Native American cultural resources in the vicinity of the project area.

Assembly Bill (AB) 52

The Legislature added requirements regarding tribal cultural resources for CEQA in Assembly Bill 52 (AB 52) that took effect July 1, 2015. AB 52 requires consultation with California Native American tribes and consideration of tribal cultural resources in the CEQA process. By including tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources. By taking this proactive approach, the legislature also intended to reduce the potential for delay and conflicts in the environmental review process. To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a Proposed Project. The city commenced the AB 52 process by sending out consultation invitation letters January 12, 2023, to the following tribes who previously requested notification pursuant to Public Resources Code section 21080.3.1.

- Yuhaaviatam of San Manuel Nation (YSMN) (formerly San Manuel Band of Mission Indians)

No tribes requested consultation, however, because the Project site is located within the ancestorial territory of Yuhaaviatam of San Manuel Nation (YSMN), the possibility exists that Native American Tribal Cultural Resources may be discovered during ground disturbing activities. Mitigation Measures TCR-1 & TRC-2 is made a part of the project/permit/plan conditions.

Mitigation Measure TCR-1. Contact Yuhaaviatam of San Manuel Nation.

The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site

Mitigation Measure TCR-2. Documentation of Tribal Cultural Resources

Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project.

Note: Yuhaaviatam of San Manuel Nation realizes that there may be additional tribes claiming cultural affiliation to the area; however, Yuhaaviatam of San Manuel Nation can only speak for itself. The Tribe has no objection if the agency, developer, and/or archaeologist wishes to consult with other tribes in addition to YSMN and if the Lead Agency wishes to revise the conditions to recognize additional tribes.

4.19 Utilities and Service Systems

Threshold 4.19 (a). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?		✓		

Impact Analysis

The Project would require new construction of new utility infrastructure as described below.

Water Service

The Project will connect to the existing waterline located immediately east on US Highway 395

Sewer Service

The Project will connect to the existing sewer line in Holly Road adjacent to the project site.

Storm Drainage Improvements

The post-developed condition will mimic the same flow pattern as the pre-developed condition. Stormwater will begin to be generated at the southwesterly corner of the proposed asphalt parking lot and sheet flow northeasterly. Flows will then be concentrated in a concrete v-gutter that will flow northerly and then easterly parallel to the northerly property line of this parcel. A catch basin is proposed at the northeasterly corner along U.S. Highway 395. Stormwater will then be captured and transported to the underground infiltration chambers via a 12-inch storm drain pipe. Stormwater flows and volume that exceed the capacity of the 12-inch storm drain and underground infiltration chambers will release into the public right-of-way along Highway 395 in the same manner as the pre-developed condition.

Electric Power Facilities

The Project will connect to the existing Southern California Edison electrical distribution facilities available in the vicinity of the Project site.

Natural Gas Facilities

The Project will connect to the existing Southwest Gas Corporation natural gas distribution facilities available in the vicinity of the Project site.

Telecommunication Facilities

Telecommunication facilities include a fixed, mobile, or transportable structure, including, all installed electrical and electronic wiring, cabling, and equipment, all supporting structures, such as utility, ground network, and electrical supporting structures, and a transmission pathway and associated equipment in order to provide cable TV, internet, telephone, and wireless telephone services to the Project site. Services that are not provided via satellite will connect to existing facilities maintained by the various service providers.

Conclusion

Construction or installation of utilities and service systems may impact Biological Resources, Cultural Resources, Geology and Soils (Paleontological Resources), , and Tribal Cultural Resources. Mitigation Measures BIO-1 through BIO-9, CR-1 through CR-3, GEO-1, GEO-2, and TCR-1 and TCR-2 are required.

Threshold 4.19 (b). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple years?			✓	

Impact Analysis

The Project would be served with potable water by the Hesperia Water District. According to the California Emissions Estimator Model (CalEEMod), water demand for the project is estimate to be 3.04 Mgal per year (9.3 acre feet per year).

The district's water supply is obtained from groundwater located in the Alto Sub-Basin of the Mojave River Watershed and groundwater aquifer. The City's municipal water system extracts water from the underground aquifers through 15 groundwater wells located throughout the city. The Mojave Basin Area was the subject of a court ordered adjudication in 1993 due to the rapid growth within the area, increased withdrawals, and lowered groundwater levels. The court's Judgment appointed Mojave Water Agency (MWA) as Watermaster of the Mojave Basin Area.

The court ordered adjudication of the Mojave Basin Area allocating a variable free production allowance (FPA) to each purveyor that supplies more than 10 AFY, including Hesperia.[40]

Because almost all the water used within the Mojave Water Agency's service area is supplied by pumped groundwater, to supplement the local groundwater supplies, the Mojave Water Agency recharges the groundwater basins with State Water Project imported water, natural surface water flows, wastewater imports from outside the Mojave Water Agency's service area, agricultural depletion from storage, and return flow from pumped groundwater not consumptively used. The Mojave Water Agency's sources are only used to recharge the groundwater basins and are not supplied directly to any retailers, except for two power plants, the High Desert Power Project and the LUZ Solar Plant.

Each allocated FPA represents the purveyor's share of the water supply available from the MWA Subarea. FPAs are determined as a percentage of the purveyor's highest verified annual use from 1986 to 1990. The FPA, which is currently set at 80 percent of the Base Annual Production (BAP) for agriculture and 60 percent of BAP for municipal and industrial and industrial producers, can vary from year to year depending on the Watermaster's safe yield projections for the Basin. If Hesperia, or another purveyor, pumps more than its allotted FPA in any year, they are required to purchase replacement water equal to the amount of production in excess of the FPA. Replacement obligations are satisfied by paying MWA and then purchasing unused FPA within the subarea.

Pursuant to paragraph 24 (o) of the Judgment After Trial dated January 10, 1996, the Watermaster is required to make a recommendation to the Court for adjusting the FPA of each Subarea, if necessary. The city is located within the Alto Subarea. Based on the most recent (2021) annual report, the FPA in the Alto Subarea is within 5% of the Projected Safe Yield (PSY) of BAP (1.3%). Municipal and Industrial producers' FPA is within 5% of the indicated PSY at the current level of 55%. However, it is recommended that Agricultural producers' FPA be reduced by 5% to 60% for Water Year 2021-22. Municipal and industrial producers' FPA will remain at 55% for Water Year 2021-22. As noted above, FPA is within 5% (percentage of BAP) of PSY, and thus, the Watermaster is not compelled to recommend ramp down.[41]

Conclusion

Based on the analysis above, the Project's water demand of 8.67-acre feet per year can be accommodated by the Hesperia Water District during normal, dry, and multiple years.

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[40] Ibid.

[41] Mojave Area Basin Watermaster, available at: Watermasterhttps://www.mojavewater.org/files/28AR2021.pdf Annual Report for Water Year 2020-21 accessed on February 7, 2023.

Threshold 4.19 (c). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				✓

Impact Analysis

The Project proposes to utilize a septic tank to handle the wastewater. Due to this, there would be no impact on the capacity of the City's wastewater demands.

Threshold 4.19 (d). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Generate solid waste more than State or local standards, or more than the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			✓	

Impact Analysis

Construction Related Impacts

The California Green Building Standards Code ("CAL Green') requires all newly constructed buildings to prepare a Waste Management Plan and divert construction waste through recycling and source reduction methods. The City of Victorville Building and Safety Department reviews and approves all new construction projects required to submit a Waste Management Plan. Mandatory compliance with CAL Green solid waste requirements.

Operational Related Impacts

The Project is estimated to generate 12.68 tons of solid waste per year[42]. The amount of estimated solid waste generated by the Project is derived from the California Emissions Estimator Model, which is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and greenhouse gas (GHG) emissions associated with both

[42] Appendix A-*Sangha Trucking CalEEMod Datasheets.*

construction and operations from a variety of land use projects. The model also quantifies the amount of solid waste generated by a project. The program uses annual waste disposal rates from the California Department of Resources Recycling and Recovery (CalRecycle) data for individual land uses.

Although solid waste may ultimately be disposed of at various landfills, the closest landfill to the Project site is the Victorville Sanitary Landfill located at 18600 Stoddard Wells Road, approximately 19.5 miles to the north. According the CalRecycle website, the Victorville Sanitary Landfill has a daily throughput of 3,000 tons per day and a remaining capacity of 93,400,000 cubic yards. The expected closure is October 1, 2047.[43] As such, there is adequate landfill capacity to serve the Project.

Threshold 4.19 (e). Would the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			✓	

Impact Analysis

Advance Disposal currently provides solid waste collection services to the city. Advance is required to provide these services in compliance with federal, state, and local management and reduction statutes and regulations related to solid waste.

[43] https://www.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1870?siteID=2652, accessed on February 7, 2023.

4.20 Wildfire

Threshold 4.20 (e). Wildfire.	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Is the project located in or near state responsibility areas or lands classified as very high fire hazard severity zones?				✓

Impact Analysis

A wildfire is a nonstructural fire that occurs in vegetative fuels, excluding prescribed fire. Wildfires can occur in undeveloped areas and spread to urban areas where the landscape and structures are not designed and maintained to be ignition resistant. As stated in the State of California's General Plan Guidelines: "*California's increasing population and expansion of development into previously undeveloped areas is creating more 'wildland-urban interface' issues with a corresponding increased risk of loss to human life, natural resources, and economic assets associated with wildland fires*." To address this issue, the state passed Senate Bill 1241 to require that General Plan Safety Elements address the fire severity risks in State Responsibility Areas (SRAs) and Local Responsibility Areas (LRAs).

According to the *California Fire Hazard Severity Zone Viewer* maintained by Cal Fire, the Project site is not located within a high wildfire hazard area[44]. Project site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. As such, Thresholds 4.20 (a) through 4.20 (d) below require no response.

- □ Substantially impair an adopted emergency response plan or emergency evacuation plan.

- □ Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

- □ Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

- □ Expose people or structures to significant risks, including downslope or downstream flooding or landslides, because of runoff, post-fire slope instability, or drainage changes.

[44]https://egis.fire.ca.gov/FHSZ/, accessed on June 10, 2022.

4.21 Mandatory Findings of Significance

Threshold 4.21(a) Does the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		✓		

Impact Analysis

As indicated in this Initial Study, Biological Resources, Cultural Resources, Soils and Geology, and Tribal Cultural Resources may be adversely impacted by Project development. The following mitigation measures are required to reduce impacts to less than significant levels:

- BIO-1: Western Joshua Tree Incidental Take Permit.
- BIO-2: Burrowing Owl Pre-Construction Survey.
- BIO-3: Burrowing Owl Avoidance/Relocation.
- BIO-4: Mojave Ground Squirrel Pre-Construction Survey.
- BIO-5: Desert Tortoise Pre-Construction Survey.
- BIO-6: Worker Environmental Awareness Training
- BIO-7: Deceased or Injured Tortoise Within the Project Site
- BIO-8: Species Avoidance
- BIO-9: Nesting Bird Pre-Construction Survey

- CR-1: Resource Discovery
- CR-2: Monitoring and Treatment Plan
- CR-3: Inadvertent Discovery of Human Remains

- GEO-1: Inadvertent Discovery of Paleontological Resources
- GEO-2: Paleontological Treatment Plan

- TCR-1: Contact Yuhaaviatam of San Manuel Nation

- TCR-2: Documentation of Tribal Cultural Resources

Threshold 4.21 (b) Does the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a Project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		✓		

The cumulative impacts analysis provided here is consistent with Section 15130(a) of the CEQA Guidelines in which the analysis of the cumulative effects of a project is based on two determinations: Is the combined impact of this project and other projects significant? If so, is the project's incremental effect cumulatively considerable, causing the combined impact of the projects evaluated to become significant? The cumulative impact must be analyzed only if the combined impact is significant, and the project's incremental effect is found to be cumulatively considerable (CEQA Guidelines 15130(a)(2) and (3)).

The analysis of potential environmental Impacts in Section 4.0, *Environmental Analysis*, of this Initial Study concluded that the Project would have *no impact* or a *less than significant impact* for all environmental topics, apart from Biological Resources, Cultural Resources, Geology and Soils (Paleontological Resources), Tribal Cultural Resources, and Utilities and Service Systems (installation of facilities that involves disturbance of previously undisturbed land). For these resources, Mitigation Measures are required to reduce impacts to less than significant levels as discussed below.

Biological Resources

As discussed in Section 4.4, *Biological Resources,* of this Initial Study, future development of the site would be unlikely to impact the general biological resources present on the site, and most of the vegetation has already been removed from the site. Wildlife will also be impacted by development activities and those species with limited mobility (i.e., small mammals and reptiles) will experience increases in mortality during the construction phase. More mobile species (i.e., birds, and large mammals) will be displaced into adjacent areas and will likely experience minimal impacts.

As shown in Figure 4.4.1, *Location of Joshua Trees,* preservation or relocation on-site is not a viable option and would essentially prevent the development of the site as envisioned under the City's General Plan. Therefore, Mitigation Measure BIO-1 is recommended.

Although wildlife 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 Wildlife or U.S. Fish and Wildlife Service were not detected, the project site is located within the range of the Burrowing Owl, Mojave Ground Squirrel, Desert Tortoise, and Nesting Birds. Therefore, the Mitigation Measures BIO-1 through BIO-9 are included to ensure any impacts are less than significant to these species.

Overall, the loss of about 4.4 -acres of disturbed desert vegetation is not expected to have a significant cumulative impact on the overall biological resources in the region given the presence of similar habitats throughout the surrounding desert region. Based on the preceding analysis, the Project's impacts would not be cumulatively considerable.

Cultural Resources

As discussed in Section 4.5, *Cultural Resources,* of this Initial Study, the records search and field survey did not identify any historical resources or unique archaeological resources within the Project site boundaries. Research results, combined with surface conditions have failed to indicate sensitivity for buried cultural resources. No additional cultural resources work, or monitoring is necessary during the proposed activities associated with the development of the earthmoving activities. If previously undocumented cultural resources are identified during earthmoving activities, a qualified archaeologist should be contacted to assess the nature and significance of the find, diverting construction excavation, if necessary, as required by Mitigation Measure CR-1 through CR-3. Based on the preceding analysis, the Project's impacts would not be cumulatively considerable.

Geology and Soils (Paleontological Resources)

As discussed in Section 4.7, *Geology and Soils,* of this Initial Study, the property is situated in the Mojave Desert geomorphic province. The Mojave Desert province is a wedge-shaped area that is enclosed on the southwest by the San Andreas fault zone, the Transverse Ranges province, and the Colorado Desert province, on the north and northeast by the Garlock fault zone, the Tehachapi Mountains and the Basin and Range province, and on the east by the Nevada and Arizona state lines, and the Colorado River. The area is dominated by broad alluvial basins that are mostly aggrading surfaces that are receiving non-marine continental deposits from the adjacent upland areas. More specific to the subject property, the site is in an area geologically mapped to be underlain by alluvium. Alluvium has the potential to contain paleontological resources. Therefore, Mitigation Measures GEO-1 and GEO-2 are required. Based on the preceding analysis, the Project's impacts would not be cumulatively considerable.

Tribal Cultural Resources

As discussed in Section 4.18, *Tribal Cultural Resources*, of this Initial Study, the construction and operation of the Project could potentially impact tribal cultural resources. Per theAB52 tribal consultation process, Mitigation Measures TCR-1 and TCR-2 are required. Based on the preceding analysis, the Project's impacts would not be cumulatively considerable.

Utilities and Service Systems

As discussed in Section 4.19 *Utilities and Service Systems*, of this Initial Study, the installation and construction of the septic tank, water, and storm drainage facilities described below will result in earth moving that may impact Biological Resources, Cultural Resources, Geology and Soils (Paleontological Resources), and Tribal Cultural Resources. Potential impacts to these resources are mitigated by Mitigation Measures BIO-1 through BIO-6, CR-1 through CR-3, GEO-1 and GEO-2, and TCR-1 and TCR-2. Based on the preceding analysis, the Project's impacts would not be cumulatively considerable.

Threshold 4.21 (c) Does the Project:	Potentially Significant or Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?			✓	

As indicated by this Initial Study, the Project will not result in potentially significant environmental impacts that directly affect human beings (i.e., Air Quality, Agriculture and Forestry Resources, Energy, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Public Services, Recreation, Transportation, and Utilities and Service Systems.