THE CITY OF HESPERIA
9700 Seventh Avenue
Hesperia, California 92345
Phone: (760) 947-1000

ENVIRONMENTAL INITIAL STUDY

Project Title:	Pallet Storage Facility
City Project No.:	SPRR23-00005
Lead Agency	The City of Hesperia 9700 Seventh Avenue Hesperia, CA 92345 Phone: (760) 947-1000
Project Sponsor's Name and Address:	PLA Buyer LLC & Care of CIRE Investment Services LLC 530 B Street, Suite 2050 San Diego, CA 92101
Contact Person And Phone Number:	Edgar Gonzalez, Senior Planner 760-947-1330
Project Location:	6730 E. Santa Fe Avenue Hesperia, CA 92345 APN: 0397-113-03 (3.00 acres) APN: 0397-121-03 (2.54 acres) APN: 0397-113-04 (0.6 acres)
Existing Zoning Designation:	I1 – Limited Manufacturing/Industrial
Existing General Plan Designation:	I1 – Limited Manufacturing
Preparer:	Terra Nova Planning & Research, Inc. 42635 Melanie Place, Suite 101 Palm Desert, CA 92211

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PROJECT DESCRIPTION

The Project proposes a wood pallet refurbishment and storage facility on two parcels of a three parcel holding located at the south end of Santa Fe Avenue East of the intersection of Jenny Street in Hesperia, California. Parcel 0397-113-03, located at 6730 Santa Fe Avenue East, is 3.53 acres in size and contains a 21,832 square-foot warehouse where the wood pallets will be refurbished for reuse. The adjacent vacant north parcel (0397-121-03) is 2.54 acres in size and will be the site of the outdoor pallet storage yard. A third parcel, 0397-113-04, consists of 0.6 acres and is under the same ownership, and will be merged with the adjacent parcels, but will remain vacant. On the existing warehouse parcel (referred to as the south parcel in this document), the Project will entail enhancements to the existing warehouse, the addition of a loading dock, construction of a new asphalt concrete parking lot, the addition of a new curb cut and a new driveway. The pallet storage yard on the north parcel will be an asphalt surface and will be accessed via the south parcel; there will be no street access to the north parcel. New road surface along one-half of Santa Fe Avenue East in front of both parcels will be constructed. Stormwater mitigation measures will be implemented on both parcels. Drought-tolerant landscaping will be installed around the perimeter of the pallet yard; vegetated swales will be installed along the front edges of each parcel facing the street. The Project will retain the existing chain link security fencing at the rear of the site. All other fencing will be composed of decorative split-face block to serve as screening for the existing dock doors and the proposed outdoor storage.

Table 1
Project Summary

Use	Square Feet
Existing Warehouse	21,831.9
Warehouse Parking	30 spaces
Fire Lane	42,666
Driveway and Other Asphalt Surface	85,957
Pallet Yard	67,734
Landscaped and Vegetated Area	33,717

Current Conditions

Per the City of Hesperia General Plan 2010, the land use and zoning designation for the three Project parcels is Limited Manufacturing/Industrial (I1), which allows "transportation equipment, building equipment and materials, indoor manufacturing uses, and similar uses"[1] This Project aligns with the city's Industrial Land Use goals of developing new industrial businesses and services within appropriate zoning designations for these uses. The Project also aligns with the city's Sustainability Land Use goals of reusing and repurposing existing buildings and construction materials and siting businesses on previously developed and infill lots to reduce impacts to the surrounding environment.

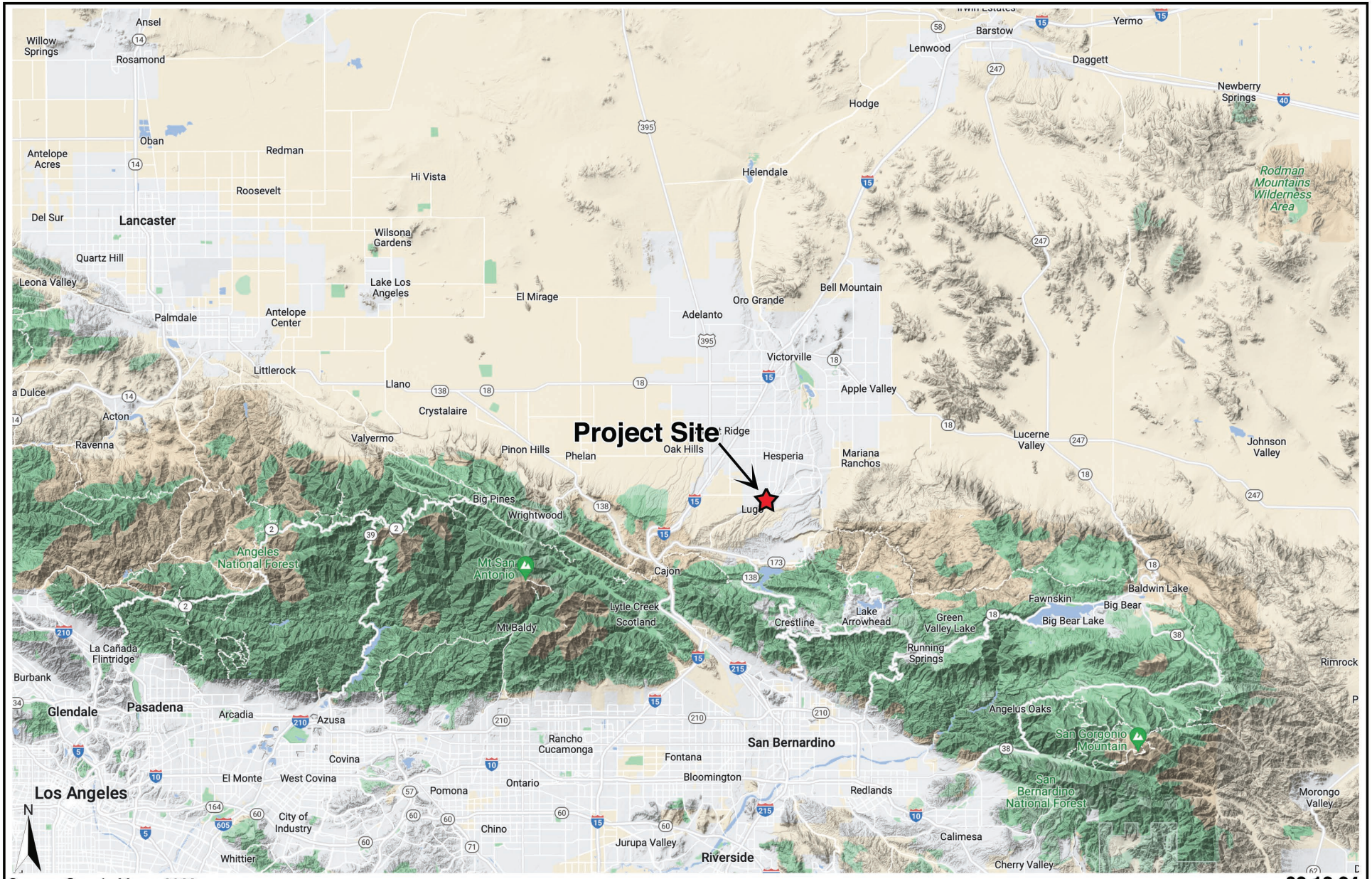
The south parcel with the 21,831.9 square-foot warehouse was recently occupied by the previous business, a truck accessories shop. A chain link security fence runs the perimeter of the parcel. The aged concrete driveway and parking area will be replaced and restriped. Much of the undeveloped portion of the parcel consists of disturbed soil where truck parts and other materials were stored and will be converted to a parking area and fire lane. The north undeveloped vacant parcel which will hold the proposed outdoor pallet storage yard and currently contains a mix of disturbed weedy ground cover vegetation, several small clusters of juniper trees and two Joshua trees. The Joshua tree is a protected species, and the two trees will be subject to the requirements of the Joshua Tree Protection Act (please see Biological Resources in Section 3).

[1] City of Hesperia General Plan 2010, Land Use Element, p. LU-49.

Project Location and Limits
The entire Project site occurs on a narrow strip of land along Santa Fe Avenue East and is oriented northeast to southwest. Ranchero Road intersect Santa Fe Avenue East at the north end of the light industrial strip of land and Jenny Street bordering the south edge of the site both run east-west. Immediately east of Santa Fe Avenue East lies the Hesperia Airport, a small privately owned airport that serves single engine aircraft. The Project site faces the airport runway which extends southward parallel to Santa Fe Avenue East and ends at Jenny Street. Immediately west behind the proposed Project is the Burlington North Santa Fe (BNSF) railway. Surrounding land uses are:

- South/Southwest: Industrial-Limited Manufacturing extends across Jenny Street to the Hesperia city boundary.
- Southeast corner: Rural Residential RR (SD)
- East of the Airport: Single-Family Residential R1-18,000
- West of the Railroad: Single-Family Residential R1-18,000

Utilities and Service Providers:
Domestic Water: Hesperia Water District
Wastewater Facility: On-site Septic
Electricity: Southern California Edison
Gas: Southwest Gas Corporation
Solid Waste: Advanced Disposal
Fire: San Bernardino County Fire Department
Police: San Bernardino County Sheriff's Department



Source: Google Maps, 2023

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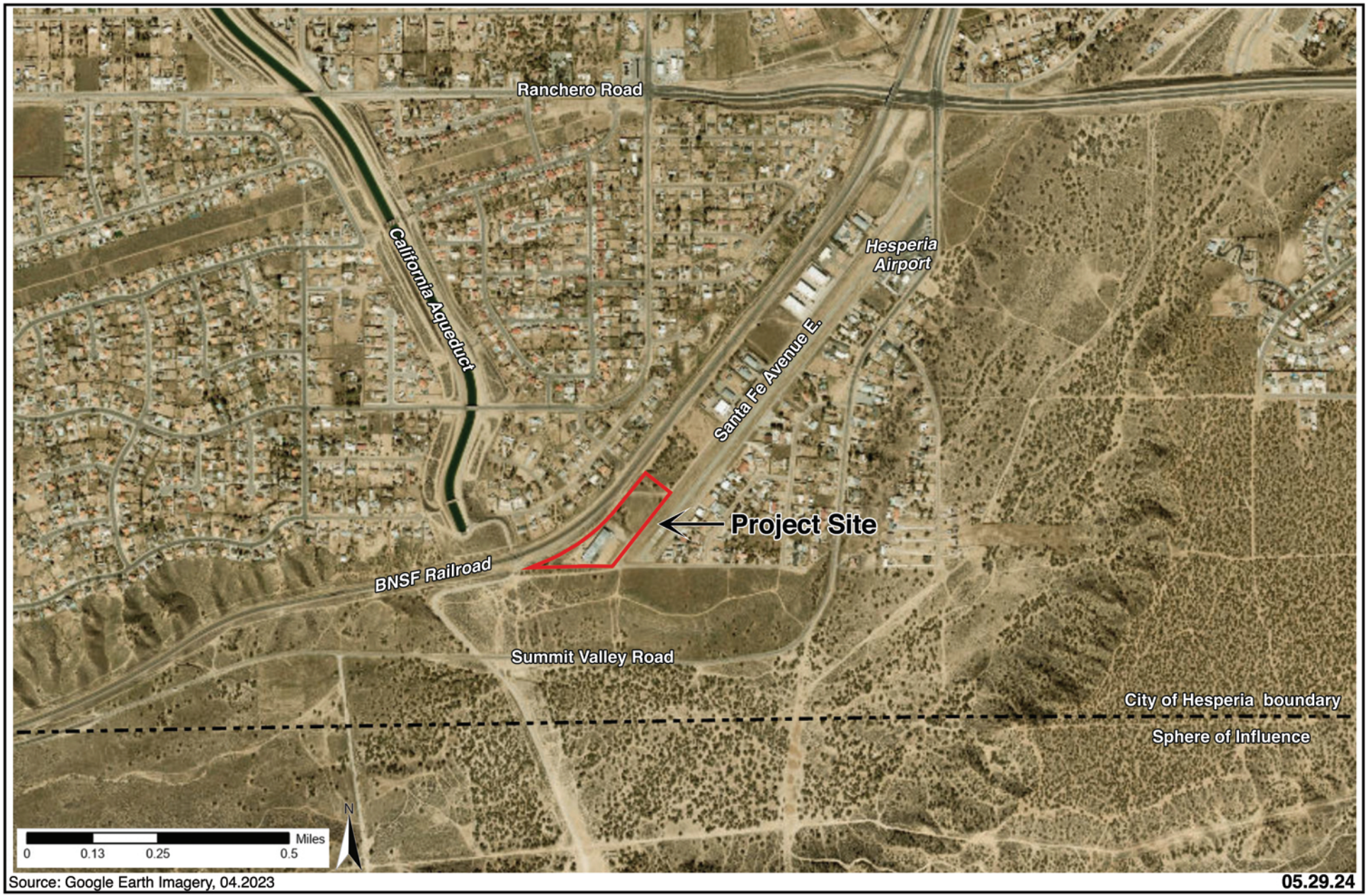
Wood Pallet Recycling and Storage Facility
Regional Location Map
Hesperia, California

Exhibit

1



Source: Google Earth Imagery, 04.2023

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Wood Pallet Recycling and Storage Facility
Project Vicinity Map
Hesperia, California

Exhibit
2

Source: Google Maps, 2023

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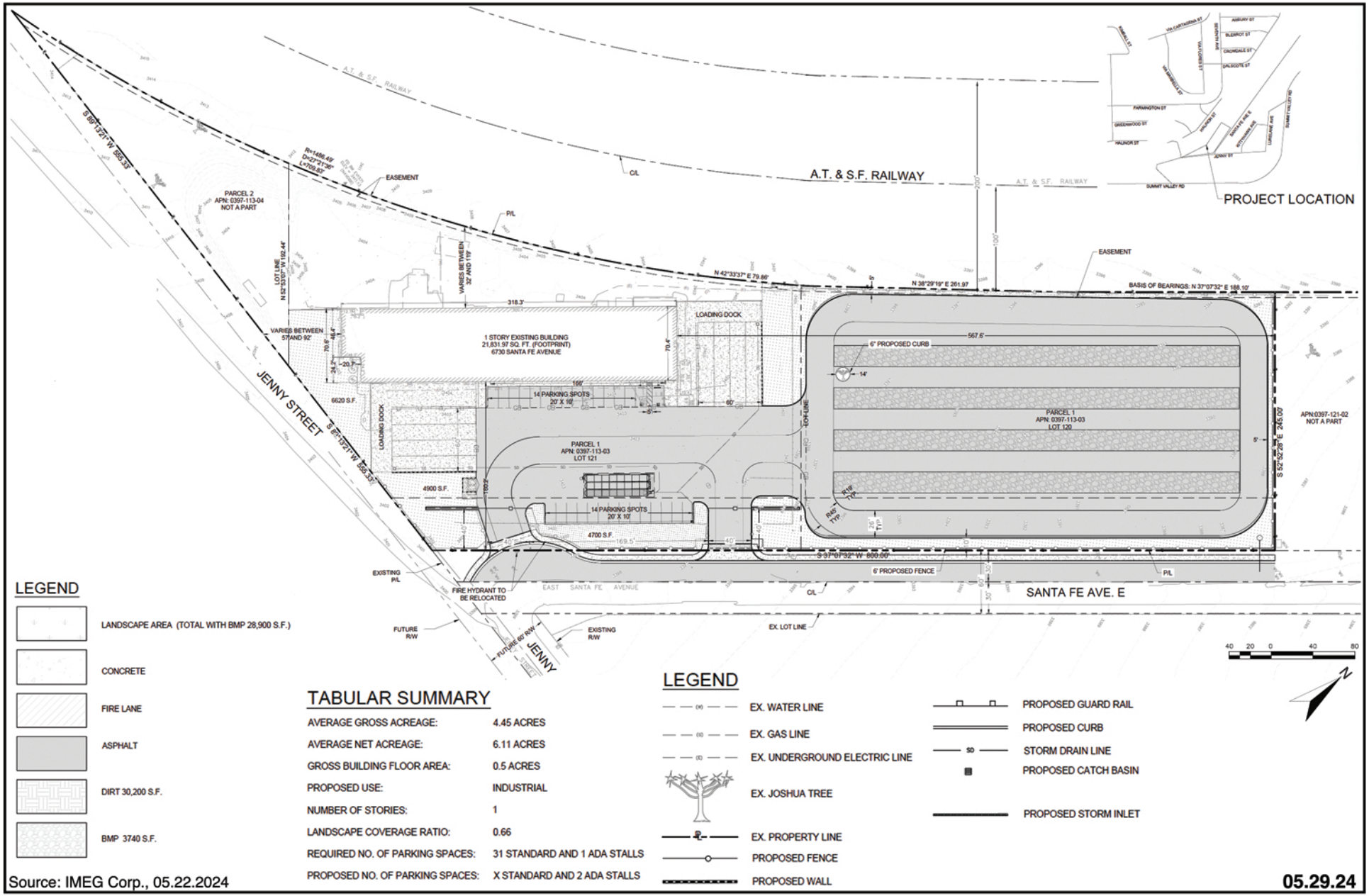
Wood Pallet Recycling and Storage Facility
Project Location
Hesperia, California

Exhibit
3



LEGEND

- LANDSCAPE AREA (TOTAL WITH BMP 28,900 S.F.)
- CONCRETE
- FIRE LANE
- ASPHALT
- DIRT 30,200 S.F.
- BMP 3740 S.F.

Source: IMEG Corp., 05.22.2024

TABULAR SUMMARY

AVERAGE GROSS ACREAGE:	4.45 ACRES
AVERAGE NET ACREAGE:	6.11 ACRES
GROSS BUILDING FLOOR AREA:	0.5 ACRES
PROPOSED USE:	INDUSTRIAL
NUMBER OF STORIES:	1
LANDSCAPE COVERAGE RATIO:	0.66
REQUIRED NO. OF PARKING SPACES:	31 STANDARD AND 1 ADA STALLS
PROPOSED NO. OF PARKING SPACES:	X STANDARD AND 2 ADA STALLS

LEGEND

- EX. WATER LINE
- EX. GAS LINE
- EX. UNDERGROUND ELECTRIC LINE
- EX. JOSHUA TREE
- EX. PROPERTY LINE
- PROPOSED FENCE
- PROPOSED WALL
- PROPOSED GUARD RAIL
- PROPOSED CURB
- STORM DRAIN LINE
- PROPOSED CATCH BASIN
- PROPOSED STORM INLET

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Wood Pallet Recycling and Storage Facility
Site Plan
Hesperia, California

Exhibit

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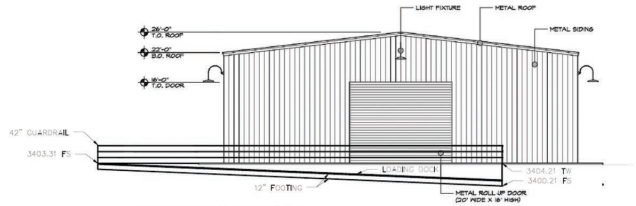
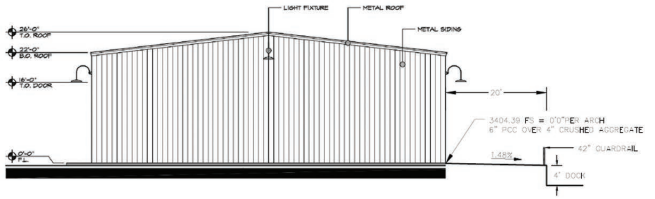
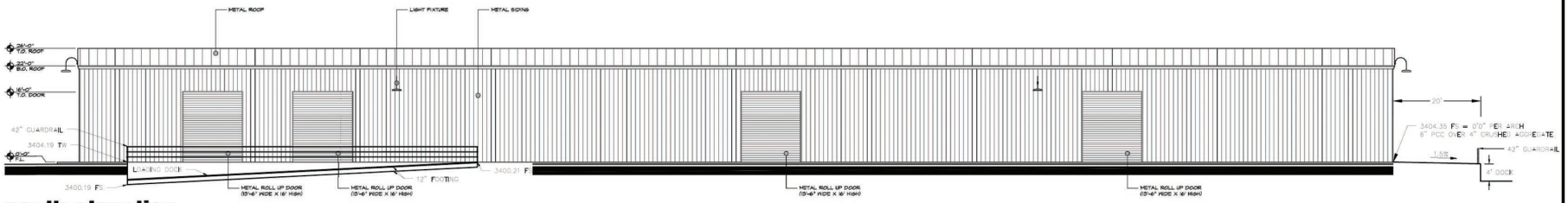


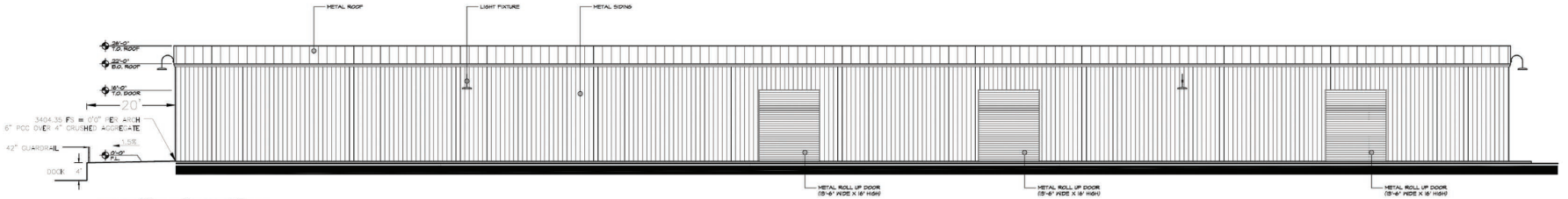
east elevation



west elevation



south elevation



north elevation

Source: IMEG Corp., 06.30.2023

02.12.24

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Wood Pallet Recycling and Storage Facility
Existing Elevations
Hesperia, California

Exhibit

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EVALUATION OF ENVIRONMENTAL IMPACTS:

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐	Aesthetics	☐	Agriculture and Forestry Resources	☐	Air Quality
☐	Biological Resources	☐	Cultural Resources	☐	Energy
☐	Geology /Soils	☐	Greenhouse Gas Emissions	☐	Hazards & Hazardous Materials
☐	Hydrology / Water Quality	☐	Land Use / Planning	☐	Mineral Resources
☐	Noise	☐	Population / Housing	☐	Public Services
☐	Recreation	☐	Transportation	☐	Tribal Cultural Resources
☐	Utilities / Service Systems	☐	Wildfires	☐	Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)
On the basis of this initial evaluation:

☐	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
☒	I find that although the proposed project 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 proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
☐	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
☐	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact 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. 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 potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

	7/9/24 Date:

1. AESTHETICS – Except as provided in Public Resource Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Sources: City of Hesperia General Plan.

Background

The City of Hesperia is located between the Mojave Desert to the north and the foothills of the San Bernardino Mountains to the south. The City is isolated from urban cities including San Bernardino, approximately 35 miles to the south, Los Angeles, approximately 80 miles to the southwest, and Palm Spring, approximately 90 miles to the southeast. The City's incorporated area is approximately 110 square miles of desert landscape and development.

The proposed Project is located on the northwest side of E. Santa Fe Avenue and Jenny Street between the BNSF railroad to the west and the Hesperia Airport to the east. The Project's site includes three parcels oriented northeast to southwest with an elevation of approximately 3,400 to 3,420 feet above mean sea level (AMSL)[2]. Limited Manufacturing (I1) land-use and zoning designation are assigned to all three parcels. The south parcel has an existing 21,831 square-foot warehouse formerly used for the commercial sale of truck accessories. The north parcel is approximately 266,353 square-foot (or 6.11 acres) of undeveloped and vacant land with dense desert vegetation. The Project's intended land-use includes a wood pallet restoration facility and an open-air pallet storage yard. The warehouse will remain a single-story sheet-metal building, only it will be renovated and repurposed to operate as a restoration facility. The existing roadway will be improved with new asphalt concrete. The undeveloped parcel will be cleared and paved to house wood pallets, and fencing will run along the site's perimeter.

The City mandates I1 land-use development to allocate a minimum of 8-feet of front yard and 5-feet of side street yard to landscaping, totaling to 5% of the site's area for landscape coverage (Ordinance Code §16.16.350 and §16.20.630). In addition, under the City's General Plan Implementation Policy OS 2.2, the City requires all developments to preserve natural resources such as scenic vistas that consist of the Mojave River, the surrounding Victor Valley, and the neighboring hillsides. The nearest scenic resource to the site is the San Bernardino Mountains, approximately 5 miles south.

[2] BCR Consulting LLC, Cultural Resources Assessment, 2023.

Discussion of Impacts

a) **No Impact.** Located at 6730 E. Santa Fe Avenue, the Project is in an urbanized area of Hesperia that supports residential and small-scale industrial development. The area consists of industrial facilities to the north and vacant undeveloped land to the south. To the east and west, beyond the railroad and airport, the area consists of moderate to high density single-family residential communities. Currently, the Project area is a mix of developed and undeveloped parcels.

The south parcel is developed and houses an existing 21,831 square-foot warehouse, previously used for the commercial sell of truck accessories. The warehouse, once renovated, will reach a maximum height of 26 feet which is well within the 50-foot height limit for an I1 development (Ordinance Code §16.16.350). The north parcel is undeveloped and vacant.

From the subject property, the scenic view consists of valley hills and the San Bernardino Mountains to the south. The Project site is approximately 5 miles south of the San Bernardino Mountains foothill, and approximately 5 miles east of the Mojave River. The Mojave River is not visible from the site. Nevertheless, the site's scenic landscape consisting of dry desert vegetation to the south and mountain views covering the horizon in all directions, is indicative of the Victor Valley area.

Overall, the Project is located in a narrow and isolated strip of land bound by industrial facilities to the north, undeveloped lands to the south, the Hesperia Airport to the east, and the BNSF railroad to the west. The site does not obstruct the visibility of the San Bernardino Mountains to the south or the Mojave River towards the north. Also, the Project does not disturb or uproot existing Joshua Trees on-site. The scenic vistas and the scenic resources indicative of Hesperia are not expected to be altered or substantially impacted from the Project's development. No impact is anticipated.

b) **No Impact.** A Joshua Tree is located on the northwest corner of the parcel. As a result, the development is required to implement conservation measures to ensure the protection of the Joshua Tree since it is classified as a scenic resource by the City's General Plan and a native plant protected by the State Desert Native Plants Act (Ordinance Code §16.24.150). In accordance with these requirements, the site plan proposes a 6-inch curb around the tree to function as a buffer and thereby reduce potential impacts.

No other scenic resources (rocks or historic structures) occur on the property. The scenic resources indicative of Hesperia are not expected to be altered or substantially impacted from the Project's development. No impact is anticipated.

c) **No Impact.** The Project proposes the development of a wood pallet restoration facility and an outdoor pallet storage yard on two parcels designated as I1. The land-use designation allows for small scale industrial activities such as the one intended by the Project. Under these conditions, the Project is subject to local land use specific policies and regulations and as currently planned, the Project will comply with all standards of the Zone, thereby eliminating potential impacts.

The Project will repurpose the current industrial warehouse located on the south parcel, in a land use district intended for industrial uses. For this reason, the Project is not expected to substantially degrade the visual character or quality of the public view that the warehouse has not already contributed to, if any. Additionally, the outdoor storage yard will remain a flat open space which is unlikely to create a significant obstruction to a scenic resource.

The Project is expected to comply with zoning designations and all regulations regarding scenic resources as required by the City's General Plan and Zoning Ordinance. No impact will occur.

d) **Less Than Significant Impact.** The proposed industrial facility is expected to operate during daytime working hours. The light fixtures on-site are located around the warehouse's perimeter and have shields to focus the light downwards and reduce glare in accordance with the City's Ordinance §16.20.135. Any impact is reduced in compliance with the City's standards and regulations. Impacts will be less than significant.

Mitigation: None required.

Monitoring: None required.

2. AGRICULTURE AND FORESTRY RESOURCES -- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) 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?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forestland (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))?	☐	☐	☐	☒
d) Result in the loss of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	☐	☐	☐	☒

Sources: City of Hesperia General Plan 2010; Hesperia, California Municipal Code September 2023; California Department of Conservation, Farmland Mapping & Monitoring Program, 2022.

Background

The Hesperia General Plan Land Use Map designates approximately 10% of the City's total acreage as agricultural area. This designation resides in the rural northern sections of Hesperia where the minimum parcel size is one acre to five acres. Agricultural permitted uses include the keeping of larger animals and livestock such as equestrian stables and dairy operations, as well as uses requiring smaller footprints such as dog kennels and veterinary hospitals. The Project site parcels are zoned for Industrial-Limited Manufacturing (I1), a designation that does not include any agricultural uses. The nearest agriculture designation is .63 miles north of the Project site on the north side of Ranchero Road.

Discussion of Impacts

a) **No Impact.** According to the California Department of Conservation's Important Farmland Finder, the Project site sits on Urban and Built-Up Land. There is no Prime Farmland, Farmland of Statewide Importance, or Unique Farmland on or near the Project site. The land south of Jenny Street is labeled as Grazing Land, which means that the vegetation can accommodate livestock grazing. The Project will occur on the north side of Jenny Street and it will not impact any of the Grazing Land on the south side. There will be no impact to Prime Farmland.

b) **No Impact.** The Project site is not under a Williamson Act contract and is not zoned for agricultural uses. There will be no impact.

c) **No Impact.** The Project parcels are zoned for Industrial-Limited Manufacturing (I1), which does not support forest land, timberland, or Timberland Production Zone uses. Hence, the Project will not impact the existing zoning designations.

d) **No Impact.** There are no forestry zones, timberland production zones or lands in forestry production adjacent to the Project site. There will be no loss of forest land to non-forest use.

e) **No Impact.** There are no farmlands or forestry lands adjacent to the Project site. No conversion of existing lands is possible. There will be no impacts to agricultural or forestry production.

Mitigation: None required.

Monitoring: None required.

3. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) 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?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☒

Sources: MDAQMD CEQA and Federal Conformity Guidelines, February 2020; MDAQMD Rule Book, 2021; 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, of Hesperia, November 2023; Table E-5, City and County Population and Housing Estimates, California Department of Finance, May 2023.

Background

The City of Hesperia is within the Mojave Desert Air Basin (MDAB), a large geographic region encompassing the high desert of San Bernardino County, portions of eastern Kern County, northeastern Los Angeles County, and the Palo Verde Valley of eastern Riverside County. In compliance with federal and state air pollution standards, the Mojave Desert Air Quality Management District (MDAQMD) is the agency responsible for monitoring air pollution across the San Bernardino and Riverside County portions of the Mojave Desert Air Basin.

Ambient air quality standards (AAQS) establish emissions thresholds that are designed to protect human health and environmental factors. An ambient air quality standard stipulates the maximum amount of a pollutant that can be present in the air during a specific period of time and not cause harmful effects on the most sensitive members of the community and natural resources. If that pollutant's concentration in the air is at or below the threshold, then the area is said to be in attainment, while non-attainment areas experience pollution levels above the AAQS.

Ambient air quality standards for the MDAB are subject to federal guidelines known as National Ambient Air Quality Standards (NAAQS), as well as state guidelines referred to as California Ambient Air Quality Standards (CAAQS). Each set of AAQS focuses on certain criteria pollutants which together include the following.

Carbon Monoxide (CO) is a colorless and odorless gas emitted from the incomplete combustion of all fossil fuels including oil, coal, and natural gas. It interrupts the delivery of oxygen to the brain and can cause dizziness, headaches, and nausea.

Oxides of Nitrogen and Nitrogen Dioxide (NO_2) is a yellow-brown colored gas that forms when nitric oxide, emitted primarily from burning of petroleum gas, combines with atmospheric oxygen. NO2. This causes lung damage and breathing difficulties.

Reactive Organic Gases (ROG)/Volatile Organic Compounds (VOCs) are primary pollutants that form secondary pollutants, or photochemical smog, when they react with ultraviolet sunlight in the atmosphere.

Sulfur Dioxide (SO_2) is a colorless and pungent gas emitted from coal and oil power plants, refineries, and diesel engines. It can irritate eyes, nose, and airways and cause shortness of breath.

Particulate Matter (PM_{10} and $PM_{2.5}$) refers to suspended air particles with a width of 10 microns down to 2.5 microns. These very small particles may occur as liquid or solid, and when they are inhaled, they cause damage to the respiratory system and aggravate respiratory illnesses.

Lead (Pb) is emitted from metals processing facilities, combustion of leaded fuel, manufacturing of lead-acid batteries. Lead can damage the nervous system, kidneys, and interfere with developmental and reproductive systems.

Ozone (O_3) is a secondary pollutant that forms in the atmosphere when nitrogen oxides and other reactive gases react with ultraviolet sunlight. Ozone can damage the respiratory system and aggravate existing respiratory illnesses and it also damages vegetation.

Sulfate, Hydrogen Sulfide (H_2S) is the rotten egg smelling gas emitted from geothermal power plants, petroleum production and sewer systems. It can cause skin and respiratory damage and lead to headaches.

Vinyl Chloride is a colorless gas with a mild, sweet smell. Vinyl chloride is used in the production of polyvinyl chloride (PVC) and other vinyl products. Long-term occupational exposure is the most concerning risk.

Table 2
MDAQMD Emissions Thresholds

Criteria Pollutant	Annual Threshold (short tons)	Daily Threshold (pounds)
Carbon Monoxide	100	548
Oxides of Nitrogen (NO_x)	25	137
Reactive/Volatile Organic Compounds (ROG/VOC)	25	137
Oxides of Sulfur	25	137
Particulate Matter (PM_{10})	15	82
Fine Particulate Matter ($PM_{2.5}$)	12	65
Hydrogen Sulfide (H_2S)	10	54
Lead (Pb)	0.6	3
Source: MDAQMD CEQA Guidelines (February 2020)		

Discussion of Impacts

a) **No Impact.** The Project is located in the Mojave Desert Air Basin and is under the jurisdiction of the MDAQMD. According to the MDAQMD, projects that are consistent with employment and population forecasts projected by the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (2020 RTP/SCS) prepared by the Southern California Association of Governments (SCAG) are also consistent with the MDAQMD growth projections. The 2020 RTP/SCS was adopted by SCAG in compliance with the Sustainable Community and Climate Protection Act (SB 375) and forms the basis for the MDAQMD air

quality standards and plans. As of January 2023, the City's population is 100,041 and 31,020 households.[3] The 2020 RTP/SCS projects that by 2045 Hesperia's the population will increase to 168,100 and 53,200 households.

According to the MDAQMD, if a project is consistent with the land use plan that was used in the analysis of the growth forecast, the project is assumed to conform with the growth forecast. The Project is located on three parcels that have a General Plan land use and zoning designation of Limited Industrial (I1). The proposed use of the Project conforms to the uses permitted under the I1 designation which allows "transportation equipment, building equipment and materials, indoor manufacturing uses, and similar uses."[4] Because the Project conforms to the City's land use designation that was used to calculate MDAQMD growth projections, the Project's use of the site has been included in the growth forecast and is therefore consistent with the MDAQMD air quality plan. Therefore, the Project will not impact the MDAQMD air quality plan.

Finally, if a project applies air quality control measures per the MDAQMD Rule Book, as this Project and all projects within the City must do, then the MDAQMD CEQA Guidelines consider the project to be in conformity. This Project is subject to Rule 201, which requires developments to obtain a permit for the Air Pollution Control Office, and Rule 1300 which ensures that the Project does not interfere with the "attainment and maintenance of Ambient Air Quality Standards."[5]

The Project is consistent with employment and population forecasts prepared by the 2020-2045 RTP/SCS as well as the MDAQMD growth projections. The Project is also consistent with the land use plan that was used in the analysis of the growth forecast. Air quality control measures as required by MDAQMD will be applied. Therefore, compliance with the local, regional, and state guidelines and standards would ensure that the Project will not conflict with or obstruct the implementation of the applicable air quality plan. There will be no impact on the implementation of the applicable air quality plan.

b) Less Than Significant Impact. If a project will generate a cumulatively considerable net increase of a criteria pollutant for which the project area is in non-attainment under the federal and state ambient air quality standards, then the project is determined to have a significant impact. The MDAB is designated as an area of non-attainment for PM_{10} and ozone thresholds according to both the NAAQS and CAAQS. In response, the MDAQMD has adopted and updated attainment plans to bring concentration levels of PM_{10} and ozone into federal compliance. The Mojave Desert Planning Area Federal PM_{10} Attainment Plan was adopted in 1995. Most recently, the MDAQMD Federal 8-Hour Ozone Attainment Plan for the Western Mojave Desert Non-attainment Area was adopted January 2023.

Precursors to ozone are nitrogen oxides (NOx), carbon monoxide (CO), and volatile organic compounds/reactive organic gases (VOC/ROG). If the Project's construction and/or operational emissions exceed the MDAQMD thresholds for these pollutants, then the impacts would be significant and out of compliance with NAAQS and CAAQS. Project emissions were calculated using the California Emissions Estimator Model (CalEEMod) Version 2022.1 for the following land uses: general light industry, parking lot, other asphalt surfaces and other non-asphalt surfaces. The Project site will include an existing warehouse, an outdoor storage area for wooden pallets, improvements to the driveway, fire lane and parking area, and drought tolerant landscaping. Emissions calculations were based on a warehouse area of 21,832 square feet, landscaped area of 33,717 square feet, 30 parking spaces, and other asphalt surfaces of 110,000 square feet.

[3] Table E-5, City and County Population and Housing Estimates, California Department of Finance, May 2023.
[4] City of Hesperia General Plan 2010, Land Use Element, p. LU-49.
[5] Rule 1300, New Source Review General, MDAQMD Rule Book, March 22, 2021.

Construction Impacts

The construction phase is expected to extend over five months and the Project should be operational by early 2025. Table 3 provides the construction maximum daily emissions of each criteria pollutant pertaining to non-attainment that can be expected during construction. The Project would not exceed the MDAQMD thresholds.

Table 3
Maximum Daily Construction-Related Emissions Summary
(pounds per day)

Construction Emissions	CO	NOx	ROG	SO2	PM_{10}	$PM_{2.5}$
Daily Maximum	34.5	36.0	14.9	0.05	21.5	11.6
MDAQMD Threshold	548	137	137	137	82	65
Exceeds?	No	No	No	No	No	No

Source: CalEEMod (2022.1), maximum daily emissions.

Operational Impacts

Operational emissions refer to ongoing emissions over the Project's lifespan. These emissions come from area source emissions (dust, asphalt surface), energy demand (electricity, natural gas), and mobile sources (vehicular emissions from forklifts, delivery trucks, worker commutes). Table 4 shows the operational daily maximum emissions for non-attainment criteria pollutants, particulate matter, and ozone. The pallet storage yard proposed for the north parcel would be constructed as either a gravel surface or an asphalt surface covering 67,734 square feet. Two different calculations were derived from CalEEMod to analyze the potential difference in emissions between the two surface types. An asphalt surface would emit 1.12 more pounds of reactive organic gases (ROG) per day than a gravel surface. Based on trip rates for the ITE Land Use Code 110 for General Light Industrial, the Project may generate a weekday daily average of 109 trips.[6] Per CalEEMod, the Project may generate 550,487 vehicle miles traveled per year (VMT/yr).

Table 4
Maximum Daily Operational-Related Emissions Summary
(pounds per day)

Operational Emissions	CO	NOx	ROG	SO2	PM_{10}	$PM_{2.5}$
Daily Maximum (gravel yard)[1]	7.68	0.96	0.20	0.02	1.27	0.35
Daily Maximum (asphalt yard)	7.68	0.96	1.32	0.02	1.27	0.35
MDAQMD Threshold	548	137	137	142	82	65
Exceeds?	No	No	No	No	No	No

1. Emissions estimates are provided for both gravel and asphalt surfaces for the pallet storage yard on the north parcel.

Source: CalEEMod (2022.1), maximum daily emissions.

[6] Institute of Transportation Engineers (ITE), Trip Generation Manual, 11th Edition (2021).

Cumulative Impacts for Non-Attainment Criteria Pollutants

As stated above, the Project is located in a non-attainment area for ozone and PM_{10}, and emissions from the construction and operation will contribute to the regional non-attainment status. Since the MDAQMD does not provide thresholds of significance for cumulative emissions generated by multiple projects, a single project's potential cumulative contributions may be analyzed instead. Using the specific impacts imposed on a project, the method assumes that the project's impacts will be less than significant if the construction and operational emissions are less than the daily and/or annual emissions MDAQMD thresholds. As shown in the above Tables 3 and 4, the Project's potential emissions are below the daily thresholds. The Project would implement the standard best practices per the MDAQMD rules to mitigate emissions such as fugitive dust (Rule 403).

Summary

Potential daily maximum construction and operational emissions from the Project are estimated to be below the thresholds set by the MDAQMD. Despite the incremental increase these emissions would contribute to the region, the Project would not result in a considerable cumulative net increase of non-attainment pollutants. Therefore, the Project's impact would be less than significant.

c) Less Than Significant Impact. MDAQMD defines sensitive receptor land uses as residences, daycare centers, playgrounds, and medical facilities. If a project occurs within a specified distance of a sensitive receptor, the District requires an impact analysis based on significance threshold criteria number 4:

"[A project is significant if it] Exposes sensitive receptors to substantial pollutant concentrations, including those resulting in a cancer risk greater than or equal to 10 in a million and/or a Hazard Index (HI) (non-cancerous) greater than or equal to 1."

The significance threshold distances between a project and a sensitive receptor as defined by the District are as follows:

- Any industrial project within 1000 feet;
- A distribution center (40 or more trucks per day) within 1000 feet;
- A major transportation project (50,000 or more vehicle per day) within 1000 feet;
- A dry cleaner using perchloroethylene within 500 feet;
- A gasoline dispensing facility within 300 feet.[7]

The Project would be located within 1000 feet of two residential neighborhoods. The site is bordered by the BNSF Railroad on the west, the Hesperia Airport runway on the east, light industrial business on the north side and undeveloped land on the south. Immediately beyond the railroad tracks to the west, approximately 250 feet from the west boundary of the Project site, lies a residential community. Likewise, approximately 330 feet to the east just beyond the airport runway lies another residential community.

In consideration of the above listed threshold distances, the Project is determined to be neither a distribution center, a major transportation project, a dry cleaner, nor a gasoline dispensing facility. The Project is considered to be a limited industrial (I1) project as opposed to a general industrial project (I2). The proposed use is the recycling and resale of wooden pallets which involves storing, sorting, and either repairing or recycling wood pallets. Pallets would be delivered to the Project site, sorted, then either repaired or sent to a recycling facility where they would be chipped and made into mulch. Refurbished pallets would be picked up and delivered to retailers off site. The proposed use aligns with the City's definition of limited industrial

[7] MDAQMD California Environmental Quality Act (CEQA) and Federal Conformity Guidelines, February 2020.

which is, "transportation equipment, building equipment and materials, indoor manufacturing uses, and similar uses." The City's definition of general industrial use does not apply to this Project which includes, "the heaviest types of manufacturing and industrial uses...[such as] manufacturing, warehousing, and fabrication."[8] This distinction is important in determining the scale of potential chemical applications and fossil fuel combustion which would result in potentially significant emissions. Recycling wood pallets is a use that primarily relies upon delivery trucks, forklift vehicles, and tools to either reattach the wood pieces or break apart pallets that are beyond repair. There would be no use of chemicals in this process. There would be fossil fuel emissions from the forklift vehicles, delivery trucks and worker vehicles. Considering the small scale of the pallet yard and the warehouse, the Project would not incur a significant amount of vehicle emissions during the operational phase, as shown in Table 4. The impact would be less than significant.

The construction phase of the Project would generate the highest levels of emissions, but this phase would be complete in five months, and then the subsequent operational phase would generate much lower levels of emissions.

As shown above in Tables 3 and 4, the emissions for both phases are well below the MDAQMD thresholds and will have a less than significant impact on nearby sensitive receptors.

d) **No Impact.** The proposed Project would be a wood pallet storage and refurbishment facility using an existing warehouse on the site. This type of light industrial manufacturing would not require the use of chemicals that emit toxic fumes or odors. There would be no impact.

Mitigation: None required.

Monitoring: None required.

[8] Commercial and Industrial Land Use Designations, Municipal Code 16.16.310, City of Hesperia, September 2023.

4. BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	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?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☒	☐	☐
c) 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?	☐	☐	☐	☒
d) 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?	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Sources: City of Hesperia General Plan 2010; Hesperia, California Municipal Code September 2023; California Sensitive Natural Communities, California Department of Fish and Wildlife, June 2023; Biological Resources Assessment, Jurisdictional Delineation, and Native Plant Protection Plan for the Development of APN 0397-121-03, in the City of Hesperia, San Bernardino County, California, prepared by Jennings Environmental, LLC, November 2023.

Background

The City of Hesperia lies at the northern edge of the San Bernardino National Forest within a high desert region known as the Mojave Desert Basin and Range Ecoregion. The City is bounded by the uninhabited national forest to the south, the high desert cities of Victorville and Apple Valley to the north, Interstate 15 along the west side, and the Mojave River along the east side. The ecoregion is characterized by climate extremes, which can be witnessed most fully in Death Valley National Park, where summer temperatures exceed 120 degrees Fahrenheit and rainfall can be less than two inches. Tempered by the national forest mountains to the south, the climate of Hesperia is less extreme. The City sits along the southern edge of the Mojave Desert Basin at an elevation of 3,186 feet and experiences a milder desert climate with an average rainfall between six and seven inches, and daytime temperatures ranging from 56 degrees in the winter to 99 degrees in the summer. At the lower elevations, creosote scrub is the dominate plant community of the Mojave Desert Basin and Range Ecoregion. Hesperia, at a higher elevational transitional zone, supports California junipers and Joshua trees, and a high degree of biological diversity.

The following description of the resources on the Project site and impacts analyses are based on the biological resources assessment for the Project site conducted in November 2023 by Jennings Environmental, LLC. That study included literature searches, database reviews and on-site investigation.

The Project site contains three parcels, two of which are part of the pallet facility, and one, at the far south end of the site, which will remain undeveloped vacant desert land and will be fenced off, but will be merged with the others at the City's request. The following analysis addresses the two developable parcels within the site, consisting of the existing facility on the south parcel, and the new pallet storage area on the north parcel. The south existing building parcel is 3.53 acres in size and is largely developed with the existing warehouse, driveway, and outdoor area where the previous business stored truck parts. There are no biological resources on the south parcel. The undeveloped north parcel is 2.54 acres in size and contains a mix of native and nonnative plant species. The north parcel has been previously disturbed and ruderal groundcover has grown over much of the disturbed soil between the California juniper trees and two Joshua trees. The ruderal vegetation includes native species such as common fiddleneck (*Amsinckia intermedia*), California buckwheat (*Erogonum fasciculatum*), white bursage/common stork's bill (*Ambrosia dumosa*), rubber rabbitbush (*Ericameria nauseosa*), and flat spine burr-ragweed (*Ambrosia acanthicarpa*) as well as and nonnative vegetation such as Schismus grass (*Schimus spp*.).

A small number of mature California junipers (*Juniperus californica*) are scattered at the southwest edge and the north section of the north parcel. The California juniper is a member of the Cypress family. It grows in xeric environments where soils are low in nutrients and is associated with Joshua tree woodlands and single-leaf pinyon pine woodlands. Junipers provide valuable nesting sites and food source for songbirds.

Two Western Joshua trees (*Yucca brevifolia*) occur on the north parcel. Joshua trees are members of the Yucca plant family and grow in the high desert ecosystem of the Mojave Desert between 2,000 feet and 6,000 feet. The provide nesting sites for a range of bird and mammal species from cactus wrens, and Cooper's hawks, to night lizards and desert wood rats. Due to the high level of biological diversity found in a Joshua tree woodland, the CDFW has designated this woodland ecosystem as a sensitive natural community.[9]

The biological resources assessment notes that the Project site and the surrounding area contains suitable habitat for nesting birds. While the on-site investigation took place outside of nesting season in November 2023, several notable native bird species were observed such as cactus wren (*Campylorhynchus brunneicapillus*), verdin (*Auriparus flaviceps*), house finch (*Haemorhous mexicanus*), common raven (*Corvus corax*), and white-crowned sparrow (*Zonotrichia leucophrys*), a winter migrant.

Discussion of Impacts

a) Less Than Significant Impact with Mitigation. According to the literature review for the biological resources assessment, there are 37 species of rare plants and animals and one sensitive habitat (Western Joshua tree woodland) that could potentially occur in the region between Hesperia and Silverwood Lake to the south. Several of these species are described here. The California desert tortoise (*Gopherus agassizii*) is the California State Reptile and is a federal and state listed threatened species that occurs in the region. Burrowing owl (*Athene cunicularia*) is a federal and state Species of Special Concern. The Burrowing owl is also a migratory species and further protected by the Migratory Bird Treaty Act (MBTA). Desert kit fox (*Vulpes macrotis*) is listed as a Species of Local Concern by Los Angeles County. It is native to the arid habitats of southern California and due to the growth of human development and energy production facilities, the population of kit fox continues to decline. The American badger (*Taxidea taxus*) is listed by the CDFW as a Species of Special Concern due to trapping, eradication of their prey base (ground squirrels and other

[9] California Sensitive Natural Communities, California Department of Fish and Wildlife, June 2023, https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=153609&inline.

ground-dwelling rodents) and the loss of habitat. The Mohave ground squirrel (Xerospermophilus mohavensis) is listed as a threatened species by CDFW due to habitat loss. During the site survey, none of these sensitive species nor any signs such as burrows or scat of these sensitive species were observed on the Project site.

Two Western Joshua trees (*Yucca brevifolia*) and a small number of California juniper trees (*Juniperus californica*) found on the Project site are described in more detail in the above description of the Project site. Although the California juniper is considered to be a species of least concern, it provides valuable nesting habitat for resident and migrating birds, and migrating birds are protected by the MBTA. The California Environmental Quality Act (CEQA) considers the Western Joshua tree to be a significant resource and therefore it receives protection from the California Food and Agricultural Code 80001-80006 "California Desert Native Plants," the Western Joshua Tree Conservation Act (WJTCA), and is managed by the California Department of Fish and Wildlife (CDFW). The WJTC provides interim protection while the California Game and Fish Commission considers whether to list the Western Joshua tree as endangered on the California Endangered Species Act.

To mitigate impacts on candidate, sensitive and special status species and to comply with local policies protecting biological resources, two mitigation measures are prescribed and outlined below as BIO-1 and BIO-2.

Western Joshua Tree

Mitigation measure BIO-1 prescribes 12-foot buffer zone around each Western Joshua tree. Joshua trees must be protected on site to the greatest extent possible, or a permit must be obtained from the City to remove and transplant each Joshua tree, and the permittee must ensure that the trees are transplanted appropriately. Per the biological resources assessment, the two Western Joshua trees should remain in place on site and should be protected from construction and operational impacts to the branches and root systems by placing appropriate buffers around the trees.

The following buffer distance guidelines are defined by the CDFW:
Joshua trees that are five meters or taller require a buffer of 40 feet.
Joshua trees that are 1 meter but less than 5 meters in height require a buffer of 12 feet.
Joshua trees that are less than 1 meter in height require a buffer of 6 feet.[10]

The heights of the Western Joshua trees on the Project site are 3.20 meters and 3.81 meters, hence 12-foot buffer zones around each tree are required. As stated above, the buffer zones would protect the Western Joshua tree branches from being broken by construction equipment and operational activity. The buffer zone would also prevent vehicles and other machinery from compacting and damaging the root systems below the soil. A City-approved tree biologist would mark the boundary and approve the barrier. In addition, the applicant is required by law to comply with the WJTCA and secure an incidental take permit, if required. This mitigation measure is outlined below as BIO-1. The incorporation of this mitigation measure would reduce impacts of the Project on the Western Joshua trees to less than significant.

Burrowing Owl

Mitigation measure BIO-2, a nesting bird survey prior to construction, would reduce impacts to less than significant for sensitive and special status bird species. The burrowing owl (*Athene cunicularia*) is not categorized as threatened or endangered by the USFWS or CDFW. However, it is designated as a Bird of

[10] Biological Resources Assessment, Jurisdictional Delineation, and Native Plant Protection Plan for the Development of APN 0397-121-03, in the City of Hesperia, San Bernardino County, California, prepared by Jennings Environmental, LLC, November 2023.

Conservation Concern (BCC) by the USFWS and a Species of Special Concern (SSC) by the CDFW, and it is protected under the MBTA and the California Fish and Game Code. Burrowing owls could potentially occur on the north parcel of Project route due to their attraction to a variety of open dry habitats such as grasslands, desert scrubland, agricultural areas, railroads rights-of-way, margins of highways, culverts, and earthen berms. The on-site biological investigation did not observe any burrowing owls or burrowing owl activity on the Project site. Should burrowing owls move onto the Project site between the time of the investigation and the commencing of construction, they would need to be identified and protected from construction activity. The incorporation of buffer zones around burrowing owl nest sites until the chicks successfully fledge would reduce impacts to this sensitive species to less than significant. In order to assure that burrowing owls have not moved onto the site prior to construction, BIO-4 is provided below, requiring a pre-construction survey for the species, consistent with the requirements of the Staff Report for Burrowing Owl (2012) prepared by CDFW.

Summary

The Western Joshua tree (*Yucca brevifolia*) is currently a candidate species for listing as endangered on the Ct and is therefore afforded protections from disturbance and removal except by permit, at which point, removed Joshua trees must be appropriately transplanted. The biological resources assessment states that the two Western Joshua trees on the Project site should remain in place on the Project site with a permanent 12-foot buffer around each tree. Should protection in place not occur, the applicant would be required to secure an incidental take permit for their removal, as required in the WJTCA and mitigation measure below. Although potentially occurring sensitive animal species were not observed during the site survey, burrowing owls have been known to move into previously unoccupied areas where human disturbance has occurred. To ensure that this sensitive species is protected, a preconstruction survey is required. The mitigation measures would reduce potential impacts to less than significant for these sensitive species and comply with local policies and ordinances.

b) **Less Than Significant Impact with Mitigation.** The Project site contains no riparian habitat, and therefore would not impact any riparian habitat. However, as discussed above, the Western Joshua tree woodland ecosystem is considered to be a sensitive natural community by the CDFW because of the high level of biodiversity the woodland ecosystem supports. While the low numbers of Western Joshua trees and California juniper trees on the north parcel of the Project site may preclude the site from qualifying as a fully intact woodland habitat, the site retains value for nesting birds moving through the southern portion of Hesperia.

To mitigate potential impacts to plant and animal species that occur or may occur on the Project site due to their association with the sensitive Western Joshua tree woodland, three mitigation measures, BIO-1, BIO-2, and BIO-3, are outlined below. BIO-1 prescribes 12-foot buffer zones that should be placed around both Joshua trees to protect the branches and roots from breakage and compactions by machinery during the construction operational phases of the Project. BIO-2 explains that a nesting bird survey (NBS) is required to be conducted immediately prior to scheduled construction by a certified avian biologist. BIO-3 recommends that California junipers (*Juniperus californica*) on the Project site be conserved to the greatest extent possible and incorporated into the drought-tolerant landscaping proposed by the Project to preserve the natural benefits this plant species provides to the natural community. The three mitigation measures would reduce potential impacts to less than significant for the Joshua Tree woodland sensitive natural community.

c) **No Impact.** The Project site contains no wetlands, pools, creeks, marshes, drainages, or any other type of hydrologic feature on the Project site. As a result, there will be no impacts to any state or federally protected wetlands.

d) **Less Than Significant Impact with Mitigation.** The Project site is not located within a known wildlife migratory path or corridor. However, the two Western Joshua trees and the clusters of California junipers

attract avian species, albeit in low numbers, searching for cover and nest sites. Species observed during the November 2023 biological survey include common native species such as the white-crowned sparrow (a winter migrant), cactus wren, verdin, common raven, and house finch.

Because the Project site and nearby vicinity provide suitable habitat for nesting birds, the Project site is subject to the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code sections 3503 and 3503.5. The Migratory Bird Treaty Act (MBTA) of 1918 requires cooperation between the United States, Canada, Mexico, Japan and Russia in protecting bird species that migrate through the shared territories. The MBTA prohibits the taking of migratory birds which includes killing, capturing, selling, trading, and transport. "Under the MBTA, it is illegal to destroy a nest that has eggs or chicks in it, or if there are young birds still dependent on the nest for survival.[11] Similarly, California Fish and Game Code section 3503 stipulates that, "It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto." Section 3503.5 states, "It is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto."[12]

Mitigation measure BIO-2 outlined below requires a pre-construction nesting bird survey to be conducted immediately prior to the commencement of construction. A qualified avian biologist would be contracted to survey the Project site for nesting birds if construction is set to begin during the nesting season. In southern California, the nesting season extends from February 1 through September 15. For migrant nesting bird species, the season extends from March 15 through August 31. If any bird nests are identified, the biologist would mark the locations and establish buffer zones. Construction activity would be restricted from occurring within the buffer zones until the young birds have successfully fledged from the nests. This mitigation measure would allow for the completion of the nesting cycle and would reduce potential impacts to less than significant for nesting birds.

e) **Less Than Significant Impact with Mitigation.** As described above, two Western Joshua trees (*Yucca brevifolia*) occur on the Project site. In addition to the protections afforded the Joshua tree under the WJTCA, San Bernardino County protects Joshua trees from removal except under a permit via the Desert Native Plant Protection § 88.01.060. The City of Hesperia via chapter 16.24, Protected Plants, of its municipal code, complies with San Bernardino County Joshua tree protections. The two Joshua trees are proposed to be protected in place, but impacts to the species would represent a significant impact should protection not be provided. To comply with local policies protecting biological resources, BIO-1 is provided below, which will reduce impacts to Joshua trees to less than significant levels, and BIO-3, which will reduce impacts to California Juniper. With implementation of these measures, impacts associated with local policies will be reduced to less than significant levels.

f) **No Impact.** The Project site does not occur within a Habitat Conservation Plan area, or a Natural Community Conservation Plan area, or within any other federal, state, or local conservation area. Therefore, the Project will have no impact on any such plan.

Mitigation Measures:

BIO-1 The two Western Joshua trees (*Yucca brevifolia*) will remain in place on the Project site and will each require a permanent 12-foot buffer from construction and operational vehicles, machinery and activity.

[11] Bird Nests, US Fish and Wildlife Service, accessed February 22, 2024, https://www.fws.gov/story/bird-nests#:~:text=This%20law%20says%3A%20"No%20person,has%20eggs%20or%20chicks%20in

[12] California Code, Fish and Game Code 3503 and 3503.5, last updated January 1, 2023.

Whether protected in place or removed, the applicant shall secure required incidental take permits prior to any ground disturbance on the Project site. The applicant shall apply for all required incidental take permits from CDFW in accordance with WJTCA and provide approved permits to the City prior to the initiation of any ground disturbing activity.

BIO-2 Bird nesting season occurs between February 1 and September 15 in southern California, and between March 15 and August 31 for migrating bird species. To avoid impacts to resident and migratory nesting birds, all vegetation clearing, ground disturbance, and construction activity should be scheduled between September 16 and January 31 if possible. If construction occurs during the nesting season, a certified avian biologist must conduct a pre-construction nesting bird survey (NBS) immediately prior to scheduled construction activity. Should any active nests be identified, the biologist will demarcate a no-work buffer zone(s) around the active nest(s) and check the nest site(s) weekly until the young birds fledge and the nest(s) become inactive. The buffer zone size would be based on the nesting species, its sensitivity to disturbance, nesting stage and the expected intensity and duration of disturbance. No ground or vegetation disturbance shall occur within the nest site buffer zone(s) until the qualified biologist determines that the young have successfully fledged and the nest is inactive. Per CDFW recommendations, a buffer of 500 feet shall be set for listed species and birds of prey, and a buffer of 100 to 300 feet shall be set for unlisted songbirds.

BIO-3 To help offset the loss of the mature California Juniper trees and their association with the Joshua tree woodland habitat the Junipers on the Project shall be incorporated into the planned drought-tolerant landscaping for the site rather than removed from the site, to the greatest extent possible.

BIO-4 A pre-construction burrowing owl survey will be conducted by a qualified biologist within 30-days prior to any ground disturbing activities. If burrowing owls are documented on-site, the applicant shall prepare and implement a plan for avoidance or passive exclusion, in coordination with CDFW. Methodology for surveys, impact analysis, and reporting shall follow the recommendations and guidelines provided within the California Department of Fish and Game Staff Report on Burrowing Owl Mitigation (2012 Staff Report).

Monitoring:

BIO-A The Project applicant shall provide the City with preconstruction nesting bird surveys, as well as Joshua tree permits prior to the issuance of any ground disturbing permit. **Responsible Parties:** Project Biologist, Planning Department, City Engineer

5. CULTURAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

Source: BRC Consulting LLC, Cultural Resource Assessment

Background

The City of Hesperia has six documented prehistoric periods: the Paleoindian Period (12,000 to 10,000 BP), the Lake Mojave Period (10,000 to 7,000 BP), the Pinto Period (7,000 to 4,000 BP), the Gypsum Period (4,000 to 1,500 BP), the Saratoga Springs Period (1,500 to 800 BP), and the Shoshonean Period (800 BP to European contact).

The Paleoindian Period is loosely defined by the use of tools including fluted projectile points. The transition from the Paleoindian Period to the Lake Mojave Period was driven by climate warming. Artifacts indicative of the Lake Mojave Period include stemmed points, flake and core scrapers, choppers, hammerstones, and crescentics. The Pinto Period is characterized by the desiccation of the Mojave Desert which explains the sparse occupation of the desert. The Pinto Period sites are rare due to lack of occupants in the region. Nonetheless, artifacts from the era include Pinto projectile points and flake industry similar to the Lake Mojave Period tools.

The Gypsum Period experienced the return of moister conditions and thereby the diversification of tools by the abundance of resources. Artifacts include milling stones, mortars, pestles, and a proliferation of Humboldt Concave Base, Gypsum Cave, Elko Eared, and Elko Corner-notched dart points. Other tools include leaf-shaped projectile points, rectangular-based knives, drills, large scraper planes, choppers, hammer stones, shaft straighteners, incised stone pendants, and drilled slate tubes.

The Saratoga Springs Period witnessed the cultural diversification of the previous period. Obsidian became more commonly used throughout the Mojave Desert and artifacts of the period include milling stones, mortars, pestles, ceramics, and ornamental and ritual objects. Settlement patterns consisted of large villages creating major habitation, temporary camps, and processing stations. The Shoshonean Period is defined by the expansion of ceramics, and the diversification of hunting and gathering. Additionally, trade routes became established across the Mojave River, to the west of the Project. Trade in the western Mojave was related to coastal groups.

The historical era is divided into the Spanish Period (1769 to 1821), the Mexican Period (1821 to 1848) and American Period (1848 to present). The Spanish Period began with Father Francisco Garces who guided Juan Bautista de Anza and his group cross the Mojave Desert from an outpost in Arizona. According to Father Garces's journal, the group camped at the headwaters of the Mojave River. The group would set up the Mission San Gabriel in 1771 near what is today Pasadena. During the Mexican Period, the Mexican government passed the Secularization Act which called for the disestablishment of Spanish missions, causing missions to lose their land holdings. The American Period began with the Treaty of Guadalupe Hidalgo. The economic expansion of California began with the Gold Rush in 1850, and transitioned to livestock farming from 1849 to 1855, and real estate development in the late 19th century.

The following discussion is based on a cultural resources assessment for the Project, conducted in December 2023 by BRC Consulting LLC. The study includes historical background research, on-site investigation, and field survey results.

Discussion of Impacts

a) **Less Than Significant Impact.** Data from the South-Central Coastal Information Center (SCCIC) indicates that 10 cultural resources have been identified within a 0.5-miles radius of the site.[13] These cultural resources include three Prehistoric Lithic Scatter sites, two Historic Scatter sites, two Prehistoric sites, and one Hesperia Road, one Mojave Trail, and one AT&SF Rail. The majority of these cultural sites are located on undeveloped desert land to the south of the site (See Table 5).

Table 5
Cultural Resources Within One Half Mile of the Project Site

Cultural Resource
P-36-3849: Prehistoric Lithic Scatter (0.4 miles southeast)
P-36-4256: Hesperia Road (0.2 miles south)
P-36-4272: Mojave Trail (0.4 miles east)
P-36-6793: AT&SF Rail Alignment (0.1 miles west)
P-36-12999: Historic-Period Scatter (0.4 miles southwest)
P-36-13007: Prehistoric Lithic Scatter (0.4 miles southwest)
P-36-21352: Prehistoric Lithic Scatter (0.25 miles southwest)
P-36-21354: Historic-Period Scatter (0.3 miles northwest)
P-36-60888: Prehistoric Site (0.4 miles southeast)
P-36-60889: Prehistoric Site (0.5 miles east)

No historical resources have been studied within the site's immediate vicinity and none have been identified within the site's boundary. No historical resource is expected to occur within the Project's area. For this reason, the Project is not expected to significantly change the City's access to or the value of historical resources. Less than significant impact will occur.

b) **Less Than Significant Impact with Mitigation.** The Project is located on the desert floor, approximately 5 miles south of the San Bernardino Mountains, and 5 miles east of the Mojave River. As mentioned above, 10 cultural resources have been identified within a 0.5-mile radius of the site (See Table 5). These cultural sites are predominantly focused on the southern region which consist of undeveloped, open desert terrain. A cultural field investigation was conducted by walking parallel transects spaced approximately 50 feet apart across the Project's site. The archeologist concluded that no cultural resources of any kind including historic-period or prehistoric archaeological sites, or historic-period architectural resources, were found at the site.[14] The probability of archeological resources occurring on-site is low to very low.

As described in greater detail in Section 18, Tribal Cultural Resources, the Yuhaaviatam of San Manuel responded to the City's request for consultation, and although they did not have any concerns about the Project, they requested the inclusion of mitigation measures as provided below be included to require the monitoring of earth moving activities if resources are uncovered. These mitigation measures will reduce impacts to less than significant levels.

[13] BCR Consulting LLC, Cultural Resources Assessment, 2023.
[14] BCR Consulting LLC, Cultural Resources Assessment, 2023.

c) Less Than Significant Impact with Mitigation. No cemeteries or human remains are known to have occurred at the site. It is unlikely that any human remains will be found during the construction process of the Project. However, in the case that human remains are found, all activities will stop immediate, and the coroner will be notified to determine that nature of the remains and whether Native American consultation is needed as required by California's Government Code §5079.98. As described above and in Section18, the Yuhaaviatam of San Manuel requested, as part of consultation activities under AB 52, that mitigation be included, as provided in CUL-3 below, to cite the requirements of law. With implementation of this mitigation measure, impacts to human remains will be reduced to less than significant levels.

Mitigation:

CUL-1 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 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.

CUL-2 If significant pre-contact 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.

CUL-3 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.

Monitoring:

CUL-A If an archaeologist is called to the site to investigate a find, they shall provide the City with a report of findings within 30 days of the cessation of monitoring.
Responsible party: Project archaeologist, City Planning Division
Timing: Within 30 days of completion of monitoring.

6. ENERGY -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Source: City of Hesperia General Plan 2010; California Energy Commission 2022 Total System Electric Generation; U.S. Energy Information Administration.

Background

Electricity is a secondary form of energy which is generated from primary sources such as fossil fuels, renewable energy sources, and nuclear energy. In California, 45% of the total power generated in-state and imported from out of state includes a mix of renewable sources such as solar, wind, hydroelectricity, geothermal, and biomass. Approximately 9% is derived from nuclear power, and the remaining 46% is generated by natural gas, coal, and oil.[15] Natural gas is also used for heating buildings and water, cooking, industrial processes, and transportation. Southern California Edison (SCE) provides electricity to the City of Hesperia. An overhead electricity transmission line runs along the west edge of the Project site between the parcels and the BNSF railroad tracks. Southwest Gas Corporation (SWG) provides natural gas to Hesperia.

The U.S. Energy Information Administration explains that the transportation sector consumes 27% of all energy consumed in the United States. Petroleum products (including gasoline, distillates/diesel fuel, jet fuel, residual fuel oil and propane), biofuels, natural gas and electricity are the four major transportation energy sources. Of these four energy sources, gasoline supplies 52% of the transportation energy mix, and distillates, or diesel fuel, supply 22%.[16] Since 2008 the California Air Resources Board (CARB) has regulated in-use off-road diesel vehicles, and has amended these regulations several times, with the most recent amendments being approved in October 2023. In-Use Off-Road Diesel-Fueled Fleets Regulation (Off-Road Regulation) governs a range of heavy-duty diesel-powered vehicles from skid steer loaders to excavators, cranes, and mining trucks. Off-Road Regulation defines diesel vehicle engines by their emissions levels and places them into Tiers. Tier 0 and Tier 1 vehicles are the oldest and have the highest emissions while Tier 4 vehicles are newer and have the lowest emissions levels. The regulations set timelines for fleets to phase out Tier 0, 1, 2, and 3. Furthermore, fleets will be restricted in adding Tier 4 vehicles as they will eventually need to use vehicles that run with Renewable Diesel.[17]

[15] 2022 Total System Electric Generation, California Energy Commission, https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/2022-total-system-electric-generation.

[16] Energy Use for Transportation, U.S. Energy Information Administration, 2022, https://www.eia.gov/energyexplained/use-of-energy/transportation.php.

[17] Overview of Amendments to the In-Use Off-Road Diesel-Fueled Fleets Regulation, California Air Resources Board, August 2023, https://ww2.arb.ca.gov/resources/fact-sheets/overview-amendments-use-road-diesel-fueled-fleets-regulation.

Discussion of Impacts

a) Less Than Significant Impact.

Construction Phase

The proposed Project includes the construction of an outdoor pallet yard, a new driveway with two entrances, new parking area and improvements to an existing warehouse. Most of the energy consumed during the construction phase will be in the form of transportation fuels. The heavy-duty construction equipment and heavy-duty hauling trucks would consume diesel fuel. Worker commutes will consume gasoline. During the warehouse renovation, electricity for lighting, heating or cooling, and construction tools and equipment will be consumed. A temporary on-site construction trailer will require electricity for lighting, indoor climate control, and electronic equipment. The energy use during the construction phase will be temporary, not lasting more than five months. The scope of the construction phase is limited to outdoor surface improvements with minor improvements to an existing warehouse, and no additional structures will be built. Due to the short duration of the construction phase and the smaller scale of construction activities, the construction phase will not result in wasteful, inefficient or unnecessary energy consumption. Compliance with CARB's Off-Road Regulation of diesel-fueled equipment further ensures that the Project will have a less than significant impact on energy consumption.

Operational Phase

Once operational, the warehouse will consume electricity for lighting, air conditioning, and powering industrial and office equipment. It will also consume natural gas for the water heater. Diesel and gasoline will be consumed during materials deliveries and pick-ups as well as worker commutes. As discussed in Section 17, Transportation, the Project is expected to generate 106 trips per week which would include passenger vehicles and pallet delivery trucks. The warehouse would be subject to local, county, and state building efficiency regulations.

The Project will have a minimal temporary impact during the construction phase and a minimal impact during the operational phase. The energy use for this Project will not be wasteful or inefficient, and impacts are expected to be less than significant.

b) Less Than Significant Impact. The Project would be subject to California Title 24, Building Energy Efficiency Standards, and the City's Climate Action Plan (CAP). The renovation and reuse of the existing warehouse on the Project site also complies with multiple City Land Use policies that promote the use of previously developed property, reuse, and recycling of building materials, and retrofitting of buildings for higher energy efficiency. As a result of the implementation of these standards and requirements, the Project will have less than significant impacts as it relates to state and local plans.

Mitigation: None required.

Monitoring: None required.

7. **GEOLOGY AND SOILS** -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
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.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
e) 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?	☐	☐	☒	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Sources: Cultural Resources Assessment, BCR Consulting LLC (2023); City of Hesperia General Plan (2010).

Background

Geological Setting

Hesperia is in the southwestern portion of the Mojave Desert, an arid region with alluvial fans, desert plains, dry lakebeds, and mountain ranges including the Silver Mountains to the north, the San Bernardino Mountains to the south, the Ord Mountains to the southeast, and the flat valley floor to the west. The central and northern portions of the City are located on a moderate to low sloping alluvial fan with an elevation ranging from 2,900 to 4,200 feet. The southern portion encompasses the foothill of the San Bernardino Mountains and the broad valley.

Faults in the Mojave Desert consist of the east-west trending Garlock fault on the northern region and the northwest trending San Andreas fault on the western boundary. Hesperia lies closer to the San Andreas fault and other fault zones including the Helendale Fault to the north, the Cleghorn Fault to the south, the Ord Mountains Fault to the east, and the Mirage Valley Fault to the far northwest.[18] These active earthquake sources have the potential to cause damage. However, the North Frontal Fault, approximately 2 miles east of Hesperia, is likely to result in the greatest impact with a maximum earthquake magnitude of 7.2.[19]

During seismic activity, the combination of loose sediment and shallow groundwater within 50 feet below ground surface is susceptible to liquefaction. In Hesperia, loose, unconsolidated sediments occur throughout but shallow groundwater at depths of less than 30 feet occurs only within the Mojave River floodplain.[20] The Mojave River floodplain is therefore classified as a liquefaction-susceptible zone in the City's General Plan.

In addition, slope failure could occur by the foothills of the San Bernardino Mountains. Ridgetop shattering could occur in the southern part of the City, in the San Bernardino Mountains and in the foothills at the base of the mountains, and to the south and east of Summit Valley Road. Seiches due to seismic shaking could occur in Silverwood Lake, Hesperia Lake, and any recharge basin in the City.[21]

In Hesperia, the dry desert conditions rapidly deposit young and very young alluvial sediments. These soil types are predominantly located in the low-lying portion of the City. The valley and canyon areas of Hesperia are underlain by granular soil such as silty sand, sand, and gravel. Sediment within the floodplain of the Mojave River may consist of fine-grained silts and clays sediments. Granitic and metamorphic basement rocks underlie the mountains[22]. According to a field investigation for the Project, the soil found on-site is composed of unconsolidated, undissected alluvial silt, sand, and gravel.[23]

Paleontological Resources

Paleontological resources are artifacts consisting of, fossils that provide context to life occupying the region before modern society. These artifacts are not easily accessible, since most are hidden underground, and their existence is usually unknown until the area is disturbed. According to the Paleontological Resource Sensitivity Map, the central portion of Hesperia is located on very young sediments which are assigned low paleontological sensitivity. In the southern and northeastern portion where old alluvium types are located, these areas are assigned high sensitivity.[24] No known paleontological resource has been identified in the City or within the City's sphere of influence. However, paleontological resources have occurred in the Cajon Pass region, located to the southwest of the City. Other fossils have also been identified and located at different sites, directly north of the City. Fossils from these sites include the extinct mammoth, horse, llama, and the extinct large camel.[25]

[18] California Department of Conservation Geological Survey, Fault Activity Map, https://maps.conservation.ca.gov/cgs/fam/.
[19] City of Hesperia General Plan, Safety, 2010.
[20] City of Hesperia General Plan, Safety, 2010.
[21] City of Hesperia General Plan, Safety, 2010.
[22] Earth Consultant International, Inc., Technical Background Report to the Safety Element of the General Plan for the City of Hesperia, Feb. 2010.
[23] BCR Consulting LLC, Cultural Resources Assessment, Dec. 2023.
[24] Michael Brandman Associates, Technical Background Report in Support of the Cultural Resource Element: City of Hesperia General Plan Update, Exhibit 8, March 2010.
[25] Michael Brandman Associates, Technical Background Report in Support of the Cultural Resource Element: City of Hesperia General Plan Update, March 2010.

Discussion of Impacts

a.i) Less Than Significant Impact. The Project site is on the southern outskirts of the City's development center. According to the California Department of Conservation Geological Survey Fault Activity map, the site is not located near an active fault zone. The Project is also not within or adjacent to an Alquist-Priolo Earthquake Fault Zone. The Ord Mountain Fault segment of the North Frontal Fault is the nearest fault to the Project, approximately 6 miles east. The Ord Mountain Fault runs along the west region of the Ord Mountain, creating a thrust fault moving in a west-east direction. The fault has an estimated earthquake magnitude of 7.0, according to the Southern California Earthquake Data Center.[26]

a.ii) Less Than Significant Impact. The Project will result in the refurbishment of an existing building, and the development of a pallet storage yard. The Project will be required to comply with the California Building Code and the City's Building Codes, which require the incorporation of collapse-resistant design to reduce potential seismic risks. For these reasons, the impact associated with fault zones and seismic ground shaking is expected to be less than significant.

a.iii) Less Than Significant Impact. According to the City's General Plan Seismic Hazards map (Exhibit SF-1), the site is not on or within an area susceptible to liquefaction. In Hesperia, liquefaction zones run along the eastern region of the City's boundary, expanding mostly on the southern end.[27] Close to the City's center, the Mojave River is classified as a liquefaction-susceptible area due to noncompact sediment and shallow underground water at a depth of 30 feet. The distance between the Project's site and the Mojave River is approximately 5 miles. The site is at a distance from the Mojave River where the likelihood of liquidation impact is low to very low.

According to regional groundwater data, the area within the site's vicinity has had historically groundwater depths which are estimated to be greater than 50 feet below ground surface.[28] The soil on-site is not prone to liquefaction during ground shaking conditions due to the absence of shallow groundwater, above 50 feet from the ground surface. Less than significant impacts are anticipated.

a.iv) Less Than Significant Impact. The Project consists of and is surrounded by relatively flat lands apart from the valley hills and the San Bernardino Mountains to the south. According to the City's General Plan Seismic Hazards map, earthquake-induced landslides are focused throughout the San Bernardino Mountains.[29] The Project is approximately 5 miles north of the foothills of the San Bernardino Mountains. In this case, the site's distance from the mountains reduces impacts related to landslides. For this reason, impacts are less than significant.

b) Less Than Significant Impact. The site is currently developed on the south side, and vacant on the north. The site's undeveloped north parcel is composed of unconsolidated alluvial silt, sand, and gravel.[30] The south parcel is developed and has been cleared and paved with asphalt concrete and the foundation of the existing building. Both parcels are relatively flat. As a result, soil erosion on the south side of the site is currently limited and will remain so, while soil erosion on the north side which currently occurs in its native condition will be eliminated with the construction of the pallet storage pads and driveways.

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26 Southern California Earthquake Data Center, https://scedc.caltech.edu/earthquake/northfrontal.html.
27 City of Hesperia General Plan, Safety, Exhibit SF-1, 2010.
28 SALEM Engineering Group, Inc., Limited Geotechnical Engineering Investigation, 2023.
29 City of Hesperia General Plan, Safety, Exhibit SF-1, 2010.
30 BRC Consulting LLC, Cultural Resources Assessment, 2023.

The existing drainage system of the south parcel directs water west via natural swales located northwest of the warehouse and sheet flows across the site southeast of the warehouse.[31] The Project proposes the development of a drainage system connecting both parcels in which rainwater is collected and disposed of according to the best management practices and City's Code. Best management practices enforce adequate maintenance and function of the Project's proposed drainage system to ensure runoff is being properly redirected away from potable water sources at all times. The City's Construction Site Stormwater Runoff Control Program and Water Quality Management Plan mandate all new development and redevelopment projects to submit a drainage plan for the project's construction and operation phase to reduce runoff resulting from the implementation of the site (Ordinance Code §8.30.200 and §8.30.220). These requirements will reduce the potential for soil erosion and degradation and therefore reduce impacts to less than significant levels.

c) **No Impact.** The site consists of a developed and undeveloped parcel, both of which are relatively flat and located along Santa Fe Avenue East. The south parcel is developed and houses an existing single-story sheet-metal warehouse. The north parcel is undeveloped and vacant. The construction of the Project includes minor improvements to the warehouse and the clearing and asphalt paving of both parcels. The proposed construction is unlikely to disturb the property to the extent of causing on- and off-site landslides, lateral spreading, subsidence, or collapse because shallow excavation will take place in order to clear the both parcels for pavement. No impact is anticipated.

d) **No Impact.** Unconsolidated alluvial silt, sand, and gravel are found on-site. Silty sand is the predominant soil type with an infiltration rate of 1.12 inch per hour which is inconsistent with expansive soil's high water absorbability.[32] The Project will not be constructed on expansive soil. No impact will occur.

e) **Less Than Significant Impact.** The Hesperia Water District (HWD) and Victor Wastewater Reclamation Authority (VVWRA) provide wastewater services to the City of Hesperia. The HWD operates the City's sewer system and the VVWRA treats wastewater in their facility located at 20111 Shay Road in the City of Victorville. According to the City's Wastewater Master Plan map, the site is not part of the City's existing sewer system or within consideration for an improved sewer collection system by 2032.[33]

Currently, an underground septic tank is located on the site's south parcel, underneath the loading zone. The wastewater generated on site is not expected to exceed the septic tank capacity because the industrial facility will be occupied by a few employees during working hours. An additional septic tank or an alternative wastewater disposal system is not required. No soil impacts related to the support of septic tanks and alternative systems is expected. Less than significant impacts will occur.

f) **Less Than Significant Impact.** After the cultural field investigation, the archeologist concluded that the Project's area is comprised of Quaternary alluvial from the late Holocene Epoch. These younger sediments are assigned low paleontological sensitivity due to their age and likelihood of containing a fossil.[34] No fossils were discovered at the site or within a one mile radius. The potential for paleontological resources being found on-site is low to very low.

31 IMEG Corp, Hydrology Report, 2023.
32 IMEG Corp, Hydrology Report, 2023.
33 City of Hesperia Wastewater Master Plan, Waste System CIP, Figure ES.2-ES.3, 2008.
34 Paleo Solution, Paleontological Technical Study, Jan. 2018.

The Project proposes the renovation of the existing developed parcel (south) and construction on a currently undeveloped parcel (north). The Project's construction will consist predominantly of minimal excavation to allow for the site to be paved with asphalt concrete. The construction phase is unlikely to disturb the ground to the extent of potentially uncovering and significantly impacting older alluvium. Less than significant impacts are anticipated.

Mitigation: None required.
Monitoring: None required.

8. **GREENHOUSE GAS EMISSIONS** -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Sources: City of Hesperia General Plan 2010; City of Hesperia Climate Action Plan, 2010; MDAQMD CEQA and Federal Conformity Guidelines, February 2020; San Bernardino County Regional Greenhouse Gas Reduction Plan, March 2021.

Background

The lower troposphere of the Earth's atmosphere contains a mix of gases that sustain life. Greenhouse gases (GHGs) comprise a small percentage, 0.04%, of the tropospheric gases and trap just enough heat to maintain a relatively constant and livable air temperature. Even small alterations in this composition are well documented via ancient and current climate measurements.

Human activities including the burning of fossil fuels, clearing native vegetation, altering landscapes to accommodate hardscapes and built environments reduce the Earth's ability to cycle and sequester carbon, and further increases the level of greenhouse gas concentration in the atmosphere. While no one development project can have a globally significant impact on greenhouse gas increases, the cumulative impacts of regional development can result in locally significant environmental changes, which in turn contribute to wider climatic changes. Hence, the state and local jurisdictions have adopted policies and thresholds that cap GHG emissions and mandate mitigations when needed to ensure new land uses minimize their impacts.

The 2016 Senate Bill 32 (SB 32) requires California to reduce overall greenhouse gas emissions by 40% below 1990 levels by the year 2030. This bill furthers the mandates of the prior 2006 Assembly Bill 32 which required the state the reduce GHG emissions to 1990 levels by 2020. Going beyond SB 32 is the 2022 Scoping Plan proposed by the California Air Resources Board (CARB) which sets forth a plan to achieve statewide 100% carbon neutrality by 2045. In 2010 the City of Hesperia adopted a Climate Action Plan (CAP) to ensure that its General Plan and future development would comply with the original 2006 AB 32 goals.

Hesperia is under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD), the local agency that sets emissions guidelines and monitors air pollutants per state and federal standards.

The major greenhouse gases present in the atmosphere and increased by human activities are as follows:

- Carbon Dioxide (CO_2): Next to water vapor, which cycles quickly in and out of the atmosphere, carbon dioxide is the most abundant GHG and remains in the atmosphere well over 300 years. Human activities emit CO_2 when burning fossil fuels and burning and removing forests and other vegetation. Looking back 800,000 years prior to the Industrial Revolution, the level of CO_2 in the atmosphere never climbed above 300 parts per million. Today we measure CO_2 at 419.81 parts per million. Because CO_2 is the most prevalent and longest lasting GHG, measurements of CO_2 equivalents (CO2E) are often used as the basis of GHG comparative analyses.

- Methane (CH_4): Methane is the third most abundant GHG in the atmosphere. It is released during the extraction, refining, and burning of fossil fuels, and the burning and clearing of native vegetation. Livestock, decay of organic waste, and landfills also emit methane. Methane remains in the atmosphere for approximately 10-12 years, but pound for pound, methane traps 28 times more heat than carbon dioxide.

- Nitrous Oxide (N_20): Like carbon dioxide and methane, nitrous oxide naturally occurs in the atmosphere. It is also released by agricultural activities and agricultural chemicals, fossil fuel combustion, wastewater treatment and industrial processes. It remains in the atmosphere for approximately 120 years and pound for pound, it is 265 times more effective at trapping heat than carbon dioxide.

- Fluorinated Greenhouse Gases: Chlorofluorocarbons (CFCs), Hydrofluorocarbons (HFCs), Perfluorocarbons (PFCs), Sulfur Hexafluoride (SF_6) Together these gases are referred to as fluorinated GHGs. F-GHGs are solely emitted as by-products of industrial processes such as aluminum and semi-conductor manufacturing and used as refrigerants and aerosol propellants. Depending on the gas, they can remain in the atmosphere for a very short time span of a few weeks or thousands of years. Compared to carbon dioxide, the global warming potential (GWP) of fluorinated GHGs is thousands to tens of thousands of times higher.

The Mojave Desert Air Quality Management District (MDAQMD) outlines GHG emissions thresholds for the entire Mojave Desert Air Basin (MDAB). Emissions from the Project site were estimated using the California Emissions Estimator Model (CalEEMod) Version 2022.1 and compared against the MDAQMD thresholds.

MDAQMD states that a project has a significant impact on the environment if it directly and indirectly generates total emissions in excess of the District's thresholds outlined in Table 6. In general, the District maintains that the carbon dioxide equivalent (CO_2e) threshold of 100,000 tons per year or 548 pounds per day is a sufficient baseline for GHG comparison. Note that the MDAQMD measures annual emissions in short tons while CEQA and CalEEMod measure annual emissions in metric tons.

Table 6
MDAQMD GHG Significance Threshold

Criteria Pollutant	Annual Threshold
Greenhouse Gases (CO_2e)	**100,000 short tons** **90,718 metric tons**
Source: MDAQMD CEQA Guidelines (February 2020).	

Discussion of Impacts

a) **Less Than Significant Impact.** Project emissions were calculated using the California Emissions Estimator Model (CalEEMod) Version 2022.1. The Project site will include an existing warehouse, an outdoor storage area for wooden pallets, improvements to the driveway, fire lane and parking area, and drought tolerant landscaping. GHG emissions calculations were based on a warehouse area of 21,832 square feet, landscaped area of 33,717 square feet, 30 parking spaces, and other asphalt surfaces of 110,000 square feet.

Construction:
Construction of the Project is expected to last five months and would result in temporary GHG emissions due to the operation of construction equipment and vehicle emissions from hauling materials and worker commutes. As shown in Table 7, the construction phase would generate a total of 171 metric tons of CO_2e

emissions. Because there are no stated construction emissions thresholds issued by the District, the Project's total construction emissions are amortized over a 30-year period and added to the total annual operational emissions. The combined amortized construction emissions and operational emissions are compared to the MDAQMD significance threshold for CO_2e to determine whether the construction emissions would result in a cumulatively significant impact.

Operation:
Five categories of emissions would contribute to the Project's annual GHG emissions over the operational lifetime: area emissions (off-gassing from pavement and architectural coating), energy use, mobile (vehicle emissions), solid waste, and water use. Table 7 lists the Project's estimated annual emissions by category in addition to the amortized construction emissions. The total annual emissions from the Project are well below the MDAQMD annual CO_2e threshold, therefore, the Project would have a less than significant impact on the environment.

Table 7
Projected GHG Emissions Summary (Metric Tons)

Construction	**Total Metric Tons**
Five Months	171
Operation	**CO_2e (MT/YR)**
Area	0.32
Energy	114
Mobile	205
Waste	8.45
Water	14.7
Refrigeration	0.94
Construction:30-year amortized[1]	5.7
Total Operational	349.11
MDAQMD Annual Threshold	90,718
Exceeds?	No

1. Buildout construction GHG emissions were amortized over 30 years then added to buildout operational GHG emissions.

b) Less Than Significant Impact. In 2010 the city adopted a Climate Action Plan to set guidelines for achieving a reduction of GHG emissions. The goal was to reach 1990 emissions levels by 2020, or a 29% reduction from 2010 emissions by 2020. According to the San Bernardino County Regional Greenhouse Gas Reduction Plan, the city has updated its emissions reduction target to a level that is 40% below its 2020 level by 2030.

According to the CAP, the city can meet this target via diverse measures such as California Air Resource Board vehicle emissions standards, California Green Building Standards, solid waste reduction standards, and land use planning. The Project will be required to comply with CAP measures, including Building Code standards which are more stringent than when the CAP was prepared.

Per the San Bernardino County GHG Reduction Plan, projects that are exempt from CEQA are those that do not exceed 3,000 metric tons CO_2e per year conform with the Plan and have a less than significant impact for GHG emissions.[35] As stated above, the Project's annual CO2e emissions is estimated to be 349.11 metric tons, well below the Reduction Plan's threshold.

MDAQMD CEQA Guidelines stipulate that a project is in conformity if it is consistent with the land use plan that was used to generate the growth forecast for the jurisdiction. This Project site has a land use and zoning designation of Limited Industrial (I1) which is consistent with the Project's intended use of an existing warehouse and outdoor storage yard to facilitate the refurbishment and storage of wooden pallets.

Based on the above-described thresholds and guidelines, the Project will have a less than significant impact on plans and policies designed to reduce GHG emissions.

Mitigation: None required.

Monitoring: None required.

[35] Greenhouse Gas Emissions Development Review Process Screening Tables, County of San Bernardino, revised September 2021, https://www.sbcounty.gov/uploads/LUS/GreenhouseGas/GHG_2021/GHG%20Revised%20Screening%20Tables%20-%20Adopted%209-20-2021.pdf.

9. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☒	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

Sources: City of Hesperia General Plan (2010).

Background

A hazardous material is an item or agent (biological, chemical, radiological, and/or physical) that by itself or in contact with other materials can cause harm to human health and the environment.[36] The threat hazardous material pose is regulated by federal, state, and local agencies and laws to manage the use, storage, transportation, and disposal of hazardous material/waste.

The City of Hesperia requires all new development to comply with the San Bernardino Hazardous Waste Management Plan and the California Health and Safety Code Chapter 6.

Discussion of Impacts

a) **Less Than Significant Impact.** The proposed development consists of a wood pallet restoration facility and an open-air pallet storage yard. During construction, the Project will require the use of gasoline fueled construction machinery and equipment. Other hazardous materials which could be used during construction

[36] MLI Environmental, https://mlienvironmental.com/blog/defining-hazardous-materials/.

include, but are not limited to, solvents, architectural coatings, and equipment lubricants. The exposure of these hazardous materials can have serious health and environmental consequences since the chemicals used are highly toxic and can become airborne, affecting the surrounding population and area. To reduce the probability of a chemical spill, the Project will properly store diesel in tanks and other hazards materials in secure areas to limit exposure.

During operation, the site will not store or use hazardous materials in significant quantities to pose a health or environmental risk because given the nature of the Project as a wooden pallet storage facility, these materials are not necessary in high quantities. However, the hazardous materials in use will be transported in container and secured against shifting as required by the California Code of Regulation Title 13, Section 1160-1167, in alignment with the Material Transportation Act. The storage of these materials will be located in an area where physical damage or deterioration of the container will not occur as required by the California Code of Regulation Article 109, Section 5164 and enforced by the City's Code §8.04.200. With the implementation of these control measures and the minimal exposure to hazardous materials, the Project's potential hazard with the use, storage, and transportation of hazardous material is reduced. Therefore, impacts will be less than significant.

b) **Less Than Significant Impact.** The operation of the Project will involve the transport of wood pallets to and from the site. These activities will involve minor risks associated with traffic accidents with Project vehicles, but no more than would be expected from a commercial or industrial development, because the use is of low intensity and does not require special equipment for transport. Therefore, operation of the facility would not significantly increase risks associated with accidents and hazardous materials, and impacts would be less than significant.

c) **No Impact.** The Krystal School of Science Math and Technology is the nearest school to the site, approximately 2.6 miles to the east of the Project site. The Project does not occur near a school, and no impact will occur.

d) **No Impact.** No cleanup sites are found on or within the vicinity of the Project's site[37]. The nearest is a LUST Cleanup site designated as complete and located at 969 Santa Fe, approximately 3.4 miles north of the site. The construction of the Project at 6730 Santa Fe Avenue East, does not represent a significant hazard to the public or environment. No impact will occur.

e) **Less Than Significant Impact.** The Hesperia Airport is located at 7070 Summit Valley Road, immediately east across Santa Fe Avenue East of the site. The airport provides aviation services to small non-commercial aircraft, and emergency air services such as air ambulances, California Highway Patrol, and fire control aircraft. The facility occupies approximately 26 acres and consists of a 3,950-foot paved runway, three private hangars, one maintenance hangar, an air lodge, and a restaurant. Approximately, 12 single engine aircraft are based at the airport[38]. Under the National Plan of Integrated Airport System, the Hesperia Airport is classified as a General Aviation[39]. No commercial flights are offered at the airport.

Hesperia Airport is surrounded by industrial facilities to the west and residential communities to the east. The airport is in compliance with the California PUC Section 21669 regarding acceptable level of aircraft noise for residents living within the vicinity of airports. The standard noise level is 65 CNEL which the airport has remained within.

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37 State Water Resource Control Board, GeoTracker, https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=6730+e+santa+fe+avenue+hesperia+CA.

38 City of Hesperia General Plan, Circulation, 2010.

39 San Bernardino County, Comprehensive Land Use Plan Hesperia Airport, 1991.

The airport's operation of single engine aircraft and location within a sparsely populated area reduces safety concerns. Nonetheless, safety zones are established to regulate land-use development within the vicinity of the airport. The Project is located within Safety Zone 3. Land use guidelines for Safety Zone 3 consist of a population density limit of no more than 50 people over an extended period[40]. The Project proposes the development of a storage warehouse and outdoor storage yard. By nature, the facility will have a few employees during working hours on weekdays. No residential facilities will occur on the site, and no residential population will result from the Project. The Project's is in compliance with the safety zone guidelines, thereby reducing safety hazards to less than significant levels.

Overall, Hesperia Airport noise level and safety hazard is not expected to significantly impact employees working at the Project's site. For this reason, impacts will be less than significant.

f) **No Impact.** In the case of an emergency, the City of Hesperia has adopted an Emergency Operations Plan (EOP) that complements the San Bernardino County EOP, the Cal EMA State Emergency Plan, and the Federal Emergency Management Agency's National Response Framework.

The plan denotes several evacuation routes throughout the City. The nearest to the site are Santa Fe Avenue East and Summit Valley Road. In the City's General Plan Potential Evacuation Routes map, the intersection of Santa Fe Avenue East and Summit Valley Road directs traffic towards State Highway 138. The Project site is less than a mile southwest the intersection. The construction and operation of the Project at the site is not expected to change or block the access to any evacuation route because the development is not directly adjacent to the intersection; therefore, the Project should not interfere with the intersection in any capacity. No impact will occur.

g) **Less Than Significant Impact.** The Project's operation of a wood pallet restoration facility and an open-air pallet storage yard has the potential for urban fire related hazards, but not wildfire hazards. According to the City's General Plan High Fire Hazard Map, local high fire hazard zones are located at the southeast corner of the City's boundary.[41] The Project is located at the central-southern portion of the City, and is not on or near a high fire hazard zone. Nonetheless, to reduce the potential risk, the Project is required to comply with the state's safety standards for an outdoor storage pallet facility (California Fire Code §2810.1-10) and the City's Code regarding fire safety. These standard requirements and measures reduce impacts to less than significant levels.

Mitigation: None required.

Monitoring: None required.

[40] San Bernardino County, Comprehensive Land Use Plan Hesperia Airport, Figure III-8, 1991.
[41] City of Hesperia General Plan, Safety Element Exhibit SF-2, 2010.

10. HYDROLOGY AND WATER QUALITY -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
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 which 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?	☐	☐	☒	☐
iv) Impede or redirect flood flows?	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Source: City of Hesperia General Plan, Conservation Element (2010)

Background

Domestic Water Supply

The Hesperia Water District (HWD) provides water services to the City's residential, commercial, industrial, and agricultural facilities. The HWD collects water primarily from the Upper Mojave River Basin (referred as the Mojave Basin) through its network of pipelines and 15 active wells. The Mojave Basin has a capacity of approximately 28 million acre-foot (af),[42] from which the HWD withdraws 14,000 af annually to meet water demands for a population size greater than 97,000.[43]

The HWD adopted its Urban Water Management Plan (UWMP), a local water management plan intended to conserve groundwater as required by the California Urban Water Management Planning Act (UWMPA). The UWMP set a water usage of 184 gallons per capita per day (GPCD) which the City met with a usage of 129 GPCD.[44] With current and projected land use development, the City is expected to continue reducing water consumption and increase water reliability through 2045.

[42] California Department of Water Resources, Upper Mojave River Valley Groundwater Basin, Updated 2004.
[43] Hesperia Water District, 2020 Urban Water Management Plan, 2021.
[44] California Department of Water Resources, Upper Mojave River Valley Groundwater Basin, Updated 2004.

Hesperia's Water Shortage Contingency Plan (WSCP) in compliance with the UWMPA, addresses potential water shortages. In this regard, the HWD manages 14 storage reservoirs with a capacity of 64 million gallons (or 200 AF) within its distribution area.[45] The Mojave Water Agency (MWA), on the other hand, manages the inflow of water from the Alto Subbasin to recharge the Mojave Basin. The Alto Subbasin has a capacity of approximately 2 million af. [46] Maintaining constant groundwater levels as required under the California Sustainable Groundwater Management Act.

Wastewater Treatment

The Hesperia Water District operates the City's sewer system and Victor Wastewater Reclamation Authority (VVWRA) provides the treatment and distribution of recycled wastewater for the cities of Hesperia and Victorville, Town of Apple Valley, and San Bernardino County Service Area 42 (Oro Grande) and 64 (Spring Valley Lake). The VVWRA's facility operates a 12.5 million gallons per day wastewater treatment plant, located at 2011 Shay Road in the City of Victorville, approximately 20 miles north of the site.

The treatment plant works by processing wastewater through a series of chambers, clarifiers, and basins to remove all waste materials and contaminants. The reclaimed water is distributed for irrigation purposes during peak demand. And during low water demand, the reclaimed water is distributed to retention basins where it seeps and recharges the Mojave Basin groundwater aquifer. The City has developed a Wastewater Master Plan (WMP) to outline the City's future wastewater treatment plan which includes new wastewater facilities, improved collection and treatment system, and an increased capacity.

According to the City's WMP maps, the site is not part of the City's existing sewer system or within consideration for an improved sewer collection system by 2032.[47] No sewer system currently exists on-site. A septic tank is located on the south parcel below the loading zone.

Flood Control

The San Bernardino County Department of Public Works Flood Control District is responsible for regional flood control services throughout the County, including the City of Hesperia. The District has developed a system of dams, conservation basins, channels, and storm drains to redirect flood away from the City's developed areas. These prevention measures are necessary during severe weather and rainfall when the Mojave River overflows due to runoff from the San Bernardino Mountains.[48] In addition, the City's Master Plan of Drainage (MPD) addresses local flood issues and proposes the addition of flood control infrastructure. According to the City's General Plan FEMA Flood map, areas likely to experience 100-year floods are located along the Antelope Valley branch of the Mojave River to the north.[49]

Discussion of Impacts

a) Less Than Significant Impact. The Project site is located at the northwest intersection of Santa Fe Avenue East and Jenny Street. Currently the site consists of a south developed parcel and a north undeveloped parcel. According to the Project's hydrology report, the south parcel drains west through the natural swale located to the northwest of the warehouse. Sheet flows located across the site drain southeast of the warehouse. And natural dirt swales are located to the east. The north parcel has sheet flows southeast across the entire lot. No drainage system or water quality features exist on the north parcel.

[45] Hesperia Water District, 2020 Urban Water Management Plan, 2021.
[46] City of Hesperia General Plan, Water Supply Appendix, 2009.
[47] City of Hesperia Wastewater Master Plan, Waste System CIP, Figure ES.2-ES.3, 2008.
[48] City of Hesperia General Plan, Conservation, 2010.
[49] City of Hesperia General Plan, Hazard Appendix, FEMA Flood Map, Plate 3-1, 2010.

The Project proposes an on-site drainage system consisting of trench drains, drywells, catch basins, and an infiltration basin located throughout designated drainage areas including the loading, parking, and outdoor storage yard.[50] The new drainage system is designed to catch and treat stormwater runoff to meet the City's standards, thereby reducing runoff related impacts.

Regarding wastewater, a septic tank is located on-site. The Project must remain in compliance with the City's Code §14.08.040 and the City's Local Agency Management Program to properly manage private sewage disposal systems and reduce the potential for related impacts. With compliance to state and local regulations, the Project is not expected to degrade water quality or violate water standards. Less than significant impact is anticipated.

b) **Less Than Significant Impact.** The proposed industrial facility includes a 21,831 square foot warehouse and an outdoor storage yard. The water consumption for the warehouse area is based on water consumption factors in the U.S. Energy Information Administration 2021 Commercial Buildings Energy Survey. The Project, classified as a "warehouse," has the potential to generate a demand of 0.23 acre-feet per year (See Table 8).

Table 8
Project Indoor Industrial Water Demand

Use	Indoor Area (SF)	Water Demand Factor (gal/SF/year)*	Water Demand (gpd)	Water Demand (AFY)
Warehouse	**21,831.9**	**3.4**	**203.36**	**0.23**
*Warehouse water demand factor from U.S. Energy Information Administration 2021 Commercial Buildings Energy Consumption Survey.				

The use of potable water for irrigation purposes will increase the facility's water demand. For an industrial development, 5% of the site's acreage is required for landscaping (Ordinance Code §16.20.630). Using the City's water budget calculation, the Project's Maximum Applied Water Allowance (MAWA) for irrigation is approximately 2,888 gallons per year (or 0.0089 AFY). The use of portable water for irrigation would increase the annual water demand by approximately 4%. To reduce water consumption related to irrigation, the Project will comply with the City's Code §16.20.160 to use drought-tolerate plants for landscaping and minimal irrigation. The percentage increase is not expected to conflict with the City's Water Conservation and Water Shortage Plan.

The City's main water source is derived from the Mojave Basin. The Mojave Water Agency manages the recharging process of the Mojave Basin to ensure constant underground water levels and secure utility service reliability. The basin has a water capacity of approximately 28 million af from which the HWD withdraws 14,000 af annually to service all facilities include residential, commercial, industrial, and agricultural development.

The Project is consistent with the site's Limited Manufacturing (I1) designation, under the City's General Plan Land Use and Zoning map. The Hesperia Water District Urban Water Management Plan accounts for the City's industrial growth and estimates a total water demand of 18,420 AFY by 2045.[51] The Project

[50] IMEG Corps, Hydrology Report for Hesperia Industrial, 2023.
[51] City of Hesperia Water District Urban Water Management Plan, Table 4-5, 2020.

would contribute less than one percent of the City's overall water consumption for 2045. It is not expected that the Project will exceed HWD's water service capacity now or in the foreseeable future. Therefore, the Project does not require new wells or additional water infrastructure to adequately service the facility. Impacts associated with domestic water demand are expected to be less than significant.

c.i) Less Than Significant Impact. The Project proposes a drainage system where both development parcels will be connected through a system of catch basins, trench drains, drywells, and an infiltration basin to properly drain stormwater. These design measures will reduce erosion, flood, and stormwater runoff by controlling flows and releasing them into a basin for infiltration, as required by City requirements (see response c.ii below. These standard requirements control siltation and erosion, and assure that impacts remain less than significant, both on- and off- site.

c.ii) Less Than Significant Impact. The City requires all new and existing development to comply with flood and stormwater runoff regulations. These regulations mandate all drainage systems be in accordance with the San Bernardino County Flood Control District Hydrology Manual (Code §16.40.050), and control on-site flows to prevent the release of storm flows to off-site properties.

In addition, the proposed industrial warehouse and storage yard is not located within or near a flood zone. The nearest is a 100-year flood area along the Antelope Valley branch of the Mojave River, approximately 3 miles northeast of the site.

Although flash floods are not a major concern, localized floods occur throughout the City and could potentially affect the Project's site. In this regard, the City has adopted the San Bernardino County Flood Control District MPD. The MPD provides a regional roadmap to build flood control infrastructure including storm-drain pipelines, culverts, small bridges, and basins. The Project's proposed on-site drainage system addresses flood concerns and reduces the risk of surface runoff resulting in on- and off-site flooding to less than significant levels.

c.iii) Less Than Significant Impact. The Hesperia Storm Water Management Program (SWMP) enforces stormwater control measures during the Project's construction and operation phase to reduce pollutant runoff related to these activities. In conjunction, the National Pollutant Discharge Elimination System (NPDES) regulates stormwater discharge from storm sewer systems, construction activities, and industrial activities and requires the Operator of these resources to obtain an NPDES permit to ensure stormwater discharge is not carrying harmful pollutants into the local surface water. And similarly, the Stormwater Pollution Prevention Plan (SWPPP) regulates stormwater pollutants by identifying pollution control practices that will reduce pollutants from reaching stormwater runoff. In all, this regulatory framework to which the Project is required to adhere to will reduce impacts related to erosion, flood, and polluted runoff to less than significant levels.

c.iv) No Impact. No stream, river, or body of water is located within the Project's vicinity. The nearest is the Mojave River, located approximately 5 miles east of the site. The Mojave River is such a distance away that the Project's construction and operation will not result in the redirection of water flow. No impact will occur.

d) **No Impact.** The site is not located near an ocean or body of water where tsunamis or seiche zones are a concern. The site is not in a flood zone. No impact will occur.

e) **Less Than Significant Impact.** The proposed development consists of a warehouse and an outdoor wooden pallet storage yard. The Project is not expected to use or store hazardous materials in a significant quantity to be potentially out of compliance with the National Pollutant Discharge Elimination System (NPDES) or the Comprehensive Environmental Response, Compensation and Liability Act. The Project will adhere to all water quality control plans and sustainable ground management plans as required by law. Impacts are expected to be less than significant.

Mitigation: None required.
Monitoring: None required.

11. LAND USE AND PLANNING - Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Sources: City of Hesperia General Plan 2010; Apple Valley Development Code.

Background
Per the City of Hesperia General Plan 2010, the land use and zoning designations for these two parcels are Limited Manufacturing/Industrial (I1), which allow for light industrial, manufacturing, and industrial support uses. These uses include the manufacturing of lumber and wood products and the storage of contractor and construction equipment.

a) **No Impact.** The proposed Project will not divide an established community. The Project site consists of three parcels, two of which will be developed. The site is bordered by the BNSF railroad tracks along the west side, the Hesperia Airport runway along the east side, vacant undeveloped land to the south, and several I1 designated parcels to the north. Residential areas lie west of the railroad tracks and east of the airport and airport runway. These communities are not contiguous and have been separated for several decades by the railroad tracks, airport and the I1 land uses. Prior to this proposed Project, the south parcel and the existing warehouse had been used for light industrial activity.

b) **No Impact.** This Project aligns with the city's Industrial Land Use goals of developing new industrial businesses and services within appropriate zoning designations for these uses. The Project also aligns with the city's Sustainability Land Use goals of reusing and repurposing existing buildings and construction materials as well as siting business on previously developed and infill lots to reduce impacts to the surrounding environment.

Mitigation: None required.

Monitoring: None required.

12. MINERAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) 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?	☐	☐	☐	☒
b) 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?	☐	☐	☐	☒

Sources: City of Hesperia General Plan (2010).

Background

In the City of Hesperia, mineral resources consist of sand, gravel, and stone. According to the City's General Plan, the Department of Conservation Division of Mines and Geology has identified potential concrete aggregate resources in the City but mainly in the Barstow and Victorville areas. These deposits can be potentially used for construction materials including concrete, plaster, stucco, road base and fill. According to the California Department of Conservation SMARA mineral land classification map, the Project site is not located within a significant mineral resource area[52].

Discussion of Impacts

a) **No Impact.** The site consists of three parcels: the southern-most vacant parcel which will be fenced off and remain undeveloped; a south developed parcel and a north undeveloped parcel. The south parcel is paved with asphalt concrete. The north parcel is undeveloped, and consists of unconsolidated alluvial silt, sand, and gravel. The USMIN Mineral Deposit Database identifies a variety of significant mineral deposits, processing plants, and mineral prospects. No significant mineral resources have been identified within the Project's vicinity.[53] No impact will occur.

b) **No Impact.** The site is designated for industrial development, and not for mineral resource extraction. The construction of the Project at the site will not affect any parcel designated for mineral extraction or recovery. No impact will occur.

Mitigation: None required.

Monitoring: None required.

[52] California Geological Survey, Significant Mineral Aggregate Resources Areas, https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc.
[53] USMIN Mineral Deposit Database, https://mrdata.usgs.gov/deposit/map-us.html#home.

13. NOISE -- Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) 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?	☐	☐	☒	☐

Source: City of Hesperia General Plan 2010; Hesperia Municipal Code, September 2023; FTA Transit Noise and Vibration Impact Assessment Manual, September 2018; Hesperia Airport Comprehensive Land Use Plan, January 1991.

Background

Noise is defined as any undesired sound in the environment and can impair the quality of life by impeding rest, sleep, work, and communication. While motor vehicles are the most prevalent sources of noise, other sources contribute to urban noise such as aircraft, railroads, construction equipment, motorized landscaping tools, and home appliances. Sensitive receptors such as residences, schools, libraries, nursing homes, hospitals and parks experience particularly acute effects of noise disturbances. The City of Hesperia sets standards, uses site planning, and noise mitigation methods to control and abate the effects of noise. The Project would be subject the city's noise mitigation measures as outlined in the General Plan.

a) **Less Than Significant Impact.** According to Hesperia Municipal Code §16.20.125, the Industrial-Limited Manufacturing (I1) land use designation for the Project site is permitted to emit a 24-hour noise level of 70 dBA, which is similar to the noise level of a vacuum cleaner ten feet away. During the operational phase of the Project, the combined noise levels from the worker vehicles, the pallet delivery trucks, and the HVAC system would not exceed the permitted noise level. Furthermore, there are no sensitive receptors near the Project site as the site is bordered by undeveloped vacant land to the south, a vacant lot to the north and I1 land uses north of the vacant lot, the BNSF railroad to the west and the Hesperia Airport runway to the east. Residences west of the railroad and east of the airport are at least 350 feet away from the Project site. Project activities will occur within the existing building, which will provide noise attenuation for the residential areas.

During the construction phase, the Project will emit noise levels averaging 90 dBA at a 50-foot distance depending on the various construction activities.[54] Equipment such as utility trucks, dozers, graders, water trucks, compactors, front-end loaders, concrete and asphalt paving equipment will temporarily increase the noise level coming from the Project site. Given the smaller scale of this Project, the increased noise level would not be present for longer than six months. The city exempts temporary demolition and construction projects between 7:00am and 7:00pm from its noise mitigation standards. The combination of distance and the City's exemption will assure that noise levels will remain less than significant.

b) **Less Than Significant Impact.** The construction of the Project is expected to generate a temporary, intermittent, and localized ground-borne vibration. Per the Hesperia Municipal Code §16.20.130, ground vibration which can be felt without instruments at or beyond the lot line is not allowed, and vibration producing particle velocity equal or greater than 0.2 inches per second is also not allowed. The vibration source levels for construction equipment on the Proposed site may range from 0.003 PPV (in/sec) for a small bulldozer to 0.21 PPV (in/sec) for a vibratory roller.[55] Hesperia exempts temporary demolition and construction activities between 7:00am and 7:00pm this code. As stated above, the nearest sensitive receptors are 350 feet away from the Project site. Ground vibration impacts during construction are expected to be less than significant.

c) **Less Than Significant Impact.** Noise levels associated with airports emanate from engine noise while aircraft take off, land, and idle on the ground. The Hesperia Airport runway runs parallel to Santa Fe Avenue along the east side of the road approximately 190 feet from the Project site. The airport is a privately owned public use general aviation basic utility airport which functions as an airpark and lodge. There are 29 single engine airplanes, two multi engine airplanes, one helicopter and one ultralight based on the field. There are an average of 115 flight operations at the airport per week.[56]

The State of California developed a noise rating method for noise called the Community Noise Equivalent Level (CNEL). The CNEL is a decibel sound measurement over a 24-hour period that has been adjusted to account for sensitive receptors. 65 CNEL is the standard acceptable airport noise level for people living near airports. For Hesperia Airport, the 65 CNEL contour line remains within the existing airport boundary and indicates a very minor impact on adjacent land uses. A 60 CNEL contour line for the airport extends less than 250 feet from the runway, whereas the Project site lot line is 190 feet from the south end of the runway leaving an overlap of about 60 feet.[57] Industrial land use is not considered to be a sensitive receptor, and the City has established acceptable noise levels for these uses at 70 dBA CNEL. Since the noise levels emanating from the airport are lower than this limit, noise from the airport will result in a less than significant impact.

Mitigation: None required.

Monitoring: None required.

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54 Transit Noise and Vibration Impact Assessment Manual, Federal Transit Administration, September 2018, https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf.

55 Transit Noise and Vibration Impact Assessment Manual, Federal Transit Administration, September 2018, https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf.

56 Hesperia Airport, AirNav.com, retrieved January 31, 2024, https://www.airnav.com/airport/L26.

57 Hesperia Airport Comprehensive Land Use Plan, January 1991, https://www.sbcounty.gov/Uploads/lus/Airports/Hesperia.pdf.

14. POPULATION AND HOUSING – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) 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)?	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Sources: City of Hesperia General Plan 2010; Table E-5: City/County Population and Housing Estimates, California Department of Finance, May 2023; 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, Demographics & Growth Forecast Technical Report, Southern California Association of Governments.

Background

The City of Hesperia and its sphere of influence encompass 110 square miles in the Victor Valley region of San Bernardino County. As of January 2023, 100,041 people live in Hesperia, an increase of 37,451 people since 2000. There are approximately 31,020 housing units and an average of 3.36 people per household. As of 2045, the city is projected to have a population of 168,100 and 53,200 households. Per the city's General Plan, the projected population size at buildout will be approximately 243,000.[58]

Discussion of Impacts

a) **No Impact.** While the Project will provide a limited number of jobs, these jobs would likely be filled by people currently living in or near Hesperia and thus the Project would not result in unplanned population growth. Furthermore, as the Project's land use is consistent with the city's General Plan and zoning designations, any potential population growth would also be consistent with the city's General Plan. The Project proposes a half-width road improvement for E. Santa Fe Avenue and will connect to existing utility infrastructure, therefore, extensions to the road or other infrastructure are not necessary.

b) **No Impact.** The Project site is located in an industrial land use zone that does not currently contain residences. The north parcel is vacant land, and the south parcel has previously accommodated light industrial use. The Project will not displace any people or housing and it will not necessitate the construction of replacement housing elsewhere. There will be no impact.

Mitigation: None required.

Monitoring: None required.

[58] Table E-5, City and County Population and Housing Estimates, California Department of Finance, May 2023.

15. PUBLIC SERVICES –	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) 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:				
Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

Source: City of Hesperia General Plan (2010); Google Earth.

Background

Fire Department

The San Bernardino County Fire Protection Department (SBCFPD) provides fire protection services to San Bernardino County, encompassing approximately 20,160 square miles from the Los Angeles County lines on the west, to the Colorado River on the east, to the Nevada State line and Kern and Inyo counties on the north. The SBCFPD services more than 60 communities and cities, totaling a population size greater than 2 million[59].

The Country Fire Protection Department operates 48 fire stations throughout its service area, and has a staff of approximately 1,064 consisting of, but not limited to, Capitan, Fire Fighters, Engineers, and Duty Fire Marshals[60]. In Hesperia, there are four fire stations: Station 302, 303, 304, and Station 305. The nearest to the site is the San Bernardino Fire Station 302 located at 17288 Olive Street, approximately 4.3 miles to the northeast.

Police Protection

The City contracts the San Bernardino County Sheriff's Department for police services including traffic enforcement, vandalism investigation, and marked-unit patrol. The Hesperia Police Department is comprised of 58 sworn law enforcement personnel including a Captain, a Lieutenant, 7 Sergeants, 5 Detectives, and 44 Deputy Sheriffs[61]. The Department is located at 15840 Smoke Tree Street, approximately 4.4 miles north of the site.

Schools

The Hesperia Unified School District serves the City of Hesperia. Currently the school district has thirteen elementary schools, two middle schools, two sixth grade academies, and five high schools. The Krystal School of Science Math and Technology is the nearest school, approximately 2.6 miles northwest of the site.

[59] San Bernardino County Fire Protection District, https://sbcfire.org/about/.
[60] San Bernardino County Fire Protection District, Annual Report (FY21-22), 2022.
[61] City of Hesperia, https://www.cityofhesperia.us/306/Police.

Parks
The Hesperia Recreation and Park District (HRPD) owns, manages, and operates a total of 14 parks and recreation facilities throughout the City. The Maple Park located approximately 3.6 miles northwest is the nearest outdoor facility to the Project.

Discussion of Impacts

a) The Project is expected to have the follow impact on public services.

Fire Protection: Less Than Significant Impact. The Project is required to comply with the most recent California Fire Code provisions and the City's General Plan and Zoning Ordinance regarding fire safety standards to reduce potential risks. The San Bernardino County Fire Department will review the Project for compliance with the California Fire Code and the City's amendments to the code.

Due to the increased population of the City, the Fire Department has experienced an increase of 3 to 5% each year in emergency calls. The average response time by the Department is approximately 7 minutes and 16 seconds. The Insurance Service Office (ISO) ranks fire stations in terms of community's fire protection needs and services. The ranking ranges from Class 1 (best) to Class 10 (worst). The Hesperia Fire Department is currently classified as a Class 5 ISO in the developed portion and a Class 9 in the outlying areas.[62]

In relation to the Project, the nearest fire station is the San Bernardino Fire Station 302, located at 17288 Olive Street, approximately 4.3 miles northeast of the site. Station 302 is staffed by 7 personnel daily. The development of the Project is likely to increase the San Bernardino County Fire Station demand for fire protection services due to the increase of occupants in the area. As a result, the Project will be charged a development impact fee (Code §16.12.076). The increase demand for fire protection services is not expected to surpass the San Bernardino Fire Station 302 service capacity. Impact will be less than significant.

Police Protection: Less Than Significant Impact. The Project is likely to increase the demand for police protection services by the local Police Department. The increase in demand is unlikely to surpass the service capacity. Therefore, the new construction or expansion of an existing facility is not required. The Project will be obligated to pay development impact fees in accordance with Code §16.12.075.

The police and emergency personnel will be able to access the site via existing roads. Project related impacts are expected to be less than significant.

Schools: No Impact. The Project proposes the development of an industrial facility for the restoration and outdoor storage of wooden pallets. The facility will offer new job opportunity to the local community. The operation of the industrial facility is therefore not expected to increase Hesperia's permanent residential population. The Hesperia Unified School District is unlikely to experience a change or impact as a result. No impact is anticipated.

Parks/ Other Facilities: No Impact. The Project is unlikely to increase the City's population size. The opportunity for new employment offered by the Project is expected to be fulfilled by the local community which already makes use of open spaces, parks, and other public facilities. The Project is not expected to significantly degrade the quality or accessibility of public service facilities. No impact will occur.

Mitigation: None required.
Monitoring: None required.

[62] City of Hesperia General Plan, Safety, 2012.

16. RECREATION –	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) 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?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Source: City of Hesperia General Plan (2010); Google Earth.

Background

The Hesperia Recreation and Parks Department (HRPD) encompasses approximately 110 square miles, including the City of Hesperia and portions of Oak Hills, Summit Valley, and Phelan. HRHD owns, operates, and manages a total of 14 parks and recreational facilities. The nearest public park to the site is Maple Park, located approximately 3.6 miles to the northwest. Lime Street Community Center is the nearest recreational facility, approximately 3.6 miles northeast of the site.

Other parks and recreational facilities include the Lime Street Park, City Hall, the Hesperia Branch Library, and the Hesperia Senior Center, which are at least 4 miles north or northeast of the site. Besides recreational facilities, the City offers passive recreational activities including horseback riding and hiking along the Mojave River, washes adjacent to the Interstate 15 Freeway, and within the Southern California Edison easements.

Discussion of Impacts

a) **No Impact.** The Project proposes the development of an industrial warehouse and an outdoor storage yard for wooden pallets. The Project will offer new job opportunities which are expected to be fulfilled by the local community. The prospects of new residents coming to work at the industrial facility and settle in Hesperia is very unlikely. For this reason, the Project is not expected to increase the use of existing local parks or other recreational facilities, and will therefore not result in the deterioration of any existing facility. No impact will occur.

b) **No Impact.** The Project will not require the construction or expansion of recreational facilities because existing residents will be employed at the site, and the Project is . Overall, the Project is not anticipated to substantially increase the population size or physically impact recreational facilities.

Mitigation: None required.

Monitoring: None required.

17. TRANSPORTATION – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	☐	☐	☐	☒
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d) Result in inadequate emergency access?	☐	☐	☐	☒

Sources: City of Hesperia General Plan (2010).

Background

In the City of Hesperia, roadway classifications are determined based on the road's role in the overall circulation system and relationship to surrounding uses. Roads within the Project area include Santa Fe Avenue East to the east, and Jenny Street to the south. Under the City's General Plan Circulation Element, Santa Fe Avenue East is divided into different roadway classification segments consisting of Arterial, Major Arterial, and Rural Collector. Summit Valley Road which provides access to Jenny Street is divided into segments consisting of Arterial and Major Arterial.[63] Jenny Street is a local road and does not have a roadway classification.

Discussion of Impacts

a) Less Than Significant Impact. Hesperia's General Plan establishes that roadways and intersections are required to operate at a vehicle Level of Service (LOS) D or better.

Existing Traffic Conditions

The Project was previously occupied by an industrial land use on the south parcel, and as a result there were historic trips generated at the site. However, the building has been vacant for an extended period, and the following discussion assumes all new trips. The north parcel is undeveloped and vacant.

Project Trip Generation

The Project proposes the operation of a wood pallet restoration facility and an open-air pallet storage yard, on a partially developed site. The site's total area is approximately 6.11 acres where approximately 0.50 acres (or 21, 832 square feet) will be used for general industrial use. During working hours employees will commute and access the site. The number of recurring employees is expected to be low given the nature of the facility's operation. According to the Institute of Transportation Engineers (ITE) Trip Generator, the Project's "General Light Industrial" land use is anticipated to generate approximately 106 daily weekday trips (See Table 9).

[63] City of Hesperia General Plan, Traffic Circulation Plan, Exhibit CI-1, 2010.

Table 9
Project Trip Generation

Land Use	Trips/Weekday	Trips/Year	AM Peak Hours	PM Peak Hours
Project (General Light Industrial, ITE #110)	**106**	**34,197**	**20**	**17**
*Daily rate trip generation from the Institute of Transportation Engineers Trip Generation (ITE Trip Gen).				

At buildout, the Project is forecast to generate approximately 106 trips on average, in any given weekday. Of these trips, approximately 20 trips occur during AM peak hour and approximately 17 occur during PM peak hour.

According to the City's General Plan, the Santa Fe Avenue-Ranchero Road intersection has a LOS B for AM and PM peak hours.[64] Indicating that the intersection maintains consistent operational levels that adequately meet traffic volumes during all hours of the day. Given the Project's trip generation, the increase traffic as a result of the development is not expected to significantly affect the LOS. All roadways and intersections will continue to operate at acceptable LOS levels, and thereby satisfy intersection requirements under the County of San Bernardino Transportation Impact Study Guidelines and the City's General Plan.[65] The Project's impact to the City's traffic circulation system is expected to be less than significant.

Active Transportation Plan

According to the City's General Plan, there are no bus routes or bike lanes that service the Project site.

The Victor Valley Transit Authority (VVTA) provides public transport services to the cities of Hesperia, Adelanto, Victorville, the Town of Apple Valley, and the County of San Bernardino. The VVTA operate five bus routes in the City. These routes are distributed between the City's center, eastern and northern regions and provide accessibility to shopping centers, public facilities, schools, hospitals, and colleges.[66] The nearest bus stop to the site is located approximately 2 miles to the northeast. No bus route services the Project's vicinity.

There are no existing bikeways in the Project's immediate vicinity. A portion of Santa Fe Avenue is classified as Class II Bike Path which changes into Summit Valley Road with a Class III Bike Path.[67] The portion of Santa Fe Avenue East that provides access to the site does not have a bike path classification.

The Project is expected to generate low demand on the City's public transportation system given that employees will be based within the local area. The Project will not conflict with the City's traffic circulation system or degrade non-vehicular transit. Impacts will be less than significant.

b) **No Impact.** CEQA Guideline §15064.3 subsection (b)(1) focus on impacts related to the surpassing vehicle milage threshold. The Project is located in a moderate to high density residential community with single family homes to the west and east, beyond the Hesperia Airport and the BNSF railroad. The Project is expected to provide new job opportunities to the local community, in which case, the commute distance ranges between 0.50 miles to 2 miles. The San Bernardino County Transportation Authority (SBTA)

64 City of Hesperia General Plan, Circulation, Exhibit CI-20 and CI-21, 2010.
65 San Bernardino County, Transportation Impact Study Guidelines, 2019.
66 City of Hesperia General Plan, Circulation, Exhibit CI-22, 2010.
67 City of Hesperia General Plan, Circulation, Exhibit CI-23, 2010.

Recommended Traffic Impact Analysis Guidelines for Vehicle Mileage Traveled and Level of Service Assessment determines land use projects with a probability of increasing the average vehicle mileage traveled (VMT) per service population which includes the population plus employment. The County's VMT Guideline concludes that an industrial warehouse project that is 63,000 square feet in size, will generate less than 110 daily vehicle trips. The project's low trip generation is presumed to be less than significant impact. The proposed Project will operate an industrial warehouse on approximately 21,832 square-foot and will generate 106 daily vehicle trips. For these reasons, the Project is not expected to increase Hesperia's population VMT. Less than significant impact will occur.

Overall, the Project is not expected to conflict or be inconsistent with CEQA Guideline §15064.3 subsection (b). No impact will occur.

c) **No Impact.** The construction of the Project will result in a warehouse and an outdoor storage yard. The Project is consistent with the City's General Plan Limited Manufacturing (I1) land use designation. The site will not conflict with the intended City's General Plan Land-Use, nor will it operate a facility that may be incompatible with the surrounding industrial area. The Project proposes an access point from Santa Fe Avenue East and a secondary access point at the northwest corner of Santa Fe Avenue East and Jenny Street. Both access points lead directly to the facility's loading zone and an on-site driveway leads to the outdoor storage yard located to the north. The outdoor storage yard will consist of 36 designated pallet storage areas. A total of 30 parking spaces are located on site in which 14 spaces are located between the two access points and the remaining 16 spaces are located along the industrial warehouse. The site plan does not include geometric design features that could otherwise increase on-site hazards. In all, the Project is in accordance with the City's General Plan Land Use and City's Zoning regarding industrial design standards. For these reasons, no impact is expected.

d) **No Impact.** The Project is located at the northwest corner of Santa Fe Avenue East and Jenny Street. Santa Fe Avenue East will provide primary access to the site when traveling north to south. Jenny Street provides a secondary access point. In case of an emergency, Hesperia Police Department and the San Bernardino County Fire Protection Department can access the site by means of either route. During the construction of the Project, no permanent changes preventing access to the site are expected. No obstruction during the Project's operation is planned. No impact is anticipated.

Mitigation: None required.

Monitoring: None required.

18. TRIBAL CULTURAL RESOURCES – Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 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 Incorporation	Less Than Significant Impact	No Impact
i) 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 section5020.1(k), or	☐	☐	☐	☒
ii) 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 § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Source: Michael Brandman Associates, Technical Background Report (2010).

Background

Hesperia is located at the southwestern portion of the Mojave Desert. The region may have been utilized by the Serrano tribes and the Vanyume tribes.

The Serrano tribe (Tribe) was located in and expanded east of the Cajon Pass area of the San Bernardino Mountains, north of Yucaipa, west of Twentynine Palms and south of Victorville. The Tribe were hunters and gathers, who used tools to hunt small animals and gather roots, tubers, and seeds of various kinds. Their population size at the time of European contact was approximately 2,000. The Serrano spoke the same language as the Cupan group of the Takic subfamily of the Uto-Aztecan language family. The Vanyume tribe, on the other hand, settled at the southern edge, along the Mojave River in the Victorville region and spoke a language similar to the Serrano. During European contact, Spanish settlers decimated the indigenous groups over an extended period. Some Serrano tribe members survived by the ruggedness of the terrain and their dispersed population in the far eastern portions of the San Bernardino Mountains. Nowadays, descendants of the Serrano tribe are found mostly on the Morongo and San Manuel reservations.[68]

Discussion of Impacts

i) **No Impact.** There are no tribal cultural resources listed or eligible for listing in the California Register of Historic Resources, or in a local register, and as confirmed by the Yuhaaviatam San Manuel Nation (see below), the Tribe has no known resources in or adjacent to the Project site. No impact will occur.

ii) **Less Than Significant Impact with Mitigation.** As discussed in Section 5, no cultural resources have been identified within the Project's area. No cemetery or human remains are expected to occur at the site. The City undertook Tribal Consultation under the requirements of AB 52. The City received one response from the

[68] Michael Brandman Associates, Technical Background Report in Support of the Cultural Resource Element: City of Hesperia General Plan Update, 2010.

Yuhaaviatam San Manuel Nation, who provided an email to the City on March 25, 2024. In that email, the Tribe indicated that the site and surrounding region occur within the ancestral territory of the Serrano people. The Tribe also indicated that they have no records that any resources occur on the Project site, and that they have no concerns about the Project. However, the Tribe requested the inclusion of three mitigation measures in Section 5 above, and of the two mitigation measures provided below. With implementation of these mitigation measures, impacts to tribal cultural resources will be reduced to less than significant levels.

Mitigation:

TCR-1 The Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN) shall be contacted, as detailed in CUL-1, of any pre-contact 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.

TCR-2 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.

Monitoring:

TCR-2 Should resources be identified during earth moving activities, the City will immediately contact the Tribe and coordinate activities to assure compliance with the Tribe's requests.
Responsible Party: City Planning Division
Timing: During earth moving activities

19. UTILITIES AND SERVICE SYSTEMS – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments?	☐	☐	☐	☒
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statues and regulations related to solid waste?	☐	☐	☐	☒

Source: City of Hesperia General Plan 2010; Hesperia Water District 2020 Urban Water Management Plan, 2021; City of Hesperia Water Master Plan Final Report, July 2008; City of Hesperia Wastewater Master Plan Final Report, July 2008; Victor Valley Water Reclamation Authority, June 2021; City of Hesperia Construction Waste Management Plan Procedures.

Background

Domestic Water:
Hesperia Water District provides domestic water service to the City and the Project site. The District pumps groundwater from the Alto Subarea subbasin, one of five subbasins within the Mojave River Groundwater Basin, and delivers domestic water via 15 active wells, 14 storage reservoirs and a pipeline distribution system. The District manages a total of 200 acre feet (af) or 64 million gallons.[69] The groundwater basins are recharged by rainfall, snowmelt from local mountains, imported water from the State Water Project (SWP), and wastewater reclamation. The Hesperia Water District is a member agency of the Mohave Water Agency, which manages the use and replenishment of the entire Mohave River Groundwater Basin.

In 2020 the Hesperia Water District adopted an Urban Water Management Plan (UWMP) in compliance with the California Urban Water Management Planning Act (UWMPA). The UWMP sets forth guidelines to protect water supplies and meet demands over the next 25 years. When setting water usage targets for all residential and non-residential consumers, the City calculates water consumption by dividing the total annual water production by the City's population. Water use per capita was set at 184 gallons per day (gpcd), and the city's actual per capita usage is 129 gpcd.[70] The City exceeds the per capita water usage target.

[69] Hesperia Water District, 2020 Urban Water Management Plan, 2021
[70] Hesperia Water District, 2020 Urban Water Management Plan, 2021

Wastewater Facilities:
Currently, only certain eastern, central, and northern portions of Hesperia are served by sewer infrastructure. The remaining portions of the city are either undeveloped or served by on-site septic systems. The Project site is within an area that does not have sewer access, and therefore has its own septic system. The City of Hesperia Wastewater Master Plan shows that sewer expansion plans do not include the area where the Project site is located. The Project will continue to use an on-site septic tank for wastewater collection and disposal.

Electricity:
Southern California Edison provides electricity to Hesperia. The local office address is 12353 Hesperia Road, Victorville, California.

Natural Gas:
Southwest Gas Corporation provides natural gas to Hesperia. The local office address is 13471 Mariposa Road, Victorville, California.

Solid Waste:
Advance Disposal serves as the sanitation service provider for Hesperia. The main office is located at 17105 Mesa Street, Hesperia, California. Advance Disposal operates a Materials Recovery Facility where recyclable materials are extracted from the solid waste. The Victorville Sanitary Landfill, 18600 Stoddard Wells Road, Victorville, California, accepts the waste from Advance Disposal.

Advance Disposal utilizes a single stream method of waste management which means that instead of separating their own waste into separate bins for recyclable and non-recyclable materials, customers put all waste into a single curbside bin that is collected by Advance Disposal and sorted at a Materials Recovery Facility. The City views this as the most efficient method of recovering recyclable materials and tracking the city's compliance with state mandated diversion rates.

a) **No Impact.** On the south parcel the proposed Project involves the reuse of an existing light industrial warehouse as well as site improvements including a new concrete pavement driveway, new asphalt parking area, new concrete loading docks, and the construction of an asphalt outdoor pallet storage yard on the north parcel. The Project will protect in place the existing electrical, communications, and domestic water utility infrastructure on the site. The site will continue to utilize the existing septic wastewater system. Water valves located at the front of the site will be moved a short distance to the west and will remain either on site or in the right of way along Santa Fe Avenue East. Infrastructure extensions to the northern parcel are unlikely as it will be only a storage yard. There will be no environmental damage as all infrastructure will remain on the previously developed area. There will be no impacts.

b) **Less Than Significant Impact.** During construction, the Project may use water to control dust emissions. This use is limited to the short construction time. During operations, the Project will require water for indoor use and landscaping. Per the city's Urban Water Management Plan (UWMP), targeted non-residential gallons-per-capita-per-day use is 35 gpcd. According to the 2021 U.S. Energy Information Administration Commercial Buildings Energy Survey, the Project's warehouse can be expected to use 203.36 gallons of water per day (gpd), which would accommodate the limited number of employees who may use up to 35 gpcd. (See Project Indoor Industrial Water Demand in the Hydrology and Water Quality section). The Project will comply with the City's Code §16.20.160 to use drought-tolerate plants for landscaping and minimal irrigation. Overall, while the Project will have a small water demand, the demand will not exceed the water use targets for the Hesperia Water District's supply.

c) **No Impact.** The Project site will continue to use the on-site septic system. There will be no impacts on the city's wastewater treatment system.

d) **Less Than Significant Impact.**

Construction Waste: In 2010, the city adopted the California Green Building Standards Code which stipulates that 65% of waste generated at a demolition and construction site must be diverted from landfills. Commercial entities can opt to recycle certain materials, but they must contract with Advance Disposal, the waste hauler for Hesperia, to have construction waste removed from the site. In 2014, the city adopted a Construction and Demolition Debris Diversion Program which lays out a Construction Waste Management Plan (CWMP). Every building permit application is required to remit a CWMP. The Project will comply with the city's construction waste reduction and diversion standards, thereby reducing the impacts of construction waste to less than significant levels.

Operations Waste: The city complies with the state's AB 341 mandatory commercial recycling legislation which states that 50% of the waste from commercial businesses must be diverted away from landfills via reduction, recycling, and reuse programs. Commercial businesses may sort their own recyclable materials on-site and self-haul to a recycling facility, or contract with Advance Disposal who can haul and sort all waste generated during operations.

The Project will generate waste and will thus add to the city's tonnage of solid waste. However, the Project proposes to refurbish and store wood pallets, a product that yields recyclable material, therefore the amount of solid waste generated will consist mostly of office and kitchen waste, which also contains a percentage of recyclable materials.

Table 10
Projected Solid Waste Generation

Project Element	Generation Rate	Project Generation
Manufacturing Warehouse (21,831.9 sf)	**1.42 lbs./100sf/day**	**310 lbs. per day or 40.3 tons per year**
Estimated solid waste generation rate from CalRecycle.gov provides the daily rate used in this estimate.		

According to CalRecycle, the Victorville Sanitary Landfill is permitted to process 3,000 tons of solid waste per day and has a remaining capacity of 79,400,000 cubic yards. Per the CalRecycle industrial sector generation rates for a manufacturing warehouse, the Project's waste generation represents 1.34% of the daily tonnage permitted at the Victorville Sanitary Landfill. The amount of waste potentially generated by the Project A percentage of the of the solid waste generated by the Project is likely to consist of wood waste from pallets, and the wood can be recycled rather than sent to a landfill. The Project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. The impact of the Project's solid waste generation would be less than significant and would not impair the waste reduction attainment goals of the city.

e) **No Impact.** Advance Disposal Company is required to follow city, county, state and federal policies regarding the reduction and proper disposal of solid waste. There will be no impacts from the Project.

Mitigation: None required

Monitoring: None required.

20. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b) 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?	☐	☐	☒	☐
c) 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?	☐	☐	☐	☒
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

Sources: City of Hesperia General Plan 2010; City of Hesperia Local Hazard Mitigation Plan, 2017 Plan Update; Fire and Resources Assessment Program (FRAP) Fire Hazard Severity Zone Viewer, California Department of Forestry and Fire Protection, September 2023; FEMA National Flood Hazard Layer map viewer.

Background

Wildfires are natural events that promote ecosystem regeneration, however, they become hazards when they spread into human development areas. Wilderness areas that have not burned for 30+ years pose higher risks of burning in the near future due to the buildup of vegetative fuels. Areas where wilderness and urban land uses meet are referred to as the wildland-urban interface (WUI), and these areas impose elevated risks of fire hazards to human health and property. Wildfire events are a serious concern for Hesperia as the city has experienced a number of wildfires both in the city and surrounding region since 1999, and the south portion of the city abuts undeveloped transitional wilderness.

The Project site is located within the city's boundary and within the city's Local Responsibility Area (LRA), which is designated as a high severity zone according to the Cal Fire – Fire Hazard Severity Zone (FHSZ) map of 2016.[71] West, north and east of the Project site are developed city areas with lower risks of wildfire. However, the Project site, according to the Cal Fire FHSZ map of 2023, is approximately one-quarter mile north of a State Responsibility Area (SRA) that is designated as a very high fire hazard severity zone. The Project site is subject to the city's Local Hazard Mitigation Plan 2017 Update, California Building and Fire Codes and local amendments adopted by the city, and the city's Emergency Operations Plan, which complements San Bernardino County's OEP.

[71] City of Hesperia Local Hazard Mitigation Plan 2017 Plan Update, 2022, https://www.cityofhesperia.us/DocumentCenter/View/14830/2017-Hazard-Mitigation-Plan?bidId=.

Additionally, there are two Local Responsibility Areas (LRAs) at the far southwest and southeast edges of the city that are designated as very high fire hazard severity zones, however, these two zones are approximately five miles south of the Project site pose very minor threats.

a) **No Impact.** The proposed Project is accessed by Santa Fe Avenue East, a local street with a limited number of other light industrial businesses. Santa Fe Avenue East meets Jenny Street, an unpaved road at the south end, and Summit Valley Road, a designated evacuation route at the north end. The Project site, being at the south end of the Santa Fe Avenue East, will not impede others from accessing evacuation routes nor will it impair the city's emergency response and evacuation plans. The San Bernardino County Fire Department will assess emergency access to the Project site and make a final determination regarding access issues. No impact is expected.

b) **Less Than Significant Impact.** The Project site is flat and surrounded on three sides by urban developed land. The undeveloped swath south of the site to Summit Valley Road contains very sparse desert scrub vegetation. Jenny Street, an unpaved road running along the south boundary of the Project site, and Summit Valley Road, a paved two-lane road which jogs parallel to Jenny Street a little further south, both provide firebreaks between the Project site and the SRA FHSZ one-quarter mile south. The San Bernardino County Fire Department is responsible for administering fire hazard assessments and mitigation for the city and will have the final determination regarding exposure to wildfire risk for the Project site. Less than significant impacts are expected.

c) **No Impact.** The Project site has been in prior use by a light industrial business and will be able to access previously existing infrastructure. This proposed warehouse and outdoor pallet storage yard will not increase the need for additional infrastructure beyond the requirements of city's Local Hazard Mitigation Plan 2017 Update, California Building and Fire Codes and local amendments adopted by the city, and the city's Emergency Operations Plan. There will be no impacts.

d) **No Impact.** The city's Local Hazard Mitigation 2017 Plan Update indicates that the Project site is not located within either a 100-year or 500-year flood zone. The FEMA National Flood Hazard Layer shows the site as lying on the inside edge of an area designated as Zone D. Zone D areas have not been analyzed for flood hazards, and thus flood risks are undetermined. As stated above, the Project site is flat and has been previously developed on the south parcel while the north parcel contains sparse vegetation that will largely be cleared for an outdoor pallet storage yard. The site is located at the end of the street where development surrounds three sides of the site and very sparsely vegetated vacant land lies on the south side. The Project site does not impose post-fire flooding risks to other structures or people in the vicinity. No impact is expected.

Mitigation Measures: None required.

Monitoring: None required.

21. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially 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, substantially 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?	☐	☒	☐	☐
b) Does the project 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)?	☐	☐	☒	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

a) Less Than Significant Impact with Mitigation Incorporated

Biological Resources

As discussed in Section 4, a biological resources assessment was conducted on the Project which identified two Western Joshua trees (*Yucca brevifolia*) and multiple California Juniper trees (*Juniperus californica*) on the north parcel. The low numbers of California Junipers and Western Joshua trees currently on the Project site are not dense or extensive enough to represent high desert intact woodland habitat, hence the Project will not substantially reduce viable habitat, or substantially reduce the number or restrict the range of a rare or endangered plant or animal species. As the Joshua trees are protected under the Western Joshua Tree Protection Act and managed by the California Department of Fish and Wildlife (CDFW), San Bernardino County and the City of Hesperia, the required mitigation measure (BIO-1) will require that the two Joshua trees remain in place with a 12-foot buffer around each tree, and/or that the applicant secure an incidental take permit from CDFW under the provisions of the WJTCA. Secondly, the Juniper trees and Joshua trees on the site provide potential nesting habitat for birds. Therefore, per the Migratory Bird Treaty Act (MBTA) a pre-construction survey is required in order to avoid impacts (BIO-2). To help offset alteration to the mature California Juniper trees and Western Joshua trees, the third mitigation measure (BIO-3) recommends that, as much as possible, the Junipers be incorporated into the planned drought-tolerant landscaping for the site. Finally, mitigation measure BIO-4 requires that a preconstruction survey be completed to assure that burrowing owls do not locate on the property prior to ground disturbance. With implementation of these measures, impacts to biological resources will be reduced to less than significant levels.

Cultural and Tribal Cultural Resources

The cultural resources assessment found that no cultural artifacts of any kind were identified on the Project site. Likewise, no cemeteries or human remains are known or likely to have been placed on the Project site.

In the case that human remains are found, all activities will stop and the coroner will be notified to determine that nature of the remains and whether Native American consultation is needed as required by California's Government Code §5079.98. Through the Tribal consultation process, the Yuhaaviatam of San Manuel Nation requested the inclusion of mitigation measures to assure that if resources are identified, the Tribe is notified and monitoring is implemented by an archaeologist and a Tribal monitor. These requests are contained in mitigation measures CUL-1 through CUL-3, and TCR-1 and TCR-2. The implementation of the requested mitigation measures will assure that impacts to both cultural and Tribal cultural resources are reduced to less than significant levels.

b) **Less Than Significant Impact.** As described throughout this document, this proposed Project will occur on a site that is designated for limited industrial use and is sequestered from nearby non-industrial uses by a railroad to the west, an airport and runway to the east, vast undeveloped land to the south and other limited industrial sites to the north. The Project's impacts are largely limited to the site itself and will have very insignificant impacts beyond the site boundaries. When viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects, this Project's impacts will not be cumulatively significant.

c) **Less Than Significant Impact.** This Project is not expected to impose any environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly. The city's Municipal Code will be implemented to the fullest extent along with other standard requirements which will contain potential impacts to less than significant levels.

Mitigation Monitoring and Reporting Program				
	Mitigation Measure	**Responsible Agency**	**Timing**	**Verification (Date and Initials)**
BIOLOGICAL RESOURCES				
BIO-1	The two Western Joshua trees (*Yucca brevifolia*) will remain in place on the Project site and will each require a permanent 12-foot buffer from construction and operational vehicles, machinery and activity. Whether protected in place or removed, the applicant shall secure required incidental take permits prior to any ground disturbance on the Project site. The applicant shall apply for all required incidental take permits from CDFW in accordance with WJTCA and provide approved permits to the City prior to the initiation of any ground disturbing activity.	Project Biologist, Planning Division	Prior to ground disturbance	
BIO-2	Bird nesting season occurs between February 1 and September 15 in southern California, and between March 15 and August 31 for migrating bird species. To avoid impacts to resident and migratory nesting birds, all vegetation clearing, ground disturbance, and construction activity should be scheduled between September 16 and January 31 if possible. If construction occurs during the nesting season, a certified avian biologist must conduct a pre-construction nesting bird survey (NBS) immediately prior to scheduled construction activity. Should any active nests be identified, the biologist will demarcate a no-work buffer zone(s) around the active nest(s) and check the nest site(s) weekly until the young birds fledge and the nest(s) become inactive. The buffer zone size would be based on the nesting species, its sensitivity to disturbance, nesting stage and the expected intensity and duration of disturbance. No ground or vegetation disturbance shall occur within the nest site buffer zone(s) until the qualified biologist determines that the young have successfully fledged and the nest is inactive. Per CDFW recommendations, a buffer of 500 feet shall be set for listed species and birds of prey, and a buffer of 100 to 300 feet shall be set for unlisted songbirds.			
BIO-3	To help offset the loss of the mature California Juniper trees and their association with the Joshua tree woodland habitat the Junipers on the Project shall be incorporated into the planned drought-tolerant landscaping for the site rather than removed from the site, to the greatest extent possible.			
BIO-4	A pre-construction burrowing owl survey will be conducted by a qualified biologist within 30-days prior to any ground disturbing activities. If burrowing owls are documented on-site, the applicant shall prepare and implement a plan for avoidance or passive exclusion, in coordination with CDFW. Methodology for surveys, impact analysis, and reporting shall follow the recommendations and guidelines provided within the California Department of Fish and Game Staff Report on Burrowing Owl Mitigation (2012 Staff Report).			
CULTURAL & TRIBAL CULTURAL RESOURCES				
CUL-1	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 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.	Project archaeologist, Tribal monitor, Planning Department	During ground disturbing activities	

Mitigation Monitoring and Reporting Program				
Mitigation Measure		**Responsible Agency**	**Timing**	**Verification (Date and Initials)**
CUL-2	If significant pre-contact 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.			
CUL-3	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.			
TCR-1	The Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN) shall be contacted, as detailed in CUL-1, of any pre-contact 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.			
TCR-2	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.			

Appendix A

Air Quality
(Available at the City for review)

Appendix B

Biological Resources Assessment
(Available at the City for review)

Appendix C

Cultural Resources Assessment
(Available at the City for review)

Appendix D

Hydrology Report
(Available at the City for review)

Appendix E

Water Quality Management Plan
(Available at the City for review)