INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

OUHNAR LLC., APARTMENTS (92 UNITS) NEC OF 3RD. AVENUE & WILLOW STREET APN 0407-052-03 HESPERIA, CALIFORNIA 92345

LEAD AGENCY:

CITY OF HESPERIA
PLANNING DIVISION
9700 SEVENTH AVENUE
HESPERIA, CALIFORNIA 92345

REPORT PREPARED BY:

BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING
2211 S. HACIENDA BOULEVARD, SUITE 107
HACIENDA HEIGHTS, CALIFORNIA 91745

AUGUST 2024

HESP 011

THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.

MITIGATED NEGATIVE DECLARATION

PROJECT NAME: Ouhnar, LLC. 92 Apartment Unit Development

PROJECT APPLICANT: Narbik Babakhanian, Ouhnar, LLC 1908 Caminito Del La Luna, Glendale, California 91208.

PROJECT LOCATION: The 5.26-acre project site is located in the north-central portion of the City of Hesperia which is located in San Bernardino, County. The project site is undeveloped and has not been assigned a legal address as of this time. The Assessor's Parcel Number (APN) that is applicable to the project site is 0407-052-03. The proposed project site is located to the north of Willow Street and east of 3rd Avenue. The project site's latitude and longitude are 34°43'23.16" N -117°30'40.89"W. The project site is located within the United States Geological Survey (USGS) 7 ½ Minute, Hesperia, California Quadrangle (1956), Section 16 of Township 4 North, Range 4 West.

CITY AND County: City of Hesperia, San Bernardino County.

Project: The proposed project would involve the development of the 5.26-acre with a new multiple-family residential development that would consist of 92-units. Of the total number of units, 40 units would be one-bedroom units and 52 units would be two bedroom units. The residential units would be located within 10 new, two level buildings. In addition, a community center would be located in the site's southeast corner. Landscaping would total 45,994 square feet. A total of 221 parking spaces would be provided. Vehicular access to the project site would be provided by new driveway connections with the north side of Willow Street and the east side of 3rd Avenue.

EVALUATION FORMAT: The attached initial study is prepared in accordance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). Specifically, the preparation of the attached Initial Study was guided by Section 15063 of the State CEQA Guidelines. The project was evaluated based on its effect on 21 categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study checklist includes a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations.

Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant	No Impact

Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

No Impact: No impacts are identified or anticipated, and no mitigation measures are required.

Less than Significant Impact: No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less than Significant Impact with Mitigation: Possible significant adverse impacts have been identified or anticipated and mitigation measures are required as a condition of the project's approval to reduce these impacts to a level below significance.

Potentially Significant Impact: Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below will be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist in the attached Initial Study.

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

DETERMINATION: (To be completed by the Lead Agency) On the basis of this initial evaluation, the following finding is made:

☐	The proposed project *COULD NOT* have a significant effect on the environment, and a *NEGATIVE DECLARATION* shall be prepared.
X	Although the proposed project could have a significant effect on the environment, there shall 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* shall be prepared.
☐	The proposed project *MAY* have a significant effect on the environment, and an *ENVIRONMENTAL IMPACT REPORT* is required.
☐	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.
☐	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.

Signature _____ Date _____

The project and the attendant impacts are described in greater detail in the attached Initial Study.

TABLE OF CONTENTS

APPENDICES (UNDER A SEPARATE COVER)

APPENDIX A- AIR QUALITY WORKSHEETS
APPENDIX B – BIOLOGICAL RESOURCES REPORT
APPENDIX C - CULTURAL RESOURCES REPORT
APPENDIX D - ENERGY & UTILITIES WORKSHEETS
APPENDIX E – HYDROLOGY AND WATER QUALITY MANAGEMENT PLAN
APPENDIX F – TRAFFIC & VMT ANALYSIS

1. INTRODUCTION

1.1 OVERVIEW OF THE PROPOSED PROJECT

The proposed project would involve the development of the 5.26-acre with a new multiple-family residential development that would consist of 92-units. Of the total number of units, 40 units would be one-bedroom units and 52 units would be two bedroom units. The residential units would be located within 10 new, two level buildings. In addition, a community center would be located in the site's southeast corner. Landscaping would total 45,994 square feet. A total of 221 parking spaces would be provided. Vehicular access to the project site would be provided by new driveway connections with the north side of Willow Street and the east side of 3rd Avenue.[1]

1.2 PURPOSE OF THIS STUDY

The City of Hesperia is the designated *Lead Agency,* and as such, the City will be responsible for the project's environmental review. Section 21067 of California Environmental Quality Act (CEQA) defines a Lead Agency as the public agency that has the principal responsibility for carrying out or approving a project that may have a significant effect on the environment.[2] As part of the proposed project's environmental review, the City of Hesperia has authorized the preparation of this Initial Study.[3] The primary purpose of CEQA is to ensure that decision-makers and the public understand the environmental implications of a specific action or project. An additional purpose of this Initial Study is to ascertain whether the proposed project will have the potential for significant adverse impacts on the environment once it is implemented. Pursuant to the CEQA Guidelines, additional purposes of this Initial Study include the following:

- To provide the City of Hesperia with information to use as the basis for deciding whether to prepare an environmental impact report (EIR), mitigated negative declaration, or negative declaration for a project;
- To facilitate the project's environmental assessment early in the design and development of the proposed project;
- To eliminate unnecessary EIRs; and,
- To determine the nature and extent of any impacts associated the proposed project.

Although this Initial Study was prepared with consultant support, the analysis, conclusions, and findings made as part of its preparation fully represent the independent judgment and position of the City of Hesperia, in its capacity as the Lead Agency. The City determined, as part of this Initial Study's preparation, that a Mitigated Negative Declaration is the appropriate environmental document for the proposed project's CEQA review. Certain projects or actions may also require oversight approvals or permits from other public agencies. These other agencies are referred to as *Responsible Agencies* and *Trustee Agencies*, pursuant to Sections 15381 and 15386 of the State CEQA Guidelines.[4] This Initial Study and the *Notice of Intent to (NOI) Adopt a Mitigated Negative Declaration* will be forwarded to responsible agencies, trustee agencies, and

[1] Omega Design Group, Inc. Ouhnar, LLC *92 Units Residential Developmental. Site Plan, Sheet SP-1.* May, 2023.

[2] California, State of. *California Public Resources Code. Division 13, Chapter 2.5. Definitions.* as Amended 2001. §21067.

[3] Ibid. (CEQA Guidelines) §15050.

[4] California, State of. Public Resources Code Division 13. *The California Environmental Quality Act. Chapter 2.5, Section 21067 and Section 21069.* 2000.

the public for review and comment. This Initial Study and Mitigated Negative Declaration will be forwarded to the State of California Office of Planning Research (the State Clearinghouse). A 30-day public review period would be provided to allow these entities and other interested parties to comment on the proposed project and the findings of this Initial Study.[5] Questions and/or comments should be submitted to the following:

City of Hesperia, Planning Division
9700 Seventh Avenue
Hesperia, California 92345

1.3 INITIAL STUDY'S ORGANIZATION

The following annotated outline summarizes the contents of this Initial Study:

- *Section 1 Introduction* provides the procedural context surrounding this Initial Study's preparation and insight into its composition.
- *Section 2 Project Description* provides an overview of the existing environment as it relates to the project area and describes the proposed project's physical and operational characteristics.
- *Section 3 Environmental Analysis* includes an analysis of potential impacts associated with the construction and the subsequent operation of the proposed project.
- *Section 4 Conclusions* summarizes the findings of the analysis.
- *Section 5 References* identifies the sources used in the preparation of this Initial Study.

[5] California, State of. Public Resources Code Division 13. *The California Environmental Quality Act. Chapter 2.6, Section 2109(b).* 2000.

2. PROJECT DESCRIPTION

2.1 PROJECT LOCATION

The proposed project site is located in the north-central portion of the City of Hesperia. The City of Hesperia is located in southwestern portion of San Bernardino County in the southwestern Mojave Desert physiographic subregion. This physiographic subregion is more commonly referred to as either the "Victor Valley" or the "High Desert" due to its approximate elevation of 2,900 feet above sea level. The Victor Valley is separated from the more populated areas of coastal Southern California by the Cajon Pass which serves to separate the San Bernardino and San Gabriel mountains. The City of Hesperia is bounded on the north by Victorville and Apple Valley, unincorporated San Bernardino County (Oro Grande); on the east by Apple Valley and unincorporated San Bernardino County (Bell Mountain); on the south by the unincorporated San Bernardino County (Oak Hills); and on the west by unincorporated San Bernardino County (Baldy Mesa). Regional access to the City of Hesperia is provided by three area highways: the Mojave Freeway (Interstate 15), extending in a southwest to northeast orientation through the center of the City; U.S. Highway 395, traversing the western portion of the City in a northwest to southeast orientation; and Palmdale Road (State Route 18), which traverses the southern portion of the City in an east to west orientation.[6] The location of Hesperia, in a regional context, is shown in Exhibit 1. A citywide map is provided in Exhibit 2.

The 5.26-acre project site is located in the north-central portion of the City of Hesperia which is located in San Bernardino, County. The project site is undeveloped and has not been assigned a legal address as of this time. The Assessor's Parcel Number (APN) that is applicable to the project site is 0407-052-03. The proposed project site is located to the north of Willow Street and east of 3rd Avenue. The project site's latitude and longitude are 34°43'23.16" N -117°30'40.89"W. The project site is located within the United States Geological Survey (USGS) 7 ½ Minute, Hesperia, California Quadrangle (1956), Section 16 of Township 4 North, Range 4 West. A local vicinity map is provided in Exhibit 3. An aerial photograph of the site and the surrounding area is provided in Exhibit 4.

2.2 ENVIRONMENTAL SETTING

The project site is undeveloped though it has been disturbed. The site's General Plan and zoning designation is *Medium Density Residential (MDR)*. Land uses and development located in the vicinity of the proposed project site are outlined below:

- *North of the project site:* A metal industrial building is located to the north of the project site. The address of his building is 16451 Hercules Street. This area's General Plan and Zoning land use designation *Medium Density Residential (MDR).*
- *West of the project site:* 3rd Avenue extends along the project sites east side. Residential development is located to the west of the aforementioned roadway. The residential area is designated as *Low Density Residential (LDR)* in the General Plan and Zoning Map.
- *South of the project site:* Willow Street extends along the project site's south side. The property located to the south of the aforementioned Willow Street ROW is developed as single-family

[6] Google Earth. Website accessed October 2, 2023.

residential development. This area's General Plan and Zoning land use designation *Medium Density Residential (MDR).*

- *East of the project site:* Multiple-family residential development (the Desert Luna Apartments) are located to the east of the aforementioned roadway. This area's General Plan and Zoning land use designation *Medium Density Residential (MDR).*

The site and the surrounding uses are summarized in Table 1. An aerial photograph of the project site and the surrounding area is provided in Exhibit 4. The land use designations applicable to the project site and the surrounding area are shown in Exhibit 5.

Table 1 Summary of Environmental Setting

Project Element	Existing Use	General Plan and Zoning
Project Site	Vacant, undeveloped land	Medium Density Residential (MDR)
North of Project Site	Manufacturing, Utility	Medium Density Residential (MDR)
West of Project Site	3rd Ave. and Residential	Low Density Residential (LDR)
South of Project Site	Willow Street and Residential	Medium Density Residential (MDR)
East of Project Site	Residential	Medium Density Residential (MDR)

Source: Blodgett Baylosis Environmental Planning

2.3 PHYSICAL CHARACTERISTICS OF THE PROPOSED PROJECT

The proposed project would involve the development of the 5.26-acre with a new multiple-family residential development that would consist of 92-units. Of the total number of units, 40 units would be one-bedroom units and 52 units would be two bedroom units. The residential units would be located within 10 new, two level buildings. In addition, a community center would be located in the site's southeast corner.[7] The key physical elements of the proposed project are outlined below.

- *Site Plan*. The proposed project involves the development of a 5.26-acre, 229,125 square foot site with a new multiple-family residential development. The building footprint would total 91,044 square feet or 40% of the total site area. The A/C (Asphalt concrete paving) would total 80,287 square feet or 60% of the total site area.
- *New Building #1*. This new building would be located in the northeast corner of the site and would consist of two levels. A total of 8 units would be located in this building. Of this total, 4 units would be one bedroom units and 4 units would be two bedroom units.
- *New Building #2*. This new building would be located in the northeast corner of the site and would consist of two levels. A total of 4 units would be located in this building. Of this total, all 4 units would be two bedroom units.
- *New Building #3*. This new building would be located in the north-central portion of the site and would consist of two levels. A total of 12 units would be located in this building. Of this total, 4 units would be one bedroom units and 8 units would be two bedroom units.

[7] Omega Design Group, Inc. Ouhnar, LLC *92 Units Residential Developmental. Site Plan, Sheet SP-1.* May, 2023.

- *New Building #4*. This new building would be located in the northwest portion of the site and would consist of two levels. A total of 16 units would be located in this building. Of this total, 8 units would be one bedroom units and 8 units would be two bedroom units.
- *New Building #5*. This new building would be located in the southwest portion of the site and would consist of two levels. A total of 16 units would be located in this building. Of this total, 8 units would be one bedroom units and 8 units would be two bedroom units.
- *New Building #6*. This new building would be located in the southern portion of the site and would consist of two levels. A total of 4 units would be located in this building. Of this total, 4 units would be two bedroom units.
- *New Building #7*. This new building would be located in the southern portion of the site and would consist of two levels. A total of 8 units would be located in this building. Of this total, 8 units would be one bedroom units.
- *New Building #8*. This new building would be located in west-central portion of the site and would consist of two levels. A total of 8 units would be located in this building. Of this total, 4 units would be one bedroom units and 4 units would be two bedroom units.
- *New Building #9*. This new building would be located in west-central portion of the site and would consist of two levels. A total of 4 units would be located in this building. Of this total, 4 units would be two bedroom units.
- *New Building #10*. This new building would be located in easternmost portion of the site and would consist of two levels. A total of 12 units would be located in this building. Of this total, 4 units would be one bedroom units and 8 units would be two bedroom units.
- *New Building #11*. This new building would be located in southeast corner of the site and would be used as a community center, This building would consist of a single level and would have a total floor area of 2,195 square feet.
- *Floor Plan*. The total floor area for the one-bedroom floor plan would be 876 square feet for each unit while the total floor area for the typical two-bedroom floor plan would be 1,077 square feet for each unit. Of the 92-units, 40 units would be one-bedroom units and 52 units would be two-bedroom units.
- *Landscaping and Fencing*. Landscaping would total 45,994 square feet (or 20% of the total site area). The landscaping would be installed along the site's Willow Street and Third Street frontages and within the site's interior.
- *Access, Circulation, and Parking*. A total of 221 parking spaces would be provided. Vehicular access to the project site would be provided by new driveway connections with the north side of Willow Street and the east side of 3rd Avenue. Internal drive aisles would provide a connection with the internal parking areas.
- *Utilities*. The proposed project would connect to existing water lines (Hesperia Water District) located in Third Avenue and Willow Street. The proposed project would connect to a proposed sanitary sewer system extension located in Willow Street (Hesperia Water District).

The proposed site plan is illustrated in Exhibit 6.

Table 2 Summary of Proposed Project

Project Element	Description
Site Plan	5.26-acres (229,125 sq. ft.)
New Building #1	8 units (4 one bedroom units and 4 two bedroom units)
New Building #2	4 units (4 two bedroom units)
New Building #3	12 units (4 one bedroom units and 8 two bedroom units)
New Building #4	16 units (8 one bedroom units and 8 two bedroom units)
New Building #5	16 units (8 one bedroom units and 8 two bedroom units)
New Building #6	4 units (4 two bedroom units)
New Building #7	8 units (8 one bedroom units)
New Building #8	8 units (4 one bedroom units and 4 two bedroom units)
New Building #9	4 units (4 two bedroom units)
New Building #10	12 units (4 one bedroom units and 8 two bedroom units)
New Building #11	Community Center, 2,195 sq. ft.
Parking	221 parking spaces
Landscaping	45,994 sq. ft.

Source: Omega Design Group, Inc.

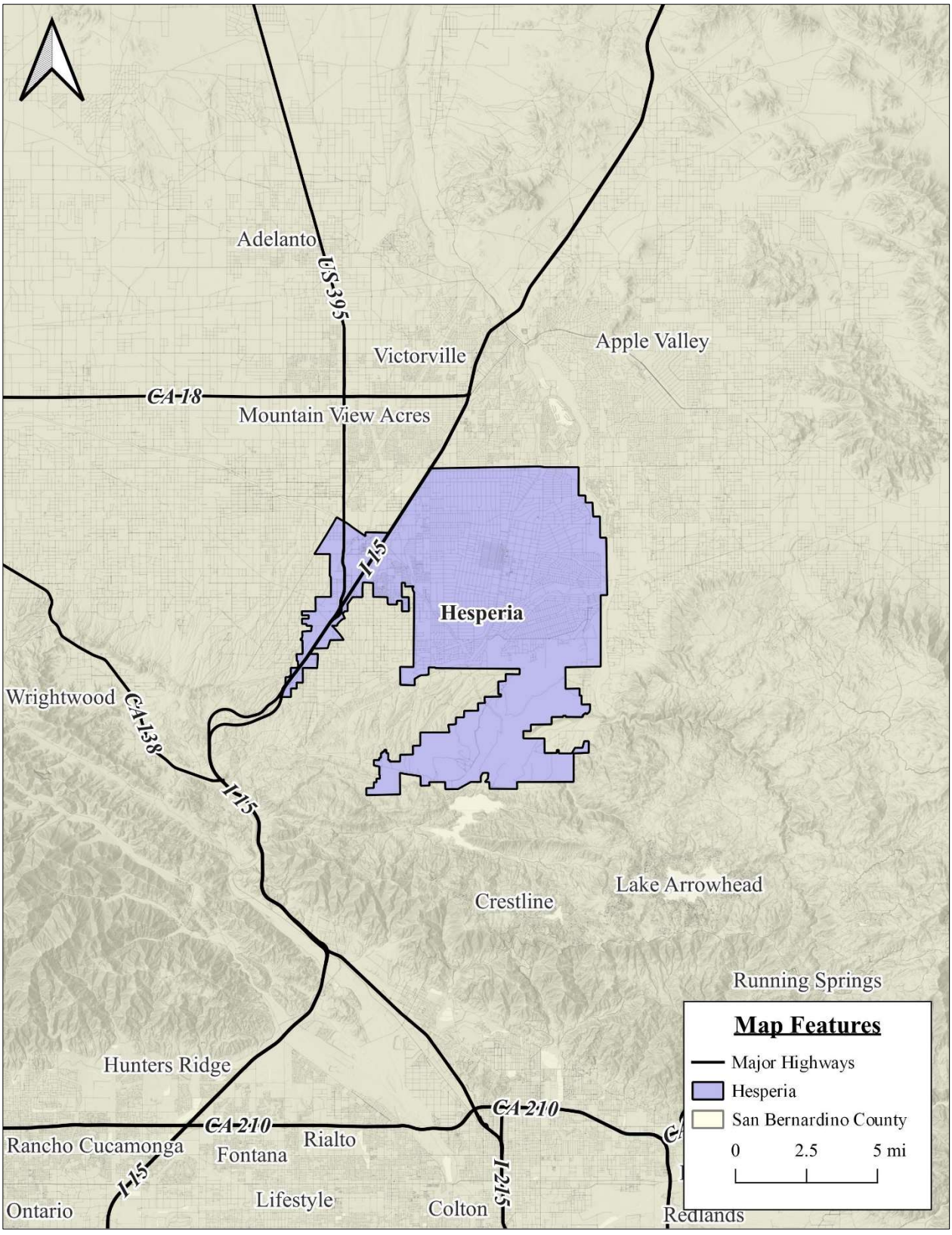

EXHIBIT 1 REGIONAL MAP
SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

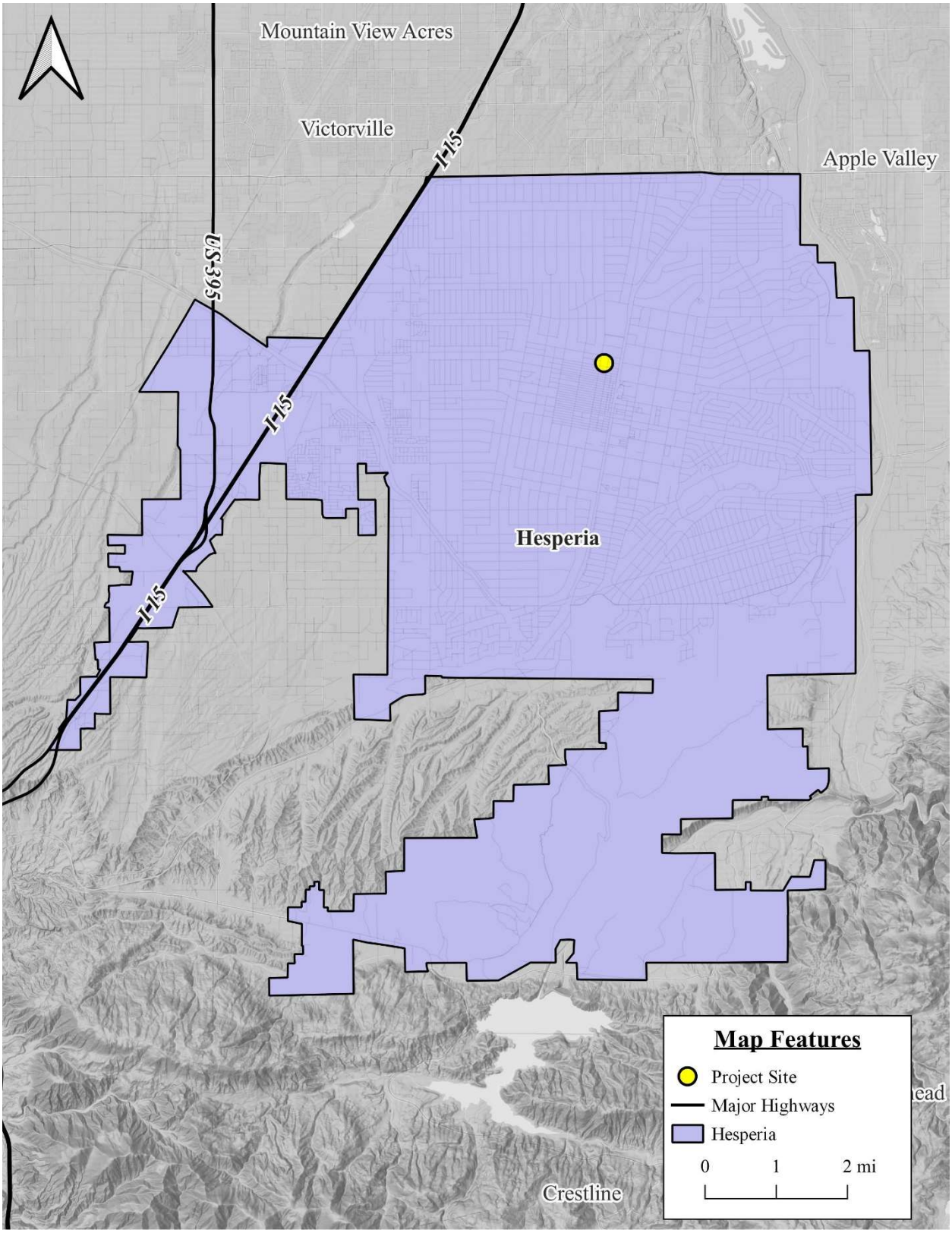

EXHIBIT 2 CITYWIDE MAP

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

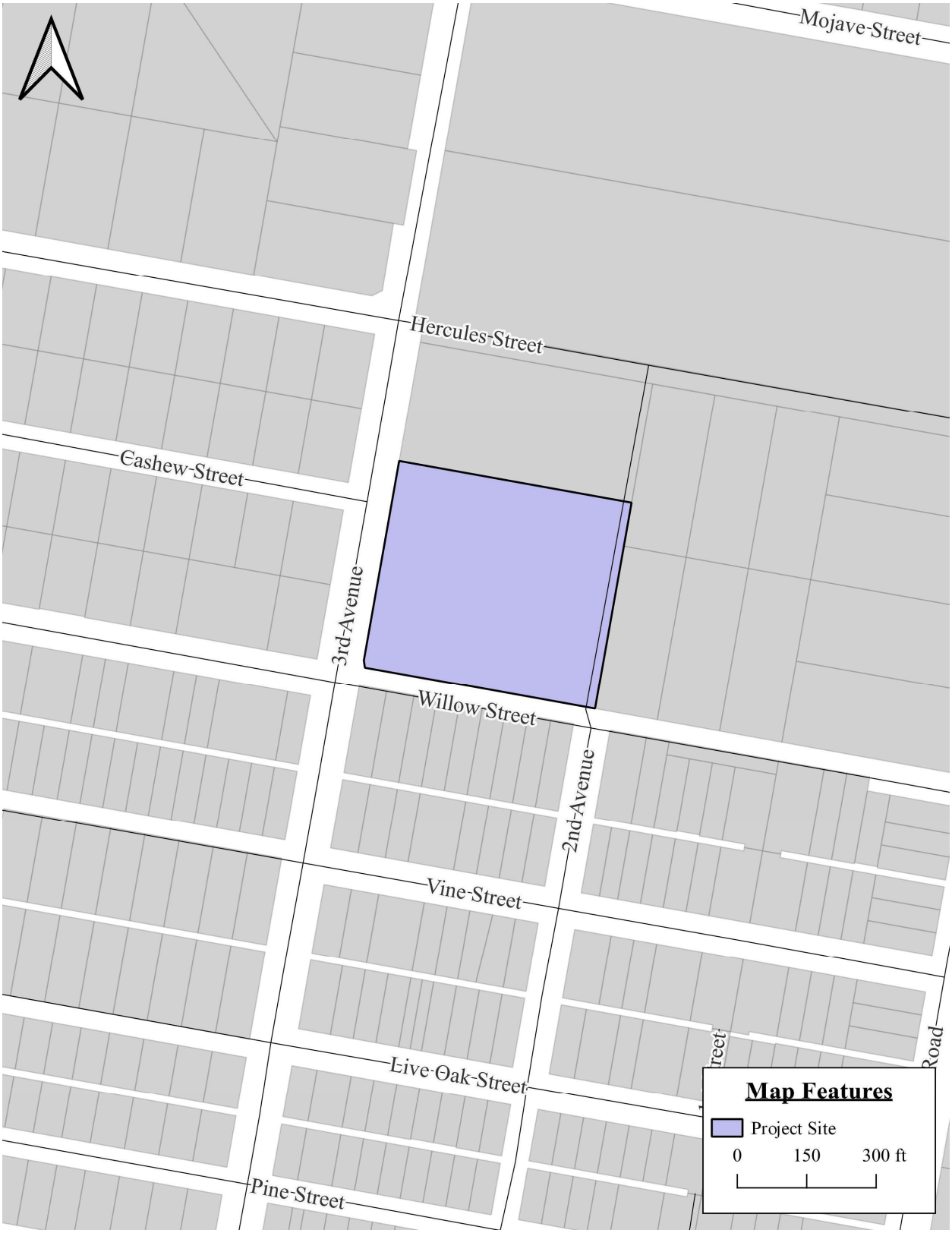

EXHIBIT 3 LOCAL MAP

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

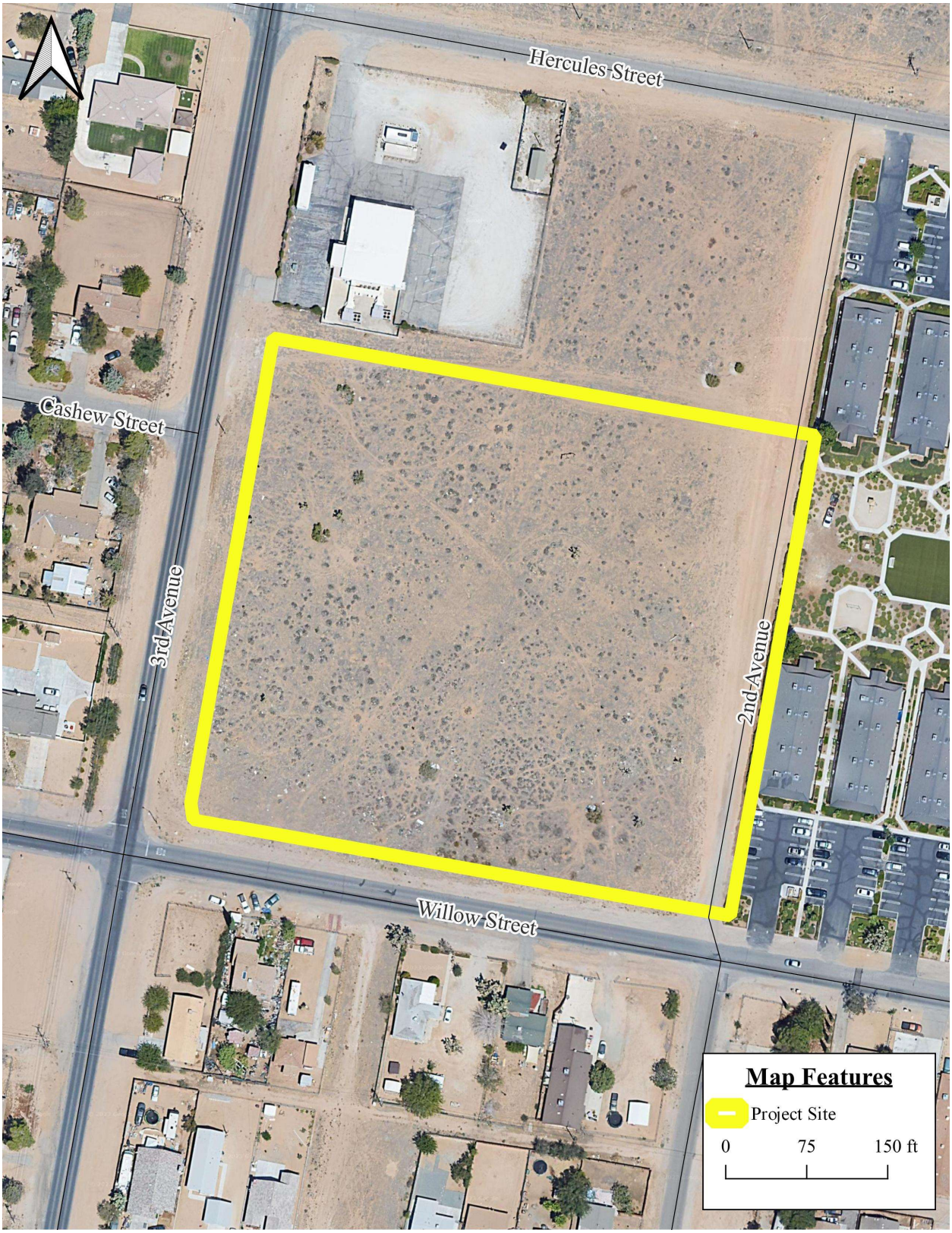

EXHIBIT 4 AERIAL MAP

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

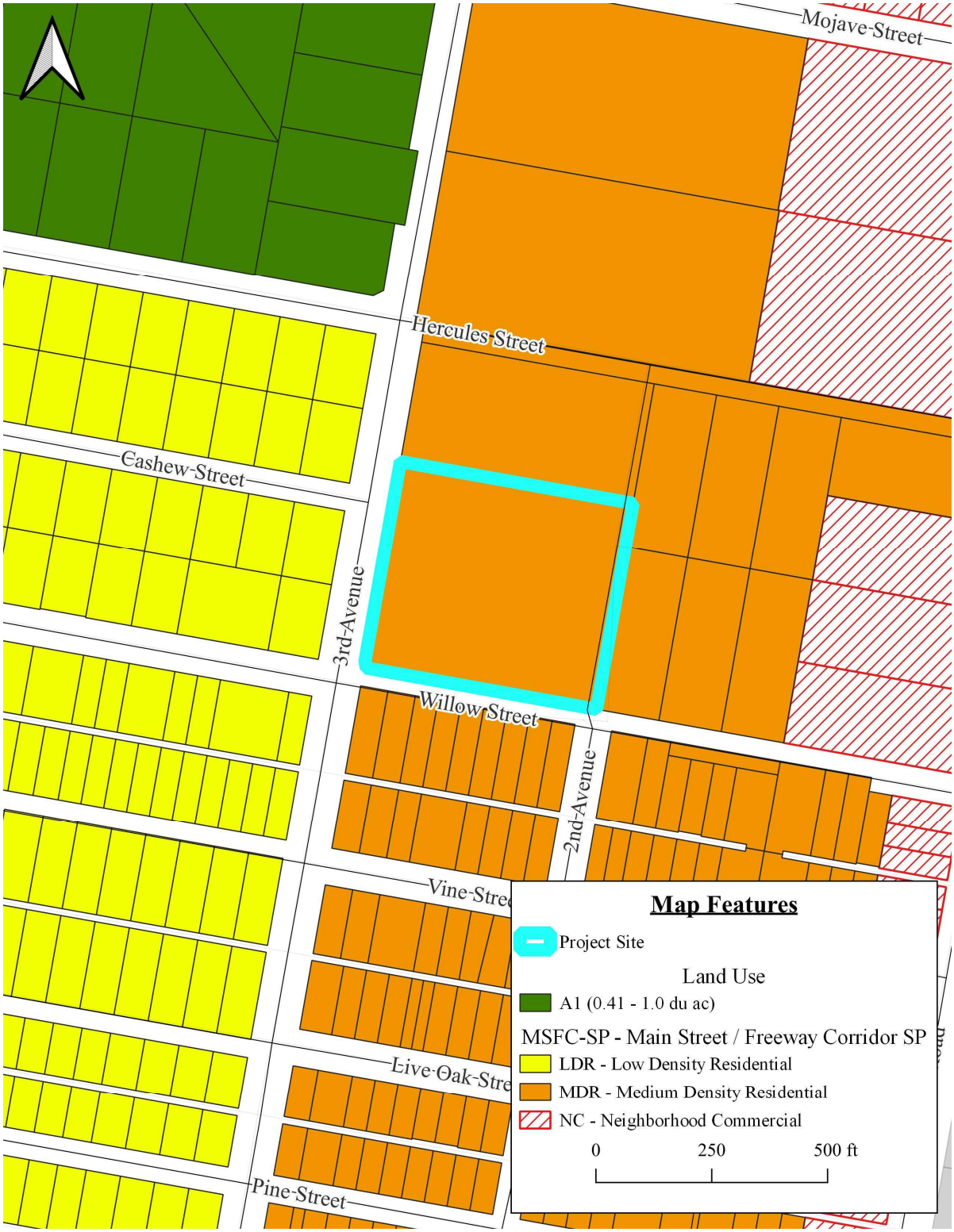

EXHIBIT 5 LAND USE DESIGNATIONS
SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

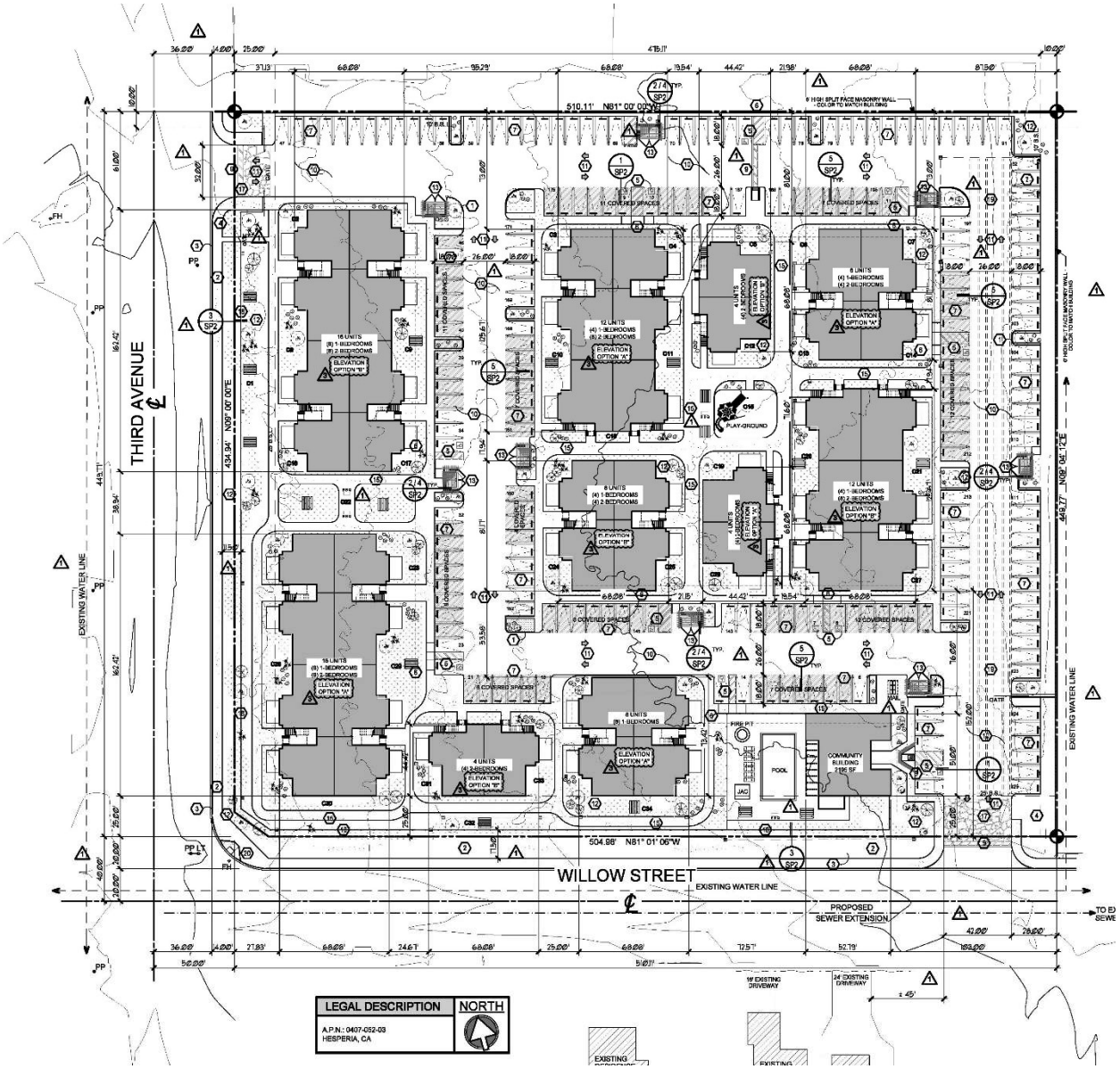

EXHIBIT 6 SITE PLAN OF PROJECT SITE
SOURCE: OMEGA DESIGN GROUP, INC.

3. ENVIRONMENTAL ANALYSIS

This section of the Initial Study analyzes the potential environmental impacts that may result from the proposed project's implementation. The issue areas evaluated in this Initial Study include the following:

- Aesthetics (Section 3.1);
- Agricultural & Forestry Resources (Section 3.2);
- Air Quality (Section 3.3);
- Biological Resources (Section 3.4);
- Cultural Resources (Section 3.5);
- Energy (Section 3.6);
- Geology & Soils (Section 3.7);
- Greenhouse Gas Emissions; (Section 3.8);
- Hazards & Hazardous Materials (Section 3.9);
- Hydrology & Water Quality (Section 3.10);
- Land Use & Planning (Section 3.11);
- Mineral Resources (Section 3.12);
- Noise (Section 3.13);
- Population & Housing (Section 3.14).
- Public Services (Section 3.15);
- Recreation (Section 3.16);
- Transportation (Section 3.17);
- Tribal Cultural Resources (Section 3.18);
- Utilities (Section 3.19);
- Wildfire (Section 3.20); and,
- Mandatory Findings of Significance (Section 3.21).

3.1 AESTHETICS

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project have a substantial adverse effect on a scenic vista?			✕	
B. Would the project substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?				✕
C. Would the project 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 a 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. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				✕

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on aesthetics if it results in any of the following:

- The proposed project would have an adverse effect on a scenic vista, except as provided in PRC Sec. 21099.
- The proposed project would have an adverse effect on scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.
- The proposed project would 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. or,
- The proposed project would, except as provided in Public Resources Code Section 21099, create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

The evaluation of aesthetic impacts is generally subjective, and it typically requires the identification of key visual features in the area and their importance. The characterization of aesthetic impacts involves establishing the existing visual characteristics including visual resources and scenic vistas that are unique to the area. Visual resources are determined by identifying existing landforms (e.g., topography and grading), views (e.g., scenic resources such as natural features or urban characteristics), and existing light and glare characteristics (e.g., nighttime illumination). Changes to the existing aesthetic environment associated with the proposed project's implementation are identified and *qualitatively* evaluated based on the proposed modifications to the existing setting and the viewers' sensitivity. The project-related impacts are then compared to the context of the existing setting, using the threshold criteria discussed above.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project have a substantial adverse effect on a scenic vista? ● Less Than Significant Impact.*

The dominant scenic views from the project site and the surrounding area include distant views of the San Bernardino and San Gabriel Mountains, located south, southwest, and southeast of the site and the City. In addition, local views are already dominated by neighboring development. The proposed project shall be designed, constructed, and operated in accordance with General Plan Policy LU-8.5 of the Land Use Element, which requires all development within the City to "Adopt design standards that will ensure land use compatibility and enhance the visual environment by providing attractive, aesthetically pleasing development which is sensitive to the unique local characteristics of the Hesperia community." In accordance with City policy, the Applicant shall provide replacement landscaping or vegetation to disturbed areas consistent with the natural surroundings, and in accordance with City Municipal Code Section 16.24.150 (Subject Desert Native Plants) and County Codes 88.01.050 (Tree or Plant Removal Permits) and 88.01.060 (Desert Native Plant Protection). Pursuant to these codes, landscaping shall be selected and incorporated to be drought-tolerant and shall complement existing natural and manmade features, including the dominant landscaping of surrounding areas. Through compliance with the City General Plan

and Municipal Code, the proposed project would minimize the contrast between project features and the surrounding Mojave Desert landscape and ensure adverse effects on scenic vistas remain less than significant. No mitigation is required. In addition, views from the mountains will not be obstructed. Once occupied, views of the aforementioned mountains will continue to be visible from the public right-of-way. *As a result, the impacts would be less than significant.*

B. *Would the project substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? ● No Impact.*

According to the California Department of Transportation, none of the streets located adjacent or near to the proposed project site (Willow Street, and 3rd Avenue) are not designated scenic highways and there are no state or county designated scenic highways in the vicinity of the project site.[8] The City of Hesperia General Plan identifies prominent view sheds within the City. These view sheds are comprised primarily of undeveloped desert land, the Mojave River, and distant views of the San Bernardino Mountains.[9] Lastly, the project site is undeveloped and does not contain any buildings listed in the State or National register. *As a result, no impacts would occur.*

C. *Would the project 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 a 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? ● No Impact.*

There are no protected views in the vicinity of the project site and the City does not contain any scenic vistas in the vicinity of the project site. In addition, the City does not have any zoning regulations or other regulations governing scenic quality other that the development standards for which the new development will be required to conform to. *As a result, no impacts would occur.*

D. *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? ● No Impact.*

Project-related sources of nighttime light would include parking area exterior lights, security lighting, and vehicular headlights. In addition, the City of Hesperia Municipal Code Section 16.16.415 includes design standards for outdoor lighting that apply to new development in the City (the site is located in the *Medium Density Residential (MDR) z*one district). The site's development would involve the installation of outdoor lighting necessary for safety and security as well as to accommodate night-time business operations. All lighting would comply with the development standards contained in the City's Zoning Code. The Municipal Code lighting standards govern the placement and design of outdoor lighting fixtures to ensure adequate lighting for public safety while also minimizing light pollution and glare and precluding nuisance (e.g., blinking/flashing lights, unusually high intensity or needlessly bright lighting). It is important to note that there are no light sensitive land uses located in the vicinity of the project site. *As a result, no impacts would occur.*

[8] California Department of Transportation. *Official Designated Scenic Highways.*

[9] City of Hesperia General Plan Website accessed on November 2, 2023.

MITIGATION MEASURES

The analysis of aesthetics indicated that no impact on these resources would occur as part of the proposed project's implementation. As a result, no mitigation is required.

3.2 AGRICULTURE & FORESTRY RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project 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 uses?				✖
B. Would the project conflict with existing zoning for agricultural uses, or a Williamson Act Contract?				✖
C. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				✖
D. Would the project result in the loss of forest land or conversion of forest land to a non-forest use?				✖
E. Would the project 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 conversion of forest land to a non-forest use?				✖

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on agriculture and forestry resources if it results in any of the following:

- The proposed project would 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.
- The proposed project would conflict with existing zoning for agricultural use, or a Williamson Act contract.
- The proposed project would conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)).
- The proposed project would result in the loss of forest land or conversion of forest land to non-forest use.

- The proposed project would 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 conversion of forest land to non-forest use.

The California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) was established in 1982 to track changes in agricultural land use and to help preserve areas of Important Farmland. It divides the state's land into eight categories of land use designation based on soil quality and existing agriculture uses to produce maps and statistical data. These maps and data are used to help preserve productive farmland and to analyze impacts on farmland. Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance are all Important Farmland and are collectively referred to as Important Farmland in this analysis. The highest rated Important Farmland is Prime Farmland. The California Land Conservation Act of 1965, or the Williamson Act, allows a city or county government to preserve agricultural land or open space through contracts with landowners. The County has areas that are currently agriculture preserves under contract with San Bernardino County through the Williamson Act of 1965. Contracts last 10 years and are automatically renewed unless a notice of nonrenewal is issued.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project 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 uses? ● No Impact.*

According to the California Department of Conservation, the project site nor the surrounding properties do not contain any areas of Farmland of Statewide Importance, and no agricultural uses are located onsite or adjacent to the property. The implementation of the proposed project would not involve the conversion of any prime farmland, unique farmland, or farmland of statewide importance to urban uses. *As a result, no impacts would occur.*[10]

B. *Would the project conflict with existing zoning for agricultural uses, or a Williamson Act Contract? ● No Impact.*

There are no agricultural uses located within the site that would be affected by the project's implementation. According to the California Department of Conservation Division of Land Resource Protection, the project site is not subject to a Williamson Act Contract.[11] *As a result, no impacts would occur.*

C. *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? ● No Impact.*

There are no forest lands or timber lands located within or adjacent to the project site. Furthermore, the

[10] California Department of Conservation, Division of Land Resource Protection, Farmland Mapping, and Monitoring Program. *California Important Farmland Finder*.

[11] California Department of Conservation. *State of California Williamson Act Contract Land*. https://maps.conservation.ca.gov/dlrp/WilliamsonAct/

site's existing zoning designation does not contemplate forest land or timber land uses. *As a result, no impacts would occur.*

D. *Would the project result in the loss of forest land or conversion of forest land to a non-forest use? ● No Impact.*

No forest lands are located within or adjacent to the project site. The proposed project would be restricted to the site and would not affect any forest land or farmland. No loss or conversion of forest lands to urban uses would result from the proposed project's implementation. *As a result, no impacts would occur.*

E. *Would the project 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 conversion of forest land to a non-forest use? ● No Impact.*

The project would not involve the disruption or damage of the existing environment resulting in a loss of farmland to nonagricultural use or conversion of forest land to non-forest use. The site does not contain any agricultural or forestry vegetation. No farmland conversion impacts would occur with the implementation of the proposed project. *As a result, no impacts would occur.*

MITIGATION MEASURES

The analysis of agricultural and forestry resources indicated that no impact on these resources would occur as part of the proposed project's implementation. As a result, no mitigation is required.

3.3 AIR QUALITY

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project conflict with or obstruct implementation of the applicable air quality plan?				✖
B. Would the project 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. Would the project expose sensitive receptors to substantial pollutant concentrations?			✖	
D. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			✖	

The air quality (CalEEMod) worksheets are included in Appendix A.

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on air quality if it results in any of the following:

- The proposed project would conflict with or obstruct implementation of the applicable air quality plan.
- The proposed project would 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.
- The proposed project would expose sensitive receptors to substantial pollutant concentrations.
- The proposed project would result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

The Mojave Desert Air Quality Management District (MDAQMD) has established quantitative thresholds for short-term (construction) emissions and long-term (operational) emissions for the criteria pollutants listed below. Projects in the Mojave Desert Air Basin (MDAB) generating construction and operational-related emissions that exceed any of the following emissions thresholds are considered to be significant under CEQA.

- *Ozone (O_3)* is a nearly colorless gas that irritates the lungs, and damages materials and vegetation. Ozone is formed a by photochemical reaction (when nitrogen dioxide is broken down by sunlight).
- *Carbon Monoxide (CO)* is a colorless, odorless toxic gas that interferes with the transfer of oxygen to the brain and is produced by the incomplete combustion of carbon-containing fuels emitted as vehicle exhaust. The threshold is 548 pounds per day of carbon monoxide (CO).
- *Nitrogen Oxide (NO_x)* is a yellowish-brown gas, which at high levels can cause breathing difficulties. NO_x is formed when nitric oxide (a pollutant from burning processes) combines with oxygen. The daily threshold is 137 pounds per day of nitrogen oxide (NO_x).
- *Sulfur Dioxide* (SO_2) is a colorless, pungent gas formed primarily by the combustion of sulfur-containing fossil fuels. Health effects include acute respiratory symptoms. The daily threshold is 137 pounds per day of sulfur oxides (SO_x).
- *PM_{10} and $PM_{2.5}$* refers to particulate matter less than ten microns and two and one-half microns in diameter, respectively. Particulates of this size cause a greater health risk than larger-sized particles since fine particles can more easily cause irritation. The daily threshold is 82 pounds per day of PM_{10} and 65 pounds per day of $PM_{2.5}$.
- *Reactive Organic Gasses (ROG)* refers to organic chemicals that, with the interaction of sunlight photochemical reactions may lead to the creation of "smog." The daily threshold is 137 pounds per day of ROG.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project conflict with or obstruct implementation of the applicable air quality plan? ● No Impact.*

Air quality impacts may occur during the construction or operation of a project, and may come from stationary sources (e.g., industrial processes, generators), mobile sources (e.g., automobiles, trucks), or area

(e.g., residential water heaters) sources. Projects that are consistent with the projections of employment and population forecasts identified in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) prepared by SCAG are considered consistent with the MDAQMP growth projections, since the RTP/SCS forms the basis of the land use and transportation control portions of the MDAQMP. According to the Growth Forecast Appendix prepared by SCAG for the 2020-2045 RTP/SCS, the City of Hesperia is projected to increase to 10,200 jobs in 2040 from 7,200 jobs in 2020.[12] The proposed project would involve 92 residential units. Assuming an average household size of 3.46 persons per household, the projected population would be 318 persons. Therefore, the proposed project is not in conflict with the growth projections established for the City by SCAG. The project's construction emissions would be below the thresholds of significance established by the MDAQMD (the project's daily construction emissions are summarized in Table 3). In addition, the proposed project's long-term (operational) airborne emissions will be below levels that the MDAQMD considers to be a significant impact (refer to Table 4). *As a result, no impacts would occur.*

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? ● Less than Significant Impact with Mitigation.*

According to the MDAQMD, any project is significant if it triggers or exceeds the MDAQMD daily emissions threshold identified previously and noted at the bottom of Tables 3 and 4. In general, a project will have the potential for a significant air quality impact if any of the following are met:

- Generates total emissions (direct and indirect) that exceeds the MDAQMD thresholds (the proposed project emissions are less than the thresholds as indicated in Tables 3 and 4);
- Results in a violation of any ambient air quality standard when added to the local background (the proposed project will not result, in any violation of these standards);
- Does not conform with the applicable attainment or maintenance plan(s) (the proposed project is in conformance with the City's Zoning and General Plan); and,
- 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 proposed project will not expose sensitive receptors to substantial pollutant concentrations nor is the site located near any sensitive receptors).

The analysis of daily construction and operational emissions was prepared utilizing the California Emissions Estimator Model (CalEEMod V.2022.1.1.20). As shown in Table 3, relevant daily construction emissions will not exceed the MDAQMD significance thresholds.

Table 3 Estimated Daily Construction Emissions in lbs./day

Construction Phase	ROG	NOx	CO	SO2	PM10	PM2.5
Maximum Daily Emissions	31.9	36.0	34.5	0.05	9.49	5.47
Daily Thresholds	137	137	548	137	82	65
Significant Impact?	No	No	No	No	No	No

Source: CalEEMod V.2022.1.1.20

[12] Southern California Association of Governments. 2020-2045 *Regional Transportation Plan/Sustainable Communities Strategy. Demographics & Growth Forecast.* November 2021.

While the construction-related emissions will be below thresholds, the following mitigation measures will be required to further reduce potential construction-related emissions.

- The Applicant shall prepare and submit to the MDAQMD, prior to commencing earth-moving activity, a dust control plan that describes all applicable dust control measures that will be implemented at the project;
- The Applicant shall ensure that signage, compliant with Rule 403 Attachment, is erected at each project site entrance not later than the commencement of construction.
- The Applicant shall ensure the use of a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. For projects with exposed sand or fines deposits (and for projects that expose such soils through earthmoving), chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines deposits.
- All perimeter fencing shall be wind fencing or the equivalent, to a minimum of four feet of height or the top of all perimeter fencing. The owner/operator shall maintain the wind fencing as needed to keep it intact and remove windblown dropout. This wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing.
- All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel, or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Take actions to prevent project-related track out onto paved surfaces and clean any project-related track out within 24 hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion.

Long-term emissions refer to those air quality impacts that would occur once the proposed project has been constructed and is operational. These impacts will continue over the operational life of the project. The two main sources of operational emissions include mobile emissions and area emissions related to off-site electrical generation. The analysis of long-term operational impacts summarized in Table 4 also used the CalEEMod V.2022.1.1.20 computer model. The analysis summarized in Table 4 indicates that the operational (long-term) emissions will be below the MDAQMD daily emissions thresholds.

Table 4 Estimated Operational Emissions in lbs./day

Emission Source	ROG	NOx	CO	SO2	PM10	PM2.5
Total Maximum Daily (lbs./day)	6.40	3.07	28.9	0.05	4.06	1.08
Daily Thresholds	137	137	548	137	82	65
Significant Impact?	No	No	No	No	No	No

Source: CalEEMod V.2022.1.1.20

The analysis presented in Tables 3 and 4 reflect projected emissions that are typically higher during the summer months and represent a worse-case scenario. As indicated in Tables 3 and 4, the impacts are considered to be less than significant. Adherence to the aforementioned standard condition will minimize odor impacts from diesel trucks. Adherence to Rule 403 Regulations and Title 13 - §2485 of the California Code of Regulations will reduce potential impacts. *As a result, the impacts would be less than significant with mitigation.*

C. *Would the project expose sensitive receptors to substantial pollutant concentrations? ● Less than Significant Impact*

The project area's General Plan land use designation is *Medium Density Residential (MDR)*.[13] The nearest sensitive receptors to the project site include the homes located to the south west and east. According to the MDAQMD, residences, schools, daycare centers, playgrounds, and medical facilities are considered sensitive receptor land uses. The following project types proposed for sites within the specified distance to an existing or planned (zoned) sensitive receptor land use must be evaluated: any industrial project within 1,000 feet; a distribution center (40 or more trucks per day) within 1,000 feet; a major transportation project within 1,000 feet; a dry cleaner using perchloroethylene within 500 feet; and a gasoline dispensing facility within 300 feet. The proposed project does not meet this criteria. *As a result, the impacts would be less than significant.*

D. *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? ● Less than Significant Impact.*

The proposed project would be required to adhere to the rules governing nuisance odors. All truck drivers visiting the site must adhere to Title 13 - §2485 of the California Code of Regulations, which limits the idling of diesel-powered vehicles to less than five minutes. Adherence to the aforementioned standard condition will minimize odor impacts from diesel trucks. Furthermore, adherence to MDAQMD Rule 402 Nuisance Odors will minimize odors generated during daily activities. Adherence to the existing regulations governing "nuisance odors" will reduce potential impacts. *As a result, the impacts would be less than significant.*

MITIGATION MEASURES

The following mitigation measures have been incorporated herein to further reduce the potential air quality impacts to levels that are less than significant.

AIR Mitigation No. 1. The Applicant shall prepare and submit to the MDAQMD, prior to commencing earth-moving activity, a dust control plan that describes all applicable dust control measures that will be implemented at the project;

AIR Mitigation No. 2. The Applicant shall ensure that signage, compliant with Rule 403 Attachment, is erected at each project site entrance not later than the commencement of construction.

AIR Mitigation No. 3. The Applicant shall ensure the use of a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. For projects with exposed sand or fines deposits (and for projects that expose such soils through earthmoving), chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines deposits.

AIR Mitigation No. 4. All perimeter fencing shall be wind fencing or the equivalent, to a minimum of four feet of height or the top of all perimeter fencing. The owner/operator shall maintain the wind

[13] City of Hesperia. *General Plan Land Use*. October 5, 2023.

fencing as needed to keep it intact and remove windblown dropout. This wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing.

AIR Mitigation No. 5. All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel, or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Take actions to prevent project-related track out onto paved surfaces and clean any project-related track out within 24 hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion.

3.4 BIOLOGICAL RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project 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. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				✖
C. Would the project 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. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites?				✖
E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		✖		
F. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?				✖

The biological study is included in Appendix B.

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on biological resources if it results in any of the following:

- The proposed project would 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.

- The proposed project would have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service.
- The proposed project would 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.
- The proposed project would 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.
- The proposed project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- The proposed project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Sensitive biological resources include a variety of plant and animal species that are specialized and endemic to a particular habitat type. Due to loss of habitat, some of these species have been designated by either, or both, the federal and state government resource agencies as threatened or endangered. Endangered species are those with such limited numbers or subject to such extreme circumstances that they are considered in imminent danger of extinction.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project 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? ● Less than Significant Impact with Mitigation.*

The project site supports a disturbed land cover type. Plant species present within the site include nonnative, weedy, invasive, and primary-successional species. Plant species observed onsite primarily support non-native and early successional plant species consisting of bur ragweed (Ambrosia acanthicarpa), Mediterranean mustard (Hirschfeldia incana), prickly lettuce (Lactuca seriola), and ripgut brome (Bromus diandrus). Additionally, thirteen (13) western Joshua trees (Yucca brevifolia), ranging in size from 0.7 meters to 4 meters, were observed on-site during the field investigation. Wildlife detections were based on calls, songs, scat, tracks, burrows, and direct observation. The project site provides limited habitat for wildlife species except those adapted to a high degree of anthropogenic disturbances and development.

- *Fish*. No fish or hydrogeomorphic features (e.g., perennial creeks, ponds, lakes, reservoirs) that would provide suitable habitat for fish were observed on or within the vicinity of the project site. Therefore, no fish are expected to occur and are presumed absent from the project site.

- *Amphibians*. No amphibians or hydrogeomorphic features (e.g., perennial creeks, ponds, lakes, reservoirs) that would provide suitable habitat for amphibian species were observed on or within the vicinity of the project site. Therefore, no amphibians are expected to occur on the project site and are presume

- *Reptiles*. The survey area provides suitable foraging and cover habitat for local reptile species adapted to conditions within the Mojave Desert. No reptilian species were observed onsite at the time of the investigation. Common reptilian species that could be expected to occur include western side-blotched lizard (Uta stansburiana elegans) and Great Basin fence lizard (Sceloporus occidentalis longipes).

- *Birds*. The project site has very little foraging and nesting habitat for bird species adapted to conditions within the Mojave Desert. Bird species detected during the field investigation include house finch (Haemorhous mexicanus), northern mockingbird (Mimus polyglottos), and American crow (Corvus brachyrhynchos). Additional avian species that could be expected to occur include common raven (Corvus corax), California horned lark (Eremophila alpestris actia), red-tailed hawk (Buteo jamaicensis), mourning dove (Zenaida macroura), and turkey vulture (Cathartes aura

- *Mammals*. The survey area provides suitable foraging habitat for mammalian species adapted to conditions within the Mojave Desert. The only mammalian species detected during the field investigation was the California ground squirrel (Otospermophilus beecheyi). Common mammalian species that could be expected to occur pocket gopher (Thomomys bottae), domestic cat (Felis catus), and coyote (Canis latrans).

- *Nesting Birds*. No active nests or birds displaying nesting behavior were observed during the field survey, which was conducted outside of breeding season. The plant communities and land cover types found on-site have the potential to provide suitable nesting habitat for year-round and seasonal avian residents, as well as migrating songbirds that could occur in the area that area adapted to urban environments. No raptors are expected to nest on-site due to lack of suitable nesting opportunities.

The following mitigation measures will be required for this project to mitigated the proposed project's potential impacts on nesting birds or burrowing owls. Nesting birds are protected pursuant to the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (Sections 3503, 3503.5, 3511, and 3513 prohibit the take, possession, or destruction of birds, their nests or eggs). If construction occurs between February 1st and August 31st, a pre-construction clearance survey for nesting birds should be conducted within three (3) days of the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction.

- In order to protect migratory bird species, a nesting bird clearance survey should be conducted prior to any ground disturbance or vegetation removal activities that may disrupt the birds during the nesting season. If construction occurs between February 1st and August 31st, a pre-construction clearance survey for nesting birds should be conducted within three (3) days of the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction. The biologist conducting the clearance survey should document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If an

active avian nest is discovered during the pre-construction clearance survey, construction activities should stay outside of a no-disturbance buffer. The size of the no-disturbance buffer will be determined by the wildlife biologist and will depend on the level of noise and/or surrounding anthropogenic disturbances, line of sight between the nest and the construction activity, type and duration of construction activity, ambient noise, species habituation, and topographical barriers. These factors will be evaluated on a case-by-case basis when developing buffer distances. Limits of construction to avoid an active nest will be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. A biological monitor should be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur.

- Prior to grading or any other ground-disturbing activity, a pre-construction burrowing owl clearance survey must be conducted in accordance with the Staff Report on Burrowing Owl Mitigation, State of California Natural Resource Agency, Department of Fish and Game, May 7, 2012, by a qualified biologist within 30 days prior to the beginning of project activities. A secondary survey must be conducted by a qualified biologist within 24 hours prior to the beginning of project construction to determine if the project site contains burrowing owl or sign thereof to avoid any potential impacts to the species. The surveys shall include 100 percent coverage of the project site. If both surveys reveal no burrowing owls are present or sign thereof, no additional actions related to this measure are required and a letter shall be prepared by the qualified biologist documenting the results of the survey. The letter shall be submitted to CDFW prior to construction.
- If active burrows or signs thereof are found within the development footprint during the pre-construction clearance surveys, site-specific non-disturbance buffer zones shall be established by the qualified biologist shall be no less than 300 feet If determined appropriate, a smaller buffer may be established by the qualified biologist following monitoring and assessments of the project's effects on the burrowing owls. If it is not possible to avoid active burrows, passive relocation shall be implemented if a qualified biologist has determined there are no nesting owls and/or juvenile owls are no longer dependent on the burrows. A qualified biologist, in coordination with the applicant and the City, shall prepare and submit a passive relocation program in accordance with Appendix E (i.e., Example Components for Burrowing Owl Artificial Burrow and Exclusion Plans) of the CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012) for CDFW review/approval prior to the commencement of disturbance activities onsite and proposed mitigation for permanent loss of occupied burrow(s) and habitat consistent with the 2012 Staff Report on Burrowing Owl Mitigation. When a qualified biologist determines that burrowing owls are no longer occupying the Project Site and passive relocation is complete, construction activities may begin. A final letter report shall be prepared by the qualified biologist documenting the results of the passive relocation. The letter shall be submitted to CDFW.

Additionally, thirteen (13) western Joshua trees (Yucca brevifolia), ranging in size from 0.7 meters to 4 meters, were observed on-site during the field investigation.

- Mitigation for direct impacts to the western Joshua trees within the project site will be fulfilled through attainment of a Western Joshua Tree Conservation Act (WJTCA) Incidental Take Permit and a payment of the elected fees as described in Section 1927.3 of the WJTCA. In conformance

with the reduced fee schedule prescribed for the Project area, mitigation will consist of payment of $1,000 for each western Joshua tree five meters or greater in height, $200 for each western Joshua tree less than five meters but greater than 1 meter in height; and $150 for each western Joshua tree less than 1 meter in height. California Department of Fish and Wildlife (CDFW) determines the final fee. Alternatively, mitigation will occur through off-site conservation or through a CDFW approved mitigation bank, or as required by a Section 2081 Incidental Take Permit, if received.

With the aforementioned mitigation, the impacts would be less than significant.

B. *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? ● No Impact.*

There are three key agencies that regulate activities within inland streams, wetlands, and riparian areas in California. The Corps Regulatory Branch regulates discharge of dredge or fill materials into "waters of the United States" pursuant to Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. Of the State agencies, the CDFW regulates alterations to streambed and bank under Fish and Wildlife Code Sections 1600 et seq., and the Regional Board regulates discharges into surface waters pursuant to Section 401 of the CWA and the California Porter-Cologne Water Quality Control Act. The project site does not support any discernible drainage courses, inundated areas, wetland features, or hydric soils that would be considered jurisdictional by the Corps, Regional Board, or CDFW. A query of the NWI database determined that no potential blueline streams, riverine, or other aquatic resources occur within or adjacent to the project site. Therefore, project activities will not result in impacts to Corps, Regional Board, or CDFW jurisdictional areas and regulatory approvals will not be required. *As a result, no impacts would occur.*[14]

C. *Would the project 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? ● No Impact.*

No wetland areas or riparian habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species, etc.) were found on National Wetlands Inventory.[15] *As a result, no impacts would occur.*

D. *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites? ● No Impact.*

Habitat linkages provide connections between larger habitat areas that are separated by development. Wildlife corridors are similar to linkages but provide specific opportunities for animals to disperse or migrate between areas. A corridor can be defined as a linear landscape feature of sufficient width to allow animal movement between two comparatively undisturbed habitat fragments. Adequate cover is essential

[14] ELMT Consulting. Biological Resources Assessment for a Proposed Multi-Family Residential Development Located on the Northeast Corner of the Intersection of Willow Street and 3rd Avenue in the City of Hesperia, San Bernardino County, California Assessment. September 27, 2023.

[15] U.S. Fish & Wildlife Service. *National Wetlands Inventory Mapper*. Accessed October 3, 2023.

for a corridor to function as a wildlife movement area. It is possible for a habitat corridor to be adequate for one species yet still inadequate for others. Wildlife corridors are features that allow for the dispersal, seasonal migration, breeding, and foraging of a variety of wildlife species. Additionally, open space can provide a buffer against both anthropogenic disturbance and natural fluctuations in resources. The project site does not occur within any known migratory corridors or linkages. Further, the project site does not support any features, e.g., a drainage corridor, that would facilitate wildlife movement through the area. Implementation of the proposed project is not expected to impact wildlife movement opportunities.

According to the San Bernardino County General Plan, the project site has not been identified as occurring within a Wildlife Corridor or Linkage. As designated by the San Bernardino County General Plan Open Space Element, the nearest major open space area to the site is located approximately 3.5 miles to the east of the site associated with the Mojave River. The site is separated from nearby open spaces by existing development and roadways, and undeveloped open space, and there are no riparian corridors or creeks connecting the project site to the Mojave River. As such, implementation of the proposed project is not expected to have a significant impact to wildlife movement opportunities or prevent local wildlife movement through the area since there is ample habitat adjacent to the project site to support wildlife movement opportunities.[16] *As a result, no impacts would occur.*

E. *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? ● Less than Significant with Mitigation*

As impacts are discussed under Section A. *The impacts would be less than significant with mitigation.*

F. *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? ● No Impact.*

Under the federal Endangered Species Act, "Critical Habitat" is designated at the time of listing of a species or within one year of listing. Critical Habitat refers to specific areas within the geographical range of a species at the time it is listed that include the physical or biological features that are essential to the survival and eventual recovery of that species. Maintenance of these physical and biological features requires special management considerations or protection, regardless of whether individuals or the species are present or not. All federal agencies are required to consult with the USFWS regarding activities they authorize, fund, or permit which may affect a federally listed species or its designated Critical Habitat.

The purpose of the consultation is to ensure that projects will not jeopardize the continued existence of the listed species or adversely modify or destroy its designated Critical Habitat. The designation of Critical Habitat does not affect private landowners, unless a project they are proposing is on federal lands, uses federal funds, or requires federal authorization or permits (e.g., funding from the Federal Highways Administration or a Clean Water Act Permit from the United States Army Corps of Engineers). If a there is a federal nexus, then the federal agency that is responsible for providing the funding or permit would consult with the USFWS. The project site is not located within federally designated Critical Habitat. The nearest Critical Habitat occurs approximately 3.7 miles to the northeast for southwestern willow flycatcher

[16] ELMT Consulting. Biological Resources Assessment for a Proposed Multi-Family Residential Development Located on the Northeast Corner of the Intersection of Willow Street and 3rd Avenue in the City of Hesperia, San Bernardino County, California Assessment. September 27, 2023.

(Empidonax traillii extimus). Therefore, no impacts to federally designated Critical Habitat will occur from implementation of the proposed project. The proposed project's implementation would not be in conflict with the provisions of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plans. *As a result, no impacts are anticipated.*

MITIGATION MEASURES

Migratory Bird Treaty Act and Fish and Game Code Nesting birds are protected pursuant to the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (Sections 3503, 3503.5, 3511, and 3513 prohibit the take, possession, or destruction of birds, their nests or eggs).

BIO Mitigation No. 1. In order to protect migratory bird species, a nesting bird clearance survey should be conducted prior to any ground disturbance or vegetation removal activities that may disrupt the birds during the nesting season. If construction occurs between February 1st and August 31st, a pre-construction clearance survey for nesting birds should be conducted within three (3) days of the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction. The biologist conducting the clearance survey should document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the pre-construction clearance survey, construction activities should stay outside of a no-disturbance buffer. The size of the no-disturbance buffer will be determined by the wildlife biologist and will depend on the level of noise and/or surrounding anthropogenic disturbances, line of sight between the nest and the construction activity, type and duration of construction activity, ambient noise, species habituation, and topographical barriers. These factors will be evaluated on a case-by-case basis when developing buffer distances. Limits of construction to avoid an active nest will be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. A biological monitor should be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur.

BIO Mitigation No. 2. Prior to grading or any other ground-disturbing activity, a pre-construction burrowing owl clearance survey must be conducted in accordance with the Staff Report on Burrowing Owl Mitigation, State of California Natural Resource Agency, Department of Fish and Game, May 7, 2012, by a qualified biologist within 30 days prior to the beginning of project activities. A secondary survey must be conducted by a qualified biologist within 24 hours prior to the beginning of project construction to determine if the project site contains burrowing owl or sign thereof to avoid any potential impacts to the species. The surveys shall include 100 percent coverage of the project site. If both surveys reveal no burrowing owls are present or sign thereof, no additional actions related to this measure are required and a letter shall be prepared by the qualified biologist documenting the results of the survey. The letter shall be submitted to CDFW prior to construction.

BIO Mitigation No. 3. If active burrows or signs thereof are found within the development footprint during the pre-construction clearance surveys, site-specific non-disturbance buffer zones shall be established by the qualified biologist shall be no less than 300 feet If determined appropriate, a smaller buffer may be established by the qualified biologist following monitoring and assessments of the project's effects on the burrowing owls. If it is not possible to avoid active burrows, passive relocation shall be implemented if a qualified biologist has determined there are no nesting owls and/or juvenile

owls are no longer dependent on the burrows. A qualified biologist, in coordination with the applicant and the City, shall prepare and submit a passive relocation program in accordance with Appendix E (i.e., Example Components for Burrowing Owl Artificial Burrow and Exclusion Plans) of the CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012) for CDFW review/approval prior to the commencement of disturbance activities onsite and proposed mitigation for permanent loss of occupied burrow(s) and habitat consistent with the 2012 Staff Report on Burrowing Owl Mitigation. When a qualified biologist determines that burrowing owls are no longer occupying the Project Site and passive relocation is complete, construction activities may begin. A final letter report shall be prepared by the qualified biologist documenting the results of the passive relocation. The letter shall be submitted to CDFW.

BIO Mitigation No. 4. Mitigation for direct impacts to the western Joshua trees within the project site will be fulfilled through attainment of a Western Joshua Tree Conservation Act (WJTCA) Incidental Take Permit and a payment of the elected fees as described in Section 1927.3 of the WJTCA. In conformance with the reduced fee schedule prescribed for the project area, mitigation will consist of payment of $1,000 for each western Joshua tree five meters or greater in height, $200 for each western Joshua tree less than five meters but greater than 1 meter in height; and $150 for each western Joshua tree less than 1 meter in height. California Department of Fish and Wildlife (CDFW) determines the final fee. Alternatively, mitigation will occur through off-site conservation or through a CDFW approved mitigation bank, or as required by a Section 2081 Incidental Take Permit, if received.

3.5 CULTURAL RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?			✖	
B. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		✖		
C. Would the project disturb any human remains, including those interred outside of dedicated cemeteries?			✖	

The cultural resources study is included in Appendix C.

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on cultural resources if it results in any of the following:

- The proposed project would cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5.
- The proposed project would cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5.

- The proposed project would disturb any human remains, including those interred outside of formal cemeteries.

Historic structures and sites are defined by local, State, and Federal criteria. A site or structure may be historically significant if it is locally protected through a General Plan or historic preservation ordinance. In addition, a site or structure may be historically significant according to State or Federal criteria even if the locality does not recognize such significance. To be considered eligible for the National Register, a property's significance may be determined if the property is associated with events, activities, or developments that were important in the past, with the lives of people who were important in the past, or represents significant architectural, landscape, or engineering elements. Specific criteria include the following:

- Districts, sites, buildings, structures, and objects that are associated with the lives of significant persons in or past;
- Districts, sites, buildings, structures, and objects that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or,
- Districts, sites, buildings, structures, and objects that have yielded or may be likely to yield, information important in history or prehistory.

Ordinarily, properties that have achieved significance within the past 50 years are not considered eligible for the National Register. However, such properties *will qualify* if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- A religious property deriving primary significance from architectural or artistic distinction or historical importance;
- Districts, sites, buildings, structures, and objects that are associated with events that have made a significant contribution to the broad patterns of our history;
- A building or structure removed from its original location that is significant for architectural value, or which is the surviving structure is associated with a historic person or event;
- A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building associated with his or her productive life;
- A cemetery that derives its primary importance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events;
- A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived;
- A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or,
- A property achieving significance within the past 50 years if it is of exceptional importance.[17]

[17] U. S. Department of the Interior, National Park Service. National Register of Historic Places. http://nrhp.focus.nps.gov. 2010.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? ● Less than Significant Impact.*

During the field survey, BCR Consulting archaeologists identified no cultural resources (including historic-period or prehistoric archaeological sites, or historic-period architectural resources) of any kind within the project site boundaries. The project has been subject to severe artificial disturbances associated with mechanical disturbances from grading and excavation and erosional forces. Vegetation consisted of sparse non-native scrub and seasonal grasses which afforded surface visibility of approximately 95 percent. Surficial sediments observed were chiefly composed of dry, yellowish-brown silty loam, with relatively low levels of subangular gravel. Additional resources reviewed included the National Register of Historic Places (National Register), the California Register, the Built Environmental Resource Directory (BERD), and documents and inventories published by the California Office of Historic Preservation. These include the lists of California Historical Landmarks, California Points of Historical Interest, Listing of National Register Properties, and the Inventory of Historic Structures. Data from the South Central Coastal Information Center (SCCIC) revealed that 22 previous cultural resource studies have taken place, and nine cultural resources have been identified within the 0.5-mile research radius of the project site. None of the previous studies have assessed the project site and no cultural resources have been identified within its boundaries. During the field survey, BCR Consulting archaeologists identified no cultural resources (including historic-period or prehistoric archaeological sites, or historic-period architectural resources) of any kind within the project site boundaries. The records search and field survey did not identify any cultural resources (including historic period or prehistoric archaeological resources, or historic-period architectural resources) within the project site boundaries. Therefore, no significant impact related to historical resources is anticipated and no further investigations are recommended unless the proposed project is changed to include areas that have not been subject to this cultural resource assessment or cultural materials are encountered during project activities. [18]*As a result, the impacts would be less than significant.*

B. *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? ● Less than Significant Impact Mitigation.*

Prior to the initiation of ground-disturbing activities, field personnel should be alerted to the possibility of buried prehistoric or historic cultural deposits. In the event that field personnel encounter buried cultural materials, work in the immediate vicinity of the find should cease and a qualified archaeologist should be retained to assess the significance of the find. The qualified archaeologist shall have the authority to stop or divert construction excavation as necessary. If the qualified archaeologist finds that any cultural resources present meet eligibility requirements for listing on the California Register or the National Register of Historic Places (National Register), plans for the treatment, evaluation, and mitigation of impacts to the find will need to be developed. Prehistoric or historic cultural materials that may be encountered during ground-disturbing activities include:

- Historic-period artifacts such as glass bottles and fragments, cans, nails, ceramic and pottery fragments, and other metal objects;

[18] BCR Consulting Inc. Cultural Resources Assessment. 3rd Avenue and Willow Street Project Hesperia, San Bernardino County, California. June 21, 2023.

- Historic-period structural or building foundations, walkways, cisterns, pipes, privies, and other structural elements;
- Prehistoric flaked-stone artifacts and debitage (waste material), consisting of obsidian, basalt, and or cryptocrystalline silicates;
- Groundstone artifacts, including mortars, pestles, and grinding slabs; • dark, greasy soil that may be associated with charcoal, ash, bone, shell, flaked stone, groundstone, and fire affected rocks; and,
- Human remains.

No cultural resources have been identified within the project site's boundaries. As part of the AB-52 consultation, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) requested the following mitigation measures be included:

- In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.
- If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.
- 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.

The impacts would be less than significant with the aforementioned mitigation.[19]

C. *Would the project disturb any human remains, including those interred outside of dedicated cemeteries? ● Less than Significant Impact.*

There are no dedicated cemeteries located in the vicinity of the project site. The proposed project will be restricted to the project site and therefore will not affect any dedicated cemeteries in the vicinity. Notwithstanding, the following mitigation is mandated by the California Code of Regulations (CCR) Section 15064.5(b)(4):

> "A lead agency shall identify potentially feasible measures to mitigate significant adverse changes in the significance of an historical resource. The lead agency shall ensure that any adopted measures

[19] BCR Consulting Inc. Cultural Resources Assessment. 3rd Avenue and Willow Street Project Hesperia, San Bernardino County, California. June 21, 2023.

> to mitigate or avoid significant adverse changes are fully enforceable through permit conditions, agreements, or other measures."

Additionally, Section 5097.98 of the Public Resources Code states:

> "In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission."

Adherence to the aforementioned standard condition will ensure potential impacts remain at levels that are less than significant.

MITIGATION MEASURES

As part of the AB-52 consultation, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) requested the following mitigation measures be included:

CUL Mitigation No. 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 and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

CUL Mitigation No. 2. If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

CUL Mitigation No. 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.

3.6 ENERGY

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?			✖	
B. Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?			✖	

The energy and utilities worksheets are included in Appendix E.

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on energy resources if it results in any of the following:

- The proposed project would result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during the proposed project's construction or operation.
- The proposed project would conflict with or obstruct a State or local plan for renewable energy or energy efficiency.

Energy and natural gas consumption were estimated using default energy intensities by building type in CalEEMod. In addition, it was assumed the new buildings would be constructed pursuant to the 2022 CALGreen standards, which was considered in the CalEEMod input This analysis utilizes the different fuel types for each vehicle class from the annual EMFAC2017 emission inventory in order to derive the average vehicle fuel economy which is then used to determine the estimated annual fuel consumption associated with vehicle usage during Project construction and operational activities. For purposes of this analysis, the 2021 analysis year was utilized to determine the average vehicle fuel economy used throughout the duration of the project. A typical multiple family units consumes 5,625 KWH of electricity on an annual basis. These rates were derived from SCAQMD's Air Quality Handbook. A typical multiple family unit consumes 4,011.5 cubic feet of natural gas on a monthly basis.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation? ● Less than Significant Impact.*

The Southern California Edison (SCE) company provides electricity to the project area. The California Renewables Portfolio Standard (RPS) Program establishes a goal for California to increase the amount of electricity generated from renewable energy resources to 20% by 2010, and to 33% by 2020. Recent legislation revised the current RPS target for California to obtain 50% of total retail electricity sales from renewable sources by 2030, with interim targets of 40% by 2024, and 45% by 2027 (CPUC). Natural gas to the project would be supplied by the Southwest Gas Corporation and electricity would be supplied by Southern California Edison. Table 5 provided on the following page includes an estimate of electrical and natural gas consumption for the proposed project. As indicated in the table, the project is estimated to consume approximately 1,418 kilowatt (kWh) per year of electricity and 12,301.9 cubic feet of natural gas.

Table 5 Estimated Annual Energy Consumption

Project	Consumption Rate	Total Project Consumption
Electrical Consumption	5625 kWh/unit/year	1,417.8 kWh/day
Natural Gas Consumption	4,011.5 Cubic feet/unit/year	12,301.9 Cu. Ft./day

Source: Southern California Edison and Southern California Gas Company.

It is important to note that the new residential units will include energy efficient fixtures. In addition, the energy consumption rates do not reflect the more stringent 2020 California Building and Green Building Code requirements. The proposed project will be constructed in accordance with the City's Building Code and with Part 6 and Part 11 of Title 24 of the California Code of Regulations. *As a result, the impacts would be less than significant.*

B. *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency? ● Less Than Significant Impact.*

On January 12, 2010, the State Building Standards Commission adopted updates to the California Green Building Standards Code (Code) which became effective on January 1, 2011. The California Code of Regulations (CCR) Title 24, Part 11: California Green Building Standards (Title 24) became effective to aid efforts to reduce GHG emissions associated with energy consumption. Title 24 now requires that new buildings reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials. The proposed project will be required to comply with all pertinent Title 24 requirements along with other Low Impact Development (LID) requirements. *As a result, the potential impacts would be less than significant.*

MITIGATION MEASURES

The analysis determined that the impacts would be less than significant. As a result, no mitigation measures would be required.

3.7 GEOLOGY & SOILS

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project, directly or indirectly, cause potential substantial adverse effects, including the risk of loss, injury, or death involving.			✖	
i). Would the project, directly or indirectly, cause 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 Pub. 42.			✖	
ii). Would the project, directly or indirectly, cause Strong seismic ground shaking?			✖	
iii). Would the project, directly or indirectly, cause seismic-related ground failure, including liquefaction;				✖
iv). Would the project, directly or indirectly, cause landslides?				✖
B. Would the project result in substantial soil erosion or the loss of topsoil?			✖	
C. Would the project 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. Would the project 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. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?				✖
F. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				✖

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on geology and soils if it results in any of the following:

- The proposed project would, directly or indirectly, cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publication 42); strong seismic ground shaking; seismic-related ground failure, including liquefaction; and, landslides?
- The proposed project would result in substantial soil erosion or the loss of topsoil.
- The proposed project would 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.

- The proposed project would 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.
- The proposed project would 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.
- The proposed project would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

The proposed project's potential seismic and soils risk was evaluated in terms of the site's proximity to earthquake faults and unstable soils.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project, directly or indirectly, cause potential substantial adverse effects, including the risk of loss, injury, or death? ● Less than Significant Impact.*

No active faults are known to project through the site and the site is not located within an Alquist-Priolo Earthquake Fault Zone, established by the State of California to restrict the construction of new habitable structures across identifiable traces of known active faults. An active fault is defined by the State of California as having surface displacement within the past 11,000 years or during the Holocene geologic time period. Based on the site's topography, and the lack of lineaments indicative of active faulting, the potential for surface rupture is very low to remote. *As a result, the potential impacts would be less than significant.*

i). *Would the project, directly or indirectly, cause 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. ● Less than Significant Impact.*

The City of Hesperia is located in a seismically active region. Earthquakes from several active and potentially active faults in the Southern California region could affect the proposed project site. In 1972, the Alquist-Priolo Earthquake Zoning Act was passed in response to the damage sustained in the 1971 San Fernando Earthquake. The Alquist-Priolo Earthquake Fault Zoning Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. A list of cities and counties subject to the Alquist-Priolo Earthquake Fault Zones is available on the State's Department of Conservation website. The City of Hesperia is not on the list.[20] The nearest significant active fault zones are Cleghorn fault zone and the North Frontal thrust system, which are approximately 6 miles southeast of the project City.[21] Surface ruptures are visible instances of horizontal or vertical displacement, or a combination of the two. The amount of ground shaking depends on the intensity of the earthquake, the duration of shaking, soil conditions, type of building, and distance from epicenter or fault. The potential impacts from fault rupture and ground shaking are considered no greater for the project site than for the surrounding areas given the distance between the site and the fault trace. Other potential seismic issues include ground failure and liquefaction. Ground failure is the loss in stability of the ground and includes landslides,

[20] California Department of Conservation. *Table 4, Cities and Counties Affected by Alquist Priolo Earthquake Fault Zones as of January 2010.*

[21] California Department of Conservation. *Fault Activity Map of California.* https://maps.conservation.ca.gov/cgs/fam/

liquefaction, and lateral spreading. The project site is not located within a liquefaction zone.[22] *As a result, the potential impacts would be less than significant.*

ii). *Would the project, directly or indirectly, cause strong seismic ground shaking.* ● *Less than Significant Impact.*

Surface ruptures are visible instances of horizontal or vertical displacement, or a combination of the two. The amount of ground shaking depends on the intensity of the earthquake, the duration of shaking, soil conditions, type of building, and distance from the epicenter or fault. The potential impacts from fault rupture and ground shaking are considered no greater for the project site than for the surrounding areas given the distance between the site and the fault trace. *As a result, the potential impacts are less than significant.*

iii). *Would the project, directly or indirectly, cause seismic-related ground failure, including liquefaction.* ● *No Impact.*

According to the United States Geological Survey, liquefaction is the process by which water-saturated sediment temporarily loses strength and acts as a fluid. The risk for liquefaction is no greater on-site than it is for the region. The project site and the City of Hesperia is located outside of a liquefaction zone.[23] *As a result, no impacts would occur.*

iv). *Would the project, directly or indirectly, cause landslides?* ● *No Impact.*

According to the United States Geological Survey, a landslide is defined as the movement of a mass of rock, debris, or earth down a slope. The project site is level with little to no slopes in the surrounding area. *As a result, no impacts would occur.*

B. *Would the project result in substantial soil erosion or the loss of topsoil?* ● *Less than Significant Impact.*

The University of California, Davis SoilWeb database was consulted to determine the nature of the soils that underlie the project site. According to the University of California, Davis SoilWeb database, the property is underlain by soils of the Bryman Loamy Sand.[24] The proposed project's contractors will be required to adhere to specific requirements that govern wind and water erosion during site preparation and construction activities. Following development, a large portion of the project site would be paved over or landscaped. The project's construction will not result in soil erosion with adherence to those development requirements that restrict storm water runoff (and the resulting erosion) and require soil stabilization. In addition, stormwater discharges from construction activities that disturb one or more acres, or smaller sites disturbing less than one acre that are part of a common plan of development or sale, are regulated under the National Pollutant Discharge Elimination System (NPDES) stormwater permitting program. In order to obtain an NPDES permit, the project The use of these construction BMPs identified in the mandatory

[22] California State Geoportal. *CGS Seismic Hazards Program: Liquefaction Zones*. February 11, 2022.

[23] Ibid.

[24] UC Davis. *SoilWeb*. Website accessed October 3, 2023.

SWPPP will prevent soil erosion and the discharge of sediment into the local storm drains during the project's construction phase. *As a result, the impacts would be less than significant.*

C. *Would the project 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? ● Less than Significant Impact.*

The proposed project's construction will not result in soil erosion since the project's contractors must implement the construction BMPs identified in the mandatory SWPPP. The BMPs will minimize soil erosion and the discharge of sediment off-site. Additionally, the project site is not located within an area that could be subject to landslides or liquefaction.[25] The soils that underlie the project site possess a low potential for shrinking and swelling. Soils that exhibit certain shrink swell characteristics become sticky when wet and expand according to the moisture content present at the time. Since the soils have a low shrink-swell potential, lateral spreading resulting from an influx of groundwater is slim. Future grading and excavation would not extend to depths required to encounter groundwater. Moreover, the project will not result in the direct extraction of groundwater. *As a result, the potential impacts would be less than significant.*

D. *Would the project 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? ● Less than Significant Impact.*

Liquefaction occurs as a result of a substantial loss of shear strength or shearing resistance in loose, saturated, cohesionless earth materials subjected to earthquake induced ground shaking. Potential impacts from liquefaction include loss of bearing capacity, liquefaction related settlement, lateral movements, and surface manifestation such as sand boils. Seismically induced settlement occurs when loose sandy soils become denser when subjected to shaking during an earthquake. The three factors determining whether a site is likely to be subject to liquefaction include seismic shaking, type and consistency of earth materials, and groundwater level. The proposed structures will be supported by compacted fill and competent alluvium, with groundwater at a depth of over 100 feet. As such, the potential for earthquake induced liquefaction and lateral spreading beneath the proposed structures is considered very low to remote due to the recommended compacted fill, relatively low groundwater level, and the dense nature of the deeper onsite earth materials. *As a result, the impacts would be less than significant.*

E. *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater? ● No Impact.*

The proposed project would not use a septic system to treat wastewater. The proposed project would connect to a sanitary sewer system. *As a result, no impacts would occur.*

[25] California State Geoportal. *CGS Seismic Hazards Program: Liquefaction Zones.* February 11, 2022.

F. *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? ● No Impact*

According to CEQA Guidelines, projects subject to CEQA must determine whether the project would "directly or indirectly destroy a unique paleontological resource". The Paleontological Overview provided in Appendix B has recommended that:

> "The geologic units underlying the project area are mapped primarily as "lower remnants of older alluvium, gray to brown, of locally derived detritus" from the Pleistocene epoch. (Dibblee and Minch, 2008). Pleistocene alluvial units are considered to be highly paleontologically sensitive. The Western Science Center does not have localities within the project area or within a 1 mile radius; however it does have localities in similarly mapped units across Southern California. Any fossil specimen from the 3rd Ave and Willow Street Project would be scientifically significant. Excavation activity associated with the development of the project area would impact the paleontologically sensitive Pleistocene alluvial units, and it is the recommendation of the Western Science Center that a paleontologically resource mitigation program be put in place to monitor, salvage, and curate any recovered fossils associated with the study area. If human remains are encountered during any project activities, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the NAHC, which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC."

The surface deposits in the proposed project area are composed entirely of younger Quaternary Alluvium. This younger Quaternary Alluvium is unlikely to contain significant vertebrate fossils, at least in the uppermost layers. The closest fossil vertebrate locality is LACM 7786, between Hesperia and the former George Air Force Base. This locality produced a fossil specimen of meadow vole, *Microtus*. The next closest vertebrate fossil locality from these deposits is LACM 1224, west of Spring Valley Lake, which produced a specimen of fossil camel, *Camelops*. Additionally, on the western side of the Mojave River below the bluffs, an otherwise unrecorded specimen of mammoth was collected in 1961 from older Quaternary Alluvium deposits. The geology within the project site has been mapped by Dibblee and Minch (2008). This geologic mapping indicates that the project site is underlain by Pleistocene-age older alluvial deposits (Qoa) composed of medium- to coarse-grained gray to brown sands. These units are considered to have moderate paleontological sensitivity as terrestrial macro- and microfossils have been found in Pleistoceneage alluvium throughout the southwest and specifically in the Mojave Desert, with several hundred fossil localities having been found in Qoa within 10 miles of the project boundary. *As a result, no impacts would occur*.

MITIGATION MEASURES

The analysis determined that the proposed project will not result in significant impacts related to geological or paleontological resources and no mitigation measures are required.

3.8 GREENHOUSE GAS EMISSIONS

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✖	
B. Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✖	

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on greenhouse gas emissions if it results in any of the following:

- The proposed project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
- The proposed project would conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Examples of GHG that are produced both by natural and industrial processes include carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O). The accumulation of GHG in the atmosphere regulates the earth's temperature. Without these natural GHG, the Earth's surface would be about 61°F cooler. However, emissions from fossil fuel combustion have elevated the concentrations of GHG in the atmosphere to above natural levels. These man-made GHG will have the effect of warming atmospheric temperatures with the attendant impacts of changes in the global climate, increased sea levels, and changes to the worldwide biome. The major GHG that influence global warming are described below.

- *Water Vapor*. Water vapor is the most abundant GHG present in the atmosphere. Changes in the atmospheric concentration of water vapor is directly related to the warming of the atmosphere rather than a direct result of industrialization. As a GHG, the higher concentration of water vapor is then able to absorb more thermal indirect energy radiated from the Earth, thus further warming the atmosphere. When water vapor increases in the atmosphere, more of it will eventually also condense into clouds, which are more able to reflect incoming solar radiation. This will allow less energy to reach the Earth's surface thereby affecting surface temperatures.
- *Carbon Dioxide (CO_2)*. The natural production and absorption of CO_2 is achieved through the terrestrial biosphere and the ocean. Manmade sources of CO_2 include the burning coal, oil, natural gas, and wood. Since the industrial revolution began in the mid-1700's, these activities have increased the atmospheric concentrations of CO_2. Prior to the industrial revolution, concentrations were fairly stable at 280 parts per million (ppm).
- *Methane (CH_4)*. CH_4 is an extremely effective absorber of radiation, although its atmospheric concentration is less than that of CO_2. Methane's lifetime in the atmosphere is brief (10 to 12 years), compared to some other GHGs (such as CO_2, N_2O, and Chlorofluorocarbons (CFCs). CH_4 has both

natural and anthropogenic sources. It is released as part of the biological processes in low oxygen environments, such as in swamplands or in rice production (at the roots of the plants).

- *Nitrous Oxide (N_2O).* Concentrations of N_2O also began to increase at the beginning of the industrial revolution. In 1998, the global concentration of this GHG was documented at 314 parts per billion (ppb). N_2O is produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load.
- *Chlorofluorocarbons (CFC).* CFCs are gases formed synthetically by replacing all hydrogen atoms in methane or ethane (C_2H_6) with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the Earth's surface). CFCs have no natural source but were first synthesized in 1928. It was used for refrigerants, aerosol propellants, and cleaning solvents.
- *Hydrofluorocarbons (HFC).* HFCs are synthetic man-made chemicals that are used as a substitute for CFCs. Out of all the GHGs, they are one of three groups with the highest global warming potential. The HFCs with the largest measured atmospheric abundances are (in order), HFC-23 (CHF_3), HFC-134a (CF_3CH_2F), and HFC-152a (CH_3CHF_2). Prior to 1990, the only significant emissions were HFC-23. HFC-134a use is increasing due to its use as a refrigerant.
- *Perfluorocarbons (PFC).* PFCs have stable molecular structures and do not break down through the chemical processes in the lower atmosphere. High-energy ultraviolet rays about 60 kilometers above Earth's surface are able to destroy the compounds. Because of this, PFCs have very long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF_4) and hexafluoroethane (C_2F_6).
- *Sulfur Hexafluoride (SF_6).* SF_6 is an inorganic, odorless, colorless, nontoxic, nonflammable gas. SF_6 has the highest global warming potential of any gas evaluated; 23,900 times that of CO_2. Concentrations in the 1990s where about 4 ppt. Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? ● Less than Significant Impact.*

The State of California requires CEQA documents to include an evaluation of greenhouse gas (GHG) emissions or gases that trap heat in the atmosphere. GHG emissions are emitted by both natural processes and human activities. Examples of GHG that are produced both by natural and industrial processes include carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O). Carbon dioxide equivalent, or CO_2E, is a term that is used for describing different greenhouses gases in a common and collective unit. The MDAQMD established the 3,500 MTCO2 threshold for residential land uses. As indicated in Table 3-4, the operational CO2E is 938 metric tons per year which is well below the threshold of 3,500 metric tons per year.

Table 6 Greenhouse Gas Emissions Inventory

Source	GHG Emissions (Metric tons/year)			
	CO2	CH4	N2O	CO2E
Total Operational Emissions	905	0.78	0.04	938
Total Construction Emissions	265	0.01	0.01	267
Significance Threshold				**3,500**

Source: CalEEMod V.2022.1.1.20

Furthermore, as mentioned in Section 3.17 Transportation, the projected vehicle trips to and from the site will not be significant given the proposed use. *As a result, the impacts would be less than significant.*

B. *Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases? ● Less than Significant Impact.*

The San Bernardino County Transit Authority (SBCTA) authorized the preparation of a county-wide Regional Greenhouse Gas Reduction Plan. This plan was adopted in March 2021. The plan contains multiple reduction measures that would be effective in reducing GHG emissions throughout the SBCTA region. The lack of development in the immediate area may preclude residents from obtaining employment or commercial services within the City boundaries, thus compelling residents to travel outside of City boundaries for employment and commercial services. The City of Hesperia, in partnership with neighboring jurisdictions, completed and adopted local Climate Action Plans (CAPs). In 2010, the City of Hesperia completed a CAP. The City participated in this regional effort as a study to inform their decision to update or revise their existing CAP. As part of this effort, the City of Hesperia has selected a goal to reduce its community GHG emissions to a level that is 40% below its 2020 level of GHG emissions by 2030. The City will meet and exceed this goal subject to reduction measures that are technologically feasible and cost-effective through a combination of state (~70%) and local (~30%) efforts. The Pavley vehicle standards, the State's low carbon fuel standard, the RPS, and other state measures will reduce GHG emissions in Hesperia's on-road, off-road, and building energy sectors in 2030. The proposed project will not involve or require any variance from an adopted plan, policy, or regulation governing GHG emissions. As a result, no potential conflict with an applicable greenhouse gas policy plan, policy, or regulation would occur. *As a result, the impacts would be less than significant.*

MITIGATION MEASURES

The analysis of potential impacts related to greenhouse gas emissions indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures are required.

3.9 HAZARDS & HAZARDOUS MATERIALS

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✖	
B. Would the project 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. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			✖	
D. Would the project 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. Would the project 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. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✖
G. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?				✖

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on hazards and hazardous materials if it results in any of the following:

- The proposed project would create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- The proposed project would 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.
- The proposed project would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- The proposed project would 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.
- The proposed project would result in a safety hazard or excessive noise for people residing or working in the project area 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.

- The proposed project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- The proposed project would expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Hazardous materials refer generally to hazardous substances that exhibit corrosive, poisonous, flammable, and/or reactive properties and have the potential to harm human health and/or the environment. Hazardous materials are used in a wide variety of products (household cleaners, industrial solvents, paint, pesticides, etc.) and in the manufacturing of products (e.g., electronics, newspapers, plastic products).

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? ● Less than Significant Impact.*

The project's construction would require the use of diesel fuel to power the construction equipment. The diesel fuel would be properly sealed in tanks and would be transported to the site by truck. Other hazardous materials that would be used on-site during the project's construction phase include, but are not limited to, gasoline, solvents, architectural coatings, and equipment lubricants. These products are strictly controlled and regulated and in the event of any spill, cleanup activities would be required to adhere to all pertinent protocols. Once occupied, the proposed project's use of hazardous chemicals would be limited to those commonly used in a household setting. *As a result, the impacts would be less than significant.*

B. *Would the project 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? ● Less than Significant Impact.*

The project's construction would require the use of diesel fuel to power the construction equipment. The diesel fuel would be properly sealed in tanks and would be transported to the site by truck. Other hazardous materials that would be used on-site during the project's construction phase include, but are not limited to, gasoline, solvents, architectural coatings, and equipment lubricants. As a result, the likelihood of encountering contamination or other environmental concerns is remote. *The impacts would be less than significant.*

C. *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? ● Less than Significant Impact.*

The nearest school to the project site is the Sultana High School located approximately 1.7 miles to the southeast of the project site. The project's construction would require the use of diesel fuel to power the construction equipment. The diesel fuel would be properly sealed in tanks and would be transported to the site by truck. Other hazardous materials that would be used on-site during the project's construction phase include, but are not limited to, gasoline, solvents, architectural coatings, and equipment lubricants. Once occupied, the proposed project's use of hazardous chemicals would be limited to those commonly used in a household setting. *The impacts would be less than significant.*

D. *Would the project 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? ● No Impact.*

Government Code Section 65962.5 refers to the Hazardous Waste and Substances Site List, commonly known as the Cortese List. The Cortese List is a planning document used by the State and other local agencies to comply with CEQA requirements that require the provision of information regarding the location of hazardous materials release sites. A search was conducted through the California Department of Toxic Substances Control EnviroSource website to identify whether the project site is listed in the database as a Cortese site. The project site is not identified as a Cortese site.[26] *Therefore, no impacts would occur.*

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 a public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? ● No Impact.*

The project site is not located within an airport land use plan and is not located within two miles of a public airport or public use airport.[27] The nearest airport to the site is the Hesperia Airport that is located approximately 3.74 miles to the south. The Southern California Logistics Airport is located approximately 11.46 miles to the northwest of the project site.[28] *As a result, no impacts would occur.*

F. *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? ● No Impact.*

At no time will Willow Street or 3rd Avenue be completely closed to traffic during the proposed project's construction. In addition, all construction staging must occur on-site. *As a result, no impacts would occur.*

G. *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires? ● No Impact.*

The project site, along with the entire City, is located within a "moderate fire hazard severity zone" and Local Responsibility Area (LRA).[29] The site is currently undeveloped. The minimal amount of vegetation on the project site will not expose people or structures to a risk of loss involving wildfires. *As a result, no impacts would occur.*

---

[26] CalEPA. *DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List)*. http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm.

[27] Toll-Free Airline. *San Bernardino County Public and Private Airports, California.* http://www.tollfreeairline.com/california/sanbernardino.htm.

[28] Google Maps. Website accessed October 04, 2023.

[29] CalFire. *Very High Fire Hazard Severity Zone Map for SW San Bernardino County*. http://frap.fire.ca.gov/webdata/maps/san_bernardino_sw/

MITIGATION MEASURES

The analysis of potential impacts related to Hazards and Hazardous Materials indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures are required.

3.10 HYDROLOGY & WATER QUALITY

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?			✖	
B. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			✖	
C. Would the project 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). Would the project result in substantial erosion or siltation on- or off-site;			✖	
ii). Would the project result substantially increase the rate or amount of surface runoff in a manner in which would result in flooding on- or off-site.			✖	
iii). Would the project 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; or			✖	
iv). Would the project impede or redirect flood flows?			✖	
D. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?				✖
E. Would the project conflict with or obstruct implementation a water quality control plan or sustainable groundwater management plan?				✖

The hydrology study and the Water Quality Management Plan are included in Appendix E.

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on hydrology and water quality if it results in any of the following:

- The proposed project would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.

- The proposed project would substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.
- The proposed project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; 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; or, impede or redirect flood flows.
- The proposed project would risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones.
- The proposed project would conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? ● Less than Significant Impact.*

The existing offsite flow was examined and delineated from U.S.G.S. Map: Hesperia and an examination of the project site. Storm runoff from the off-site tributary area is conveyed northerly and easterly past the project site within the existing street improvements. The off-site storm runoff does not enter the site. Development of the site will incorporate engineered street improvements per City of Hesperia requirements that will convey the existing street runoff flows around the property, within their historical flow paths. Tributary off-site flows come from the west and southwest and are intercepted within the existing improvements of Third Avenue and Willow Street. These flows are conveyed northerly and easterly within the existing street improvements. Development of the project will incorporate engineered street improvements with concrete curbs, gutters, and sidewalks which will maintain the existing drainage flows within the street rights-of way.

On-site runoff flows from the southwest property corner across the site and exits along the easterly property boundary. During the field investigation of the site, we observed the existing conditions as stated previously. Future development of the project is being performed in conjunction with engineered improvement plans. Off-site flows will continue to be conveyed past the project site within improved streets with concrete curbs and gutters. Increased on-site runoff flow due to development of the site will be approximately 4,093 cubic feet (CF). City of Hesperia design standards require 13.5 CF of retention for every 100 square feet of impervious area created. This project requires approximately 32,025 CF of retention. On-site runoff will flow to underground retention along the easterly boundary of the property. The underground retention will treat the runoff for pollutants of concern per the project WQMP and allow infiltration of the runoff flows. Excess runoff from larger storm events will leave the site along the eastern project boundary following its historical flow path. *As a result, the impacts would be less than significant.*

B. *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? ● Less than Significant Impact.*

No new direct construction related impacts to groundwater supplies, or groundwater recharge activities would occur as part of the proposed project's implementation. Water used to control fugitive dust will be transported to the site via truck. No direct ground water extraction would occur. Furthermore, the construction and post-construction BMPs will address contaminants of concern from excess runoff, thereby preventing the contamination of local groundwater. As a result, there would be no direct groundwater withdrawals associated with the proposed project's implementation. *As a result, the impacts would be less than significant.*

C. *Would the project 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? ● Less than Significant Impact.*

Increased on-site runoff flow due to development of the site will be approximately 4,093 cubic feet (CF). City of Hesperia design standards require 13.5 CF of retention for every 100 square feet of impervious area created. This project requires approximately 32,025 CF of retention. On-site runoff will flow to underground retention along the easterly boundary of the property. The underground retention will treat the runoff for pollutants of concern per the project WQMP and allow infiltration of the runoff flows. Excess runoff from larger storm events will leave the site along the eastern project boundary following its historical flow path. *As a result, the potential impacts would be less than significant.*

i). *Would the project result in a substantial erosion or siltation on- or off-site; ● Less than Significant Impact.*

The Applicant will be required to abide by Hesperia's City Ordinance Chapter 8.30.210 that requires all applicants for projects involving construction activities, regardless of size, to submit an Erosion and Sediment Control Plan ("ESCP") to the City for review and approval as mentioned in subsection A. *With conformance to the ordinance, the impacts would be less than significant.*

ii). *Would the project result substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; ● Less than Significant Impact.*

Increased on-site runoff flow due to development of the site will be approximately 4,093 cubic feet (CF). City of Hesperia design standards require 13.5 CF of retention for every 100 square feet of impervious area created. This project requires approximately 32,025 CF of retention. On-site runoff will flow to underground retention along the easterly boundary of the property. The underground retention will treat the runoff for pollutants of concern per the project WQMP and allow infiltration of the runoff flows. Excess runoff from larger storm events will leave the site along the eastern project boundary following its historical flow path. *As a result, the potential impacts would be less than significant.*

iii). *Would the project 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; ● Less than Significant Impact.*

The proposed project's location will be restricted to the proposed project site and would not alter the course of any stream or river that would lead to on- or off-site siltation or erosion. Under the post development condition, runoff will be conveyed to a series of v-gutters and curb and gutters within through the site. *As a result, the impacts would be less than significant.*

iv). *Would the project impede or redirect flood flows? ● Less than Significant Impact.*

The proposed project's location will be restricted to the proposed project site and will not alter the course of any stream or river that would lead to on- or off-site siltation or erosion. Increased on-site runoff flow due to development of the site will be approximately 4,093 cubic feet (CF). On-site runoff will flow to underground retention along the easterly boundary of the property. The underground retention will treat the runoff for pollutants of concern per the project WQMP and allow infiltration of the runoff flows. Excess runoff from larger storm events will leave the site along the eastern project boundary following its historical flow path. *As a result, the potential impacts would be less than significant.*

D. *In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation? ● No Impact.*

According to the Federal Emergency Management Agency (FEMA) flood insurance maps obtained for the City of Hesperia, the proposed project site is not located in a Flood Hazard zone.[30] The proposed project site is also not located in an area that is subject to inundation by seiche or tsunami. In addition, the project site is located inland more than 65 miles from the Pacific Ocean and the project site would not be exposed to the effects of a tsunami.[31] *As a result, no impacts would occur.*

E. *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? ● No Impact.*

The project Applicant will be required to adhere to Section 8.30 Surface and Groundwater Protection of the Municipal Code which regulates erosion and sediment control. This Section of the City of Hesperia Municipal Code is responsible for implementing the NPDES and MS4 stormwater runoff requirements. In addition, the project's operation *will not interfere* with any groundwater management or recharge plan because there are no active groundwater management recharge activities on-site or in the vicinity. *As a result, no impacts would occur.*

MITIGATION MEASURES

As indicated previously, hydrological characteristics will not substantially change as a result of the proposed project. As a result, no mitigation is required.

[30] Federal Emergency Management Agency. *Flood Insurance Rate Mapping Program*. 2021.

[31] Google Earth. Website accessed October 04, 2023.

3.11 LAND USE & PLANNING

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project physically divide an established community?				✖
B. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				✖

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, acting as Lead Agency, a project may be deemed to have a significant adverse impact on mineral resources if it results in any of the following:

- The proposed project would physically divide an established community.
- The proposed project would 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.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project physically divide an established community? ● No Impact.*

The project site is undeveloped though it has been disturbed. The site's General Plan and Zoning designation is *Medium Density Residential (MDR)*. Land uses and development located in the vicinity of the proposed project site are outlined below:

- *North of the project site:* A metal industrial building is located to the north of the project site. The address of his building is 16451 Hercules Street. This area's General Plan and Zoning land use designation *Medium Density Residential (MDR).*

- *West of the project site:* 3rd Avenue extends along the project sites east side. Residential development is located to the west of the aforementioned roadway. The residential area is designated as *Low Density Residential (LDR)* in the General Plan and Zoning Map.

- *South of the project site:* Willow Street extends along the project site's south side. The property located to the south of the aforementioned Willow Street ROW is developed as single-family residential development. This area's General Plan and Zoning land use designation *Medium Density Residential (MDR).*

- *East of the project site:* Multiple-family residential development (the Desert Luna Apartments) are located to the east of the aforementioned roadway. This area's General Plan and Zoning land use designation *Medium Density Residential (MDR).*

The site and the surrounding uses are summarized in Table 1. An aerial photograph of the project site and the surrounding area is provided in Exhibit 4. The land use designations applicable to the project site and the surrounding area are shown in Exhibit 5. The granting of the requested entitlements and subsequent construction of the proposed project will not result in any expansion of the use beyond the current boundaries. As a result, the project will not lead to any division of an existing established neighborhood. *As a result, no impacts would occur.*

B. *Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? ● No Impact.*

The project site is undeveloped though it has been disturbed. The site's General Plan and Zoning designation is *Medium Density Residential (MDR)*. The proposed project is consistent with the above General Plan guidelines. *As a result, no impacts would occur.*

MITIGATION MEASURES

The analysis determined that no impacts on land use and planning would result upon the implementation of the proposed project. As a result, no mitigation measures are required.

3.12 MINERAL RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project 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. Would the project 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?				✖

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, acting as Lead Agency, a project may be deemed to have a significant adverse impact on mineral resources if it results in any of the following:

- The proposed project would physically divide an established community.
- The proposed project would 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.

The Surface Mining and Reclamation Act of 1975 (SMARA) has developed mineral land classification maps and reports to assist in the protection and development of mineral resources. According to the SMARA, the following four mineral land use classifications are identified:

- *Mineral Resource Zone 1 (MRZ-1):* This land use classification refers to areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- *Mineral Resource Zone 2 (MRZ-2):* This land use classification refers to areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists.
- *Mineral Resource Zone 3 (MRZ-3):* This land use classification refers to areas where the significance of mineral deposits cannot be evaluated from the available data. Hilly or mountainous areas underlain by sedimentary, metamorphic, or igneous rock types and lowland areas underlain by alluvial wash or fan material are often included in this category. Additional information about the quality of material in these areas could either upgrade the classification to MRZ-2 or downgrade it to MRZ-1.
- *Mineral Resource Zone 4 (MRZ-4):* This land use classification refers to areas where available information is inadequate for assignment to any other mineral resource zone.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project 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? ● No Impact.*

A review of California Division of Oil, Gas, and Geothermal Resources well finder indicates that there are no wells located in the vicinity of the project site.[32] The project site is not located in a Significant Mineral Aggregate Resource Area (SMARA) nor is it located in an area with active mineral extraction activities.[33] As indicated previously, the site is developed and there are no active mineral extraction activities occurring on-site or in the adjacent properties. *As a result, no impacts would occur.*

B. *Would the project 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? ● No Impact.*

As previously mentioned, no mineral, oil, or energy extraction and/or generation activities are located within the project site. Moreover, the proposed project will not interfere with any resource extraction activity. *Therefore, no impacts would occur.*

MITIGATION MEASURES

The analysis of potential impacts related to mineral resources indicated that no significant adverse impacts would result from the approval of the proposed project and its subsequent implementation. As a result, no mitigation measures are required.

[32] California, State of. Department of Conservation. California *Oil, Gas, and Geothermal Resources Well Finder*. https://maps.conservation.ca.gov/doggr/wellfinder/#openModal/-117.41448/34.56284/14.
[33] California Department of Conservation. *Mineral Land Classification Map for the Hesperia Quadrangle*. Map accessed October 04, 2023.

3.13 NOISE

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in 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. Would the project result in 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?				✖

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on noise if it results in any of the following:

- The proposed project would result in 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.
- The proposed project would result in the generation of excessive ground borne vibration or ground borne noise levels.
- For a proposed 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?

Noise levels may be described using a number of methods designed to evaluate the "loudness" of a particular noise. The most commonly used unit for measuring the level of sound is the decibel (dB). Zero on the decibel scale represents the lowest limit of sound that can be heard by humans. The eardrum may rupture at 140 dB. In general, an increase of between 3.0 dB and 5.0 dB in the ambient noise level is considered to represent the threshold for human sensitivity. Noise level increases of 3.0 dB or less are not generally perceptible to persons with average hearing abilities. The most commonly used unit for measuring the level of sound is the decibel (dB). Zero on the decibel scale represents the lowest limit of sound that can be heard by humans.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project result in 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? ● Less than Significant Impact with Mitigation.*

The maximum noise level allowed by Hesperia's code of ordinances is 65 dB during any time period. The major source of noise in the City of Hesperia and the project area is vehicular traffic. The level of vehicular traffic noise varies with many factors, including traffic volume, vehicle mix (truck percentage), traffic speed, and distance from the roadway. Other sources of noise include railroad, aircraft, industrial and commercial activity, and construction. The following noise standards are located within the City of Hesperia Municipal Code, Section 16.20.125: A. Noise Measurement. For the *Medium Density Residential (MDR)* zone, the 55 dB for the night time and 60 dBA for the daytime period represents the noise standard for the zone. In addition, as stated within the City of Hesperia Municipal Code Section 16.20.125, no person shall operate or cause to be operated any source of sound at any location or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level, when measured on any other property, either incorporated or unincorporated, to exceed:

- The noise standard for that receiving land use (as specified in subsection (B)(1) of this section) for a cumulative period of more than thirty (30) minutes in any hour; or
- The noise standard plus five dB(A) for a cumulative period of more than fifteen (15) minutes in any hour; or
- The noise standard plus ten dB(A) for a cumulative period of more than five minutes in any hour; or
- The noise standard plus fifteen (15) dB(A) for a cumulative period of more than one minute in any hour; or
- The noise standard plus twenty (20) dB(A) for any period of time.

To ensure the project's potential noise impacts are mitigated, the following mitigation measures must be implemented:

- The Applicant must ensure that the contractors use construction equipment that includes working mufflers and other sound suppression equipment as a means to reduce machinery noise during construction.

Adherence to the aforementioned mitigation measures will reduce the potential noise impacts to levels that are less than significant.

B. *Would the project result in generation of excessive ground-borne vibration or ground-borne noise levels? ● Less than Significant Impact.*

The nearest sensitive receptor to the project site include the Sultana High School located approximately 1.7 miles to the southeast of the project site. The construction of the proposed project will result in the generation of vibration and noise, though the vibrations and noise generated during the project's construction will not adversely impact the nearby sensitive receptors. The background vibration velocity level in residential areas is usually around 50 vibration velocity level (VdB). The vibration velocity level

threshold of perception for humans is approximately 65 VdB. A vibration velocity of 75 VdB is the approximately dividing line between barely perceptible and distinctly perceptible levels for many people. The operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance. Ground vibrations associated with construction activities using modern construction methods and equipment rarely reach the levels that result in damage to nearby buildings though vibration related to construction activities may be discernible in areas located near the construction site. The project's implementation will not require a deep foundation since the underlying fill soils will be removed and the height of the proposed buildings will be limited. The new building would be constructed over a shallow foundation that will extend no more than three to four feet below ground surface (bgs). The use of shallow foundations precludes the use of pile drivers or any auger type equipment. However, other vibration generating equipment may be used on-site during construction. As stated above, the project will require the use of excavators, loaders, bulldozers, and haul trucks. Once operational, the proposed project would not generate excessive ground-borne noise because the project will not require the use of equipment capable of creating ground-borne noise. The building would be used as an office and warehouse. The project will be required to adhere to all pertinent City noise control regulations. In addition, the cumulative traffic associated with the proposed project will not be great enough to result in a measurable or perceptible increase in traffic noise (it typically requires a doubling of traffic volumes to increase the ambient noise levels to 3.0 dBA or greater). *As a result, the impacts would be less than significant.*

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? ● No Impact.*

The project site is not located within an airport land use plan and is not located within two miles of a public airport or public use airport.[34] The nearest airport to the site is the Hesperia Airport that is located approximately 3.74 miles to the south. The Southern California Logistics Airport is located approximately 11.46 miles to the northwest of the project site.[35] The proposed use is not considered to be a sensitive receptor. As a result, the proposed project will not expose people residing or working in the project area to excessive noise levels related to airport uses. *As a result, no impacts would occur.*

MITIGATION MEASURES

The following mitigation will be required in order to further reduce construction noise:

NOI Mitigation No. 1. The Applicant must ensure that the contractors use construction equipment that includes working mufflers and other sound suppression equipment as a means to reduce machinery noise.

[34] Toll-Free Airline. *San Bernardino County Public and Private Airports, California.* http://www.tollfreeairline.com/california/sanbernardino.htm.

[35] Google Maps. Website accessed October 04, 2023.

3.14 POPULATION & HOUSING

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project 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. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				✖

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on population and housing if it results in any of the following:

- The proposed project would 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).
- The proposed project would displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project 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)? ● No Impact.*

Growth-inducing impacts are generally associated with the provision of urban services to an undeveloped or rural area. Growth-inducing impacts include the following:

- *New development in an area presently undeveloped and economic factors which may influence development*. The site is currently undeveloped though it has been disturbed.
- *Extension of roadways and other transportation facilities.* Future roadway and infrastructure connections will serve the proposed project site only.
- *Extension of infrastructure and other improvements*. The installation of any new utility lines will not lead to subsequent offsite development since these utility connections will serve the site only.
- *Major off-site public projects (treatment plants, etc.).* The project's increase in demand for utility services can be accommodated without the construction or expansion of landfills, water treatment plants, or wastewater treatment plants.
- *The removal of housing requiring replacement housing elsewhere*. The site does not contain any housing units. As a result, no replacement housing will be required.
- *Additional population growth leading to increased demand for goods and services*. The project will result in an increase in employment. The proposed project would involve 92 residential units.

Assuming an average household size of 3.46 persons per household, the projected population would be 318 persons. Therefore, the proposed project is not in conflict with the growth projections established for the City by SCAG.

- *Short-term growth-inducing impacts related to the project's construction.* The project will result in temporary employment during the construction phase.

The proposed project will utilize existing roadways and infrastructure. The proposed project will not result in any unplanned growth. *As a result, no impacts would occur.*

B. *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? ● No Impact.*

The project site is undeveloped though it has been disturbed. The site's General Plan designation is *Medium Density Residential (MDR)*. The corresponding zoning designation is *Medium Density Residential (MDR)*. *As a result, no impacts would occur.*

MITIGATION MEASURES

The analysis of potential population and housing impacts indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures are required.

3.15 PUBLIC SERVICES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	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 would cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:			✖	
i). Would the project result in substantial adverse physical impacts associated with Fire protection?			✖	
ii). Would the project result in substantial adverse physical impacts associated with Police protection?			✖	
iii). Would the project result in substantial adverse physical impacts associated with Schools?			✖	
iv). Would the project result in substantial adverse physical impacts associated with Parks?			✖	
v). Would the project result in substantial adverse physical impacts associated with Other public facilities?			✖	

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on public services if it results in any of the following:

- The proposed project would 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 or other public facilities.

ANALYSIS OF ENVIRONMENTAL IMPACTS

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 would cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:* **i).** *Would the project result in substantial adverse physical impacts associated with fire protection? ● Less than Significant Impact.*

The City of Hesperia and the sphere of influence are served by the San Bernardino County Fire Department. Currently there are five fire stations within the City of Hesperia, Stations 301, 302, 303, 304, and 305. In addition, there are two stations outside of the City, which include Stations 22 and 23. The proposed project would only place an incremental demand on fire services since the project will be constructed with strict adherence to all pertinent building and fire codes. In addition, the proposed project would be required to implement all pertinent Fire Code Standards. Furthermore, the project will be reviewed by City and County building and fire officials to ensure adequate fire service and safety. *As a result, the impacts would be less than significant.*

ii). *Would the project result in substantial adverse physical impacts associated with police protection? ● Less than Significant Impact.*

Law enforcement services within the City are provided by the San Bernardino County Sheriff's Department which serves the community from one police station. The San Bernardino County Sheriff's Department provides police protection and crime prevention services for the City of Hesperia and its sphere of influence on a contractual basis. The Hesperia Police Department is located at 15840 Smoke Tree Street. The primary potential security issues will be related to vandalism and potential burglaries during off-business hours. The project Applicant must install security lighting and other safety equipment throughout the project site. *As a result, the impacts would be less than significant.*

iii). *Would the project result in substantial adverse physical impacts associated with schools? ● Less than Significant Impact.*

The Hesperia Unified School District (HUSD) is the largest school district in the high desert, covering nearly 160 square miles, serving approximately 21,000 students (K–12) on 26 separate campuses. The nearest school to the project site is the Encore High School for the Arts located approximately 2,600 feet to the

southwest of the project site. Due to the nature of the proposed project (a residential development), direct enrollment impacts regarding school services would occur. The proposed project would involve 92 residential units. Assuming an average household size of 3.46 persons per household, the projected population would be 318 persons. The proposed project would be required to pay all pertinent development fees. The HUSD would require a fee of $6.43 per square foot for the proposed residential development. *As a result, the impacts on school-related services would be less than significant.*

iv). *Would the project result in substantial adverse physical impacts associated with parks? ● Less than Significant Impact.*

The Hesperia Recreation and Park District (HRPD) is an independent special district within the County of San Bernardino. HRPD was created in 1957 to meet the recreational needs of the community and encompasses approximately 100 square miles, including the 75 square miles within the City of Hesperia and much of the Sphere of Influence. The proposed project would not result in any local increase in residential development (directly or indirectly) which could potentially impact the local recreational facilities. *As a result, the impacts would be less than significant.*

v). *Would the project result in substantial adverse physical impacts associated with other public facilities? ● Less than Significant Impact.*

The proposed project would not create direct local population growth which could potentially create demand for other governmental services. *As a result, the impacts would be less than significant impact.*

MITIGATION MEASURES

The analysis of public service impacts indicated that no significant adverse impacts are anticipated, and no mitigation is required with the implementation of the proposed project.

3.16 RECREATION

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	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. Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✖

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on recreation if it results in any of the following:

- The proposed project would 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.
- The proposed project would include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

ANALYSIS OF ENVIRONMENTAL IMPACTS

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? ● No Impact.*

The Hesperia Recreation and Park District (HRPD) is an independent special district within the County of San Bernardino. HRPD was created in 1957 to meet the recreational needs of the community and encompasses approximately 100 square miles, including the 75 square miles within the City of Hesperia and much of the Sphere of Influence. There are no parks are located adjacent to the site. The nearest park is the Civic Center Park located approximately 4,800 feet to the southwest. The proposed project would include a number of recreational improvements These would include Building 11 that would be located in the southeast corner of the site and would be used as a community center, This building would consist of a single level and would have a total floor area of 2,195 square feet. A swimming pool would be located to the west of Building 11. In addition, a tot lot would be centrally located within the proposed development. The development would not directly impact any public park facilities and services. *As a result, no impacts would occur.*

B. *Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? ● No Impact.*

The proposed project would include a number of recreational improvements These would include Building 11 that would be located in the southeast corner of the site and would be used as a community center, This building would consist of a single level and would have a total floor area of 2,195 square feet. A swimming pool would be located to the west of Building 11. In addition, a tot lot would be centrally located within the proposed development. As previously indicated, the implementation of the proposed project would not affect any existing parks and recreational facilities in the City. *As a result, no impacts would occur.*

MITIGATION MEASURES

The analysis of potential impacts related to parks and recreation indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures are required.

3.17 TRANSPORTATION

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project conflict with a 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. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✖	
D. Would the project result in inadequate emergency access?				✖

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on transportation and circulation if it results in any of the following:

- The proposed project would conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.
- The proposed project would conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).
- The proposed project would substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
- The proposed project would result in inadequate emergency access.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? ● Less than Significant Impact.*

The proposed development includes constructing 96-unit apartment complex on vacant and unimproved land parcels (APN# 007-02-03). The site provides one entrance driveway each on Third Avenue and Willow Street. The project includes the following street widening scope: 1. Widen the north half of Willow Street to provide 40 feet width from the center line to the right of way, including 20 feet from center line to curb face. 2. Widen the east half of Third Avenue to provide 50 feet width from the center line to the right of way, including 36 feet from center line to curb face.

Trip generation estimates for the project were developed using the trip rates contained in the Institute of Transportation Engineers' (ITE) Trip Generation, 11th Edition based on Multiple-family Low Rise Residential category (ITE Code 220). This ITE information was used to estimate the future traffic generated and this information is summarized in Table 7.

Table 7 Trip Generation

Low Rise Residential (ITE Land Use Category220)	92 units	Daily	AM Peak Hour			PM Peak Hour		
			In	out	Total	In	Out	Total
		Total Vehicle Trip Generation						
		665	12	39	51	38	22	60

Source: Institute of Transportation Engineers. *Trip Generation Manual 11th Edition.*

As indicated in Table 7, the future project is anticipated to generate approximately 665 daily trips, with approximately 51 trips occurring during the AM peak hour, and 60 trips occurring during the PM peak hour. The project is expected to have less than significant traffic impact. *Therefore, the potential impacts are anticipated to be less than significant.*

B. *Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3 subdivision (b)? ● Less than Significant Impact.*

CEQA Guidelines Section 15064.3 subdivision (b)(3) and (b)(4) focuses on the evaluation of a project's VMT. The City of Hesperia has developed guidelines for analyzing a development project's VMT in conformance with SB 743. This statewide mandate took effect July 1, 2020. The San Bernardino County Transportation Authority (SBCTA) completed a multi-jurisdictional study to develop a set of procedures and provide local jurisdictions with sufficient information to adopt VMT baselines and thresholds of significance. In February 2020, the San Bernardino County Transportation Authority released the SBCTA Recommended Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment (SBCTA Guidelines) that address both traditional automobile delay-based level of service (LOS) and new VMT analysis requirements. The SBCTA Guidelines provides details on appropriate "screening thresholds" that can be used to identify when a proposed land use project is anticipated to result in a less-than-significant impact without conducting a more detailed analysis. Screening thresholds are broken into the following types:

- Project Type Screening;
- Map Based Screening based on Low VMT Area; and,
- Transit Priority Area (TPA) Screening

According to the project's VMT screening analysis, the project site is located within a low VMT generating TAZ. *As a result, the potential impacts would be less than significant.*

C. *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? ● Less than Significant Impact.*

Vehicular access to the project site would be provided by new driveway connections with the north side of Willow Street and the east side of 3rd Avenue. Internal drive aisles would provide a connection with the internal parking areas. The TIA study examined the 95th percentile queue for left-turn pockets for the intersection of Main Street and Third Avenue. The expected 95th percentile queue should be effectively

accommodated by the striped left-turn pocket and its transitional space. *As a result, the potential impacts will be less than significant.*

D. *Would the project result in inadequate emergency access? ● Less than Significant Impact.*

The proposed project would not affect emergency access to any adjacent parcels. At no time during construction will any adjacent street be completely closed to traffic. All construction staging must occur on-site. *As a result, the impacts would be less than significant.*

MITIGATION MEASURES

The analysis determined that the impacts would be less than significant. As a result, no mitigation is required.

3.18 TRIBAL CULTURAL RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:		✖		
i) Would the project have listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				✖
ii). Would the project have 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 Resource Code Section 5024.1 In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American.		✖		

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on tribal cultural resources if it results in any of the following:

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

resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, Less than Significant Impact with Mitigation.*

A Tribal Resource is defined in Public Resources Code section 21074 and includes the following:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following: included or determined to be eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.
- A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.
- A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "non-unique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms to the criteria of subdivision (a).

Adherence to the standard condition presented in Subsection B under Cultural Resources will minimize potential impacts to levels that are less than significant. The proposed project site is located on recognized Yuhaaviatam/Maarenga'yam land. The word Maara'yam, the People of Maara', is used to describe all peoples known today as Serrano. The name Yuhaaviatam, or People of the Pines, refers to the Serrano clan of our progenitor, Santos Manuel. The Serrano ancestral territory covers present-day Antelope Valley on the west, southwest Mojave Desert to the north, the Inland Empire north of the city of Riverside to the south, and the city of Twentynine Palms to the east. [36]

The site is also within an area of the City that has been disturbed due to adjacent development and there is a limited likelihood that artifacts would be encountered. The proposed project's construction would involve shallow excavation for the installation of building footings, utility lines, and other underground infrastructure. Ground disturbance would involve grading and earth-clearing activities for the installation of the grass and landscaping and other on-site improvements. In addition, the proposed project area is not

[36] San Manuel Band of Mission Indians. History. https://sanmanuel-nsn.gov/culture/history . Website Accessed October 04, 2023.

located within an area that is typically associated with habitation sites, foraging areas, ceremonial sites, or burials.

i). *Would the listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).* ● *No Impact*

Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following: included or determined to be eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources as defined in subdivision (k) of Section 5020.1. The project site is not listed in the Register. *As a result, no impacts would occur.*

ii). *Would the project have 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 Resource Code Section 5024.1 In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe?* ● *Less than Significant Impact with Mitigation.*

A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe. A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "non-unique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms to the criteria of subdivision (a). The following mitigation measures are required as a means to reduce potential tribal cultural resources impacts to levels that are less than significant:

- The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in CUL-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resource 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.
- 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.

As a result, the impacts would be less than significant.

MITIGATION MEASURES

The following mitigation measures are required as a means to reduce potential tribal cultural resources impacts to levels that are less than significant:

TCR Mitigation No. 1. The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in CUL-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resource 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 Mitigation No. 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.

3.19 UTILITIES AND SERVICE SYSTEMS

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			✖	
B. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?			✖	
C. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✖	
D. Would the project 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. Would the project comply with Federal, State, and local management and reduction statutes and regulations related to solid waste?				✖

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on utilities if it results in any of the following:

- The proposed project would require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or

telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

- The proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.
- The proposed project would result in a determination by the wastewater treatment provider which serves or may serve the proposed project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.
- The proposed project would 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 proposed project would negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals.
- The proposed project would comply with Federal, State, and local management and reduction statutes and regulations related to solid waste.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? ● Less than Significant Impact.*

There are no existing water or wastewater treatment plants, electric power plants, telecommunications facilities, natural gas facilities, or stormwater drainage infrastructure located on-site. Therefore, the project's implementation will not require the relocation of any of the aforementioned facilities. The project site is currently undeveloped though the site has existing electrical, sewer and water connections adjacent to the project site. The proposed project's connection can be adequately handled by the existing infrastructure. *As a result, the potential impacts will be less than significant.*

B. *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years? ● Less than Significant Impact.*

The Hesperia Water District (HWD) currently maintains 18 storage reservoirs within the distribution system with a total capacity of 49.5 million gallons. The City sits above the Upper Mojave River Basin within the jurisdiction of the Mojave Water Agency, and draws its water from the Alto sub-basin, which has a capacity of 2,086,000 acre-feet. Approximately 960,000 acre-feet of stored groundwater is estimated within the basin with an additional 1,126,000 acre-feet of storage capacity available through recharge efforts, as indicated in Table 8. The proposed project is estimated to consume 27,600 gallons of water on a daily basis. There are existing water line located in Darwin Avenue. *As a result, the impacts will be less than significant.*

Table 8 Projected Water Consumption

Project Element	Consumption Rate	Project Consumption
92 multiple family units	300 gals. /day/unit	27,600. /day
Total		27,600. /day

Source: Blodgett Baylosis Environmental Planning

C. *Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? ● Less than Significant Impact.*

Wastewater services are provided by the Victor Valley Wastewater Reclamation Authority (VVWRA). Currently the City is served by an interceptor system that extends approximately 15 miles from the regional treatment facility (Victorville) south to I Avenue and Hercules in the City of Hesperia. The interceptor system consists of both gravity and force main pipelines, ranging in size from 6-inch to 42-inch diameters. The City's sewer system collects to the VVWRA's 3-mile interceptor that runs along the northeast boundary of the City. Sewer lines range from 3 inches up to 21-inch lines within the City. From Table 9, the proposed project is estimated to generate 18,400 gallons of wastewater on a daily basis. The project's implementation will not create a substantial demand on existing infrastructure. *As a result, the impacts are expected to be less than significant.*

Table 9 Projected Effluent Generation

Project Element	Generation Rate	Project Generation
92 multiple family units	200 gals./day/unit	18,400 gals. /day
Total		18,400 gals. /day

Source: Blodgett Baylosis Environmental Planning

D. *Would the project 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? ● Less than Significant Impact.*

Approximately 63 percent of the solid waste generated in Hesperia is being recycled, exceeding the 50 percent requirement pursuant to the California Integrated Waste Management Act of 1989 (AB939). Currently, about 150 tons of the solid waste generated by the City per day is sent to the landfill. This remaining solid waste is placed in transfer trucks and disposed of at the Victorville Sanitary Landfill at 18600 Stoddard Wells Road in Victorville, owned and operated by the County of San Bernardino. From Table 10, the proposed project is estimated to generate 1,125.2 pounds of solid waste on a daily basis. *As a result, the potential impacts would be less than significant.*

Table 10 Projected Solid Waste Generation

Project Element	Generation Rate	Project Generation
92 multiple family units	12.23 lbs./day/unit	1,125.2 lbs./day
Total		1,125.2 lbs./day

Source: Blodgett Baylosis Environmental Planning

E. *Would the project comply with Federal, State, and local management and reduction statutes and regulations related to solid waste? ● No Impact.*

The proposed project, like all other development in Hesperia and San Bernardino County, will be required to adhere to City and County ordinances with respect to waste reduction and recycling. *As a result, no impacts would occur.*

MITIGATION MEASURES

The analysis of utilities impacts indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation is required.

3.20 WILDFIRE

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?				✖
B. Would the project 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. Would the project 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. Would the project 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?				✖

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on wildfire risk and hazards if it results in any of the following:

- The proposed project would, if located in or near state responsibility areas or lands classified as very high fire hazard severity zones, substantially impair an adopted emergency response plan or emergency evacuation plan.
- The proposed project would, if located in or near state responsibility areas or lands classified as very high fire hazard severity zones, 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.
- The proposed project would, if located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project 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.

- The proposed project would, if located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project 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.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project substantially impair an adopted emergency response plan or emergency*

The proposed project would not involve the closure or alteration of any existing evacuation routes that would be important in the event of a wildfire. At no time during construction will adjacent streets be closed to traffic. All construction staging must occur on-site. *As a result, no impacts would occur.*

B. *Would the project, 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? ● No Impact.*

The project site is located in the midst of an urbanized zoned area. The proposed project may be exposed to particulate emissions generated by wildland fires in the mountains (the site is located approximately 12 miles northeast and northwest of the San Gabriel and San Bernardino Mountains). However, the potential impacts would not be exclusive to the project site since criteria pollutant emissions from wildland fires may affect the entire City. *As a result, no impacts would occur.*

C. *Would the project 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? ● No Impact.*

The project site is located in an area that is classified as a Moderate fire risk severity within a Local Responsibility Area (LRA) and will not require the installation of specialized infrastructure such as fire roads, fuel breaks, or emergency water sources. *As a result, no impacts would occur.*

D. *Would the project 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? ● No Impact.*

While the site is located within a moderate fire risk and local responsibility area, the proposed project site is located within an area classified as urban with relatively flat land. Therefore, the project will not expose future employees to flooding or landslides facilitated by runoff flowing down barren and charred slopes. *As a result, no impacts would occur.*

MITIGATION MEASURES

The analysis of wildfires impacts indicated that less than significant impacts would result from the

proposed project's approval and subsequent implementation. As a result, no mitigation is required.

3.21 MANDATORY FINDINGS OF SIGNIFICANCE

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	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?				✖

The following findings can be made regarding the Mandatory Findings of Significance set forth in Section 15065 of the CEQA Guidelines based on the results of this environmental assessment:

A. The proposed project *would not* 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. As indicated in Section 3.1 through 3.20, the proposed project will not result in any significant unmitigable environmental impacts.

B. The proposed project *would not* have impacts that are individually limited, but cumulatively considerable. The environmental impacts will not lead to a cumulatively significant impact on any of the issues analyzed herein.

C. The proposed project *would not* have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. As indicated in Section 3.1 through 3.20, the proposed project will not result in any significant unmitigable environmental impacts.

THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.

4. MITIGATION MONITORING AND REPORTING PROGRAM

4.1 FINDINGS

The Initial Study determined that the proposed project is not expected to have significant adverse environmental impacts. The following findings can be made regarding the Mandatory Findings of Significance set forth in Section 15065 of the CEQA Guidelines based on the results of this Initial Study:

- The proposed project *will not* 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 an endangered, rare or threatened species or eliminate important examples of the major periods of California history or prehistory.
- The proposed project *will not* have impacts that are individually limited, but cumulatively considerable.
- The proposed project *will not* have environmental effects which will cause substantially adverse effects on human beings, either directly or indirectly.

4.2 MITIGATION MEASURES

The following mitigation measures have been incorporated herein to further reduce the potential air quality impacts to levels that are less than significant.

AIR Mitigation No. 1. The Applicant shall prepare and submit to the MDAQMD, prior to commencing earth-moving activity, a dust control plan that describes all applicable dust control measures that will be implemented at the project.

AIR Mitigation No. 2. The Applicant shall ensure that signage, compliant with Rule 403 Attachment, is erected at each project site entrance not later than the commencement of construction.

AIR Mitigation No. 3. The Applicant shall ensure the use of a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. For projects with exposed sand or fines deposits (and for projects that expose such soils through earthmoving), chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines deposits.

AIR Mitigation No. 4. All perimeter fencing shall be wind fencing or the equivalent, to a minimum of four feet of height or the top of all perimeter fencing. The owner/operator shall maintain the wind fencing as needed to keep it intact and remove windblown dropout. This wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing.

AIR Mitigation No. 5. All maintenance and access vehicular roads and parking areas shall be

stabilized with chemical, gravel, or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Take actions to prevent project-related track out onto paved surfaces and clean any project-related track out within 24 hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion.

Migratory Bird Treaty Act and Fish and Game Code Nesting birds are protected pursuant to the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (Sections 3503, 3503.5, 3511, and 3513 prohibit the take, possession, or destruction of birds, their nests or eggs).

BIO Mitigation No. 1. In order to protect migratory bird species, a nesting bird clearance survey should be conducted prior to any ground disturbance or vegetation removal activities that may disrupt the birds during the nesting season. If construction occurs between February 1st and August 31st, a pre-construction clearance survey for nesting birds should be conducted within three (3) days of the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction. The biologist conducting the clearance survey should document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the pre-construction clearance survey, construction activities should stay outside of a no-disturbance buffer. The size of the no-disturbance buffer will be determined by the wildlife biologist and will depend on the level of noise and/or surrounding anthropogenic disturbances, line of sight between the nest and the construction activity, type and duration of construction activity, ambient noise, species habituation, and topographical barriers. These factors will be evaluated on a case-by-case basis when developing buffer distances. Limits of construction to avoid an active nest will be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. A biological monitor should be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur.

BIO Mitigation No. 2. Prior to grading or any other ground-disturbing activity, a pre-construction burrowing owl clearance survey must be conducted in accordance with the Staff Report on Burrowing Owl Mitigation, State of California Natural Resource Agency, Department of Fish and Game, May 7, 2012, by a qualified biologist within 30 days prior to the beginning of project activities. A secondary survey must be conducted by a qualified biologist within 24 hours prior to the beginning of project construction to determine if the project site contains burrowing owl or sign thereof to avoid any potential impacts to the species. The surveys shall include 100 percent coverage of the project site. If both surveys reveal no burrowing owls are present or sign thereof, no additional actions related to this measure are required and a letter shall be prepared by the qualified biologist documenting the results of the survey. The letter shall be submitted to CDFW prior to construction.

BIO Mitigation No. 3 If active burrows or signs thereof are found within the development footprint during the pre-construction clearance surveys, site-specific non-disturbance buffer zones shall be established by the qualified biologist shall be no less than 300 feet If determined appropriate, a smaller buffer may be established by the qualified biologist following monitoring and assessments of the project's effects on the burrowing owls. If it is not possible to avoid active burrows, passive relocation shall be implemented if a qualified biologist has determined there are no nesting owls and/or juvenile

owls are no longer dependent on the burrows. A qualified biologist, in coordination with the applicant and the City, shall prepare and submit a passive relocation program in accordance with Appendix E (i.e., Example Components for Burrowing Owl Artificial Burrow and Exclusion Plans) of the CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012) for CDFW review/approval prior to the commencement of disturbance activities onsite and proposed mitigation for permanent loss of occupied burrow(s) and habitat consistent with the 2012 Staff Report on Burrowing Owl Mitigation. When a qualified biologist determines that burrowing owls are no longer occupying the Project Site and passive relocation is complete, construction activities may begin. A final letter report shall be prepared by the qualified biologist documenting the results of the passive relocation. The letter shall be submitted to CDFW.

Additionally, thirteen (13) western Joshua trees (Yucca brevifolia), ranging in size from 0.7 meters to 4 meters, were observed on-site during the field investigation.

BIO Mitigation No. 4. Mitigation for direct impacts to the western Joshua trees within the project site will be fulfilled through attainment of a Western Joshua Tree Conservation Act (WJTCA) Incidental Take Permit and a payment of the elected fees as described in Section 1927.3 of the WJTCA. In conformance with the reduced fee schedule prescribed for the project area, mitigation will consist of payment of $1,000 for each western Joshua tree five meters or greater in height, $200 for each western Joshua tree less than five meters but greater than 1 meter in height; and $150 for each western Joshua tree less than 1 meter in height. California Department of Fish and Wildlife (CDFW) determines the final fee. Alternatively, mitigation will occur through off-site conservation or through a CDFW approved mitigation bank, or as required by a Section 2081 Incidental Take Permit, if received.

As part of the AB-52 consultation, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) requested the following mitigation measures be included:

CUL Mitigation No. 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 and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

CUL Mitigation No. 2. If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

CUL Mitigation No. 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.

The following mitigation will be required in order to further reduce construction noise:

NOI Mitigation No. 1. The Applicant must ensure that the contractors use construction equipment that includes working mufflers and other sound suppression equipment as a means to reduce machinery noise.

The following mitigation measures are required as a means to reduce potential tribal cultural resources impacts to levels that are less than significant:

TCR Mitigation No. 1. The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in CUL-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resource 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 Mitigation No. 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.

The mitigation monitoring and reporting program (MMRP) table is provided in Table 11 which is included below and on the following pages.

Table 11 Mitigation Monitoring Program

MEASURE	ENFORCEMENT AGENCY	MONITORING PHASE	VERIFICATION
AIR Mitigation No. 1. The Applicant shall prepare and submit to the MDAQMD, prior to commencing earth-moving activity, a dust control plan that describes all applicable dust control measures that will be implemented at the project.	City of Hesperia Planning Department *(The Applicant is responsible for implementation)*	*Prior to the start of any construction related activities.* Mitigation ends at the completion of the construction phase.	Date: Name & Title:
AIR Mitigation No. 2. The Applicant shall ensure that signage, compliant with Rule 403 Attachment, is erected at each project site entrance not later than the commencement of construction.	City of Hesperia Planning Department *(The Applicant is responsible for implementation)*	*Prior to the start of any construction related activities.* Mitigation ends at the completion of the construction phase.	Date: Name & Title:
AIR Mitigation No. 3. The Applicant shall ensure the use of a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. For projects with exposed sand or fines deposits (and for projects that expose such soils through earthmoving), chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines deposits.	City of Hesperia Planning Department *(The Applicant is responsible for implementation)*	*During the project's construction phase.* Mitigation ends when construction is completed.	Date: Name & Title:

Table 11 Mitigation Monitoring Program

MEASURE	ENFORCEMENT AGENCY	MONITORING PHASE	VERIFICATION
AIR Mitigation No. 4. All perimeter fencing shall be wind fencing or the equivalent, to a minimum of four feet of height or the top of all perimeter fencing. The owner/operator shall maintain the wind fencing as needed to keep it intact and remove windblown dropout. This wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing.	City of Hesperia Planning Department *(The Applicant is responsible for implementation)*	*During the project's construction phase.* Mitigation ends when construction is completed.	Date: Name & Title:
AIR Mitigation No. 5. All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel, or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Take actions to prevent project-related track out onto paved surfaces and clean any project-related track out within 24 hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion.	City of Hesperia Planning Department *(The Applicant is responsible for implementation)*	*During the project's construction phase.* Mitigation ends when construction is completed.	Date: Name & Title:
BIO Mitigation No. 1. In order to protect migratory bird species, a nesting bird clearance survey should be conducted prior to any ground disturbance or vegetation removal activities that may disrupt the birds during the nesting season. If construction occurs between February 1st and August 31st, a pre-construction clearance survey for nesting birds should be conducted within three (3) days of the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction. The biologist conducting the clearance survey should document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the pre-construction clearance survey, construction activities should stay outside of a no-disturbance buffer. The size of the no-disturbance buffer will be determined by the wildlife biologist and will depend on the level of noise and/or surrounding anthropogenic disturbances, line of sight between the nest and the construction activity, type and duration of construction activity, ambient noise, species habituation, and topographical barriers. These factors will be evaluated on a case-by-case basis when developing buffer distances. Limits of construction to avoid an active nest will be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. A biological monitor should be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur.	City of Hesperia Planning Department *(The Applicant is responsible for implementation)*	*Prior to the start of any construction related activities.* Mitigation ends when construction is completed.	Date: Name & Title:
BIO Mitigation No. 2. Prior to grading or any other ground-disturbing activity, a pre-construction burrowing owl clearance survey must be conducted in accordance with the Staff Report on Burrowing Owl Mitigation, State of California Natural Resource Agency, Department of Fish and Game, May 7, 2012, by a qualified biologist within 30 days prior to the beginning of project activities. A secondary survey must be conducted by a qualified biologist within 24 hours prior to the beginning of project construction to determine if the project site contains burrowing owl or sign thereof to avoid any potential impacts to the species. The surveys shall include 100 percent coverage of the project site. If both surveys reveal no burrowing owls are present or sign thereof, no additional actions related to this measure are required and a letter shall be prepared by the qualified biologist documenting the results of the survey. The letter shall be submitted to CDFW prior to construction.	City of Hesperia Planning Department *(The Applicant is responsible for implementation)*	*Prior to the start of any construction related activities.* Mitigation ends when construction is completed.	Date: Name & Title:

Table 11 Mitigation Monitoring Program

MEASURE	ENFORCEMENT AGENCY	MONITORING PHASE	VERIFICATION
BIO Mitigation No. 3 If active burrows or signs thereof are found within the development footprint during the pre-construction clearance surveys, site-specific non-disturbance buffer zones shall be established by the qualified biologist shall be no less than 300 feet If determined appropriate, a smaller buffer may be established by the qualified biologist following monitoring and assessments of the project's effects on the burrowing owls. If it is not possible to avoid active burrows, passive relocation shall be implemented if a qualified biologist has determined there are no nesting owls and/or juvenile owls are no longer dependent on the burrows. A qualified biologist, in coordination with the applicant and the City, shall prepare and submit a passive relocation program in accordance with Appendix E (i.e., Example Components for Burrowing Owl Artificial Burrow and Exclusion Plans) of the CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012) for CDFW review/approval prior to the commencement of disturbance activities onsite and proposed mitigation for permanent loss of occupied burrow(s) and habitat consistent with the 2012 Staff Report on Burrowing Owl Mitigation. When a qualified biologist determines that burrowing owls are no longer occupying the Project Site and passive relocation is complete, construction activities may begin. A final letter report shall be prepared by the qualified biologist documenting the results of the passive relocation. The letter shall be submitted to CDFW.	City of Hesperia Planning Department *(The Applicant is responsible for implementation)*	*Prior to the start of any construction related activities.* Mitigation ends when construction is completed.	Date: Name & Title:
BIO Mitigation No. 4. Mitigation for direct impacts to the western Joshua trees within the project site will be fulfilled through attainment of a Western Joshua Tree Conservation Act (WJTCA) Incidental Take Permit and a payment of the elected fees as described in Section 1927.3 of the WJTCA. In conformance with the reduced fee schedule prescribed for the project area, mitigation will consist of payment of $1,000 for each western Joshua tree five meters or greater in height, $200 for each western Joshua tree less than five meters but greater than 1 meter in height; and $150 for each western Joshua tree less than 1 meter in height. California Department of Fish and Wildlife (CDFW) determines the final fee. Alternatively, mitigation will occur through off-site conservation or through a CDFW approved mitigation bank, or as required by a Section 2081 Incidental Take Permit, if received.	City of Hesperia Planning Department *(The Applicant is responsible for implementation)*	*Prior to the start of any construction related activities.* Mitigation ends when construction is completed.	Date: Name & Title:
CUL Mitigation No. 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 and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.	City of Hesperia Planning Department *(The Applicant is responsible for implementation)*	*During the project's construction phase.* Mitigation ends when construction is completed.	Date: Name & Title:
CUL Mitigation No. 2. If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.	City of Hesperia Planning Department *(The Applicant is responsible for implementation)*	*During the project's construction phase.* Mitigation ends when construction is completed.	Date: Name & Title:
CUL Mitigation No. 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.	City of Hesperia Planning Department *(The Applicant is responsible for implementation)*	*During the project's construction phase.* Mitigation ends when construction is completed.	Date: Name & Title:

Table 11 Mitigation Monitoring Program

MEASURE	ENFORCEMENT AGENCY	MONITORING PHASE	VERIFICATION
NOI Mitigation No. 1. The Applicant must ensure that the contractors use construction equipment that includes working mufflers and other sound suppression equipment as a means to reduce machinery noise.	City of Hesperia Planning Department *(The Applicant is responsible for implementation)*	*During the project's construction phase.* Mitigation ends when construction is completed.	Date: Name & Title:
TCR Mitigation No. 1. The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in CUL-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resource 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.	City of Hesperia Planning Department *(The Applicant is responsible for implementation)*	*During the project's construction phase.* Mitigation ends when construction is completed.	Date: Name & Title:
TCR Mitigation No. 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.	City of Hesperia Planning Department *(The Applicant is responsible for implementation)*	*During the project's construction phase.* Mitigation ends when construction is completed.	Date: Name & Title:

THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.

5. REFERENCES

5.1 PREPARERS

Blodgett Baylosis Environmental Planning
2211 S Hacienda Boulevard, Suite 107
Hacienda Heights, CA 91745
(626) 336-0033

Marc Blodgett, Project Principal
Raymond Wen, Project Planner

5.2 REFERENCES

The references that were consulted have been identified using footnotes.

THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.