

UNITED STATES COLD STORAGE HESPERIA PROJECT

DRAFT ENVIRONMENTAL IMPACT REPORT

SCH No.: 2020069036



Prepared for:
City of Hesperia
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July 2021

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1.0 INTRODUCTION

This Draft Environmental Impact Report (EIR) (State Clearinghouse No. 2020069036) has been prepared by the City of Hesperia to evaluate the environmental effects of United States Cold Storage's proposal to construct and operate a cold storage warehouse facility for frozen and refrigerated food on a 78.81 acre property located at the northeast corner of State Highway 395 (Highway 395) and Yucca Terrace Drive. Two similar buildings, in total measuring 1.01 million square feet will be constructed on the Project Site. The details of the buildings, site development, and operations are presented in Chapter 3 – Project Description.

Implementation of the Proposed Project will require the following approvals from the City:

- Approval of Conditional Use Permit (CUP20-00005)
- Approval of a Tentative Parcel Map
- Variance to reduce required parking stalls

The Project Site occurs on the east side of Highway 395 between Yucca Terrace Drive and Avenal Street. The Project Site is located on Assessor's Parcel Numbers 3064-421-01, -02 & -03. Specifically, the project is located in Section 15, Township 4 North, Range 5 West, Baldy Mesa 7.5-minute quadrangle map. This EIR was prepared in accordance with the California Environmental Quality Act (CEQA) and the State Guidelines for Implementation of CEQA (as amended, 2020).

The City of Hesperia is the lead agency as defined in Section 15051(b) of the CEQA Guidelines. This section states that "If the project is to be carried out by a non-governmental person or entity, the lead agency shall be the public agency with the greatest responsibility for supervising or approving the project as a whole".

Correspondence on this Draft EIR should be sent to the following City representative:

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1.1 PURPOSE OF THE PROJECT

The project sponsor, United States Cold Storage, proposes to construct a refrigerated distribution/warehouse facility for the storage and distribution of food products throughout the southwestern United States. Recently, the urban areas of San Bernardino County have been the focus of several development proposals for similar distribution/warehouse projects, particularly in the west San Bernardino Valley. Requirements of such a facility include proximity to a major interstate highway, a large tract of vacant land unencumbered by existing facilities or easements,

and an existing population from which to draw employees. The proposed site in the City of Hesperia meets these criteria.

1.2 PURPOSE AND SCOPE OF THE EIR

This Environmental Impact Report (EIR) has been prepared in compliance with the California Environmental Quality Act (CEQA) and the State Guidelines for Implementation of CEQA to document existing environmental conditions and evaluate the potentially significant environmental effects that could result from development of the proposed industrial project.

The purpose of an EIR is to serve as an informational document that will inform public agency decisionmakers and the public in general of the significant environmental effects associated with a proposed project, identify ways to minimize or eliminate the significant effects, and evaluate a reasonable range of alternatives to the proposed project that would further reduce or avoid significant environmental effects while meeting the project objectives. The EIR provides objective planning and environmental information to assist decisionmakers, lead agency staff, responsible agencies and the public in their evaluation of the potential environmental effects that may result from implementation of the project as proposed. CEQA Guidelines Section 15151 contains the following standards of adequacy:

"An EIR should be prepared with a sufficient degree of analysis to provide decisionmakers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection; but for adequacy, completeness and a good faith effort at full disclosure."

1.3 ENVIRONMENTAL REVIEW PROCESS

1.3.1 Notice of Preparation and Scoping

A Notice of Preparation (NOP) was prepared for the project and circulated to all responsible agencies and interested parties beginning on June 24, 2020 for a period of 30 days (CEQA Guidelines Section 15082). A NOP states that an EIR will be prepared and must be sent to any government agency involved in approving the project and to trustee agencies responsible for natural resources that may be affected by the project. Interested parties are also notified that an EIR will be prepared.

The NOP included an Initial Study. Although not required when a lead agency makes the determination that an EIR will be prepared, the City of Hesperia prepared an Initial Study in order to identify potential significant environmental effects of the project and determine the focus of the analysis of the EIR (CEQA Guidelines Section 15063). Preparing an Initial Study also allows trustee and responsible agencies and other reviewers of the NOP an opportunity to comment not

only on the proposed project, but the lead agency's preliminary analysis of the potential environmental effects of the project.

The NOP and Notice of Scoping Meeting was also sent to property owners within a 900-foot radius of the Project Site notifying of a Scoping Meeting scheduled for July 29, 2020. Due to subsequent guidelines received from the State of California regarding COVID 19 and public gatherings, a Meeting Cancellation Notice was mailed on July 2, 2020. The Notice encouraged recipients to provide any comments on the scope and content of the EIR for the Proposed Project in writing by 5:00 p.m. on July 24, 2020, which marked the end of the 30-day public scoping period. Letters submitted in response to the NOP have been considered and are incorporated into the Draft EIR where appropriate. The NOP, including the Initial Study, and comment letters are included in this EIR in Appendix A. A summary of the issues raised and where in this document they may be found are:

- Project's contribution to heavy traffic that currently exists on Highway 395; motorists exceeding posted speed limit; numerous car accidents. *See Chapter 4.10*
- Need for additional traffic signals in project vicinity. *See Chapter 4.10*
- Toxic diesel emissions from high volumes of heavy-duty truck traffic and on-site equipment associated with cold storage warehouses. *See Chapters 4.2 and 4.7*
- Exposure of nearby residents (780 feet from Project Site) and schools (within 2 miles) to elevated air pollution potentially resulting in cumulative health impacts. *See Chapters 4.2 and 4.7*
- Discuss and Quantify potential cancer risks from trucks and trailers equipped with transport refrigeration units (TRUs). *See Chapters 4.2 and 4.7*
- Need for Health Risk Assessment (HRA) to be included and address TRUs. *See Chapters 4.2 and 4.7*
- Increased toxic diesel emissions in disadvantaged communities that are disproportionately impacted by air pollution. *See Chapters 4.2 and 4.7*
- Permits will be required from Mojave Desert Air Quality Management District (MDAQMD); Project Applicant will need to submit Applications. *See Chapter 3.0 Section 3.4, and Chapter 4.2*
- MDAQMD should be listed as a Reviewing Agency.
- Environmental impacts may directly affect residents and visitors of City and surrounding communities. *See Chapters 4.1 through 4.13*
- Consultation with California Native American tribes in compliance with AB 52 is required. *See Chapter 4.11*

1.3.2 Draft EIR

This Draft EIR is an informational document for decisionmakers, and responsible and trustee agencies, to use in the consideration of the potentially significant environmental impacts which

could occur with development of the proposed distribution/warehouse project and the mitigation measures proposed to minimize or eliminate those impacts. This Draft EIR also includes a comparison between the proposed project and four alternatives to the Proposed Project including the No Project Alternative (no development), as well as a summary of the alternatives considered and rejected.

The Draft EIR includes a description of the environmental setting, description of potential impacts, mitigation measures and level of significance after mitigation measures are implemented.

This Draft EIR has been distributed to responsible and trustee agencies and adjacent cities/towns for review and comment for a 45-day review period. A Notice of Availability has been sent to all organizations and individuals that have previously requested such notice or are located in proximity to the site. Locations where the Draft EIR may be reviewed are included in the Notice of Availability.

1.3.3 Final EIR

At the end of the public review period, written comments received on the Draft EIR will be compiled and responses will be prepared for inclusion in the Final EIR. A Final EIR consists of the Draft EIR, a list of all persons, organizations and public agencies commenting on the Draft EIR; copies of the comments received; responses to comments; and any other pertinent information added by the lead agency (CEQA Guidelines Section 15132).

The Final EIR will serve as the CEQA compliance document for the City of Hesperia and any other agencies that may be responsible for review of the proposed project and issuance of required permits including but not limited permits to construct and permits to operate. Chapter 3.0 – Project Description, contains a summary of the various agencies and permits required.

1.4 ORGANIZATION OF THE DRAFT EIR

The Draft EIR is organized into the following chapters:

Chapter 1.0 - Introduction: Provides an introduction and overview that describes the intended use of the document and the Lead Agency authority under CEQA.

Chapter 2.0 - Summary: Summarizes the proposed project and the environmental setting of each site, areas of controversy, issues to be resolved, regulatory compliance requirements, the potential environmental effects that may result from the implementation of the Proposed Project, the mitigation measures proposed to reduce or eliminate significant effects, impacts found to be less than significant and a summary of the proposed alternatives.

Chapter 3.0 - Project Description: Provides a detailed description of the existing conditions on-site and in the vicinity (including photographs), and the specifics of the Proposed Project including site plans and architectural plans. This chapter also includes a statement of the Proposed Project's objectives and provides background data on the local and regional setting.

Chapter 4.0 - Environmental Impact Evaluation: Describes the existing environmental conditions on the site and in the vicinity of the Project Site, and the regulatory environment. Describes the Proposed Project's characteristics related to each of the environmental areas and states the significance criteria used to evaluate potentially significant effects of the Proposed Project. Evaluates the potential environmental effects, identifies mitigation measures to reduce or eliminate effects found to be significant, and determines the level of significance of the effect after mitigation has been implemented.

Chapter 5.0 - Other CEQA Required Analysis: Evaluates cumulative environmental effects of the Proposed Project when considered with the effects of other approved and/or reasonably foreseeable projects that when combined with the project, would be significant. Describes ways in which the project may foster economic or population growth and thereby be growth inducing. Identifies any significant irreversible environmental changes which may result with the implementation of the Proposed Project.

Chapter 6.0 - Alternatives to the Proposed Project: Describes a reasonable range of alternatives to the Proposed Project that would feasibly attain most of the basic objectives of the Proposed Project but would avoid or substantially lessen any of the significant effects identified in the environmental analysis.

Chapter 7.0 - References: Includes a list of lead agency staff members who participated in the preparation of the EIR as well as the consultants who prepared the technical reports to support the environmental analysis. Chapter 7.0 also includes a bibliography of information used to prepare the EIR and lists persons and organizations consulted during report preparation.

Chapter 8.0 – Mitigation Monitoring and Reporting Program: The MMRP has been prepared as a matrix which contains the following elements: 1) the identified mitigation measure by environmental topic; 2) Department or Agency responsible for monitoring; 3) the implementation/verification procedure; and 4) date measure was implemented/completed.

1.5 DOCUMENTS INCORPORATED BY REFERENCE

Pertinent documents relating to the proposed project and the preparation of this EIR have been cited and incorporated by reference, in accordance with Section 15150 of the CEQA Guidelines, as a means of reducing the redundancy and length of environmental impact reports.

The following documents are available for public review at the Town of Apple Valley, Community Development Department and are hereby incorporated by reference into this EIR. Information contained within these documents has been used for the preparation of chapters throughout this EIR.

- City of Hesperia General Plan, 2010.
- Draft EIR and Final EIR for the City of Hesperia General Plan Update, May and December 2010.

1.6 ACRONYMS

AADT	Annual Average Daily Traffic
AAQS	Ambient Air Quality Standards
AB	Assembly Bill
AF	Acre-Foot, Acre-Feet
AMSL	Above Mean Sea Level
A-P Act	Alquist-Priolo Earthquake Fault Zoning Act
APN	Assessor Parcel Numbers
AQMP	Air Quality Management Plan
AST	Aboveground Storage Tank
ATCM	Airborne Toxic Control Measure
ATCP	Air Toxics Control Plan
BACT	Best Available Control Technology
BGS	Below Ground Surface
BMPs	Best Management Practices
CAA	Clean Air Act
CAAA	Clean Air Act Amendments
CAAQS	California Ambient Air Quality Standards
CalEPA	California Environmental Protection Agency
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Code
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDFW	California Department of Fish & Wildlife
CEC	California Energy Commission
CEIDARS	California Emission Inventory Development and Reporting System
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CGS	California Geological Survey
CH₄	Methane
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO	Carbon Monoxide
CSC	California Species of Special Concern
CUP	Conditional Use Permit
CWA	Clean Water Act
dBA	Decibels, A-weighted
DEIR	Draft Environmental Impact Report
DPM	Diesel Particulate Matter
DWR	Department of Water Resources

EIR	Environmental Impact Report
EPA	Environmental Protection Agency
ESA	Endangered Species Act
F	Fahrenheit
FCAA	Federal Clean Air Act
FEIR	Final Environmental Impact Report
FEMA	Federal Emergency Management Agency
FGC	Fish & Game Code
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
GHG	Greenhouse Gas
GPM	Gallons per Minute
GVWR	Gross Vehicle Weight Rating
HARP	Hot Spots Analysis and Reporting Program
HAZWOPER	Hazardous Waste Operations and Emergency Response
HCM	Highway Capacity Manual
HCP	Habitat Conservation Plan
HHDT	Heavy-Heavy Duty Trucks
HMBP	Hazardous Materials Business Plan
HRA	Health Risk Assessment
HSC	California Health & Safety Code
IS	Initial Study
LOS	Level of Service
LRA	Local Responsibility Area
MBTA	Migratory Bird Treaty Act
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MM	Mitigation Measure
MMRP	Mitigation Monitoring and Reporting Program
MMTCOe	Million Metric Ton Carbon Dioxide Equivalent
MT	Metric Ton
MMBtu/hr	Million British Thermal Units per Hour
MMtpy	Million Tons per Year
MPG	Mile per Gallons
MRZ	Mineral Resource Zone
N₂O	Nitrous Oxide
NAAQS	National Air Quality Standards
NAHC	Native American Heritage Commission
NO	Nitric Oxide

NO₂	Nitrogen Dioxide
NOC	Notice of Completion
NOD	Notice of Determination
NOI	Notice of Intent
NOP	Notice of Preparation
NO_x	Oxides of Nitrogen
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Services
O₃	Ozone (Smog)
ONC	Department of Health Services Office of Noise Control
OPR	Governor's Office of Planning & Research
OSHA	Occupational Safety and Health Act
PM	Particulate Matter
PPB	Parts per Billion
PPM	Parts per Million
PPV	Peak Particle Velocity
PRC	Public Resources Code
RAFSS	Riversidean alluvial fan sage scrub
RCRA	Resource Conservation and Recovery Act
RCS	Respirable Crystalline Silica
REL	Reference Exposure Level
ROG	Reactive Organic Gases
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCE	Southern California Edison
SEL	Sound Exposure Level
SIP	State Implementation Plan
SO₂	Sulfur Dioxide
SPCC	Spill Prevention, Control and Countermeasure Plan
SVOC	Semi-Volatile Organic Compounds
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminant
TBACT	Toxic Best Available Control Technology
TOC	Total Organic Compounds
UBC	Uniform Building Code
USACE	US Army Corp of Engineers
USEPA	US Environmental Protection Agency
USFWS	US Fish & Wildlife Service

USGS	United States Geological Survey
UST	Underground Storage Tank
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compound
VVWRA	Victor Valley Wastewater Reclamation Authority
WSA	Water Supply Assessment

1.7 GLOSSARY OF TERMS

Active fault: Geologic fault with recent seismic activity that has displaced materials not more than 11,000 years old.

Acre-foot: The volume of liquid or solid required to cover 1 acre to a depth of 1 foot, or 43,560 cubic feet; measure for volumes of water, reservoir tock, etc.

Alluvial: Pertaining to material or processes associated with transportation or deposition of soil and rock by flowing water (e.g., streams and rivers).

Alluvium: A general term for geologic materials deposited by running water (e.g., streams, rivers). The term applies to deposits of recent time that have not been consolidated and cemented into rock.

Alquist-Priolo Fault Zone: State-identified areas of potentially active and recently active faults.

Alquist-Priolo Special Studies Zones Act: Places specific responsibilities on local governments for identification and evaluation of seismic and geologic hazards, and formulation of programs and regulations to reduce risk in identified locations.

Ambient: The environment as it exists at the point of measurement and against which changes or impacts are measured.

Ancillary facilities: Support structures and equipment.

Aquifer: A body of rock that is sufficiently permeable to conduct groundwater and to yield economically significant quantities of water to wells and springs.

Authority to Construct: Written permit which must be obtained from the Air Quality Management District prior to construction, alteration or replacement of any article, machine or equipment which may emit air contaminants or affect emission of those contaminants.

California Endangered Species Act: California state legislation, enacted in 1984, with the intent to protect floral and faunal species by listing them as “rare”, “threatened”, “endangered” or “candidate” and by providing a consultation process for the determination and resolution of potential adverse impact to the species.

California Environmental Quality Act (CEQA): Policies enacted in 1970, and subsequently amended, the intent of which is the maintenance of a quality environment for the people of California now and in the future.

CNEL: Community Noise Equivalent Level—a noise index that accounts for the greater annoyance of noise during evening and nighttime hours.

Cumulative Impacts: Two or more individual effects which, when considered together, compound or increase the impact.

dBA: A-weighted decibel; decibel weighted to reflect sounds most sensitive to human ears.

Discretionary actions: Conditions which can be imposed on a project action prior to approval for implementation. The approval would thus be “at the discretion” of an agency.

Effects: Effect and impact are synonymous as used in this report. Direct or primary impacts are those caused by the project and occur at the same time and place. Indirect, or secondary, effects are those which result from the project and occur later in time or farther removed in distance or time, but are still reasonably foreseeable.

Endangered species: A flora or fauna species whose prospects of survival and reproduction in the wild are in immediate jeopardy from one or more causes.

Endangered Species Act: Federal legislation, enacted in 1973, as amended, that extends legal protection to plants and animals listed as “threatened” or “endangered” and includes consultation with FWS.

Environment: The physical conditions which exist within the area which will be affected by a proposed project or alternative, including but not limited to land, air, water, minerals, flora, fauna, ambient noise and objects of historical or aesthetic significance. The environment includes both natural and man-made conditions.

Environmental Impact Report (EIR): Document in which the impacts of any state or local, public or private project action which may have a significant environmental effect are evaluated prior to its construction or implementation, as required by the California Environmental Quality Act.

Equivalent Noise Level - (L_{eq}): The average noise level, on an energy basis, for a stated period of time (e.g., hourly).

Erosion: The wearing away of soil and rock by weathering, mass wasting and the action of streams, glaciers, waves, wind and underground water.

Fault: A surface or zone along which there has been displacement of the geologic materials on either side relative to one another as a result of seismic activity.

Fault Zone: An area where a grouping of faults occur.

Fossil fuel: Petroleum, natural gas or coal. A general term for any hydrocarbon that may be used as fuel.

Fugitive dust: Dust particles suspended randomly in the air from road travel, excavation and rock loading operations.

Groundwater: Water found beneath the land surface, in the zone of saturation below the water table.

Groundwater gradient: The slope of the profile of the water table under unconfined groundwater conditions, or the slope of the imaginary surface to which groundwater rises due to hydrostatic pressure under confined conditions (wells and springs).

Habitat: The place where an animal or plant normally lives, often characterized by a dominant plant and co-dominant form, such as creosote bush habitat.

Hazardous material: Any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present hazard to human health and safety, or to the environment. Hazardous materials include, but are not limited to, hazardous substances, hazardous waste, radioactive materials and any material which a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment. (California Health and Safety Code, §25501)

Holocene: The epoch of the Quaternary period of geologic time from 11,000 years ago up to the present.

Hydrogeology: The study of surface and subsurface water.

Infiltration: The flow of a fluid into a substance through pores or small openings.

Infrastructure: The basic framework or underlying foundation of a community or project, including road networks, electric and gas distribution, water and sanitation services, and facilities.

Initial Study: A preliminary analysis prepared by the lead agency to determine whether an EIR or a Negative Declaration must be prepared or to identify the significant environmental effects to be analyzed in an EIR.

Lead Agency: The public agency which has the principal responsibility for carrying out or approving a project.

Level of Service (LOS): An indicator of traffic conditions at an intersection or on a stretch of roadway, and of the delay that can be expected in the general area; A is the best (no delay) and F is the worst.

L₅₀: Noise level exceeded 50 percent of the time.

Mitigation: A method or procedures which may: (1) avoid an impact altogether by not taking a certain action or parts of an action; (2) minimize impacts by limiting the degree or magnitude of the action and its implementation; (3) rectify the impact by repairing, rehabilitating, or restoring the impacted environment; (4) reduce or eliminate the impact over time by preservation and maintenance operations during the life of the action; and (5) compensate for the impact by replacing or providing substitute resources or environments.

Mojave Desert Air Quality Management District (MDAQMD): The air quality regulatory agency for the Mojave Desert Air Basin.

Notice of Preparation (NOP): A brief notice sent by the public agency with principal responsibility for carrying out or approving a project to notify other agencies that an EIR is being prepared under CEQA.

NO_x: A generic term for various oxides of nitrogen.

Ozone (O₃): An end product of complex reactions between reactive organic gases (or non-methane hydrocarbons) and nitrogen oxides (NO_x) in the presence of intense ultraviolet radiation.

Peak flow: The greatest flow attained during melting of winter snowpack or during a large precipitation event.

Permeability: The capacity of porous rock, sediment or soil for transmitting a fluid.

Public land: Any land and interest in land owned by the United States within the several states, without regard to how the United States acquired ownership, except: (1) lands located on the Outer Continental Shelf; and (2) lands held for the benefit of Indians, Aleuts or Eskimos.

Rare species: A species that, although not presently threatened with extinction, is in such small numbers throughout its range that it may become endangered if its present environmental status worsens.

Regional Water Quality Control Board (RWQCB): Agency which administers the requirements of the California Administrative Code, Title 23, Division 3, Chapter 15 (Section 2595,g,7) to ensure the highest possible water quality consistent with all demands.

Responsible agency: The organization that has the lead duty to ensure that developers comply with the appropriate rules and regulations.

Right-of-way (ROW): The right to pass over property owned by another. The strip of land over which facilities such as roadways, railroads or power lines are built.

Riparian habitats: Plant communities that support woody vegetation found along rivers, creeks and streams. These habitats provide riverbank protection, erosion control and improved water quality.

ROG: Reactive organic gases, chemicals that are the precursors to the formation of ozone.

Scat: Fecal evidence of wildlife presence.

Sediment: Material suspended in or settling to the bottom of a liquid. Sediment input comes from natural sources, such as soil erosion, rock weathering, construction activities or anthropogenic sources, such as forest or agricultural practices.

Seismicity: The likelihood of an area being subject to earthquakes.

Sensitive species: Generic term for any plant or animal species which is recognized by the government or by any conservation group as being depleted, rare, threatened or endangered.

Sewage: Wastewater carried by community sewer systems. As defined in Section 13005 of the California Waste Code, “any and all waste substance, liquid or solid, associated with human habitation, or which contains or may be contaminated with human or animal body waste”.

Significant environmental impact: As defined by CEQA, Chapter 3, Article 1, Section 15002(g), “a substantial adverse change in the physical conditions which exist in the area affected by the proposed project”.

Stream: A body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life.

Threatened Species: Species, which although not presently threatened with extinction, are likely to become endangered in the foreseeable future in the absence of special protection and management efforts.

Trustee Agency: A State agency having jurisdiction over natural resources that may be affected by the project, which are held in trust by the state. These include the California Department of Fish and Wildlife, State Lands Commission, and State Department of Parks and Recreation.

Visual resource: The composite of basic terrain, geologic features, water features, vegetation patterns and land use effects that typify a land unit and influence the visual appeal the unit may have for viewers.

Waste discharge requirements: Regulation described in Title 23, Division 3, Chapter 15, of the California Code of Regulations which governs discharge of wastes to land in order to preserve the quality of the state’s surface and ground waters.

Water table: The level in the saturated zone at which the pressure is equal to the atmospheric pressure.

Watershed: The geographic region from which water drains into a particular stream, river, or body of water. A watershed includes hills, lowlands and the body of water into which the land drains. Watershed boundaries are defined by the ridges or divides separating them.

Wetlands: Lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water.

2.0 SUMMARY OF THE ENVIRONMENTAL EVALUATION

An Initial Study/Environmental Checklist was prepared for the United States Cold Storage Hesperia project and was circulated for public review and comment June 24 – July 24, 2020 (see Appendix A). As part of this process, a series of literature searches and field surveys were conducted for a range of environmental issues. Based on this data, the Initial Study found that there were areas in which no impacts would occur and no further evaluation in an EIR was required. These findings are summarized herein.

2.1 FINDING OF NO IMPACTS

The Initial Study showed that the following issues have been found to have no impact.

Agriculture and Forestry Resources - The California Department of Conservation’s Farmland Mapping and Monitoring Program identifies the Project Site as “Grazing Land” in the San Bernardino County Important Farmland 2016 maps. According to San Bernardino County’s Interactive Agricultural Resources Map, the Project Site is not under or adjacent to any lands under a Williamson Contract. The Project Site and surrounding properties have a current zoning of Community/Industrial Business Park and would not conflict with existing agricultural zoning or agricultural uses. No timberlands or forest lands are located within the City of Hesperia, a High Desert community. The Project Site is not located on or adjacent to forestland.

Land Use - The Project Site is part of the Main Street Freeway Corridor Specific Plan. The Proposed Project is consistent with the City General Plan and Specific Plan land use designation and zoning of Commercial/Industrial Business Park (CIBP). The Proposed project is consistent with the September 1, 2020 adoption of City of Hesperia Ordinance 10-1-20 amending the Specific Plan to increase the maximum floor area ratio and the maximum building height. The CIBP zone is intended to create consolidated areas for employment-creating uses in a business park setting. This zone primarily falls in three of the land use districts: Main Street/Interstate-15 District, Highway 395/Interstate-15 District and Industrial District. The Project Site is within the Main Street/Interstate-15 District. This District is also intended to capture employment-generating uses along Highway 395. The Proposed Project is consistent with the Specific Plan goals and policies.

Mineral Resources - According to the California Department of Conservation, Mineral Land Classification map, the Project Site occurs in the southwestern region of San Bernardino County, specifically in the Open File Report (OFR) 94-07, Plate 1. As identified on the OFR, the Project Site occurs in Mineral Resource Zone 4 (MRZ-2). An MRZ-4 zone is an area of no known mineral occurrences where geologic information does not rule out either the presence or absence of significant mineral resources. An area with no known mineral significance would not be valuable to the region or residents of the state until the presence of significant mineral resources is confirmed.

Noise - During the 30-day review period of the Notice of Preparation of an Environmental Impact Report (June 24, 2020 – July 24, 2020), which included notification of all property owners within a 900-foot radius of the Project Site, the City received a total of seven letters from individuals, organizations, and State agencies. The two individuals who commented are property owners within

800 feet of the Project Site and located on the west side of Highway 395. Both letters were in support of the project and the potential for infrastructure improvements in the area, the provision of jobs, and the generation of income to the City. Upon consideration of all comments received, the Proposed Project's location adjacent to Highway 395, and the Proposed Project's consistency with the General Plan and land use designation of CIBP in the Specific Plan the City determined that an analysis of the Proposed Project's potential noise generating impacts was not required. The Specific Plan was adopted with the intent of attracting industry to this area of the City that would create employment opportunity.

Population and Housing - The Proposed Project would be consistent with the City General Plan and the Specific Plan. Therefore, any population growth resulting from the implementation of the Proposed Project would be accounted for in the City General Plan and Specific Plan. In addition, according to the City General Plan, the City had a population of approximately 102,600 residents as of 2009 and at the time was anticipated to grow to more than 243,000 residents at build-out. The number of employees under the Proposed project would be an insignificant percentage of the anticipated population growth. No housing would be demolished and no residents would be displaced.

Public Services - The Proposed Project would not lead to substantial population growth. Therefore, implementation of the Proposed Project would not result in unacceptable service ratios, response times or other performance objectives. The Project Applicant's payment of developer impact fees would offset any impacts on fire protection, police, schools and parks.

Recreation - The Proposed Project is anticipated to require 162 employees, which are expected to come from the local labor force. It does not include development of residential housing or other uses that would lead to substantial population growth. Therefore, the Proposed Project would not increase the use of existing neighborhood or regional parks, or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated.

2.2 FINDINGS OF LESS THAN SIGNIFICANT IMPACTS

Chapter 4.0 of the EIR contains the environmental evaluation of the project for each area of concern identified in the Initial Study. As a result of the environmental evaluation conducted for the Draft EIR, findings of less than significant impacts, with no mitigation measures recommended were made in the following areas:

- Aesthetics
- Energy
- Greenhouse Gas Emissions
- Hazards
- Hydrology
- Utilities
- Wildfire

2.3 FINDINGS OF IMPACT THAT CAN BE MITIGATED TO LESS THAN SIGNIFICANT IMPACTS

Table 2-1 lists the potential environmental impacts associated with the Proposed Project, the mitigation measures that would reduce or eliminate potentially significant impacts, and the level of significance of an impact that would occur after mitigation is implemented. This information is presented in detail in Chapter 4.0 of the Draft EIR. The table summarizes all impacts that could occur with implementation of the Proposed Project. The second column presents the results of the EIR analysis prior to the implementation of any mitigation measures, but with consideration of design features, adherence to regulatory requirements and compliance with permit conditions. The final column presents the level of significance of the impact after implementation of any required mitigation measures.

2.4 FINDINGS OF SIGNIFICANT IMPACTS AFTER MITIGATION MEASURES HAVE BEEN IMPLEMENTED

- Traffic and Circulation (Vehicle Miles Traveled)

2.4.1 FINDINGS OF SIGNIFICANT CUMULATIVE IMPACTS

Significant cumulative impacts were determined to occur within the area of Vehicle Miles Travelled. The project-specific and cumulative VMT per service population would exceed the City's adopted impact threshold. No mitigation is available and therefore impacts remain adverse and significant.

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED PROJECT**

IDENTIFIED IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
AESTHETICS			
Impact AES-1: The Proposed Project has the potential to have a substantial adverse effect on a scenic vista.	Less Than Significant	None recommended	
Impact AES-2: The Proposed Project, as it occurs within an urbanized area, has the potential to conflict with applicable zoning and other regulations governing scenic quality.	Potentially Significant	Mitigation Measure AES-1: Project buildings and elements shall include colors and tones that mimic the natural desert environment. The Project applicant shall prepare a materials board that will include proposed building color palette and materials for review and approval by the City’s Planning Staff prior to issuance of grading permits. The color palette and design elements of the Project shall be reviewed to assure conformance with the development standards of the Hesperia Municipal Code and the Main Street and Freeway Corridor Specific Plan in order to promote the visual character and quality of the surrounding area.	Less than Significant With Mitigation Incorporated
Impact AES-3: The Proposed Project would create a new source of substantial light or glare, which will adversely affect day or nighttime views in the desert area.	Less Than Significant	None recommended	
Would the Proposed Project result in cumulatively considerable aesthetic impacts?	Potentially Significant	With implementation of Mitigation Measure AES-1, the Project would not result in cumulatively considerable aesthetic impacts.	Less than Significant With Mitigation Incorporated

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED PROJECT**

IDENTIFIED IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
AIR QUALITY			
Impact AQ-1: The Proposed Project could result in a cumulatively considerable net increase of Ozone and/or PM ₁₀ for which the Mojave Desert Air Basin is in non-attainment status.	Potentially Significant	Mitigation Measure AQ-1: The applicant shall implement at a minimum a 187-day painting schedule.	Less Than Significant With Mitigation Incorporated
Impact AQ-2: The Proposed Project could result in a cumulatively considerable net increase of diesel particulate matter due to the vehicle miles travelled by project-generated trucks.	Less Than Significant	None recommended	
Impact AQ-3: The Proposed Project could result in other emissions not discussed above (such as odors) due to the warehouse construction and operations.	Less Than Significant	None recommended	
Would the Proposed Project Result in Cumulatively Considerable Impacts to Air Quality?	Potentially Significant	With implementation of Mitigation Measure AQ-1, the Project would not result in cumulatively considerable air quality impacts.	Less than Significant With Mitigation Incorporated
BIOLOGICAL RESOURCES			
Impact BIO-1: The Proposed Project could result in habitat modifications or removal of habitat for protected species including the desert tortoise, Mohave ground squirrel,	Potentially Significant	Mitigation Measure BIO-1: A California Fish and Game Code Section 2081 Incidental Take Permit has been applied for to allow for incidental take of the Joshua trees. A Habitat Mitigation and Monitoring Plan will be prepared at the direction of CDFW. The	Less Than Significant With Mitigation Incorporated

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED PROJECT**

IDENTIFIED IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<p>burrowing owl, nesting birds, desert native plants, and the Joshua tree.</p>		<p>approved Plan will serve as the Basis of a Protected Plant Preservation Plan for use by the City.</p> <p>Mitigation Measure BIO-2: A preconstruction BUOW survey will be conducted within 30-days prior to construction to avoid any potential project-related impacts to this species. If burrowing owls are documented on-site, the Applicant shall prepare and implement a plan for avoidance or passive exclusion, in coordination with CDFW. Methodology for surveys, impact analysis, and reporting shall follow the recommendations and guidelines provided within the California Department of Fish and Game Staff Report on Burrowing Owl Mitigation (CDFW 2012 Staff Report).</p> <p>Mitigation Measure BIO-3: Nesting bird surveys shall be conducted prior to any construction activities taking place, including Joshua tree transplanting, during the nesting season (March 15th to September 15th) to avoid potentially taking any birds or active nests. A worker awareness training program will also be required for construction activities that occur during the nesting season. A project-specific Nesting Bird Management Plan will be required to determine suitable buffers.</p> <p>If active nests are found, they shall not be disturbed unless the qualified biologist verifies through non-invasive methods that the juveniles from the occupied</p>	

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED PROJECT**

IDENTIFIED IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		<p>nests are capable of independent survival and will not be impacted by the removal of the nest. If the biologist is not able to verify condition, then no disturbance shall occur within a distance specified by the qualified biologist for each nest or nesting site. The qualified biologist will determine the appropriate distance in consultation with the U.S. Fish and Wildlife Service. The size and location of buffer zones shall be based on nesting bird species, species behavior, nesting stage, species sensitivity to disturbance, and the intensity and duration of the disturbance activity.</p>	
<p>Impact BIO-2: The Proposed Project could have an adverse effect on sensitive or other special-status natural vegetation communities such as Joshua Tree woodlands.</p>	<p>Potentially Significant</p>	<p>Mitigation Measure BIO-1: A California Fish and Game Code Section 2081 Incidental Take Permit has been applied for to allow for incidental take of the Joshua trees. A Habitat Mitigation and Monitoring Plan will be prepared at the direction of CDFW. The approved Plan will serve as the Basis of a Protected Plant Preservation Plan for use by the City.</p>	<p>Less Than Significant With Mitigation Incorporated</p>
<p>Impact BIO-3: The Project Site may contain hydrological features and the Proposed Project could affect federally protected wetlands.</p>	<p>Less Than Significant</p>	<p>None recommended</p>	
<p>Impact BIO-4: The Project Site is currently vacant and located in an undeveloped area of the City and could interfere with the movement of wildlife species.</p>	<p>Less Than Significant</p>	<p>None recommended</p>	

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED PROJECT**

IDENTIFIED IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<p>Impact BIO-5: Joshua trees are found on the Project Site; the species is protected under the City Development Code. Therefore, the Proposed Project may conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.</p>	<p>Potentially Significant</p>	<p>Mitigation Measure BIO-1: A California Fish and Game Code Section 2081 Incidental Take Permit has been applied for to allow for incidental take of the Joshua trees. A Habitat Mitigation and Monitoring Plan will be prepared at the direction of CDFW. The approved Plan will serve as the Basis of a Protected Plant Preservation Plan for use by the City.</p>	<p>Less Than Significant With Mitigation Incorporated</p>
<p>Impact BIO-6: The Proposed Project is not anticipated to conflict with the provisions of an adopted Habitat Conservation Plan or Natural Community Conservation Plan.</p>	<p>Less Than Significant</p>	<p>None recommended</p>	
<p>Would the Proposed Project result in cumulatively considerable impacts to biological resources?</p>	<p>Potentially Significant</p>	<p>With implementation of Mitigation Measures BIO-1, BIO-2, and BIO-3 the Proposed Project would not result in cumulatively considerable impacts to biological resources.</p>	<p>Less than Significant With Mitigation Incorporated</p>
CULTURAL RESOURCES			
<p>Impact CR-1: Implementation of the Proposed Project would require grading and other ground-disturbing activities, which may result in the disturbance of unknown historical resources.</p>	<p>Less than Significant</p>	<p>None Recommended</p>	

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED PROJECT**

IDENTIFIED IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<p>Impact CR-2: Implementation of the Project would require grading and other ground-disturbing activities, which may result in the disturbance of unknown archaeological resources.</p>	<p>Potentially Significant</p>	<p>Mitigation Measure CR-1: A qualified archaeologist shall oversee excavations in the younger alluvial deposits (Holocene) during initial grading in the eastern portion of the Project Site, nearer the Oro Grande Wash channel. If the archaeologist determines it necessary, an archaeological monitoring program shall be expanded to include the entire Project Site and based on the identification of buried resources.</p> <p>The monitoring program shall be conducted in accordance with current professional guidelines and protocols. The program should be designed to be flexible and account for changes in findings through the management of the resources in a professional manner and via evaluation in accordance with the current CEQA criteria. If prehistoric archaeological resources are identified, a local Native American representative should be added to the overall monitoring program.</p>	<p>Less Than Significant with Mitigation Incorporated</p>
<p>Impact CR-3: Implementation of the Project would require grading and other ground-disturbing activities, which may result in the disturbance of unknown human remains.</p>	<p>Potentially Significant</p>	<p>Mitigation Measure CR-2: If, at any time, human remains or suspected human re-mains are identified within the Project Site, the Contractor shall halt work in the immediate vicinity of the find and establish a buffer zone around the find. If the archaeological consultant is on-site, the archaeological consultant will oversee this level of protection. The City will be notified immediately and the City will contact the County Coroner (within 24 hours). The Coroner has the</p>	<p>Less Than Significant with Mitigation Incorporated</p>

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED PROJECT**

IDENTIFIED IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		<p>authority to examine the find in situ and make a determination as to the nature of the find:</p> <ul style="list-style-type: none"> a) If the remains are determined to be human, the Coroner will determine whether or not the find(s) is of Native American origin. If so, the Coroner will contact the Native American Heritage Commission and the Commission will name the Most Likely Descendent (MLD). In consultation between the City, Property Owner, MLD, and consulting archaeologist, the disposition of the remains will be defined. If there is a conflict, the Native American Heritage Commission will act as a mediator. b) If the remains are determined to be archaeological, but not of Native American origin, the City, Property Owner and archaeological consultant will determine the management of the find and the removal from the site. The Property Owner would be responsible for any costs related to the removal, analysis, and reburial. c) If the remains are determined to be of forensic value, the Coroner will arrange for the removal of the remains and oversee the analysis and disposition. 	
Would the Proposed Project result in a cumulatively considerable impact to cultural resources?	Potentially Significant	Mitigation Measures CR-1 and CR-2	Less Than Significant with Mitigation Incorporated

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED PROJECT**

IDENTIFIED IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
ENERGY			
Impact ENR-1: Due to the size and type of the proposed warehouse, the Proposed Project could result in potentially significant environment impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.	Less than Significant	None recommended	
Impact ENR-2: The Proposed Project could conflict with or obstruct a state or local plan for renewable energy or energy efficiency	Less than Significant	None recommended	
Would the Proposed Project result in a cumulatively considerable impact to the use of energy?	Less than Significant	None recommended	
GEOLOGY & SOILS			
Impact GEO-1: Based on the presence of older Quaternary alluvium at the Project Site, the Proposed Project has the potential to directly or indirectly destroy a unique paleontological resource or site that may be buried.	Potentially Significant	Mitigation Measure GEO-1: Should fossil specimens be encountered during site preparation activities, a qualified paleontologist shall be on-site to oversee all excavations to ensure paleontological specimens are identified, recovered, analyzed, reported, and curated in accordance with CEQA and the San Bernardino County policies and guidelines. This program should be conducted continuously while these older Quaternary	Less Than Significant with Mitigation Incorporated

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED PROJECT**

IDENTIFIED IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		deposits are impacted and until the paleontological consultant deems the program is no longer necessary.	
GREENHOUSE GAS EMISSIONS – CLIMATE CHANGE			
Impact GHG-1: The Proposed Project could result in greenhouse gas emissions, either directly or indirectly, that may exceed established thresholds established by the MDAQMD.	Less than Significant	None recommended	
Impact GHG-2: The Proposed Project may conflict with GHG emissions reduction goals established in the City of Hesperia Climate Action Plan.	Less than Significant	None recommended	
Would the Project result in cumulatively considerable impacts with regards to greenhouse gas emissions?	Less than Significant	None recommended	
HAZARDS & HAZARDOUS MATERIALS			
Impact HAZ-1: The Proposed Project could create a significant hazard to the public or the environment through the routine transport or use of hazardous materials.	Less than Significant	None recommended	
Impact HAZ-2: The Proposed Project could create a significant hazard to the public or the environment through reasonably foreseeable	Less than Significant	None recommended	

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED PROJECT**

IDENTIFIED IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
upset and accident conditions involving the release of hazardous materials into the environment.			
Impact HAZ-3: The Proposed Project could expose employees and structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.	Less than Significant	None recommended	
Would the Project result in cumulatively considerable impacts with regard to hazards and hazardous materials?	Less than Significant	None recommended	
HYDROLOGY & WATER QUALITY			
Impact WQ-1: The Proposed Project could result in degradation of water quality within the Mojave River Basin.	Less than Significant	None recommended	
Impact WQ-2: The Proposed Project has the potential to decrease Hesperia Water District groundwater supplies or interfere with groundwater recharge.	Less than Significant	None recommended	

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED PROJECT**

IDENTIFIED IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
Impact WQ-3: The Proposed Project's site improvements may cause substantial erosion or siltation on or off-site.	Less than Significant	None recommended	
Impact WQ-4: The Proposed Project may create surface runoff which could result in flooding on- or off-site.	Less than Significant	None recommended	
Impact WQ-5: The Proposed Project could result in runoff which would exceed the capacity of stormwater drainage systems.	Less than Significant	None recommended	
Impact WQ-6: The Proposed Project could redirect flood flows.	Less than Significant	None recommended	
Impact WQ-7: The Proposed Project may conflict with or obstruct implementation of a Water Quality Control Plan for the Lahontan Region or Mojave River Watershed.	Less than Significant	None recommended	
Would the Project result in a cumulatively considerable impact to hydrology and/or water quality?	Less than Significant	None recommended	

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED PROJECT**

IDENTIFIED IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
TRAFFIC & CIRCULATION			
<p>Impact T-1: The Proposed Project could conflict with San Bernardino County and/or City of Hesperia programs, plans, ordinances, or policies addressing the circulation system. Additionally, the Proposed Project may result in significant impacts to Caltrans facilities.</p>	Potentially Significant		<p>Impacts to LOS at intersections and vehicle queues would be Less Than Significant.</p> <p>Impacts to LOS at freeway facilities are Significant and Unavoidable.</p>
<p>Impact T-2: Due to the product distribution nature of the Proposed Project and the use of significant trucks associated with product delivery and distribution, the Proposed Project may conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).</p>	Potentially Significant	None are available or recommended	Significant and Unavoidable
<p>Impact T-3: The Proposed Project could substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) relative to truck access to/from Highway 395.</p>	Potentially Significant	<p>Mitigation Measure T-1: The southeast corner of the intersection of Highway 395 and Yucca Terrace Drive should have a 40-foot curb radius.</p> <p>Mitigation Measure T-2: Traffic signals shall be installed at the following intersections:</p> <p>US Highway 395 at Avenal Street US Highway 395 & Yucca Terrace Drive</p>	Less Than Significant

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED PROJECT**

IDENTIFIED IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		Mitigation Measure T-3: A second southbound left turn lane and a second northbound left turn lane at Highway 395 and Phelan Road/Main Street will be required.	
Impact T-4: The Proposed Project could result in inadequate emergency access due to trucking access being off of Highway 395.	Potentially Significant	Mitigation Measure T-1.	Less Than Significant
Would the Project result in cumulative considerable impacts to Traffic?	Impacts to LOS at freeway facilities are Significant and Unavoidable. The cumulative project VMT per service population would exceed the City's adopted impact threshold and therefore is also Significant and Unavoidable.		Significant and Unavoidable
TRIBAL CULTURAL RESOURCES			
Impact TCR-1: The Proposed Project's earthmoving activities associated with grading could potentially impact buried historical resources.	Potentially Significant	Mitigation Measures CR-1 and CR-2.	Less Than Significant with Mitigation Incorporated

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED PROJECT**

IDENTIFIED IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<p>Impact TCR-2: The Proposed Project may impact a site, feature, place, or cultural landscape of significance to a California Native American tribe and pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.</p>	<p>Potentially Significant</p>	<p>Mitigation Measure TCR-1: The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted of any pre-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a Cultural Resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.</p> <p>Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in PRC 5097.98, are also to be treated according to this statute. Health and Safety Code 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and excavation halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within</p>	<p>Less Than Significant with Mitigation Incorporated.</p>

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED PROJECT**

IDENTIFIED IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		<p>24 hours, the NAHC and PRC 5097.98 shall be followed.</p> <p>Mitigation Measure TCR-2: If the San Manuel Band of Mission Indians is designated MLD in accordance with the legal process noted in Mitigation Measure CUL-2 presented in Chapter 4.4 – Cultural Resources, the MLD will work with the Coroner, NAHC, landowner, and Lead Agency regarding culturally appropriate practices and recommended next steps.</p> <p>Mitigation Measure TCR-3: Prior to the continuation of ground disturbing activities, the land owner shall arrange a designated site location within the footprint of the Project for the respectful reburial of the human remains and/or ceremonial objects. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The MLD tribe will make every effort to recommend diverting the Project and keep the remains in situ and protected, and the landowner/applicant shall make every effort to comply with these recommendations. If the Project cannot be diverted, it may be determined that burials will be removed. The MLD Tribe will work closely with the qualified archaeologist to ensure that the excavation is</p>	

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED PROJECT**

IDENTIFIED IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		<p>treated carefully, ethically, and respectfully. If data recovery is approved by the MLD tribe, documentation shall be taken that includes, at a minimum, detailed descriptive notes and sketches. Additional types of documentation shall only occur once approved by the MLD tribe for data recovery purposes. Cremations will either be removed in bulk or by any means necessary to ensure completely recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the MLD tribe and the NAHC. The tribes do not authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.</p> <p>Each occurrence of human remains and associated funerary objects that requires data recovery will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects, and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within 6 months of recovery. The site of reburial/repatriation shall be on the Project site but at a location agreed upon between the MLD tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.</p>	

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED PROJECT**

IDENTIFIED IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		<p>Mitigation Measure TCR-4: Upon discovery of any tribal cultural or archaeological resources, construction activities shall cease within the immediate vicinity of the find (60-foot buffer) until the find can be assessed. All tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist, by a member of the San Manuel Band of Mission Indians Cultural Resources Department. If the resources are Native American in origin, the San Manuel Band of Mission Indians shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the tribe will request preservation in place or reburial onsite, though will recommend data recovery for educational purposes if other options are exhausted. Work may continue on other parts of the Project while evaluation and, if necessary, additional protective mitigation takes place (CEQA Guidelines Section 15064.5(f)). If a resource is determined by the qualified archaeologist to constitute a “historical resource” or “unique archaeological resource”, time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available.</p> <p>Mitigation Measure TCR-5: For unique archaeological resources, preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery</p>	

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED PROJECT**

IDENTIFIED IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		<p>excavations to remove the resource along with subsequent laboratory processing and analysis. All analysis proposals will be reviewed and approved by the consulting Tribes. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials within the County, if such an institution agrees to accept the material. If no institution accepts the archaeological material that is not Native American in origin, they shall be offered to the San Manuel Band of Mission Indians – Kizh Nation or a local school or historical society in the area for educational purposes.</p> <p>Mitigation Measures TCR-6: Archaeological and Native American monitoring and excavation during construction Projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel must meet the Secretary of Interior standards for archaeology and have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in southern California. The qualified archaeologist shall ensure that all other personnel are appropriately trained and qualified.</p> <p>Mitigation Measure TCR-7: Any and all archaeological/cultural documents created as a part of</p>	

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED PROJECT**

IDENTIFIED IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.	
Would the Project result in a cumulatively considerable impact to tribal cultural resources?	Less Than Significant	Mitigation Measures CR-1, CR-2, and TR-1 through TR-7.	Less Than Significant with Mitigation Incorporated.
UTILITIES & SERVICE SYSTEMS			
Impact US-1: The Project Site is currently vacant and does not receive utility services. Implementation of the Proposed Project would result in a permanent increase in demands for services including water, wastewater treatment, stormwater drainage, electric power, natural gas, and telecommunication facilities.	Less Than Significant	None recommended	
Impact US-2: The Proposed Project would require a water supply and could negatively impact the sufficiency of water supplies available to serve the project and reasonably foreseeable future development during normal or multiple dry years.	Less Than Significant	None recommended	

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED PROJECT**

IDENTIFIED IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
Impact US-3: Wastewater collected from the Proposed Project would be treated by the Hesperia Subregional Water Recycling facility and the Victor Valley Wastewater Reclamation Authority (VWRA).	Less Than Significant	None recommended	
Impact US-4: The Proposed Project includes new employees and solid waste demands which could 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	None recommended	
Impact US-5: The Proposed Project would generate solid waste and compliance with applicable federal, state, and local management and reduction statutes and regulations related to solid waste should be evaluated.	Less Than Significant	None recommended	
Would the Project result in cumulatively considerable impacts related to utilities and service systems?	Less Than Significant	None recommended	
WILDFIRE			
Impact WIL-1: The Proposed Project would have regional access from Highway 395 and Interstate 15 and could therefore impair an adopted evacuation plan.	Less Than Significant	None recommended	

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED PROJECT**

IDENTIFIED IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<p>Impact WIL-2: The Proposed Project is located near State Responsibility Areas (SRAs) classified as Moderate or High Fire Hazard Safety Zone and therefore could have risks associated with wildfires.</p>	<p>Less Than Significant</p>	<p>None recommended</p>	
<p>Impact WIL-3: The Proposed Project would require the installation of infrastructure (such as roads and utilities) that could potentially exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.</p>	<p>Less Than Significant</p>	<p>None recommended</p>	
<p>Impact WIL-4: The Proposed Project includes new structures as well as a solar array field (if not roof-top) as well as employees working 24/7 and may potentially 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.</p>	<p>Less Than Significant</p>	<p>None recommended</p>	
<p>Would the Project result in cumulatively considerable impacts related to wildfires?</p>	<p>Less Than Significant</p>	<p>None recommended</p>	

3.0 PROJECT DESCRIPTION

3.1 PROJECT DETAIL

The City of Hesperia (“City”) received an Application from United States Cold Storage to construct and operate a cold storage warehouse for frozen and refrigerated food on a 78.81 acre property located at the northeast corner of State Highway 395 (Highway 395) and Yucca Terrace Drive.

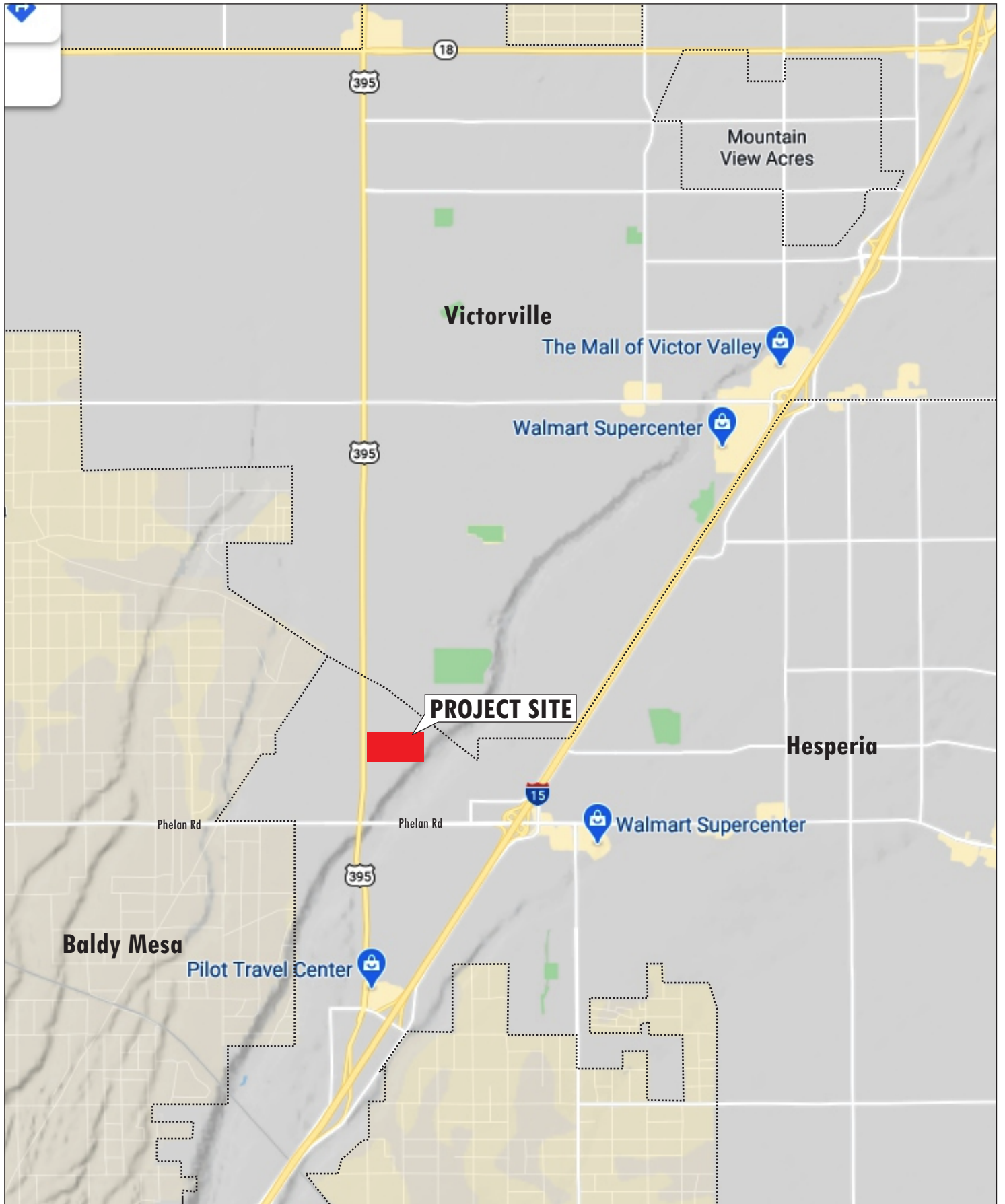
The Project Site occurs on the east side of Highway 395, the north side of Yucca Terrace Drive and the south side of Avenal Street in the City of Hesperia (see Figure 3-1 Regional Location and Figure 3-2 Project Vicinity). The property is described as Assessor’s Parcel Numbers 3064-421-01, -02 & -03 and it is located in Section 15, Township 4 North, Range 5 West, U.S. Geological Survey *Baldy Mesa, California* 7.5-minute topographic quadrangle map.

Regional access to the Project Site includes Highway 395, immediately adjacent to the west, and Interstate 15 (I-15), located approximately 1 mile to the east. Direct access to the Project Site would be via a driveway on the south side from Yucca Terrace Drive, a driveway from the north side from Avenal Street and two exit-only/fire access driveways; one on the north side of the property from Avenal Street and one on the south side of the property from Yucca Terrace Drive.

The Proposed Project includes a facility for the warehousing and distribution of frozen and refrigerated foods to areas throughout the Southwest. The facility would include one building on the northern portion of the Project Site that is proposed to be no more than 520,000 square-feet. The building would include low-bay and high bay warehousing areas and an office space of up to 32,000 square-feet. The second building on the southern portion of the property is proposed to be no more than 525,000 feet and would include high bay warehousing areas as well as an office space the is no more than 32,000 square-feet. The maximum height of the two warehouse buildings is proposed to be no more than 150’ to top of the highest point, which includes mechanical equipment. Each building would also include a loading dock for truck trailers that is approximately 72,000 square feet and includes an area for driver services that is no more than 25,000 square feet. There would be 60 dock spaces at each building for a facility total of 120 dock spaces (see Figure 3-3 Site Plan).

Food products would arrive at the Barstow intermodal and be trucked to the warehouse buildings. Food products would then leave the warehouse buildings and be trucked to multiple food retailers in the Los Angeles, Las Vegas, and Phoenix areas. The facility is intended to operate 24 hours per day Monday through Friday and eight hours per day Saturday and Sunday. Employees would likely work in three shifts Monday through Friday and one shift each Saturday and Sunday. Total employment is estimated at 165.

Although not required, a solar array field is proposed to be constructed in the eastern portion of the Project Site. To meet California Energy Code requirements, the warehouse building design will provide for structural capacity to accommodate roof-top solar panels which would be operational in addition to the solar array field at build-out. The total on-site solar to be generated would be approximately 2.35 MW to serve the facility so that it would not be 100% reliant on the grid.



LEGEND
 City Boundaries

REGIONAL LOCATION
 United States Cold Storage Hesperia
 Hesperia, California

Source: Lilburn Corporation, September, 2020.



FIGURE 3-1



PROJECT SITE

Avenal St

Avenal St

Los Altos Dr

Bolinas St

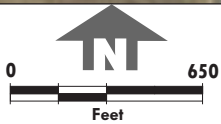
Yucca Terrace Dr

Yucca Terrace Dr

395

395

395



Source: Lilburn Corporation, September, 2020.

LILBURN
CORPORATION

PROJECT VICINITY
United States Cold Storage Hesperia
Hesperia, California

FIGURE 3-2

US Cold Storage

PRELIMINARY GRADING PLAN

US 395 HESPERIA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA
 A.P.N. 3084-41-01, 02, & 03

OWNER/DEVELOPER
 UNITED STATES COLD STORAGE, INC.
 2000 W. 10TH STREET, SUITE 400
 SAN ANTONIO, TEXAS 78207
 (512) 344-8888

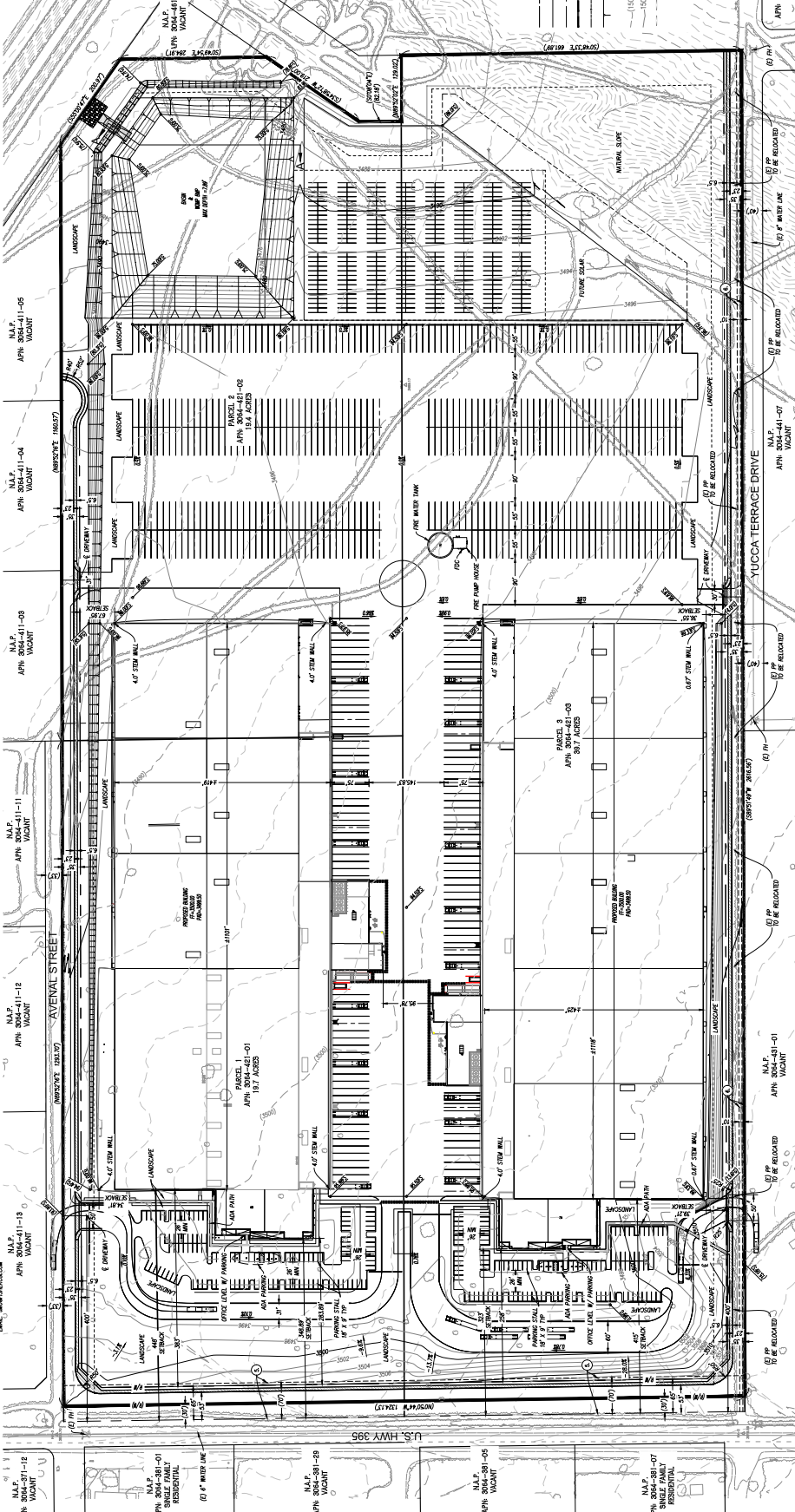
CIVIL ENGINEER
 BOBIL E. BENDAMIMAN & ASSOCIATES, INC.
 2000 W. 10TH STREET, SUITE 400
 SAN ANTONIO, TEXAS 78207
 (512) 344-8888

GENERAL CONTRACTOR
 FORTIS CONSTRUCTION GROUP
 1000 W. 10TH STREET, SUITE 400
 SAN ANTONIO, TEXAS 78207
 (512) 344-8888

PROJECT INFORMATION
 ASSOCIATED PARCEL NO. A-03
 APPROX. TOTAL NET ACRES 143,000 SF / 7.76 AC
 APPROX. TOTAL NET ACRES 132,000 SF / 7.76 AC
 EXISTING LAND USE VACANT
 PROPOSED LAND USE COMMERCIAL BUSINESS PARK

EARTHWORK QUANTITIES:
 DISTRIBUTION MAY VARY; CUT VOLUMES MAY VARY; ALL VOLUMES ARE APPROXIMATE. CONTRACTOR SHALL VERIFY VOLUMES AND QUANTITIES. CONTRACTOR SHALL VERIFY VOLUMES AND QUANTITIES. CONTRACTOR SHALL VERIFY VOLUMES AND QUANTITIES.

TOTAL PARCEL COVERAGE
 PARCEL 1: 1.00 ACRES
 PARCEL 2: 1.00 ACRES
 PARCEL 3: 1.00 ACRES
 PARCEL 4: 1.00 ACRES
 PARCEL 5: 1.00 ACRES
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 PARCEL 100: 1.00 ACRES



LEGAL DESCRIPTION

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, COMMENCED AS FOLLOWS:

PARCEL 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

EASEMENTS

1. EASEMENT FOR THE IMPROVED SYSTEM BUILT AND MAINTAINED BY THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, FOR THE CONVEYANCE OF WATER TO THE PROPERTY OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, FOR THE CONVEYANCE OF WATER TO THE PROPERTY OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, FOR THE CONVEYANCE OF WATER TO THE PROPERTY OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.

2. EASEMENT FOR THE IMPROVED SYSTEM BUILT AND MAINTAINED BY THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, FOR THE CONVEYANCE OF WATER TO THE PROPERTY OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, FOR THE CONVEYANCE OF WATER TO THE PROPERTY OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, FOR THE CONVEYANCE OF WATER TO THE PROPERTY OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.

US COLD STORAGE
 US 395
 HESPERIA, CA 923XX
 DATE: 08/20/2024
 DRAWN BY: JTB
 CHECKED BY: JTB
 PROJECT NO: 24-0001

VICINITY MAP
 BEAR VALLEY RD
 PROJECT SITE
 PARCEL NO
 CITY OF HESPERIA

SITE PLAN
 United States Cold Storage Hesperia
 Hesperia, California
FIGURE 3-3



The Proposed Project will require the City of Hesperia's approval of the following:

- Conditional Use Permit (CUP)
- Tentative Parcel Map
- Variance to reduce required parking stalls

Storm Water Treatment

The Proposed Project includes a combination of at grade detention basin and potentially subsurface catch basins to capture and treat on-site stormwater. Also, given the vacant, undeveloped nature of the Project Site, both dry and wet utilities, including domestic water, sanitary sewer, and electricity, would need to be extended onto the Project Site. The Proposed Project has an anticipated Opening Year of 2022.

Landscaping

The City Development Code, Chapter 16.2, Article XII. Landscape Regulations defines Water-efficient desert plants as plants that require minimal supplemental water upon initial planting, are native to desert climates, and survive well within the High Desert. These plants are identified within Hesperia's approved plant list. Also defined is "Water-efficient landscaping" which means a landscape that is designed and maintained to function in a healthful and visually pleasing manner in compliance with the standards provided in this chapter. This generally involves the strategic use of plants which have minimal water requirements for subsistence, plants native to hot/dry environments (xeriscape), minimal use of turf, appropriate use of trees (help to lower air and soil temperatures, reducing the potential for moisture loss) and hardscape to achieve an overall landscape concept that is water conserving.

Water-efficient landscaping to meet City requirements is proposed for all property boundary sides. The Proposed Project will meet or exceed the City standard for industrial development of 5%. The installation of the landscaping and irrigation materials required by the City will be approved by the Development Services Director or his/her designee prior to the issuance of a certificate of occupancy for the structure.

Fencing

An 8' high decorative metal security fence and access gates would be added at the perimeter of the property facing Highway 395, and fencing will meet or exceed City standards for the balance of the property perimeter.

Lighting

Exterior lighting would be used to provide illumination for the security and safety of on-site areas such as building entrances, parking, loading, shipping and receiving, walkways, and working areas. The design of light fixtures and their structural support shall be architecturally compatible with main buildings on-site. Exterior lighting would be located and designed to avoid direct glare onto adjacent properties and public rights-of-way. In addition, the lighting would have cutoff luminaires to limit the amount of light pollution on nighttime skies. On-site buildings and landscaping would be illuminated indirectly for aesthetics while avoiding intrusion into neighboring properties and public rights-of-way.

Parking

The Proposed Project would provide 120 stalls for dock parking and 393 stalls for trailer parking. It also includes 222 stalls for office parking, which meets the required 214 stalls. Passenger vehicle parking would include 14 ADA stalls. With approval of the requested Variance, the Proposed Project would not be required to provide an additional 367 parking spaces for the two warehouses (warehouses over 10,000 SF = 20 spaces + 0.40/1,000 SF over 10,000 SF).

Legal Description

The Project Site is described as Assessor’s Parcel No. 3064-421-01, -02 and -03. The Project Site is in Section 15, Township 4 North, Range 5 West, as depicted in the U.S. Geological Survey Baldy Mesa, California 7.5-minute topographic quadrangle map.

Phasing

The project would be constructed in a series of phases currently estimated to occur as shown in Table 3-1 below.

**Table 3-1
Phasing Plan**

PHASE 1	PHASE 2	PHASE 3	PHASE 4	PHASE 5	PHASE 6
153,758 SF Warehousing	158,976 SF Warehousing	79,488 SF Warehousing	79,488 SF Warehousing	158,976 SF Warehousing	158,970 SF Warehousing
31,594 SF Office Space			31,594 SF Office Space		
26 Dock Doors			14 Dock Doors		
		275 Tractor Parking Spaces			118 Tractor Parking Spaces
111 Vehicle Parking Spaces			111 Vehicle Parking Spaces		
Perimeter Fencing					
Security Lighting					
346,643 SF Landscaping			125,498 SF Landscaping		
Bioretention System			Solar Array		

Construction of the entire Proposed Project has been evaluated in this Draft EIR to occur within one overall phase. Elements of construction would be phased such as site clearing and grubbing, grading, utility installation, building construction, paving, and painting. Potential impacts were evaluated for buildout of all phases regardless of timing or exact square-footage.

Architectural Design

Architecturally the offices and cold storage buildings will follow the design guidelines set forth by the City of Hesperia for industrial developments as it pertains to massing, visual interest, focal points and features. Special care will be given to breaking up long expanses and roof lines in an appealing manner and selecting a color palette that appropriate for the site and surroundings.

Each building will be constructed out of various building materials which could consist of insulated metal panels (IMP), concrete, metal, and glass in addition to any other materials that would be practical for a cold storage facility and supportive offices.

The buildings on both the north and south portions of the Project Site would each consist of the following:

High-bay automated storage and retrieval system (ASRS) with max height of up to 150' above finish floor (including mechanical equipment),

Low-bay cold storage with height of 85'6" above finish floor (including 12' of mechanical equipment),

Office and Employee support services with a height of 35' 6" above finish floor (not including mechanical equipment).

Truck loading dock with height of 53' above finish floor (not including mechanical equipment).

Both North and South buildings include additional office space along each building's respective dock parking spaces that could consist of concrete masonry unit (CMU) and CMU split face with insulated metal panels. The roof trims of the cold storages and offices would be made up of metal flashing materials in a blue color consistent with USCS approved colors.

3.2 REGIONAL SETTING

The Project Site is located in the northwestern part of the City of Hesperia. Hesperia is located north of the Cajon Pass, 35 miles north of San Bernardino, 80 miles northeast of Los Angeles and 195 miles south of Las Vegas, Nevada at the intersection of Highway 395 and Interstate 15. Hesperia is one of the incorporated cities in the Victor Valley region of San Bernardino County.

The City is approximately 110 square miles and is located in a transitional area between the foothills of the San Bernardino Mountains to the south and Mojave Desert to the north. Therefore, the City contains a wide range of soil types, plant communities, slope conditions and other physical characteristics. The City, in general, slopes from southwest to northeast, with surface and subsurface flows trending away from the foothills and towards the Mojave River, which flows north. The City is bounded by the City of Victorville to the north, City of Apple Valley to east, unincorporated San Bernardino County land to the south, and the unincorporated community of Oak Hills to the west. Interstate 15, Highway 395 and State Route 138 provide regional access to the City.

3.3 LOCAL SETTING

The approximately 78.81-acre Project Site is currently vacant, undeveloped and consists of three parcels. Elevations on-site range from 3,450 feet to 3,525 feet. The Project Site is part of the Main Street and Freeway Corridor Specific Plan (Specific Plan). According to the City General Plan and Specific Plan, the Project Site has a current land use and zoning designation of Commercial/Industrial Business Park (CIBP). The CIBP land use designation allows for service commercial, light industrial, light manufacturing, and industrial support uses.

Surrounding Land Uses and Setting

In 2019, the City received an Application for the Hesperia Commerce Center II Project. In 2019, the project was proposed to include three industrial/warehouse buildings on approximately 194.8 acres totaling 3,742,590 square feet of industrial/warehouse space and associated improvements, including loading docks, truck and vehicle parking, and landscape areas. The Hesperia Commerce Center II facility is proposed to be located on the northwest corner of Phelan Road and Highway 395 adjacent to the southwest of the United States Cold Storage Project Site.

The United States Cold Storage Project Site is currently surrounded by the land uses and land use/zoning designations listed below.

Existing Land Use and Land Use Zoning Districts		
Location	Existing Land Use	Land Use/Zoning Designation
North	Vacant	CIBP
South	Vacant	CIBP
East	Vacant, California Aqueduct	CIBP
West	Highway 395, Vacant, Scattered Commercial and Industrial Uses	CIBP

3.4 PROJECT OBJECTIVES

CEQA Guidelines Section 15124(b) requires that the project description include a statement of objectives sought by the proposed project. The statement of objectives will assist the Lead Agency in developing a reasonable range of alternatives for evaluation in the EIR. The objectives will also assist the Lead Agency in developing findings for a statement of overriding considerations, if required.

The specific Project Objectives stated below are provided by the Applicant and are intended to be consistent with City goals for implementing the City General Plan, and include the following:

- To establish an industrial development that provides an economically viable and tax generating addition to the City of Hesperia and that conforms to existing City General Plan and zoning designations;
- To develop a cold storage and distribution warehouse in a location preferred by City planners and not heavily populated nor within a primarily residential area.
- To locate near Barstow where the majority of product to be warehoused arrives intermodally.
- To locate near Highway 395 and Interstate 15 which facilitates direct highway and freeway access for overnight transportation of products to the population centers of Las Vegas, Los Angeles, and Phoenix.
- To provide high-paying employment opportunities to the local labor pool that may currently commute to other regions for employment, or local lower wage employment.
- To maintain existing public expectation of automobile independence until public transportation access is provided through regional programs throughout the High Desert.
- To provide an energy efficient industrial development that is not 100% reliant on the electrical grid while providing a low carbon footprint and low utilization of water.

City of Hesperia General Plan Objectives

The following are the goals and policies of the City General Plan that would apply to the Proposed Project:

Goal LU-4: Promote industrial development within the City which will expand its tax base and provide a range of employment activities, while not adversely impacting the community or environment.

Implementation Policy LU-4.3: Discourage the re-zoning of industrial land to other uses as sufficient industrial land should be maintained to provide a full range of industrial businesses to the community and surrounding areas.

Implementation Policy LU-4.4: Require the separation or buffering of residentially designated areas from industrial businesses which produce noise, odors, high traffic volumes, light and/or glare, and parking through the use of landscaping, setbacks, and other techniques. Existing residential areas should not limit the potential uses within industrial areas.

3.5 REQUIRED AGENCY REVIEW, PERMITS AND APPROVALS

City of Hesperia

- Approval of Conditional Use Permit (CUP20-00005)
- Approval of a Tentative Parcel Map

- Variance to reduce required parking stalls

Regional Water Quality Control Board

- General Construction Permit, Storm Water Pollution Prevention Plan (SWPPP) and National Pollutant Discharge Elimination System (NPDES)

3.6 CUMULATIVE SETTING

In many cases, the impact of an individual project may not be significant, but its cumulative impact may be significant when combined with impacts from other related projects. Section 15355 of the CEQA Guidelines defines cumulative impacts as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” CEQA Guidelines Section 15130(b) states that “the discussion [of cumulative impacts] need not provide as great detail as is provided for the effects attributable to the project alone.” Section 15130(b) further states that a cumulative impacts discussion “should be guided by standards of practicality and reasonableness.”

Cumulative impacts can occur from the interactive effects of a single project. For example, the combination of noise and dust generated during construction activities can be additive and can have a greater impact than either noise or dust alone. However, substantial cumulative impacts more often result from the combined effect of past, present, and future projects located in proximity to a proposed project. Thus, it is important for a cumulative impacts analysis to be viewed over time and in conjunction with other related past, present, and reasonably foreseeable future projects, the impacts of which might compound or interrelate with those of the project under review.

As provided by Section 15130(b) of the CEQA Guidelines, the following elements are necessary to an adequate discussion of cumulative impacts:

- Either: (A) a list of past, present, and reasonably anticipated future projects producing related or cumulative impacts, including those projects outside the control of the agency; or (B) a summary of projections contained in an adopted general plan or related planning document that is designed to evaluate regional or area wide conditions. Any such planning document shall be referenced and made available to the public at a location specified by the lead agency.
- A summary of the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available.
- A reasonable analysis of the cumulative impacts of the relevant projects. An EIR shall examine reasonable options for mitigating or avoiding any significant cumulative effects of the proposed projects.

For the analysis of cumulative impacts associated with the Project, a cumulative project list was developed through consultation with planning and engineering staff from the City of Hesperia during the traffic scoping process for the Traffic Impact Analysis prepared for the Project (Appendix K of this Draft EIR) (the cumulative projects list is included as Table 4-3 of the Traffic

Impact Analysis). This cumulative list is consistent with other traffic studies and environmental documents for recently approved projects in the City of Hesperia, and also includes additional cumulative projects from Hesperia and the County of San Bernardino in the vicinity of the study area.

3.7 OVERVIEW OF ALTERNATIVES

CEQA Guidelines Section 15126.6 describes the consideration and discussion of alternatives to a proposed project. The Alternatives Analysis is provided in Section 6.0 of this EIR. The Guidelines state that an EIR shall describe a range of reasonable alternatives to the project, or the location of the project, which would feasibly obtain most of the basic objectives of the project but avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives.

Based on the Project's Objectives, certain Alternatives were considered and rejected as they did not meet the objectives or did not substantially lessen any of the significant effects of the project as evaluated in subsections of Section 4 of this EIR.

Alternatives Considered and Rejected

1. Elimination of Solar Array Alternative

Alternatives Considered for Evaluation

Certain environmental topics typically considered under CEQA were determined to have no impact or would remain unchanged with implementation of the Proposed Project, and therefore were removed from further evaluation within this EIR. The following CEQA Resource Areas including: Agricultural and Forestry Resources, Mineral Resources, and Recreation were not considered within this EIR and are therefore excluded from the alternatives evaluation.

As discussed within Section 4 of the EIR, impacts that could not be reduced to less than significant levels with mitigation were identified in the area of Vehicle Miles Traveled.

Under the Proposed Project, there were several issues that were found to be less than significant or could be mitigated to less than significant levels with mitigation. Impacts that were found to be less than significant or could be mitigated to less than significant levels were related to Biology, Cultural Resources, Air Quality, Hydrology and Water Quality, Greenhouse Gases, and Geology and Soils resource areas.

Alternatives to the Proposed Project are evaluated for their ability to reduce or eliminate the identified potentially significant resource area impacts. The alternatives considered for evaluation include the following:

- Alternative #1 - No Project
- Alternative #2 – Non-Refrigerated Warehouse (to reduce impacts from mobile and stationary refrigeration units)

3.0 Project Description

- Alternative #3 - Reduced Footprint Alternative (Approximately 50% reduction in facility size to reduce biological, traffic and air quality impacts)
- Alternative #4 - Reduced Footprint Alternative with Phasing

4.0 ENVIRONMENTAL IMPACT EVALUATION

The following subchapters of Chapter 4 present a description of the affected environment and the potential environmental impacts that would result from implementation of the Proposed Project for each of the environmental resources evaluated. Cumulative impacts are discussed at the end of each subchapter for that particular resource and an evaluation of project alternatives is presented in Chapter 6.0.

The California Environmental Quality Act, responsible State agencies, and the City of Hesperia significance thresholds were used to assess the Project impacts on individual resources. The significance thresholds are provided for each resources area for which impacts were evaluated. The impact analysis discusses potential impacts in the order of the thresholds presented for each resource area.

Under CEQA, Section 15128, if the Lead Agency determines that an EIR will be required for a project, the Lead Agency must focus on the significant effects of a project and indicate the reasons that other effects would not be significant or potentially significant. The City of Hesperia issued a Notice of Preparation (NOP) to surrounding property owners and local organization June 24, 2020 for a period of 30 days pursuant to State CEQA Guidelines, Section 15082 (a), 15103, and 15375.

The following topics have been included in the EIR analysis with the subchapter number indicated.

- 4.1 Aesthetics
- 4.2 Air Quality
- 4.3 Biological Resources
- 4.4 Cultural Resources
- 4.5 Energy
- 4.6 Geology and Soils
- 4.7 Greenhouse Gas/Climate Change
- 4.8 Hazards and Hazardous Materials
- 4.9 Hydrology and Water Quality
- 4.10 Traffic and Circulation
- 4.11 Tribal Cultural Resources
- 4.12 Utilities and Service Systems
- 4.13 Wildfire

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4.1 AESTHETICS

4.1.1 Introduction

This section of the EIR discusses the existing visual environment at the Project Site and surrounding area, scenic resources that exist in the area surrounding the Project Site, and identifies specific project requirements associated with visual resources, and the Project's potential impacts on these resources. Information about existing conditions was derived from site visits and the City's General Plan.

4.1.2 Environmental Setting

The Proposed Project is located in the eastern portion of the City of Hesperia in the High Desert region of San Bernardino County. The High Desert is known for its open space, natural desert terrain and vegetation, the Mojave River, and views of the San Bernardino and San Gabriel mountains to the south/southwest. Surrounding mountains and ridgelines are the most prominent features of the landscape. Other features that shape the visual environment and provide both physical and visual relief include the natural desert terrain that spreads across the valley floor, natural vegetation, natural drainage patterns and watercourses (i.e., Mojave River, Oro Grande Wash, Antelope Valley Wash, Honda Valley Wash), and surrounding open space, habitat areas and recreation areas.

The Project Site lies along the east side of Highway 395, between Yucca Terrace Drive and Avenal Street and is located within the Hesperia Main Street and Freeway Corridor Specific Plan (Specific Plan). The site is currently vacant with no evidence of past disturbance. The Project Site is surrounded to the north, south and east by vacant land, and residential and light industrial uses and vacant land to the west. The California Aqueduct is adjacent to the northeast corner of the site.

U.S. Highway 395 and I-15 are the two major transportation corridors between the High Desert and areas to the south and to Las Vegas. U.S. Highway 395 is located immediately adjacent west of the Project Site and the U.S. Highway 395/I-15 interchange is located approximately 2 miles south of the Project Site. Although this portion of the City is mainly undeveloped, transportation/trucking-related land uses (e.g., truck yards, convenience stations, and warehouses) occur along these highways.

The Project setting was reviewed via aerial imagery and a site visit conducted in late 2019. Photographs taken during the site visit provide a visual documentation of existing conditions. Photos included in this section of the EIR depict images of the existing visual environment and the Project setting.

The 78.81-acre Project Site is currently vacant, relatively flat and includes typical desert landscape composed of moderate vegetation cover composed of brush, shrub and grass cover as well as scattered Joshua trees and patches of bare soil. The Project Site has been disturbed by illegal dumping and trespassing (i.e., off-road vehicle use). The site is bound by Yucca Terrace Drive to the south, Highway 395 to the west, vacant land to the north, and vacant land and the California

Aqueduct to the east. Surrounding land uses and elements that form the visual environment in the Project area are described as follows.

North: Avenal Street, a narrow unimproved road extending east-west, occurs along the northern Project boundary. Flat desert terrain with vegetation cover similar to the Project Site occurs north of Avenal Street. Except for an unpaved semi-truck staging/parking area (not in use at the time of the site visit), the area is currently vacant. Topographical variations, formed by distant mountains, are visible on the horizon from portions of the Project Site.

South: Yucca Terrace Drive is a narrow unimproved road extending east-west along the southern Project boundary (see Photograph 1). A wooden t-pole with transmission lines runs parallel to Yucca Terrace Drive. Currently the area south of Yucca Terrace Drive is vacant. Flat desert terrain and vegetation cover similar to what is present on the Project Site occurs south of Yucca Terrace Drive. The San Bernardino and San Gabriel mountains provide a backdrop at the distant southeastern horizon. These scenic resources are visible along the horizon from portions of the Project Site.

West: Highway 395 is a paved, two-lane highway extending north-south along the western Project Site boundary. Property west of Highway 395 includes scattered rural residential development, commercial/light industrial uses, and vacant land. The area has similar desert landscape, vegetation and ground disturbance as the Project Site. A wooden t-pole with transmission lines runs parallel to U.S. Highway 395. Small structures and signs of development, such as a row of residences, dot the landscape to the west.

East: Vacant land consisting of similar desert landscape, vegetation and ground disturbance as the Project Site. The California aqueduct extends in a northwest to southeast direction with its closest point near the Project Site's northeast corner.

Scenic Vistas

The City of Hesperia General Plan identifies natural scenic open space as a valuable scenic resource that contributes to the visual landscape and should be preserved. Such resources include the Mojave River to the east, the San Bernardino and San Gabriel mountains to the south and the surrounding Victor Valley, along with neighboring hillsides and the natural desert environment. These scenic resources provide visual relief from man-made structures in the City and also provide residents with a connection to the natural environment. Relative to the Project Site the Mojave River is located over nine miles to the southeast, the San Gabriel Mountains and San Bernardino Mountains are located approximately four miles to the southwest and approximately ten miles to the southeast, respectively.

The City General Plan identifies natural water courses as visual resources; providing physical and visual relief from urban development. Nearby water courses include the Mojave River, the Oro Grande Wash, the Antelope Valley Wash, Unnamed Wash Number 1 and Unnamed Wash Number 2 (Honda Valley Wash). Exhibits OS-4 through OS-7 of the City General Plan, and the Wash Protection Overlay in the Main Street and Freeway Corridor Specific Plan identify preservation areas within these washes. The washes encompass approximately 1,512 acres used

for a variety of activities such as hiking, equestrian riding, a golf course, and natural open space, with the majority remaining in a natural and relatively undisturbed condition. The nearest wash area to the Project Site is the Oro Grande Wash, which flows in a general southwest to northeast direction, approximately 0.25-mile east of the Project Site.

The photographs shown on the following pages and described below document the existing visual environment of the Project Site and surrounding area. Views shown in each of the photographs are described below.

Photograph 1 was taken near the southwest corner of Highway 395 and Yucca Terrace Drive. The image shows the transmission poles that extend east and west along Yucca Terrace Drive and the currently unpaved Yucca Terrace Drive. Foreground views consist of the unpaved Yucca Terrace Drive that extends east from Highway 395. The foreground and middle ground depict soils, dry grasses, large Joshua trees, and other small to medium shrubs and vegetation. Distant hills appear small across the eastern horizon creating a backdrop to the flat desert terrain.

Photograph 2 was taken within the western portion of the Project Site looking west toward Highway 395. The photograph depicts bare soil, grasses and salt brush within the foreground. Transmission poles that extend north and south along Highway 395 are faintly visible in the background. The distant San Gabriel Mountains are also visible in the background.

Photograph 3 shows the vast level landscape as viewed from the center of the Project Site looking toward the east. The scene is void of Joshua trees with nearly bare foreground soils, scattered salt brush within the foreground and middle ground, and the transmission lines that extend along the southern property boundary. Weather conditions present during the site visit masked distant foothills in the background, which are just visible beyond the haze.

Photograph 4 was taken from the southwest portion of the Project Site looking northwest. As depicted in this photograph, low-level shrubs and grasses cover this portion of the Project Site in the foreground. The middle ground is occupied with young Joshua trees and salt brush typical of the region. The background affords views of the transmission line that parallels Highway 395 and distant commercial development with no distant hills visible from this perspective.

Photograph 5 depicts views from the center of the Project Site looking south. Bare soil, salt brush and an unpaved interior road are visible in the foreground, while scattered Joshua trees and typical desert terrain occupy the middle ground. The San Bernardino and San Gabriel mountains are visible in the background.

Photograph 6 provides a view from the northwest corner of the Project Site looking south along Highway 395. The foreground shows desert grasses and brush, motor vehicle tracks and the shoulder of Highway 395. Existing commercial development, cell tower and desert vegetation make up the middle ground, while distant trees followed by views of the San Bernardino and San Gabriel mountains can be seen just above the horizon.



Photograph 1 – Near the southwest corner of the Project Site, from the east side of Highway 395 looking east along Yucca Terrace Drive.



Photograph 2 – From the interior within the western portion of the Project Site, look west.



Photograph 3 – View from the center of the Project Site looking east.



Photograph 4 – From the southwest portion of the Project Site looking northwest.



Photograph 5 – View from the center of the Project Site facing south.



Photograph 6 – View from the northwest corner of the Project Site, looking south along Highway 395.

Scenic Routes

There are no officially designated scenic roads or highways within the City (City of Hesperia 2010b). According to the California Department of Transportation (Caltrans), there is one officially designated state scenic highway in the County and 11 eligible scenic highways (Caltrans 2019). Route 38, the County's only designated scenic highway, is located approximately 34 miles southeast of the Project Site in the San Bernardino National Forest. Route 138 and 173 are both eligible scenic highways located within City limits (Caltrans 2019). Route 138 is the closest to the Project Site, located approximately 7 miles to the south of the Project Site, where the road winds through the lower elevations of the San Bernardino National Forest.

US Highway 395 is eligible to be included in the State Scenic Highway System, and is officially designated as a scenic highway by the California Department of Transportation from Fort Independence to Fort Springs Road in Inyo County, and from the Inyo–Mono county line to south of Walker. In San Bernardino County, no portion of Highway 395 is considered eligible or officially designated scenic highway.

None of the County's officially designated or eligible scenic highways are visible from the Project Site, nor is the Project Site visible from any such highways.

Viewshed and Visibility

Due to the relatively flat nature of the Project Site and surrounding area, the Site is visible from surrounding roads and land uses. Views of the Project Site from surrounding public vantage points consist of undeveloped land within a level desert landscape with disturbed soils (i.e., dirt roads and trails), scattered Joshua trees and moderate vegetation cover consisting of grasses and shrubs.

Viewer groups afforded views to the Project Site include motorists traveling on Highway 395, residents within the surrounding rural areas, and those frequenting the nearby commercial/light industrial uses.

4.1.3 Applicable Plans, Policies, and Regulations

Federal

There are no direct federal regulations applicable to the Project with respect to aesthetics.

State

The State of California officially designates State scenic highways through the "California Scenic Highway Program," which is managed by Caltrans. A highway may be designated "scenic" depending on how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. In addition, highways may be identified as "candidate," pending official designation. There are no candidate or designated State Scenic Highways located within the immediate vicinity of the Project Site. The closest "Eligible State Scenic Highways – Not Officially Designated" is State Route 395 located immediately west of the site.

*California Code of Regulations**Title 24 – California Building Standards Code*

Title 24, California Building Standards Code, consists of regulations to control building standards throughout the state. The following components of Title 24 include standards related to lighting:

Title 24, Part 1 – California Building Code / Title 24, Part 3 – California Electrical Code

The California Building Code (Title 24, Part 1) and the California Electrical Code (Title 24, Part 3) stipulate minimum light intensities for pedestrian pathways, circulation ways, parking lots, and paths of egress.

Title 24, Part 6 – California Energy Code

The California Energy Code (CEC) (Title 24, Part 6) stipulates allowances for lighting power and provides lighting control requirements for various lighting systems, with the aim of reducing energy consumption through efficient and effective use of lighting equipment. Section 130.2 sets forth requirements for Outdoor Lighting Controls and Luminaire Cutoff requirements. All outdoor luminaires rated above 150 watts shall comply with the backlight, up light, and glare (BUG) ratings in accordance with IES TM-15-11, and shall be provided with a minimum of 40% dimming capability activated to full on by motion sensor or other automatic control. This requirement does not apply to streetlights for the public right of way, signs, or building facade lighting.

Section 140.7 establishes outdoor lighting power density allowances in terms of watts per area for lighting sources other than signage. The lighting allowances are provided by the Lighting Zone, as defined in Section 10-114 of the CEC. Under Section 10-114, all urban areas within California are designated as Lighting Zone 3. Additional allowances are provided for building entrances or exits, outdoor sales frontage, hardscape ornamental lighting, building facade lighting, canopies, outdoor dining, and special security lighting for retail parking and pedestrian hardscape.

Section 130.3 stipulates sign lighting controls with any outdoor sign that is on during both day and nighttime hours must include a minimum 65% dimming at night. Section 140.8 of the CEC sets forth lighting power density restrictions for signs.

Title 24, Part 11 – California Green Building Standards Code

The California Green Building Standards Code (CALGreen) (Title 24, Part 24), is commonly referred to as the CALGreen Code. The CALGreen Code stipulates maximum allowable light levels, efficiency requirements for lighting, miscellaneous control requirements, and light trespass requirements for electric lighting and daylighting. Paragraph 5.1106.8 Light Pollution Reduction, specifies that all non-residential outdoor lighting must comply with the following:

- The minimum requirements in the CEC for Lighting Zones 1-4 as defined in Chapter 10 of the California Administrative Code; and
- BUG ratings as defined in the Illuminating Engineering Society of North America's Technical Memorandum on Luminaire Classification Systems for Outdoor Luminaires (IESNA TM-15-07); and
- Allowable BUG ratings not exceeding those shown in Table A5.106.8 in Section 5.106.8 of the CALGreen Code; or
- Comply with a local ordinance lawfully enacted pursuant to Section 101.7, whichever is more stringent.

IESNA Recommended Practices

Illuminating Engineering Society of North American (IESNA) recommends illumination standards for a wide range of building and development types. These recommendations are widely recognized and accepted as best practices and are a consistent predictor of the type and direction of illumination for any given building type. For all areas not stipulated by the regulatory building code, municipal code or specifically defined requirements, the IESNA standards are used as the basis for establishing the amount and direction of light for the Project. The IESNA provides recommendations for pre-curfew and post-curfew light levels to limit light trespass. Pre-curfew is from dusk until 11:00 p.m. local time, when the area being illuminated is more likely to be in use. Post-curfew is from 11:00 p.m. to 7:00 a.m. local time (NLPIP 2007).

The IESNA 10th Edition Lighting Handbook defines lighting zones (LZ) relative to ambient light levels, which are used to establish a basis for outdoor lighting regulations. The existing conditions surrounding the Project Site are best described as LZ 3, which has a maximum recommended light trespass limit of 8 lux (0.74 foot-candles) during pre-curfew hours and 3 lux (0.28 foot-candles) during post-curfew hours.

California Vehicle Code

Chapter 2, Article 3 of the California Vehicle Code stipulates limits to the location of light sources that may cause glare and impair the vision of drivers. Article 3. Offenses Relating to Traffic Devices [21450–21468] (Article 3 enacted by Stats. 1959, Ch. 3.), Section 21466.5. No person shall place or maintain or display, upon or in view of any highway, any light of any color of such brilliance as to impair the vision of drivers upon the highway.

Local - City of Hesperia General Plan

The City General Plan contains the following goals and policies applicable to aesthetics, visual resources, and the visual quality and character of the Project and the surrounding area.

Land Use Element

Goal LU-1: Regulate development so that the density of residential development and the intensity of non-residential development are appropriate to the property, surrounding properties, and the general neighborhood.

Policy LU-1.1: Require that new construction, additions, renovations, and infill developments be sensitive to neighborhood context and building form and scale.

Policy LU-1.3: Require that new construction, additions, renovations, and infill developments be sensitive to the intent of the land use designations, incorporating neighborhood context as well as building form and scale.

Policy LU-1.4: Encourage architecture which breaks massive buildings into smaller parts. Focus on maintaining a human scale when creating common spaces or amenities.

Goal LU-3: Promote balanced, efficient commercial development that is functional, safe, attractive and convenient to users, and which will strengthen the local economy.

Policy LU-3.3: Ensure that the sign ordinance provides for commercial signage that is attractive, non-intrusive, safe, and consistent with overall City aesthetic goals.

Policy LU-3.4: Encourage the beautification of pedestrian areas, particularly through the use of landscaping.

Policy LU-3.5: Require the separation or buffering of residential areas from businesses which produce noise, odors, high traffic volumes, light or glare, and parking through the use of landscaping, setbacks, and other techniques.

Policy LU-3.6: Design outdoor commercial uses of property to minimize impacts to adjacent residential neighborhoods.

Policy LU-3.7: Incorporate varied planes and textures and variety in materials to provide superior architectural design on commercial buildings.

Policy LU-3.8: Incorporate landscape plantings into commercial developments to define and emphasize entrances, inclusive of those areas along the front of a building facing a parking lot.

Policy LU-3.9: Incorporate on all major commercial developments theme elements intended to distinguish them from other development, foster individuality, and promote gathering opportunities.

Policy LU-3.10: Where possible, connect rear parking lots of commercial development to the fronts of buildings with sidewalks or other features.

Policy LU-3.11: Where possible, reduce conflicts between delivery areas and pedestrian areas.

Policy LU-3.12: Require outdoor or seasonal storage areas, where permitted, to be screened from public view.

Policy LU-3.13: Include full architectural treatment on all sides of development projects.

Goal LU-4: Promote industrial development within the City which will expand its tax base and provide a range of employment activities, while not adversely impacting the community or environment.

Policy LU-4.1: Require landscaped buffers and other techniques to protect residentially designated property directly adjacent to industrial land uses.

Policy LU-4.4: Require the separation or buffering of residentially designated areas from industrial businesses which produce noise, odors, high traffic volumes, light and/or glare, and parking through the use of landscaping, setbacks, and other techniques. Existing residential areas should not limit the potential uses within industrial areas.

Policy LU-4.5: Design industrial uses adjacent to residential property to minimize impacts to the residential property

Policy LU-4.6: Incorporate varied planes and textures and variety in building materials on industrial buildings to achieve high quality architectural design.

Policy LU-4.7: Incorporate landscape plantings into industrial projects to define and emphasize entrances, inclusive of those areas along the front of a building facing a parking lot.

Policy LU-4.8: Require delivery areas to be separated from pedestrian areas.

Policy LU-4.9: Include full architectural treatment on all sides of buildings facing streets.

Goal LU-7: Facilitate a self-contained community with a well-designed and maintained community with a full range of densities and uses within the capacity of infrastructure and services.

Policy LU-7.1: Continue to encourage quality design in all new construction to further improve the built environment of the City.

Open Space Element

Goal OS-2: Identify and preserve natural open space in order to protect sensitive environments and preserve amenities such as washes, bluffs, Joshua tree forests, or juniper woodlands. Open space areas should be contiguous or connected through trails to provide accessibility for hikers and equestrians as well as wildlife.

Policy OS 2.3: Utilize natural open space to preserve natural resources such as historical, biological and scenic resources.

Goal OS-3: The areas within the Oro Grande Wash and the Unnamed Wash east of Interstate 15 identified as Area A, B and C of Exhibit OS - 7 shall be preserved in their natural state.

Policy OS-3.1: The City shall develop a policy to implement the Transfer of Development Rights (TDR) Program. The program should allow for the full transfer of development rights from portion of properties affected by slopes and/or drainage.

Goal OS-4: Permit a variety of uses within open space areas, depending upon the natural amenities available.

Policy OS-4.2: Preserve the aesthetic integrity and usefulness of open space washes by implementing restrictive development standards on projects occurring in or around the wash areas, and ensuring development proposals are compatible.

Policy OS-4.3: Establish setbacks for buildings and walls along the rim of washes to preserve natural land, form, and vegetation.

Main Street and Freeway Corridor Specific Plan

Land use and development for the Project area is further guided by the Main Street and Freeway Corridor Specific Plan. According to the Specific Plan, the Project Site is located within a current land use and zoning designation of Commercial/Industrial Business Park (CIBP). The Specific Plan establishes the preservation of Oro Grande Wash and other smaller washes through the Wash Protection Overlay, which limits the construction of permanent structures within the right-of-way in order to keep the washes natural and undeveloped.

The following goals and policies of the Specific Plan aim to preserve the existing visual resources within the Specific Plan area:

Urban Design and Open Space

Goal UD-1: Strengthen the identity of the City of Hesperia and the Specific Plan area by building upon the surrounding natural resources and amenities, and create a new image for Main Street and the Freeway Corridor that expresses an attractive, inviting, high quality character and commercial vitality.

Policy UD-1.1: Recognize and capitalize on Hesperia's unique location and setting — "Gateway to the High Desert" at the top of the Cajon Pass, desert landscape, and dramatic natural features such as the Oro Grande Wash - to further establish a sense of pride in the community.

Policy UD-1.2: Identify regional gateways into the City along Interstate-15 and create City identity at these locations by taking inspiration from the City's dramatic location at the top of Cajon Pass and Cajon Summit.

Policy UD-1.4: Preserve views of the mountains - San Gabriel Mountains to the southwest and San Bernardino National Forest to the southeast.

Goal UD-3: Take advantage of the City’s climate and natural setting while preserving existing open space resources and planning for new resources.

Policy UD-3.1: Recognize and preserve the washes’ multiple functions: a place for recreation, a natural habitat and a channel for storm runoff.

Policy JD-3.5: Preserve and protect significant areas of native wildlife and plant habitat.
Policy UD-3.6 Utilize the SCE corridor right-of-way for creating a walking and biking trail.
Policy UD-3.7 Preserve trails for equestrian uses.

Goal UD-4: Enhance the pedestrian environment and driving experience within the City.

Policy UD-4.1: Establish an open space network that connects the City’s existing and planned open space resources. Recognize Main Street as a fundamental element of this network.

Commercial/Industrial Business Park Zone Development Standards

Chapter 9, Section G, Commercial/Industrial Business Park Zone of the Specific Plan outlines permitted uses and development standards for the CIBP zone. The purpose of the CIBP Zone is to create employment-generating uses in a business park setting. The zone provides for service commercial, light industrial, light manufacturing, and industrial support uses. Development standards for the zone ensure quality appearance, and because of the size and scale of industrial buildings, it is especially important to consider design to ensure compatibility with other parts of the community. Further, Chapter 11, Industrial Design Standards and Guidelines of the Specific Plan outlines additional site and architectural design standards and guidelines, including landscape design standards and guidelines for industrial uses. The design standards and guidelines aim to improve the quality of design and create attractive and functional site arrangements that create visual interest and improve the appearance and character of the freeway corridor. Table 4.1-1 outlines the development standards for the CIBP Zone that are applicable to the Project.

**Table 4.1-1
 Main Street and Freeway Corridor Development Standards
 for the CIBP Zone**

Hesperia Main Street and Freeway Corridor Development Standards for CIBP Zone
Minimum Lot Size: 10 acres Minimum Width: 500 feet Minimum Depth: 500 feet
Maximum Gross Floor Area Ratio: 0.50
Maximum Building Height: 150 feet
Street Yard Setbacks: 25 feet

Front Yard Setback: 25 feet

Street Side Yard Setback: 15 feet

Rear Yard Setback: None (except where the rear yard abuts a residential zone or residential development as a part of a Regional Commercial zone: 50 feet)

Interior Side Yard Setback: None (except where the interior property

Parking and Loading: In addition to the off-street parking requirements and standards set forth in Chapter 16.20, Article IV (Parking and Loading Standards) of the HMC, the following shall apply: (1) To alleviate the unsightly appearance of loading facilities for industrial uses, these areas should not be located at the front of buildings where it is difficult to adequately screen them from view. Such facilities are more appropriately located at the rear of the site where special screening may not be required. (2) When it is not possible to locate loading facilities at the rear of the building, loading docks and doors should not dominate the frontage and must be screened from the street. Loading facilities should be offset from driveway openings. (3) Backing from the public street onto the site for loading into front end docks causes unsafe truck maneuvering and should not be utilized except at the ends of industrial cul-de-sacs where each circumstance will be studied individually at the time of design review.

Landscaping: 1) Drought-tolerant and water conserving landscaping and water efficient irrigation systems and techniques shall be utilized whenever possible. (2) In addition, the design standards and guidelines included in Chapter 11 (Industrial Design Standards and Guidelines) of this Plan shall apply. The provisions of Chapter 16.20, Article XII (Landscape Regulations) and Chapter 16.24 (Protected Plants) of the HMC shall apply with the following exceptions/additions: (3) Industrial development in this zone shall provide a minimum of ten percent on-site landscaping, including that required in setback areas. Refer to Section 16.20 Article XII of the HMC for minimum landscape requirements.

Walls and Fences: (1) An industrial development adjacent to any residential zone shall have a minimum 6-foot high wall, not to exceed 8 feet, along property lines adjacent to such districts. (2) Both sides of all perimeter walls should be architecturally treated. Appropriate materials include decorative masonry, concrete, stone and brick.

Outdoor Displays, Storage, Equipment, and Work Areas: (1) No retail sales, merchandise displays or work areas shall occur outside building(s). (2) Outside storage and equipment shall be confined to the rear half of the property or the rear of the principal structure on site, whichever is more restrictive, and screened from public view from any adjoining properties and public rights-of-way by appropriate walls, fencing and landscaping. (3) Outdoor hoists are subject to the conditions and standards listed in Chapter 9(C)(4.18).

Source: City of Hesperia

City of Hesperia Development Code

The City provides landscaping guidelines and regulations through Section 16.20 of the Development Code. The purpose of this chapter is to provide water conservation and landscape development standards and guidelines that will promote the general welfare of the City's residents by creating a responsible outdoor environment. The landscape regulations aim to achieve a diversity of drought-tolerant landscaping that is appropriate to the high- desert environment and creates aesthetically pleasing views and vistas along public streets

Section 16.24 Protected Plants of the City of Hesperia Development Code preserves and protects specific desert native plants and provides for the conservation of desert resources, through regulation, guidelines and enforcement that manage the removal or harvesting of such plants. These plants contribute to the visual resources of an area, and as a consequence, "the city finds that it is in the public interest to preserve and protect specified desert native plants and provide for the conservation and wise use of our desert resources, through regulation, guidelines and enforcement that manage the removal or harvesting of such plants." Detailed analysis regarding this resource is provided in Chapter 4.2 Biological Resources of this EIR.

The City of Hesperia has established Sign Regulations in Section 16.36 of the Development Code. The purpose of this chapter is to encourage economic development by supporting the commercial communication needs of the business community, enhance the quality of life by providing a visually pleasing environment, and promote public health, safety and welfare. As such, the Project would be required to adhere to the regulations outlined in Chapter 16.36.

Development Code Section 16.20.135 contains general performance standards related to glare such that any activity shall not cause glare above 0.5 foot candles when measured in a residential district or lot.

4.1.4 Thresholds of Significance

The Initial Study Checklist for the Proposed Project was utilized to identify the primary thresholds of significance relating to CEQA issues. As such, the Proposed Project would have a significant effect on Scenic Resources if it would:

Have a substantial adverse effect on a scenic vista.

Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway.

In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality.

Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area.

Result in cumulatively considerable impacts with regard to aesthetic and visual considerations.

4.1.5 Project Impact Analysis and Mitigation Measures

4.1.5.1 Issues Identified to Have No Impact or Less Than Significant Impact

The Initial Study Checklist for the Proposed Project that was circulated with a Notice of Preparation (NOP) identified the following threshold areas where no impacts or less than significant impacts would occur as a result of the Proposed Project. No additional information was received during the NOP review period to change the conclusions of the Initial Study.

Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway.

As stated in the Initial Study circulated for the Project, the Project Site is not adjacent to or near any State-eligible or State-designated Scenic Highway as there are no scenic highways that traverse the City. The nearest State Scenic Highway is State Highway 38, which is approximately 40 miles north of the Project Site. The Project Site is currently vacant of any structures. Joshua trees are present on-site and feasible protection measures are provided in Chapter 4.3 of this EIR. The Proposed Project is not anticipated to substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway as no scenic highways exist in the vicinity. As concluded in the Initial Study, less than significant impacts are identified or anticipated, and no further analysis is required in the EIR.

4.1.5.2 Issues Determined to Have Potentially Significant Impacts

As a result of the analysis conducted for the Draft EIR, it was determined that the following issues associated with Aesthetics have the potential for resulting in significant impacts. Each analysis is followed by recommended mitigation measures and the level of significance that would occur following implementation of the mitigation measures.

The Proposed Project would result in a significant effect associated with Aesthetic Resources if it would substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway.

Impact AES-1: The Proposed Project has the potential to have a substantial adverse effect on a scenic vista.

As discussed in the City's General Plan, there are several aesthetic resources that provide a sense of place within the City. These resources include but are not limited to the Mojave River, the San Gabriel and San Bernardino Mountains, the Mojave Desert and other surrounding mountains and valleys. Scenic resources provide a visual relief from the man-made structures in the City and connect its residents to the natural environment. Scenic vistas will continue to be aesthetically valuable as the City develops and encroaches into undeveloped lands. Strategies regulating development should be implemented to ensure that growth is sustainable and does not significantly impact the visual resources of the City.

The Proposed Project includes a facility for the warehousing and distribution of frozen and refrigerated foods to areas throughout the Southwest, as described in Chapter 3.

Surrounding land uses include vacant land to the north and south, vacant land followed by the California Aqueduct to the east, and Highway 395 followed by vacant land and scattered commercial/industrial development to the west. Proposed buildings on-site would include materials such as concrete, metal, aluminum entry framing, and glass, and building elevations would include vertical and horizontal elements that would break up the overall massing of the buildings and provide visual interest (see Figure 4.1-1A and Figure 4.1-1B). Three dimensional (3D) renderings were prepared to depict the overall scale of the Project with respect to the surrounding environment. These are shown in Figures 4.1-2 through 4.1-5. The location of renderings was selected based on viewer groups in the area and existing views to natural scenic resources. Motorists constitute the largest viewer group in the Project area, and thus, renderings were depicted from public roadways. Other land uses in the Project area include rural residential uses (the nearest of which is located approximately 950 feet southwest of the Project Site) and commercial/light industrial uses. A discussion of the renderings is provided herein.

Figure 4.1-2 3D Rendering provides an aerial perspective of the Project to depict the massing of the Project within the site and surrounding environment. The rendering shows the setback along Highway 395 and both Avenal Street, visible within the left portion of the rendering, and Yucca Terrace Drive just visible on the right portion of the rendering. The solar array field would be hidden from view due to building placement.

Figure 4.1-3 3D Rendering provides a dimensional elevation of the Project from a street-level perspective. The rendering shows the entry from Yucca Terrace Drive. The light poles, landscaping, signage and drive aisles provide scale to the scene. As shown from this perspective, operations activities would not be visible. From this vantage point, the solar array field would not be visible.

Figure 4.1-4 3D Rendering offers a view from Highway 395 looking east at the Project Site. As depicted in the rendering, the setback from Highway 395 would include drought tolerant desert landscaping, a security fence and interior drive aisle/parking. From this perspective views of the distant eastern horizon would not be visible for this stretch of Highway 395. In addition, the solar array field would be obscured from view.

Figure 4.1-5 3D Rendering shows the Proposed Project as viewed from Highway 395. The view is slightly elevated to depict site activities within the interior of the site as viewed from higher profile vehicles (i.e., trailer trucks).



3-D RENDERINGS
United States Cold Storage Hesperia
Hesperia, California
FIGURE 4.1-2



3-D RENDERINGS
United States Cold Storage Hesperia
Hesperia, California

FIGURE 4.1-3



3-D RENDERINGS
United States Cold Storage Hesperia
Hesperia, California

FIGURE 4.1-4



3-D RENDERINGS
United States Cold Storage Hesperia
Hesperia, California

FIGURE 4.1-5

As shown in the 3D Renderings, development of these structures would result in some blockage of views of natural scenic elements. However, these views would be restored once passed the Project Site. It should be noted that these views of the desert landscape and distant mountains are currently interrupted by existing transmission facilities and trucking-related use which detract from the overall integrity of the viewshed. Placement of the solar array field within this environment would add to the electrical facilities within the area but would be screened from view as the field would occur east of the proposed structures. Thus, the proposed development within the viewshed along Highway 395 and surrounding area, would not result in a significant impact to scenic vistas, as the Project buildings would only result in minor blockage of views of desert landscape and distant mountains; views would be restored upon moving around the Project Site; and existing intervening features within and surrounding the Project Site detract from existing views through and beyond the Project Site.

Mitigation Measures:

No mitigation measures are recommended.

The Proposed Project would result in a significant effect associated with Aesthetic Resources if, being in an urbanized area it would conflict with applicable zoning and other regulations governing scenic quality of the area.

Impact AES-2: The Proposed Project, as it occurs within an urbanized area, has the potential to conflict with applicable zoning and other regulations governing scenic quality.

According to the California Public Resources Code Section 21071, an “urbanized area” as “an incorporated city that meets either of the following criteria: 1) has a population of at least 100,000 persons, or 2) has a population of less than 100,000 persons if the population of that city and not more than two contiguous incorporated cities combined equals at least 100,000 persons.” The City’s population in 2019 was approximately 95,750 people (U.S. Census 2019). However, the City is bordered by the City of Victorville to the north, City of Apple Valley to the east, unincorporated San Bernardino County land to the south, and the unincorporated community of Oak Hills to the west. The combined population of the City of Hesperia and any one of these adjacent cities/communities is over 100,000 persons. Thus, the Project Site is considered to be within an urbanized area and the following analysis considers whether the Project would conflict with applicable zoning or other regulations governing scenic quality. Nonetheless, as the immediate vicinity of the Project Site could be considered non-urbanized, the Proposed Project’s compatibility with the existing visual character and quality of the surrounding area as viewed from public vantage points was also considered. Photographs 1 through 6, depict existing conditions at the Project Site and surrounding area, and 3D Renderings (see Figure 4.1-2 through Figure 4.1-5, depict representational views of the Project from different public vantage points.

The approximate 78.81-acre Project Site is currently vacant. The Project Site is part of the Main Street and Freeway Corridor Specific Plan and the Project Site and surrounding area has a land use and zoning designation of CIBP which allows for service commercial, light industrial, light manufacturing, and industrial support uses. The Proposed Project is conditionally permitted within

the CIBP zone. Surrounding land uses include vacant land to the north and south, vacant land followed by the California Aqueduct to the east, and Highway 395 followed by vacant land, and scattered commercial/industrial development to the west.

The Project would result in the construction of two industrial/warehouse buildings on relatively flat, vacant land. The Project would result in an increase in the intensity of use on a currently undeveloped site and would include industrial/warehouse activities such as: ingress/egress of passenger vehicles and trucks, the loading and unloading of trucks with designated truck loading areas, and the movement of materials within the Project Site via forklifts, pallet jacks, and similar equipment. To ensure that current and future development within the City is designed and constructed to conform to the existing visual character, the City Development Code (Title 16 of the City Municipal Code) includes design standards related to building size, height, floor area ratio, and setbacks, as well as landscaping, signage, and other visual considerations. These design standards help adjacent land uses to be visually consistent with one another and their surroundings, and reduces the potential for conflicting visual elements. More specific to the Project Site, the Specific Plan sets forth development standards for the CIBP Zone. As part of the City’s development review process, the Proposed Project’s architectural plans would be reviewed by City staff and the Planning Commission to determine whether Project design conforms to the Development Code and Specific Plan, and promotes the visual character and quality of the surrounding area. As shown in Table 4.1-2 below, the Project would be consistent with the development standards for the CIBP Zone as set forth in Chapter 9 of the Specific Plan.

**Table 4.1-2
Project Consistency with Development Standards for the CIBP Zone**

Hesperia Main Street and Freeway Corridor Development Standards for CIBP Zone	Consistency Analysis
Minimum Lot Size: 10 acres Minimum Width: 500 feet Minimum Depth: 500 feet	The approximate 78.81-acre Project Site would be consistent with the minimum lot size, width and depth.
Maximum Gross Floor Area Ratio: 0.50	The maximum gross floor area ratio would not exceed 0.50.
Maximum Building Height: 150 feet	Maximum building height would not exceed 150 feet.
Street Yard Setbacks: 15 feet Front Yard Setback: 25 feet Street Side Yard Setback: 0 feet Rear Yard Setback: None (except where the rear yard abuts a residential zone or residential development as a part of a Regional Commercial zone: 50 feet) Interior Side Yard Setback: None (except where the interior property	Building street yard setbacks would be 30 feet, front yard setback would be 250 feet, street side yard and rear yard setbacks would be 0 feet, and the interior side yard would be 40 feet, which would be consistent with the setback requirements.

Hesperia Main Street and Freeway Corridor Development Standards for CIBP Zone	Consistency Analysis
<p>Parking and Loading: In addition to the off-street parking requirements and standards set forth in Chapter 16.20, Article IV (Parking and Loading Standards) of the HMC, the following shall apply: (1) To alleviate the unsightly appearance of loading facilities for industrial uses, these areas should not be located at the front of buildings where it is difficult to adequately screen them from view. Such facilities are more appropriately located at the rear of the site where special screening may not be required. (2) When it is not possible to locate loading facilities at the rear of the building, loading docks and doors should not dominate the frontage and must be screened from the street. Loading facilities should be offset from driveway openings. (3) Backing from the public street onto the site for loading into front end docks causes unsafe truck maneuvering and should not be utilized except at the ends of industrial cul-de-sacs where each circumstance will be studied individually at the time of design review.</p>	<p>Each warehouse would include a 71,352 square-foot loading dock for truck trailers. There would be 60 dock spaces at each building for a facility total of 120 dock spaces.</p> <p>Building orientation and placement of service areas would be designed such that vegetative screening would soften views of the Project Site and to enhance the visual quality.</p>
<p>Landscaping: 1) Drought-tolerant and water conserving landscaping and water efficient irrigation systems and techniques shall be utilized whenever possible. (2) In addition, the design standards and guidelines included in Chapter 11 (Industrial Design Standards and Guidelines) of this Plan shall apply. The provisions of Chapter 16.20, Article XII (Landscape Regulations) and Chapter 16.24 (Protected Plants) of the HMC shall apply with the following exceptions/additions: (3) Industrial development in this zone shall provide a minimum of ten percent on-site landscaping, including that required in setback areas. Refer to section 16.20 Article XII of the HMC for minimum landscape requirements.</p>	<p>Water-efficient landscaping to meet City requirements is proposed for all property boundary sides. The total estimated landscaping will meet or exceed the City standard for industrial development of 5% landscape coverage.</p>
<p>Walls and Fences: (1) An industrial development adjacent to any residential zone shall have a minimum 6-foot high wall, not to exceed 8 feet, along property lines adjacent to such districts. (2) Both sides of all perimeter walls should be architecturally treated. Appropriate materials include decorative masonry, concrete, stone and brick.</p>	<p><i>Not Applicable.</i> The Project Site does not abut a residential zone, and therefore, would not have a perimeter wall. All fences will meet or exceed all City ordinances and guidelines.</p>

Hesperia Main Street and Freeway Corridor Development Standards for CIBP Zone	Consistency Analysis
<p>Outdoor Displays, Storage, Equipment, and Work Areas: (1) No retail sales, merchandise displays or work areas shall occur outside building(s). (2) Outside storage and equipment shall be confined to the rear half of the property or the rear of the principal structure on site, whichever is more restrictive, and screened from public view from any adjoining properties and public rights-of-way by appropriate walls, fencing and landscaping. (3) Outdoor hoists are subject to the conditions and standards listed in Chapter 9(C)(4.18).</p>	<p><i>Not Applicable.</i> No retail sales, merchandise displays, work areas, outside storage and equipment would occur outside buildings.</p>

Due to the size and scale of industrial buildings, it is important to consider design to ensure compatibility with other parts of the community. Chapter 11 of the Specific Plan provides additional details regarding design standards and guidelines for industrial development. In accordance with the Specific Plan design guidelines, all setback areas would be landscaped, and building orientation, siting and entrances would be designed to minimize conflicts with the surrounding visual environment. For instance, landscaping and vegetation would be used to provide visual screening, and building facades would feature a complementary neutral color palette and a variety of building materials.

With implementation of MM-AES-1, building colors would be reviewed to incorporate the colors and tones that match or complement the natural desert environment such that color contrasts with the surrounding environment would be minimized. Buildings would include materials such as concrete, metal, aluminum entry framing, and glass, and building elevations would include vertical and horizontal elements that would break up the overall massing of the buildings and provide visual interest (see Figure 4.1-1A and Figure 4.1-1B).

The Project would be of similar bulk and scale as other industrial and commercial development located throughout the City and region, such as the existing manufacturing, distributing and commercial uses located approximately 1 mile east and south of the Project Site, near I-15 and U.S. Highway 395.

The visual setting surrounding the Project Site currently consists of primarily undeveloped desert landscape with scattered commercial and light industrial uses, and panoramic views of the surrounding desert valley and mountains. The visual integrity of the site has been disturbed by dirt trails and roads due to ongoing trespassing at the Project Site. The Proposed Project would contribute to altering the currently vacant site and rural character of the area. However, the proposed building elevations are consistent with the design standards and guidelines outlined in the Specific Plan. The solar array field is proposed for the sole purpose of providing electricity to the Project and is also consistent with the zoning adopted for the area. Therefore, the Project would be consistent with the existing land use designation and zoning for the Project Site and surrounding area.

To ensure the Project is developed with an appropriate color palette for the area and in compliance with the City's Development Code and Specific Plan standards, Mitigation Measure AES-1 would be required.

Mitigation Measures:

Mitigation Measure AES-1

Project buildings and elements shall include colors and tones that mimic the natural desert environment. The Project applicant shall prepare a materials board that will include proposed building color palette and materials for review and approval by the City's Planning Staff prior to issuance of grading permits. The color palette and design elements of the Project shall be reviewed to assure conformance with the development standards of the Hesperia Municipal Code and the Main Street and Freeway Corridor Specific Plan in order to promote the visual character and quality of the surrounding area.

Level of Significance After Implementation

Implementation of Mitigation Measure AES-1 would ensure impacts to applicable zoning and other regulations governing scenic quality would be less than significant.

The Proposed Project would have a significant effect associated on Aesthetic Resources if it would create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area.

Impact AES-3: The Proposed Project would create a new source of substantial light or glare, which will adversely affect day or nighttime views in the desert area.

The Project Site is currently undeveloped and does not support any existing sources of light or glare, and development of the Project would introduce new sources of light and glare to the Project Site. However, developed portions of the City contain numerous sources of light and glare typical of urban and semi-rural environments. Existing sources of light or glare include streetlights, freestanding lights, building-mounted lights, illuminated signage, reflective building materials, and vehicle headlights traveling along Highway 395 and nearby streets. The undeveloped portions of the City, such as the Project Site, contain few, if any, sources of light and glare. New sources of nighttime lighting resulting from the implementation of the Project include parking lot and loading area lighting, as well as building mounted lights.

Exterior lighting is proposed for the security and safety of on-site areas and would occur near building entrances, parking, loading, shipping and receiving, walkways, and working areas. Exterior lighting would be adequate but not overly bright, and would be located and designed to avoid direct glare onto adjacent properties and public rights-of-way. In addition, the lighting would have cutoff luminaires¹ that limit the amount of light pollution on nighttime skies. Buildings and

¹ IESNA classification that describes a luminaire having a light distribution in which the candela per 1000 lamp lumens does not numerically exceed 25 (2.5%) at or above an angle of 90° above nadir, and 100 (10%) at or above a vertical angle of 80° above nadir.

landscaping would be illuminated indirectly to avoid intrusion into neighboring properties and public right-of-way.

As shown in Figures 4.1-2 through 4.1-5, building materials would primarily include insulated metal panels (IMP), concrete, metal, aluminum, and glass windows, which could result in light pollution and glare to the surrounding area. Similarly, the solar array field would include materials with the potential to produce light and glare (i.e., metal and aluminum). However, no adjacent light sensitive land uses (i.e., residential) would be impacted by the proposed Project as the nearest sensitive receptor (i.e., single-family residence) is located approximately 950 feet southwest of the Project Site.

It is anticipated that construction activities would occur during daytime hours. In the event that work is required outside standard construction hours, lighting would be temporary and focused on activity areas. Therefore, no significant impacts from nighttime construction lighting are anticipated.

Post-construction activities at the Project Site could potentially result in significant adverse light and glare impacts on nighttime views due to the addition of building and parking lot lighting. However, the Project would minimize light and glare impacts through the implementation of Project design features including setbacks and site planning and would be consistent with General Plan Policy LU-3.5.

In addition, all light fixtures would be consistent with the California Green Building Standards Code for illumination. The California Green Building Standards Code sets forth minimum requirements based on Lighting Zones, as defined in Chapter 10 of the California Administrative Code². The requirements are designed to minimize light pollution, maintain dark skies and ensure new development reduces BUG from exterior light sources (CALGreen 2019). The Project Site and surrounding area occurs within Lighting Zone 3 which is the default zone for urban areas³. The Project would be required to comply with the CALGreen BUG rating for Lighting Zone 3 (Urban areas are Lighting Zone 3).

The warehouse buildings would incorporate a variety of building materials. As depicted on Figures 4.1-1A and 4.1-1B, Architectural Elevations, building materials would primarily include concrete, metal, aluminum, and glass windows. Although metallic materials and glass have been incorporated into Project design, Project setbacks and proposed landscaping would provide buffering to screen Project activities from travelers on Highway 395 and surrounding areas. Therefore, based on compliance with the City's Development Code and CALGreen lighting standards, impacts associated with light and glare would be less than significant.

² <https://energycodeace.com/site/custom/public/reference-ace-2019/index.html#!Documents/63outdoorlightingzones.htm>

³ According to the current delineation, released in 2012 and based on the 2010 decennial census, rural areas comprise open country and settlements with fewer than 2,500 residents. Urban areas comprise larger places and densely settled areas around them. Urban areas do not necessarily follow municipal boundaries.

Mitigation Measures:

No mitigation measures are recommended.

Would the Project result in cumulatively considerable impacts with regard to aesthetic and visual resources?

The Project is located within the Main Street and Freeway Corridor Specific Plan area, and thus, would be designed and constructed according to the design guidelines and standards outlined in the Specific Plan for the CIBP Zone and industrial development and as required in Mitigation Measure AES-1. Guidelines and standards aim to protect the Specific Plan area's high desert setting and panoramic mountain views. All related projects located within the Specific Plan area would be subject to these design guidelines and standards, which include recommendations for the architectural character of new buildings to maximize views of the landscape while taking inspiration from surrounding natural elements.

The development and design standards provide the framework for the desired aesthetic and visual environment. Other development projects in the area will incorporate development standards, design guidelines, and other strategies outlined in the Specific Plan. In addition, with implementation of Mitigation Measure AES-1, the Project's proposed building colors would be reviewed to incorporate the colors and tones that complement the natural desert environment. Thus, cumulative impacts related to the visual quality and character of the Project area would not be cumulatively considerable, assuming that related Projects would implement the same mandatory design standards set forth in the Specific Plan to which the Project must adhere.

Related development in the Specific Plan area and surrounding areas would introduce new sources of light in a setting that includes large areas of undeveloped land. However, Project lighting would comply with existing requirements (i.e., lighting would be directed downward, shielded, and focused on the Project Site) to ensure lighting has a minimal effect on the overall night sky and reduce the potential for glare. Other projects located throughout the Specific Plan area would similarly be required to comply with these regulations. Therefore, compliance with these regulations would ensure that lighting and glare impacts would be less than significant with mitigation incorporated. With implementation of Mitigation Measure AES-1, the Project would not result in cumulatively considerable aesthetic impacts.

4.2 AIR QUALITY

4.2.1 Introduction

This section of the EIR discusses ambient air quality conditions that currently exist in the area surrounding the Project Site and any potentially significant impacts to the air quality that could occur as a result of the Proposed Project. Information regarding existing conditions, impacts, and mitigation measures were derived from the Air Quality and Greenhouse Assessment prepared by Lilburn Corporation and the Health Risk Assessment prepared by Urban Crossroads. Refer to Appendix B for these reports.

4.2.2 Environmental Setting

Regional Setting

The site is in the Mojave Desert Air Basin (MDAB), an approximate 21,000 square-mile area under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The MDAB encompasses the desert portion of San Bernardino County and the Palo Verde Valley in eastern Riverside County. The MDAQMD has jurisdiction over that portion of the MDAB within San Bernardino and Riverside counties that includes the City of Hesperia. This area generally includes the portion of San Bernardino County north of the San Gabriel and San Bernardino mountains and the most eastern portion of Riverside County.

The desert portion of San Bernardino County is commonly referred to as the High Desert because of its altitude at approximately 1,000 to 4,500 feet above mean sea level. The region is characterized by a series of low mountain ranges and broad alluvial valleys. The area north of the mountains is generally within the MDAB under the jurisdiction of the MDAQMD. The area south of the mountains is generally located within the South Coast Air Basin (SCAB) under the jurisdiction of the South Coast Air Quality Management District (SCAQMD).

The High Desert region that includes the City of Hesperia is influenced by the San Bernardino and San Jacinto mountain ranges that represent the southerly boundary of the region. These mountain ranges rise to an average of 7,500 feet and are divided by the Banning Pass. A major factor that influences the MDAB's ambient air quality is its location downwind from the SCAB with its substantial pollution sources. Due to the meteorological and topographical factors of the region, air pollutants from the SCAB are transported into the MDAB via the Banning Pass contributing significantly to the ozone violations that occur in the Coachella Valley. With the overall reduction in pollutant levels in the SCAB, the result has been a decline in ozone violations in the MDAB.

Climate

The High Desert is classified as an arid desert climate. In the Mojave Desert, this is modified by the San Bernardino and San Jacinto mountains forming barriers to precipitation. The rain shadow causes the aridity of the High Desert climate, while leaving the summers hot and the winters generally mild.

For most of the summer, the region is under the northern edge of the Pacific Subtropical Ridge that limits cloud formation and allows strong daytime heating. This is a zone with no dominant winds, which allows more local effects such as the sea breeze passing through the Banning Pass to control the local weather. The high pressure systems also contribute to the presence of persistent inversion layers that trap pollutants by preventing their dispersion through vertical mixing. In late summer, the ridge can move far enough north to allow humid air from the Gulf of California, and even as far east as the Gulf of Mexico, into the High Desert. When this happens, thunderstorms may form, causing isolated flash floods and high wind gusts.

Average high temperatures in summer are in the mid-90s to 100° Fahrenheit (F). Average low temperatures are in the mid-60s to 70s. During winter, the Polar Front Jet stream steers pressure systems from west to east across the region. Mild rains result from systems steered in from the southwest and northwest. Winter storm systems are often followed by periods of clear skies and strong westerly or northerly winds. Average high temperatures in winter are in the mid-50s and average low temperatures are in the mid-30s.

Three weather factors have significant impacts on air quality; wind, precipitation and inversion layers. Each of these is discussed below.

Wind

Although the High Desert is 80 miles from the ocean, the sea breeze can be a dominant weather feature. The sea breeze is caused by differential heating of land and water. Land heats faster than the ocean, and because hot air rises, air warmed over land during the day rises, and cooler denser air from the ocean moves in to replace it. Normally limited to within a few miles of a coastline, the extreme differences in temperature between the desert and the Pacific Ocean make the sea breeze a regional phenomenon in southern California. The combination of extreme temperature differences and physical restraint on the air movements means there is a consistent source for strong wind blowing through Banning Pass and across the High and Low Desert. The sea breeze is a primary transportation medium, bringing pollutants out of the coastal valleys and into the desert.

Precipitation

The High Desert receives precipitation from winter cold fronts and moist southerly air masses during the late summer. Summer thunderstorms bring highly variable amounts of localized rain. The rain from these storms falling into the dry air often evaporates before reaching the surface. However, if the storm lasts long enough, the area beneath the storm may get several inches of rain over a short time leading to flash floods and rapid erosion in washes and gullies.

Inversions

Inversions are layers in the atmosphere where the temperature increases with height instead of decreasing as is normal. Inversions trap pollutants by limiting the vertical mixing which normally disperses pollutants into the upper atmosphere. There are two types of inversions affecting the High Desert. The first is the regional inversions caused by subsiding air within the high-pressure systems that dominate the summer weather. These subsidence inversions can occur at varying

altitudes, with corresponding variable effects on the pollution levels. The lower the inversion level, the greater the concentration of pollutants between it and the ground. The second type is the radiation inversion that forms when the ground cools rapidly after sunset, cooling the air immediately above it at the same time.

Local Air Quality

Air quality is determined primarily by the types and amounts of contaminants emitted into the atmosphere, the size and topography of the local air basin and the pollutant-dispersing properties of local weather patterns. When airborne pollutants are produced in such volume that they are not dispersed by local meteorological conditions, air quality problems result. Dispersion of pollutants in the MDAB is influenced by periodic temperature inversions, persistent meteorological conditions and the local topography. As pollutants become more concentrated in the atmosphere, photochemical reactions occur, producing ozone and other oxidants.

Another major factor that influences the MDAB's ambient air quality is its location downwind from two air basins with substantial pollution sources. Due to the meteorological and topographical factors of the region, air pollutants from the SCAB and the San Joaquin Valley Air Basin are transported into the MDAB contributing significantly to the ozone violations that occur. With the overall reduction in pollutant levels in the SCAB, the result has been a substantial decline in ozone violations in the Mojave Desert. However, with urban growth in the San Joaquin Valley rapidly increasing, and agriculture continuing to dominate that valley's economy, pollutant levels are increasing.

Air emissions from the Proposed Project are subject to federal, State and local rules and regulations implemented through provisions of the federal Clean Air Act, California Clean Air Act and the rules and regulations of the California Air Resources Board (CARB) and MDAQMD. Under the provisions of the federal and California Clean Air Acts, air quality management districts with air basins not in attainment of the air quality standards 2.5 are required to prepare an Air Quality Management Plan (AQMP). An AQMP establishes an area-specific program to control existing and proposed sources of air emissions so that the air quality standards may be attained by an applicable target date. The following is an overview of these rules and regulations.

Federal Clean Air Act. The federal Clean Air Act was established in an effort to assure that acceptable levels of air quality are maintained in all areas of the United States. These levels are based upon health-related exposure limits and are referred to as National Ambient Air Quality Standards (NAAQS). The NAAQS establish maximum allowable concentrations of specific pollutants in the atmosphere and characterize the amount of exposure deemed safe of the public. The NAAQS set standards for the following pollutants:

- Nitrogen dioxide (NO₂)
- Sulfur dioxide (SO₂)
- Particulate matter less than 10 microns, aerodynamic diameter (PM₁₀)
- Particulate matter less than 2.5 microns, aerodynamic diameter (PM_{2.5})
- Ozone (O₃)
- Lead (Pb)
- Carbon Monoxide (CO)

Primary and secondary NAAQS have been established and are shown in Table 4.2-1. Primary standards reflect levels of air quality deemed necessary by the EPA to provide an adequate margin of safety to protect public health. Areas found to be in violation of primary standards are termed “nonattainment areas”. Secondary standards reflect levels of air quality necessary to protect public welfare from the known or anticipated adverse effects of a pollutant.

California Clean Air Act. Under the federal Clean Air Act, state and local authorities have primary responsibility for assuring that their respective regions are in attainment of, or have a verifiable plan to attain, the NAAQS. The federal Clean Air Act also provides state and local agencies authority to promulgate more stringent ambient air quality standards. The California Ambient Air Quality Standards (CAAQS) for the following pollutants are also included in Table 4.2-1.

Hydrogen sulfide (H₂S)
Vinyl chloride
Sulfates (SO₄)
Visibility-reducing particles

Under the provisions of the federal and California Clean Air Acts, air quality districts in areas not in attainment of the NAAQS or CAAQS are required to prepare an AQMP. An AQMP establishes an area-specific program to control existing and proposed sources of air emissions so that the NAAQS or CAAQS may be attained by the applicable target date. CARB and EPA are required to designate areas of the state as “attainment”, “nonattainment”, or “unclassified” for state and federal ambient air quality standards. An attainment designation for an area signifies that pollutant concentrations did not violate the standard for that pollutant. A nonattainment designation indicates that a pollutant concentration violated the standard at least once, excluding those occasions when a violation was caused by an extraordinary event. An unclassified designation indicates a lack of adequate air quality data or other information on which to base an attainment or nonattainment designation.

Air Quality Attainment Plans

The MDAQMD has local regulatory review and primary permitting and enforcement authority over potential stationary sources of air pollution within the Mojave Desert portions of San Bernardino County, including all cities and towns. The EPA and CARB serve as technical review and advisory agencies, providing technical advice and guidance when necessary.

The MDAB is a designated nonattainment basin for ozone. In 1991 San Bernardino County Air Pollution Control District (APCD) prepared the Air Quality Attainment Plan (AQAP) for ozone. This plan established programs and control strategies to achieve the ozone standards and to maintain attainment of the other criteria pollutants. Measures in the 1991 AQAP include an updated permitting program for stationary pollution sources, reasonable control technology for all existing and future sources, provisions to develop area and indirect control programs such as land use and transportation measures and public education programs. In 1993 the APCD was separated from the County under State Assembly Bill 2522, and an autonomous agency – the MDAQMD – was created that encompassed the High Desert region of San Bernardino County.

**Table 4.2-1
State and Federal
Ambient Air Quality Standards**

Pollutant	Averaging Time	California Standards ¹		Federal Standards ²		
		Concentration ³	Method ⁴	Primary ^{3,5}	Secondary ^{3,6}	Method ⁷
Ozone (O₃)⁸	1-Hour	0.09 ppm (180 µg/m ³)	Ultraviolet Photometry	---	Same as Primary Standard	Ultraviolet Photometry
	8-Hour	0.07 ppm (137 µg/m ³)		0.070 ppm (137 µg/m ³)		
Respirable Particulate Matter (PM₁₀)⁹	24-Hour	50 µg/m ³	Gravimetric or Beta Attenuation	150 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m ³		---		
Fine Particulate Matter (PM_{2.5})⁹	24-Hour	---	Gravimetric or Beta Attenuation	35 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m ³		12 µg/m ³	15 µg/m ³	
Carbon Monoxide (CO)	1-Hour	20 ppm (23 mg/m ³)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m ³)	---	Non-Dispersive Infrared Photometry (NDIR)
	8-Hour	9.0 ppm (10 mg/m ³)		9 ppm (10 mg/m ³)		
	8-Hour (Lake Tahoe)	6 ppm (7 mg/m ³)		–		
Nitrogen Dioxide (NO₂)¹⁰	1-Hour	0.18 ppm (339 µg/m ³)	Gas Phase Chemiluminescence	100 ppb (188 µg/m ³)	---	Gas Phase Chemiluminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m ³)		0.053 ppb (100 µg/m ³)	Same as Primary Standard	
Sulfur Dioxide (SO₂)¹¹	1-Hour	0.25 ppm (655 µg/m ³)	Ultraviolet Fluorescence	75 ppd (196 µg/m ³)	–	Ultraviolet Fluorescence, Spectrophotometry (Pararosaniline Method)
	3-Hour	---		--	0.5 ppm (1300 µg/m ³)	
	24-Hour	0.04 ppm (105 µg/m ³)		0.14 ppm (for certain areas) ¹⁰	---	
	Annual Arithmetic Mean	–		0.030 ppm (for certain areas) ¹⁰	–	
Lead^{12,13}	30-day average	1.5 µg/m ³	Atomic Absorption	–	–	High Volume Sampler and Atomic Absorption
	Calendar Quarter	--		1.5 µg/m ³ (for certain areas) ¹²	Same as Primary Standard	
	Rolling 3-Month Average	–		0.15 µg/m ³		
Visibility-Reducing Particles¹⁴	8-Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	No Federal Standards		
Sulfates	24-Hour	25 µg/m ³	Ion Chromatography			
Hydrogen Sulfide	1-Hour	0.03 ppm (42 µg/m ³)	Ultraviolet Fluorescence			
Vinyl Chloride¹²	24-Hour	0.01 ppm (26 µg/m ³)	Gas Chromatography			

Source: ARB, May 4, 2016.

- California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, and particulate matter (PM₁₀, PM_{2.5}, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
- National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM₁₀, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m³ is equal to or less than one. For PM_{2.5}, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current national policies.

3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
4. Any equivalent measurement method which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.
5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
7. Reference method as described by the U.S. EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the U.S. EPA.
8. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.
9. On December 14, 2012, the national annual PM_{2.5} primary standard was lowered from 15 µg/m³ to 12.0 µg/m³. The existing national 24-hour PM_{2.5} standards (primary and secondary) were retained at 35 µg/m³, as was the annual secondary standard of 15 µg/m³. The existing 24-hour PM₁₀ standards (primary and secondary) of 150 µg/m³ also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.
10. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm
11. On June 2, 2010, a new 1-hour SO₂ standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO₂ national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.
Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.
12. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants
13. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard (1.5 µg/m³ as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.
14. In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

In 1994, the EPA designated most of the Mojave Desert as nonattainment for PM₁₀ based on violations of standards between 1989 and 1991. The MDAQMD prepared the Mojave Desert Planning Area (MDPA) Federal PM₁₀ Attainment Plan in 1995 to provide dust control programs to meet federal PM₁₀ standards. The MDPA covers only the southwestern portions of the Mojave Desert (Victor Valley and Lucerne Valley areas) because most of the controllable sources and receptors of PM₁₀ and recording instrumentation are located in the Victor Valley. The plan outlines a program for implementation and enforcement of dust control measures. These measures are generally reflected through MDAQMD Rules 401 - Visible Emissions, 402 - Nuisance, and 403-1 - Fugitive Dust Control.

Mojave Desert Air Basin Attainment Designation

The USEPA and the CARB have designated portions of the MDAQMD as nonattainment for a variety of pollutants, and some of those designations have an associated classification. Table 4.2-2 lists these designations and classifications.

**Table 4.2-2
State and Federal Air Quality
Mojave Desert Air Basin Attainment Classification**

Pollutant	Federal Standards	State Standards
One-hour Ozone	No federal standard	Nonattainment
Eight-hour Ozone	Severe nonattainment	Nonattainment
NO ₂	Unclassifiable/attainment	Attainment
CO	Unclassifiable/attainment	Attainment
SO ₂	Unclassifiable/attainment	Attainment
PM ₁₀	Moderate nonattainment	Nonattainment
PM _{2.5}	Unclassified/attainment	Attainment
Lead	Unclassifiable/attainment	Attainment
Hydrogen Sulfate	No federal standard	Unclassified
Sulfates	No federal standard	Attainment
Visibility Reducing Particles	No federal standard	Unclassified
Vinyl Chloride	No federal standard	No designation

Sources: EPA 2020a (federal); CARB 2020a (state).

Notes: O₃ = ozone; NO₂ = nitrogen dioxide; CO = carbon monoxide; SO₂ = sulfur dioxide; PM₁₀ = coarse particulate matter; PM_{2.5} = fine particulate matter. Definitions: attainment = meets the standards; attainment/maintenance = achieve the standards after a nonattainment designation; nonattainment = does not meet the standards; unclassified or unclassifiable = insufficient data to classify; unclassifiable/attainment = meets the standard or is expected to be meet the standard despite a lack of monitoring data.

The MDAQMD has adopted attainment plans for a variety of nonattainment pollutants. Table 4.2-3 lists the attainment plans applicable to the project area.

**Table 4.2-3
MDAQMD Attainment Plans**

Name of Plan	Date of Adoption	Applicable Area	Pollutant(s) Targeted	Attainment Date
1991 Air Quality Attainment Plan (AQAP)	August 26, 1991	San Bernardino County portion	NO _x and VOC	1994*
Mojave Desert Planning Area Federal Particulate Matter Attainment Plan	July 31, 1995	Mojave Desert Planning Area	PM ₁₀	2000*
Triennial Revision to the 1991 Air Quality Attainment Plan	January 22, 1996	Entire District	NO _x and VOC	2005
2004 Ozone Attainment Plan (State and Federal)	April 26, 2004	Entire District	Ozone (NO _x and VOC)	2007
Federal 8-Hour Ozone Attainment Plan (Western Mojave Desert Non-attainment Area)	9-Jun-08	Western Mojave Desert Non-attainment Area	NO _x and VOC	2019 (revised from 2021)

*Note: A historical attainment date given in an attainment plan does not necessarily mean that the affected area has been re-designated to attainment.

Source: MDAQMD CEQA and Federal Conformity Guidelines, August 2016

MDAQMD regulates emissions from stationary sources through the permitting process and requires permits to Construct/Operate for all stationary equipment with the potential to release air contaminants.

Monitored Air Quality

Air quality is determined primarily by the types and amounts of contaminants emitted into the atmosphere, the size and topography of the local air basin, and the pollutant-dispersing properties of local weather patterns. When airborne pollutants are produced in such volume that they are not dispersed by local meteorological conditions, air quality problems result. Dispersion of pollutants in the MDAB is influenced by periodic temperature inversions, persistent meteorological conditions and the local topography. As pollutants become more concentrated in the atmosphere, photochemical reactions occur, producing ozone and other oxidants.

The federal Clean Air Act was established in an effort to assure that acceptable levels of air quality are maintained in all areas of the United States. These levels are based upon health-related exposure limits and are referred to as NAAQS. The NAAQS establish maximum allowable concentrations of specific pollutants in the atmosphere and characterize the amount of exposure deemed safe for the public.

NAAQS have been set for a number of criteria pollutants. The following is a brief description of health effects and whether the MDAB is or is not in attainment for these pollutants:

Ozone (O₃) is a strong-smelling, pale blue, reactive, toxic chemical gas consisting of three oxygen atoms. It is a secondary pollutant formed in the atmosphere by a photochemical process involving the sun's energy and O₃ precursors. These precursors are mainly oxides of nitrogen (NO_x) and volatile organic compounds (VOCs) (also referred to as reactive organic gases [ROG]). The maximum effects of precursor emissions on O₃ concentrations usually occur several hours after they are emitted and many miles from the source. Meteorology and terrain play major roles in O₃ formation, and ideal conditions occur during summer and early autumn on days with low wind speeds or stagnant air, warm temperatures, and cloudless skies. The O₃ that the U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) regulate as a criteria air pollutant is produced close to ground level, where people live, exercise, and breathe. Ground-level O₃ is a harmful air pollutant that causes numerous adverse health effects and is thus considered "bad" O₃. Stratospheric, or "good," O₃ occurs naturally in the upper atmosphere, where it reduces the amount of ultraviolet light (i.e., solar radiation) entering the Earth's atmosphere. Without the protection of the beneficial stratospheric O₃ layer, plant and animal life would be seriously harmed. Pollutants emitted in the Los Angeles area contribute to the ozone levels experienced in the MDAB.

Data summarized in Table 4.2-4 shows that the 1-hour State ozone standard was exceeded between 0 and 8 days per year between 2015 and 2019 at the Victorville air monitoring site, the closest monitoring station to the Project Site. The MDAB is designated as a nonattainment basin for ozone. The 8-hour Ozone standard has been exceeded between 17 to 55 days per year between 2015 and 2019.

**Table 4.2-4
Ozone Data: Victorville Air Monitoring Station
2015 – 2019**

Year	Days Exceeding 1-Hour State Standard	Days Exceeding 8-Hour State Standard	Maximum 1-Hour Reading (ppm)	Maximum 8-Hour Reading (ppm)
2015	8	38	0.132	0.105
2016	4	33	0.100	0.085
2017	0	17	0.088	0.081
2018	5	55	0.107	0.096
2019	3	29	0.104	0.081

Source: CARB, 2020

Carbon Monoxide (CO) CO is a colorless, odorless gas formed by the incomplete combustion of hydrocarbon, or fossil fuels. CO is emitted almost exclusively from motor vehicles, power plants, refineries, industrial boilers, ships, aircraft, and trains. In urban areas, automobile exhaust accounts for most CO emissions. CO is a nonreactive air pollutant that dissipates relatively quickly; therefore, ambient CO concentrations generally follow the spatial and temporal distributions of vehicular traffic. CO concentrations are influenced by local meteorological conditions—primarily wind speed, topography, and atmospheric stability. CO from motor vehicle exhaust can become locally concentrated when surface-based temperature inversions are combined with calm atmospheric conditions, which is a typical situation at dusk in urban areas from November to February. The highest levels of CO typically occur during the col der months of the year, when inversion conditions are more frequent.

CO is harmful because it binds to hemoglobin in the blood, reducing the ability of blood to carry oxygen. This interferes with oxygen delivery to the body’s organs. The most common effects of CO exposure are fatigue, headaches, confusion and reduced mental alertness, light-headedness, and dizziness due to inadequate oxygen delivery to the brain. For people with cardiovascular disease, short-term CO exposure can further reduce their body’s already compromised ability to respond to the increased oxygen demands of exercise, exertion, or stress. Inadequate oxygen delivery to the heart muscle leads to chest pain and decreased exercise tolerance. Unborn babies whose mothers experience high levels of CO exposure during pregnancy are at risk of adverse developmental effects.

Nitrogen dioxide (NO₂) NO₂ is a brownish, highly reactive gas that is present in all urban atmospheres. The major mechanism for the formation of NO₂ in the atmosphere is the oxidation of the primary air pollutant nitric oxide (NO), which is a colorless, odorless gas. NO_x, which includes NO₂ and NO, plays a major role, together with VOC, in the atmospheric reactions that produce O₃. NO_x is formed from fuel combustion under high temperature or pressure. In addition, NO₂ is an important precursor to acid rain and may affect both terrestrial and aquatic ecosystems. The two major emissions sources are transportation and stationary fuel combustion sources (such as electric utility and industrial boilers).

A large body of health science literature indicates that exposure to NO₂ can induce adverse health effects. The strongest health evidence, and the health basis for the ambient air quality standards (AAQS) for NO₂, results from controlled human exposure studies that show that NO₂ exposure

can intensify responses to allergens in allergic asthmatics. In addition, several epidemiological studies have demonstrated associations between NO₂ exposure and premature death, cardiopulmonary effects, decreased lung function growth in children, respiratory symptoms, emergency room visits for asthma, and intensified allergic responses. Infants and children are particularly at risk because they have disproportionately higher exposure to NO₂ than adults due to their greater breathing rate for their body weight and their typically greater outdoor exposure duration. Several studies have shown that long-term NO₂ exposure during childhood, the period of rapid lung growth, can lead to smaller lungs at maturity in children with higher compared to lower levels of exposure. In addition, children with asthma have a greater degree of airway responsiveness compared with adult asthmatics. In adults, the greatest risk is to people who have chronic respiratory diseases, such as asthma and chronic obstructive pulmonary disease.

Particulate Matter

Particulate matter pollution consists of very small liquid and solid particles floating in the air, which can include smoke, soot, dust, salts, acids, and metals. Particulate matter can form when gases emitted from industries and motor vehicles undergo chemical reactions in the atmosphere. PM_{2.5} and PM₁₀ represent fractions of particulate matter. Coarse particulate matter (PM₁₀) is about 1/7 the thickness of a human hair. Major sources of PM₁₀ include crushing or grinding operations; dust stirred up by vehicles traveling on roads; wood-burning stoves and fireplaces; dust from construction, landfills, and agriculture; wildfires and brush/waste burning; industrial sources; windblown dust from open lands; and atmospheric chemical and photochemical reactions. Fine particulate matter (PM_{2.5}) is roughly 1/28 the diameter of a human hair. PM_{2.5} results from fuel combustion (e.g., from motor vehicles, power generation, and industrial facilities), residential fireplaces, and woodstoves. In addition, PM_{2.5} can be formed in the atmosphere from gases such as sulfur oxides, NO_x, and VOCs.

A number of adverse health effects have been associated with exposure to both PM_{2.5} and PM₁₀. For PM_{2.5}, short-term exposures (up to 24-hour duration) have been associated with premature mortality, increased hospital admissions for heart or lung causes, acute and chronic bronchitis, asthma attacks, emergency room visits, respiratory symptoms, and restricted activity days. These adverse health effects have been reported primarily in infants, children, and older adults with preexisting heart or lung diseases. In addition, of all of the common air pollutants, PM_{2.5} is associated with the greatest proportion of adverse health effects related to air pollution, both in the United States and worldwide based on the World Health Organization's Global Burden of Disease Project. Short-term exposures to PM₁₀ have been associated primarily with worsening of respiratory diseases, including asthma and chronic obstructive pulmonary disease, leading to hospitalization and emergency department visits.

Long-term exposure (months to years) to PM_{2.5} has been linked to premature death, particularly in people who have chronic heart or lung diseases, and reduced lung function growth in children. The effects of long-term exposure to PM₁₀ are less clear, although several studies suggest a link between long-term PM₁₀ exposure and respiratory mortality. The International Agency for Research on Cancer published a review in 2015 that concluded that particulate matter in outdoor air pollution causes lung cancer.

Data summarized in Table 4.2-5 shows that PM₁₀ levels at the Victorville air monitoring site has been exceeded between 0 to 2 days per year between 2015 and 2019, while insufficient data was available to determine whether the State Standard was exceeded during the same time period.

Table 4.2-5
PM₁₀ Data: Victorville Air Monitoring Station
2015 – 2019

Year	Days Exceeding State Standard	Days Exceeding Federal Standard	Maximum 24-Hour Reading (µg/m ³)
2015	*	0	96.1
2016	*	2	226.5
2017	*	1	182.5
2018	*	1	165.2
2019	*	2	170.0

Source: CARB, 2020

State Standard – 50 µg/m³ based on 24-hour average

Federal Standard – 150 µg/m³ based on 24-hour average

µg/m³ = micrograms per cubic meter

Measurements usually taken every 6 days.

* Insufficient data available to determine the value

The data summarized in Table 4.2-6 shows that PM_{2.5} levels at the Victorville air monitoring site has been exceeded between 0 to 1 days per year between 2015 and 2019.

Table 4.2-6
PM_{2.5} Data: Victorville Air Monitoring Station
2015 – 2019

Year	Days Exceeding Federal Standard	Maximum 24-Hour Reading (µg/m ³)
2015	*	50.2
2016	1	41.5
2017	0	27.2
2018	0	32.7
2019	0	17.8

Source: CARB, 2020

Federal Standard – lowered to 35 µg/m³ in 2006; based on 24 hour average.

µg/m³ = micrograms per cubic meter

* Insufficient data available to determine the value

* Insufficient data available to determine the value

Sulfur dioxide (SO₂) is a gas produced when fossil fuels are burned. SO₂ is the main pollutant contributing to the formation of acid rain. No exceedances of this pollutant have occurred for decades and concentrations are well under Federal and State standards.

Lead (Pb) Lead in the atmosphere occurs as particulate matter. Sources of lead include leaded gasoline; the manufacturing of batteries, paints, ink, ceramics, and ammunition; and secondary lead smelters. Prior to 1978, mobile emissions were the primary source of atmospheric lead. Between 1978 and 1987, the phase out of leaded gasoline reduced the overall inventory of airborne

lead by nearly 95%. With the phase out of leaded gasoline, secondary lead smelters, battery recycling, and manufacturing facilities are becoming lead-emissions sources of greater concern.

Prolonged exposure to atmospheric lead poses a serious threat to human health. Health effects associated with exposure to lead include gastrointestinal disturbances, anemia, kidney disease, and, in severe cases, neuromuscular and neurological dysfunction. Of particular concern are low-level lead exposures during infancy and childhood, because children are highly susceptible to the effects of lead. Such exposures are associated with decrements in neurobehavioral performance, including intelligence quotient performance, psychomotor performance, reaction time, and growth.

Hydrogen Sulfide (H₂S) This pollutant is not commonly found in the ambient atmosphere but can originate from natural sources such as volcanoes, sulfur hot springs, or mineral brine associated with dry lakebeds. The CAAQS for H₂S is not health-based but rather an aesthetic one, because the compound smells like rotten eggs. This pollutant is not an issue in the project area.

Sulfates are produced by the reaction in the air of sulfur dioxide (SO₂), which is a component of acid rain. Sources for sulfur dioxide include coal burning power plants and diesel engines. California does not have any coal burning power plants and all diesel fuels sold in the state are now lower in sulfur. Sulfates are not an issue in the area.

Vinyl Chloride. Vinyl chloride is a colorless gas with a mild, sweet odor, which has been detected near landfills, sewage plants, and hazardous waste sites, due to the microbial breakdown of chlorinated solvents. Short-term exposure to high levels of vinyl chloride in air can cause nervous system effects, such as dizziness, drowsiness, and headaches. Long-term exposure through inhalation can cause liver damage, including liver cancer.

Visibility-reducing particles are common in the MDAB due to the vast open desert area, especially during windy conditions. Particles reduce visibility, obscuring the desert scenery, including views of the mountains. Dust control measures reduce particulates in the area.

Volatile Organic Compounds. Hydrocarbons are organic gases that are formed from hydrogen and carbon and sometimes other elements. Hydrocarbons that contribute to formation of O₃ are referred to and regulated as VOCs. Combustion engine exhaust, oil refineries, and fossil-fueled power plants are the main sources of hydrocarbons. Other sources of hydrocarbons include evaporation from petroleum fuels, solvents, dry cleaning solutions, and paint.

The primary health effects of VOCs result from the formation of O₃ and its related health effects. High levels of VOCs in the atmosphere can interfere with oxygen intake by reducing the amount of available oxygen through displacement. Carcinogenic forms of hydrocarbons, such as benzene, are considered Toxic Air Contaminants (TACs). There are no separate health standards for VOCs as a group.

4.2.3 Applicable Plans, Policies, and Regulations

Toxic Air Contaminants

The state Air Toxics Program was established in 1983 under AB 1807 (Tanner). The California TAC list identifies more than 700 pollutants, of which carcinogenic and noncarcinogenic toxicity criteria have been established for a subset of these pollutants pursuant to the California Health and Safety Code. In accordance with AB 2728, the state list includes the (federal) HAPs. In 1987, the Legislature enacted the Air Toxics “Hot Spots” Information and Assessment Act of 1987 (AB 2588) to address public concern over the release of TACs into the atmosphere. AB 2588 law requires facilities emitting toxic substances to provide local air pollution control districts with information that will allow an assessment of the air toxics problem, identification of air toxics emissions sources, location of resulting hotspots, notification of the public exposed to significant risk, and development of effective strategies to reduce potential risks to the public over 5 years. TAC emissions from individual facilities are quantified and prioritized. “High-priority” facilities are required to perform a health risk assessment (HRA), and if specific thresholds are exceeded, the facility operator is required to communicate the results to the public in the form of notices and public meetings.

In 2000, CARB approved a comprehensive Diesel Risk Reduction Plan to reduce diesel emissions from both new and existing diesel-fueled vehicles and engines. The regulation is anticipated to result in an 80% decrease in statewide diesel health risk in 2020 compared with the diesel risk in 2000. Additional regulations apply to new trucks and diesel fuel, including the On-Road Heavy Duty Diesel Vehicle (In-Use) Regulation, the On-Road Heavy Duty (New) Vehicle Program, the In-Use Off-Road Diesel Vehicle Regulation, and the New Off-Road Compression-Ignition (Diesel) Engines and Equipment Program. These regulations and programs have timetables by which manufacturers must comply and existing operators must upgrade their diesel-powered equipment. There are several airborne toxic control measures that reduce diesel emissions, including In-Use Off-Road Diesel-Fueled Fleets (13 CCR 2449 et seq.) and In-Use On-Road Diesel-Fueled Vehicles (13 CCR 2025).

- Diesel Particulate Matter. Diesel particulate matter (DPM) is part of a complex mixture that makes up diesel exhaust. Diesel exhaust is composed of two phases, gas and particle, both of which contribute to health risks. According to CARB, more than 90% of DPM is less than 1 micrometer in diameter (about 1/70 the diameter of a human hair), and thus is a subset of PM_{2.5}. DPM is typically composed of carbon particles (soot, also called black carbon) and numerous organic compounds, including over 40 known carcinogenic organic substances. Examples of these chemicals include polycyclic aromatic hydrocarbons, benzene, formaldehyde, acetaldehyde, acrolein, and 1,3-butadiene. In August 1998, CARB classified “particulate emissions from diesel-fueled engines” (i.e., DPM) (17 CCR 93000) as a TAC. DPM is emitted from a broad range of diesel engines: on-road diesel engines of trucks, buses, and cars and off-road diesel engines including locomotives, marine vessels, and heavy-duty construction equipment, among others. Approximately 70% of all airborne cancer risk in California is associated with DPM. To reduce the cancer risk associated with DPM, CARB adopted a diesel risk reduction plan in 2000. Because it is part of PM_{2.5}, DPM also contributes to the same noncancer health effects as PM_{2.5} exposure. These effects include premature death; hospitalizations and emergency department visits for exacerbated

chronic heart and lung disease, including asthma; increased respiratory symptoms; and decreased lung function in children. Several studies suggest that exposure to DPM may also facilitate development of new allergies. Those most vulnerable to noncancer health effects are children, whose lungs are still developing, and the elderly, who often have chronic health problems.

- **Odorous Compounds.** Odors are generally regarded as an annoyance rather than a health hazard. Manifestations of a person's reaction to odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache). The ability to detect odors varies considerably among the population and overall is quite subjective. People may have different reactions to the same odor. An odor that is offensive to one person may be perfectly acceptable to another (e.g., coffee roaster). An unfamiliar odor is more easily detected and is more likely to cause complaints than a familiar one. In a phenomenon known as odor fatigue, a person can become desensitized to almost any odor, and recognition may only occur with an alteration in the intensity. The occurrence and severity of odor impacts depend on the nature, frequency, and intensity of the source; wind speed and direction; and the sensitivity of receptors.

Hazardous Air Pollutants

The 1977 federal Clean Air Act amendments required the EPA to identify national emission standards for hazardous air pollutants to protect public health and welfare. HAPs include certain volatile organic chemicals, pesticides, herbicides, and radionuclides that present a tangible hazard, based on scientific studies of exposure to humans and other mammals. Under the 1990 federal Clean Air Act amendments, which expanded the control program for HAPs, 189 substances and chemical families were identified as HAPs.

California Health and Safety Code Section 41700

Section 41700 of the California Health and Safety Code states that a person shall not discharge from any source whatsoever quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public; or that endanger the comfort, repose, health, or safety of any of those persons or the public; or that cause, or have a natural tendency to cause, injury or damage to business or property. This section also applies to sources of objectionable odors.

City of Hesperia General Plan

The City of Hesperia General Plan contains the following goals and policies applicable to air quality and the Project (City of Hesperia 2010):

Conservation Element

Goal CN-8: Implement policies and measures to reduce air pollution and emissions of pollutants.

Policy CN-8.1: Implement measures to reduce fugitive dust from unpaved areas, parking lots, and construction sites.

Policy CN-8.2: Implement measures to reduce exhaust emissions from construction equipment.

Policy CN-8.5: Minimize exposure of sensitive receptor land uses and sites to health risks related to air pollution

4.2.4 Thresholds of Significance

The Initial Study Checklist for the Proposed Project was utilized to identify the primary thresholds of significance relating to CEQA issues. As such, the Proposed Project would have a significant effect associated with Air Quality if it would:

Conflict with or obstruct implementation of the applicable air quality plan.

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.

Expose sensitive receptors to substantial pollutant concentrations.

Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

4.2.5 Project Impact Analysis and Mitigation Measures

In addition to the CEQA Appendix G analyses, a review as to whether the Proposed Project would result in any conflict with goals and policies pertaining to air quality as identified in either the City's General Plan, Main Street Corridor Specific Plan, or Development Code was undertaken. Based on the description of the Proposed Project (refer to Chapter 3) and the analyses provided herein, no conflicts would occur because:

- The Proposed Project would promote energy conservation through site layout, building design, natural light, and efficient mechanical and electrical products in development.
- The Proposed Project would reduce the use of diesel fuel by using electric yard spotting vehicles for moving trailers on-site.
- The Proposed Project includes development of a solar array (optional roof-top solar) to reduce the facilities dependence on the electrical grid.
- The Proposed Project would facilitate the use of green building standards and Leadership in Energy and Environmental Design (LEED) to reduce air quality emissions.

4.2.5.1 Issues Identified to Have No Impact or Less Than Significant Impact

The Initial Study Checklist for the Proposed Project that was circulated with a Notice of Preparation (NOP) identified the following threshold areas where no impacts or less than

significant impacts would occur as a result of the Proposed Project. No additional information was received during the NOP review period to change the conclusions of the Initial Study.

Would the project conflict with or obstruct implementation of the applicable air quality plan?

No Impact.

The Project Site is in the Mojave Desert Air Basin (MDAB). The MDAB encompasses the desert portion of San Bernardino County. The Mojave Desert Air Quality Management District (MDAQMD) has jurisdiction over air quality issues and regulations within the City of Hesperia that includes the project area and is responsible for updating the Air Quality Management Plan (AQMP).

The AQMP was developed for the primary purpose of controlling emissions to maintain all federal and state ambient air standards for the district. The Proposed Project is an acceptable use at the Project Site and there is no proposed zone change or General Plan Amendment. No adverse impacts are identified or are anticipated, and no mitigation measures are required.

4.2.5. 2 Issues Determined to Have Potentially Significant Impacts

As a result of the analysis conducted for the Draft EIR, it was determined that the following issues associated with Air Quality have the potential for resulting in significant impacts. The analysis is followed by recommended mitigation measures and the level of significance that would occur following implementation of the mitigation measures.

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.

Impact AQ-1: The Proposed Project could result in a cumulatively considerable net increase of Ozone and/or PM₁₀ for which the Mojave Desert Air Basin is in non-attainment status.

To determine if a proposed project has the potential to significantly impact the ambient air quality, the MDAQMD utilizes the following net daily emission increases as CEQA thresholds of significance. If the potential emissions exceed these thresholds, then the project may have a significant air quality impact and requires additional analysis.

- | | |
|---|-------------|
| - Carbon Monoxide (CO) | 548 lbs/day |
| - Nitrogen Dioxide (NO ₂) | 137 lbs/day |
| - Reactive Organic Gasses (ROG) | 137 lbs/day |
| - Sulfur Dioxide (SO ₂) | 137 lbs/day |
| - Particulate Matter (PM ₁₀) | 82 lbs/day |
| - Particulate Matter (PM _{2.5}) | 82 lbs/day |

Construction Emissions

The proposed development would occur on approximately 78.81 acres of land. Construction-related emissions generated by the Proposed Project would be from short-term construction activities. The Proposed Project was screened using CalEEMod version 2016.3.2. The criteria pollutants and Greenhouse Gas (GHGs) analyzed include reactive organic gases (ROG), nitrous oxides (NO_x), carbon monoxide (CO), sulfur dioxide (SO₂), particulates (PM₁₀ and PM_{2.5}), carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O). Construction emissions are screened and quantified to document the effectiveness of control measures.

The CalEEMod model allows the user to set certain defaults and run the model to incorporate MDAQMD required rules and regulations. Therefore, per MDAQMD Rules 403-1, the mitigation requiring that exposed surfaces during construction be watered twice per day was “turned on”. The developer and its contractor will be required to comply with mandated MDAQMD rules and regulations, including but not limited to Rule 403-1. Therefore, the following dust control conditions applicable to the site activities as recommended by Rule 403-1 shall also be implemented:

1. The Project Proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities.
 - (a) The Project Proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading activity on the site at least twice daily. Portions of the site that are actively being graded shall be watered regularly to ensure that a crust is formed on the ground surface and shall be watered at the end of each workday.
 - (b) The Project Proponent shall ensure that all disturbed areas are treated to prevent erosion until the site is constructed upon.
 - (c) The Project Proponent shall ensure that landscaped areas are installed as soon as possible to reduce the potential for wind erosion.
 - (d) The Project Proponent shall ensure that all grading activities are suspended during first and second stage ozone episodes or when winds exceed 25 miles per hour.

During construction, exhaust emissions from construction vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, would increase NO_x and PM₁₀ levels in the area. The following Best Management Practices shall be implemented to reduce emissions.

2. To reduce emissions, all equipment used in grading and construction must be tuned and maintained to the manufacturer’s specification to maximize efficient burning of vehicle fuel.
3. The contractor shall utilize (as much as possible) pre-coated building materials and coating transfer or spray equipment with high transfer efficiency, such as high volume, low pressure (HVLPP) spray method, or manual coatings application such as paint brush, hand roller, trowel, dauber, rag, or sponge.

4. The contractor shall utilize water-based or low VOC coating per MDAQMD Rule 1113. The following measures shall also be implemented:
 - Use Super-Compliant VOC paints whenever possible.
 - If feasible, avoid painting during peak smog season: July, August, and September.
 - Recycle leftover paint. Take any left-over paint to a household hazardous waste center; do not mix leftover water-based and oil-based paints.
 - Keep lids closed on all paint containers when not in use to prevent VOC emissions and excessive odors.
 - For water-based paints, clean up with water only. Whenever possible, do not rinse the clean-up water down the drain or pour it directly into the ground or the storm drain. Set aside the can of clean-up water and take it to a hazardous waste center (www.cleanup.org).
 - Recycle the empty paint can.
 - Look for non-solvent containing stripping products.
 - Use Compliant Low-VOC cleaning solvents to clean paint application equipment.
 - Keep all paint and solvent laden rags in sealed containers to prevent VOC emissions.
5. The Project Proponent shall ensure that existing power sources are utilized where feasible via temporary power poles to avoid on-site diesel power generation.
6. The Project Proponent shall ensure that construction personnel are informed of ride sharing and transit opportunities.
7. All buildings on the project site shall conform to energy use guidelines in Title 24 of the California Administrative Code as updated to reduce energy consumption and reduce GHG emissions.
8. The operator shall maintain and effectively utilize and schedule on site equipment and delivery trucks in order to minimize exhaust emissions from truck idling.

Modeled Analysis

The emissions calculations for the construction phase of the Proposed Project includes fugitive dust from grading and exhaust emissions from on-site equipment and worker travel and are summarized in Table 4.2-7 and Table 4.2-8, which represent summer and winter construction emissions, respectively. The fugitive dust emissions are based on earthwork activities per day. The proposed construction activities will include implementation of the “best available fugitive dust control requirements” listed above and the developer will comply with MDAQMD rules and regulations (particularly Rule 403) that require controls for fugitive dust. These standard conditions will reduce emissions to the lowest amounts feasible. Construction emissions were screened and quantified to document the effectiveness of control measures. For additional information, refer to Appendix B for the CalEEMod emissions model output data.

**Table 4.2-7
Summer Construction Emissions
(Pounds Per Day)**

Source/Phase	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Site Preparation	4.0	40.5	21.2	0.0	20.2	11.8
Grading	3.6	38.8	29.6	0.0	10.5	5.1
Building Construction	8.5	70.5	67.3	0.0	16.5	5.0
Paving	1.6	8.5	14.7	0.0	0.5	0.3
Architectural Coating	135.2	1.4	7.2	0.0	2.4	0.6
Highest Value (lbs/day)	135.2	40.5	67.3	0.0	20.2	11.8
MDAQMD Threshold	137	137	548	137	82	82
Significant	No	No	No	No	No	No

Source: CalEEMod 2016.3.2, Summer Emissions
Phases don't overlap and represent the highest concentration.

**Table 4.2-8
Winter Construction Emissions
(Pounds Per Day)**

Source/Phase	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Site Preparation	3.9	40.5	21.2	0.0	20.2	11.8
Grading	4.2	46.3	31.3	0.0	10.7	5.4
Building Construction	8.5	70.1	62.1	0.0	15.7	5.0
Paving	1.6	8.5	14.7	0.0	0.5	0.4
Architectural Coating	135.2	1.4	7.2	0.0	2.4	0.6
Highest Value (lbs/day)	135.2	40.5	67.3	0.0	20.2	11.8
MDAQMD Threshold	137	137	548	137	82	82
Significant	No	No	No	No	No	No

Source: CalEEMod 2016.3.2, Winter Emissions
Phases don't overlap and represent the highest concentration.

As shown in Table 4.2-7 and Table 4.2-8, construction emissions during either summer or winter seasonal conditions would not exceed MDAQMD thresholds if the applicant implements at a minimum a 187-day painting schedule per phase of construction. Therefore, impacts would be less than significant. However, to ensure impacts do not exceed thresholds, Mitigation Measure AQ-1 is recommended during the painting phase.

Operational Emissions

Operational emissions are categorized as energy (generation and distribution of energy to the end use), area (operational use of the project), mobile (vehicle trips), water (generation and distribution of water to the land use), and waste (collecting and hauling waste to the landfill). The operational mobile source emissions were calculated in accordance with the Focused Traffic Impact Analysis prepared for the Proposed Project by Urban Crossroads, Inc., dated November 2020. The Proposed Project is anticipated to generate approximately 2,150 total daily trips. The anticipated total daily trips were inputted into the CalEEMod Version 2016.3.2 model to estimate the operational mobile source emissions. Emissions associated with the operational activities are listed in Tables 4.2-9 and 4.2-10.

**Table 4.2-9
Winter Operational Emissions
(Pounds Per Day)**

Source	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Area	29.4	0.0	0.3	0.0	0.0	0.0
Energy	1.5	14.0	11.8	0.0	1.1	1.0
Mobile	3.2	57.7	32.8	0.0	13.9	3.8
Total Value (lbs/day)	34.2	57.7	32.9	0.0	15.0	4.8
MDAQMD Threshold	137	137	548	137	82	82
Significant	No	No	No	No	No	No

Source: CalEEMod 2016.3.2, Winter Emissions

**Table 4.2-10
Summer Operational Emissions
(Pounds Per Day)**

Source	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Area	29.4	0.0	0.3	0.0	0.0	0.0
Energy	1.5	14.0	11.8	0.0	1.1	1.0
Mobile	3.2	57.7	32.9	0.2	13.9	3.9
Total Value (lbs/day)	34.2	71.8	45.1	0.2	15.0	4.9
MDAQMD Threshold	137	137	548	137	82	82
Significant	No	No	No	No	No	No

Source: CalEEMod 2016.3.2, Summer Emissions

As shown in Tables 4.2-9 and 4.2-10, operational emissions produced from the Proposed Project would not exceed MDAQMD thresholds and therefore would not result in a significant impact. No operational mitigation measures are required.

To ensure impacts do not exceed thresholds, Mitigation Measure AQ-1 is recommended during the painting phase.

Mitigation Measures:

Mitigation Measure AQ-1

The applicant shall implement at a minimum a 187-day painting schedule.

Level of Significance After Implementation

Implementation of Mitigation Measure AQ-1 would ensure impacts during the construction phase would be less than significant.

Would the project expose sensitive receptors to substantial pollutant concentrations?

Impact AQ-2: The Proposed Project could result in a cumulatively considerable net increase of diesel particulate matter due to the vehicle miles travelled by project-generated trucks.

Urban Crossroads prepared a Health Risk Assessment (HRA), dated December 17, 2020 (refer to Appendix B for the HRA.) The purpose of the HRA is to evaluate Project-related impacts to the nearest sensitive receptors (residents) and workers as a result of heavy-duty diesel trucks accessing the site. The MDAQMD identifies that if a proposed Project is expected to generate/attract heavy-duty diesel trucks, which emit DPM, preparation of a mobile source HRA is recommended. This document serves to meet the MDAQMD's recommendation for preparation of a HRA. The mobile source HRA has been prepared in accordance with the relevant documentation available including *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* and is comprised of all relevant and appropriate procedures presented by the United States Environmental Protection Agency (U.S. EPA), California EPA and MDAQMD. Cancer risk is expressed in terms of expected incremental incidence per million population.

Diesel Particulate Matter

Vehicle DPM emissions were calculated using emission factors for particulate matter less than 10 μ m in diameter (PM₁₀) generated with the 2017 version of the Emission Factor model (EMFAC) developed by the CARB. EMFAC 2017 is a mathematical model that CARB developed to calculate emission rates from motor vehicles that operate on highways, freeways, and local roads in California and is commonly used by the ARB to project changes in future emissions from on-road mobile sources. The most recent version of this model, EMFAC 2017, incorporates regional motor vehicle data, information and estimates regarding the distribution of vehicle miles traveled (VMT) by speed, and number of starts per day.

Several distinct emission processes are included in EMFAC 2017. Emission factors calculated using EMFAC 2017 are expressed in units of grams per vehicle miles traveled (g/VMT) or grams per idle-hour (g/idle-hr), depending on the emission process. For the proposed Project, annual average PM₁₀ emission factors were generated by running EMFAC 2017 for vehicles in the MDAQMD jurisdiction. The EMFAC model generates emission factors in terms of grams of pollutant emit per vehicle activity and can calculate a matrix of emission factors at specific values of temperature, relative humidity, and vehicle speed. The model was run for speeds traveled in the vicinity of the Project. The vehicle travel speeds for each segment modeled are as follows:

- Idling – on-site loading/unloading and truck gate
- 5 miles per hour – on-site vehicle movement including driving and maneuvering
- 25 miles per hour – off-site vehicle movement including driving and maneuvering.

Calculated emission factors are shown at Table 4.2-11. As a conservative measure, a 2022 EMFAC 2017 run was conducted and a static 2022 emissions factor data set was used for the entire duration of analysis herein (e.g., 30 years). Use of 2022 emission factors would overstate potential impacts since this approach assumes that emission factors remain “static” and do not change over time due to fleet turnover or cleaner technology with lower emissions that would be incorporated into vehicles after 2022. Additionally, based on EMFAC 2017, Light-Heavy-Duty Trucks are comprised of 50-percent diesel, Medium-Heavy-Duty Trucks are comprised of 78-percent diesel,

and Heavy-Heavy-Duty Trucks are comprised of 99-percent diesel. Trucks fueled by diesel are accounted for by these percentages accordingly in the emissions factor generation.

Table 4.2-11
2022 Weighted Average DPM Emissions Factors

Speed	Weighted Average
0 (idling)	0.08823 (g/idle-hr)
5	0.02908 (g/s)
25	0.01268 (g/s)

The vehicle DPM exhaust emissions were calculated for running exhaust emissions. The running exhaust emissions were calculated by applying the running exhaust PM₁₀ emission factor (g/VMT) from EMFAC over the total distance traveled. Off-site traffic, on-site vehicle running emissions were calculated by applying the running exhaust PM₁₀ emission factor (g/VMT) from EMFAC and the total vehicle trip number over the length of the driving. In addition, on-site vehicle idling exhaust emissions were calculated by applying the idle exhaust PM₁₀ emission factor (g/idle-hr) from EMFAC and the total truck trip over the total assumed idle time (15 minutes).

Each roadway was modeled as a line source (made up of multiple adjacent volume sources). Due to the large number of volume sources modeled for this analysis, the corresponding coordinates of each volume source have not been included in this report but are included in Appendix B of the HRA. The DPM emission rate for each volume source was calculated by multiplying the emission factor (based on the average travel speed along the roadway) by the number of trips and the distance traveled along each roadway segment and dividing the result by the number of volume sources along that roadway.

The modeling is limited to the Project's primary truck route and includes offsite sources in the study area for approximately 2 miles. This modeling is more inclusive and conservative than using a ¼ mile modeling domain which is the distance supported by several reputable studies which conclude that the greatest potential risks occur within a ¼ mile of the primary source of emissions (in the case of the Project, the primary source of emissions is the on-site idling and on-site travel).

On-site truck idling was estimated to occur as trucks enter and travel through the Project Site. Although the Project's diesel-fueled truck and equipment operators will be required by State law to comply with CARB's idling limit of 5 minutes, staff at SCAQMD recommends that the on-site idling emissions be calculated assuming 15 minutes of truck idling (6), which would consider on-site idling that occurs while the trucks are waiting to pull up to the truck bays, idling at the bays, idling at check-in and check-out, etc. This analysis calculates truck idling at 15 minutes, consistent with SCAQMD's recommendation, even though the Project is not within the jurisdiction of the SCAQMD, these recommendations are relevant for CEQA purposes as MDAQMD does not provide similar guidance.

The TIA identifies that the Project is anticipated to generate approximately 2,150 two-way vehicular trips per day (1,075 inbound and 1,075 outbound), 754 two-way heavy duty diesel truck trips per day (377 inbound and 377 outbound) (2). The HRA evaluated the potential impacts resulting from diesel exhaust from the 754 two-way heavy duty truck trips generated by the Project.

Cancer Risk

The analysis has been conducted in accordance with the guidelines in the HRA Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis. The Environmental Protection Agency's (U.S. EPA's) AERMOD model was utilized. The Lakes AERMOD View (Version 9.9.0) was used to calculate annual average particulate concentrations associated with site operations. Lakes AERMOD View was utilized to incorporate the U.S. EPA's latest AERMOD Version 19191.

The model offers additional flexibility by allowing the user to assign an initial release height and vertical dispersion parameters for mobile sources representative of a roadway. The roadways were modeled as adjacent volume sources. Roadways were modeled using the U.S. EPA's haul route methodology for modeling of on-site and off-site truck movement. The Haul Road Volume Source Calculator in Lakes AERMOD View has been utilized to determine the release height parameters. Based on the US EPA methodology, the Project's modeled sources would result in a release height of 3.49 meters, and an initial lateral dimension of 4.0 meters, and an initial vertical dimension of 3.25 meters.

The model requires additional input parameters including emission data and local meteorology. Meteorological data from the Southern California Logistics Airport monitoring station located in MDAQMD was used to represent local weather conditions and prevailing winds.

Universal Transverse Mercator (UTM) coordinates for World Geodetic System (WGS) 84 were used to locate the Project Site boundaries, each volume source location, and receptor locations in the Project Site's vicinity. The AERMOD dispersion model summary output files for the proposed Project are within the HRA (see Appendix B). Modeled sensitive receptors were placed at residential and non-residential locations.

Receptors may be placed at applicable structure locations for residential and worker property and not necessarily the boundaries of the properties containing these uses as human receptors (residents and workers) spend most of their time at the residence or in the workplace's building, and not on the property line. The primary purpose of receptor placement is focused on long-term exposure. For example, the HRA evaluates the potential health risks to residents and workers over a period of 30 years of exposure, respectively. Therefore, as a conservative measure, receptors were placed at either the outdoor living area or the building façade, whichever is closer to the Project Site.

Receptors include both residential and non-residential (worker) land uses in the vicinity of the Proposed Project. These receptors are included in the HRA as residents and workers may be exposed at these locations over a long-term duration of 30 years of exposure. This methodology is consistent with MDAQMD and OEHHA recommended guidance.

Any impacts to residents located further away from the Project Site or primary truck travel route than the modeled residential receptors would have a lesser impact than what has already been disclosed in the HRA at the Maximally Exposed Individual Receptor (MEIR) as concentrations dissipate with distance.

All receptors were set to existing elevation height so that only ground-level concentrations are analyzed (10). United States Geological Survey (USGS) Digital Elevation Model (DEM) terrain data based on a 7.5-minute topographic quadrangle map series using AERMAP was utilized in the HRA modeling to set elevations.

Discrete variants for daily breathing rates, exposure frequency, and exposure duration were obtained from relevant distribution profiles presented in the 2015 OEHHA Guidelines. Table 4.2-12 summarizes the Exposure Parameters for Residents based on 2015 OEHHA Guidelines. Refer to the HRA for detailed risk assessment calculations.

Table 4.2-12
Exposure Assumptions for Individual Cancer Risk (30 Year Residential)

Age	Daily Breathing Rate (L/kgday)	Age Specific Factor	Exposure Duration (years)	Fraction of Time at Home	Exposure Frequency (days/year)	Exposure Time (hours/day)
-0.25 to 0	361	10	0.25	0.85	350	24
0 to 2	1090	10	2	0.85	350	24
2 to 16	572	3	14	0.72	365	24
16 to 30	261	1	14	0.73	365	24

Excess cancer risks are estimated as the upper-bound incremental probability that an individual will develop cancer over a lifetime as a direct result of exposure to potential carcinogens over a specified exposure duration. The estimated risk is expressed as a unitless probability. The cancer risk attributed to a chemical is calculated by multiplying the chemical intake or dose at the human exchange boundaries (e.g., lungs) by the chemical-specific cancer potency factor (CPF). A risk level of 10 in one million implies a likelihood that up to 10 people, out of one million equally exposed people would contract cancer if exposed continuously (24 hours per day) to the levels of toxic air contaminants over a specified duration of time. Guidance from CARB and the California Environmental Protection Agency, Office of Environmental Health Hazard Assessment (OEHHA) recommends a refinement to the standard point estimate approach when alternate human body weights and breathing rates are utilized to assess risk for susceptible subpopulations such as children. For the inhalation pathway, the procedure requires the incorporation of several discrete variates to effectively quantify dose. Once determined, contaminant dose is multiplied by the cancer potency factor (CPF) in units of inverse dose expressed in milligrams per kilogram per day (mg/kg/day)⁻¹ to derive the cancer risk estimate.

An evaluation of the potential noncarcinogenic effects of chronic exposures was also analyzed. Adverse health effects are evaluated by comparing a compound's annual concentration with its toxicity factor or Reference Exposure Level (REL). The REL for diesel particulates was obtained from OEHHA for this analysis. The chronic reference exposure level (REL) for DPM was established by OEHHA as 5 µg/m³ (OEHHA Toxicity Criteria Database, <http://www.oehha.org/risk/chemicaldb/index.asp>). The hazard index for the respiratory endpoint totaled less than one for all receptors in the project vicinity, and thus is less than significant.

Conclusion

The residential land use with the greatest potential exposure to Project DPM is the existing residential dwelling unit located immediately adjacent to the west of the Project Site, across US Highway 395, adjacent to the Project's primary truck travel route. At the MEIR, the maximum incremental cancer risk attributable to Project DPM source emissions is estimated at 7.91 in one million, which is less than the MDAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be 0.003, which would not exceed the applicable significance threshold of 1.0. As all other modeled residential receptors are exposed to lesser concentrations and are located at a greater distance than the MEIR, and DPM generally dissipates with distance from the source, all other residential receptors in the vicinity of the Project Site would be exposed to less emissions and therefore less risk than the MEIR. Therefore, the Proposed Project will not cause a significant human health or cancer risk to nearby residences and other non-residential land uses.

Would the Project result in other emissions such as those leading to odors) adversely affecting a substantial number of people?

Impact AQ-3: The Proposed Project could result in other emissions not discussed above (such as odors) due to the warehouse construction and operations.

The Proposed Project is the development of a cold-storage warehouse facility. Potential odor sources associated with the Proposed Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities as well as the temporary storage of domestic solid waste associated with the Proposed Project's long-term operational uses.

Standard construction requirements would minimize odor impacts resulting from construction activity. It should be noted that any construction odor emissions generated would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction activity. It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City of Hesperia's solid waste regulations. The Proposed Project would also be required to comply with MDAQMD and City of Hesperia requirements to prevent occurrences of public nuisances. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Would the Project result in cumulatively considerable impacts related to air quality?

Air pollution is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development, and the MDAQMD develops and implements plans for future attainment of ambient air quality standards. Based on these considerations, project-level thresholds of significance for criteria pollutants are relevant in the determination of whether a project's individual emissions would have a cumulatively significant impact on air quality. Individual projects that do not generate operational or construction emissions that exceed the MDAQMD's recommended daily thresholds for project-specific impacts would also not cause a cumulatively considerable increase in emissions for those pollutants for which the MDAB is in

nonattainment, and, therefore, would not be considered to have a significant, adverse air quality impact.

The area of the MDAB in which the Proposed Project is located is a nonattainment area for O₃ and PM₁₀ under the NAAQS and/or CAAQS. The poor air quality in the MDAB is the result of cumulative emissions from motor vehicles, off-road equipment, commercial and industrial facilities, and other emission sources. Projects that emit these pollutants or their precursors (i.e., VOC and NO_x for O₃) potentially contribute to poor air quality. As indicated in Tables 4.2-7 and 4.2-8, daily construction emissions associated with the Project would not exceed the MDAQMD significance thresholds after implementation of mitigation. Project operational-source air pollutant emissions would not exceed regional thresholds and therefore are not cumulatively considerable; no additional mitigation measures are required.

4.3 BIOLOGICAL RESOURCES

4.3.1 Introduction

This section of the EIR discusses Biological Resources known to occur within the region and vicinity of, as well as those existing on the Project Site. In light of the applicable regulatory setting any potentially significant impacts to Biological Resources that could occur as a result of the Proposed Project are identified. Information regarding existing conditions, impacts, and mitigation measures was derived from the *Biological Resources Assessment for the US Cold Storage Facility* prepared by Jennings Environmental, LLC in May 2020 (Appendix C). A Protected Plant Preservation Plan (PPPP), included as an Appendix to the Jennings Environmental report, provides additional support for the analysis.

4.3.2 Environmental Setting

The County of San Bernardino is commonly divided into three distinct areas: the Valley region, the Mountain Region and the Desert Region. The Project Site is located within the City of Hesperia planning area. The City is part of the Desert Region in a distinct biological area as defined by the Mojave Desert and the San Bernardino National Forest.¹ It supports a diverse range of biological resources, including vegetation/plant communities and special status species. A large portion of Hesperia has been developed but several areas may potentially contain biological resources. The Project Site is located in the eastern portion of the northwest portion of Section 15, Township 4 North, Range 5 West and is depicted on the *Baldy Mesa* U.S. Geological Survey's (USGS) 7.5-minute topographic map. It is surrounded by commercial facilities to the west, and vacant parcels to the north, south, and east. The site is bounded by the California Aqueduct to the northeast, Highway 395 to the west, Yucca Terrace Drive to the south and Avenal Street to the north.

Data base research found that the following plant and wildlife species are found to occur in the vicinity of the Project Site.

Special Status Species

According to the California Natural Diversity Data Base (CNDDDB) and other relevant literature and databases, 13 sensitive species and 3 listed species, have been documented in the *Baldy Mesa* and *Hesperia* quads. This list of sensitive species and habitats includes any State and/or federally listed threatened or endangered species, CDFW designated Species of Special Concern (SSC) and otherwise Special Animals. "Special Animals" is a general term that refers to all of the taxa the CNDDDB is interested in tracking, regardless of their legal or protection status. This list is also referred to as the list of "species at risk" or "special status species." The CDFW considers the taxa on this list to be those of greatest conservation need.

Sensitive Plant Species

All CNDDDB sensitive plant species documented in the *Baldy Mesa* and *Hesperia* quad is provided in Table 4.3-1. Appendix C provides an analysis taking into account species range as well as

¹ City of Hesperia General Plan, 2010. Page CN-20. Accessed May 6, 2020.

documentation within the vicinity of the project area and includes the habitat requirements for each species and the potential for their occurrence on the Project Site, based on required habitat elements and range relative to the current site conditions.

**Table 4.3-1
CNDDDB Plant Species Documented to Occur
in Baldy Mesa and Hesperia Quadrangles**

Scientific Name	Common Name	Federal and State Status	Other Status	Habitat
<i>Canbya candida</i>	white pygmy-poppy	None, None	G3G4, S3S4, 4.2	Joshua tree woodland, Mojavean desert scrub, pinyon and juniper woodland. Gravelly, sandy, granitic places. 600-1460 m.
<i>Eremothera boothii</i> ssp. <i>boothii</i>	Booth's evening-primrose	None, None	G5T4, S3, 2B.3	Joshua tree woodland, pinyon and juniper woodland. 285-2290 m.
<i>Loeflingia squarrosa</i> var. <i>artemisiarum</i>	sagebrush loeflingia	None, None	G5T3, S2, 2B.2	Great Basin scrub, Sonoran desert scrub, desert dunes. Sandy flats and dunes. Sandy areas around clay slicks w/Sarcobatus, Atriplex, Tetradymia, etc. 700-1615 m.
<i>Opuntia basilaris</i> var. <i>brachyclada</i>	short-joint beavertail	None, None	G5T3, S3, 1B.2	Chaparral, Joshua tree woodland, Mojavean desert scrub, pinyon and juniper woodland. Sandy soil or coarse, granitic loam. 425-2015 m.

Source: Jennings Environmental, LLC. Biological Resources Assessment for the US Cold Storage Facility Hesperia, California.

Sensitive Wildlife Species

The potential for the occurrence of all CNDDDB sensitive wildlife species documented in the *Baldy Mesa* and *Hesperia* quad is provided in Table 4.3-2. The potential for occurrence at the Project Site is provided in Appendix C.

**Table 4.3-2
CNDDDB Wildlife Species Documented to Occur
in Baldy Mesa and Hesperia Quadrangles**

Scientific Name	Common Name	Federal and State Status	Other Status	Habitat
<i>Accipiter cooperii</i>	Cooper's hawk	None, None	G5, S4, CDFW-WL	Woodland, chiefly of open, interrupted or marginal type. Nest sites mainly in riparian growths of deciduous trees, as in canyon bottoms on river flood-plains; also, live oaks.
<i>Antrozous pallidus</i>	pallid bat	None, None	G5, S3, CDFW-SSC	Deserts, grasslands, shrublands, woodlands and forests. Most common in open, dry habitats with rocky areas for roosting. Roosts must protect bats from high temperatures. Very sensitive to disturbance of roosting sites.
<i>Asio otus</i>	long-eared owl	None, None	G5, S3?, CDFW-SSC	Riparian bottomlands grown to tall willows and cottonwoods; also, belts of live oak paralleling stream courses. Require adjacent open land, productive of mice and the presence of old nests of crows, hawks, or magpies for breeding.
<i>Athene cunicularia</i>	burrowing owl	None, None	G4, S3, CDFW-SSC	Open, dry annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. Subterranean nester, dependent upon burrowing mammals, most notably, the California ground squirrel.
<i>Gopherus agassizii</i>	desert tortoise	Threatened, Threatened	G3, S2S3	Most common in desert scrub, desert wash, and Joshua tree habitats; occurs in almost every desert habitat. Require friable soil for burrow and nest construction. Creosote bush habitat with

Scientific Name	Common Name	Federal and State Status	Other Status	Habitat
				large annual wildflower blooms preferred.
<i>Lanius ludovicianus</i>	loggerhead shrike	None, None	G4, S4, CDFW-SSC	Broken woodlands, savannah, pinyon-juniper, Joshua tree, and riparian woodlands, desert oases, scrub & washes. Prefers open country for hunting, with perches for scanning, and fairly dense shrubs and brush for nesting.
<i>Phrynosoma blainvillii</i>	coast horned lizard	None, None	G3G4, S3S4, CDFW-SSC	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes. Open areas for sunning, bushes for cover, patches of loose soil for burial, and abundant supply of ants and other insects.
<i>Setophaga petechia</i>	yellow warbler	None, None	G5, S3S4, CDFW-SSC	Riparian plant associations in close proximity to water. Also nests in montane shrubbery in open conifer forests in Cascades and Sierra Nevada. Frequently found nesting and foraging in willow shrubs and thickets, and in other riparian plants including cottonwoods, sycamores, ash, and alders.
<i>Siphateles bicolor mohavensis</i>	Mohave tui chub	Endangered, Endangered	G4T1, S1, CDFW-FP	Endemic to the Mojave River basin, adapted to alkaline, mineralized waters. Needs deep pools, ponds, or slough-like areas. Needs vegetation for spawning.
<i>Toxostoma lecontei</i>	Le Conte's thrasher	None, None	G4, S3, CDFW-SSC	Desert resident; primarily of open desert wash, desert scrub, alkali desert scrub, and desert succulent scrub habitats. Commonly nests in a dense, spiny shrub or densely branched

Scientific Name	Common Name	Federal and State Status	Other Status	Habitat
				cactus in desert wash habitat, usually 2-8 feet above ground.
<i>Vireo vicinior</i>	gray vireo	None, None	G4, S2, CDFW-SSC	Dry chaparral; west of desert, in chamise-dominated habitat; mountains of Mojave Desert, associated with juniper & Artemisia. Forage, nest, and sing in areas formed by a continuous growth of twigs, 1-5 ft above ground.
<i>Xerospermophilus mohavensis</i>	Mohave ground squirrel	None, Threatened	G2G3, S2S3	Open desert scrub, alkali scrub & Joshua tree woodland. Also feeds in annual grasslands. Restricted to Mojave Desert. Prefers sandy to gravelly soils, avoids rocky areas. Uses burrows at base of shrubs for cover. Nests are in burrows.

Source: Jennings Environmental, LLC. Biological Resources Assessment for the US Cold Storage Facility Hesperia, California.

4.3.3 Applicable Plans, Policies, and Regulations

Federal

Endangered Species Act. The Purpose of the ESA is to protect and recover threatened and endangered species and the ecosystems upon which they depend. Actions that jeopardize federally listed species and the habitats upon which they depend are considered a “take” under the ESA and are prohibited without a special permit. The ESA provides a program for the conservation of threatened and endangered plants and animals and their habitats. The U.S. Fish and Wildlife Service (FWS) and U.S. National Oceanic and Atmospheric Administration (NOAA) Fisheries Service are lead federal agencies for implementing ESA. The FWS maintains a worldwide list of endangered species. The ESA requires federal agencies, in consultation with the FWS and MPAA Fisheries Service to ensure that actions they authorize, fund or carry out are not likely to jeopardize the continued existence of any listed species or result in the destruction or adverse modification of designated critical habitat of such species.

Clean Water Act. The United States Army Corps of Engineers (USACE) regulates the discharge of dredged and/or fill material into waters of the United States. The term “waters of the United

States” is defined by 33 Code of Federal Regulations (CFR) Part 328 and currently includes: (1) the territorial seas, and waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including waters which are subject to the ebb and flow of the tide; (2) tributaries; (3) lakes and ponds, and impoundments of jurisdictional waters; and (4) adjacent wetlands. As currently defined, Waters of the United States do not include features such as: groundwater; diffuse stormwater run-off and directional sheet flow over upland; prior converted cropland; artificially irrigated areas; artificial lakes and ponds; or waste treatment systems. Waters of the United States typically are separated into two types: (1) wetlands and (2) “other waters” (non-wetlands) of the United States.

Migratory Bird Treaty Act

The MBTA implements four international conservation treaties that the U.S. entered into with Canada, Mexico, Japan, and Russia. The purpose of the treaty is to ensure sustainability of populations of all protected migratory bird species. The MBTA prohibits activities such as hunting, pursuing, killing, capturing, selling, and shipping of the birds, any of their parts, eggs and nests unless expressly authorized in the regulation or by permit.

Bald and Golden Eagle Protection Act.² This law provides protection for the bald eagle and golden eagle. By prohibiting anyone without a permit issued by the Secretary of the Interior from “taking” bald eagles, including their parts, nests or eggs. ‘Take’ is defined as “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb.” The Act prohibits the take, possession, sale, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, of any bald or golden eagle, alive or dead, including any part, nest, egg, unless allowed by a permit.

State

California Endangered Species Act. This law conserves and protects plant and animal species at risk of extinction. Plant and animal species may be designated threatened or endangered under the California Endangered Species Act (CESA) after a formal listing process by the California Fish and Game Commission. A CESA-listed or candidate species, or any part or product of the plant or animal, may not be imported into the state, exported out of the state, “taken” (i.e., killed, possessed, purchased, or sold) without proper authorization. Incidental Take Permits (ITPs) issued under Section 2081 allow a permittee to take a CESA-listed or candidate species if such taking is incidental to, and not the purpose of, carrying out an otherwise lawful activity. Impacts of the authorized take must be minimized and fully mitigated with “measures roughly proportional in extent” to their impact on the species. These permits are most commonly issued for construction, utility, transportation, and other infrastructure-related projects. Permittees must implement species-specific minimization and avoidance measures, and fully mitigate the impacts of the project. CESA also mandates that state agencies not approve proposed projects that would jeopardize the continued existence of threatened or endangered species if reasonable and prudent alternatives are available that would avoid jeopardy.

² United States Fish and Wildlife Service. Laws that Protect Bald Eagles.
<https://www.fws.gov/midwest/eagle/history/protections.html>

California Statewide Desert Tortoise Management Policy. The desert tortoise is a State and federally listed threatened species. Throughout its range, it is threatened by habitat loss, domestic grazing, predation, collections, and increased mortality rates. The desert tortoise is typically found in creosote bush scrub. They are most often found on level or sloped ground where the substrate is firm but not too rocky. Tortoise burrows are typically found at the base of shrubs, in the sides of washes and hillsides. Because a single tortoise may have many burrows distributed throughout its home range, it is not possible to predict the exact numbers of individuals on a site based upon burrow numbers.

In 1992 the US Bureau of Land Management issued the *California Statewide Desert Tortoise Management Policy* which included categorizing habitat into three levels of classification. The management goal for Category I areas is to maintain stable, viable populations and to increase the population where possible. The management goal for Category II areas is to maintain stable, viable populations. The management goal for Category III areas is to limit population declines to the extent feasible. In April 1993, the BLM amended the California Desert Conservation Area (CDCA) plan to delineate these three categories of desert tortoise habitat on public lands. Although habitat categories apply only to public lands administered by the BLM, regulatory agencies typically determine habitat compensation ratios based on the nearest BLM habitat categories (Desert Tortoise Compensation Team 1991). With the adoption of the West Mojave Plan (U.S. Bureau of Land Management 2005), all lands that are outside Desert Wildlife Management Areas, including the subject parcel, are characterized as Category 3 Habitat, which is the lowest priority management area for viable populations of the desert tortoise.

California Porter-Cologne Water Quality Control Act. The State of California regulates the discharge of material into waters of the State pursuant to the California Porter-Cologne Water Quality Control Act. Waters of the State are defined by Porter-Cologne as “any surface water or groundwater, including saline waters, within the boundaries of the state” (Water Code Section 13050(e)). Waters of the State broadly includes all waters within the State’s boundaries (public or private), including waters in both natural and artificial channels. Under Porter-Cologne, the State Water Resources Control Board (SWRCB) and the local Regional Water Quality Control Boards (RWQCB) regulate the discharge of waste into waters of the State. Discharges of waste include “fill, any material resulting from human activity, or any other ‘discharge’ that may directly or indirectly impact ‘waters of the state.’” Porter-Cologne reserves the right for the State to regulate activities that could affect the quantity and/or quality of surface and/or groundwaters, including isolated wetlands, within the State. Wetlands were defined as waters of the State if they demonstrated both wetland hydrology and hydric soils. Waters of the State determined to be jurisdictional for these purposes require, if impacted, waste discharge requirements (WDRs).

When an activity results in fill or discharge directly below the Ordinary High Water Mark (OHWM) of jurisdictional waters of the United States (federal jurisdiction), including wetlands, a CWA Section 401 Water Quality Certification is required. If a proposed project is not subject to CWA Section 401 certification but involves activities that may result in a discharge to waters of the State, the project may still be regulated under Porter-Cologne and may be subject to waste discharge requirements. In cases where waters apply to both CWA and Porter-Cologne, RWQCB may consolidate permitting requirements to one permit.

California Fish and Game Code³

Fish and Wildlife

Pursuant to California Fish and Game Code Sections 1801 and 1802, populations of the wildlife species under the jurisdiction and influence of the state are to be maintained. The CDFW has jurisdiction over the conservation, protection and management of fish and wildlife and habitat necessary for biologically sustainable populations of those species. The CDFW, as a trustee of fish and wildlife resources, shall consult with lead and responsible agencies, and review and comment on environmental documents and impacts resulting from proposed developments.

Fully Protected Species

California Fish and Game Code Sections 3511, 4700, 5050 and 5515 designate certain species as Fully Protected in California. These species that are rare or face possible extinction are given additional protection. Most Fully Protected Species have been listed (or are candidates for listing) as threatened or endangered under CESA. Fully protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research, relocation of bird species for the protection of livestock, or if they are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan (NCCP).

Native Bird Protection

California Fish and Game Code Sections 3503, 3503.5 and 3513 protect native birds. It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto. It is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto. It is unlawful to take or possess any migratory nongame bird as designated in the federal Migratory Bird Treaty Act, except as provided by rules and regulations adopted by the United States Secretary of the Interior under that federal act.

Rivers, Streams and Lakes

Pursuant to Division 2, Chapter 6, Sections 1600-1602 of the California Fish and Game Code, CDFW regulates all diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake, which supports fish or wildlife. Fully-protected species under the Fish and Game Code may not be taken or possessed at any time and no licenses or permit may be issued for their take except for collecting these species for necessary scientific research and relocated of the bird species for the protection of livestock, or through the Natural Community Conservation Plan process.

CDFW defines a “stream” (including creeks and rivers) as “a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having surface or subsurface flow that supports or has supported riparian vegetation” (California Code of Regulations, Title 14, Section 1.72). The

³ <https://biologistshandbook.com/regulations/state-regulations/state-fish-and-game-code/>

jurisdiction of CDFW may include areas in or near intermittent streams, ephemeral streams, rivers, creeks, dry washes, sloughs, blue-line streams that are indicated on USGS maps, watercourses that may contain subsurface flows, or within the flood plain of a water body. CDFW's definition of "lake" includes "natural lakes or man-made reservoirs." CDFW limits of jurisdiction typically include the maximum extents of the uppermost bank-to-bank distance and/or the outermost extent of riparian vegetation dripline, whichever measurement is greater.

In a CDFW guidance of stream processes and forms in dryland watersheds, streams are identified as having one or more channels that may all be active or receive water only during some high flow event. Subordinate features, such as low flow channels, active channels, banks associated with secondary channels, floodplains, and stream-associated vegetation, may occur within the bounds of a single, larger channel. The water course is defined by the topography or elevations of land that confine a stream to a definite course when its waters rise to their highest level. A watercourse is defined as a stream with boundaries defined by the maximal extent or expression on the landscape even though flow may otherwise be intermittent or ephemeral.

Artificial waterways such as ditches (including roadside ditches), canals, aqueducts, irrigation ditches, and other artificially created water conveyance systems also may be under the jurisdiction of CDFW. CDFW may claim jurisdiction over these features based on the presence of habitat characteristics suitable to support aquatic life, riparian vegetation, and/or stream-dependent terrestrial wildlife. As with natural waterways, the limit of CDFW jurisdiction of artificial waterways includes the uppermost bank-to-bank distance and/or the outermost extent of riparian vegetation dripline, whichever measurement is greater.

CDFW does not have jurisdiction over wetlands that are not part of a lake, stream, or other feature regulated under Section 1600 et seq. of the Fish and Game Code, but has jurisdiction to protect against a net loss of wetlands. CDFW supports the wetland criteria recognized by the U.S. Fish and Wildlife Service (USFWS); one or more indicators of wetland conditions must exist for wetlands conditions to be considered present.

In a clarification of the USFWS's wetland definition, the USFWS definition was further clarified "that in order for any area to be classified as wetland by the Service, the area must be periodically saturated or covered by shallow water, whether wetland vegetation and/or hydric soils are present or not; this hydrologic requirement is addressed in the first sentence of the definition." When considering whether an action would result in a net loss of wetlands, CDFW will extend jurisdiction to USFWS-defined wetland conditions where such conditions exist within the riparian vegetation that is associated with a stream or lake and does not depend on whether those features meet the three-parameter USACE methodology of wetland determination. If impacts to wetlands under the jurisdiction of CDFW are unavoidable, a mitigation plan would be implemented in coordination with CDFW to offset the loss of wetland habitat.

California Desert Native Plant Act (CDNPA). The purpose of this law is to protect certain species of California desert native plants from unlawful harvesting on both public and private lands. It contains provisions to legally harvest native plants so as to ultimately transplant them with the greatest possible chance of survival. The CDNPA applies to lands within certain California counties, including San Bernardino. The CNDPA prohibits the harvest, transport, sale, or

possession of specific native desert plants unless a person has a valid permit or wood receipt, and the required tags and seals.⁴

Local

Hesperia Municipal Code⁵

Provisions of the Hesperia, California City Development Code (Title 16 of the Municipal Code) are relevant to analysis in this section of the EIR. Chapter 16.24 specifically addresses the protection of native tree and plant resources. The Code requires that any land use application, building permit or other development permit consider and include a review of any proposed native tree or plant removal. The applicant must submit a plot plan or grading plan for each site indicating exactly which trees or plants are authorized to be removed, which the City must approve prior to the issuance of any such permit. In addition, a preconstruction inspection is required prior to approval of development permits. The City may also require certification from a tree or plant expert that tree removals are “appropriate and supportive of a healthy environment.”

Any permit approving native tree or plant removal must include a finding that the removal of the native tree or plant does not have a significant adverse impact on any proposed mitigation measures, soil retention, soil erosion and sediment control measures, scenic routes, flood and surface water runoff and wildlife habitats (flora and fauna), especially those with limited habitats (e.g., eagles). It must be justified by one of five enumerated reasons, including that the native plant or tree is “adjacent to and in such close proximity to existing or proposed structure that the native plant or tree has or will sustain significant damage.” And, a permit must include a finding that all Joshua trees have been transplanted or stockpiled for future transplanting wherever possible, and that the permittee has posted a bond to insure such Joshua trees are transplanted appropriately if stockpiled. City construction standards apply prohibiting the enclosure of native tree trunks and plants within roof lines or decking; the abrasion or penetration of any live native tree or plant by utilities, construction signs, or other hardware; and grade alterations which bury any portion of a native tree or plant or significantly undercuts the root system within the drip line.

Consistent with these requirements, RCA Associates, Inc., a contractor on the City’s approved list, was hired to conduct a survey of Joshua trees and to develop recommendations for preserving protected plants.

City of Hesperia General Plan

The following implementation policies of the City General Plan are relevant to the analysis provided in this section of the EIR.

Goal CN-4: Establish policies and regulations to protect the natural environment and habitat of the City’s biological resources.

⁴ California Department of Fish and Wildlife. California Laws Protecting Native Plants. <https://wildlife.ca.gov/Conservation/Plants/Laws>. Accessed May 8, 2020.

⁵ Title 16 of Hesperia Municipal Code Codified through Ordinance No. 2020-10

Policy CN-4.1: Preserve pristine open spaces areas and known wildlife corridors areas for conservation to protect sensitive species and their habitats.

Policy CN-4.2: Encourage the protection, preservation and long-term viability of environmentally sensitive habitats and species in the City.

Policy CN-4.3: Identify lands that are suitable for preservation for sensitive species and their habitats.

Policy CN-4.4: In those areas known as possible habitat for endangered and sensitive species, require proper assessments before authorizing development.

Policy CN-4.5: Where such assessments indicate the presence of endangered or sensitive species, require appropriate actions to preserve the habitat and protect the identified species.

Main Street and Freeway Corridor Specific Plan

Section II, Chapter 11 of the Main Street and Freeway Corridor Specific Plan provides standards and guidelines for designing new industrial developments. Considering environmental impacts, significant existing trees, vegetation and other natural site attributes should be preserved to the greatest extent possible in the design and development of the industrial project. Site design that requires altering landforms and removing trees is discouraged.

4.3.4 Thresholds of Significance

The Initial Study Checklist for the Proposed Project was utilized to identify the primary thresholds of significance relating to CEQA issues. As such, the Proposed Project would have a significant effect associated with Biological Resources if it would:

Have substantial adverse effects, 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.

Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service.

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.

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.

Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community conservation Plan, or other approved local, regional, or State habitat conservation plan.

4.3.5 Project Impact Analysis and Mitigation Measures

In addition to the CEQA Appendix G analyses, a review of City Development Code requirements and consistency with City goals and policies pertaining to biological resources as identified in the City General Plan and the Main Street and Freeway Corridor Specific Plan. Based on the description of the Proposed Project (refer to Chapter 3) and the analyses provided herein, the Proposed Project has been determined to be consistent with City requirements and policies based on the results of the following studies:

- A Biological Assessment prepared for the Proposed Project.
- A Native Desert Plant Protection Plan prepared for the Proposed Project.
- The Biological Review prepared for use in complying with the California Environmental Quality Act.
- The Project Site survey by certified biologists, including recommended mitigation measures are recommended.
- Joshua tree survey and relocation assessment, finding that 69 of the 135 trees on-site (51%) to be suitable for transplanting. For Joshua trees, preservation or other mitigation will be determined via an Incidental Take Permit.

4.3.5.1 Issues Identified to Have No Impact or Less Than Significant Impact

The Initial Study Checklist for the Proposed Project that was circulated with a Notice of Preparation (NOP) did not identify any threshold areas where no impacts or less than significant impacts would occur as a result of the Proposed Project. No additional information was received during the NOP review period that could change the conclusions of the Initial Study.

4.3.5.2 Issues Determined to Have Potentially Significant Impacts

As a result of the analysis conducted for the Draft EIR, it was determined that the following issues associated with Biological Resources have the potential for resulting in significant impacts. Each analysis is followed by recommended mitigation measures and the level of significance that would occur following implementation of the mitigation measures.

Would the Project have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

Impact BIO-1: The Proposed Project could result in habitat modifications or removal of habitat for protected species including the desert tortoise, Mohave ground squirrel, burrowing owl, nesting birds, desert native plants, and the Joshua tree.

All CNDDDB sensitive species documented in the *Baldy Mesa* and *Hesperia* quad is provided above in Tables 4.3-1 and 4.3-2. According to the databases, no sensitive habitat, including USFWS designated critical habitat, occurs within or adjacent to the Project Site.

On October 9, 2020, the western Joshua tree became a candidate species under CESA, upon publication of a notice that the California Fish and Game Commission determined that its listing as threatened or endangered under CESA may be warranted. This notice commenced a one-year status review of the species by the CDFW, which will inform the Commission's final decision regarding listing. During the status review, the western Joshua tree is protected under CESA as a candidate species, and an ITP is required for any project that will cause take of the species. The species has not yet been listed in the CNDDDB, so is not included in Table 4.3-1. No other State and/or federally listed threatened or endangered plant species or other sensitive species were observed on-site during field surveys.

All plant species observed within the Project Site are listed in Table 4.3-3. The Project Site contains Joshua trees, which are subject to the City Development Code Chapter 16.24 – Protected Plants as well as protections for candidate species under CESA. A City-approved contractor was hired to draft a Protected Plant Preservation Plan (PPPP) in accordance with the City Development Code. The contractor's report indicated that there are 135 Joshua trees present on-site and 69 of the trees are suitable for relocation/transplantation (43 on the northerly parcel and 69 on the southerly parcels). The remainder of the list contains common and invasive species that are not afforded any legal protections. Therefore, an impact analysis for each is not required nor included herein.

Table 4.3-3
Plant Species Observed On-Site

Common Name	Scientific Name
bristly fiddleneck	<i>Amsinckia tessellata</i>
coastal heron's bill	<i>Erodium cicutarium</i>
western Joshua trees	<i>Yucca brevifolia</i>
rubber rabbitbrush	<i>Ericameria nauseosa</i>
Baker's goldfield	<i>Lasthenia californica</i>
ripgut brome	<i>Bromus diandrus</i>
California juniper	<i>Juniperus californica</i>
creosote bush	<i>Larrea tridentata</i>
California poppy	<i>Eschscholzia californica</i>
Mormon tea	<i>Ephedra aspera</i>
silver cholla	<i>Cylindropuntia echinocarpa</i>
California buckwheat	<i>Eriogonum fasciculatum</i>
four-winged saltbush	<i>Atriplex canescens</i> var. <i>angustifolia</i>
manna tree	<i>Alhagi sparsifolia</i>

Source: Jennings Environmental, LLC. Biological Resources Assessment for the US Cold Storage Facility Hesperia, California.

The Project Site is located within a relatively undeveloped area of the City of Hesperia and surrounded by a mixture of commercial development and undeveloped land. Portions of the site have been previously disturbed by grading and off-road vehicle use, making it unsuitable for most burrowing animals. A comprehensive list of the wildlife species observed during the survey is provided in Table 4.3-4. No State and/or federally listed threatened or endangered wildlife species or other sensitive species were observed on-site during surveys.

**Table 4.3-4
Wildlife Species Observed On-Site**

Common Name	Scientific Name
<u>Birds</u>	
common raven	<i>Corvus corax</i>
American crow	<i>Corvus brachyrhynchos</i>
house sparrow	<i>Passer domesticus</i>
house finch	<i>Haemorhous mexicanus</i>
songs sparrow	<i>Melospiza melodia</i>
cactus wren	<i>Campylorhynchus brunneicapillus</i>
red-tailed hawk	<i>Buteo jamaicensis</i>
<u>Mammals</u>	
black-tailed jackrabbit	<i>Lepus californicus</i>

Source: Jennings Environmental, LLC. Biological Resources Assessment for the US Cold Storage Facility Hesperia, California.

Other Species of Concern in Vicinity/Project Site

Desert Tortoise

The desert tortoise is typically found in creosote bush scrub. They are most often found on level or sloped ground where the substrate is firm but not too rocky. Tortoise burrows are typically found at the base of shrubs, in the sides of washes and hillsides. Because a single tortoise may have many burrows distributed throughout its home range, it is not possible to predict the exact numbers of individuals on a site based upon burrow numbers.

The desert tortoise is a State and federally listed threatened species. The potential for desert tortoise to occur on the Project Site is low. No suitable habitat for desert tortoise exists within the Project Site or surrounding area. There are no documented desert tortoise occurrences within the Project Site or the surrounding area, and this species is not expected to occur within the project area. The Project Site is situated west of the I-15, and south the California Aqueduct, both of which provide an impermeable barrier to potential desert tortoise movement. Due to the high level of human disturbance as well as the presence of ravens, the Project Site and immediate vicinity are no longer considered suitable habitat for the desert tortoise. Therefore, no potential direct or indirect impacts

to desert tortoise can be identified, and presence/absence surveys for this species are not warranted or recommended.

Mohave Ground Squirrel

The Mohave ground squirrel (MGS) is a State listed threatened species. It is endemic to 2 million hectares in the western Mojave Desert and typically inhabits sandy soils of alkali sink and creosote bush scrub habitat. In much of this region, the geographic range of the species is considered to lie west of the Mojave River. However, in the Victorville and Barstow areas, there are records of MGS occurrence on the east side of the Mojave River. MGS is listed as threatened by CDFW due to habitat loss, fragmentation, and deterioration.

Although a focused MGS trapping survey was not performed, Jennings conducted an MGS habitat assessment of the Project Site. The habitat assessment for MGS included a pedestrian field assessment, a review of reported occurrences of the MGS in the region (CNDDDB, 2020), and adherence to CDFW's criteria for assessing potential impacts to the Mohave ground squirrel. The criteria questions are as follows:

1. Is the site within the range of the MGS?;
2. Is there native habitat with a relatively diverse shrub component?; and
3. Is the site surrounded by development and therefore isolated from potentially occupied habitat?

The Project Site falls within the historic range of the MGS but is located outside, to the south, of the MGS Conservation Area set forth in the West Mojave Plan.

According to the CNDDDB, MGS was historically documented (2005) within one mile northwest of the Project Site on the opposite side of the California Aqueduct. Numerous protocol MGS trapping grids were sampled in the vicinity of the project area between 1998 and 2007. MGS was not detected and were considered absent during those protocol trapping sessions (Leitner 2008). Suitable habitat for this species does not exist within the Project Area. Occurrence potential for the MGS on the Project Site is low. Additionally, no ground squirrels of any species were observed on-site or within the project buffer.

The findings of a focused MGS Habitat Assessment prepared by Philippe Vergne also confirm the site is not suitable for the species. Therefore, it is assumed that the site is not occupied by MGS and no potential direct or indirect impacts to the species can be identified. Focused presence/absence surveys for this species are not warranted or recommended.

Mohave Tui Chub

The Mohave tui chub is a State and federally listed endangered species. Mohave tui chub is endemic to the Mojave River basin and is adapted to alkaline, mineralized waters. Historically, the Mohave tui chub occurred in deep pools and sloughs of the Mojave River. As of December 2007, the State and federally listed endangered Mohave tui chub are only known to occur at Soda Springs, China Lake Naval Air Weapons Station (Lark Seep), and Camp Cady. Mohave tui chub has been extirpated from the Mojave River and its tributaries.

The only documented occurrence for this species within the project vicinity, according to the CNDDDB, is a historic record from 1967. The potential for this species to occur on the Project Site is low. The Project Site does not contain suitable habitat for this species, as no water is present on-site, and evidence of surface flow was not found. Therefore, this species is considered absent from the Project Site and no potential direct or indirect impacts to Mohave tui chub can be identified.

Burrowing Owl

The burrowing owl (BUOW) is a state and federal Special Species of Concern (SSC). It is a ground-dwelling owl typically found in arid prairies, fields, and open areas where vegetation is sparse and low to the ground. The BUOW is heavily dependent upon the presence of mammal burrows, with ground squirrel burrows being a common choice, in its habitat to provide shelter from predators, inclement weather, and to provide a nesting place. They are also known to make use of human-created structures, such as cement culverts and pipes, for burrows.

BUOW spend a great deal of time standing on dirt mounds at the entrance to a burrow or perched on a fence post or other low to the ground perch from which they hunt for prey. They are active during the day and night but are considered a crepuscular owl; generally observed in the early morning hours or at twilight. The breeding season for BUOW is February 1 through August 31. Up to 11, but typically 7 to 9, eggs are laid in a burrow, abandoned pipe, or other subterranean hollows where incubation is complete in 28-30 days. Young BUOW fledge in 44 days. The BUOW is considered a migratory species in portions of its range, which includes western North America from Canada to Mexico, and east to Texas and Louisiana. BUOW populations in California are considered to be sedentary or locally migratory.

Suitable habitat for the burrowing owl exists within the project area. There is a moderate potential for this species to occur on the Project Site. Although the Project Site is partially disturbed, the conditions present onsite are marginally suitable for BUOW. The assessment survey was structured, in part, to detect BUOW, which has been observed in the near vicinity of the Project Site (within 2 miles). The survey consisted of walking transects spaced to provide 100 percent visual coverage of the Project Site. The result of the survey was that no evidence of BUOW was found in the survey area. No burrows of appropriate size, aspect, or shape were located and no BUOW pellets, feathers, or whitewash were found. No burrowing owl individuals were observed.

According to the CNDDDB, there are nine documented occurrences of BUOW within the *Baldy Mesa* quad. The nearest documented BUOW occurrences, 1989 and 2006, are approximately 1.8 miles south and north of the Project Site, respectively. Although no BUOW individuals were observed during the field surveys, the Project Site and adjacent area surrounding area does contain some habitat that would be considered suitable for BUOW. Therefore, implementation of mitigation measure BIO-2 could mitigate potential direct impacts to BUOW to less than significant level.

Nesting Birds

There is some habitat within the Project Site and adjacent area that is suitable for nesting birds, in general. To avoid potentially significant impacts on nesting birds, mitigation measure BIO-3 should be implemented.

Protected Desert Plant Species

The Project Site has been previously disturbed with activities like dumping and off-road vehicle use. 135 Joshua trees are found within the Project Site. These trees are considered a significant resource and are protected under the Desert Plant Protection Act. Chapter 16.24 of the City Development Code lists native desert plant species that are protected under the code, including Joshua trees. It also lists the different requirements that must be followed in order for a project to receive approval under the City Development Code, including a requirement for transplanting or stockpiling Joshua trees whenever possible. Consistent with these requirements, RCA Associates Inc. was hired to conduct a survey of Joshua trees. The purpose of the survey was to evaluate the Joshua trees present on the site, and determine which trees were suitable for relocation (see Figure 4.3-1 Location of Joshua Trees). Subsequently, RCA Associates, Inc. prepared a PPPP for the City of Hesperia to approve and direct the Project Applicant with relocation of the Joshua trees. The PPPP identified 69 trees suitable for transplantation.

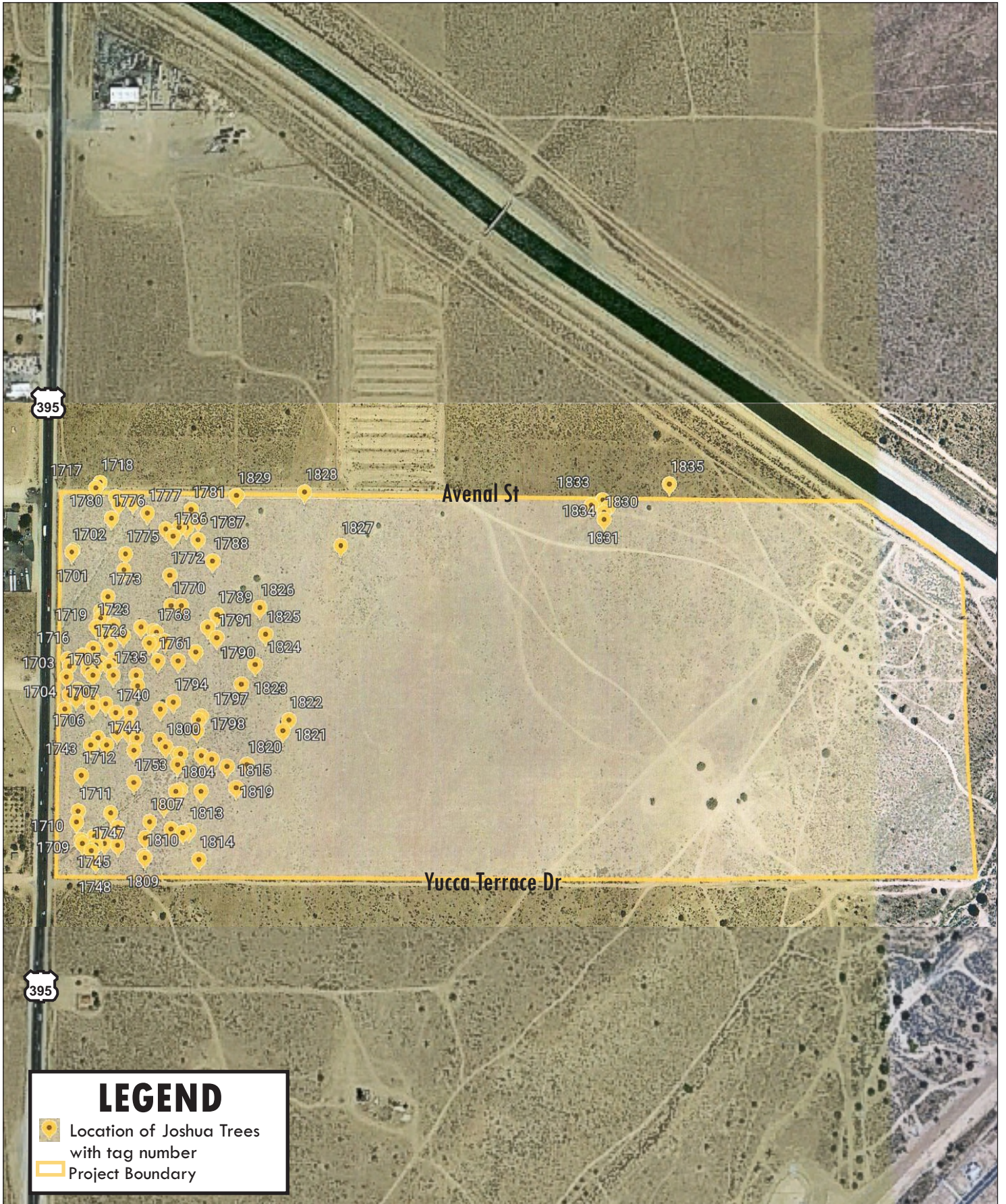
Because the western Joshua tree is a candidate species in the initial stages of consideration for listing as threatened or endangered under CESA, an application for an ITP will be submitted to the CDFW. An ITP establishes a performance standard requiring that the impacts be “minimized and fully mitigated” with “measures that are roughly proportional in extent to the impact of the authorized taking on the species.”⁶ Therefore, additional mitigation measures, such as the purchase of credits from a conservation or mitigation bank or entry into a conservation easement, will be determined in consultation with CDFW to meet ITP requirements. Because the western Joshua tree was designated as a candidate species in October 2020 and is still subject to a status review by the CDFW, it is impractical to determine the specific details of mitigation, beyond compliance with the ITP.⁷

Implementation of the Mitigation Measure BIO-1 would reduce impacts to Joshua trees to less than significant by transplanting approximately half of the Joshua trees on the Project Site (refer to Table 4-1 of the PPPP) for compliance with the California Desert Natives Plants Act and the City of Hesperia Protected Plant Ordinance. Impacts would also be mitigated through the candidate species listing by the issuance of a Section 2081 Permit by the CDFW.

No other plants protected by the California Desert Natives Plants Act and the City of Hesperia Protected Plant Ordinance were observed on the Project Site.

⁶ Fish & G. Code § 2081(b); Cal. Code Regs., tit. 14, §§ 783.2-783.8

⁷ Cal. Code Regs. tit. 14 § 15126.4.



Source: Jennings Environmental LLC. Protected Plant Preservation Plan. April 22, 2020.

LOCATION OF JOSHUA TREES ON PROJECT SITE

United States Cold Storage Hesperia
Hesperia, California

Mitigation Measures:**Mitigation Measure BIO-1**

A California Fish and Game Code Section 2081 Incidental Take Permit has been applied for to allow for incidental take of the Joshua trees. A Habitat Mitigation and Monitoring Plan will be prepared at the direction of CDFW. The approved Plan will serve as the Basis of a Protected Plant Preservation Plan for use by the City.

Mitigation Measure BIO-2

A preconstruction BUOW survey will be conducted within 30-days prior to construction to avoid any potential project-related impacts to this species. If burrowing owls are documented on-site, the Applicant shall prepare and implement a plan for avoidance or passive exclusion, in coordination with CDFW. Methodology for surveys, impact analysis, and reporting shall follow the recommendations and guidelines provided within the California Department of Fish and Game Staff Report on Burrowing Owl Mitigation (CDFW 2012 Staff Report).

Mitigation Measure BIO-3

Nesting bird surveys shall be conducted prior to any construction activities taking place, including Joshua tree transplanting, during the nesting season (March 15th to September 15th) to avoid potentially taking any birds or active nests. A worker awareness training program will also be required for construction activities that occur during the nesting season. A project-specific Nesting Bird Management Plan will be required to determine suitable buffers.

If active nests are found, they shall not be disturbed unless the qualified biologist verifies through non-invasive methods that the juveniles from the occupied nests are capable of independent survival and will not be impacted by the removal of the nest. If the biologist is not able to verify condition, then no disturbance shall occur within a distance specified by the qualified biologist for each nest or nesting site. The qualified biologist will determine the appropriate distance in consultation with the U.S. Fish and Wildlife Service. The size and location of buffer zones shall be based on nesting bird species, species behavior, nesting stage, species sensitivity to disturbance, and the intensity and duration of the disturbance activity.

Level of Significance After Implementation

Implementation of Mitigation Measures BIO-1 through BIO-3 would ensure impacts to candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS would be less than significant.

Would the Project have a substantial adverse effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

Impact BIO-2: The Proposed Project could have an adverse effect on sensitive or other special-status natural vegetation communities such as Joshua Tree woodlands.

Vegetation Communities

The Project Site has a mix of two vegetation communities. The *Atriplex canescens* Shrubland Alliance (fourwing saltbush scrub) consists of Joshua trees (*yucca brevifolia*), fourwing saltbush (*Atriplex canescens*) and a mix ruderal non-native vegetation such as ripgut (*Bromus diandrus*) and common storksbill (*Erodium cicutarium*). The Amsinckia (*menziesii*, *tessellata*) - Phacelia spp. Herbaceous Alliance consist of bristly fiddleneck (*Amsinckia tessellata*) and a mix of ruderal non-native vegetation.

The Project Site contains 135 Joshua trees; 63 on the southerly parcels and 72 on the northerly parcels. The CDFW considers Joshua tree woodlands a sensitive desert community because it can support relatively high species diversity. Joshua tree habitats provide habitat for a variety of wildlife species, such as desert wood rats and night lizards. Mitigation Measure BIO-1 will reduce potentially significant impacts to Joshua trees.

Designated Critical Habitat

The Project Site is not located within or adjacent to any USFWS designated Critical Habitat nor is it within a Desert Wildlife Management Area as recommended in the Desert Tortoise (Mojave Population) Recovery Plan (U.S. Fish and Wildlife Service 1994b) and formally adopted in March 2006 as a result of the West Mojave Plan (U.S. Bureau of Land Management 2005). No further action is required.

Special-Status Riparian Habitats⁸

There are two riparian areas in the City that are adjacent to waterways and considered sensitive plant communities. The preservation of the riparian areas will provide habitat for sensitive species and other common species and provide wildlife movement corridors. Mojave Riparian Forest is located near the southeastern boundary of the City, along the west fork of the Mojave River.⁹ This plant community is considered sensitive by CDFW. In the City General Plan, this plant community occurs in association with the West Fork of the Mojave River below the spillway for Silverwood Lake.

Southern Sycamore Alder Riparian Woodland consists of a tall, open, broad-leaved, winter-deciduous streamside woodland dominated by sycamore (*Platanus racemosa*) and white alder (*Alnus rhombifolia*). This community occurs along rocky streambeds subject to occasional high intensity flooding. In the City General Plan this community is only known as occurring in Grass Valley Creek, which drains the northern foothills of the San Bernardino Mountains.

⁸ City of Hesperia. General Plan Update EIR Appendices.
<http://www.cityofhesperia.us/DocumentCenter/View/2946/GP-EIR-Appendices---Bio---Cultural---Water-Supply-Resources?bidId=>

⁹ City General Plan. Exhibit CN-3 Plant Communities. Accessed 5/12/2020.

These sensitive riparian areas within the City are located on the southeastern portion of the City.¹⁰ The Project Site is not in or within the vicinity of a special-status riparian habitat. Therefore, implementation of the Proposed Project would not have direct or indirect impacts on any special-status riparian habitat.

Mitigation Measures:

No new mitigation measures are recommended. Implementation of Mitigation Measure BIO-1 will reduce impacts to Joshua tree woodland habitat to less than significant.

Would the Project have a substantial adverse effect on state or federally protected wetlands as defined by CWA Section 404 (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

Impact BIO-3: The Project Site may contain hydrological features and the Proposed Project could affect federally protected wetlands.

Jurisdictional Features

A general assessment of jurisdictional waters regulated by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and CDFW was conducted for the Project Site. Pursuant to Section 404 of the Clean Water Act, USACE regulates the discharge of dredged and/or fill material into waters of the United States. The State of California (State) regulates the discharge of material into waters of the State pursuant to Section 401 of the Clean Water Act and the California Porter-Cologne Water Quality Control Act (California Water Code, Division 7, §13000 et seq.). Pursuant to Division 2, Chapter 6, Sections 1600-1602 of the California Fish and Game Code, CDFW regulates all diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake, which supports fish or wildlife. The assessment was conducted by a desktop survey through the USGS National Hydrography Dataset for hydrological connectivity.

Aerial imagery of the site was examined and compared with the surrounding USGS 7.5-minute topographic quadrangle maps to identify drainage features within the survey area as indicated from topographic changes, blue-line features, or visible drainage patterns. The U.S. Fish and Wildlife Service National Wetland Inventory and Environmental Protection Agency (EPA) Water Program “My Waters” data layers were also reviewed to determine whether any hydrologic features and wetland areas had been documented within the vicinity of the site. Similarly, the Soil maps from the U.S. Department of Agriculture (USDA) - Natural Resources Conservation Service (NRCS) Web Soil Survey (USDA 2018) were reviewed to identify the soil series on-site and to check if they have been identified regionally as hydric soils. Upstream and downstream connectivity of waterways (if present) was reviewed in the field, on aerial imagery, and topographic maps to determine jurisdictional status. No obvious signs of jurisdictional features were observed during the literature review.

¹⁰ City General Plan. Exhibit CN-3 Plant Communities. Accessed 5/12/2020.

Waters of the United States and Waters of the State

The USACE has the authority to permit the discharge of dredged or fill material in Waters of the U.S. under Section 404 CWA. While the Regional Water Quality Control Board has authority over the discharge of dredged or fill material in Waters of the State under Section 401 CWA as well as the Porter-Cologne Water Quality Control Act. The Project area was surveyed with 100 percent visual coverage and no drainage features were present on site. As such, Project Site does not contain any wetlands, waters of the U.S., or Waters of the State.

Wetlands are defined by Section 404 of the federal Clean Water Act as land that is flooded or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that normally does support, a prevalence of vegetation adapted to life in saturated soils. Wetlands generally include areas such as swamps, marshes, and bogs. Jennings concluded that there is no water present on-site and there was no evidence of surface flow.

Fish and Game Code Section 1602 - State Lake and/or Streambed

The CDFW asserts jurisdiction over any drainage feature that contains a definable bed and bank or associated riparian vegetation. The Project area was surveyed with 100 percent visual coverage and no definable bed or bank features exist on the Project Site. As such, the Project Site does not contain any areas under CDFW jurisdiction.

Mitigation Measures:

No mitigation measures are recommended.

Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident wildlife corridors, or impede the use of native wildlife nursery sites.

Impact BIO-4: The Project Site is currently vacant and located in an undeveloped area of the City and could interfere with the movement of wildlife species.

Wildlife corridors are typically made up of undeveloped wildlife areas and open space between larger patches of wildlife habitat. The Project Site is currently vacant and undeveloped. It is surrounded by Highway 395 to the west and the California Aqueduct to the northeast. Therefore, the Project Site in its undeveloped state would not facilitate the movement of native wildlife species due to these man-made barriers. As mentioned above, the California Aqueduct northeast of the Project Site also acts as a barrier to potentially occupied MGS habitat located north of the City. Therefore, any such potential corridor that may be used by the MGS across the Project Site is already disrupted. In addition, the I-15, which is approximately 0.92 miles east of the Project Site, and the California Aqueduct create an impermeable barrier to potential desert tortoise movement. Moreover, the Project Site is not located within or adjacent to any USFWS designated Critical Habitat nor is it within a Desert Wildlife Management Area. Therefore, the Proposed Project is not anticipated to interfere with the movement of native resident wildlife species or wildlife corridors, and it would not impede the use of native wildlife nursery sites.

Mitigation Measures:

No mitigation measures are recommended.

Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Impact BIO-5: Joshua trees are found on the Project Site; the species is protected under the City Development Code. Therefore, the Proposed Project may conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Chapter 16.24 of the City Development Code addresses the protection of plant resources. 135 Joshua Trees currently exist on the Project Site. With implementation of BIO-1, 69 of the 135 trees would be relocated/transplanted, thus protecting and preserving desert plant resources within the Project Site that are suitable for relocation/transplanting.

The Project Site is within the planning area of the City General Plan. The following addresses how the Proposed Project would be consistent with the listed policies highlighted in the City General Plan:

Policy CN-4.1: The Project Site does not have a City General Plan designation for open space areas. The Project Site is also not suitable as a wildlife corridor and the Proposed Project does not include uses that would inhibit the use of any existing wildlife corridors. Implementation of mitigation measures BIO-1 and BIO-2 would further protect sensitive species and their habitats.

Policy CN-4.2: The Project Site consists of Joshua tree woodlands, which are considered to be a sensitive desert community. Implementation of the P BIO-1 would reduce potential impacts on Joshua tree woodlands to less than significant level.

Policy CN-4.3: Implementation of mitigation measures BIO-1 and BIO-2 would protect sensitive species and their habitats.

Policy CN-4.4: The Project Site contain habitat suitable for burrowing owls and other nesting birds. Mitigation measures BIO-1 and BIO-2 require surveys prior to construction. Implementation of these mitigation measures would ensure that impacts on endangered and sensitive species are reduced to the extent feasible.

Policy CN-4.5: Depending on the results of BUOW surveys and nesting bird surveys, further actions may be required to protect these species and preserve their habitats.

Mitigation Measures:

No new mitigation measures are recommended.

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.

Impact BIO-6: The Proposed Project is not anticipated to conflict with the provisions of an adopted Habitat Conservation Plan or Natural Community Conservation Plan.

The Project Site is not located within the boundaries of an adopted Habitat Conservation Plan or Natural Community Conservation Plan. The Project Site is outside the Desert Wildlife Management Areas of the West Mojave Plan. Moreover, the Project Site is not located within or adjacent any USFWS-designated Critical Habitat. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Mitigation Measures:

No mitigation measures are recommended.

Would the Proposed Project result in cumulatively considerable impacts to biological resources?

The Proposed Project would result in potentially cumulatively considerable impacts to Joshua trees which are locally protected by the City of Hesperia and by the Desert Native Plant Act and are listed as a candidate species by the CDFW under CESA. An Incidental Take Permit will be required from CDFW, which requires measures to minimize impacts and full mitigation. In addition, the Applicant may be required to apply for a permit from the City prior to the removal of any western Joshua trees on the Project site and comply with the City's permit conditions.

Chapter 16.24 of the City Development Code lists the requirements for a project to receive a tree removal permit. With implementation of the City's requirements and BIO-1, the PPPP prepared for the Proposed Project, potential impacts would be reduced to a less than significant level and would eliminate the potential for a cumulative considerable impact to Joshua trees. Compliance with a CDFW Incidental Take Permit, which requires impacts of the take to be fully mitigated, will further reduce cumulative impacts.

Potential impacts to the BUOW and nesting birds would be reduced to a less than significant level through implementation of Mitigation Measures BIO-1 and BIO-2. Implementing these mitigation measures would reduce potential impacts to a less than significant level and would significantly reduce the potential for direct or indirect take of any special-status species. Therefore, there would not be a cumulatively considerable impact on any special-status species. Additionally, the Proposed Project would not result in a significant impact to jurisdictional waters, wildlife corridors and linkages, or local policies and regional conservation plans. The Proposed Project would not contribute to a cumulative impact on these resources and no mitigation measures are required.

4.4 CULTURAL RESOURCES

4.4.1 Introduction

This section of the EIR discusses Cultural Resources known to occur within the region and vicinity of, as well as those existing on the Project Site. In light of the applicable regulatory setting any potentially significant impacts to Cultural Resources that could occur as a result of the Proposed Project are identified. Information provided herein regarding existing conditions, impacts, and mitigation measures was derived from the *Phase I Cultural Resources Investigation of the Proposed U.S. Cold Storage Facility of Hesperia, San Bernardino County, California* dated June 4, 2020 completed by McKenna et al included as Appendix D.

McKenna et al. conducted the Phase I cultural resource investigation of the Proposed Project. The Project Site consists of 78.81 acres of vacant land on the northeastern corner of Highway 395 and Yucca Terrace Drive; west of Interstate 15 and adjacent to the California Aqueduct. To adequately address the Proposed Project, as defined, the following tasks were completed:

1. Archaeological Records Check: An archaeological check was completed through the California State University, Fullerton, South Central Coastal Archaeological Information Center. The results were used to place the Project Site within a context for preliminary review and evaluation and identified previously completed studies and recorded resources for the general area.
2. Native American Consultation: Native American Consultation was conducted through consultation with the Native American Heritage Commission and letters to identified local Native American representatives. Responses, if received, were incorporated into the report.
3. Paleontological Overview: A paleontological overview was obtained by McKenna et al. from the Natural History Museum of Los Angeles County and is included in Appendix D.
4. Historic Land Use Research: Historic land-use data was compiled by McKenna et al. through research conducted at the Bureau of Land Management General Land Office files; the San Bernardino County Museum; the San Bernardino County Archives; the San Bernardino County Assessor's Office; local historic data from the McKenna et al. in-house library; and various online resources.
5. Intensive Field Survey: An intensive field survey was completed for the Project Site on April 25, 2020, under the supervision of Jeanette A. McKenna, MA/RPA and Principal Investigator. The Project Site was located and delineated prior to the survey and the survey was completed via a systematic pedestrian survey with transects averaging less than 15 meters apart – walking east/west from the southwestern corner. The field studies were supplemented by field notes and a photographic record.
6. Analysis of the Data Compiled: The analysis of the data was designed to evaluate any identified resources within the Project Site. In this case, analysis was limited to the few diagnostic artifacts identified and/or recovered.
7. Preparation of a Technical Report: In accordance with CEQA requirements, the technical report included as Appendix D was prepared with format and data requirements requested by the Office of Historic Preservation (OHP).

4.4.2 Environmental Setting

The Project Site occurs on the east side of Highway 395, on the north side of Yucca Terrace Drive and on the south side of Avenal Street in the City of Hesperia within the desert region of San Bernardino County. Hesperia's incorporated area and sphere of influence encompasses approximately 110 square miles. The core area of historic Hesperia is to the east of Interstate 15 (and Highway 395), placing the Project Site area outside the historic core. The City of Hesperia website states:

“The City's history stretches far beyond its 1988 incorporation. Hesperia's past is rich with the history of the Mojave Indian Tribe, Spanish settlers and the westward travelers of the Mormon Trail. The first major turning point in present day Hesperia occurred in 1874, when the Atchison, Topeka and Santa Fe railroad tracks were completed. This resulted in Hesperia's first industry, providing juniper wood to bakers in Los Angeles by way of train. Juniper is a very hard wood that was used as fuel for kilns up until the early 1900s, when oil became the principal fuel for bakers. That change in technology did not slow Hesperia's progress. The 1900s were a booming time with the increased popularity of automobiles and Route 66. The City served as the last stopping point before travelers made the treacherous trip down the Cajon Pass.”

The western Mojave Desert is generally associated with Native Americans identified as Serrano or Vanyume. The Serrano tend to be associated with the San Gabriel and San Bernardino Mountain areas but are known to have also ventured well into the Mojave Desert. The Vanyume are generally associated with the areas of the desert floor. Both groups are considered to be ethnographically related.

Aaron Lane was considered the first “official” settler of Victor Valley. The upper crossing of the Mojave River was already a popular stopping place for military patrols, government surveyors and passing wagon trains prior to Lane occupying the spot in 1858. Lane died in September 1883 at Lane's Crossing. The Lane's Crossing Toll Road identified in Section 15 is only a small portion of the extended toll road that eventually crossed Oro Grande Wash and continued to the crossing on the Mojave River, where Arron Lane residence. Following Lanes death, the government mapped Victor Valley (and surrounding regions), opening the area to settlement – via homesteading, purchase, land-trade, etc. The Project Site was part of the homestead of Chester A. Selvey established between the 1880s and 1920s. Chester A. Selvey “proved-up” his property and maintained ownership of the property well into 20th century. Records showed he (and Stella M. Selvey) held the property until ca. 1965, when the land was sold to Raymond G. Fortner. No improvements were noted by the Assessor. Subsequent owners include Dorothy Akashi (1984) and Rancho Las Palmas (1985). Assessor data confirmed Raymond G. Fortner owned the property in Section 15 between 1965 and 1984. No records were found to suggest Fortner ever occupied the property.

Prior to the current ownership (U.S. Cold Storage), the Project Site property (three parcels) has been owned by the Dr. Prem Reddy Family Foundation between the years 2008 and 2019. No improvements have been recorded with respect to the property.

4.4.3 Applicable Plans, Policies, and Regulations

Federal

The National Historic Preservation Act (NHPA) of 1966 (16 U.S.C. § 470 et seq.), as amended, is the center piece for historic preservation. This NHPA established the National Register of Historic Places (NRHP) which serves as the nation's inventory of districts, buildings, structures, and objects significant in American history, architecture, archaeology, engineering, and culture. A historic property is a cultural resource that is eligible for listing in the NRHP.

State

California Public Resources Code Sections 5020-5029 (inclusive) provide the regulatory framework for State agencies regarding the inventory, evaluation and protection of historical properties and resources of significance.

California Health and Safety Code, Section 7050.5. This code section states that if human remains are discovered, 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.

Local

City of Hesperia General Plan

The General Plan identifies the importance of the preservation of cultural and historical resources is critical to respecting and recognizing the City's heritage and foundation and the people who previously lived in the area.

The following policies identified in the conservation element of the Hesperia General Plan:

Policy: CN-5.1: Encourage the preservation of historical, paleontological and cultural resources.

Policy: CN-5.2: In those areas where surveys and records indicate historical, cultural or paleontological resources may be found, appropriate surveys and record searches shall be undertaken to determine the presence of such resources, if any.

Policy: CN-5.3: All historical, paleontological and cultural resources discovered shall be inventoried and evaluated according to CEQA regulations and the California Office of Historic Preservation.

Policy: CN-5.4: The City shall coordinate with the Archeological Information Center at the San Bernardino County Museum in reviewing potential records and in preserving such artifacts as may be found.

Policy: CN-5.5: Through its CEQA and other environmental procedures, the City shall notify appropriate Native American representatives of possible development and shall comply with

all State and Federal requirements concerning the monitoring and preservation of Native American artifacts and places.

4.4.4 Thresholds of Significance

The Initial Study Checklist for the Proposed Project was utilized to identify the primary thresholds of significance relating to CEQA issues. As such, the Proposed Project would have a significant effect associated with Cultural Resources if it would:

Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5.

Cause a substantial adverse change in the significance of an archeological resource pursuant to § 15064.5.

Disturb any human remains, including those interred outside of formal cemeteries.

4.4.5 Project Impact Analysis and Mitigation Measures

In addition to the CEQA Appendix G analyses, a review as to whether the Proposed Project would result in any conflict with goals and policies pertaining to cultural resources as identified in either the City General Plan, the Main Street and Freeway Corridor Specific Plan, or the City Development Code was undertaken. Based on the description of the Proposed Project and the analyses provided herein, no conflicts would occur because:

- Surveys and record searches were undertaken to determine the presence of any resources.
- Mitigation Measures are recommended to require that a qualified archaeologist oversee excavations in the younger alluvial deposits during initial grading in the eastern portion of the Project Site, and that the County Coroner be contacted should any remains be uncovered and determined to be human.

4.4.5.1 Issues Identified to Have No Impact or Less Than Significant Impact

The Initial Study Checklist for the Proposed Project that was circulated with a Notice of Preparation (NOP) did not identify any areas where no impacts or less than significant impacts would occur as a result of the Proposed Project. No additional information was received during the NOP review period to change the conclusions of the Initial Study.

4.4.5.2 Issues Determined to Have Potentially Significant Impacts

As a result of the analysis conducted for the Draft EIR, it was determined that the following issues associated with Cultural Resources have the potential for resulting in significant impacts. Each analysis is followed by any recommended mitigation measures and the level of significance that would occur following implementation of the mitigation measure(s).

Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?

Impact CR-1: Implementation of the Project would require grading and other ground-disturbing activities, which may result in the disturbance of unknown historical resources.

During a field survey of the Project Site conducted April 25, 2020, McKenna et al. noted the presence of a transmission line along Highway 395; a second transmission line along the Yucca Terrace Drive alignment; a buried utility box on Yucca Terrace Drive associated with a cell tower established on the property to the south; and posts illustrating the presence of buried utilities along both Yucca Terrace Drive and Highway 395. A “Frontier” telephone cable is buried along Yucca Terrace Drive. The fiber optic alignment on Highway 395 was marked for “GST.”

The northeastern corner of the Project Site was noted by the presence of a fence line and access road associated with the California Aqueduct. The alignment of Yucca Terrace Drive and Avenal Street helped in defining the survey alignments. Within the Project Site, McKenna et al. also noted the presence of a single marked survey stake and the remnants of an aerial marker.

The slope drop into Oro Grande Wash from Yucca Terrace Drive, was identified with a sparse scatter of historic ceramics noted nearby. This scatter consisted of six small fragments of ceramics representing four different vessels. Two fragments yielded scant evidence of a floral pattern. The fragments were plain whitewares; one fragment was a yellowware; and the final fragment was a piece of whiteware with a partial maker mark. These items discovered on the Project Site were not identified as historic period resources. Therefore, development of the Proposed Project is not anticipated to create a significant impact to historical resources. Therefore, less than significant impacts are identified or anticipated and no mitigation measures are required.

Would the Project cause a substantial adverse change in the significance of an archeological resource pursuant to § 15064.5?

Impact CR-2: Implementation of the Project would require grading and other ground-disturbing activities, which may result in the disturbance of unknown archaeological resources.

An archaeological records search was completed by McKenna at the California State University, Fullerton, South Central Coastal Information Center, Fullerton, California (see Appendix B of Appendix D). This level of research addressed both the Project Site and a one-mile radius around the site. A minimum of sixteen (16) previous studies were documented and are shown in Table 4.4-1. Of the sixteen studies, three involved portions of the Project Site: 1061025, 1061026, and 1061027. These studies were completed in 1973, 1974, and 1980, respectively, and involved the County Service Area No. 70, Zone J. The 1973 and 1974 studies referenced the presence of Site 36-002208, but this site was not within the one-mile radius of the Project Site.

**Table 4.4-1
Cultural Resources Investigations Completed within One Mile
of the Current Project Site**

No.	Report No.	Citation	Description	Sites
1	1060191	Smith 1973	County Service Area No. 70	Yes
2	1061025	Harris 1973	County Service Area No. 70	Yes
3	1061026	Harris 1974	County Service Area No. 70	Yes
4	1061027	Reynolds 1980	County Service Area No. 70	Yes
5	1062476	McKenna 1991	Hesperia Improvements Dist.	No
6	1062507	Sundberg & Desautels 1992	Phelan Road Survey	No
7	1063110	Brock and D'Iorio 1996	Phelan Road Widening	Yes
8	1064281	Cerreto et al. 2004	APN 3064-481-12	No
9	1064290	Hammond and Bricker 1997	US 395 at Main Street	Yes
10	1064796	Brunzell 2005	Vista del Valle	No
11	1066333	Horne 2005	Mojave Water Agency	Yes
12	1066602	Wlodarski 209	Cell Tower Site	No
13	1066652	ESA 2010	East Branch, CA Aqueduct	Yes
14	1067156	Tang et al. 2011	Victorville Water District	Yes
15	1067493	Dahdul et al. 2013	Westside Terraces	No
16	1067971	McDougall 2007	Oro Grande Wash Recharge	Yes

Source: Table 1 Cultural Resources Investigations Completed within One Mile of the Current Project Area of the Phase I Cultural Resource Investigation.

The Reynolds study of 1980 (1061027) covered a relatively large area and resulted in the recording of thirty-three resources (36-001081; 36-003698, 36-004179, 36-004213; 36-004251 thru 36-004279). Again, none of these resources were identified within the one-mile radius of the Project Site.

The research did result in the identification of at least sixteen resources within one mile of the Project Site, including two resources within the Project Site and one on the periphery. These are listed in Table 4.4-2.

Table 4.4-2: Cultural Resources Identified within One Mile of the Current Project Site, identifies the Lane's Crossing Toll Road (36-004179). The Lane's Crossing Toll Road crossed the Project Site on a north/south axis, just to the east of the mid-property line. This would place the road alignment within the east half of the south half of the northwest quarter of Section 15 and continuing to the north, through Section 15 and the Selvey property. The mapping of this road was based on historic maps and not on physical evidence in the vicinity of the current Project Site. Portions were, however, identified in other area of Victor Valley. Ballester (2007) identified the mapped location of a small portion of the alignment on the northern boundary of Section 15, but also reported there was no physical evidence of the roadway.

**Table 4.4-2
Cultural Resources Identified within One Mile of the Current Project Site**

No.	Site Number	Citation	Description	Status
1	36-004179	Reynolds 1980a and b; Ballester 2007a and b; ESA 2009; Valasik 1010	Lane's Crossing Toll Road	Impacted
2	36-004267	Reynolds 1980; Becker 1993; Ballester 2007; Linder 1007	Oro Grande Wash/ Oak Hill Cutoff	Impacted
3	36-004268	Reynolds 1980; Becker 1993; McKenna 1993; Brock 1995; Ballester 2007	Oro Grande Wash/ White Road Cutoff	Impacted
4	36-004269	Reynolds 1980; RMW Paleo 1993; CRM Tech 2007; ESA 2009	Oro Grande Wash Road	Impacted
5	36-007545	Wahoff 1993; Bricker 1996 and 1997; Underwood and Rose 2000; Ballester 2007 a and b; Anderson 2009; Valasik 2010; Jow 2010; Honey 2013; Martinez 2013; Hall and Morgan 2014	U.S. Highway 395	Impacted/ Altered
6	36-007694	Elliot 1986; Powers 1993; Brock 1995; Neuenschwander 1997;; Van Wormer 2000; Wedding 2001; Hogan-Conrad 2004; Crawford 2006; Ballester 2007 a and b; Hollins 2008; Kremkau 2011; Jones 2001; Dice 2001; Winslow 2001; Valasquez 2012; Ehringer 2012; Anderson 2012; Granger 2013; Comeau 2013; Higgins 2013; Fuerstenberg 2013; Vader 2015 a and b and 2016; Everson 2017; and Connelly 2018	LADWP Boulder Trans. Line; Lytle Canyon Trans. Line; DWP Trans. Tower	Impacted/ Altered
7	36-021351	Hollins 2008; ESA 2009; Kremeau 2011; Ambacher 2011; Anderson 2011; O'Neill 2012; George 2018	East Branch, CA Aqueduct; Duncan Rd. Bridge; Maple Ave. Bridge; Mesquite St. Bridge; Rancho Rd. Bridge	Unknown
8	36-021366	Bray 2009	Historic Refuse	Unknown
9	36-021372	Bray 2009	Historic Refuse	Unknown
10	36-026211	Ballester 2013	Historic Refuse	Unknown
11	36-026212	Ballester 2013	Historic Refuse	Unknown
12	36-021213	Ballester 2013	Historic Refuse	Unknown
13	36-033084	Goodwin 2018	Historic Refuse	Unknown
14	36-033085	Goodwin 2018	Historic Refuse	Unknown
15	36-033086	Goodwin 2018	Historic Refuse	Unknown
16	36-033090	Goodwin 2018	Historic Refuse	Unknown

Source: Table 2: Cultural Resources Identified within One Mile of the Current Project Area of the Phase I Cultural Resource Investigation.

The Oro Grande Wash Road (36-004269) was also originally mapped based on historic maps. Subsequently, portions of the alignment were mapped outside the current Project Site. This pre-1880 alignment was identified as a "cutoff" that exited Lane's Crossing Toll Road in the northern extent of the Project Site near the northern boundary of the southern half of the northwest quarter

of Section 15. From that point, the road extended to the northeast, following Oro Grande Wash towards Victorville proper. Anderson 2009 reported this alignment was destroyed, in part, by the construction of the California Aqueduct. Historic maps illustrate a small structure in this area, but only for a short time (ca. 1902). This structure was no longer present after the Selveys acquired the property.

Site 36-021372 was recorded by Bray in 2009 as part of the 98 linear mile survey for the California Aqueduct and is generically described as a refuse scatter located along the southern side of the California Aqueduct (and to the northeast of the current Project Site). As described, this resource was identified as “a large refuse scatter approximately 800 feet long (along the aqueduct) and consisting of 35 sanitary cans, 24 church key open beer cans, additional sanitary cans, five coffee cans, six hole-in-cap cans, three can lids, 3 paint cans, 2 motor oil cans, 19 aluminum pull-tab cans, 20 sanitary juice cans, two cone top cans, and ten crushed cans.” This scatter was referenced as a post-1945 deposit (Tietjen 2009) and, given the array of materials, also includes some later materials. This suggests the deposit is a secondary deposit of refuse and represents a mixed deposit of items from differing periods of manufacture (e.g. hole-in-can cans vs. aluminum pull-tab cans). The deposit was thinly scattered along the aqueduct (and aqueduct access road), also suggesting it has been scattered over time and possibly as a result of the traffic along the roadway.

Overall, the extent of research in and around the current Project Site showed small portions of the Project Site and little of the surrounding properties have been systematically surveyed for cultural resources. As such, there are only a few resources identified and recorded. Of those recorded, all are historic or early modern resources. Although no prehistoric archaeological resources have been identified, the area is still considered “Moderate” sensitive for such resources. Therefore, development of the Proposed Project may create a significant impact to archaeological resources. To ensure less than significant impacts occur, the following Mitigation Measure is recommended as a condition of project approval to reduce these impacts to a level of less than significant:

Mitigation Measures:

Mitigation Measure CR-1

A qualified archaeologist shall oversee excavations in the younger alluvial deposits (Holocene) during initial grading in the eastern portion of the Project Site, nearer the Oro Grande Wash channel. If the archaeologist determines it necessary, an archaeological monitoring program shall be expanded to include the entire Project Site and based on the identification of buried resources.

The monitoring program shall be conducted in accordance with current professional guidelines and protocols. The program should be designed to be flexible and account for changes in findings through the management of the resources in a professional manner and via evaluation in accordance with the current CEQA criteria. If prehistoric archaeological resources are identified, a local Native American representative should be added to the overall monitoring program.

Would the Project disturb any human remains, including those interred outside of formal cemeteries?**Impact CR-3: Implementation of the Project would require grading and other ground-disturbing activities, which may result in the disturbance of unknown human remains.**

Research provided for McKenna's report did not result in any evidence of human remains within the Project Site, but the presence cannot be completely ruled out. Construction activities, particularly grading, could potentially disturb human remains interred outside of a formal cemetery. Thus, the potential exists that human remains may be unearthed during grading and excavation activities associated with project construction. Therefore, possible significant adverse impacts have been identified or anticipated and the following mitigation measure is recommended as a condition of project approval to reduce these impacts to a level of less than significant:

Mitigation Measures:**Mitigation Measure CR-2**

If, at any time, human remains or suspected human remains are identified within the Project Site, the Contractor shall halt work in the immediate vicinity of the find and establish a buffer zone around the find. If the archaeological consultant is on-site, the archaeological consultant will oversee this level of protection. The City will be notified immediately and the City will contact the County Coroner (within 24 hours). The Coroner has the authority to examine the find in situ and make a determination as to the nature of the find:

- a) If the remains are determined to be human, the Coroner will determine whether or not the find(s) is of Native American origin. If so, the Coroner will contact the Native American Heritage Commission and the Commission will name the Most Likely Descendent (MLD). In consultation between the City, Property Owner, MLD, and consulting archaeologist, the disposition of the remains will be defined. If there is a conflict, the Native American Heritage Commission will act as a mediator.*
- b) If the remains are determined to be archaeological, but not of Native American origin, the City, Property Owner and archaeological consultant will determine the management of the find and the removal from the site. The Property Owner would be responsible for any costs related to the removal, analysis, and reburial.*
- c) If the remains are determined to be of forensic value, the Coroner will arrange for the removal of the remains and oversee the analysis and disposition.*

Level of Significance After Implementation

Implementation of Mitigation Measures CR-1 through CR-2 would ensure impacts to historical and cultural resources would be less than significant.

Would the Project result in a cumulatively considerable impact to cultural resources?

Ongoing development and growth in the High Desert area may result in a cumulatively significant impact to cultural resources due to the continuing disturbance of undeveloped areas, which could potentially contain significant, buried cultural resources. However, individual, Project-level impacts associated with cultural resources were found to be less than significant with incorporation of mitigation measures. The Proposed Project would be required by law to comply with all applicable federal, state, and local requirements related to historical, archaeological, and cultural resources. Other related cumulative projects would similarly be required to comply with all such requirements and regulations, to be consistent with the provisions set forth by CEQA and the CEQA Guidelines, and to implement all feasible mitigation measures in the event a significant project-related and/or cumulative impact be identified. As such, cumulative impacts would be less than significant with mitigation incorporated. No additional mitigation measures are required.

4.5 ENERGY

4.5.1 Introduction

This section of the EIR discusses potential energy impacts resulting from the Proposed Project due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operations. Information about existing conditions was derived from data provided by the Owners Engineers and Architects, the City General Plan, and the CalEEMod output provided for the Air Quality Analysis (refer to Appendix E).

4.5.2 Environmental Setting¹

In 2018, total in-state electric generation for California was 286,488 gigawatt-hours (GWh). Natural gas accounted for 46.54% of the total in-state electric generation system.² The Project Site is currently vacant and undeveloped. There are no existing utilities on-site. Southern California Edison (SCE) would provide electricity for the Proposed Project. SCE's substation serving the area is the Aqueduct Substation, located to the east at Muscatel and Topaz streets. Currently, sixteen percent of the total energy produced by the company comes from renewable resources. The remaining sources include natural gas, fossil fuels and nuclear energy.³

Southwest Gas Corporation (SGC) would provide natural gas for the Proposed Project. An underground natural gas line exists in Phelan Road. SGC purchases its natural gas from a variety of sources and distributes and sells it throughout California, Nevada and Arizona. SGC has established numerous programs and incentives to encourage and assist their customers in the efficient use of energy resources to help preserve and conserve the natural resources used in the production of their product. While local, state and federal agencies work with energy producers to regulate the consumption of natural resources, it is the responsibility of the City to conserve these resources by managing energy consumption. Establishing conservation methods, including the use of green building principles provides the City with opportunities to create well developed and designed structures that conserve resources, and are consistent with the state laws regulating greenhouse gas emissions.

Green building principles provide guidelines for efficient design. These principles affect different elements of design, including site layout, natural light usage, window location, energy consumption, water efficiency, construction materials, education programs and many other aspects of design. In 2010, the City adopted an ordinance to permit the widespread use of wind and solar technology in homes, businesses and industry.

¹ City General Plan. Page CN-41.

² California Energy Commission. 2018 Total System Electric Generation. <https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/2018-total-system-electric-generation>.

³ City General Plan. Page CN-40.

4.5.3 Applicable Plans, Policies, and Regulations

Federal

Energy Independence and Security Act of 2007 (EISA).⁴ The EISA aims to reduce national GHG emissions by:

- moving the United States toward greater energy independence and security
- increasing the production of clean renewable fuels
- protecting consumers
- increasing the efficiency of products, buildings, and vehicles
- promoting research on and deploy greenhouse gas capture and storage options
- improving the energy performance of the Federal Government; and
- increasing U.S. energy security, develop renewable fuel production, and improve vehicle fuel economy.

Corporate Average Fuel Economy (CAFE) Standards. The CAFE standards were first established by the U.S. Congress in 1975 to reduce the energy consumption by increasing the fuel economy of cars and light cars. The National Highway Traffic Safety Administration (NHTSA) set and enforce the CAFE standards while the U.S. Environmental Protection Agency (EPA) calculate average fuel economy levels for manufacturers, and also sets related GHG standards.⁵ These standards regulate how far our vehicles must travel on a gallon of fuel. NHTSA sets CAFE standards for passenger cars and for light trucks, and separately sets fuel consumption standards for medium and heavy-duty trucks and engines.⁶

State

California Long Term Energy Efficiency Strategic Plan⁷. In October 2007, the California Public Utilities Commission (CPUC) created a framework to make energy efficiency a way of life in California by refocusing ratepayer-funded energy efficiency programs on achieving long-term savings through structural changes in the way Californians use energy. This plan sets forth a roadmap for energy efficiency in California through the year 2020 and beyond. It describes a long-term vision and goals for each economic sector and identifies specific near-term, mid-term and long-term strategies to assist in achieving those goals. The Plan will employ the following strategies to achieve a full technical or economic potential for energy efficiency in the industrial sector:

⁴ Environmental Protection Agency. 2007. Summary of the Energy Independence and Security Act. <https://www.epa.gov/laws-regulations/summary-energy-independence-and-security-act>

⁵ U.S. Department of Transportation. 2014. Corporate Average Fuel Economy (CAFÉ) Standards. <https://www.transportation.gov/mission/sustainability/corporate-average-fuel-economy-cafe-standards>

⁶U.S. Department of Transportation. 2014. Corporate Average Fuel Economy (CAFÉ) Standards. <https://www.transportation.gov/mission/sustainability/corporate-average-fuel-economy-cafe-standards>

⁷ California Public Utilities Commission. 2008. California Long Term Energy Efficiency Strategic Plan.

1. **Integrated Solutions:** Provide integrated energy solutions and products through a “one-stop shop” approach.
2. **Education and Outreach:** Provide energy efficiency education and outreach to create awareness of and demand for continuous energy efficiency improvements.
3. **Branding and Certification:** Promote commonly accepted metrics to document corporate and facility attainment of resource management levels, gaining market recognition, spurring peer competition and facilitating engagement in market trading mechanisms.
4. **Workforce Training:** Leverage existing training initiatives and technical exchange forums so that California industries have access to highly-skilled professionals who are fully knowledgeable in the areas of system energy efficiency and energy management.

Assembly Bill 32 (AB 32), the Global Warming Solutions Act of 2006. Under AB 32, California is required to reduce statewide greenhouse emissions to 1990 levels by the year 2020. An approximate 15 percent reduction from business as usual is required to reduce emissions to 1990 levels.⁸ The year 2020 goal of AB 32 corresponds with the mid-term target established by S-3-05, which aims to reduce California’s fair-share contribution of greenhouse gases in 2050 to 80 percent below 1990 levels that will stabilize the climate. The full implementation of AB 32 will help mitigate risks associated with climate change, while improving energy efficiency, expanding the use of renewable energy resources, cleaner transportation, and reducing waste.

Building Energy Conservation Standards⁹. The California Energy Commission (CEC) adopted Title 24, Part 6, of the California Code of Regulations: Energy Conservation Standards for new residential and nonresidential buildings in June 1977 and standards are updated every three years. In addition to reducing California’s energy consumption, Title 24 also decreases GHG emissions. Title 24 ensures that building designs conserve energy. The requirements allow for opportunities to incorporate new energy efficiency technologies and methods into proposed developments. The CEC updated the 2019 Building Energy Efficiency Standards in May 2018. The 2019 Title 24 standards state that nonresidential buildings will use about 30 percent less energy due mainly to lighting upgrades. The updated Standards enable the use of highly efficient air filters to trap hazardous particulates from both outdoor air and cooking and improve kitchen ventilation systems.

Senate Bill (SB) 350. SB 350 (de Leon) was signed into law in October 2015. SB 350 establishes new clean energy, clean air and greenhouse gas reduction goals for 2030. SB 350 also establishes periodic increases to the Renewable Portfolio Standard (RPS): 40 percent by 2024, 45 percent by 2027, and 50 percent by 2030. It requires California to double statewide energy efficiency savings in electricity and natural gas end uses by 2030, thereby increasing the use of RPS eligible resources.

Senate Bill 100. Senate Bill 100 (SB 100) was signed into law September 2018 and increased the required Renewable Portfolio Standards. SB 100 requires that the total kilowatt-hours of energy

⁸ California Air Resources Board. 2018. AB32 Global Warming Solutions Act of 2006. <https://ww2.arb.ca.gov/resources/fact-sheets/ab-32-global-warming-solutions-act-2006>

⁹ California Energy Commission. 2019. 2019 Building Energy Efficiency Standards for Residential and Nonresidential Buildings. https://ww2.energy.ca.gov/publications/displayOneReport_cms.php?pubNum=CEC-400-2018-020-CMF

sold by electricity retailers to their end-use customers must consist of at least 50 percent renewable resources by 2026, 60 percent renewable resources by 2030, and 100 percent renewable resources by 2045. SB 100 also includes a State policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all State agencies by December 31, 2045. Under the bill, the State cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

Local

City General Plan

The City has adopted local solar and wind energy ordinances that will encourage and facilitate production of clean energy for local homes and businesses. The implementation of these renewable energy sources in residential, commercial, and industrial developments will lessen the City's energy consumption, thereby decreasing the amount of air pollutants generated.

Green building principles contribute to reductions in electricity consumption, greenhouse gas emissions, raw materials use, landfill waste and potable water consumption. In order to reduce the consumption of valuable resources, a green building program should be adopted. The program should promote conservation and sustainability while educating the development community. While there are several types of programs available, the City can create a program that works best for the environmental setting and development community.

The following policies identified in the *Land Use* (LU) and *Conservation* (CN) elements of the City General Plan are relevant to this analysis.

Goal LU-6: Promote sustainable development and building practices in all facets of project development through completion of construction.

Implementation Policy LU-6.1: Promote the use of green building standards and Leadership in Energy and Environmental Design (LEED), or other equivalent programs, in both private and public projects.

Implementation Policy LU-6.2: Promote sustainable building practices that go beyond the requirements of Title 24 of the California Administrative Code, and encourage energy-efficient design elements, consistent with Policy LU-6.1.

Implementation Policy LU-6.3: Support sustainable building practices that encourage the use of recycled or other building materials that promote environmental quality, economic vitality, and social benefits. Support construction, and operational practices that limit impacts to the environment.

Implementation Policy LU-6.4: Encourage sustainable development that incorporates green building best practices and involves the reuse of previously developed property and/or vacant sites within a built-up area.

Implementation Policy LU-6.5: Encourage development that incorporates green building practices to conserve natural resources as part of sustainable development practices

Implementation Policy LU-6.6: Encourage in-fill development on lands located adjacent to existing developed areas and utilities to maximize the efficiency of land use and infrastructure.

Implementation Policy LU-7.2: Promote sustainable building practices that go beyond the requirements of Title 24 of the California Administrative Code, and encourage energy-efficient design elements, consistent with Policy LU-6.1.

Implementation Policy LU-7.4: Encourage sustainable development that incorporates green building best practices and involves the reuse of previously developed property and/or vacant sites within a built-up area.

Implementation Policy LU-7.5: Encourage development that incorporates green building practices to conserve natural resources as part of sustainable development practices.

Goal CN-6: Provide programs and incentives to encourage residents, businesses and developers to reduce consumption and efficiently use energy resources.

Implementation Policy CN-6.1: Explore the potential for a green building program in the City to educate the development community and promote the conservation of natural resources.

Implementation Policy CN-6.2: Encourage the use of green building standards and Leadership in Energy and Environmental Design (LEED) or similar programs in both private and public projects.

Implementation Policy CN-6.3: Provide incentives like technical assistance or low-interest loans for projects that are energy efficient and contain energy conservation measures.

Implementation Policy CN-6.4: Educate the public about energy conservation techniques.

Implementation Policy CN-6.5: Coordinate with the local energy provider in developing policies and procedures to reduce energy consumption in existing and future developments.

Implementation Policy CN-6.6: Encourage residents and businesses to utilize the incentives provided by the local energy providers to retrofit their buildings and businesses for energy efficiency and conservation.

Goal CN-7: Develop, promote and implement policies to reduce and limit Greenhouse Gas Emissions.

Implementation Policy CN-7.4: Promote the utilization of alternative energy resources such as wind and solar in new development.

Implementation Policy CN-7.6: Preserve land resources for the utilization of energy resources, including wind and solar energy resources.

Implementation Policy CN-7.7: Promote energy conservation through site layout, building design, natural light and efficient mechanical and electrical products in development.

Implementation Policy: CN-7.9: Promote sustainable principles in development that conserves such natural resources as air quality and energy resources.

The following development standards for industrial zones identified in the Hesperia Main Street and Freeway Corridor Specific Plan are relevant to this analysis.

Buildings should be designed and sited to maximize the use of sunlight and shade for energy savings and respect the solar access of adjacent buildings.

The use of sustainable building materials is strongly encouraged. This includes using quality materials with a long life span, selecting materials that are not energy-intensive to manufacture, using building products made from recycled materials, and repairing and maintaining well-built existing structures to the fullest extent possible.

Municipal Development Code

Chapter 16.16.064-Alternative energy permitting requirements: Ground-mounted solar energy systems within industrial zone districts are allowed as an accessory structure on a developed lot provided the system does not interfere with required parking, landscaping and other improvements.

4.5.4 Thresholds of Significance

The Initial Study Checklist for the Proposed Project was utilized to identify the primary thresholds of significance relating to CEQA issues. As such, the Proposed Project would have a significant effect associated with Energy if it would:

Result in potentially significant environment impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

Conflict with or obstruct a state or local plan for renewable energy or energy efficiency

4.5.5 Project Impact Analysis and Mitigation Measures

In addition to the CEQA Appendix G analyses, a review as to whether the Proposed Project would result in any conflict with goals and policies pertaining to energy consumption as identified in either the City General Plan, Main Street and Freeway Corridor Specific Plan, or City Development Code was undertaken. Based on the description of the Proposed Project (refer to Chapter 3) and the analyses provided herein, no conflicts would occur because:

- The Proposed Project would promote energy conservation through site layout, building design, natural light, and efficient mechanical and electrical products in development.
- The Proposed Project's design includes the use of sustainable materials.

- The Proposed Project would facilitate the use of green building standards and Leadership in Energy and Environmental Design (LEED). The Proposed Project would utilize solar energy generated on-site.

4.5.5.1 Issues Identified to Have No Impact or Less Than Significant Impact

The Initial Study Checklist for the Proposed Project that was circulated with a Notice of Preparation (NOP) identified no threshold areas where no impacts or less than significant impacts would occur as a result of the Proposed Project. No additional information was received during the NOP review period to change the conclusions of the Initial Study.

4.5.5.2 Issues Determined to Have Potentially Significant Impacts

As a result of the analysis conducted for the Draft EIR, it was determined that the following issues associated with Energy have the potential for resulting in significant impacts. Each analysis is followed by any recommended mitigation measures and the level of significance that would occur following implementation of the mitigation measures.

Result in potentially significant environment impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

Impact ENR-1: Due to the size and type of the proposed warehouse, the Proposed Project could result in potentially significant environment impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

Electricity

The Proposed Project is the development of a cold storage warehouse facility on vacant, undeveloped land. Implementation of the Proposed Project would create an increased demand for electricity. A solar array field is proposed to be constructed in the southeast portion of the Project Site. To meet California Energy Code requirements the warehouse building design will provide for roof-top solar panels which could be operational in addition to the solar array field at build-out. The total on-site solar to be generated would be approximately 2.35 MW to serve the facility so that it would not be 100% reliant on the grid.

Construction

Construction of the Proposed Project is anticipated to occur in phases from 2021 to 2029. Electricity would be required during construction for lighting and equipment. As shown in Table 4.5-1, the total power cost of the on-site electricity usage during construction of the Proposed Project is estimated to be \$126,781.11. As presented in Table 4.5-2, the estimated electricity usage for the duration of construction is 1.584 million kWh. The construction electricity demand would be temporary and short-term.

**Table 4.5-1
Construction Electricity Cost**

Land Use	Power Cost (per 1000 SF of construction per month) ¹	Size (in 1000 SF)	Construction Duration (months)	Construction Power Cost
Warehouse Buildings	\$2.32	936.537	64	\$69,528.50
Hardscape	\$2.32	1,296.498	11	\$33,086.63
Solar Array	\$2.32	76.604	10.5	\$1,866.07
Landscape/Open Space	\$2.32	915.431	10.5	\$22,299.90
Total		3,225.07	96	\$126,781.11

1) Pray, Richard. 2017 National Construction Estimator. Carlsbad, Craftsman Book Company, 2017.

**Table 4.5-2
Construction Electricity Usage**

Land Use	Cost per kWh ¹	Electricity Usage (kWh)
Warehouse Buildings	\$0.08	869,106.33
Hardscape	\$0.08	394783.64
Solar Array	\$0.08	23325.92
Landscape/Open Space	\$0.08	278748.74
Estimated Construction Electricity Usage		1,565,964.63

1) As of January 1, 2020, SCE's general service rate is \$0.08 per kilowatt hours (kWh) of electricity for industrial services

https://library.sce.com/content/dam/sce-doclub/public/regulatory/tariff/electric/schedules/general-service-&-industrial-rates/ELECTRIC_SCHEDULES_GS-1.pdf

Operations

The estimated electricity demand for the Proposed Project is approximately 14,208,000 kWh/yr. The Proposed Project would rely on the generation of on-site solar and Southern California Edison (SCE) to provide electricity. On-site solar as proposed (solar array field and roof-top) will generate approximately 4,050,720 kWh annually of renewable energy representing approximately 29% of the total electrical need of the Proposed Project. The other 10,157,280 kWh of electricity demand would be met by SCE. In 2019, SCE's industry sector consumed 17,806,760,000 kWh of electricity.¹⁰ The Proposed Project's estimated demand for SCE electricity is approximately 0.057% of SCE's 2019 industry sector electricity consumption. The increase in electricity demand from the Proposed Project would be insignificant compared to the SCE's industry sector's demand.

The Proposed Project has been designed to comply with the 2019 Building Energy Efficiency Standards and the City would review and verify that the Proposed Project plans are in compliance. The most significant efficiency improvements to the nonresidential Standards include alignment with the ASHRAE 90.1.2017 national standards.¹¹ The Proposed Project would also be required

¹⁰ California Energy Commission. California Energy Consumption Database.

<https://ecdms.energy.ca.gov/Default.aspx>. Accessed August 3, 2020.

¹¹ California Energy Commission. 2019 Building Energy Efficiency Standards for Residential and Nonresidential Buildings. <https://ww2.energy.ca.gov/publications/displayOneReport cms.php?pubNum=CEC-400-2018-020-CMF>

to adhere to CALGreen, which establishes planning and design standards for sustainable developments and energy efficiency.

The Proposed Project would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of electricity during project construction and operation.

Natural Gas

Construction

Natural gas consumption is not anticipated to be used for construction of the Proposed Project.

Operations

The Proposed Project would be served by Southwest Gas Corporation (SCG). The Project Site is currently vacant with no demand for natural gas. Therefore, the development of the Proposed Project would create a permanent increase in demand for natural gas. Despite the ever-growing demand for electric power, the overall gas demand for electric generation is expected to decline at 1.4 percent per year for the next 17 years due to more efficient power plants, statewide efforts to reduce GHG emissions, and use of power generation resources that produce little to no carbon emissions. According to the California Energy Commission, the County's non-residential sector consumed 268,610,000 therms of natural gas.¹²

As shown in Table 4.5-3, the Proposed Project's estimated natural gas demand is 52,423,400 kBTU per year, or 524,234 therms; this would account for approximately 0.20% of the County's overall natural gas demand for the nonresidential sector. The Proposed Project would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of natural gas during project operation.

**Table 4.5-3
Operational Natural Gas Demand**

Land Use	kBTU/year
Other Non-Asphalt Surfaces	0
Parking Lot	0
Refrigerator Warehouse-No Rail	52,423,400
Total	52,423,400

Source: CalEEMod.2016.3.2 Annual Emissions.

Fuel

Construction

During construction of the Proposed Project, transportation energy consumption is dependent on the type of vehicles used, number of vehicle trips, vehicle miles traveled, fuel efficiency of vehicles and travel mode. Temporary transportation fuel use such as gasoline and diesel during construction would result from the use of delivery vehicles and trucks, construction equipment, and construction employee vehicles. Additionally, most construction equipment during grading would be powered

¹² California Energy Commission. California Energy Consumption Database. <https://ecdms.energy.ca.gov/Default.aspx>. Accessed August 3, 2020.

by gas or diesel. Based on output from CalEEMod version 2016.3 for (see Appendix E for fuel calculations), the total Proposed Project construction activities would consume an estimated 280,924.31 gallons of diesel fuel for operation of heavy-duty equipment during the construction. Assuming all construction worker trips are from light duty autos, it is estimated 1,023,417.9 gallons of fuel will be consumed; fuel consumption from construction vendor (material delivery) trips is 853,212.16 gallons. Construction worker and vendor fuel consumption are based on CalEEMod's default data for vehicles miles traveled (VMT). Construction would represent a "single-event" diesel and gasoline fuel demand and would not require continuous or permanent commitment of these fuel resources. Impacts related to transportation energy use during construction would be temporary and would not require the use of additional use of energy supplies or the construction of new infrastructure.

Operations

During operations of the Proposed Project, fuel consumption would be from customer visits, trips by maintenance staffs, employee vehicle trips and delivery trucks. The Proposed Project is the development of a cold storage warehouse facility that would include on-site solar power generation to meet 15% of the Proposed Project's demand for electricity. The Proposed Project would result in an estimated 579,179 gallons of fuel consumption per year based on 6,277,557 miles driven. As a worst-case analysis, half the miles were modeled with an automobile fuel efficiency of 24 miles per gallon, as shown in Table 4.5-4, and half were modeled at 7 miles per gallon, as shown in Table 4.5-5.¹³ Trip generation and VMT generated by the Proposed Project are consistent with other uses of similar scale and configuration. The Proposed Project does not include uses or operations that would inherently result in excessive and wasteful vehicle trips and VMT or associated wasteful vehicle energy consumption. It is not expected to result in a substantial demand for energy that would require expanded supplies or the construction of other infrastructure or expansion of existing facilities.

**Table 4.5-4
Gallons for Half of Operational Trips (Fuel Efficiency of 24 mpg)**

Use	Annual Miles ¹	MPG	Total Gallons (50%)
Refrigerated Warehouse-No Rail	6277557.0	24	130,782.4
Other Non-Asphalt Surfaces	0.0	24	0.0
Parking Lot	0.0	24	0.0
Total			130,782.4

1) CalEEMod.2016.3.2 Annual Emissions. Trips and VMT.

¹³ United States Department of Transportation, Bureau of Transportation Statistics. 2018. National Transportation Statistics 2018. Available at: <https://www.bts.gov/sites/bts.dot.gov/files/docs/browse-statistical-products-and-data/national-transportation-statistics/223001/ntentire2018q4.pdf>.

**Table 4.5-5
Gallons for Half of Operational Trips (Fuel Efficiency of 7 mpg)**

Use	Annual Miles ¹	MPG	Total Gallons (50%)
Refrigerated Warehouse-No Rail	6277557.0	7	448,396.9
Other Non-Asphalt Surfaces	0.0	7	0.0
Parking Lot	0.0	7	0.0
Total			448,396.9

1) CalEEMod.2016.3.2 Annual Emissions. Trips and VMT.

Therefore, the Proposed Project would not result in wasteful, inefficient, or unnecessary consumption of fuel during project construction and operation. No significant impacts to sources of energy or available energy supplies are identified or anticipated, and no mitigation measures are recommended.

Mitigation Measures:

No mitigation measures are recommended.

Conflict with or obstruct a state or local plan for renewable energy or energy efficiency

Impact ENR-2: The Proposed Project could conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

The City General Plan's Land Use Element and Conservation Element provide a framework for reducing greenhouse gas emissions by encouraging the use of renewable energy resources and increasing energy efficiency. As presented below, the Proposed Project would comply with the applicable goals on these Elements.

The Land Use Element describes the general location, type and intensity of development and identifies the distribution of land uses throughout the City.

Goal LU-6 of the City General Plan is to promote sustainable development and building practices in all facets of project development through completion of construction.

Consistent: Project development would not include practices that are considered energy inefficient. Construction equipment would be utilized in the manner intended and only when necessary.

The purpose of the Conservation Element is to provide the public, decision makers and staff a guide to set policy that will identify resources that should be preserved, and set the foundation for preservation of these resources by utilizing a variety of tools that will promote the sustainability and environmental integrity of the City. This Element establishes the City's priorities as they relate to natural resources and outline the means for preservation. This Element is intended to identify various kinds of resources which have value for the city.

Goal CN-6 is to provide programs and incentives to encourage residents, businesses and developers to reduce consumption and efficiently use energy resources.

Consistent: The Proposed Project would be required to adhere to Title 24, which establishes planning and design standards for sustainable developments and energy efficiency. The Proposed Project would have low energy consumption by incorporating green building practices into project design as required. A solar array field is proposed to be constructed in the southeast portion of the Project Site. To meet California Energy Code requirements the warehouse building design will support roof-top solar panels which could be operational in addition to the solar array field at build-out. The total on-site solar to be generated would be approximately 2.35 MW to serve the facility so that it would not be 100% reliant on the grid.

Goal CN-7: Develop, promote and implement policies to reduce and limit Greenhouse Gas Emissions.

Consistent: The Proposed Project includes the construction and utilization of solar energy to be generated on-site. The use of solar energy can reduce greenhouse gas emissions.

The California Long Term Energy Efficiency Strategic Plan, published in 2008, outlines goals and strategies for key market sectors (commercial, residential, industrial, and agricultural) and crosscutting initiatives (such as heating, ventilation, and air conditioning (HVAC), codes and standards, research and technology).¹⁴

The City prepared a Climate Action Plan (CAP) as its primary strategy for ensuring that implementation of the General Plan will not conflict with AB 32.¹⁵ The year 2020 goal of AB 32 corresponds with the mid-term target established by S-3-05, which aims to reduce California's fair-share contribution of greenhouse gases in 2050 to 80 percent below 1990 levels that will stabilize the climate. To reduce emissions by 80 percent below 1990 levels, substantial emission reductions would need to occur in California, such as a conversion to alternative energy generation, conversion to electric and/or zero emission motor vehicles, and substantial changes to land use patterns and transportation. The CAP includes strategies in energy efficiency as a means to reduce emissions.

The City enforces Title 24 standards in its role as building official. Project development is not anticipated to cause inefficient, wasteful and unnecessary energy consumption. The Proposed Project would be designed to comply with the California Long Term Energy Efficiency Strategic Plan and the City's Climate Action Plan by incorporating building standards for energy efficiency as is required by Title 24. The Proposed Project includes the construction and utilization of solar generating facilities to minimize reliance on the grid for approximately 29% (4,050,720 kWh annually of electricity) of the Proposed Project's energy requirements. The energy savings from the use of solar energy is included in the overall percent reduction in energy use from new development. Therefore, the Proposed Project would not conflict with or obstruct a state or local

¹⁴ California Energy Commission Efficiency Division and California Public Utilities Commission Energy Division. 2012. Energy Efficiency Strategic Plan. <http://www.cpuc.ca.gov/WorkArea/DownloadAsset.aspx?id=5308>. Accessed August 4, 2020.

¹⁵ City of Hesperia. Climate Action Plan. <http://www.cityofhesperia.us/DocumentCenter/View/1587/Climate-Action-Plan-7210?bidId=>. Accessed August 6, 2020.

plan for renewable energy or energy efficiency. No significant adverse impacts are identified or anticipated, and no mitigation measures are recommended.

Mitigation Measures:

No mitigation measures are recommended.

Would the Project result in a cumulatively considerable energy impact?

Cumulative projects that could exacerbate the Project's impacts include any project that could result in wasteful, inefficient, or unnecessary use of energy within the region. However, the Proposed Project would not result in wasteful, inefficient, or unnecessary use of energy in part due to the short-term and temporary nature of the construction period. In addition, operation of the Project would not result in a wasteful, inefficient or unnecessary use of energy or conflict with an applicable plan. Furthermore, the Project would include Project design features which include reductions in energy demand. Therefore, the Project would have less than significant impacts with regards to cumulative energy impacts and no mitigation measures are required.

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4.6 GEOLOGY AND SOILS

4.6.1 Introduction

This section of the EIR discusses potential Geology and Soils impacts resulting from the Proposed Project during project construction and/or operations. Information about existing conditions was derived from the Project's Due Diligence Report of Geotechnical Evaluations, Preliminary Evaluations Due Diligence Report of WQMP-BMP Storm Water Disposal Design, and the City of Hesperia General Plan.

4.6.2 Environmental Setting

According to the Due Diligence Report of Geotechnical Evaluations (Geotechnical Evaluations), dated April 20, 2020, prepared for the Proposed Project by Soils Southwest, Inc. (See Appendix F), upper soils on the Project Site are described as compressible and potentially hydro-collapsible slightly silty semi-cemented fine to medium coarse sands with traces of caliche, overlying medium dense to dense, slightly silty gravelly medium to coarse sand with rock fragments and minor rocks. The geologic formation on the site is described as Older Alluvium of Quaternary age. This unit consists of piedmont alluvial fan sands and gravels. The material is described as gray brown in color, vaguely bedded, weakly indurated, poorly sorted, and subrounded detritus of gneissic and plutonic rocks eroded from the San Gabriel Mountains to the south.¹ Silty gravelly sand in nature, the site soils, in general, are considered "very low" in expansion potential with an Expansion Index less than 20. Groundwater table at a depth in excess of 50 feet. Data from nearby water wells indicate the depth to groundwater is greater the 600 below the ground surface at the site.

The project site and surrounding region is expected to experience ground shaking as a result of an earthquake on any of the faults in the region, as is experienced throughout all of the State of California. According to the geotechnical report the estimated peak ground acceleration at the site during a nearby seismic event is 0.467g (10% probability in 50 years). The North Frontal fault zone is the closest fault to the Project Site and is located approximately 11.3 miles southeast of the Project Site. The potential for surface fault rupture at the site is low. The Project Site is not located within an area susceptible to liquefaction. The potential for liquefaction at the site is remote. Secondary seismic hazards including differential settlement, ground lurching, landslides, lateral spreading, and earthquake induced flooding are considered remote at the project site.

The Natural Resources Conservation Service² identifies soils on the Project Site to consist of mostly Cajon sand and Hesperia loamy fine sand (See Figure 4.6-1 Project Site Soils). Cajon sand soils are characterized as loamy sands. These soils have high infiltration rates and are generally deep, well drained to excessively drained sands and gravels. The four soils types are described below:

- Cajon Sand, 0 to 2 percent slopes. This soil is somewhat excessively drained with a high to very high capacity to transmit water. This soil consists of alluvium derived from granite

¹ Dibblee, T.W., 1965, Geologic map of the 15-minute Hesperia quadrangle, San Bernardino County, California: U.S. Geological Survey, Open-File Report OF-65-43, scale 1:62,500

² <https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>. Accessed October 27, 2020.



Source: Department of Agriculture, Natural Resources Conservation Service. *Web Soil Survey Interactive Map*. Accessed 10/27/20.

PROJECT SITE SOILS
 United States Cold Storage Hesperia
 Hesperia, California

Source: Lilburn Corporation, October, 2020.

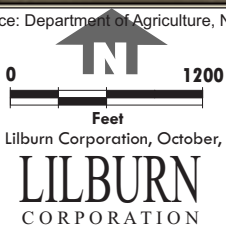


FIGURE 4.6-1

sources, typically ranges in elevation from 1,800 to 3,200 feet amsl and is considered farmland of Statewide importance. It occurs on the majority of the Project Site.

- Cajon Sand, 2 to 9 percent slopes. This soil is somewhat excessively drained with a high to very high capacity to transmit water. This soil consists of alluvium derived from mixed sources, typically ranges in elevation from 1,800 to 3,500 feet amsl and is considered farmland of Statewide importance. It occurs in the southeastern corner of the Project Site.
- Cajon Sand, 9 to 15 percent slopes. This soil is somewhat excessively drained with a high to very high capacity to transmit water. This soil consists of alluvium derived from granite sources, typically ranges in elevation from 1,800 to 4,000 feet amsl and is not considered prime farmland. It occurs in the southeastern corner of the Project Site.
- Hesperia Loamy Fine Sand, 2 to 5 percent slopes. This soil is well-drained with a high capacity to transmit water. This soil consists of alluvium derived from granite sources, typically ranges in elevation from 200 to 4,000 feet amsl and is considered prime farmland if irrigated. It occurs mostly in the south and southeastern portion of the Project Site.

Cajon sand soils are defined as alluvial deposits with slopes from 0 to 2 percent, 2 to 9 percent, and 9 to 15 percent. It is considered somewhat excessively drained and has a high to very high capacity of water transmission. Hesperia loamy fine sand is also alluvial deposits with slopes from 2 to 5 percent. It is considered well drained and has a high capacity of water transmission.

4.6.3 Applicable Plans, Policies, and Regulations

State

Alquist-Priolo Earthquake Fault Zoning Act. The Alquist-Priolo Earthquake Fault Zoning Act was signed into California law on December 22, 1972, to mitigate the hazard of surface faulting to structures for human occupancy. 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. Before a new project is permitted, cities and counties require a geologic investigation to demonstrate that proposed buildings will not be constructed on active faults³.

California Building Code. The California Building Code (CBC) is Part 2 of the California Buildings Standards Code. The purpose of the CBC is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, access to persons with disabilities, sanitation, adequate lighting and ventilation and energy conservation; safety to life and property from fire and other hazards attributed to the built environment; and to provide safety to fire fighters and emergency responders during emergency operations. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures throughout the State of California. Chapter 16A, Section 1605A requires new buildings and other structures and portions thereof to be designed to resist seismic load effects. Chapter 18, Soils and Foundations provides criteria for

³ https://www.conservation.ca.gov/cgs/Documents/Publications/Special-Publications/SP_042.pdf. Page 6.

geotechnical and structural considerations in the selection, design, and construction of foundation systems to support proposed structures⁴.

City of Hesperia General Plan

The following policies identified in the *Conservation and Safety Elements* of the Hesperia General Plan are relevant to this analysis (**Hesperia 2010 General Plan**)

Conservation Element

Goal CN-5: The City shall establish policies and procedures in compliance with state and Federal laws and regulations to identify and properly protect found historical, cultural and paleontological artifacts and resources.

Policy CN-5.1: Encourage the preservation of historical, paleontological and cultural resources.

Policy CN-5.2: In those areas where surveys and records indicate historical, cultural or paleontological resources may be found, appropriate surveys and record searches shall be undertaken to determine the presence of such resources, if any.

Policy CN-5.3: All historical, paleontological and cultural resources discovered shall be inventoried and evaluated according to CEQA regulations and the California Office of Historic Preservation.

Policy CN-5.4: The City shall coordinate with the Archeological Information Center at the San Bernardino County Museum in reviewing potential records and in preserving such artifacts as may be found.

Safety Element

Goal SF-1: Minimize injury, loss of life, property damage and economic and social disruption caused by seismic shaking and other earthquake-induced hazards, and by geologic hazards such as slope instability, compressible and collapsible soils, and subsidence.

Policy SF-1.1: Require that all new habitable structures be designed and built in accordance with the most recent California Building Code adopted by the City, including the provisions regarding lateral forces and grading.

Policy SF-1.2: Require all development proposals in the City to conduct, as a condition of approval, geotechnical and engineering geological investigations, prepared by State-certified professionals (geotechnical engineers and engineering geologists, as appropriate) following the most recent guidelines by the California Geological Survey and similar organizations, that address, at a minimum, the site-specific seismic and geologic hazards identified in the Technical Background Report. These reports shall provide mitigation measures to reduce those hazards identified at a site to an acceptable level.

⁴ California Buildings Standards Commission. 2019 California Building Code, Chapters 16-Structural Design and 18-Soils and Foundations <https://www.dgs.ca.gov/BSC/Codes>

Policy SF-1.3: City Staff or City representatives will conduct routine inspection of grading operations to ensure site safety and compliance with approved plans and specifications.

Policy SF-1.4: City Staff that review geotechnical, geological and structural reports submitted by development applicants, and that review grading operations, shall have the necessary professional credentials and certifications within their area of expertise to conduct these reviews.

Policy SF-1.6: If and when the California Geological Survey issues a Seismic Hazards Zonation Map that includes the City, the Planning and Building Departments will adopt this map as a replacement for the Seismic Hazards Map that is currently part of the Technical Background Report. Similarly, if new or revised Alquist-Priolo Earthquake Fault Zone maps that include the City or its Sphere are issued, these maps will be adopted and enforced in conformance with the requirements of the Alquist-Priolo Earthquake Fault Zone Act.

Policy SF-1.9: The City shall develop and make available to all residents and businesses literature on hazard prevention and disaster response, including information on how to earthquake-proof residences and places of business, and information on what to do before, during and after an earthquake. Reminders should be issued periodically to encourage the review and renewal of earthquake-preparedness kits and other emergency preparedness materials and procedures.

Policy SF-1.11: The City will initiate and/or participate in regional efforts to ensure that the local medical care facilities will remain functional after a large regional earthquake and can provide emergency medical care to all residents and workers that need medical attention following a disaster. This includes conducting an inventory of regional hospitals to identify potential alternate medical providers and assess the need for new facilities to service the increasingly larger population in the region. Based on these results, collaborate with neighboring cities and the Southern California Association of Governments to identify those areas with insufficient medical coverage and engage medical service providers to consider establishing new medical care facilities in those areas, as needed.

Goal SF-5: Plan for emergency response and recovery from natural disasters, especially from flooding, fire, and earthquakes, and from civil unrest that may occur following a natural disaster.

Policy SF-5.1: The City will maintain, update and adopt on a regular basis, as mandated by FEMA, a Local Hazard Mitigation Plan.

Policy SF-5.2: The City will continue to maintain and update its emergency response organization consisting of representatives from all City departments, the San Bernardino County Fire and Sheriff Departments, local quasi-governmental agencies, private businesses, citizens, and other community partners involved in emergency relief and/or community-wide services.

Policy SF-5.3: The City will continue to maintain mutual aid agreements with neighboring cities and the San Bernardino County Operational Area.

Policy SF-5.4: The City will participate in regional and local emergency exercises, such as the Great California ShakeOut, an annual statewide earthquake drill that is generally held in October.

Policy SF-5.5: The City will ensure to the fullest possible extent that, in the event of a major disaster, critical, dependent care and high-occupancy facilities remain functional. The San Bernardino County Fire Department, in their annual review of these facilities, will encourage owners and operators to maintain alternate emergency exits, emergency evacuation plans, emergency generators, and to anchor computers, shelving, and other non-structural elements.

Policy SF-5.6: The City will compile and maintain a list of facilities that because of population demands (such as mobility issues), construction type, location relative to a high hazard area, or other factors, may have a high risk and specific needs requiring special response during a disaster.

Policy SF-5.7: The City will enhance public awareness and preparedness by encouraging residents and businesses to store supplies for self-reliance following a disaster. Emergency preparedness kits should include, at a minimum, a three-day supply of drinking water and food for all members of the household or business, including pets. Seven-day supplies of water are better.

Policy SF-5.8: The City will offer educational programs for residents and businesses regarding mitigation measures to take prior to, during, and after an emergency, and will involve the public in the awareness of City emergency response plans, resources, risk reduction, and mitigation measures.

Policy SF-5.10: The City will continue to support the development of local preparedness plans and multi-jurisdictional cooperation and communication for emergency situations consistent with regional, state (SIMS), and Federal standards, guidelines and/or recommendations (NIMS).

Municipal Development Code

Title 15 – Building and Construction, Chapter 15.04: Building Codes.

This Chapter of the expands on the California Codes adopted and enforced by the City of Hesperia including Appendix Chapter I of the 2019 California Building Code titled "Patio Covers," Appendix Chapter A of the 2019 California Plumbing Code titled "Recommended Rules for Sizing the Water Supply System," Appendix Chapter I of the 2019 California Plumbing Code titled "Installation Standards," Appendix Chapter H of the 2019 California Plumbing Code titled "Private Sewage Disposal Systems," Appendix Chapter B of the 2019 California Fire Code titled "Fire Flow Requirements for Buildings," and Chapter 1 of the 2019 California Building Code.

Title 16: Development Code.

Title 16 of the Municipal Code known as the "Development Code of the City of Hesperia" is intended to elaborate upon, and otherwise augment standards, specifications and land uses set forth in community

plan land use districts and Countywide zone districts adopted under the provisions of the development code.

4.6.4 Thresholds of Significance

The Initial Study Checklist for the Proposed Project was utilized to identify the primary thresholds of significance relating to CEQA issues. As such, the Proposed Project would have a significant effect associated with Geology and Soils if it 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.

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

Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction.

Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides.

Result in substantial soil erosion or the loss of topsoil.

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.

Be located on expansive soil, as defined in Table 181-B of the California Building Code (2001) creating substantial direct or indirect risks to life or property.

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.

Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

4.6.5 Project Impact Analysis and Mitigation Measures

In addition to the CEQA Appendix G analyses, a review as to whether the Proposed Project would result in any conflict with goals and policies pertaining to geology and soils as identified in either the City General Plan, the Main Street and Freeway Corridor Specific Plan, or the City Development Code was undertaken. Based on the description of the Proposed Project and the analyses provided herein, no conflicts would occur because:

- The Proposed Project will be designed to meet all California Building Code and City of Hesperia requirements; project plans will require City Engineering approval.
- A Preliminary Geotechnical Investigation has been prepared for the Proposed Project and includes recommendations to reduce any hazards identified to an acceptable level.
- Mitigation Measures are recommended for the preservation of any uncovered paleontological resources.

4.6.5.1 Issues Identified to Have No Impact or Less Than Significant Impact

The Initial Study Checklist for the Proposed Project that was circulated with a Notice of Preparation (NOP) identified the following threshold areas where no impacts or less than significant impacts would occur as a result of the Proposed Project. No additional information was received during the NOP review period to change the conclusions of the Initial Study.

Would the Project 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?

Earthquakes, due to their ground acceleration and shifting, can cause major damage to buildings and create dangerous hazards to people through injury or death. As such, the Alquist-Priolo Earthquake Fault Zoning Act prohibits the construction of new habitable structures near and on an active fault. As discussed in the Geotechnical Evaluations, there are no known active or potentially active faults that pass through or towards the Project Site. Accordingly, the Project Site is considered not situated within an Alquist-Priolo Special Studies Zone.

According to the City General Plan, Hesperia is near the San Andreas fault and other seismically active earthquake sources, such as the North Frontal, Cleghorn, Cucamonga, Helendale, and San Jacinto faults. The North Frontal fault has the potential to cause the most severe shaking in Hesperia. As shown in the Earthquake Zones of Required Investigation map 2020 the Project Site is not located in a state designated Alquist-Priolo Earthquake Fault Zone⁵. The North Frontal fault zone, the closest fault to the Project Site, is approximately 11.3 miles southeast of the Project Site. No significant adverse impacts are identified or anticipated, and no mitigation measures are recommended.

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

According to the current California Building Code (CBC), the Project Site is situated within a Seismic Zone 4. Seismic Zone is used to describe an area where earthquakes tend to focus. There are 4 Seismic Zones in California. Typically, a high seismic hazard zone is nearest a Seismic Zone where there are more earthquakes, and a lower seismic hazard zone is farther away from a Seismic

⁵ <https://maps.conservation.ca.gov/cgs/EQZApp/app/>

Zone.⁶ As a result, it is likely that during the life expectancy of the Proposed Project, moderate to severe ground shaking may have potential for adverse effect on the proposed structures.

Additionally, according to the City General Plan, the nearest identified seismic and geologic hazard to the Project Site is the North Frontal fault, which is approximately 11.3 miles from the Project Site. While the possibility of seismic ground shaking on-site is possible, it will not be any more severe than that in other areas of the City.

The design of any structures on-site would incorporate measures to accommodate projected seismic ground shaking in accordance with the CBC. The CBC is designed to preclude significant adverse effects associated with strong seismic ground shaking. Title 15 of the City Municipal Code lists the California Codes adopted by the City and Title 16 provides the City's adopted Development Codes that reduce overall impacts that may be caused by strong seismic ground shaking or other hazards. Compliance with the California Building Codes and City of Hesperia Municipal and Development Codes would ensure potential impacts are reduced to a less than significant level and the Proposed Project would not expose people or structures to substantial adverse effects, including loss, injury or death, involving seismic ground shaking. No significant adverse impacts are identified or anticipated, and no mitigation measures are recommended.

Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

Liquefaction is caused by build-up of excess hydrostatic pressure in saturated non-cohesive soils due to cyclic stress generated by ground shaking during an earthquake. The significant factors on which soil liquefaction potential depends include, among others, the soil type, soil relative density, intensity of earthquake, duration of ground-shaking and depth of groundwater. The Project Site is considered non-susceptible to seismically induced soils liquefaction, as concluded in the Geotechnical Evaluations.

Furthermore, according to the City General Plan, geologically young, loose unconsolidated sediments occur throughout Hesperia, but shallow groundwater occurs only within the Mojave River floodplain⁷. As shown on the General Plan Exhibit SF-1, "Map Showing the Seismic Hazards," the eastern boundaries of the City have a potential for liquefaction.⁸ The Project Site is located in the northwest end of the City and is not within an area susceptible to liquefaction, as defined in the General Plan. The Proposed Project would be required to comply with the CBC to ensure structural integrity. No significant adverse impacts are identified or anticipated, and no mitigation measures are recommended.

⁶ https://www.usgs.gov/faqs/what-a-seismic-zone-or-seismic-hazard-zone?qt-news_science_products=0#qt-news_science_products

⁷ City General Plan. Page SF-7.

⁸ City General Plan. Page SF-9.

Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

Seismically induced landslides and other slope failures are common occurrences during or soon after earthquakes. Considering the Project Site and adjacent properties being relatively flat, the potential for seismically induced landslides should be considered “remote,” as concluded in the Geotechnical Evaluations. Furthermore, as shown on the General Plan Exhibit SF-1, “Map Showing the Seismic Hazards,” the Project Site is not located in an area where local topographic and geological conditions suggest the potential for earthquake-induced landslides. No significant adverse impacts are identified or anticipated, and no mitigation measures are recommended.

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

Implementation of the Proposed Project would disturb more than one acre of soil. Therefore, the Proposed Project is required to comply with the provisions of the National Pollutant Discharge Elimination System (NPDES) Construction General Permit. Construction activity subject to this permit includes clearing, grading, and disturbances to the ground such as stockpiling or excavation. The Construction General Permit requires the development and implementation of a Storm Water Pollution and Prevention Plan (SWPPP). The SWPPP must list Best Management Practices (BMPs) to avoid and minimize soil erosion.

Adherence to BMPs would ensure that the Proposed Project does not result in substantial soil erosion or the loss of topsoil. The Proposed Project would comply with South Coast Air Quality Management District (SCAQMD) Rules 402 and 403, which would reduce construction erosion impacts. Rules 402 nuisance and 403 fugitive dust require the implementation of Best Available Control Measures (BACMs) for each fugitive dust source, and the AQMP, which identifies Best Available Control Technologies (BACTs) for area sources and point sources. No significant adverse impacts are identified or anticipated, and no mitigation measures are recommended.

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?

The Project Site is not located within an area susceptible to liquefaction or earthquake-induced landslides. It is relatively flat, except for the steep slope on the southeastern corner of the site that would remain the same and untouched. The geotechnical report concluded that the potential for these conditions is remote. Compliance with the CBC would ensure that potential hazards posed by unstable soil or a geologic unit would be reduced to less than significant. No significant adverse impacts are identified or anticipated, and no mitigation measures are recommended.

Would the Project be located on expansive soil, as defined in Table 181-B of the California Building Code (2001) creating substantial direct or indirect risks to life or property?

Expansive soils are fine grained clay soils generally found in historic floodplains and lakes that swell in volume when they absorb water and shrink when they dry. This change in volume causes stress on buildings and other loads placed on expansive soils. A high shrink-swell potential

indicates a hazard to structures built on or with material having this rating. According to the Geotechnical Evaluations, upper soils on the Project Site are described as compressible and potentially hydro-collapsible, slightly silty semi-cemented fine to medium coarse sands with traces of caliche, overlying medium dense to dense, slightly silty gravelly medium to coarse sand with rock fragments and minor rocks. Silty gravelly sand in nature, the site soils, in general, are considered “very low” in expansion potential with an Expansion Index less than 20. The evaluations also determined that the groundwater table is at a depth in excess of 50 feet.

According to the Natural Resources Conservation Service’s (NRCS) Web Soil Survey, approximately 65% of the Project Site consists of Cajon Sand. Water readily passes through sandy soils, allowing them to maintain consistent volume and density. The other 35% of the Project Site consists of Hesperia loamy fine sand. Sandy loam soils are usually very stable, showing little change with a change in moisture temperature. No significant adverse impacts are identified or anticipated, and no mitigation measures are recommended.

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 does not include the installation of a new septic system or any other alternative wastewater disposal system as the Proposed Project will be connected to a sewer collection system along Yucca Terrace Drive. No significant adverse impacts are identified or anticipated and no mitigation measures are recommended.

4.6.5.2 Issues Determined to Have Potentially Significant Impacts

As a result of the analysis conducted for the Draft EIR, it was determined that the following issue associated with Geology and Soils has the potential for resulting in significant impacts. The analysis is followed by recommended mitigation measures and the level of significance that would occur following implementation of the mitigation measures.

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

Impact GEO-1: Based on the presence of older Quaternary alluvium at the Project Site, the Proposed Project has the potential to directly or indirectly destroy a unique paleontological resource or site that may be buried.

In the Phase I Cultural Resources Investigation, McKenna et al. obtained a paleontological overview from the Natural History Museum of Los Angeles County (refer to Appendix D of Appendix C). The paleontological overview for the Project Site and vicinity confirmed the area to consist of younger Quaternary alluvium derived from erosion from the San Gabriel Mountains. These deposits are not associated with fossil specimens. However, these younger deposits do overlay older Quaternary alluvium that has been known to yield fossil specimens. Such resources have been found in the Victorville/Hesperia area, between Oro Grande Wash and the Mojave River. Additional specimens have been recovered from the Adelanto area (e.g. George Air Force Base). Substantial excavations may impact the older Quaternary deposits.

Overall, the extent of research in and around the current project area showed small portions of the project area and little of the surrounding properties have been systematically surveyed for cultural resources. As such, there are only a few resources identified and recorded. Of those recorded, all are historic or early modern resources. No prehistoric archaeological resources have been identified, but the area is still considered sensitive for such resources. The area is also moderately sensitive for paleontological resources, given the presence of older Quaternary alluvial deposits in a buried context. These findings have resulted in the following level of sensitivity:

Prehistoric Archaeological Sites	MODERATE
Prehistoric Archaeological Isolates	MODERATE
Historic Archaeological Sites	MODERATE
Historic Archaeological Isolates	MODERATE
Built Environments (Buildings/Structures)	LOW/NON-EXISTENT
Ethnic Resources	LOW
Historic Landscapes	LOW/MODERATE
Paleontological Resources	MODERATE

While the younger deposits are not associated with paleontological specimens, the older deposits have been known to yield fossil specimens. McLeod (2020) concluded excavations into the shallow deposits would be unlikely to yield evidence of fossil specimens. However, deeper excavations into the finer grained older Quaternary deposits may impact fossil-bearing deposits. To avoid potentially significant impacts Mitigation Measure GEO-1 is recommended to be implemented.

Mitigation Measures:

Mitigation Measure GEO-1

Should fossil specimens be encountered during site preparation activities, a qualified paleontologist shall be on-site to oversee all excavations to ensure paleontological specimens are identified, recovered, analyzed, reported, and curated in accordance with CEQA and the San Bernardino County policies and guidelines. This program should be conducted continuously while these older Quaternary deposits are impacted and until the paleontological consultant deems the program is no longer necessary.

Level of Significance After Implementation

Implementation of Mitigation Measure GEO-1 would ensure impacts to Geology and Soils would be less than significant.

Would the Project result in cumulatively considerable impacts related to geology and soils?

The geographic scope of the cumulative geology and soils analysis includes adjacent areas surrounding the Project Site. Ongoing development and growth in the Project area may result in a cumulatively significant impact related to geology and soils. However, the individual, Project-level impacts associated with geology and soils were found to be less than significant with

incorporation of Mitigation Measure GEO-1. In addition, the Proposed Project would be required to comply with the California Building Code, policies identified in the Conservation and Safety Elements of the Hesperia General Plan, and Chapter 15.04, Buildings and Construction of the City's Municipal Code. Other related cumulative projects would be required to comply with all necessary requirements and regulations, to be consistent with the provisions set forth by CEQA and the CEQA Guidelines, and to implement all feasible mitigation measures should a significant project-related and/or cumulative impact be identified. As such, cumulative impacts would be less than significant with mitigation incorporated.

Mitigation Measures:

No mitigation measures are recommended.

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4.7 GREENHOUSE GAS EMISSIONS - CLIMATE CHANGE

4.7.1 Introduction

This section of the EIR discusses potential Greenhouse Gas Emissions - Climate Change impacts that could result from the Proposed Project during project construction or operations. Information regarding existing conditions, impacts, and mitigation measures were derived from the Air Quality and Greenhouse Assessment prepared by Lilburn Corporation. Refer to Appendix B for the report.

4.7.2 Environmental Setting

The site is in the Mojave Desert Air Basin (MDAB), an approximate 21,000 square-mile area under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The MDAB encompasses the desert portion of San Bernardino County and the Palo Verde Valley in eastern Riverside County. The MDAQMD has jurisdiction over that portion of the MDAB within San Bernardino and Riverside counties that includes the City of Hesperia. This area generally includes the portion of San Bernardino County north of the San Gabriel and San Bernardino mountains and the most eastern portion of Riverside County.

The desert portion of San Bernardino County is commonly referred to as the High Desert because of its altitude at approximately 1,000 to 4,500 feet above mean sea level. The region is characterized by a series of low mountain ranges and broad alluvial valleys. The area north of the mountains is generally within the MDAB under the jurisdiction of the MDAQMD. The area south of the mountains is generally located within the South Coast Air Basin (SCAB) under the jurisdiction of the South Coast Air Quality Management District (SCAQMD).

The High Desert region that includes the City of Hesperia is influenced by the San Bernardino and San Jacinto mountain ranges that represent the southerly boundary of the region. These mountain ranges rise to an average of 7,500 feet and are divided by the Banning Pass. A major factor that influences the MDAB's ambient air quality is its location downwind from the SCAB with its substantial pollution sources. Due to the meteorological and topographical factors of the region, air pollutants from the SCAB are transported into the MDAB via the Banning Pass contributing significantly to the ozone violations that occur in the Coachella Valley. With the overall reduction in pollutant levels in the SCAB, the result has been a decline in ozone violations in the MDAB.

The High Desert is classified as an arid desert climate. In the Mojave Desert, this is modified by the San Bernardino and San Jacinto mountains forming barriers to precipitation. The rain shadow causes the aridity of the High Desert climate, while leaving the summers hot and the winters generally mild.

For most of the summer, the region is under the northern edge of the Pacific Subtropical Ridge that limits cloud formation and allows strong daytime heating. This is a zone with no dominant winds, which allows more local effects such as the sea breeze passing through the Banning Pass to control the local weather. The high pressure systems also contribute to the presence of persistent inversion layers that trap pollutants by preventing their dispersion through vertical mixing. In late summer, the ridge can move far enough north to allow humid air from the Gulf of California, and

even as far east as the Gulf of Mexico, into the High Desert. When this happens, thunderstorms may form, causing isolated flash floods and high wind gusts.

Average high temperatures in summer are in the mid 90s to 100° Fahrenheit (F). Average low temperatures are in the mid-60s to 70s. During winter, the Polar Front Jet stream steers pressure systems from west to east across the region. Mild rains result from systems steered in from the southwest and northwest. Winter storm systems are often followed by periods of clear skies and strong westerly or northerly winds. Average high temperatures in winter are in the mid-50s and average low temperatures are in the mid-30s.

Three weather factors have significant impacts on air quality; wind, precipitation and inversion layers. Each of these is discussed below.

Wind

Although the High Desert is 80 miles from the ocean, the sea breeze can be a dominant weather feature. The sea breeze is caused by differential heating of land and water. Land heats faster than the ocean, and because hot air rises, air warmed over land during the day rises, and cooler denser air from the ocean moves in to replace it. Normally limited to within a few miles of a coastline, the extreme differences in temperature between the desert and the Pacific Ocean make the sea breeze a regional phenomenon in southern California. The combination of extreme temperature differences and physical restraint on the air movements means there is a consistent source for strong wind blowing through Banning Pass and across the High and Low Desert. The sea breeze is a primary transportation medium, bringing pollutants out of the coastal valleys and into the desert.

Precipitation

The High Desert receives precipitation from winter cold fronts and moist southerly air masses during the late summer. Summer thunderstorms bring highly variable amounts of localized rain. The rain from these storms falling into the dry air often evaporates before reaching the surface. However, if the storm lasts long enough, the area beneath the storm may get several inches of rain over a short time leading to flash floods and rapid erosion in washes and gullies.

Inversions

Inversions are layers in the atmosphere where the temperature increases with height instead of decreasing as is normal. Inversions trap pollutants by limiting the vertical mixing which normally disperses pollutants into the upper atmosphere. There are two types of inversions affecting the High Desert. The first is the regional inversions caused by subsiding air within the high-pressure systems that dominate the summer weather. These subsidence inversions can occur at varying altitudes, with corresponding variable effects on the pollution levels. The lower the inversion level, the greater the concentration of pollutants between it and the ground. The second type is the radiation inversion that forms when the ground cools rapidly after sunset, cooling the air immediately above it at the same time.

Greenhouse Gases

Gases that trap heat in the atmosphere are often called Greenhouse Gases (GHG), analogous to the effects of a greenhouse. GHGs are emitted by natural processes and human activities. The accumulation of GHGs in the atmosphere helps regulate the earth's temperature. Without these natural GHGs, the Earth's surface would be approximately 60°F cooler (EPA 2017). Emissions from human activities such as electricity production and vehicles have elevated the concentration of these gases in the atmosphere.

GHGs have varying global warming potential (GWP). A GWP is a “quantified measure of the globally averaged relative radiative forcing impacts of a particular greenhouse gas, defined as the accumulated radiative forcing within a specific time horizon caused by emitting one kilogram of the gas, relative to that of the reference gas” (EPA 2017). The reference gas for GWP is carbon dioxide; carbon dioxide has a GWP of one. For example, methane has a GWP of 28, which means that it has a greater global warming effect than carbon dioxide on a molecule per molecule basis. One teragram of carbon dioxide equivalent (Tg CO₂ Eq.) is the emissions of the gas multiplied by the GWP. One teragram is equal to one million metric tons. The carbon dioxide equivalent is a good way to assess emissions because it gives weight to the GWP of the gas. The lifetime and GWP of selected GHG are summarized in Table 4.7-1. As shown in the table, GWP for a 100-year time horizon ranges from one (carbon dioxide) to 23,500 (sulfur hexafluoride).

**Table 4.7-1
Global Warming Potentials and Atmospheric
Lifetimes of Select Greenhouse Gases**

Gas	Lifetime (years)	Global Warming Potential (100-year time horizon)
Carbon Dioxide	*	1
Methane	12.4 [†]	28
Nitrous Oxide	121 [†]	298
HFC-23	222	12,400
HFC-134a	13.4	1,300
HFC-152a	1.5	138
PFC-14: Tetrafluoromethane (CF ₄)	50,000	6,630
PFC-116: Hexafluoroethane (C ₂ F ₆)	10,000	11,100
Sulfur Hexafluoride (SF ₆)	3,200	23,500

Source: IPCC 2019

* No single lifetime can be given.

[†] Perturbation lifetime is used in calculation of metrics, not the lifetime of the atmospheric burden.

Water vapor is the most abundant, important, and variable GHG in the atmosphere. It is not considered a pollutant; in the atmosphere it maintains a climate necessary for life. The main source of water vapor is evaporation from the oceans (approximately 85 percent). Other sources include evaporation from other water bodies, sublimation (change from solid to gas) from ice and snow, and transpiration from plant leaves.

Carbon dioxide (CO₂) is an odorless, colorless natural GHG. Natural sources include the following: decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Carbon dioxide is the primary greenhouse gas emitted through human activities and anthropogenic sources of carbon dioxide are from burning coal, oil, natural gas, and wood. Concentrations are currently around 400 ppm; some say that concentrations may increase to 540 ppm by 2100 as a direct result of anthropogenic sources (IPCC 2001). Some predict that this will result in an average global temperature rise of at least 2° Celsius (IPCC 2001).

Methane is a flammable gas and is the main component of natural gas. When one molecule of methane is burned in the presence of oxygen, one molecule of carbon dioxide and two molecules of water are released. There are no health effects from methane. A natural source of methane is from the anaerobic decay of organic matter. Geological deposits known as natural gas fields contain methane, which is extracted for fuel. Other sources are from landfills, fermentation of manure, and cattle.

Nitrous oxide (N₂O), also known as laughing gas, is a colorless GHG. Higher concentrations can cause dizziness, euphoria, and sometimes slight hallucinations. Nitrous oxide 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. It is used in rocket engines, as an aerosol spray propellant, and in race cars.

Chlorofluorocarbons (CFCs) are gases formed synthetically by replacing all hydrogen atoms in methane or ethane 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 were first synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. They destroy stratospheric ozone; therefore, their production was stopped as required by the Montreal Protocol.

Black Carbon. Black carbon is a component of fine particulate matter, which has been identified as a leading environmental risk factor for premature death. It is produced from the incomplete combustion of fossil fuels and biomass burning, particularly from older diesel engines and forest fires. Black carbon warms the atmosphere by absorbing solar radiation, influences cloud formation, and darkens the surface of snow and ice, which accelerates heat absorption and melting. Black carbon is a short-lived species that varies spatially, which makes it difficult to quantify the global warming potential. Diesel particulate matter emissions are a major source of black carbon and are toxic air contaminants that have been regulated and controlled in California for several decades to protect public health. In relation to declining diesel particulate matter from the California Air Resources Board's (CARB's) regulations pertaining to diesel engines, diesel fuels,

and burning activities, CARB estimates that annual black carbon emissions in California have reduced by 70% between 1990 and 2010, with 95% control expected by 2020 (CARB 2014).

Fluorinated Gases. Fluorinated gases (also referred to as F-gases) are synthetic powerful GHGs emitted from many industrial processes. Fluorinated gases are commonly used as substitutes for stratospheric ozone-depleting substances (e.g., CFCs, hydrochlorofluorocarbons [HCFCs], and halons). The most prevalent fluorinated gases include the following:

Hydrochlorofluorocarbons. HCFCs are a large group of compounds, whose structure is very close to that of CFCs containing hydrogen, fluorine, chlorine, and carbon atoms—but including one or more hydrogen atoms. Like HFCs, HCFCs are used in refrigerants and propellants. HCFCs were also used in place of CFCs for some applications; however, their use in general is being phased out.

Perfluorocarbons (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. PFCs have very long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane and hexafluoroethane. Concentrations of tetrafluoromethane in the atmosphere are over 79 ppt (IPCC 2013). The two main sources of PFCs are primary aluminum production and semiconductor manufacture.

Sulfur hexafluoride (SF₆) is an inorganic, odorless, colorless, nontoxic, nonflammable gas. It also has the highest GWP (23,500) of any gas evaluated. Concentrations in 2011 were about 7.3 ppt, while concentrations in 2005 were about 5.6 ppt (EPA 2013). 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.

Nitrogen Trifluoride: NF₃ is used in the manufacture of a variety of electronics, including semiconductors and flat panel displays.

Ozone found in the troposphere is considered a GHG; however, unlike the other GHG, ozone in the troposphere is relatively short-lived and therefore is not global in nature. Ozone is not directly emitted into the air but is formed through chemical reactions between precursor emissions of reactive organic gases (ROG) and nitrogen oxides (NO_x) in the presence of sunlight. It is difficult to make an accurate determination of the contribution of ozone precursors (nitrogen oxides and volatile organic compounds) to climate change (CARB 2004).

Aerosols are particles emitted into the air through burning biomass (plant material) and fossil fuels. Aerosols can warm the atmosphere by absorbing and emitting heat and can cool the atmosphere by reflecting light. Cloud formation can also be affected by aerosols. Sulfate aerosols are emitted when fuel with sulfur in it is burned. Black carbon (or soot) is emitted during biomass burning incomplete combustion of fossil fuels. Particulate matter regulation has been lowering aerosol concentrations in the United States; however, global concentrations are likely increasing.

4.7.3 Applicable Plans, Policies, and Regulations

Assembly Bill 32

In 2006, the California State Legislature adopted Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006. AB 32 requires CARB, to adopt rules and regulations that would achieve GHG emissions equivalent to statewide levels in 1990 by 2020 through an enforceable statewide emission cap which was phased in starting in 2012. On January 1, 2017 AB 32 was revised to include a statewide GHG emission reduction of 40 percent below the state GHG emissions limit no later than December 31, 2020.

Senate Bill (SB) 32 and AB 197.

SB 32 and AB 197 (enacted in 2016) are companion bills. SB 32 codified the 2030 emissions reduction goal of EO B-30-15 by requiring CARB to ensure that statewide GHG emissions are reduced to 40% below 1990 levels by 2030. AB 197 established the Joint Legislative Committee on Climate Change Policies, consisting of at least three members of the Senate and three members of the Assembly, in order to provide ongoing oversight over implementation of the state's climate policies. AB 197 also added two members of the Legislature to the CARB Board as nonvoting members; requires CARB to make available and update (at least annually via its website) emissions data for GHGs, criteria air pollutants, and TACs from reporting facilities; and requires CARB to identify specific information for GHG emissions reduction measures when updating the Scoping Plan.

City of Hesperia

The City of Hesperia (City) has prepared a Climate Action Plan (CAP) as its primary strategy for ensuring that the buildout of the General Plan Update will not conflict with the implementation of Assembly Bill 32 – the Global Warming Solutions Act of 2006. Assembly Bill 32 (AB 32) requires California to reduce statewide greenhouse gas emissions to 1990 levels by the year 2020, which is about a 29% reduction from 2020 business as usual. The City CAP is designed to reduce community-related and City operations-related greenhouse gas emissions to a degree that would not hinder or delay implementation of AB 32. The City has established a goal to reduce its community wide GHG to reduce per capita GHG emissions 29% below business as usual by 2020. The City's community wide GHG emissions inventory for baseline year 2009 is presented in Table 4.7-2.

As shown on Table 4.7-2, approximately 63% of the City's GHG emissions in 2009 were attributed to transportation sources with the next highest attributed to electricity, which accounted for approximately 21%. All other sources each accounted for less than 5% of the City's GHG emissions in 2009.

Table 4.7-2
City of Hesperia (Year 2009)
Communitywide Greenhouse Gas Emissions Inventory

Community Sector	Total MT CO₂e/year	CO₂e (%)¹
Transportation: Passenger Vehicles	199,414	31%
Transportation: Trucks	20,392	31%
Transportation: Other	7,454	1%
Electricity	34,507	5%
Natural Gas	135,824	21%
Solid Waste	28,394	4%
Wood Burning Fireplaces and Stoves	9,528	2%
Refrigerants	23,906	4%
Total	639,419	100%

Source: City of Hesperia, Climate Action Plan (CAP), 2010.

Note: GHG = greenhouse gas; MT CO₂e = metric tons of carbon dioxide equivalent per year

¹ Totals may not sum due to rounding

General Plan

Policies pertaining to reducing GHGs are addressed in the Conservation Element of the general plan. The following policies from the Conservation Element are applicable to the Project:

Goal CN-1: Conserve water resources within the Upper Mojave River Groundwater Basin.

Policy CN-1.1: Promote the use of desert vegetation with low water usage and drought tolerant materials in landscaped areas.

Policy CN-1.6: Encourage the use of low-water consumption fixtures in homes and businesses.

Goal CN-2: Establish building and development standards to maximize the reclamation of water resources.

Policy CN-2.2: Encourage the use of reclaimed water for irrigation and other non-potable uses.

Goal CN-6: Provide programs and incentives to encourage residents, businesses and developers to reduce consumption and efficiently use energy resources.

Policy CN-6.2: Encourage the use of green building standards and Leadership in Energy and Environmental Design (LEED) or similar programs in both private and public projects.

Goal CN-7: Develop, promote and implement policies to reduce and limit GHG emissions.

Policy CN-7.4: Promote the utilization of alternative energy resources such as wind and solar in new development.

Policy CN-7.5: Promote the utilization of environmentally sensitive construction materials to limit impacts on the ozone, global climate change and mineral resources.

Policy CN-7.7: Promote energy conservation through site layout, building design, natural light and efficient mechanical and electrical products in development.

Policy CN-7.8: Continue the existing recycling program and utilization of the material recovery facility program while exploring additional methods of reducing waste.

Policy CN-7.9: Promote sustainable principles in development that conserves such natural resources as air quality and energy resources.

Climate Action Plan

On July 20, 2010, the City of Hesperia adopted the Climate Action Plan (CAP), which provides a framework for reducing GHG emissions and managing resources to best prepare for a changing climate. The CAP recommends GHG emissions targets that are consistent with the reduction targets of the State of California and presents several strategies that will make it possible for the City to meet the recommended targets. Strategy CAP-1 specifies “projects that are consistent with this CAP could result in less than significant impacts regarding climate change.” This is because emissions from these projects are generally accounted for in this CAP and would be consistent with this CAP reduction target. To be consistent with this CAP, CEQA projects must implement the applicable implementation strategies. To be consistent with this CAP, CEQA projects must implement the applicable implementation strategies listed in Section 4.2 of the CAP. Per CAP Implementation Action 1.5 (CAP-1.5), projects that require a discretionary approval shall reduce operational GHG emissions by at least 12%, without accounting for regulations discussed in the CAP.

Health and Other Effects

The potential health effects from global climate change may arise from temperature increases, climate-sensitive diseases, extreme events, and air quality. There may be direct temperature effects through increases in average temperature leading to more extreme heat waves and less extreme cold spells. Those living in warmer climates are likely to experience more stress and heat-related problems (i.e., heat rash and heat stroke). In addition, climate-sensitive diseases may increase, such as those spread by mosquitoes and other disease carrying insects. Those diseases include malaria, dengue fever, yellow fever, and encephalitis. Extreme events such as flooding and hurricanes can displace people and agriculture, which would have negative consequences. Drought in some areas may increase, which would decrease water and food availability. Global climate change may also contribute to air quality problems from increased frequency of smog and particulate air pollution (EPA 2006).

4.7.4 Thresholds of Significance

The significance criteria used to evaluate the Project impacts to greenhouse gases/climate change are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to greenhouse gas emissions would occur if the Project would:

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

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

The City has not adopted a numeric significance threshold for determining significant impacts associated with GHG emissions, however the City finds persuasive and reasonable the approach to determining significance of greenhouse gas emissions established by the MDAQMD. Thresholds established by the MDAQMD are therefore utilized in the analyses herein. On May 13, 2010 EPA finalized the GHG Tailoring Rule (75 FR 31514, June 3, 2010). The Tailoring Rule sets major source emissions thresholds that define when federal operating permits under Prevention Significant Deterioration (PSD) or Title V are required. The Tailoring Rule establishes a threshold of 100,000 tons per year or 90,719 MT per year of GHGs from new sources above which sources are considered major sources requiring a federal operating permit. Therefore, the MDAQMD threshold of GHGs of 100,000 tons per year or 90,719 MT per year is applicable to the Proposed Project.

4.7.5 Project Impact Analysis and Mitigation Measures

4.7.5.1 Issues Identified to Have No Impact or Less Than Significant Impact

The Initial Study Checklist for the Proposed Project that was circulated with a Notice of Preparation (NOP) did not identify any threshold areas where no impacts or less than significant impacts would occur as a result of the Proposed Project. No additional information was received during the NOP review period to change the conclusions of the Initial Study.

4.7.5.2 Issues Determined to Have Potentially Significant Impacts

As a result of the analysis conducted for the Draft EIR, it was determined that the following issues associated with Biological Resources have the potential for resulting in significant impacts. Each analysis is followed by recommended mitigation measures and the level of significance that would occur following implementation of the mitigation measures.

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

Impact GHG-1: The Proposed Project could result in greenhouse gas emissions, either directly or indirectly, that may exceed established thresholds established by the MDAQMD.

The proposed development would occur on approximately 78.81 acres of land. Construction-related emissions generated by the Proposed Project would be from short-term construction activities. The Proposed Project was screened using CalEEMod version 2016.3.2. The GHG analyzed include carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O). Construction emissions are screened and quantified to document the effectiveness of control measures.

Construction Emissions

Greenhouse gas (GHG) emissions are cumulative in nature, in that, no one single project can measurably contribute to climate change and its affects (global average change in temperature, rising sea levels etc.). The direct or indirect GHG impacts are therefore not evaluated on a local level, but whether or not the GHG emissions resulting from the project are cumulative; that is, they add considerably to an increase in GHGs as compared to the existing environmental setting based on: 1) an established significance threshold(s); or 2) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions.

AB 32 defines seven (7) major GHGs that are emitted into the atmosphere, the first three are both biogenic (occur naturally in the environment) and anthropogenic (are man-made), through the burning of fossil fuels, the decay of organic waste in landfills etc. and they include carbon dioxide (CO₂), methane (CH₄) and nitrous oxide (N₂O). The other four, known as Fluorinated gases (Hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and nitrogen trifluoride) are synthetic (made artificially by chemical processes). The Proposed Project would not generate Fluorinated gases as defined by AB 32, only the GHGs (CO₂, CH₄, and N₂O) that are emitted by construction equipment. Therefore, GHG emissions from CO₂, CH₄, and N₂O are modeled. Results for GHG emissions related to construction of the Proposed Project are shown in Table 4.7-3.

**Table 4.7-3
Greenhouse Gas Construction Emissions
(Metric Tons Per Year)**

Source/Phase	CO₂	CH₄	N₂O
Site Preparation	103.9	0.0	0.0
Grading	202.0	0.0	0.0
Building Construction	2,321.2	0.1	0.0
Paving	114.3	0.0	0.0
Architectural Coating	71.7	0.0	0.0
Total Max (MTCO ₂ e)	3,317.7		
Amortized over 30 years	110.6		
MDAQMD Threshold (MT)	90,718		
Significant	No		

Source: CalEEMod 2016.3.2, Annual Emissions

Model results for GHG emissions related to construction of the Proposed Project as shown in Table 4.7-3 do not exceed the MDAQMD threshold and therefore would not result in a significant impact. No mitigation measures are required.

Operational Emissions

Operational emissions are categorized as energy (generation and distribution of energy to the end use), area (operational use of the project), mobile (vehicle trips), water (generation and distribution of water to the land use), and waste (collecting and hauling waste to the landfill). The operational mobile source emissions were calculated in accordance with the Focused Traffic Impact Analysis

prepared for the Proposed Project by Urban Crossroads., in November 2020. The Proposed Project is anticipated to generate approximately 2,150 total daily trips. The anticipated total daily trips were inputted into the CalEEMod Version 2016.3.2 model to estimate the operational mobile source emissions. Emissions associated with the operational activities is listed in Table 4.7-4.

**Table 4.7-4
Greenhouse Gas Operational Emissions
(Metric Tons Per Year)**

Source	CO ₂	CH ₄	N ₂ O
Area	0.0	0.0	0.0
Energy	15,841.3	0.6	0.2
Mobile	4,429.5	0.2	0.0
Waste	193.3	11.4	0.0
Water	1,046.0	7.7	0.2
Construction (30 Years Amortized)	110.6		
Total (MTCO₂e)	22,223.1		
MDAQMD Threshold (tons)	90,718		
Significant	No		

Source: CalEEMod 2016.3.2, Annual Emissions

As shown in Table 4.7-4, operational emissions produced from the Proposed Project would not exceed MDAQMD thresholds and therefore would not result in a significant impact. No mitigation measures are required.

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

Impact GHG-2: The Proposed Project may conflict with GHG emissions reduction goals established in the City of Hesperia Climate Action Plan.

On July 20, 2010, the City of Hesperia adopted the Climate Action Plan (CAP), which provides a framework for reducing GHG emissions and managing resources to best prepare for a changing climate. To be consistent with this CAP, CEQA projects must implement the applicable implementation strategies listed in Section 4.2 of the CAP.

Per CAP Implementation Action 1.5 (CAP-1.5), projects that require a discretionary approval shall reduce operational GHG emissions by at least 12%, without accounting for regulations discussed in the CAP. The applicant has proposed to construct and operate either a solar array or a roof-top solar system. Either system would be project-specific meaning that energy generated will only be used on-site with no excess sent to the grid. On-site energy generation is anticipated to provide up to 29% of the total electricity needs. Therefore, the project is in compliance with the City's 12% project specific GHG reduction goal.

Mitigation Measures:

No mitigation measures are recommended.

Would the Project result in cumulatively considerable impacts with regards to greenhouse gas emissions?

As previously discussed, GHG emissions impacts are inherently cumulative in nature. As shown in Table 4.7-4, the Project would not result in GHG emissions in exceedance of the MDAQMD significance threshold and would be consistent with the City CAP. Therefore, cumulatively, Project GHG emissions would be less than significant and no mitigation measures are required.

4.8 HAZARDS & HAZARDOUS MATERIALS

4.8.1 Introduction

This section of the EIR discusses any potential hazards that currently exist in the area surrounding the Project Site, or that could exist as a result of the Proposed Project. Information about existing conditions was derived from site visits, a US Cold Storage Hazardous Materials Business Plan, and a review of the City of Hesperia General Plan.

4.8.2 Environmental Setting

Schools

The nearest schools in the project vicinity are all located more than one mile from the Project Site and include the following:

- San Joaquin Valley College located at 9331 Mariposa Road and approximately 1.27 miles to the southeast.
- Mojave River Academy located at 14466 Main Street and approximately 2.68 to the east.
- Hollyvale Innovation Academy located at 11645 Hollyvale Avenue and approximately 1.90 miles to the north.
- Baldy Mesa Elementary School located at 10376 Blady Mesa Road and approximately 3.20 miles to the west.

Airports and Airstrips

The Project Site is not located within any airport overlays in the City General Plan.¹ The closest airport to the Project Site is the Hesperia Airport, located approximately 5.5 miles southeast of the site.

Wildland Fires

The area in which the City is located is associated with designation of both a “moderate” fire threat and a “very high” fire threat to people. The area west of Maple Avenue, which includes the Project Site, is where the majority of new development is occurring. The Project Site is located within a local responsibility area and outside of a very high fire hazard severity zone (VHFHSZ).² There are no mapped wildlands located within the vicinity.

Hazardous Materials and Waste

The Project Site was not found on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 by the California Department of Toxic Substances Control’s

¹ City General Plan. Page LU-60.

² CalFire. Fire Hazard Severity Zones Maps. <https://osfm.fire.ca.gov/media/5945/hesperia.pdf/>

EnviroStor data management system.³ No structures or developed features are located on the parcels. Transmission power lines are located along the western and southern boundaries. Two orange markers delineating an underground utility (communication) are also located along the western boundary. A small chain link fence is located along the northern boundary of the Project Site near the aqueduct.

Historical sources indicate that the site has consisted of undeveloped land from at least 1902 to present. Aerial photographs and historical topographic maps do not indicate the development of structures at the Project Site⁴. The Project Site is located within a predominantly rural area that consists of predominantly undeveloped land with a few commercial and mixed-use developments to the west. The surrounding area to the west had sparse development from as early as 1968 and 1985.

4.8.3 Applicable Policies, Plans, and Regulations

Federal

United States Environmental Protection Agency (EPA) Guidance Documents

The EPA develops and enforces regulations to protect human health and the environment. The EPA provides guidance documents for local agencies to adopt environmental regulations. Specifically, the Guidance Documents Managed by the Office of Chemical Safety and Pollution Prevention⁵ serve to protect human life and the environment from potential risks from pesticides and toxic chemicals.

The Federal Toxic Substances Control Act of 1976 and Resource Conservation and Recovery Act of 1976

The Federal Toxic Substances Control Act of 1976 and Resource Conservation and Recovery Act (RCRA) established a program administered by the USEPA for the regulation of the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act, which affirmed and extended the “cradle-to-grave” system of regulating hazardous wastes. The Hazardous and Solid Waste Act specifically prohibited the use of certain techniques for the disposal of some hazardous wastes.

National Pollutant Discharge Elimination System Permit Program

The National Pollution Discharge Elimination System (NPDES) permit program was established in the Clean Water Act (CWA) to regulate municipal and industrial discharges to surface waters of the United States. Discharge from any point source is unlawful unless the discharge is in compliance with an NPDES permit. Federal NPDES permit regulations have been established for broad categories of discharges, including point-source municipal waste discharges and nonpoint-

³ <https://www.envirostor.dtsc.ca.gov/public/map/?assembly=42>. Accessed September 4, 2020.

⁴ Phase I Environmental Assessment, U.S. Cold Storage, Drinker, Biddle and Reath, LLP, March 2020

⁵ <https://www.epa.gov/guidance/guidance-documents-managed-office-chemical-safety-and-pollution-prevention-ocspp>

source stormwater runoff. NPDES permits generally identify effluent and receiving water limits on allowable concentrations and/or mass emissions of pollutants contained in the discharge; prohibitions on discharges not specifically allowed under the permit; and provisions that describe required actions by the discharger, including industrial pretreatment, pollution prevention, self-monitoring, and other activities.

State

California Building Code

The California Building Code (CBC) is Part 2 of the California Buildings Standards Code. The purpose of the CBC is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, access to persons with disabilities, sanitation, adequate lighting and ventilation and energy conservation; safety to life and property from fire and other hazards attributed to the built environment; and to provide safety to fire fighters and emergency responders during emergency operations. The provisions of this code apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected to or attached to such buildings or structures throughout the State of California. Chapter 7A requires new buildings in VHFHSZ to use ignition-resistant construction methods and materials.

Public Resources Code 4130

The Board of Forestry and Fire Protection shall classify all lands within state responsibility areas into types of land based on cover, beneficial use of water from watersheds, probable damage from erosion, and fire risks and hazards, and shall determine the intensity of protection to be given to each such type of land. A plan for adequate statewide fire protection of state responsibility areas shall be prepared by the board in which all land of each type shall be assigned the same intensity of protection, and the estimated cost of such intensity of protection shall be determined.⁶

California Public Resources Code 4291

PRC 4291 is part of the overall State Fire Regulation and enforces defensible space codes. It requires a person who owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining a mountainous area, forest-covered lands, brush-covered lands, grass-covered lands, or land that is covered with flammable material to implement measures to reduce the likelihood of a wildfire occurring, such as maintaining defensible space of 100 feet from each side of the structure.⁷

2018 Strategic Fire Plan for California

The Strategic Fire Plan is one of the Board of Forestry and Fire Protection's preeminent policies. The Board adopted these Plans in the 1930s and periodically updates them to reflect current and

⁶ https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=4130.&lawCode=PRC

⁷ http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC§ionNum=4291.

anticipated needs. Over time, as the environmental, social, and economic landscape of California's wildlands has changed, the Board has evolved the Strategic Fire Plan to better respond to these changes and to provide the Department of Forestry and Fire Protection (CAL FIRE) with appropriate guidance "...for adequate statewide fire protection of state responsibility areas" (PRC § 4130).⁸ This 2018 Plan reflects CAL FIRE's focus on (1) fire prevention and suppression activities to protect lives, property, and ecosystem services, and (2) natural resource management to maintain the state's forests as a resilient carbon sink to meet California's climate change goals and to serve as important habitat for adaptation and mitigation.

State Fire Regulations

Fire regulations for California are established in Section 13000 et seq. of the California Health and Safety Code, which includes regulations for structural standards (similar to those identified in the California Building Code), fire protection and public notification systems, fire protection devices such as extinguishers and smoke alarms, standards for high-rise structures and childcare facilities, and fire suppression training. The State Fire Marshal is responsible for enforcement of these established regulations and building standards for all State-owned buildings, State-occupied buildings, and State institutions in California.⁹

Local

Certified Unified Program Agency

The Enforcement and Emergency Response Division (EERD) administers the technical implementation of the State's Unified Program – a consolidation of six environmental programs at the local level. EERD conducts triennial reviews of Unified Program agencies to ensure their programs are consistent statewide, conform to standards, and deliver quality environmental protection at the local level. EERD oversees the hazardous waste generator and on-site waste treatment surveillance and enforcement program carried out by local Unified Programs.¹⁰ In Hesperia, the local Certified Unified Program Agency (CUPA) is the San Bernardino County Fire Department, Hazardous Materials Division (SBCFD-HMD).

City General Plan

The following policies identified in the Circulation, Noise, and Safety elements of the City General Plan are relevant to this analysis.

Goal CI-4: Provide a circulation system that facilitates the movement of goods and services throughout the City while protecting residences, sensitive land uses, and pedestrians from activities along rail and truck corridors.

⁸ https://osfm.fire.ca.gov/media/5590/2018-strategic-fire-plan-approved-08_22_18.pdf

⁹ https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=HSC&division=12.&title=&part=1.&chapter=1.&article=

¹⁰ <https://dtsc.ca.gov/certified-unified-program-agencies-cupa/>

Policy CI-4.2: Locate new development and their access points in such a way that traffic is not encouraged to utilize local residential streets for access to the development and its parking.

Policy CI-4.5: Develop an efficient and effective truck route system that is compatible with land uses and street improvement standards and provide monitoring to ensure compatibility.

Goal SF-3: Reduce the risk of death, injury, property damage and economic loss due to vegetation and structure fires.

Policy SF-3.3: Select City staff will coordinate with the San Bernardino County Fire Department and train in NIMS-compliant emergency response procedures to provide assistance as needed during emergency situations. This includes conducting emergency response exercises, including mock earthquake-induced fire-scenario exercises, to evaluate and improve, as needed, the City's ability to respond to the multiple ignitions that an earthquake is likely to generate.

Policy SF-3.4: In conformance with Assembly Bill 2140 (2006) the City will adopt its Hazard Mitigation Plan (HMP) as an addendum to the Safety Element of the General Plan. The HMP needs to be updated every 5 years, per the requirements of the Federal Disaster Mitigation Act of 2000.

Policy SF-3.5: The City, in cooperation with the San Bernardino County Fire Department, will evaluate public notification systems (such as a reverse 911 system) that can be used to warn residents of an approaching wildfire and to provide evacuation instructions.

Policy SF-3.7: The City, in cooperation with the San Bernardino County Fire Department, will ensure, to the maximum extent possible, that fire services, such as firefighting equipment and personnel, infrastructure, and response times, are adequate for all sections of the City. To that end, the City will continue to regularly evaluate specific fire hazard areas, and adopt reasonable safety standards, such as adequacy of nearby water supplies, fire-retardant roofing materials, fire-equipment accessible routes, clarity of addresses, street signage, and street maintenance.

Policy SF-3.8: The City, in cooperation with the San Bernardino County Fire Department, will ensure that the Hesperia Water District conducts annual fire flow tests and addresses any deficiencies found as soon as possible.

Policy SF-3.9: The City, in cooperation with the San Bernardino County Fire Department, will develop and hold regular training exercises that involve residents as much as possible, such as through the City's Community Emergency Response Team (CERT) program, to empower individuals and neighborhoods to be self-reliant in the aftermath of a natural or man-made disaster.

Policy SF-3.10: The City will adopt the most recent version of the Wildland-Urban Interface Code and Chapter 7A of the California Building Code for use in the City where the Insurance Services Offices (ISO) number exceeds 5 (greater than 5).

Goal SF-4: Reduce the potential for hazardous materials contamination in Hesperia.

Policy SF-4.1: The City, in cooperation with the San Bernardino County Fire Department, Hazardous Materials Division, will continue to enforce disclosure laws that require all users, generators, and transporters of hazardous materials and wastes to clearly identify the materials that they store, use or transport, and to notify the appropriate City, County, State and Federal agencies of a change in quantity or type of materials, and in the event of a violation.

Policy SF-4.2: The City, in cooperation with the San Bernardino County Fire Department, will ensure that they can continue to respond safely and effectively to a hazardous materials incident in the City, whether it is a spill at a permitted facility, or the result of an accident along a section of the freeway or railroads that extend across the City. To do this, the City will continue to coordinate with regional providers of emergency services, including the County's Fire and Sheriff Departments, to ensure that all residents, workers and visitors to Hesperia are protected from exposure to hazardous materials and wastes.

Policy SF-4.3: The City will identify roadways along which hazardous materials are routinely transported. If critical facilities, such as schools, medical facilities, child care centers or other facilities with special evacuation needs are located along these routes, the City, together with these facilities, will identify emergency response plans that can be implemented in the event of an roadway accident nearby that results in the unauthorized release of hazardous materials.

Policy SF-4.4: The City will continue to reduce or eliminate the use of hazardous materials by using instead non-toxic, safer alternatives that do not pose a threat to the environment, or buying and using only the smallest amount of a hazardous substance to get the intended job done. The City will encourage residents and businesses in the City to do the same.

Policy SF-4.5: Proposed new facilities that will be involved in the production, use, storage, transport or disposal of hazardous materials will not be allowed within the 100-year floodplain, or near existing land uses that may be adversely impacted by such activities. Conversely, new sensitive facilities (like schools, childcare centers, nursing homes) will not be allowed to be located near existing sites that use, store, or generate hazardous materials.

Policy SF-4.6: The City will continue to support the operation of programs and recycling centers that accept hazardous substances, such as paint, paint thinner, used waste oil, etc., such as the City's Drop-Off facility.

Policy SF-4.7: The City will work with the Hesperia Water District to monitor the potential presence of perchlorate in well water. If perchlorate continues to be detected at measurable concentrations, programs to find and eradicate the source of this contaminant, and to clean up the perchlorate already in the water will have to be developed.

Goal SF-5: Plan for emergency response and recovery from natural disasters, especially from flooding, fire, and earthquakes, and from civil unrest that may occur following a natural disaster.

Policy SF-5.1: The City will maintain, update and adopt on a regular basis, as mandated by FEMA, a Local Hazard Mitigation Plan.

Policy SF-5.2: The City will continue to maintain and update its emergency response organization consisting of representatives from all City departments, the San Bernardino County Fire and Sheriff Departments, local quasi-governmental agencies, private businesses, citizens, and other community partners involved in emergency relief and/or community-wide services.

Policy SF-5.3: Will continue to maintain mutual aid agreements with neighboring cities and the San Bernardino County Operational Area.

Policy SF-5.4: Will participate in regional and local emergency exercises, such as the Great California ShakeOut, an annual statewide earthquake drill that is generally held in October.

Policy SF-5.7: Will enhance public awareness and preparedness by encouraging residents and businesses to store supplies for self-reliance following a disaster. Emergency preparedness kits should include, at a minimum, a three-day supply of drinking water and food for all members of the household or business, including pets. Seven-day supplies of water are better.

Policy SF-5.8: Will offer educational programs for residents and businesses regarding mitigation measures to take prior to, during, and after an emergency, and will involve the public in the awareness of City emergency response plans, resources, risk reduction, and mitigation measures.

Policy SF-5.10: The City will continue to support the development of local preparedness plans and multi-jurisdictional cooperation and communication for emergency situations consistent with regional, state (SIMS), and Federal standards, guidelines and/or recommendations (NIMS).

City Municipal Code

The following regulations identified in the City Municipal Code are relevant to this analysis:

Chapter 2.20: Emergency Services

The declared purposes of this chapter are to provide for the preparation and carrying out of plans for the protection of persons and property within this city in the event of an emergency, the direction of the emergency organization and the coordination of the emergency functions of this city with all other public agencies, corporations and affected private persons.

Chapter 8.08: Hazardous Materials

This section establishes the City's intent to conform to the county of San Bernardino Hazardous Waste Management Plan as approved by the state of California Department of Health Services, intentions of hazardous materials release response plans and inventory, and implementation of the provisions of Chapter 6.7 of the California Health and Safety Code and designates the Hesperia Fire District as the administering agency responsible for administering and enforcing such provisions of said Chapter 6.7 within the boundaries of the city.

Chapter 15.04: Building Codes

This section establishes State building regulations adopted by the City, such as the 2019 California Building Code, Volumes 1 and 2, the 2019 California Residential Code, the 2019 California Electrical Code, the 2019 California Mechanical Code, the 2019 California Plumbing Code, the 2019 California Fire Code, the 2019 California Green Building Standards Code, and the 2019 California Referenced Standards Code. It also highlights additional building codes applicable to construction projects, such as installation of an automatic fire extinguishing system.

Chapter 16.20: General Regulations

The purpose of Chapter 16.20 - Landscape Regulations of the Development Code (Title 16 of the Municipal Ordinance) is to provide water conservation and landscape development standards and guidelines that will promote the general welfare of City of Hesperia residents through creating responsible outdoor environment. All projects that require approval of a new or revised site plan review,

conditional use permit, variance, tentative tract map or other discretionary approval after the effective date of this ordinance are required to provide and maintain landscaping in compliance with the provisions of this chapter.

4.8.4 Thresholds of Significance

The Initial Study Checklist for the Proposed Project was utilized to identify the primary thresholds of significance relating to CEQA issues. As such, the Proposed Project would have a significant effect on Public Health relating to Hazards and Hazardous Material if it would:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- 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.
- 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, will the project result in a safety hazard or excessive noise for people residing or working in the project area.
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

4.8.5 Project Impact Analysis and Mitigation Measures

In addition to the CEQA Appendix G analyses, a review as to whether the Proposed Project would result in any conflict with goals and policies pertaining to hazards or hazardous materials as identified in either the City General Plan, the Main Street and Freeway Corridor Specific Plan, or the City Development Code was undertaken. Based on the description of the Proposed Project and the analyses provided herein, no conflicts would occur because:

- The Proposed Project is not located within the 100-year floodplain.
- The Proposed Project does not include uses that would interfere with emergency evacuation via Highway 395.
- The Proposed Project is required to comply all applicable federal, state, and local regulations related to hazardous materials including those of the San Bernardino County Fire Department, Hazardous Materials Division (SBCFD-HMD).

- The Proposed Project's design will require approval by the appropriate Fire Marshals to ensure compliance with all applicable Fire and Building Codes, along with Project -specific needs assessments and fire prevention plan requirements.

4.8.5.1 Issues Identified to Have No Impact or Less Than Significant Impact

The Initial Study Checklist for the Proposed Project that was circulated with a Notice of Preparation (NOP) identified the following threshold areas where no impacts or less than significant impacts would occur as a result of the Proposed Project. No additional information was received during the NOP review period to change the conclusions of the Initial Study.

Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No existing or proposed schools are located within one-quarter mile of the Project Site. The nearest school to the Project Site is San Joaquin Valley College located at 9331 Mariposa Road approximately 1.27 miles to the southeast. Therefore, implementation of the Proposed Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste near an existing or proposed school. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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 Project Site was not found on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 by the California Department of Toxic Substances Control's EnviroStor data management system.¹¹ No hazardous materials sites are located within or in the immediate vicinity of the Project Site. Furthermore, as shown on Exhibit SF-2 of the City General Plan Safety Element, the Project Site and its immediate vicinity are not significant hazardous materials sites.¹² No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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, will the project result in a safety hazard or excessive noise for people residing or working in the project area?

The Project Site is not located within any airport overlays in the City General Plan. The closest airport to the Project Site is Hesperia Airport, located approximately 5.5 miles southeast of the site. The Project Site is not located within two miles of a public airport or public use airport. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

¹¹ <https://www.envirostor.dtsc.ca.gov/public/map/?assembly=42>. Accessed September 4, 2020.

¹² City General Plan. Page SF-19.

Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

All projects are required to avoid conflict with the City's Emergency Preparedness Plan and potential emergency evacuation routes in the area. The applicable Fire and Building Codes, along with Project-specific needs assessments and fire prevention plan requirements, ensure that every project approved for construction includes adequate emergency access. The Project Site is adjacent to Highway 395. According to the City General Plan Safety Element Exhibit SF-4, Highway 395 is identified as a potential evacuation route.¹³ The Proposed Project does not include uses that would interfere with emergency evacuation via Highway 395. During construction and operation of the Proposed Project, the contractors would be required to maintain adequate access for emergency vehicles, as is required by the County. Furthermore, access to the Project Site includes a driveway on the south side from Yucca Terrace Drive, a driveway from the north side from Avenal Street and two exit-only/fire access driveways; one on the north edge of the property from Avenal Street and one from the south edge of the property from Yucca Terrace Drive.

The City of Hesperia Emergency Preparedness Program serves as a resource for residents and businesses to plan for emergencies. Additionally, the City of Hesperia adopted a Hazard Mitigation Plan in 2017 that is intended to assist with reducing and/or eliminating loss of life and property. Objectives and actions outlined in the City's Hazard Mitigation Plan would require that the Proposed Project be designed and constructed in accordance with the most recent California Building and Fire Codes as well as routine inspections of grading operations to ensure site safety and compliance with approved plans and specifications.

The City, in cooperation with the San Bernardino County Fire Department is responsible for providing and enacting evacuation plans and instructions. The Project Site and its immediate vicinity do not contain any emergency shelters or facilities. Furthermore, the Proposed Project would be subject to review by the San Bernardino County Fire Department and would be required to comply with the County Fire Code, other relevant County and City Code requirements, and other applicable codes and regulations in relation to safety. Therefore, no significant adverse impacts are identified, or anticipated, and no mitigation measures are required.

4.9.5.2 Issues Determined to Have Potentially Significant Impacts

As a result of the analysis conducted for the Draft EIR, it was determined that the following issues associated with Hazards and Hazardous Material have the potential for resulting in significant impacts. Each analysis is followed by any recommended mitigation measures and the level of significance that would occur following implementation of the mitigation measures.

Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Impact HAZ-1: The Proposed Project could create a significant hazard to the public or the environment through the routine transport or use of hazardous materials.

¹³ City General Plan. Page SF-45.

During construction and operation of the Proposed Project, it is possible that hazardous substances and waste would be used and stored on the Project Site. Construction vehicles and machinery to be used can produce and release oils. Other construction hazardous waste may include chemical reagents, solvents, fuels, paints, and cleansers. In Chapter 8.08 of the City Municipal Code, the City assumes responsibility for the implementation of the provisions of Chapter 6.95 of the California Health and Safety Code and designates the Hesperia Fire District as the administering agency responsible for administering and enforcing such provisions of said Chapter 6.95 within the boundaries of the city. Adherence to all emergency response plan requirements set forth by the San Bernardino County Fire Department would be required throughout the duration of Project construction.

The future tenants are required to complete and submit a Hazardous Materials Business Plan to the California Environmental Reporting System in the event that operation of the Proposed Project includes the use of potential hazardous materials. A Hazardous Materials Business Plan is a document containing detailed information on the inventory of hazardous materials at a facility; emergency response plans and procedures in the event of a reportable release or threatened release of a hazardous material; training for all new employees and annual training, including refresher courses, for all employees in safety procedures in the event of a release or threatened release of a hazardous material; and a site map that contains north orientation, loading areas, internal roads, adjacent streets, storm and sewer drains, access and exit points, emergency shutoffs, evacuation staging areas, hazardous material handling and storage areas, and emergency response equipment. The Hazardous Materials Business Plan is made available to first responders in the City and County for emergency response activities.

The business owner and operator would be required to comply with all applicable federal, state, and local regulations including the Certified Unified Program Agency (CUPA) with Hazardous Materials Division of the San Bernardino County Fire Department. All materials required during construction will be kept in compliance with State and local regulations. With implementation of Best Management Practices (BMPs) discussed in Section 4.9, Hydrology and Water Quality, and compliance with all applicable regulations, potential impacts from the use of hazardous materials during construction is considered to be less than significant. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Mitigation Measures:

No mitigation measures are recommended.

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?

Impact HAZ-2: The Proposed Project could 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.

Potential hazardous materials used at the Project Site could include chemical reagents, solvents, fuels, paints, and cleansers. Potential on-site uses also could generate hazardous byproducts that eventually must be handled and disposed of as hazardous materials. The Proposed Project would be required to comply with all applicable federal, state, and local regulations including cooperation with the CUPA with Hazardous Materials Division of the San Bernardino County Fire Department. US Cold Storage has drafted a Hazardous Materials Business Plan for the Proposed Project. With the County approval of the Hazardous Materials Business Plan measures would be in place to reduce the significance of any impacts related to hazardous material spills.

As discussed in the Water Quality Management Plan (See Appendix H), receiving waters from the Project Site are the Oro Grande Wash and the Mojave River, which make construction waste a potential pollutant source of concern for these receiving waters. Prior to the issuance of grading permits, the City of Hesperia requires the submittal, review, and approval of an Erosion and Sediment Control Plan. Implementation of an Erosion and Sediment Control Plan would ensure that construction-related BMPs are enacted to prevent, to the maximum extent practicable, construction site pollutants from leaving the site during all phases of construction. The Proposed Project would also be required to comply with the NPDES Permit and to develop and implement an SWPPP, further discussed in Section 4.9, Hydrology and Water Quality.

With implementation of BMPs, compliance with all applicable federal, state, and local regulations, and compliance with the NPDES permit including development of a SWPP, the Proposed Project would not 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. Therefore, no significant adverse impacts are identified, or anticipated, and no mitigation measures are required.

Mitigation Measures:

No mitigation measures are recommended.

Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

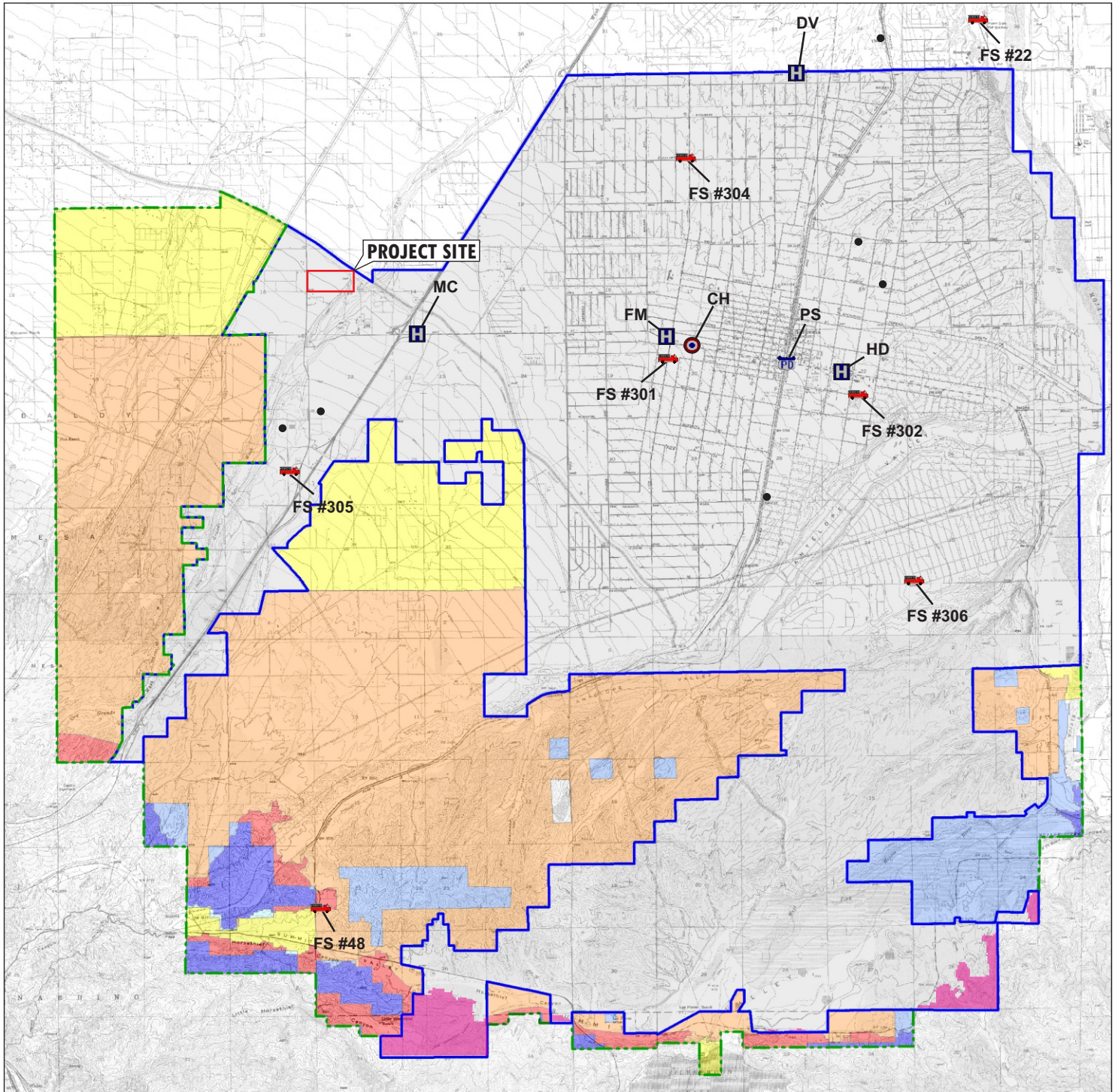
Impact HAZ-3: The Proposed Project could expose employees and structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

The Project Site is within a Local Responsibility Area, as shown on Figure 4.8-1. The Project Site has been subject to historic human disturbances and shows signs of off-road vehicle use and dumping. The Project Site is surrounded to the north, south and east by vacant land, and commercial/industrial uses and vacant land to the west of the Project Site.

Proposed construction projects in the City are reviewed by the Hesperia Building and Safety Division and the San Bernardino County Fire District for compliance with the current California Building and Fire Codes, adopted by the City.¹⁴ Implementation of the Proposed Project would

¹⁴ City of Hesperia. Climate Action Plan. Page 69.

<http://www.cityofhesperia.us/DocumentCenter/View/1587/Climate-Action-Plan-7210?bidId=>



Source: City of Hesperia General Plan, Figures SF-2 and SF-3.

LEGEND

STATE RESPONSIBILITY AREA

- Very High Fire Hazard
- High Fire Hazard
- Moderate Fire Hazard

FEDERAL RESPONSIBILITY AREA

- Very High Fire Hazard
- High Fire Hazard
- Moderate Fire Hazard

LOCAL RESPONSIBILITY AREA

- Very High Fire Hazard

- Hesperia City Boundary
- Hesperia Sphere of Influence
- Significant Hazardous Materials Site
- Fire Stations
- Police Stations
- C City Hall
- H Hospitals and Urgent Care Facilities

FIRE HAZARD SEVERITY ZONES WITHIN HESPERIA SPHERE OF INFLUENCE

United States Cold Storage Hesperia
Hesperia, California

eliminate most existing vegetation on-site and provide additional landscape materials. The Proposed Project includes the addition of impervious surface, landscape and paving of surrounding roads to the north and south of the property. These improvements would not exacerbate wildfire risks over conditions currently existing at the Project Site. The southeastern corner of the Project Site slopes down significantly. No development is proposed on this natural slope.

Per the landscape regulations outlined in the City Development Code, the Proposed Project would be required to incorporate materials and landscape that is appropriate to the high-desert climate and water-efficient. All plant materials would be consistent with Hesperia's approved plant list. With adherence to the City development standards intended to address the threat of wildfires, the Proposed Project would not significantly exacerbate wildfire risks. Therefore, no significant adverse impacts are identified, or anticipated, and no mitigation measures are required.

Mitigation Measures:

No mitigation measures are recommended.

Would the Project result in cumulatively considerable impacts with regard to hazards and hazardous materials?

The geographic scope of the cumulative hazards and hazardous materials analysis includes the immediate Project area, including surrounding land uses and other nearby properties. Adverse effects of hazards and hazardous materials tend to be localized; therefore, impacts from nearby projects would be limited, if any, and the Project Site would be primarily affected by project activities.

During construction, hazardous materials such as fuels and lubricants would be transported to and used on site for construction vehicles and equipment. These materials, if improperly handled, could expose the public environment to pollutants. However, water quality enhancement components of the Project, including the implementation of an Erosion and Sediment Control Plan, a SWPPP, and stormwater BMPs would minimize the potential release of construction-related pollutants on and off site.

Operation of the Project would include the use of various hazardous materials, including chemical reagents, solvents, fuels, paints, and cleansers. These materials would be used for day-to-day operations as well as building and landscaping maintenance. However, compliance with applicable regulations would ensure that any use of hazardous materials are transported, used, stored, and disposed of in a manner that minimizes the potential for upset and accident release into the environment. In addition, the owner/operator must complete and submit a Hazardous Materials Business Plan to the California Environmental Reporting System to ensure that in the event that an emergency spill response and containment plan is in place in the event of hazardous spills. Similarly, similar projects in the City would be required to comply with applicable regulations involving the use of hazardous materials. Therefore, it is not anticipated that the Project would create a significant hazard to the public or the environment through routine operations or reasonably foreseeable upset and accident conditions or result in the release or exposure of hazardous materials into the environment. Therefore, cumulative hazards and hazardous materials impacts would be less than significant.

4.9 HYDROLOGY AND WATER QUALITY

4.9.1 Introduction

This section of the EIR discusses potential Hydrology and Water Quality impacts resulting from the Proposed Project during project construction and operations. Information was derived from the Preliminary Hydrology Study & Drainage Analysis, dated May 2020 by Joseph E. Bonadiman & Associates Inc. (Appendix G); Water Quality Management Plan (WQMP) dated May 2020 by Joseph E. Bonadiman & Associates Inc. (Appendix H); County of San Bernardino Flood Control District; Federal Emergency Management Agency; Regional Water Quality Control Board, Lahontan Region; and the City of Hesperia General Plan.

4.9.2 Environmental Setting

Watershed

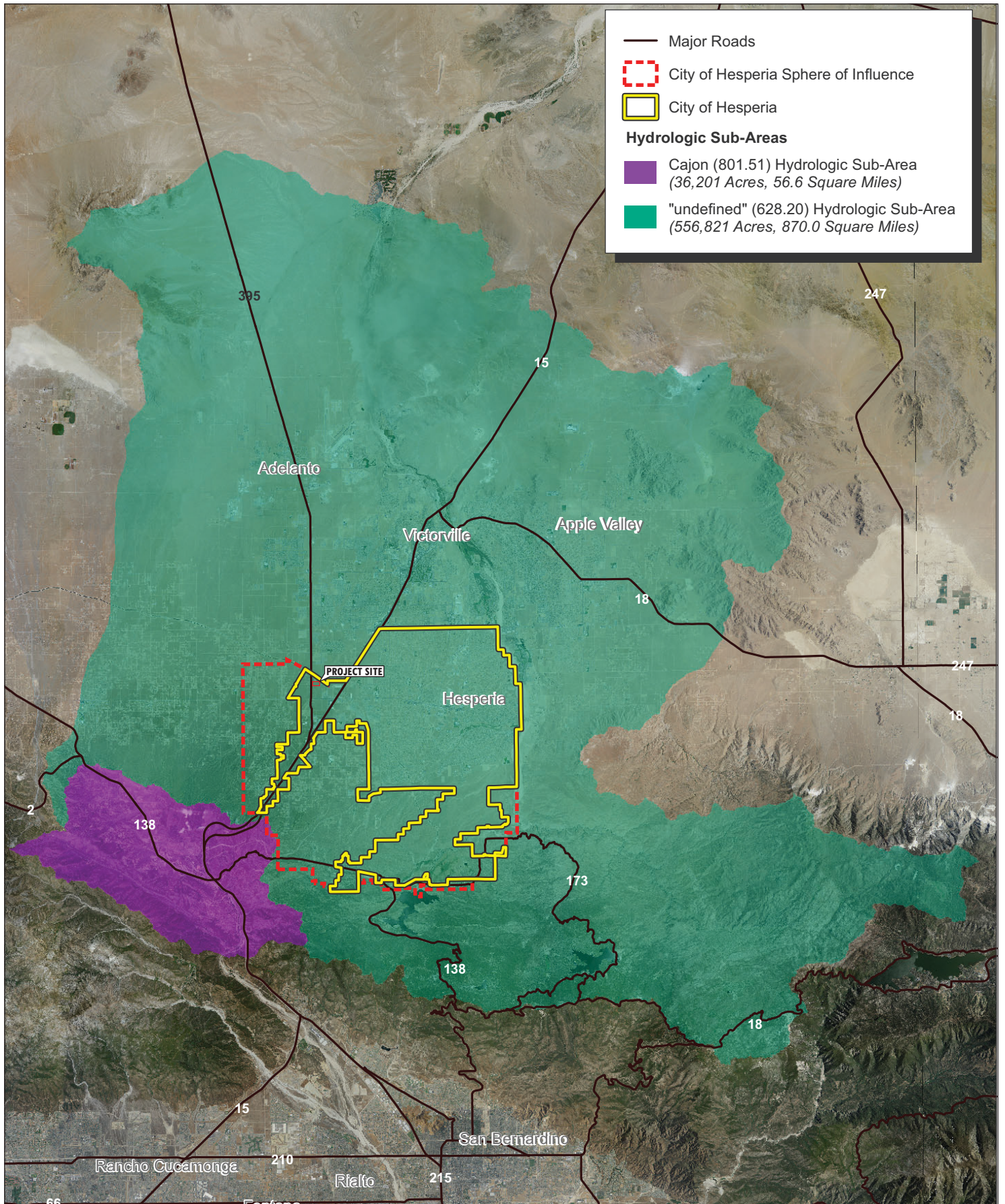
The Proposed Project is located in the City of Hesperia. It is located in the northern portion of San Bernardino County, California, approximately 30 miles north of the City of San Bernardino. The City lies within the Mojave River Groundwater Basin area. The Mojave River Groundwater Basin is approximately 1,400 square miles and extends from the San Bernardino and San Gabriel Mountains in the south to north of Harper and Coyote Lakes (dry). The groundwater basin is bordered on the west by Antelope Valley and shares its southeastern boundary with the Morongo Groundwater Basin. The San Bernardino Mountains contain the headwaters of the Mojave River. During spring, the annual snowpack from the San Bernardino Mountains provides recharge to Mojave River Groundwater Basin area. The Mojave River channel is typically dry downstream of the Mojave Forks Dam except in select locations where ground water is forced to the surface by geologic structures.

Topography and Drainage

The U.S. Geological Survey (USGS) Watershed Boundary Dataset delineates watersheds according to hydrologic units, which are nested within one another according to the scale of interest. In a regional context, the USGS has established that the City of Hesperia is located within the Mojave Watershed Hydrologic Unit, which includes 4,580 square miles. Within this greater watershed, the City of Hesperia is located within the Upper Mojave Hydrologic Area (Hydrologic Sub-Area 628.20), encompassing 870 square miles (see Figure 4.9-1, Hydrologic Sub-Areas). Major surface waters and drainages in the vicinity are shown on Figure 4.9-2.

The Project Site consist of 78.81 acres and is currently vacant and undeveloped. The Project Site is generally flat ranging from 3,564 feet above mean sea level in the southwest corner and 3,482 above mean sea level in the northeast corner. The Project Site slopes to the northeast and for purposes of the May 2020 Hydrology Study is classified as being Desert Shrub.

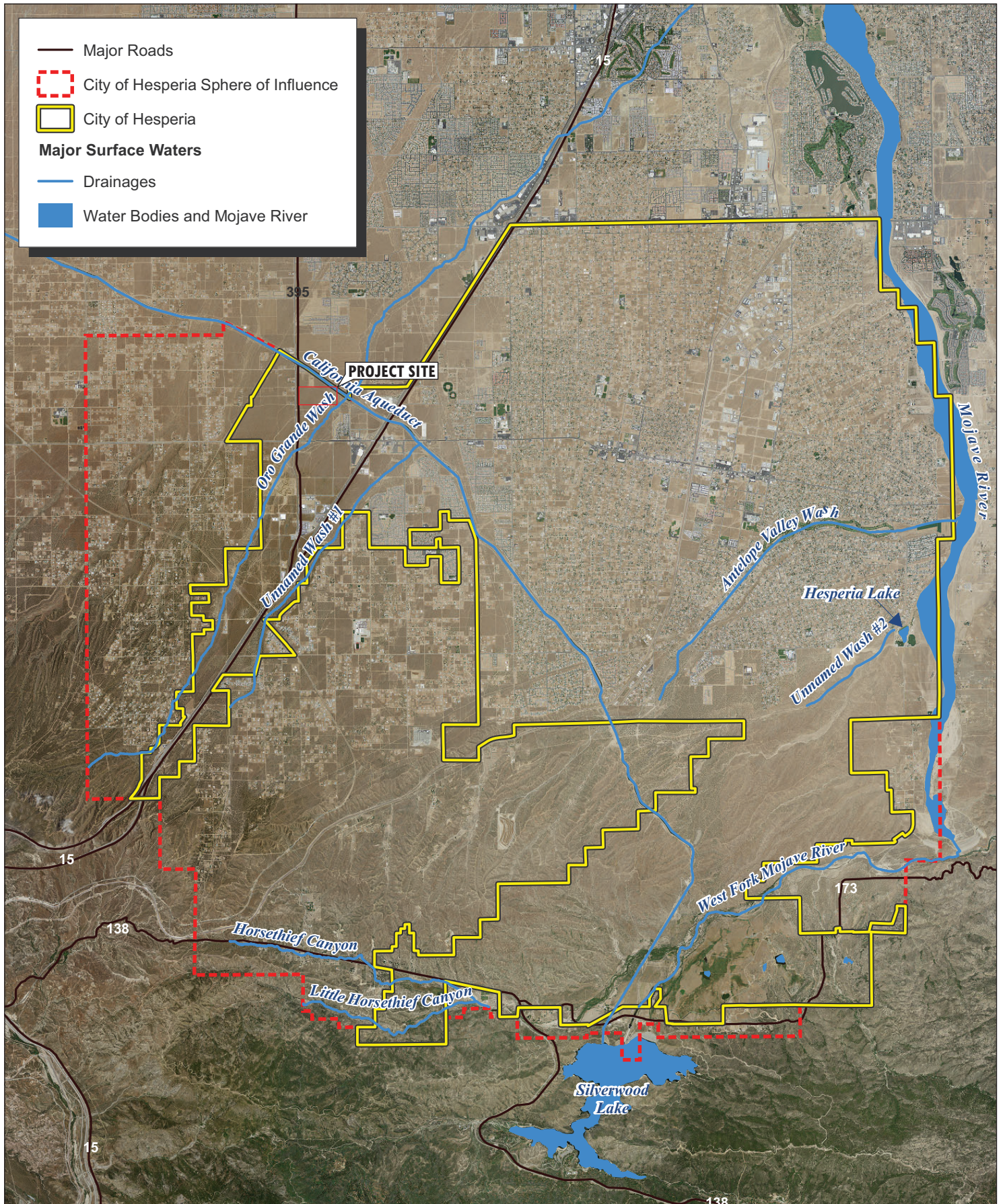
Currently, there are no stormwater treatment infrastructure or stormwater drains on-site. As such, no stormwater is treated or collect before flowing off-site towards the California Aqueduct. Drainage in the area primarily sheet flows to the northeast toward the California Aqueduct; flows



Source: Dudek. Hesperia Commerce Center II Project Environmental Impact Report. September 2020.

HYDROLOGIC SUBAREAS
 United States Cold Storage Hesperia
 Hesperia, California

FIGURE 4.9-1



Source: Dudek. Hesperia Commerce Center II Project Environmental Impact Report. September 2020.

MAJOR SURFACE WATERS

United States Cold Storage Hesperia
Hesperia, California

FIGURE 4.9-2

generated at the southeastern slope area of the Project Site drain to the southeast towards the Oro Grande Wash. US Highway 395 intercepts most of the off-site flows and the remainder of off-site flows would be contained in the Proposed Project's street improvements to Yucca Terrace Drive which enters the Oro Grande Wash to the east.

Surface Water Quality

Beneficial Uses and Total Maximum Daily Loads

Runoff from stormwater contributes to local and regional pollution. In the United States, stormwater accounts the largest source of unregulated pollution to waterways nationwide. The City of Hesperia is required by federal, State, and County governments to control urban stormwater runoff and the pollutants to the storm drain system, including the discharge of pollutants from construction sites and areas of new development. The Lahontan Regional Water Quality Control Board (Lahontan RWQCB) regulates water quality, among various other agencies, within the Mojave River Region. Water quality objectives, plans, and policies for the surface waters within this region are established in the Mojave River Basin Plan Amendment of the Lahontan Basin Plan. The Basin Plan for the Mojave River Region has identified existing and potential beneficial uses supported by the key surface water drainages throughout its jurisdiction. The existing and proposed beneficial uses of the Upper Mojave Hydrologic Area include the following:¹

- Municipal and Domestic Supply
- Agricultural Supply
- Groundwater Recharge
- Fresh Water Replenishment
- Hydropower Generation
- Water Contact Recreation
- Noncontact Water Recreation
- Commercial and Sport Fishing
- Warm Freshwater Habitat
- Cold Freshwater Habitat
- Wildlife Habitat
- Preservation of Biological Habitats of Special Significance
- Migration of Aquatic Organisms
- Spawning, Reproduction, and/or Early Development
- Water Quality Enhancement
- Flood Water Storage

¹ Mojave River Basin Plan Amendment, https://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/docs/ch2_bu.pdf Page 1-2.

California has integrated the 303(d) List of Impaired Waters and the 305(b) Water Quality Assessment Report into a single report (Integrated Report). The Integrated Report satisfies the requirements of both Clean Water Act (CWA) Sections 303(d) and 305(b). CWA Section 303(d) and 40 CFR §130.7 require states to identify waterbodies that do not meet water quality standards and are not supporting their designated beneficial uses. Waters which do not meet water quality standards are placed on the Section 303(d) List of Water Quality Limited Segments (also known as the list of impaired waterbodies, or the 303(d) list).

Once a water body has been listed as impaired on the 303(d) list, a total maximum daily load (TMDL) for the constituent of concern (pollutant) must be developed for that water body. A TMDL is an estimate of the daily load of pollutants that a water body may receive from point sources, non-point sources, and natural background conditions (including an appropriate margin of safety), without exceeding its water quality standards. Those facilities and activities that are discharging into the water body, collectively, must not exceed the TMDL. A TMDL for the West Fork Mojave River below Silverwood Lake and Mojave River (Mojave Forks Reservoir outlet to Upper Narrows) has been established for Chloride, Fluoride, Sulfates, Sodium, Manganese, and Total Dissolved Solids.²

General Watershed Water Quality

The Mojave River was selected as a priority or “focus” watershed by the State Water Resource Control Board (SWRCB) because of numerous water quality and quantity issues. Urban growth in the Victorville area has substantially modified the areas of waste discharges that could potentially affect water quality, including stormwater and wastewater treatment. There are also numerous water quality issues associated with past and current agricultural, industrial, and military land uses throughout the watershed. Because of water quality degradation associated with past industrial activities, some waters in the Mojave River watershed are listed as a water quality limited segment for priority organics on the federal Section 303(d) list of impaired water bodies.³ As stated, TMDLs for the West Fork Mojave River below Silverwood Lake and Mojave River (Mojave Forks Reservoir outlet to Upper Narrows) has been established for Chloride, Fluoride, Sulfates, Sodium, Manganese, and Total Dissolved Solids.

The Mojave River Watershed Group consists of representatives from High Desert agencies including City of Victorville, City of Hesperia, Town of Apple Valley and County of San Bernardino. The Mojave River Watershed Group publishes annual reports summarizing the results of their Phase II Small MS4 General Permit program, which is intended to minimize or eliminate impacts to surface water quality. Stormwater runoff from sprinklers, hoses, rain and snow melt that flows from rooftops, over paved areas, bare soil, and sloped lawns can collect and transport animal waste, litter, pesticides, fertilizers, oil & grease, construction waste and other potential

² Approval of Recommendations for Clean Water Act Section 303(D) List of Water Quality – Limited Segments
https://www.waterboards.ca.gov/lahontan/water_issues/programs/tmdl/integrated_report/docs/signed_resolution.pdf

³ Mojave River Watershed
https://www.waterboards.ca.gov/lahontan/water_issues/programs/watershed_management/docs/final_02_mr25.pdf
Page 1. Accessed October 20, 2020.

pollutants. The polluted stormwater then flows into storm drains or seeps into the ground and pollutes the local Mojave River.⁴

Water Supply

The Hesperia Water District (District) provides utility service for the water and sewer systems in the City. Hesperia Water District's service area includes the majority of the City's boundaries which is approximately 74 square miles.

The District currently pumps 100 percent of its total annual water supply from groundwater. The District's 13 active wells are used to pump groundwater from the Alto Subarea subbasin, which is a subbasin of the Mojave River Groundwater Basin (Basin). The Basin is recharged by rainfall and snowmelt from the local mountains as well as imported water. The Mojave Water Agency (MWA) Board of Directors serves as the entity responsible for managing the use, replenishment, and protection of the groundwater basin. Because the water quality of the groundwater meets State and federal standards, the wells pump directly into the District's distribution system or into storage reservoirs after disinfection.⁵

Groundwater

The District has 15 groundwater wells within its service area that are used to pump groundwater from the Alto Subarea sub-basin of the Mojave River Groundwater Basin, into the distribution system. Because the water quality of the groundwater meets state and federal standards, the wells pump directly into the City's distribution system or into nearby holding tanks without the need for treatment. Prior to discharging groundwater into the system, a disinfectant (calcium hypochlorite) is added to the water.⁶ There are no groundwater recharge basins located within or near the Project Site that are owned/operated by either the Mojave Water Agency or the District.

Flood Hazards

The City receives great quantities of runoff from the San Bernardino Mountain ranges during storms and heavy rains most of which is collected within the Mojave River. Some surface flow, however, can result in flooding, erosion, and property damage. These hazards are often responsible for flooding out roads with water and debris, making navigating the City during these periods unsafe.⁷ According to the Hydrology Study, the Project Site is located in an unshaded Zone X of

⁴ Mojave River Watershed Group
https://www.mojaveriver.org/app_pages/view/209
Accessed October 23, 2020.

⁵ City of Hesperia Water Master Plan, 2008.
<https://www.cityofhesperia.us/DocumentCenter/View/533/Water-Master-Plan?bidId=>
Page ES-5.

⁶ City of Hesperia Water Master Plan, 2008.
<https://www.cityofhesperia.us/DocumentCenter/View/533/Water-Master-Plan?bidId=>
Page 2-5.

⁷ City of Hesperia General Plan, 2010.
<https://www.cityofhesperia.us/DocumentCenter/View/15728/General-Plan-Update-August-2019>
Page CN-19

the Federal Emergency Management Agency (FEMA) Flood Map (No. 06071C6475H). Zone X is described as area of minimal flood hazard. The areas of minimal flood hazard, which are the areas outside the Special Flood Hazard Area and higher than the elevation of the 0.2-percent-annual-chance flood.

4.9.3 Applicable Plans, Policies, and Regulations

Federal

Federal Clean Water Act The Clean Water Act (CWA), as amended by the water Quality Act of 1987, which is the major legislation governing water quality. CWA's policies focuses on the restoration and maintenance of the national waters. Section 301 it is unlawful for any person to discharge any pollutant into waters of the United States without authorization under specific provisions of the CWA, including § 402 (NPDES) and § 404 (discharge of dredged or fill material).

Section 401 federal agency may not issue a permit or license to conduct any activity that may result in any discharge into waters of the United States unless a state or authorized tribe where the discharge would originate issues a Section 401 water quality certification verifying compliance with existing water quality requirements or waives the certification requirement. Section 402 Point source discharges of pollutants to waters of the United States are prohibited unless they are in compliance with certain provisions of the CWA. The most common way to achieve such compliance is to obtain authorization to discharge pursuant to an NPDES permit issued by EPA or a State agency that has an approved NPDES program.

Section 404 establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. Activities in waters of the United States regulated under this program include fill for development, water resource projects (such as dams and levees), infrastructure development (such as highways and airports) and mining projects. Section 404 requires a permit before dredged or fill material may be discharged into waters of the United States, unless the activity is exempt from Section 404 regulation (e.g., certain farming and forestry activities).

National Flood Insurance Program The National Flood Insurance Program (NFIP) is managed by the Federal Emergency Management Agency (FEMA). NFIP provides subsidized flood insurance to communities complying with FEMA regulations that limit development in floodplains. FEMA issues flood insurance rate maps for communities participating in NFIP. The maps delineate flood hazard zones within a community. Executive order 11988 (Floodplain management) addresses floodplain issues related to public safety, conservation, and economics. It requires:

- Avoidance of incompatible floodplain development
- Consistency with standards and criteria of NFIP
- Restoration and preservation of the natural beneficial flood plains values.

State

California Porter-Cologne Water Quality Control Act The State of California's Porter-Cologne Water Quality Act (California Water Code Section 13000, et seq.) provides the basis for water quality regulations with California. The Act requires a "Report of Waste Discharge" for any discharge of waste (liquid, solid or otherwise) to land or surface waters that may impact beneficial use of surface or groundwater of the State.

The State Water Resources Control Board (SWRCB) carries out its water quality protection authority through adoption of specific Water Quality Control Plans (Basin Plans). These plans established water quality standards for particular bodies of water. California Water quality standards are composed of three parts: the designation of beneficial uses of water; water quality objectives to protect beneficial uses; and implementation program designed to achieve and maintain compliance with water quality objectives.

California Green Building Standards Code Formerly known as the California Green Building Standards Code, Title 24, Part 11, of the California Code of Regulations, CALGreen is designed to improve public health, safety, and general welfare by utilizing design and construction methods that reduce the negative environmental impact of development and to encourage sustainable construction practices. CALGreen provides mandatory direction to developers of all new construction and renovations of residential and non-residential structures with regard to all aspects of design and construction, including, but not limited to, site drainage design, stormwater management, and water use efficiency. Required measures are accompanied by a set of voluntary standards designed to encourage developers and cities to aim for a higher standard of development.

Regional

The Lahontan Regional Water Quality Control Board The Lahontan RWQCB is responsible for the Basin Plan that covers the area including the City of Hesperia. The RWQCB implements plans to modify and adopt standards under the provisions set forth in Section 202(c) of the Federal CWA and California Water Code (Division 7, Section 13240). The Lahontan RWQCB uses its planning, permitting, and enforcement authority to meet its responsibilities adopted in the Lahontan Basin Plan to implement plans, policies, and provisions for water quality management.

Mojave River Watershed Water Quality Management Plan The 2013 Phase II Small MS4 Permit, adopted by the SWRCB, and issued statewide, requires all new development projects covered by this Order to incorporate low-impact development (LID) BMPs to the maximum extent practicable. In San Bernardino County, the Phase II MS4 Permit is applicable within the Mojave River Watershed. In addition, the Order also requires the development of a standard design and post-development BMP guidance for incorporation of site design/LID, source control, treatment control BMP (where feasible and applicable), and hydromodification mitigation measures to the maximum extent practicable to reduce the discharge of pollutants to receiving waters. The purpose of this technical guidance document for the Water Quality Management Plan (WQMP) is to provide direction to project proponents on the regulatory requirements applicable to a private or public development activity, from project conception to completion.

Mojave Storm Water Management Program The NPDES General Permit NO. CAS000004, Waste Discharge Requirements for stormwater discharges from Small MS4s requires that Permittees develop a Storm Water Management Program (SWMP). The purpose of this SWMP is to keep the Mojave River clean to the maximum extent practicable using BMPs. These practices would reduce stormwater runoff and non-storm water runoff flowing to the river. BMPs would also serve to keep contaminations, including sediment, non-sediment solids, nutrients, pathogens, oxygen-demanding substances, petroleum hydrocarbons, heavy metals, floatables, polycyclic aromatic hydrocarbons, pesticides, herbicides and trash from entering the storm drain system.

Local

City of Hesperia General Plan

The Conservation Element of the City of Hesperia General Plan identifies, establishes, and sets forth policies to promote the sustainability and environmental integrity of natural resources throughout the City. In addition, the Safety Element of the General Plan identifies, establishes, and sets forth policies to address hydrological hazards within the municipality, including flooding hazards. Goals or policies related to hydrology and water quality in the General Plan include the following.

Conservation Element

Goal CN-1: Conserve water resources within the Upper Mojave River Groundwater Basin.

Policy CN 1.1: Promote the use of desert vegetation with low water usage and drought-tolerant materials in landscaped areas.

Policy CN 1.2: Educate residents on water conservation methods with best practices and tips.

Policy CN 1.3: Promote reduced use of high nitrate fertilizers, herbicides, pesticides and other chemicals in landscaping areas that can contaminate the quality of the groundwater.

Policy CN 1.4: Limit the disturbance of natural water hydrology by minimizing the creation of impervious surface area and continued utilization of underground retention/detention facilities to recharge groundwater.

Policy CN 1.5: Work with local agencies and jurisdictions to provide a coordinated effort to ensure a safe and constant water supply for the region.

Policy CN 1.6: Encourage the use of low-water consumption fixtures in homes and businesses.

Policy CN 1.7: Require new development to use new technology, features, equipment, and other methods to reduce water consumption.

Goal CN-2: Establish building and development standards to maximize the reclamation of water resources.

Policy CN 2.1: Minimize impacts to washes that convey drainage by prohibiting development within drainage corridors that are not consistent with the Master Plan of Drainage.

Policy CN 2.2: Encourage the use of reclaimed water for irrigation and other non-potable uses.

Policy CN 2.3: Protect open space areas used for recharging groundwater basins.

Policy CN 2.4: Continue to implement the use of reclaimed water through the City's "purple pipe" ordinances and regulations to further the use of reclaimed and treated water.

Policy CN 2.5: Implement the state and City laws and policies to develop retention basins for the replenishment of the underground water supply

Policy CN 2.6: Coordinate City policies and activities with the Victor Valley Wastewater Reclamation Authority.

Safety Element

Goal SF-2: Minimize injury, loss of life, property damage and economic and social disruption caused by flooding and inundation hazards.

Policy SF 2.1: The City shall continue enforcing the City's Municipal Code provisions for flood hazard reduction (Title 8: Safety, Chapter 8.28: Flood Hazard Protection and Regulations). This code, which applies to new construction and existing projects undergoing substantial improvements, provides construction standards that address the major causes of flood damage and includes provisions for anchoring, placement of utilities, raising floor elevations, using flood-resistant construction materials, and other methods to reduce flood damage.

Policy SF 2.2: The City will require that new discretionary development proposals include, as a condition of approval, hydrological studies prepared by a state-certified engineer with expertise in this area, that assess the impact that the new development will have on the flooding potential of existing development down-gradient. The studies shall provide mitigation measures to reduce this impact to an acceptable level. Single-family residences on existing lots shall be exempt.

Policy SF 2.3: The City shall continue participation in the National Flood Insurance Program and require that all owners of properties located within the 100-year floodplain (Zones A and AE), and repeat-flood properties in Zone X purchase and keep flood insurance for those properties.

Policy SF 2.4: The City will continue to participate in the Storm Ready Program with the National Weather Service, including the monitoring of precipitation and snow levels on the mountains to the south, providing storm watches and warnings in real-time, and issuing evacuation notices for affected neighborhoods in a timely manner, such as with a citizen notification or similar system.

Policy SF 2.5: The City will not permit any new facilities that use or store hazardous materials in quantities that would place them in the State's TRI or SQG databases to be located in the flood zone (Zones A, AE, and X), unless all standards of elevation, anchoring, and flood-proofing have been implemented to the satisfaction of the City's Building Department and the San Bernardino County Fire Department. The hazardous materials shall be stored in watertight containers that are not capable of floating or similar flood-proof receptacles or tanks.

Policy SF 2.6: The City will require all essential and critical facilities (including but not limited to essential City offices and buildings, medical facilities, schools, child care centers, and

nursing homes) in or within 200 feet of Flood Zones A, AE and X, or the dam inundation pathways, to develop disaster response and evacuation plans that address the actions that will be taken in the event of flooding or inundation due to catastrophic failure of a dam.

Policy SF 2.7: The City will regulate development in drainages, especially in Flood Zones A and AE, pursuant to FEMA regulations.

Policy SF 2.8: The City will continue to maintain, and improve where needed, the storm drain systems, with an emphasis on those areas of the City that flood repeatedly. This entails maintaining and regularly cleaning the storm drains and other flood-control structures in low-lying areas, as necessary, such that floodwaters can be effectively conveyed away from structures.

Policy SF 2.9: The City will identify repetitive flood properties in the City and develop feasible mitigation options for these sites. Funding to implement the mitigation measures may be available through FEMA Hazard Mitigation Grant and Flood Mitigation Assistance Programs and their Pre-disaster Mitigation Program.

Policy SF 2.10: The City will encourage the development of areas in the floodplains as parks, nature trails, equestrian parks, golf courses, or other types of recreational facilities that can withstand periodic inundation, and will offer incentives to developers to retain these areas as open space. Goal: SF-5 Plan for emergency response and recovery from natural disasters, especially from flooding, fire, and earthquakes, and from civil unrest that may occur following a natural disaster. Policy SF 5.1 The City will maintain, update and adopt on a regular basis, as mandated by FEMA, a Local Hazard Mitigation Plan.

4.9.4 Thresholds of Significance

The Initial Study Checklist for the Proposed Project was utilized to identify the primary thresholds of significance relating to CEQA issues. As such, the Proposed Project would have a significant effect associated with Hydrology and Water Quality if it would:

Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

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.

In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.

Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

4.9.5 Project Impact Analysis and Mitigation Measures

In addition to the CEQA Appendix G analyses, a review as to whether the Proposed Project would result in any conflict with goals and policies pertaining to hydrology and water quality as identified in either the City's General Plan, Main Street Corridor Specific Plan, or Development Code was undertaken. Based on the description of the Proposed Project (refer to Chapter 3) and the analyses provided herein, no conflicts would occur because:

- The Proposed Project's Landscape Plan includes low water usage and drought-tolerant materials.
- The Proposed Project includes a bioretention system for the capture, treatment, and infiltration of storm flows.
- The Proposed Project will be constructed in compliance with all applicable Building Codes requiring the use of low-water consumption fixtures.
- The Project Site is located on FEMA Map No. 06071C6475H and is designated as within Zone X which is described as an area of minimal flood hazard.

4.9.5.1 Issues Identified to Have No Impact or Less Than Significant Impact

The Initial Study Checklist for the Proposed Project that was circulated with a Notice of Preparation (NOP) identified no threshold areas where no impacts or less than significant impacts would occur as a result of the Proposed Project. No additional information was received during the NOP review period to change the conclusions of the Initial Study.

4.9.5.2 Issues Determined to Have Potentially Significant Impacts

Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

Impact WQ-1: The Proposed Project could result in degradation of water quality within the Mojave River Basin.

The Proposed Project would disturb more than one acre and therefore would be subject to the National Pollutant Discharge Elimination System (NPDES) permit requirements. The State of California is authorized to administer various aspects of the NPDES. Construction activities covered under the State's General Construction permit include removal of vegetation, grading, excavating, or any other activities that causes the disturbance of one acre or more. The General Construction permit requires recipients to reduce or eliminate non-storm water discharges into

stormwater systems, and to develop and implement a Storm Water Pollution Prevention Plan (SWPPP). The purpose of the SWPPP is to: 1) identify pollutant sources that may affect the quality of discharges of stormwater associated with construction activities; and 2) identify, construct, and implement stormwater pollution control measures to reduce pollutants in stormwater discharges from the construction site during and after construction. The NPDES also requires a Water Quality Management Plan (WQMP). A Preliminary WQMP for the Proposed Project has been submitted for review and approval by the City of Hesperia. The WQMP was prepared to meet NPDES Area Wide Stormwater Program requirements.

The WQMP through Best Management Practices (BMP) manages the quality of stormwater or urban runoff flows from Project Site. Non-structural and structural source control Best Management Practices are required to be incorporated into all new development and significant redevelopment projects. Source BMPs are identified in the Proposed Project's WQMP to provide the basis of site-specific pollution management. The BMPs correspond to the California Stormwater Quality Association (CASQA) Stormwater BMP Handbook for New Development and Redevelopment.

Site Design BMPs practices for the Proposed Project include:

- Impervious area has been minimized as much as possible for the proposed use of this site by adding landscaping and proposing gravel parking for construction phase 2.
- Landscape and BMP areas will be marked, with flagging tape or other method at the contractor's discretion, during construction to minimize compaction and maximize natural infiltration capacity.
Infiltration BMP areas will be marked, with flagging tape or other method at the contractor's discretion, during construction to minimize compaction and maximize natural infiltration capacity.
- Impervious areas have been designed to be disconnected as much as possible for this site.
- The Low Impact Development (LID) BMP used is an infiltration basin.
- Disturbed areas will be re-vegetated where possible, see Site Plan for proposed landscaping areas.

Groundwater underlying the Project Site is estimated to be more than 550 feet below ground surface based on citation in the Hesperia Commerce Center II Draft EIR.⁸ The EIR references the data from a monitoring well approximately 1,607 feet east of the Project Site. There is a well house directly south of the United States Cold Storage Hesperia Project Site presumed to be the source of the data. Any pollutants of concern that may result during a major storm event would not be likely to infiltrate deep enough to impact groundwater at a depth of over 550 feet.

Mandatory compliance with the Proposed Project's WQMP as approved by the City, in addition to compliance with NPDES Permit requirements, would ensure that all potential pollutants of concern are minimized or otherwise appropriately treated prior to being discharged from the Project Site. Therefore, implementation of the Proposed Project would not violate any water

⁸ Hesperia Commerce Center II Environmental Impact Report September 2020, p. 4-8.12

quality standards or waste discharge requirements. No significant adverse impacts are identified or anticipated.

Mitigation Measures:

No mitigation measures are recommended.

Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

Impact WQ-2: The Proposed Project has potential to decrease Hesperia Water District groundwater supplies or interfere with groundwater recharge.

The Hesperia Water District (District) provides water supply within the vicinity of the Project Site and relies entirely on groundwater as its only source of water supply. The District's distribution system conveys water to its customers through about 550 miles of buried pipelines. The distribution system includes 15 wells, 6 booster pumping stations (BPSs) (consisting of 22 active booster pumps and 1 fire booster pump), 13 water storage reservoirs, and 44 pressure-regulating stations. The District's total storage capacity is approximately 64 million gallons.

The water supplies and demands for the District's service area over the 25-year planning period were analyzed in the event that a multiple-dry year (up to three years) event occurs, similar to the drought that occurred during the years 1931 to 1934. Table 4.9-1 summarizes the existing and planned supplies available to meet demands during multiple-dry years.⁹

**Table 4.9-1
Multiple Dry Years Supply and Demand Comparison (acre-feet)**

		2020	2025	2030	2035
First year	Supply totals	13,571	14,668	15,969	17,367
	Demand totals	13,571	14,668	15,969	17,367
	Difference	0	0	0	0
Second year	Supply totals	13,571	14,668	15,969	17,367
	Demand totals	13,571	14,668	17,367	17,367
	Difference	0	0	0	0
Third year	Supply totals	13,571	14,668	15,969	17,367
	Demand totals	13,571	14,668	15,969	17,367
	Difference	0	0	0	0

Source: Hesperia Water District, 2015 Urban Water Management Plan Table 7-4

As provided in a similar proposed development in the City of Hesperia, known as the Hesperia Commerce Center II, the water demand factor for General Industrial development is 866 gallons per

⁹ Hesperia Water District: 2015 Urban Water Management Plan
<http://www.cityofhesperia.us/DocumentCenter/View/13505/2015-UWMP-FINAL-DRAFT-2016-05-11?bidId=>
 Page 44.

day per acre.¹⁰ The Proposed Project, which consists of 1,007,340 square feet (23.1 acres) of industrial building is therefore anticipated to result in a total water demand of approximately 22.41 AF per year. This would amount to approximately 0.13 percent of the anticipated multiple dry year water supply in 2035. Therefore, the District's supplies are sufficient to meet demand of its built-out service area including the Proposed Project.

Furthermore, the Proposed Project is an acceptable use within the Commercial/Industrial Business Park (CIBP) land use category and therefore would result in the requirement of water supply that is already anticipated by the General Plan, Main Street Freeway Corridor Specific Plan, and evaluated in the UWMP. All stormwater collected on site in the WQMP designed infiltration basins would be treated and allowed to infiltrate into the groundwater basin underlying the Project Site. The Proposed Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede substantial groundwater management of the basin. No significant adverse impacts are identified or anticipated.

Mitigation Measures:

No mitigation measures are recommended.

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?

Impact WQ-3: The Proposed Project's site improvements may cause substantial erosion or siltation on or off-site.

In the existing condition, drainage in the area generally sheet flows to the northeast toward the California Aqueduct. The flows from the southeast corner of the Project Site drain to the southeast. US Highway 395 intercepts most of the off-site flows and the remainder of off-site flows will be contained in the proposed street improvements to Yucca Terrace Drive which enters the Oro Grande Wash to the east.

As shown on Figure 4.9-3, the 3,429,986 sf Drainage Area is anticipated to generate a 148,187 cubic feet of stormwater flow during a 100-year storm event. The stormwater would flow towards the northeast and then into a retention basin to be located on the northeast corner of the Project Site with a design capture volume (DCV) of 163,324 cubic feet.

After implementation and design of BMP measures, any remaining runoff from the impervious Drainage Management Area (DMA) would be directed to the on-site, treatment BMPs (LID or biotreatment) designed to infiltrate, evapotranspire, and/or bio-retain the amount of runoff produced by the Proposed Project (see Figure 4.9-4). With adherence to a Final WQMP approved by the City, the Proposed Project is not anticipated to result in substantial erosion and siltation. No significant adverse impacts are identified or anticipated.

¹⁰ Hesperia Commerce Center II Environmental Impact Report
<https://ceqanet.opr.ca.gov/2019110418/3>

Mitigation Measures:

No mitigation measures are recommended.

Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Impact WQ-4: The Proposed Project may create surface runoff which could result in flooding on- or off-site.

Existing drainage in the area generally sheet flows to the northeast toward the California Aqueduct. The flows from the southeast corner of the Project Site drain to the southeast. US Highway 395 intercepts most of the off-site flows and the remainder of off-site flows will be contained in the Proposed Project's street improvements to Yucca Terrace Drive which enters the Oro Grande Wash to the east. The Proposed Project includes an approximate 1,082,494 square-foot of hardscape/impervious surfaces and will alter existing drainage patterns on-site. According to the Hydrology Study, the drainage area was analyzed for two-year, 10-year, 25-year and 100-year, 24-hour storm event flows on-site. The 3,429,986 square-foot drainage area is anticipated to generate a 148,187 cubic-foot of stormwater flow during 100-year storm event. Under post-construction conditions, storm water would flow northeast into a retention basin located on the northeast corner of the Project Site with a design capture volume (DCV) of 163,324 cubic feet. As such, surface flow from a 100-year storm event will be captured within the proposed retention basin; any flows from larger storm events would flow towards the California Aqueduct maintaining the existing drainage pattern. The Proposed Project would maintain adequate stormwater conveyance and would not result in flooding on or off-site. Therefore, impacts associated with flooding on or off site would be less than significant.

Mitigation Measures:

No mitigation measures are recommended.

Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Impact WQ-5: The Proposed Project could result in runoff which would exceed capacity of stormwater drainage systems.

The proposed on-site stormwater drainage system would adhere to City of Hesperia and the County of San Bernardino WQMP and SWMP standards. The BMPs and LIDs identified in the WQMP would lower the potential of pollutant release to the environment. The LID includes the proposed

retention basin with DCV of 163,324 cubic feet of stormwater retention, which will have a greater than 100 percent retention volume.

There are no existing storm drains off-site that Proposed Project would connect to or otherwise utilize. As a result, the Project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. No significant adverse impacts are identified or anticipated.

Mitigation Measures:

No mitigation measures are recommended.

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 impede or redirect flood flows?

Impact WQ-6: The Proposed Project could redirect flood flows.

According to the Hydrology Study, the Project Site is located in an unshaded Zone X of the FEMA Map (No. 06071C6475H). Zone X is described as area of minimal flood hazard. The areas of minimal flood hazard, which are the areas outside the Special Flood Hazard Area and higher than the elevation of the 0.2-percent-annual-chance flood. In the existing condition, drainage in the area generally sheet flows to the northeast toward the California Aqueduct. The flows from the southeast slope drain to the southeast. US Highway 395 intercepts most of the off-site flows and the remainder of off-site flows will be contained in the proposed street improvements to Yucca Terrace Drive which enters the Oro Grande Wash to the east.

Under post-construction conditions, storm water would flow north from southwest corner of the Project Site, and conveyed east through the middle of site. The stormwater would continue to flow east and conveyed northeast into a retention basin located on the northeast corner of the Project Site. The Hydrology Study included evaluation of two-year, 10-year, 25-year and 100-year, 24-hour storm events flows of the Project Site. As such, the Proposed Project is anticipated to generate a maximum of 148,187 cubic feet of stormwater flow and have retention basin with a design capture volume (DCV) of 163,324 cubic feet. Surface flow from a 100-year storm event will be captured within the proposed retention basin; any flows from larger storm events would flow towards the California Aqueduct to maintain the existing drainage pattern. No significant adverse impacts are identified or anticipated.

Mitigation Measures:

No mitigation measures are recommended.

Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**Impact WQ-7: The Proposed Project may conflict or obstruct implementation of Water Quality Control Plan for the Lahontan Region or Mojave River Watershed.**

The Proposed Project will adhere to BMPs, and LID design identified in the WQMP, which would minimize the potential impacts related to Mojave River Basin Plan Amendment of the Lahontan Basin Plan. The Basin Plan for the Mojave River Region has identified existing and potential beneficial uses supported by the key surface water drainages throughout its jurisdiction. The Proposed Project would not result in runoff to any surface water body for which beneficial uses are identified in the Mojave River Basin Plan. Mandatory compliance with the BMPs identified in the Proposed Project's WQMP as approved by the City, in addition to compliance with NPDES Permit requirements, would ensure that all potential pollutants of concern are minimized or otherwise appropriately treated prior to being discharged from the Project Site. Therefore, implementation of the Proposed Project would not violate any water quality standards or waste discharge requirements. The Proposed Project is not anticipated to conflict with Water Quality Control Plan for the Lahontan Region. There is no sustainable groundwater management plan applicable to the project area. No significant adverse impacts are identified or anticipated.

Mitigation Measures:

No mitigation measures are recommended.

Would the Project result in a cumulatively considerable impact to hydrology and/or water quality?

Cumulative projects that could exacerbate the Project's impacts include any project that could result in decrease groundwater supplies, violate any applicable water quality standards, impair any beneficial uses, or alter the drainage patterns within the region. However, the Proposed Project would not result in any significant impacts to the regional or local water quality or hydrology. Furthermore, the Proposed Project would include design features to protect water quality and groundwater resources and prevent off-site changes to drainage patterns. Therefore, the Proposed Project would have less than significant impacts and would not contribute to cumulative hydrology or water quality impacts and no mitigation measures are required.

4.10 Traffic and Circulation

4.10.1 Introduction

This section of the EIR discusses potential Transportation impacts resulting from buildout of the Proposed Project. Information about existing conditions was derived from the Traffic Analysis (TA) dated January 19, 2021, a detailed Vehicle Miles Traveled (VMT) Analysis dated January 4, 2020, and the City of Hesperia General Plan. The TA which includes the VMT Analysis as an Appendix is included herein as Appendix I.

4.10.2 Environmental Setting

City of Hesperia

The Proposed Project is located within the City of Hesperia. The City is served by several major transportation routes including Interstate 15, US Highway 395 and State Highways 138 and 173. In addition to roadways, there are three rail lines that traverse the City; one Union Pacific Railroad rail line, and two (one via a branch line) Burlington Northern Santa Fe rail line. The rail lines serve a mixture of freight cargo trains and passenger trains. The City's roadway network is generally based on a grid system with major arterials providing access to all portions of the City. The City's location relative to Interstate 15 and Highway 395 has resulted in establishment of multiple truck-related uses, which are in proximity to the Interstate 15/Highway 395 intersection.¹

There are significant topographical and physical barriers that inhibit efficient movement in the City's circulation network such as railroads, river/water bodies, and state and interstate highways with limited access and crossings. These obstacles create a significant physical barrier to traffic circulation resulting in high traffic congestion in areas where city vehicular traffic is funneled to these limited crossing points. The California Aqueduct is also a barrier that transverses through the center of the City creating access limitations for all streets except for existing crossings at Main Street, Maple Avenue, Seventh Avenue, Mesquite Street, Cottonwood Avenue and Ranchero Road.

Interchanges on I-15 currently exist at Bear Valley Road in the City, Main Street, Joshua Street/Highway 395, and Oak Hills Road. The latter two are not designed to accommodate large volumes of traffic. As development occurs in the City and the region in the future, local and regional traffic volumes will also increase, necessitating additional interchanges to provide efficient access to the regional highway system. Truck movement and circulation is a vital part of the City's economy and financial sustainability.

¹ City General Plan. <http://www.cityofhesperia.us/DocumentCenter/View/15728/General-Plan-Update-August-2019>. Page CI-3.

4.10.3 Applicable Plans, Policies, and Regulations

State

Senate Bill 375

SB 375 requires Metropolitan Planning Organizations (MPOs) to include Sustainable Communities Strategies (SCSs) in their Regional Transportation Plans (RTPs) for the purposes of reducing GHG emissions, aligning planning for transportation and housing, and creating incentives for the implementation of strategies.² The State Air Resources Board, working in consultation with the metropolitan planning organizations, to provide each affected region with greenhouse gas emission reduction targets for the automobile and light truck sector for 2020 and 2035 by September 30, 2010, to appoint a Regional Targets Advisory Committee to recommend factors and methodologies for setting those targets, and to update those targets every 8 years. This bill requires the California Transportation Commission (the commission) to maintain guidelines, as specified, for travel demand models used in the development of regional transportation plans by metropolitan planning organizations. In addition, the commission would be required to consult with various agencies in this regard, and to form an advisory committee and to hold workshops before amending the guidelines.

Senate Bill 743- Vehicle Miles Traveled (VMT)

Senate Bill 743 (SB 743), approved in 2013, changes the way transportation impacts will be analyzed under the California Environmental Quality Act (CEQA). SB 743 directed the Office of Planning and Research (OPR) to develop changes to criteria for determining significance of transportation impacts under CEQA. SB 743 recommended metrics such as vehicle miles traveled (VMT), which measure greenhouse gas emissions and facilitate multimodal transportation networks; SB 743 provided that automobile delay, known as Level of Service (LOS) should no longer be used to determine a project's transportation impacts.

OPR's new transportation threshold, found in CEQA Guidelines Section 15064.3, was finalized in December 2018 and became effective for projects analyzed after July 1, 2020. OPR's Technical Advisory, dated December 2018, provides that because residential, office, and retail projects have the greatest influence on VMT, their thresholds should be quantified at 15% below regional average per capita, 15% below regional average per employee, and no net increase, respectively. Page 17. As to other projects, however, OPR recommends that thresholds may use location-specific information to develop project-specific thresholds, and that projects should also analyze consistency with the RTP.

California Transportation Plan 2040³

The Office of State Planning (OSP) facilitates the development and preparation of the long-range CTP required by federal and State law. The CTP provides a common framework for guiding transportation decisions and investments by all levels of government and the private sector. Federal

² CalTrans. California Transportation Plan. <https://dot.ca.gov/programs/transportation-planning/state-planning/california-transportation-plan>

³ CalTrans. California Transportation Plan. <https://dot.ca.gov/programs/transportation-planning/state-planning/california-transportation-plan>

law and state law require the development and preparation of a state transportation plan. OSP also provides analysis and policy recommendations regarding current transportation issues and future trends. The CTP 2040 outlines goals and recommendations to achieve a vision for a safe, sustainable, universally accessible, and globally competitive transportation system that provides reliable and efficient mobility for people, goods, and services, and information, while meeting the State's GHG emission reduction goals and preserving the unique character of California's communities.⁴

CalTrans Minimum Acceptable Levels of Service

Caltrans endeavors to maintain a target LOS at the transition between LOS C and LOS D on the SHS facilities; however, Caltrans acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS. If an existing State highway facility is operating at less than this target LOS, the existing LOS should be maintained. Caltrans acknowledges that the region-wide goal for an acceptable LOS on all freeways, roadway segments, and intersections is LOS D. Consistent with the Caltrans LOS threshold of LOS D and in excess of the CMP stated LOS threshold of LOS E, LOS D will be used as the target LOS for freeway ramps, freeway segments, and freeway merge/diverge ramp junctions.

Local

County of San Bernardino Minimum Acceptable Levels of Service

The definition of an intersection deficiency in the County of San Bernardino is based on the County's General Plan Circulation Element. The County of San Bernardino's General Plan states that target LOS C be maintained at County intersections and roadway segments wherever possible within the Desert region.

Connect SoCal/SCAG Regional Transportation Plan/Sustainable Communities Strategy⁵

The enactment of SB 375 in 2009 introduced a requirement to reduce greenhouse gas emissions, essentially codifying the integrated transportation and land use planning that our region had already initiated with the 2008 Regional Transportation Plan. On September 3, 2020, SCAG's Regional Council unanimously voted to approve and fully adopt the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (Connect SoCal). Connect SoCal is a long-range visioning plan that balances future mobility and housing needs with economic, environmental and public health goals. It was prepared through collaborative and comprehensive process with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses and local stakeholders within southern California counties, including San Bernardino.

⁴ CalTrans. California Transportation Plan 2040. https://dot.ca.gov/-/media/dot-media/programs/transportation-planning/documents/f0004899_ctp2040_all1y.pdf

⁵ SCAG. Connect SoCal. https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial-plan_0.pdf?1606001176

Measure I/SANBAG Nexus Study⁶

In November 2004, voters in San Bernardino County approved “Measure I 2010-2040,” which extended the half-cent sales tax for transportation projects through the year 2040. To implement Measure I requirements, San Bernardino Associated Governments (SANBAG) completed a “Nexus Study” to identify the relationship between new development and the need for transportation improvements. All new development will be required to make a “fair share” contribution to necessary improvements. The City of Hesperia has adopted a development fee program to collect fair share contributions. The Nexus Study also includes a project list that identifies projects eligible for Measure I funding. Projects must be included in the Nexus Study to receive SANBAG Measure I funds. Funding will be allocated to eligible projects by SANBAG based on regional priorities and the availability of local matching funds.

San Bernardino County Congestion Management Program (2020 Update)

This document identifies goals of the program, defines legal requirements, provides other background information and describes each individual element, component and requirement of the program. It also reflects all legislative changes to the program since its inception in 1992. The CMP defines a network of state highways and arterials, level of service standards and related procedures and provides technical justification for the approach.⁷ The San Bernardino Associated Governments, as the Congestion Management Agency for San Bernardino County, adopted the Congestion Management Program (“CMP”) on November 4, 1992. The CMP requires each local jurisdiction to adopt and implement a trip reduction and travel demand management ordinance that provides alternative transportation methods. Failure to adopt an ordinance can result in loss of Proposition III gas tax funds by being found in non-compliance with the Congestion Management Program.⁸

City General Plan

The City’s vehicular transportation network is the backbone of its infrastructure system. It also is a major factor defining the physical development of the City and enhances its economic development.⁹ As the City’s population and built environment continues to expand, the need for providing safe and efficient access and mobility becomes essential in order to ensure the City’s functionality and sustainability. The Circulation Element of the City General Plan provides direction regarding the planning, development and utilization of circulation strategies and policies with the focus on providing a safe and efficient transportation network. The element also considers alternative modes of transportation. The following policies identified in the Circulation Element of the City General Plan are relevant to this analysis:

⁶ City of Hesperia. Main Street and Freeway Corridor Specific Plan.

<https://www.cityofhesperia.us/DocumentCenter/View/15940/MSFCSP-update>

⁷ San Bernardino Associated Governments. San Bernardino County Congestion Management Program. 2016 Update. <https://www.gosbcta.com/wp-content/uploads/2019/10/2016-Congestion-Management-Plan-.pdf>

⁸ Municode. The City of Hesperia Code of Ordinances.

https://library.municode.com/ca/hesperia/codes/code_of_ordinances?nodeId=TIT10VETR_CH10.24TRRETRDEM_A_10.24.010PUIN

⁹ City General Plan. <http://www.cityofhesperia.us/DocumentCenter/View/15728/General-Plan-Update-August-2019>. Page CI-29.

GOAL CI-2: Develop and implement a City-wide Congestion Management Plan.

Policy CI-2.1: Strive to achieve and maintain a LOS D or better on all roadways and intersections: LOS E during peak hours shall be considered acceptable through freeway interchanges and major corridors (Bear Valley Road, Main Street/Phelan Road, Highway 395).

Policy CI-2.2: Work with regional agencies which have authority over roadways within the City to ensure a minimum Level of Service D for roadways and a minimum Level of Service E for intersections.

Policy CI-2.3: Incorporate into the City's multi-year Capital Improvement Program improvements designed to improve the existing deficient Levels of Service on existing roadways and intersections operating at deficient LOS.

Policy CI-2.4: Develop policies and regulations to ensure that future development does not reduce the Level of Service of roadways and intersections below the minimum Levels of Service goals.

Policy CI-2.5: Maintain the City's development impact fee (DIF) program for future development which includes improvements to roadways to mitigate of the impact of the new development.

The following goals, policies and development standards for industrial zones identified in the Hesperia Main Street and Freeway Corridor Specific Plan are relevant to this analysis:

Goal C-1: Increase freeway access to Interstate-15, for purposes of conveying regional traffic into and out of the community.

Goal C-2: Explore and provide the highest level of access for all modes of transportation and maintain efficient circulation in the Specific Plan area throughout the day.

Policy C-2.1: Preserve the traffic-carrying capacity of arterial streets by implementing policies that include the promotion of shared access locations among multiple properties or establishments, reciprocal access agreements, shared parking, and the use of side streets to provide access to parcels, if possible.

Policy C-2.2: Increase trip reduction efforts

Policy C-2.3: Provide truck route designations for specific facilities in the City.

Policy C-2.4: Reduce the number of median openings to only those intersections that are signalized.

Policy C-2.6: Encourage present and future public transit use.

Policy C-2.7: Identify activity centers that would benefit from increased transit access and work with Victor Valley Transit Authority (VVTA) to enhance service to these centers.

Policy C-2.8: Facilitate bicycle use and circulation within the Specific Plan area.

Policy C-2.9: Promote a safe and attractive pedestrian environment to encourage pedestrian traffic within and across the districts, especially in the City Center District, where wider sidewalks for pedestrians are desirable.

Vehicle Circulation and Access

Site access and internal circulation in industrial developments should promote safety, efficiency, and convenience. Vehicular traffic should be adequately separated from pedestrian circulation. Vehicular entrances should be clearly identified and easily accessible to minimize pedestrian/vehicle conflict.

Adequate areas for maneuvering, stacking and emergency vehicle access should be provided. Internal circulation routes and parking areas should be separated. Continuous circulation should be provided throughout the site to the greatest extent possible to prevent awkward vehicular maneuvers. Dead-end driveways should be minimized. Vehicles should not be required to enter the street in order to move from one area to another on the same site.

The number of site access points or driveway aprons shall be minimized for aesthetic purposes, to achieve efficient and productive use of paved accessways, and to eliminate traffic hazards. They should be located as far as possible from street intersections (a minimum distance of 100 feet is recommended) and should be coordinated with existing or planned median openings and driveways on the opposite side of the roadway. Entrances and exits to and from parking and loading facilities should be clearly marked with appropriate directional signage where multiple access points are provided.

Vehicular access, drives and circulation routes shall be designed so that all movements involved in loading, parking, or turning shall occur on-site, and not within the public right-of-way.

Design provisions, which allow for present or future reciprocal access with adjacent properties, are encouraged.

Pedestrian Circulation

Industrial developments shall incorporate pedestrian walkways into site design to provide pedestrian connections from building entries to public sidewalks, plazas, parking areas, and adjacent developments, and to buffer pedestrians from vehicular movement. Project entries and driveway areas should contain design features, including landscaping and textured paving, to break up the expanse of paving in a project. Paving materials should complement the architectural design. The use of stamped concrete, stone, brick, pavers, exposed aggregate or color concrete is encouraged.

Parking

The industrial site should be a self-contained development capable of accommodating its own parking needs. The use of the public street for parking and staging of trucks is not allowed. In addition, parking is not allowed in the front or street side setback areas.

Parking areas should be accessed from the street so that circulation to parking areas does not interfere with other site activities. Visitor parking should be located at the front and sides of buildings to be near primary building entrances.

Parking areas shall be designed to avoid awkward turning maneuvers and the backing of vehicles into public streets.

Loading Areas

Loading areas shall be designed to prevent interference with vehicular circulation and parking, and to provide an unobstructed area for trucks to maneuver when accessing loading spaces.

Loading areas shall be located away from main customer entrances and the street, preferably toward the rear of the property, as per the development standards in Chapter 9 (Non-Residential Zones) of the Specific Plan.

City Development Code

16.20.085 - Parking standards.

Handicapped parking shall be provided in accordance with the requirements of state law.

Parking and maneuvering areas shall be so arranged that any vehicle entering the public right-of-way must do so traveling in a forward direction. The parking area shall be designed so that a car entering the parking area shall not be required to enter a street to move from one location to any other location within the parking area or premises or make an abrupt turn upon entering the site.

Parking areas shall be designed so as to prevent vehicles from maneuvering within the first twenty (20) feet of a vehicular entrance as measured from the curb

Minimum aisle widths for two-way traffic shall be twenty-six (26) feet. In areas commonly used by oversized vehicles, such as delivery areas and loading zones, the minimum aisle width shall be thirty (30) feet.

4.10.4 Thresholds of Significance

The Initial Study Checklist for the Proposed Project was utilized to identify the primary thresholds of significance relating to CEQA issues. As such, the Proposed Project would have a significant effect associated with Transportation if it would:

Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Result in inadequate emergency access.

4.10.5 Project Impact Analysis and Mitigation Measures

In addition to the CEQA Appendix G analyses, a review as to whether the Proposed Project would result in any conflict with goals and policies pertaining to traffic and circulation as identified in any regional transportation plans, the City's General Plan, the Main Street and Freeway Corridor Specific Plan, or the Hesperia Development Code was undertaken. Based on the description of the Proposed Project (refer to Chapter 3) and the analyses provided herein, no conflicts would occur because:

- The Proposed Project would generate jobs and tax revenue for the City and its residents.
- The Proposed Project would be easily and efficiently accessible to Highway 395 and I-15.
- The Proposed Project would meet the growing demand for warehousing space and be in an area designated for industrial uses and proximate to Highway 395 and I-15.
- The Proposed Project provides for adequate road improvements to serve internal circulation needs and mitigates impacts of increased traffic on the existing road system.
- The Proposed Project's design provides adequate areas for maneuvering, stacking and emergency vehicle access.
- The Proposed Project's design provides two site access points that will achieve efficient and productive use of paved accessways and eliminate traffic hazards. Driveways are located as 400- feet from street intersections (a minimum distance of 100 feet is recommended).
- The Proposed Project will be self-contained in that its own parking needs are satisfied on-site. There will be no use of the public street for parking.
- The Proposed Project's loading areas are in accordance with City development standards.
- The Project Applicant would be subject to the City's Development Impact Fee (DIF) Program for funding roadways and intersections.

4.10.5.1 Issues Identified to Have No Impact or Less Than Significant Impact

The Initial Study Checklist for the Proposed Project that was circulated with a Notice of Preparation (NOP) identified no threshold areas where no impacts or less than significant impacts would occur on transportation as a result of the Proposed Project. No additional information was received during the NOP review period to change the conclusions of the Initial Study.

4.10.5.2 Issues Determined to Have Potentially Significant Impacts

As a result of the analysis conducted for the Draft EIR, it was determined that the following issues associated with transportation have the potential for resulting in significant impacts. Each analysis is followed by recommended mitigation measures and the level of significance that would occur following implementation of the mitigation measures.

Would the Project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Impact T-1: The Proposed Project could conflict with San Bernardino County and/or City of Hesperia programs, plans, ordinances, or policies addressing the circulation system. Additionally, the Proposed Project may result in significant impacts to Caltrans facilities.

A Traffic Analysis and Vehicle Miles Travelled Analysis, dated January 18, 2021, was prepared for the Proposed Project by Urban Crossroads, Inc. (see Appendix I). The purpose of the Traffic Analysis is to evaluate the potential circulation system deficiencies that may result from the development of the Proposed Project, and to recommend improvements to achieve acceptable circulation system operational conditions. The TA was prepared in accordance with the City's adopted Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment (LOS) in July 2020 (City Guidelines), San Bernardino County Congestion Management Program (CMP) Guidelines for CMP Traffic Impact Analysis Reports, the California Department of Transportation (Caltrans) Guide for the Preparation of Traffic Impact Studies, and through consultation with City of Hesperia staff during the scoping process.

Project Trip Generation

Trip generation represents the amount of traffic that is attracted and produced by a development, and is based upon the specific land uses planned for a given project. The trip generation summary illustrating daily, and peak hour trip generation estimates for the Proposed Project in actual vehicles and passenger car equivalents (PCE) are shown in Table 4.10-1.

The Traffic Analysis provides the following vehicle mix: AM Peak Hour: 73.0% passenger cars and 27.0% trucks; PM Peak Hour: 77.0% passenger cars and 23.0% trucks; Weekday Daily: 65.0% passenger cars and 35.0% trucks. The truck percentages were further broken down by axle type per the following SCAQMD recommended truck mix: 2-Axle = 34.7%; 3-Axle = 11.0%; 4+-Axle = 54.3%.

As shown in Table 4.10-1, the Proposed Project at buildout is anticipated to generate a total of 2,220 actual vehicle trip-ends per day, with 115 AM peak hour trips and 125 PM peak hour trips. Consistent with the City's traffic study guidelines, the peak hour operations analysis has been conducted using PCE volumes. The Proposed Project is anticipated to generate a total of 3,284 PCE trip-ends per day, 158 PCE AM peak hour trips and 166 PCE PM peak hour trips.

The Traffic Analysis recommends improvements to achieve acceptable circulation system operational conditions. A detailed analysis of automobile delay is provided in the TIA (see Appendix I). The existing and future intersections included in the analysis are shown on Figure 4.10-1. A summary of LOS results for all analysis scenarios is presented on Figure 4.10-2. The Proposed Project is anticipated to exceed the LOS goals stated in the General Plan policies and would therefore not be consistent with the Circulation Element Policies CI-2.1, CI-2.2, CI-2.3, and CI-2.4. However, automobile delay will no longer be considered a CEQA impact for

development projects. Therefore, the Proposed Project's impact to the City's LOS is not considered significant under CEQA.

**Table 4.10-1
Project Trip Generation Summary**

Land Use	Quantity	Units ¹	AM Peak Hour			PM Peak Hour			Daily
			In	Out	Total	In	Out	Total	
Project Trip Generation Summary (Actual)									
High-Cube Cold Storage Warehouse	1,046.768	TSF							
Passenger Cars:			65	19	84	26	71	97	1,442
Truck Trips:									
2-axle:			8	2	10	3	7	10	270
3-axle:			3	1	4	1	2	3	86
4+-axle:			13	4	17	4	11	15	422
- Truck Trips			24	7	31	8	20	28	778
Total Trips (Actual Vehicles)²			89	26	115	34	91	125	2,220
Project Trip Generation Summary (PCE)									
High-Cube Cold Storage Warehouse	1,046.768	TSF							
Passenger Cars:			65	19	84	26	71	97	1,442
Truck Trips:									
2-axle:			12	4	16	4	11	15	404
3-axle:			5	2	7	2	5	7	172
4+-axle:			39	12	51	13	34	47	1,266
- Truck Trips (PCE)			56	18	74	19	50	69	1,842
Total Trips (PCE)²			121	37	158	45	121	166	3,284

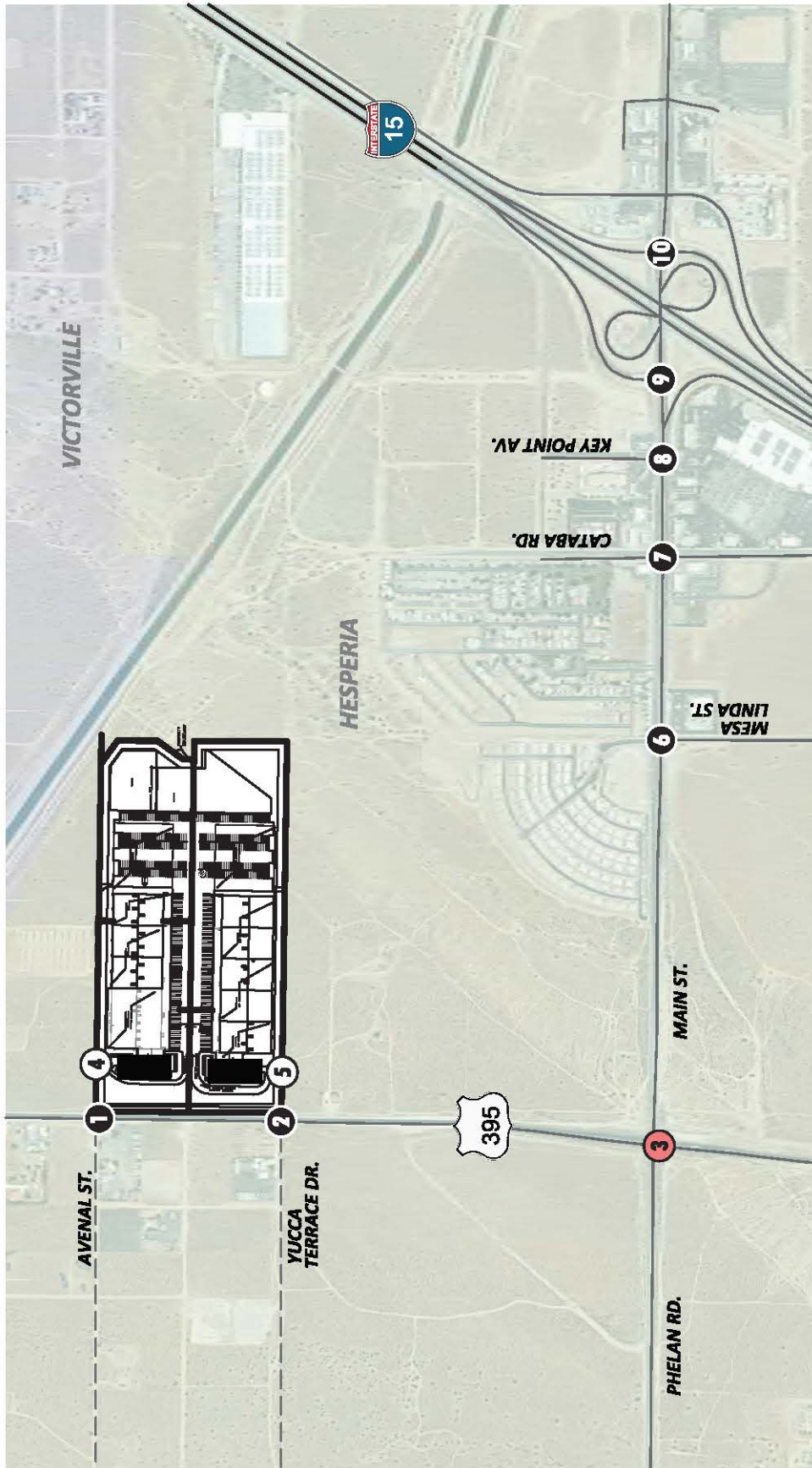
¹ TSF = thousand square feet

² TOTAL TRIPS = Passenger Cars + Truck Trips

The City of Hesperia has created its own local DIF program to impose and collect fees from new residential, commercial and industrial development for the purpose of funding roadways and intersections necessary to accommodate City growth as identified in the City's General Plan Circulation Element. The timing to use the DIF fees is established through periodic capital improvement programs which are overseen by the City's Public Works Department. Periodic traffic counts, review of traffic accidents, and a review of traffic trends throughout the City are also periodically performed by City staff and consultants. The City also uses this data to ensure that the improvements listed on the facilities list are constructed before the LOS falls below the LOS performance standards adopted by the City. In this way, the improvements are constructed before the LOS falls below the City's LOS performance thresholds. Project payment of the DIF would ensure project consistency with Policy CI-2.5.

Bicycle and Pedestrian Facilities

Field observations conducted for the TA indicated nominal pedestrian and bicycle activity within the study area; Figure 4.10-3 illustrates the City Bike Plan. The Proposed Project does not include project design features that would interfere with the development of the City Bike Plan. Moreover, the Proposed Project would provide sidewalks on-site and connecting off-site, which will improve the pedestrian network. Therefore, the Proposed Project would not interfere with plans and programs to encourage active transportation.



Source: Urban Crossroads. US Cold Storage Traffic Analysis. October 30, 2020. Exhibit 1-2.

EXISTING AND FUTURE INTERSECTIONS

United States Cold Storage Hesperia
Hesperia, California

FIGURE 4.10-1

#	Intersection	Existing (2020)	E+P	Opening Year Cumulative (2022) Without Project	Opening Year Cumulative (2022) With Project	Horizon Year (2040) Without Project	Horizon Year (2040) With Project
1	US Highway 395 & Avenal St.	NA	●	NA	●	NA	●
2	US Highway 395 & Yucca Terrace Dr.	●	●	●	●	●	●
3	US Highway 395 & Phelan Rd. / Main St.	●	●	●	●	●	●
4	Dwy. 1 & Avenal St.	NA	●	NA	●	NA	●
5	Dwy. 2 & Yucca Terrace Dr.	NA	●	NA	●	NA	●
6	Mesa Linda St. & Main St.	●	●	●	●	●	●
7	Cataba Rd. & Main St.	●	●	●	●	●	●
8	Key Point Av. & Main St.	●	●	●	●	●	●
9	I-15 SB Ramps & Main St.	●	●	●	●	●	●
10	I-15 NB Ramps & Main St.	●	●	●	●	●	●

LEGEND:

- - AM PEAK HOUR
- - PM PEAK HOUR
- - LOS A-D
- - LOS D-E
- - LOS F
- NA - NOT AN ANALYSIS LOCATION FOR THIS SCENARIO

Source: Urban Crossroads. US Cold Storage Traffic Analysis. October 30, 2020. Exhibit 1-3.

SUMMARY OF LOS RESULTS

United States Cold Storage Hesperia
Hesperia, California



Source: Urban Crossroads. US Cold Storage Traffic Analysis. October 30, 2020. Exhibit 3-4.

BIKE PATHS
United States Cold Storage Hesperia
 Hesperia, California

FIGURE 4.10-3

Transit Service

The study area is currently served by the Victor Valley Transit Authority (VVTA), a public transit agency serving the Victor Valley area within San Bernardino County, with bus service along Main Street, Phelan Road, Catawba Road, and Key Point Avenue. Existing bus routes provided within the area by VVTA are shown on Figure 4.10-4. Route 21W along Main Street is approximately 0.5 miles from the Project Site however, the nearest transit stop is approximately 1.3 miles.

Truck Routes

The City of Hesperia's General Plan does not provide designated truck routes. Truck routes for the Proposed Project have been determined based on discussions with City staff and as approved in the Project scoping agreement.

The Proposed Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, and its impact to transportation plans and programs would be less than significant.

Would the Proposed Project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

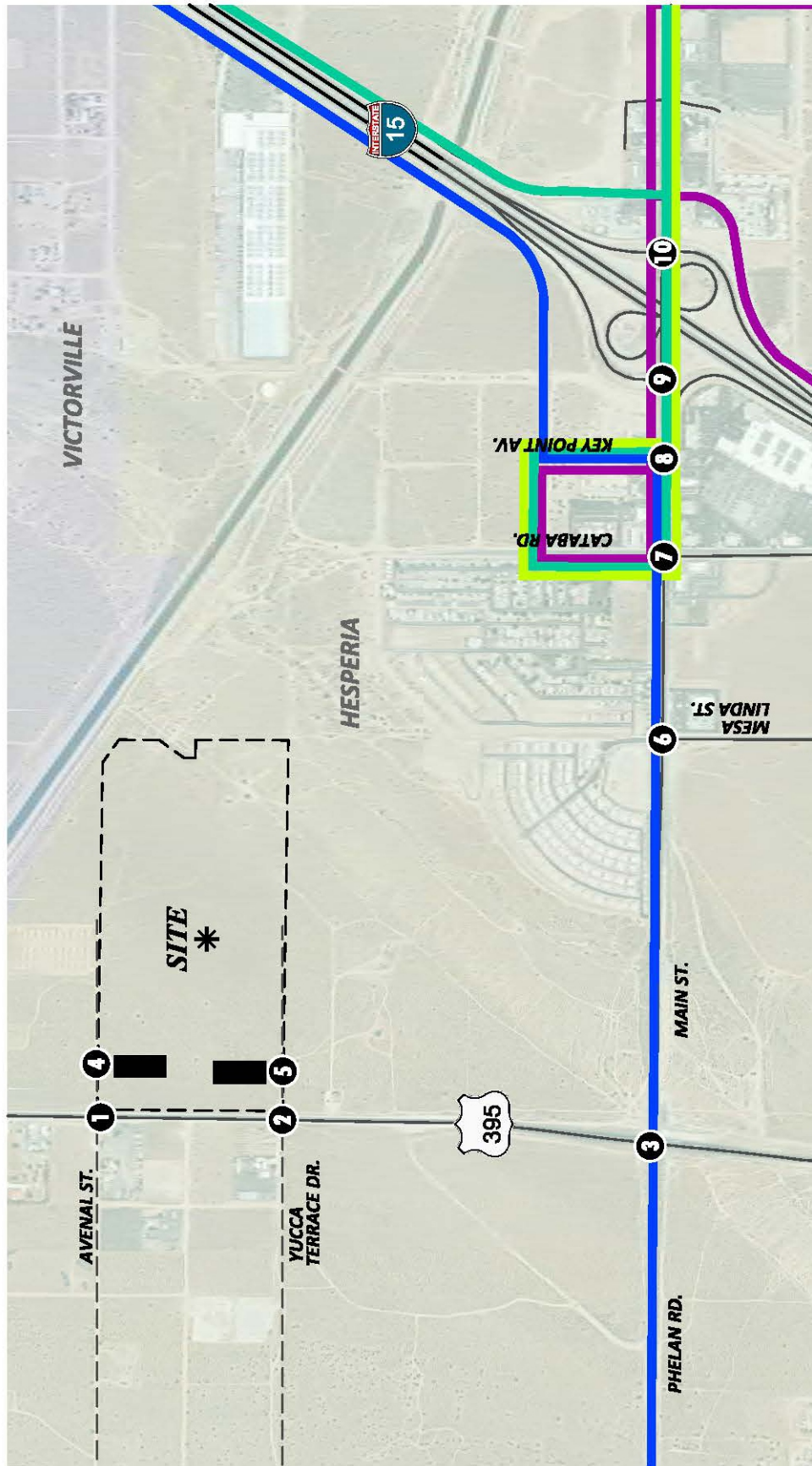
Impact T-2: Due to the product distribution nature of the Proposed Project and the use of significant trucks associated with product delivery and distribution, the Proposed Project may conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

In February 2020, the San Bernardino County Transportation Authority (SBCTA) 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 LOS and new VMT analysis requirements. Using the SBCTA Guidelines as a reference document, the City of Hesperia adopted Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment (LOS) in July 2020 (City Guidelines). These guidelines have been used to conduct the VMT Analysis included as an Appendix to the Traffic Analysis (see Appendix I).

Screening Thresholds

The City Guidelines describe specific "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 project level VMT analysis. Screening thresholds are described in the following three steps:

- Transit Priority Area (TPA) Screening
- Low VMT Area Screening
- Project Type Screening



Source: Urban Crossroads. US Cold Storage Traffic Analysis. October 30, 2020. Exhibit 3-6.

EXISTING TRANSIT ROUTES

United States Cold Storage Hesperia
Hesperia, California

FIGURE 4.10-4

Consistent with City Guidelines a land use project needs only to satisfy one of the above screening thresholds to result in a less than significant impact. For the purposes of this analysis, the initial VMT screening process has been conducted with using the SBCTA VMT Screening Tool (Screening Tool), which uses screening criteria consistent with the screening thresholds recommended in the Technical Advisory and City Guidelines.

TPA Screening

Projects located within a Transit Priority Area (TPA) (i.e., within ½ mile of an existing “major transit stop”¹ or an existing stop along a “high-quality transit corridor”) may be presumed to have a less than significant impact absent substantial evidence to the contrary. However, the presumption may NOT be appropriate if a project:

- Has a Floor Area Ratio (FAR) of less than 0.75;
- Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction (if the jurisdiction requires the project to supply parking);
- Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the Metropolitan Planning Organization); or
- Replaces affordable residential units with a smaller number of moderate- or high-income residential units.

The Project Site is not located within ½ mile of an existing major transit stop, or along a high-quality transit corridor.

The TPA screening threshold is not met.

Low VMT Area Screening

The Technical Advisory also states that, “residential and office projects located within a low VMT generating area may be presumed to have a less than significant impact absent substantial evidence to the contrary. In addition, other employment related and mixed use projects may qualify for the use of screening if the project can reasonably be expected to generate VMT per resident, per worker or per service population that is similar to the existing land uses in the low VMT area.” A low VMT area is defined as an individual traffic analysis zone (TAZ) where total daily Origin/Destination VMT per service population is lower than the County average total daily Origin/Destination VMT per service population of 32.7 VMT per service population.

The Screening Tool uses the sub-regional San Bernardino Transportation Analysis Model (SBTAM) to measure VMT performance within individual TAZ’s. The Project’s physical location based on parcel number was selected within the Screening Tool to determine the TAZ’s VMT per service population as compared to the County average (see Attachment B for output). The Project is not located within a low VMT generating TAZ based on VMT per service population as compared to the County average.

The Low VMT Area screening threshold is not met.

Project Type Screening

The City Guidelines identifies local serving retail projects less than 50,000 square feet or other local serving uses (e.g., day care centers, student housing, public facilities, places of worship, etc.) may be presumed to have a less than significant impact absent substantial evidence to the contrary. In addition, projects that generate fewer than 110 daily vehicle trips also may be presumed to have a less than significant impact on VMT. The Project is forecast to generate more than 110 daily vehicle trips; therefore, the Project would not be eligible to screen out based on project type screening.

The Project Type screening threshold is not met.

VMT Analysis

Methodology

As described in the City Guidelines, “projects not screened through the steps above should complete VMT analysis and forecasting through the SBTAM model to determine if they have a significant VMT impact. This analysis should include ‘project generated VMT’ and ‘project effect on VMT’ estimates for the project TAZ.”

Project Generated VMT

Project generated VMT has been calculated using the SBTAM model. Adjustments in socio-economic data (SED) (i.e., employment) has been made to a separate TAZ to reflect the Project’s proposed land use (i.e., industrial/warehouse uses). A separate TAZ is utilized to more easily be able to isolate the VMT generated by the Project. Table 4.10-2 summarizes the employment factors for the Project.

**Table 4.10-2
Employment Factors**

	Project
Employees	165

Table 4.10-3 presents the baseline (2016) Project VMT per service population and the cumulative (2040) Project VMT per service population. The County of San Bernardino’s regional average VMT per service population is 32.7.

**Table 4.10-3
Project VMT per Service Population**

	Baseline 2016	Cumulative 2040
Project VMT	8,356	8,425
Project Employees	165	165
VMT per service population	50.64	51.06

As noted in the City Guidelines, the Project results in a significant project generated VMT impact if either of the following conditions are met:

1. The baseline project-generated VMT per service population exceeds the San Bernardino County regional average baseline of 32.7 VMT per service population, or
2. The cumulative project-generated VMT per service population exceeds the San Bernardino County regional average baseline of 32.7 VMT per service population.

Table 4.10-4 provides a comparison of the Proposed Project generated VMT per service population for both baseline and cumulative traffic models as compared to the City's threshold.

**Table 4.10-4
Project VMT per Service Population Comparison**

	Baseline 2016	Cumulative 2040
City Threshold	32.7	32.7
Project VMT per service population	50.64	51.06
Percent Change	+54.9%	+56.2%
Potentially Significant?	Yes	Yes

As shown in Table 4.10-4, both the baseline (2016) and cumulative (2040) Project generated VMT per service population values would exceed the City's adopted threshold by 54.9% for baseline (2016) conditions and 56.2% for cumulative (2040) conditions. The transportation impact based on the assessment of Project generated VMT as compared to the City's adopted threshold is potentially significant.

Project's Effect on VMT

Consistent with City Guidelines, the project level VMT analysis should also provide an additional assessment to evaluate a project's effect on VMT.

The City Guidelines state that a project's effect on VMT is considered significant if the following condition is met:

1. The baseline link-level boundary (County of San Bernardino) VMT per service population increases under the plus project condition compared to the no project condition, or
2. The cumulative link-level boundary (County of San Bernardino) VMT per service population increases under the plus project condition compared to the no project condition.

As presented in Tables 4.10-5 and 4.10-6, the baseline link-level VMT per service population within the City of Hesperia does increase under the plus project condition and cumulative link-level VMT per service population within the City of Hesperia does not increase under the plus project condition. The Proposed Project's effect on VMT is considered potentially significant.

**Table 4.10-5
Baseline County of San Bernardino VMT per Service Population**

	Baseline without Project	Baseline with Project
VMT	55,818,252	55,565,156
Service Population	2,727,430	2,727,595
VMT per Service Population	20.47	20.48
Change in VMT	+0.01	
Potentially Significant?	Yes	

**Table 4.10-6
Cumulative County of San Bernardino VMT per Service Population**

	Cumulative without Project	Cumulative with Project
VMT	82,167,731	82,167,168
Service Population	3,749,647	3,749,812
VMT per Service Population	21.913	21.912
Change in VMT	-0.001	
Potentially Significant?	No	

In addition, the Technical Advisory states the following, “*a project that falls below an efficiency-based threshold that is aligned with long-term goals and relevant plans has no cumulative impact distinct from the project impact. Accordingly, a finding of a less-than-significant project impact would imply a less than significant cumulative impact and vice versa. This is similar to the analysis typically conducted for greenhouse gas emissions, air quality impacts, and impacts that utilize plan compliance as a threshold of significance.*” Therefore, the Proposed Project’s finding related to cumulative impacts is considered potentially significant.

Consistent with City Guidelines, Transportation demand management (TDM) strategies should be considered to address project generated VMT that exceeds the City’s threshold. These measures have been evaluated for the purpose of reducing VMT impacts determined to be potentially significant. The effectiveness of TDM strategies to reduce VMT has been determined based on the SB 743 Implementation Mitigation and TDM Strategy Assessment (November 11, 2019, Fehr & Peers) prepared for SBCTA (SBCTA TDM Report), which was based on a current assessment of the previously published Quantifying Greenhouse Gas Mitigation Measures (CAPCOA, 2010) for applicability to projects in the SBCTA region. The SBCTA TDM Report indicates that of the 50 transportation measures presented by CAPCOA, only 41 of those measures are applicable at a building and site level. The remaining 9 measures are functions of, or depend on, site location and/or actions by local and regional agencies or funders.

Based on a review of the 41 transportation measures identified by CAPCOA, the SBCTA TDM Report identifies that only 7 of those measures may be effective at the project level. Land use context is a major factor relevant to the potential application and effectiveness of TDM measures. More specifically, the land use context of the Project is characteristically suburban⁶. Based on a review of the potentially relevant TDM measures presented in the SBCTA TDM Report, the following TDM measures were evaluated for their applicability to the Project based on its suburban context and their ability to reduce project generated VMT:

- *Measure 1: Increase Diversity of Land Uses (LUT-3).* Having different types of land uses near one another can decrease VMT since trips between land use types are shorter and may be accommodated by non-auto modes of transportation. For example, when residential areas are in the same neighborhood as retail and office buildings, a resident does not need to travel outside of the neighborhood to meet his/her trip needs.

Remarks: The Project proposes the construction of 1,012,816 square feet of industrial warehouse use. In order for the above measure to apply, at least 3 of the following land uses should be located on-site, or if not on-site then within ¼ mile or less of the Project: residential development, retail development, office development, park, or open space. As the proposed Project does not include a mix of land uses on-site, and is not located within a ¼ mile of 3 of the land uses listed above, this particular TDM measure is therefore not evaluated further as a means of providing a reduction in Project VMT.

- *Measure 2: Provide Pedestrian Network Improvements (SDT-1).* Providing on-site pedestrian access network to link areas of the Project to the off-site pedestrian network encourages people to walk for short trips instead of drive. This mode shift results in people driving less for nearby trips (typically less than ¼ mile and no greater than ½ mile) and thus a reduction in VMT.

Remarks: There currently is no existing off-site pedestrian network within a ¼ mile of the Project. This measure is not evaluated further as a means of providing a reduction in Project VMT.

- *Measure 3: Provide Traffic Calming Measure (SDT-2).* Providing traffic calming measures encourages people to walk or bike instead of using a passenger car. This mode shift would result in a decrease in VMT. Traffic calming features may include: marked crosswalks, count-down signal timers, curb extensions, speed tables, raised crosswalks, raised intersections, median islands, tight corner radii, roundabouts or mini-circles, on-street parking, planter strips with street trees, chicanes/chokers, and others.

Remarks: There currently is no existing off-site pedestrian or bicycle network within a ¼ mile of the Project. This measure is not evaluated further as a means of providing a reduction in Project VMT.

- *Measure 4: Implement Car-Sharing Program (TRT-9).* Implementing a car-sharing program would allow individuals to have on-demand access to a shared fleet of vehicles on an as-needed basis. User costs are typically determined through mileage or hourly rates, with deposits and/or annual membership fees.

Remarks: This measure would likely require the Project to pay fees toward its inclusion in an existing car sharing program – which may not be feasible for a project of this size. The potential reduction in VMT is also extremely limited with a maximum reduction in VMT between 0.4% and .07% as noted by CAPCOA (Quantifying Greenhouse Gas Mitigation Measures, p. 245), therefore, this measure is not evaluated further as a means of providing a reduction in Project VMT.

- *Measure 5: Increase Transit Service Frequency and Speed (TST-4).* This measure serves to reduce transit-passenger travel time through more reduced headways and increased speed and reliability. This makes transit service more attractive and may result in a mode shift from auto to transit which reduces VMT.

Remarks: The area is currently served by Victor Valley Transit Authority (VVTA), a public transit agency serving various jurisdictions within the Victor Valley area of San Bernardino County.

Route 21W provides service in the area but there is not currently a Route that provides a transit stop within ¼ mile to the Project, therefore, this measure is not evaluated further as a means of providing a reduction in Project VMT.

- Measure 6: Encourage Telecommuting and Alternative Work Schedule (TRT-6). Encouraging telecommuting and alternative work schedules reduces the number of commute trips and therefore VMT traveled by employees. Alternative work schedules could take the form of staggered starting times, flexible schedules, or compressed work weeks.

Remarks: The effectiveness of this strategy depends on the ultimate building tenant(s) and is a factor in considering any potential VMT reduction. In addition, these types of work schedules may not be applicable for this type of industrial land use, therefore, this measure is not evaluated further as means of providing a reduction in Project VMT.

- Measure 7: Provide Ride-Sharing Programs (TRT-3). This strategy focuses on encouraging carpooling and vanpooling, but its ultimate implementation is limited as Measure 6 above.

Remarks: This measure may be applicable for project's in a suburban context and could include designating a certain percentage of parking spaces for ride share vehicles, provide ride share coordination services and other promotional incentives. The suburban context of the Project site would tend to limit the effectiveness of this measure thereby limiting commute VMT reduction to 1% noted by CAPCOA (Quantifying Greenhouse Gas Mitigation Measures, p. 229).

In summary, both the baseline and cumulative Project VMT per service population was found to exceed the City's adopted impact threshold of better than the San Bernardino County regional average baseline VMT per service population (32.7) threshold by more than 50%. Furthermore, the project's suburban context limits the effectiveness of potential TDM measures that could reduce project generated VMT due to the lack of pedestrian and bicycle network facilities in the area, limited access to public transit and a lack of land use diversification within walking distance to the Project site. Therefore, any potential reduction in VMT resulting from the aforementioned limited feasible TDM measures would not be enough to reduce project generated VMT to a level of less than significant.

Mitigation Measures:

No mitigation measures are available or recommended.

Would the Proposed Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Impact T-3: The Proposed Project could substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) relative to truck access to/from Highway 395.

Project Distribution

The City of Hesperia's General Plan does not provide designated truck routes. Trip distribution is the process of identifying the probable destinations, directions, or traffic routes that will be

utilized by Project traffic. The potential interaction between the planned land uses and surrounding regional access routes are considered to identify the route where the Proposed Project traffic would distribute.

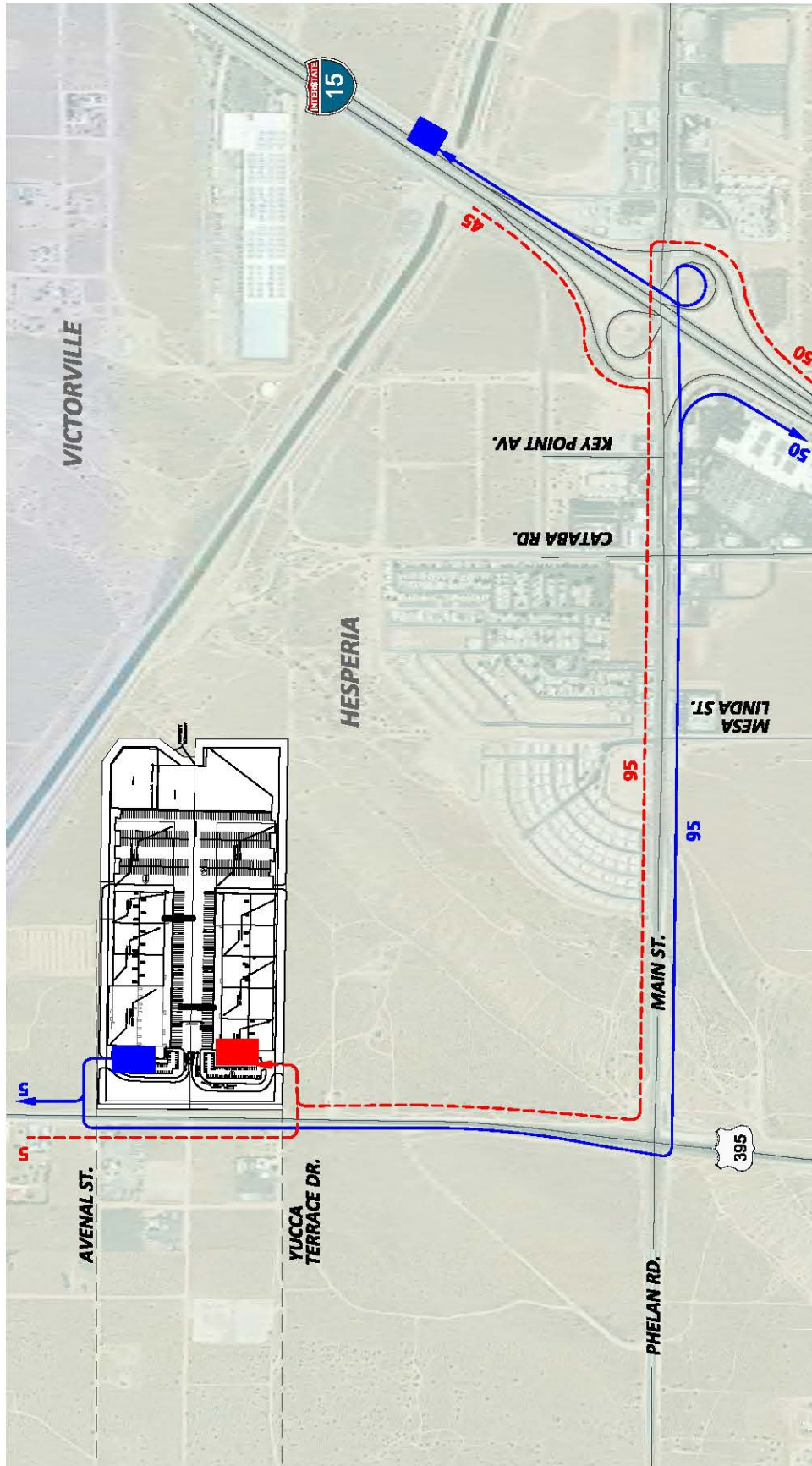
The Proposed Project truck trip distribution pattern determined in the RA is graphically depicted on Figure 4.10-5. The Project passenger car trip distribution pattern is graphically depicted on Figure 4.10-6.

Truck Access

Regional access to the Project Site is available from the I-15 Freeway at the Main Street interchange. Access to the Project Site will be provided via 2 driveways on Avenal Street and Yucca Terrace Drive. The western driveway (Driveway 1) on Avenal Street will be utilized by both inbound and outbound passenger cars and for outbound trucks only. The western driveway (Driveway 2) on Yucca Terrace Drive will be utilized by both inbound and outbound passenger cars and for inbound trucks only. The eastern driveways on both Avenal Street and Yucca Terrace Drive will be gated and are intended for emergency access only. The Project Site is not adjacent to any windy roads. Therefore, trucks exiting and entering the site would not be susceptible to hazards due to sharp curves.

Due to the typical wide turning radius of large trucks, a truck turning template has been overlaid on the site plan at each applicable proposed driveway and site adjacent intersection anticipated to be utilized by heavy trucks in order to determine appropriate curb radii and to verify that trucks will have sufficient space to execute turning maneuvers (see Figure 4.10-7 Truck Access). A WB-67 truck (53-foot trailer) has been utilized for the purposes of the TA. As shown on Figure 4.10-7, the Proposed Project driveways are anticipated to accommodate the wide turning radius of trucks as currently designed. However, Mitigation Measure T-1 should be implemented to accommodate the northbound right turn truck movement.

The Proposed Project includes a facility for the warehousing and distribution of frozen and refrigerated foods to areas throughout the Southwest. The warehouse buildings would receive products via trucks from multiple food manufacturers throughout the Southwest. Products would then be shipped to multiple food retailers. The Project Site is part of the Main Street Freeway Corridor Specific Plan and has a current land use and zoning designation of Commercial/Industrial Business Park (CIBP). The CIBP zone is intended to create consolidated areas for employment-creating uses in a business park setting. This zone primarily falls in three of the land use districts: Main Street/Interstate-15 District, Highway 395/Interstate-15 District and Industrial District. The Project Site is within the Main Street/Interstate-15 District. This District takes advantage of the intersection of two important corridors in the City: Main Street and Interstate-15. It is intended to be a mixed-use district emphasizing large-scale regional commercial and service uses that are designed to serve the region as a whole. This district is also intended to capture employment-generating uses along Highway 395. With approval of the CUP, the Proposed Project would be consistent with the City General Plan and Specific Plan land use designation and zoning of Commercial/Industrial Business Park (CIBP). The Proposed Project would be compatible with the intended uses of the Project Site and the surrounding area.

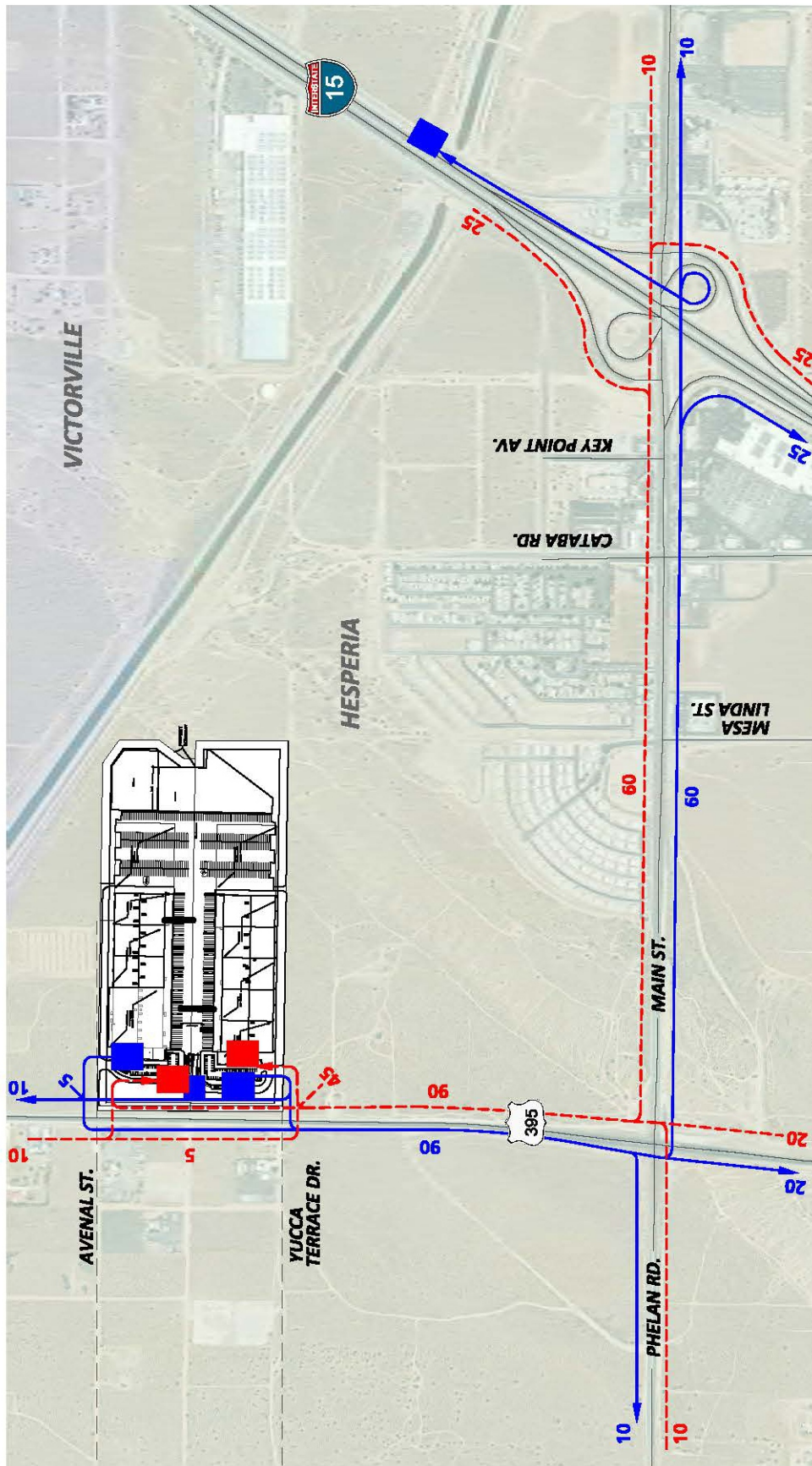


Source: Urban Crossroads. US Cold Storage Traffic Analysis. October 30, 2020. Exhibit 4-1.

PROJECT (TRUCK) TRIP DISTRIBUTION

United States Cold Storage Hesperia
Hesperia, California

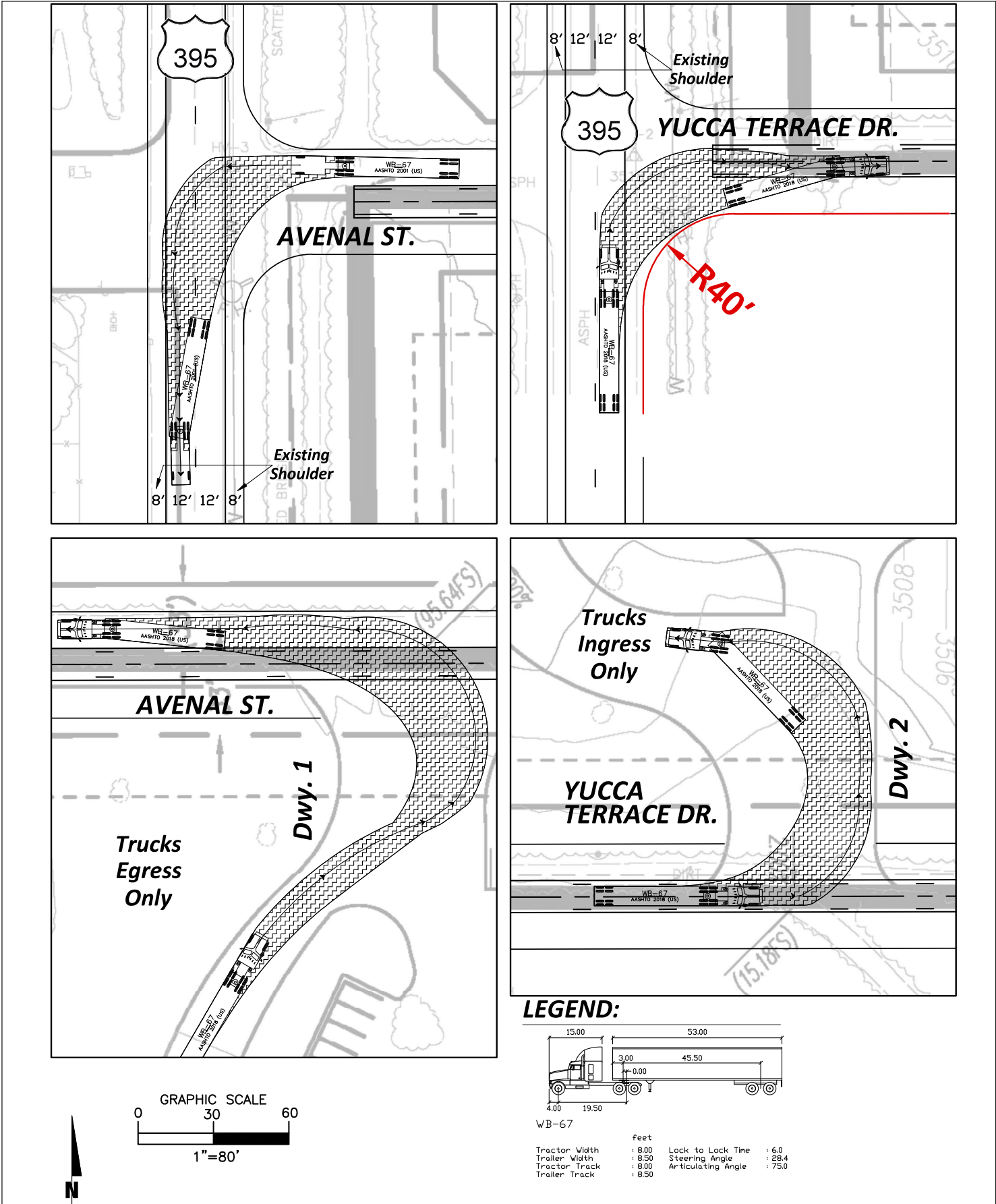
FIGURE 4.10-5



Source: Urban Crossroads. US Cold Storage Traffic Analysis. October 30, 2020. Exhibit 4-2.

PROJECT (PASSENGER CAR) TRIP DISTRIBUTION

United States Cold Storage Hesperia
Hesperia, California



Source: Urban Crossroads. US Cold Storage Traffic Analysis. October 30, 2020. Exhibit 1-5.

TRUCK ACCESS

United States Cold Storage Hesperia
Hesperia, California

FIGURE 4.10-7

intended to capture employment-generating uses along Highway 395. With approval of the CUP, the Proposed Project would be consistent with the City General Plan and Specific Plan land use designation and zoning of Commercial/Industrial Business Park (CIBP). The Proposed Project would be compatible with the intended uses of the Project Site and the surrounding area.

Signal Warrant Analysis

The signal warrant criteria for Existing study area intersections are based upon several factors, including volume of vehicular and pedestrian traffic, frequency of accidents, and location of school areas. The California Manual on Uniform Traffic Control Devices indicates that the installation of a traffic signal should be considered if one or more of the signal warrants are met. Specifically, the Traffic Analysis utilizes the Peak Hour Volume-based Warrant 3 as the appropriate representative traffic signal warrant analysis for existing traffic conditions. Warrant 3 is appropriate to use for the TA because it provides specialized warrant criteria for intersections with rural characteristics (e.g. located in communities with populations of less than 10,000 persons or with adjacent major streets operating above 40 miles per hour). For the purposes of the Traffic Analysis, the speed limit was the basis for determining whether Urban or Rural warrants were used for a given intersection.

Future unsignalized intersections, that currently do not exist, have been assessed regarding the potential need for new traffic signals based on future average daily traffic (ADT) volumes, using the Caltrans planning level ADT-based signal warrant analysis worksheets.

As shown in Table 4.10-7, traffic signal warrant analyses were performed for the following unsignalized study area intersections during the peak weekday conditions wherein the Proposed Project is anticipated to contribute the highest trips:

**Table 4.10-7
Traffic Signal Warrant Analysis Locations**

ID	Intersection Location	Jurisdiction
1	US Highway 395 & Avenal St.	City of Hesperia, Caltrans
2	US Highway 395 & Yucca Terrace Dr.	City of Hesperia, Caltrans
4	Driveway 1 & Avenal St. – Future Intersection	City of Hesperia
5	Driveway 2 & Yucca Terrace Dr. – Future Intersection	City of Hesperia

The following intersections are anticipated to meet a peak hour volume-based traffic signal warrant for each Analysis Scenario.

Existing Plus Project (E+P) Traffic Conditions

US Highway 395 at Avenal Street (#1) is anticipated to meet peak hour volume-based traffic signal warrants under E+P traffic conditions.

Opening Year Cumulative (2022) With Project Conditions

US Highway 395 & Yucca Terrace Drive (#2) is anticipated to meet a peak hour volume-based traffic signal warrant for Opening Year Cumulative With Project.

Horizon Year (2040) Conditions with Project

There are no additional study area intersections anticipated to meet either peak hour or daily volume-based traffic signal warrants in addition to the location previously warranted under Opening Year Cumulative (2022) traffic conditions for Horizon Year (2040) With Project traffic conditions.

Implementation of Mitigation Measure T-2 would minimize the hazards due to dangerous intersections that could result from development of the Proposed Project.

Queuing Analysis

A queuing analysis was performed for Highway 395 at Main Street to assess vehicle queues along Highway 395 and for the off-ramps at the I-15 Freeway and Main Street interchange to assess vehicle queues for the off ramps that may potentially result in deficient peak hour operations at the ramp-to-arterial intersections and may potentially “spill back” onto the I-15 Freeway mainline. The following intersection turning movements are anticipated to experience periodic queuing issues during the peak hours based on the 95th percentile peak hour traffic flows for each Analysis scenario.

Existing Plus Project Conditions

- Highway 395 & Phelan Road/Main Street (#3) Southbound Left – AM and PM peak hours

There are no off-ramp movements that are anticipated to experience queuing issues during the weekday AM or weekday PM peak 95th percentile traffic flows under Existing plus Project traffic conditions.

Opening Year Cumulative (2022) With Project Conditions

- Highway 395 & Phelan Road/Main Street (#3) Northbound Left – AM and PM peak hours
- Highway 395 & Phelan Road/Main Street (#3) Southbound Left – AM and PM peak hours

There are no off-ramp movements that are anticipated to experience queuing issues during the weekday AM or weekday PM peak 95th percentile traffic flow under Opening Year Cumulative (2022) With Project traffic conditions.

Horizon Year (2040) Conditions with Project

- Highway 395 & Phelan Road/Main Street (#3) Northbound Left – AM and PM peak hours
- Highway 395 & Phelan Road/Main Street (#3) Southbound Left – AM and PM peak hours

There are no off-ramp movements that are anticipated to experience queuing issues during the weekday AM or weekday PM peak 95th percentile traffic flows under Horizon Year (2040) With Project traffic conditions.

The Proposed Project's fair-share contribution can address queuing deficiencies resulting from project implementation. However, the City does not have jurisdiction over some of these facilities, therefore these improvements cannot be assumed to be in place prior to Project's occupancy. Therefore, Project's impact to increase in hazardous conditions (i.e. queuing) would be significant and unavoidable and Mitigation Measures T-1, T-2, and T-3 are recommended.

Additionally, on May 13, 2021, the City of Hesperia received a letter from the Caltrans District 8 Office Chief (Ms. Rosa Clark) stating that a review of the materials provided for Caltrans' evaluation had been conducted. Caltrans stated that their comments included in the letter should be addressed prior to proceeding with the Encroachment Permit Process. Ms. Rosa Clark further stated in the letter that although the project is under the jurisdiction of the City of Hesperia, due to the project's potential impact to US-395 facilities, it is also subject to the policies and regulations that govern the State Highway System. Caltrans therefore offered comments addressing the traffic reports they reviewed. In addition to continued consultation between the City of Hesperia and Caltrans to address specific concerns related to design issues associated with access from Highway 395, the Applicant will be required to obtain an Encroachment Permit from Caltrans. Obtaining an Encroachment Permit from Caltrans will be a Condition of Project Approval.

Mitigation Measures:

Mitigation Measure T-1

The southeast corner of the intersection of Highway 395 and Yucca Terrace Drive should have a 40-foot curb radius.

Mitigation Measure T-2

Traffic signals shall be installed at the following intersections:

*US Highway 395 at Avenal Street
US Highway 395 & Yucca Terrace Drive*

Mitigation Measure T-3

A second southbound left turn lane and a second northbound left turn lane at Highway 395 and Phelan Road/Main Street will be required.

Level of Significance After Implementation

Implementation of Mitigation Measures T-1 through T-3, impacts would be less than significant. Caltrans' recommended design features and a COA for the Applicant to obtain a Caltrans Encroachment Permit will also be required.

Would the Project result in inadequate emergency access?

Impact T-4: The Proposed Project could result in inadequate emergency access due to trucking access being off of Highway 395.

Regional access to the Project Site includes Highway 395, immediately adjacent to the west, and Interstate 15 (I-15), located approximately 1 mile to the east. Direct access to the Project Site would be via a driveway on the south side from Yucca Terrace Drive, a driveway from the north side from Avenal Street and two exit-only/fire access driveways; one on the north side of the property from Avenal Street and one on the south side of the property from Yucca Terrace Drive. Implementation of Mitigation Measure T-1 would ensure that Proposed Project driveways accommodate the wide turning radius of trucks so that vehicles can safely and efficiently enter and exit the Project Site. Therefore, the Proposed Project is not anticipated to result in inadequate emergency access.

Mitigation Measures:

Mitigation Measure T-1

Level of Significance After Implementation

The Proposed Project would not result in inadequate emergency access with implementation of Mitigation Measure T-1.

Would the Project result in cumulative considerable impacts to Traffic?

Other reasonably foreseeable development projects which are either approved or being processed concurrently in the study area are included as part of a cumulative analysis scenario for traffic. A cumulative project list was developed for the purposes of this analysis through consultation with planning and engineering staff from the City of Hesperia, City of Victorville, and County of San Bernardino. The cumulative project list includes known and foreseeable projects that are anticipated to contribute traffic to the study area intersections.

If the improvements needed to address the cumulative deficiencies identified under E+P, Opening Year Cumulative (2022), and Horizon Year (2040) traffic conditions are not constructed as part of the Proposed Project, the Applicant's responsibility for the Proposed Project's contributions towards deficient intersections is fulfilled through payment of fair share that would be assigned to construction of the identified recommended improvements. The Project Applicant would be required to pay fair share fees and DIF consistent with the City's requirements. However,

cumulative impacts to LOS are not analyzed under CEQA. Therefore, the Proposed Project's cumulative impacts to LOS is not considered significant.

As summarized under Impact T-2, the cumulative project VMT per service population would exceed the City's adopted impact threshold. Therefore, this cumulative impact is significant and unavoidable.

Mitigation Measures:

No mitigation measures are recommended.

4.11 TRIBAL CULTURAL RESOURCES

4.11.1 Introduction

This section of the EIR discusses Tribal Cultural Resources known to occur within the region and vicinity of, as well as those existing on the Project Site. In light of the applicable regulator setting any potentially significant impacts to Tribal Cultural Resources that could occur as a result of the Proposed Project are identified. Information regarding existing conditions, impacts, and mitigation measures was derived from Phase I Cultural Resources Investigation of the Proposed U.S. Cold Storage Facility of Hesperia, San Bernardino County, California dated June 4, 2020 completed by McKenna et al, and AB52 Consultations between the City of Hesperia, and Local and Regional Native American Tribes.

4.11.2 Environmental Setting

The Project Site occurs on the east side of Highway 395, the north side of Yucca Terrace Drive and the south side of Avenal Street in the City of Hesperia within the desert region of San Bernardino County (See Figure 3-1-Regional Location and Figure 3-2-Project Vicinity). Hesperia's incorporated area and sphere of influence encompasses approximately 110 square miles.

The western Mojave Desert is generally associated with Native Americans identified as Serrano or Vanyume. The Serrano tend to be associated with the San Gabriel and San Bernardino Mountain areas, but are known to have also ventured well into the Mojave Desert. The Vanyume are generally associated with the areas of the desert floor. Both groups are considered to be ethnographically related. The Serrano consider the desert area, as far north as Barstow, to be within their ancestral territory. The Serrano and Vanyume were never large groups and their numbers dropped significantly during the Mission Period in California (between the 1770s and 1830s).

The Serrano and Vanyume were hunters and gatherers who practiced a system of seasonal movement and resource exploitation. As the seasons changed, the populations moved to areas which provided additional or varied resources (e.g. different animals or vegetation for food; different elevations for protection from adverse weather conditions; and/or differing locations for trade). At limited times, these Natives would establish small villages for the elderly or young who were not able to travel long distances.

Because settlements generally required a fresh water source, many of the known village sites have been located along major water courses (e.g. Oro Grande Wash or the Mojave River). Artifacts generally associated with these sites include metates, manos, mortars, pestles, projectile points, flaked stone tools, bone tools, basketry, and occasionally pottery traded from populations along the Colorado River.

During historic times, the western Mojave water courses served as major trade and road routes. Native Americans traversed the area early and were followed by Spanish, Mexican, and American explorers. Routes for settlers from Utah and other points east crosses the San Gabriel/San Bernardino Mountain areas via the Cajon Pass (including areas within Cajon Canyon) in the 1840s and 1850s.

4.11.3 Applicable Plans, Policies, and Regulations

Federal

The National Historic Preservation Act

The National Historic Preservation Act of 1966 was passed primarily to acknowledge the importance of protecting the nation's heritage. The act established program for the preservation of additional historic properties throughout the Nation.¹ Some key elements from the Act:²

- Sets the federal policy for preserving our nation's heritage
- Establishes a federal-state and federal-tribal partnership
- Establishes the National Register of Historic Places and National Historic Landmarks Programs
- Mandates the selection of qualified State Historic Preservation Officers
- Establishes the Advisory Council on Historic Preservation
- Charges Federal Agencies with responsible stewardship
- Establishes the role of Certified Local Governments within the States

State

The California Public Resources Code Sections 5020-5029 “Historical Resources”

The California Public Resources Code Sections 5020-5029 establishes the State Historical Resources Commission. The State Historical Resources Commission consists of nine members appointed by the Governor.³ State Historical Resources Commission ensure the identification, and protection of historical properties and resources of significance throughout the State of California.

California Health and Safety Code Section 7050.5

California Health and Safety Code Section 7050.5 ensures protects human remains, which requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the county coroner has examined the remains and determined 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.⁴

¹ National Historic Preservation Act of 1966
<https://www.nps.gov/history/local-law/nhpa1966.htm> Accessed October 23, 2020.

² National Historic Preservation Act of 1966
<https://ncshpo.org/resources/national-historic-preservation-act-of-1966/> Accessed October 23, 2020.

³ Historical Resources: 5020-5029
https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=5.&title=&part=&chapter=1.&article=2. Accessed October 23, 2020.

⁴ California Health and Safety Code Section 7050.5
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC§ionNum=7050.5
Accessed October 27, 2020.

Assembly Bill 52 Native Americans: “California Environmental Quality Act”

California Assembly Bill 52 (AB52) was approved by Governor Brown on September 25, 2014. AB52 specifies that CEQA projects with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource may have a significant effect on the environment. Assembly Bill 52 ensures a lead agency to begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project, if the tribe requested to the lead agency, in writing, to be informed by the lead agency of proposed projects in that geographic area and the tribe requests consultation, prior to determining whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project. The bill would specify examples of mitigation measures that may be considered to avoid or minimize impacts on tribal cultural resources.⁵

*Local*City of Hesperia General Plan

The General Plan identifies the importance of the preservation of cultural and historical resources is critical to respecting and recognizing the City’s heritage and foundation and the people who previously lived in the area.

The following policies identified in the conservation element of the Hesperia General Plan:

Policy: CN-5.1: Encourage the preservation of historical, paleontological and cultural resources.

Policy: CN-5.2: In those areas where surveys and records indicate historical, cultural or paleontological resources may be found, appropriate surveys and record searches shall be undertaken to determine the presence of such resources, if any.

Policy: CN-5.3: All historical, paleontological and cultural resources discovered shall be inventoried and evaluated according to CEQA regulations and the California Office of Historic Preservation.

Policy: CN-5.4: The City shall coordinate with the Archeological Information Center at the San Bernardino County Museum in reviewing potential records and in preserving such artifacts as may be found.

Policy: CN-5.5: Through its CEQA and other environmental procedures, the City shall notify appropriate Native American representatives of possible development and shall comply with all State and Federal requirements concerning the monitoring and preservation of Native American artifacts and places.

⁵ Assembly Bill 52 Native Americans: “California Environmental Quality Act”
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB52
Accessed October 27, 2020.

4.11.4 Thresholds of Significance

The Initial Study Checklist for the Proposed Project was utilized to identify the primary thresholds of significance relating to CEQA issues. As such, the Proposed Project would have a significant effect associated with Tribal Cultural Resources if it would:

Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21704 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), or

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

4.11.5 Project Impact Analysis and Mitigation Measures

In addition to the CEQA Appendix G analyses, a review as to whether the Proposed Project would result in any conflict with goals and policies pertaining to tribal cultural resources as identified in either the City's General Plan, Main Street Corridor Specific Plan, or Development Code was undertaken. Based on the description of the Proposed Project and the analyses provided herein, no conflicts would occur because:

- In accordance with mitigation measures provided below, the City has notified appropriate Native American representatives of the Proposed Project
- The Project Applicant will be required to comply with all State and federal requirements concerning the monitoring and preservation of Native American artifacts and places.

4.11.5.1 Issues Identified to Have No Impact or Less Than Significant Impact

The Initial Study Checklist for the Proposed Project that was circulated with a Notice of Preparation (NOP) identified no threshold areas where no impacts or less than significant impacts would occur as a result of the Proposed Project. No additional information was received during the NOP review period to change the conclusions of the Initial Study.

4.11.5.2 Issues Determined to Have Potentially Significant Impacts

As a result of the analysis conducted for the Draft EIR, it was determined that the following issues associated with Tribal Cultural Resources have the potential for resulting in significant impacts.

Each analysis is followed by recommended mitigation measures and the level of significance that would occur following implementation of the mitigation measures.

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

Impact TCR-1: The Proposed Project's earthmoving activities associated with grading could potentially impact buried historical resources.

McKenna et al. prepared a Phase 1 Cultural Resources Investigation that confirmed that no evidence of prehistoric Native American archaeological resources was identified within the Project Site, despite the intensive level of surveying. The western Mojave Desert is generally associated with Native Americans identified as Serrano or Vanyume. However, the NAHC had no records of sacred or religious sites in this general area. McKenna sent letters to local Native American representatives identifying the project and referring those wishing government-to-government consultation to the City of Hesperia Planning Department. Although formal consultation is between the Native American representatives and the City, any responses received by McKenna et al. will be forwarded to the City for consideration. Given the proximity of the Project Site to Oro Grande Wash, previously recorded prehistoric artifacts in the general area of the Wash, and knowing sediments from the flooding episodes along the wash are likely to have impacted the area, McKenna et al. still considers the Project Site to be sensitive for evidence of buried prehistoric and/or Native American origin. As such, to ensure less than significant impacts occur Mitigation Measures CR-1 and CR-2 identified in Chapter 4.4.5.2: Cultural Resources of the EIR are required to reduce potential impacts to a level of less than significant.

Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? (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).

Impact TCR-2: The Proposed Project may impact a site, feature, place, cultural landscape of significance to a California Native American tribe and pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.

In accordance with AB 52, the City of Hesperia contacted representatives from local and regional tribes by letters dated June 22, 2020. The tribes contacted included the Cabazon Band of Mission Indians, San Manuel Band of Mission Indians, and Torres Martinez Desert Cahuilla Indians.

Of the three tribes contacted, only the San Manuel Band of Mission Indians responded. The email responses dated July 24, 2020 by Jessica Mauck, Director of Cultural Resources Management states:

“The proposed project area exists within Serrano ancestral territory and, therefore, is of interest to the Tribe. San Manuel Band of Mission Indians’ concerns with this project are mainly due to the nearness of the project to the Oro Grande Wash. This wash was a travel corridor used by Serranos when they would travel between Serrano villages in the Victorville area and the Serrano villages close to Cajon Pass (Muscupiabit in the pass, Guapiabit in Summit Valley, Atongaibit just north of Guapiabit in Hesperia, etc.). As such, due to the nature and location of the Proposed Project, SMBMI respectfully requests the following for review upon availability: Cultural report, Geotechnical report (if required), and Project plans showing the depth of proposed disturbance. The provision of this information will assist San Manuel Band of Mission Indians in ascertaining how the Tribe will assume consulting party status under CEQA and participate, moving forward, in project review and implementation. Please note that if this information cannot be provided within the Tribe’s 30-day response window, the Tribe automatically elects to be a consulting party under CEQA, as stipulated in AB52.”

Based on consultation under AB 52 with interested tribes, final recommendations shall be incorporated into the Project’s Conditions of Approval. Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are:

Mitigation Measures:

Mitigation Measure TCR-1

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

Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in PRC 5097.98, are also to be treated according to this statute. Health and Safety Code 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and excavation halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those

of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the NAHC and PRC 5097.98 shall be followed.

Mitigation Measure TCR-2

If the San Manuel Band of Mission Indians is designated MLD in accordance with the legal process noted in Mitigation Measure CUL-2 presented in Chapter 4.4 – Cultural Resources, the MLD will work with the Coroner, NAHC, landowner, and Lead Agency regarding culturally appropriate practices and recommended next steps.

Mitigation Measure TCR-3

Prior to the continuation of ground disturbing activities, the land owner shall arrange a designated site location within the footprint of the Project for the respectful reburial of the human remains and/or ceremonial objects. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The MLD tribe will make every effort to recommend diverting the Project and keep the remains in situ and protected, and the landowner/applicant shall make every effort to comply with these recommendations. If the Project cannot be diverted, it may be determined that burials will be removed. The MLD Tribe will work closely with the qualified archaeologist to ensure that the excavation is treated carefully, ethically, and respectfully. If data recovery is approved by the MLD tribe, documentation shall be taken that includes, at a minimum, detailed descriptive notes and sketches. Additional types of documentation shall only occur once approved by the MLD tribe for data recovery purposes. Cremations will either be removed in bulk or by any means necessary to ensure completely recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the MLD tribe and the NAHC. The tribes do not authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.

Each occurrence of human remains and associated funerary objects that requires data recovery will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects, and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within 6 months of recovery. The site of reburial/repatriation shall be on the Project site but at a location agreed upon between the MLD tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

Mitigation Measure TCR-4

Upon discovery of any tribal cultural or archaeological resources, construction activities shall cease within the immediate vicinity of the find (60-foot buffer) until the find can be assessed. All tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist, by a member of the San Manuel Band of

Mission Indians Cultural Resources Department. If the resources are Native American in origin, the San Manuel Band of Mission Indians shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the tribe will request preservation in place or reburial onsite, though will recommend data recovery for educational purposes if other options are exhausted. Work may continue on other parts of the Project while evaluation and, if necessary, additional protective mitigation takes place (CEQA Guidelines Section 15064.5(f)). If a resource is determined by the qualified archaeologist to constitute a “historical resource” or “unique archaeological resource”, time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available.

Mitigation Measure TCR-5

For unique archaeological resources, preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. All analysis proposals will be reviewed and approved by the consulting Tribes. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials within the County, if such an institution agrees to accept the material. If no institution accepts the archaeological material that is not Native American in origin, they shall be offered to the San Manuel Band of Mission Indians – Kizh Nation or a local school or historical society in the area for educational purposes.

Mitigation Measures TCR-6

Archaeological and Native American monitoring and excavation during construction Projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel must meet the Secretary of Interior standards for archaeology and have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in southern California. The qualified archaeologist shall ensure that all other personnel are appropriately trained and qualified.

Mitigation Measure TCR-7

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 SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.

Level of Significance After Implementation

Implementation of Mitigation Measures TCR-1 through TCR-7 would ensure impacts to tribal cultural resources would be less than significant.

Would the Project result in a cumulatively considerable impact to tribal cultural resources?

Ongoing development and growth in the City may result in a cumulatively significant impact to tribal cultural resources due to the continuing disturbance of undeveloped areas, which could potentially contain significant, buried cultural resources. However, individual, Project-level impacts associated with tribal cultural resources were found to be less than significant with incorporation of mitigation measures. The Project would be required by law to comply with all applicable federal, State, and local requirements related to historical, archaeological, and cultural resources. Other related cumulative projects would similarly be required to comply with all such requirements and regulations, to be consistent with the provisions set forth by CEQA and the CEQA Guidelines, and to implement all feasible mitigation measures in the event a significant project-related and/or cumulative impact be identified. As such, cumulative impacts would be less than significant and no additional mitigation is required.

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4.12 UTILITIES AND SERVICE SYSTEMS

4.12.1 Introduction

This section of the EIR discusses potential Utility and Service Systems impacts resulting from the Proposed Project during project construction or operations. Information about existing conditions was derived from the Project's Preliminary Water Quality Management Plan (Joseph E. Bonadiman & Associates, Inc., May 2020), Preliminary Hydrology and Drainage Analysis (Joseph E. Bonadiman & Associates, Inc., May 2020), City of Hesperia Water Master Plan, Hesperia Water District Urban Water Management Plan, Victor Valley Wastewater Reclamation Authority, and the City of Hesperia General Plan.

4.12.2 Environmental Setting

The Proposed Project is located in the western portion of the City of Hesperia. The Project Site is vacant with no evidence of past disturbance on-site. Utilities and services are provided throughout the City however, there are currently no utilities that extend onto the Project Site. The Project Site is within the service areas of Southwest Gas Corporation¹ (SGC) and Southern California Edison² (SCE). The City's water supply is provided by the Hesperia Water District and sewer collection is provided by the City. The nearest sewer lines and water lines occur along Main Street, south of the Project Site. Wastewater collected by the City is treated at one of Victor Valley Wastewater Reclamation Authority's wastewater treatment facilities. The City's storm drains and flood control systems are administered by Hesperia's Development Services Department. Solid waste collection in the vicinity of the Project Site is provided by Advance Disposal, which is contracted to collect solid waste within the City of Hesperia.

4.12.3 Applicable Plans, Policies, and Regulations

State

Public Resources Code Section 49300

The legislative body of a city may contract for the collection or disposal, or both, of garbage, waste, refuse, rubbish, offal, trimmings, or other refuse matter under the terms and conditions that are prescribed by the legislative body of the city by resolution or ordinance.

(Amended by Stats. 2005, Ch. 590, Sec. 45. Effective January 1, 2006.)

Public Resource Code Section 42911

Each local agency shall adopt an ordinance relating to adequate areas for collecting and loading recyclable materials in development projects. If a local agency has not adopted an ordinance for collecting and loading recyclable materials in development projects on or before September 1, 1994, the model ordinance adopted pursuant to Section 42910 shall take effect on September 1, 1994, and shall be enforced by the local agency and have the same force and effect as if adopted by the local agency as an ordinance. On and after July 1, 2005, a local agency shall not issue a

¹ <https://www.swgas.com/>

² <https://www.sce.com/about-us/who-we-are/leadership/our-service-territory>

building permit to a development project, unless the development project provides adequate areas for collecting and loading recyclable materials.

(Added by Stats. 1991, Ch. 842, Sec. 4.)

State Assembly Bill 939 (AB 939)

The State of California implemented AB 939 "The Integrated Waste Management Act of 1989" to regulate solid waste management and establish integrated waste management guidelines. These priorities are: source reduction, recycling and composting, and environmentally safe transformation and land disposal.

Urban Water Management Plan

The Urban Water Management Planning Act was enacted by the State Legislature in 1983. The Act requires "Urban Water Suppliers" (providing water for municipal purposes, directly or indirectly, to more than 3,000 customers or supplying more than 3,000 acre-feet annually) to prepare or update an Urban Water Management Plan (UWMP) once every five years. The Hesperia Water District supplies more than 10,000 acre-feet annually to nearly 95,000 customers. An UWMP is a planning tool that generally guides the actions of water management agencies. It provides managers and the public with a broad perspective on a number of water supply issues. Development and completion of this Plan supports the goal of the Hesperia Water District to provide a safe and reliable water supply to meet existing and future needs of its customers. The Hesperia Water District's supplies must meet current water quality regulations and address pending water quality regulations to assure its availability in the future.

State Water Resources Control Board

The State Water Resources Control Board (SWRCB) was created by legislature in 1967. The SWRCB allocates water rights, adjudicates water right disputes, develops statewide water protection plans, establishes water quality standards, and guides the nine Regional Water Quality Control Boards (RWQCBs) located in the major watersheds of the state. The SWRCB is to preserve, enhance, and restore the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper water resource allocation and efficient use, for the benefit of present and future generations. The SWRCB is responsible for implementing the Clean Water Act and issues National Pollutant Discharge Elimination System (NPDES) permits to cities and counties through the regional boards. The Project Site lies within the jurisdiction of the Colorado River RWQCB (Region 7).

Local

City of Hesperia General Plan

The following policies identified in the Conservation Element of the City General Plan are relevant to this analysis.

Conservation Element

Goal CN-1: Conserve water resources within the Upper Mojave River Groundwater Basin.

Policy CN-1.1: Promote the use of desert vegetation with low water usage and drought tolerant materials in landscaped areas.

Policy CN-1.4: Limit the disturbance of natural water hydrology by minimizing the creation of impervious area and continue utilizing detention/retention basins and underground retention/detention facilities to recharge groundwater.

Policy CN-1.5: Work with local agencies and jurisdictions to provide a coordinated effort to ensure a safe and constant water supply.

Policy CN-1.6: Encourage the use of low-water consumption fixtures in homes and businesses.

Policy CN-1.7: Require new development to use new technology, features, equipment and other methods to reduce water consumption.

Goal CN-6: Provide programs and incentives to encourage residents, businesses and developers to reduce consumption and efficiently use energy resources.

Policy CN-6.4: Educate the public about energy conservation techniques.

Policy CN-6.5: Coordinate with the local energy provider in developing policies and procedures to reduce energy consumption in existing and future developments.

Policy CN-6.6: Encourage residents and businesses to utilize the incentives provided by the local energy providers to retrofit their buildings and businesses for energy efficiency and conservation.

Policy CN-6.7: Continue the existing recycling program and utilization of the material recovery facility program while exploring additional methods of reducing waste.

Goal: CN-7: Develop, promote and implement policies to reduce and limit Greenhouse Gas Emissions.

Policy: CN-7.4: Promote the utilization of alternative energy resources such as wind and solar in new development.

Policy: CN 7.6: Preserve land resources for the utilization of energy resources, including wind and solar energy resources.

Policy: CN 7.7: Promote energy conservation through site layout, building design, natural light and efficient mechanical and electrical products in development.

Municipal Development Code

The following regulations identified in the Hesperia Municipal Code are relevant to this analysis

Chapter 8.04: Solid Waste Management

The purpose of this section is to promote the public health, welfare and safety of the community by establishing reasonable regulations relating to the storage, accumulation, collection and disposal of solid waste.

Chapter 14.02: General Provisions

This section expands the water and wastewater enforcement through the District for the purpose of obtaining, conserving and disposing of water for public and private uses consisting of facilities

for the distribution, transmission, production and storage of water including appurtenances and appurtenant works; supplies and equipment; lands, easements, rights-of-way and other interests in real property; water rights; interests in personal property; and franchises and contracts. The District is also responsible for ensuring wastewater flows are properly disposed of through public and/or private wastewater systems. The district will furnish a system for the collection of wastewater when needed to meet state and federal law, including collection lines and reclaimed facilities for deposition into the regional wastewater operator.

Chapter 15 Section 15.12.010: Solid Waste Compliance

Solid waste and other construction and demolition debris on a construction site shall comply with Chapter 8.04.

4.12.4 Thresholds of Significance

The Initial Study Checklist for the Proposed Project was utilized to identify the primary thresholds of significance relating to CEQA issues. As such, the Proposed Project would have a significant effect associated with Utilities and Services if it 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.

Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.

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

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.

Not comply with Federal, State, and local management and reduction statutes and regulations related to solid waste.

4.12.5 Project Impact Analysis and Mitigation Measures

In addition to the CEQA Appendix G analyses, a review as to whether the Proposed Project would result in any conflict with goals and policies pertaining to utilities and service systems as identified in either the City General Plan, Main Street and Freeway Corridor Specific Plan, or Development Code was undertaken. Based on the description of the Proposed Project and the analyses provided herein, no conflicts would occur because:

- The Proposed Project has been designed to comply with all Building Code and City requirements to reduce the use of water and energy and provides for maximum efficiency.

- The Proposed Project will comply with all solid waste and construction and debris requirements of the City.
- Sufficient capacity exists within the water, sewer, and wastewater treatment systems that service the site to meet the Proposed Project's demands.

4.12.5.1 Issues Identified to Have No Impact or Less Than Significant Impact

The Initial Study Checklist for the Proposed Project that was circulated with a Notice of Preparation (NOP) identified that there were no threshold areas where no impacts or less than significant impacts would occur as a result of the Proposed Project. Therefore, all threshold areas have been evaluated in this EIR to determine any potentially significant impacts and recommend mitigation measures if required. These are presented below.

4.12.5.2 Issues Determined to Have Potentially Significant Impacts

As a result of the analysis conducted for the Draft EIR, it was determined that the following issues associated with Utilities and Service Systems have the potential for resulting in significant impacts. If determined less than significant with mitigation, the analysis is followed by recommended mitigation measures and the level of significance that would occur following implementation of the mitigation measures.

Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Impact US-1: The Project Site is currently vacant and does not receive utility services. Implementation of the Proposed Project would result in a permanent increase in demands for services including water, wastewater treatment, stormwater drainage, electric power, natural gas, and telecommunication facilities.

Water

The City's domestic water sources are supplied by the Hesperia Water District (District). The District operates the water system within the City as a self-sustaining utility business enterprise. According to the 2015 Hesperia Water District Urban Water Management Plan (UWMP), the District provides domestic water from 16 active wells within the area. All wells are located in the Mojave River Groundwater Basin (Basin). Water is conveyed from the wells to consumers via a distribution system with pipe sizes ranging between 4 and 24 inches in diameter. The District currently maintains 14 storage reservoirs within the distribution system with a total storage capacity of approximately 64 million gallons.³

As discussed in Section 4.8, Hydrology and Water Quality, the Proposed Project's water demands would account for approximately 0.13 percent of the anticipated multiple dry year water supply

³ Hesperia Water District 2015 Urban Water Management Plan. Page 9.

projected for 2035.⁴ The District's supplies are sufficient to meet demand within the District's service area.

Wastewater Treatment

The City's Wastewater Master Plan was completed in July of 2008. The supply and demand projections were updated in 2015 with the Recycled Water System Master Plan, which includes revised recycled wastewater projections from 2015 through the year 2040. The City of Hesperia's sewer collection system includes approximately 128 miles of gravity sewer pipe, 2,407 manholes, 704 cleanouts, one operational lift station, and one force main. Wastewater flows collected in the sewer system are conveyed to the Hesperia Subregional Water Reclamation Plant (WRP-1) operated by Victor Valley Wastewater Reclamation Authority (VWVRA); the plant was completed in August 2017. WRP-1 produces 1.0 million gallons per day (mgd) of recycled water. The water recycling facility is a "scalping plant", meaning only wastewater is treated. Solids from this subregional plant are returned to the sewer system and conveyed to the main VWVRA plant in Victorville for treatment. VWVRA anticipates expansion of the WP-1 to 4.0 mgd in the future.⁵

The principal sources of wastewater in the City's sewer system include sanitary flow from residential, commercial, and industrial sources. Using the estimated customer counts and unit flows, the average dry weather wastewater flows are projected by land use type and planning year. To estimate the existing and future land uses within the City's service area, the service area is divided into 16 planning areas numbered 1 through 16. Table 4.12-1 below provides the acreage of each planning area.

WRP-1 is located at 14269 Mojave Street and collects flows from Planning Areas 7-9, and 11-14. The Project Site is located in PA 11 and therefore would be served by this plant.

The Proposed Project would result in an estimated sewer flow of 9,900 gallons per day based on the VWVRA's estimated factor of a maximum 60 gallons per day per employee.⁶ This would be approximately 0.093 percent of the total flow of 10.7 mgd currently treated at the VWVRA main plant and 0.25 percent of the future planned capacity of 4.0 mgd for the Hesperia Subregional Plant (WRP-1). The Proposed Project would result in a permanent increase in demand for wastewater treatment capacity and will not require new or expanded facilities beyond those that are existing and planned.

⁴ Hesperia Water District 2015 Urban Water Management Plan.

⁵ Hesperia Water District 2015 Urban Water Management Plan. Page 13.

⁶ October 29, 2020 telephone call with Latif Laari from VWVRA.

**Table 4.12-1
Planning Areas**

Planning Area	Description	Area (ac)
PA-1	Main City Area	19,593
PA-2	Main Street Corridor - Neighborhood District	638
PA-3	Main Street Corridor - Industrial District	1,375
PA-4	Industrial District	728
PA-5	Main Street Corridor - City Center District	466
PA-6	Southern District	4,212
PA-7	Western District - Residential	490
PA-8	Southwestern District - Residential	2,197
PA-9	Freeway Corridor - North District - Residential	787
PA-10	Freeway Corridor - North District	244
PA-11	Freeway Corridor - Main Street District¹	2,397
PA-12	Freeway Corridor - HWY 395	1,169
PA-13	Freeway Corridor - South District - Commercial	937
PA-14	Freeway Corridor - South District - Residential	392
PA-15	Rancho Las Flores (RLF) and Summit Valley Ranch (SVR)	10,868
PA-16	North Summit Valley (NSV)	3,052
	Total (all 16 Planning Areas)	49,547

Source: City of Hesperia Final Wastewater Master Plan. Table 3.1.

(1) Project Site Planning Area

Stormwater

The City's storm drains and flood control systems are managed by Hesperia's Development Services Department. The San Bernardino County Department of Public Works Flood Control District is responsible for providing flood control and related services throughout the County, including the incorporated areas within cities. The San Bernardino Flood Control District has planned a system of facilities including dams, conservation basins, channels, and storm drains. The purpose of these facilities is to intercept and convey flood flows through and away from the developed areas of the City and County. The principle functions are flood protection on major streams, water conservation, and storm drain construction.

According to the Due Diligence Report of Geotechnical Evaluations, dated April 20, 2020, prepared for the Proposed Project by Soils Southwest, Inc. (See Appendix F), upper soils on the Project Site are described as compressible and potentially hydro-collapsible, slightly silty semi-cemented fine to medium coarse sands with traces of caliche, overlying medium dense to dense, slightly silty gravelly medium to coarse sand with rock fragments and minor rocks. Silty gravelly sand in nature, the site soils, in general, are considered "very low" in expansion potential with an Expansion Index less than 20. The depth to groundwater was found to be in excess of 50 feet. Under current conditions, drainage on the Project Site flows across the site from the southeast to the northeast.

As discussed in the Preliminary Hydrology Study and Drainage Analysis (See Appendix G), drainage in the area primarily sheet flows to the northeast toward the California Aqueduct; flows

generated at the southeastern slope area of the Project Site drain to the southeast towards the Oro Grande Wash. US Highway 395 intercepts most of the off-site flows and the remainder of off-site flows would be contained in the Proposed Project's street improvements to Yucca Terrace Drive which enters the Oro Grande Wash to the east.

The Project Site is impacted by one distinct area offsite, Area B, along the southern boundary of the project site identified as Yucca Terrace Drive. The proposed development would improve Yucca Terrace Drive routing offsite flows to the Oro Grande Wash.

Offsite flow to the west are not considered to impact the project site due to the improved nature of US Highway 395 and its ability to intercept flows.

The onsite area of the Project Site, currently draining to the northeast, will be improved and drainage contained onsite and be conveyed into a retention basin to be located on the northeast corner of the Project Site with a design capture volume (DCV) of 163,324 cubic feet. After implementation and design of BMPs, any remaining runoff from impervious drainage areas would be directed to the on-site retention basin designed to infiltrate, evapotranspiration, and/or bio-retain the amount of runoff produced by the Proposed Project. The retention basin will also serve to buffer peak flow rates to less than predevelopment condition per the requirements of the County of San Bernardino Flood Control Manual before flows are discharged offsite towards the California Aqueduct.

Currently, there are no stormwater treatment infrastructure or stormwater drains on-site. As such, no stormwater is treated or collected before flowing off-site towards the California Aqueduct in the present condition.

The Hydrology Report in Appendix G shows the existing discharge of the 100-year, 24-hour storm event for each Drainage Area within the Project Site. As shown, the 3,429,986 sf Drainage Area of the Project Site is anticipated to generate approximately 32.02 acre-feet of stormwater flow.⁷ The storm water would flow north from the southeast corner of the Project Site, then be conveyed northeast across the California Aqueduct via an existing stormwater crossing located north of the approximate middle of the Project Site.

Adherence to a Final WQMP approved by the City of Hesperia would result in less than significant impacts to stormwater.

Electricity

Although not required, the Proposed Project includes a solar field and potentially a roof top solar array to provide a portion of the Proposed Project's electricity demand; the remainder of the demand would be provided from Southern California Edison (SCE). Currently 16 percent of the total energy produced by SCE comes from renewable resources. The remaining sources include natural gas, fossil fuels and nuclear energy. The Proposed Project would be served by the Auld station which has a total generation capacity of 19.44 megawatts (MW) and currently generates 15.54 MW.

⁷ Joseph E. Bonadiman & Associates, Inc., Water Quality Management Plan (WQMP). May 2020.

The Proposed Project could rely on both a ground mounted solar array as well as roof top solar to serve the facility so that it would not be 100 percent reliant on the grid. Both the solar array field and rooftop solar array would generate approximately 2.3 MW, or 19,000 Kilowatt hours (kWh) of electricity daily (6,935,100 kWh annually). The estimated electricity consumption for the Proposed Project is 13,722,000 kWh/yr. After consumption of renewable energy generated by the proposed ground-mounted and roof-mounted solar arrays, there would be an electrical consumption requirement for the Proposed Project of 6,786.900 kWh/yr (13,722,000 kWh – 6,935,100 kWh) or an average electrical demand of 0.77 MW (6,786.9 MWh/8760 hours per year). Therefore, the Proposed Project may only utilize 0.77 MW capacity, or 19.7%, of the 3.9 MW capacity available from the Auld Substation. Additionally, California's electricity industry is an organization of traditional utilities, private generating companies, and State agencies, each with a variety of roles and responsibilities to ensure that electrical power is provided to consumers. To ensure the projected water supply meets demands, SCE tracks planned development and coordinates with the California Independent Service Operator (ISO). The ISO is a nonprofit public benefit corporation and is the impartial operator of the State's wholesale power grid and is charged with maintaining grid reliability and to direct uninterrupted electrical energy supplies. While utilities own their own transmission assets, the ISO routes electrical power along these assets, maximizing the use of the transmission system and its power generation resources.

Part of the ISO's charge is to plan and coordinate grid enhancements to ensure that electrical power is provided and utilities such as SE file annual transmission expansion plans to the ISO. The ISO works with other areas in the western United States electrical grid to ensure that adequate power supplies are available in California. Thus, reliable electrical power is assured to existing and new customers throughout the state.

Additionally, in 2019, SCE's industry sector consumed 17,806,760,000 kWh of electricity.⁸ The Proposed Project's estimated demand for SCE electricity is approximately 0.04% of SCE's 2019 industry sector electricity consumption. The increase in electricity demand from the Proposed Project would be insignificant compared to the SCE's industry sector's demand.

Natural Gas

Natural gas is administered by the Southwest Gas Corporation. SGC purchases its natural gas from a variety of sources and distributes and sells it throughout California, Nevada and Arizona. SGC has established numerous programs and incentives to encourage and assist their customers in the efficient use of energy resources to help preserve and conserve the natural resources used in the production of their product. As discussed in Section 4.5 of this EIR, natural gas consumption is not anticipated during construction of the Proposed Project. In 2017, approximately 7.2 billion therms were used in SCG's service area, or about 19.7 million therms per day. Natural gas demand from the Proposed Project during operations is estimated at 10,432 therms per year which represents 0.0039 percent of San Bernardino County's non-residential sector annual demand of 2.69 therms of natural gas. This demand is considered less than significant. The Proposed Project would not require or result in the relocation or reconstruction of new or expanded natural gas facilities.

⁸ California Energy Commission. California Energy Consumption Database.
<https://ecdms.energy.ca.gov/Default.aspx>. Accessed August 3, 2020.

Telecommunications

Charter Communications (Spectrum) is the cable service provider for the City of Hesperia and the Project Site.⁹ Other private telecommunications service providers include Frontier Communications and Hughes Net. Telecommunications is provided from these companies on an as-needed basis and they are responsible for maintenance of existing telecommunication infrastructure within the City. No provider has been specifically identified for the Proposed Project, however, one of the existing providers would be selected prior to occupancy. The Proposed Project would be served by existing infrastructure located within the vicinity of the Project Site and would not require or result in the relocation or reconstruction of new or expanded telecommunications facilities or infrastructure.

As shown in the above analyses, the Proposed Project would not 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. No significant adverse impacts are identified or anticipated and no mitigation measures are required.

Mitigation Measures:

No mitigation measures are recommended.

Would the Project have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal or multiple dry years?

Impact US-2: The Proposed Project would require a water supply and could negatively impact the sufficiency of water supplies available to serve the project and reasonably foreseeable future development during normal or multiple dry years.

As previously discussed, water supply for the City of Hesperia is managed by the Hesperia Water District (District). Historically the District has relied solely on groundwater pumped from its own wells. A portion of this groundwater pumping has been offset indirectly through payment of Replacement Water Obligations to the Mojave Basin Area Watermaster under the Mojave Basin Area Judgment. In 2013, the Mojave Water Agency (MWA), in partnership with retail water purveyors, completed the Regional Recharge and Recovery Project (R3). This project banks SWP water in the Mojave River groundwater basin and then later recovers and delivers the water, as a potable supply, to participating customers.

Per the Mojave Basin Area Judgment, the District is assigned base annual production (BAP) rights of 13,707 AFY. In addition, the City has a BAP of 678 AFY for the Hesperia Golf Course and 6,736 AFY through the purchase of water rights from Rancho Las Flores and other small acquisitions. The MWA is the Watermaster for the Judgment and also contracts with the California Department of Water Resources (DWR) for delivery of State Water Project (SWP) water, providing an imported water supply for recharging the Mojave River Groundwater Basin. In any given year, the variability in weather patterns around the state may affect the availability of water

⁹ <https://broadbandnow.com/Charter-Communications>

supplies. Typically, water management in southern California utilizes local groundwater supplies more heavily when imported surface supplies are less available due to dry conditions in the north, and larger amounts of imported surface supplies are utilized during periods when northern California has wetter conditions. This pattern of “conjunctive use” has been in effect since SWP supplies first came to the Hesperia area in 1978. SWP supplies have supplemented the overall supply of the region including Hesperia’s service area, which previously depended solely on local groundwater supplies. While the variability in SWP supplies affects the ability of MWA to meet the overall water supply needs for the larger Mojave River Groundwater Basin service area; for the District, the added SWP supply is recharged into the groundwater basin in wet and dry years, thus providing needed stability to the adjudicated groundwater basin.

The District’s direct sources of potable water supply are entirely from groundwater, although some of those groundwater supplies are augmented with imported (banked SWP) water. Currently, the District has two sources of direct water supply; groundwater from the adjudicated Mojave River Groundwater Basin, and banked SWP water from the R3. This supply is available to meet demands during average, single-dry, and multiple-dry years. In the future, Hesperia plans to have a third source of supply via recycled water, which will also be a reliable and consistent supply.¹⁰

The Hesperia Water District’s UWMP shows that the District’s total water supply is projected to be 17,367 acre-feet (AF) by 2035, while the total water demand is projected to be 17,367 AF in the same year, resulting in neither surplus nor deficit (see Table 4.12-2 below).

**Table 4.12-2
Projected Supply and Demand**

		2020	2025	2030	2035
Normal Year					
Supply Totals		15,078	16,298	17,743	19,297
Demand Totals		15,078	16,298	17,743	19,297
Difference		0	0	0	0
Single Dry Year					
Supply Totals		13,571	14,668	15,969	17,367
Demand Totals		13,571	14,668	15,969	17,367
Difference		0	0	0	0
Multiple Dry Years					
First Year	Supply Totals	13,571	14,668	15,969	17,367
	Demand Totals	13,571	14,668	15,969	17,367
	Difference	0	0	0	0
Second Year	Supply Totals	13,571	14,668	15,969	17,367
	Demand Totals	13,571	14,668	15,969	17,367
	Difference	0	0	0	0
Third Year	Supply Totals	13,571	14,668	15,969	17,367
	Demand Totals	13,571	14,668	15,969	17,367
	Difference	0	0	0	0

Source: Hesperia Water District 2015 Urban Water Management Plan. June 7, 2016.

¹⁰ Hesperia Water District 2015 Urban Water Management Plan. Page 42.

In both dry year conditions (single-dry year and multiple-dry years), the groundwater supply is assumed to remain 100 percent available because the long-term average of the groundwater basin includes dry periods, and any single or multiple-year dry cycle does not impact the long-term yield of the basin. The availability of supply from R3 is dependent upon the amount of SWP water Mojave Water Agency has banked in the Mojave River floodplain aquifer. MWA's groundwater storage account currently has nearly 128,000 AF stored as of December 31, 2015. Since recycled water is produced from wastewater, this source has the advantage of consistently being available during any type of average, single-dry, or multiple-dry year.

A similar proposed development in the City of Hesperia and adjacent to the Proposed Project, known as the Hesperia Commerce Center II, utilized the water demand factor for General Industrial development of 866 gallons per day per acre.¹¹ Using this same demand factor for the Proposed Project, which consists of 1,007,340 square feet (23.1 acres) of industrial building the total water demand would be approximately 22.41 AF per year. This would amount to approximately 0.13 percent of the anticipated multiple dry year water supply projected for 2035. The District's supplies are sufficient to meet demand within the District's service area. The Proposed Project is an allowable use within the CIBP land use designation and therefore would result in the requirement of water facilities that is already anticipated in the Hesperia Main Street and Freeway Corridor Specific Plan and evaluated in the UWMP. Therefore, no new or expanded entitlements are needed. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Mitigation Measures:

No mitigation measures are recommended.

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?

Impact US-3: Wastewater collected from the Proposed Project would be treated by the Hesperia Subregional Water Recycling facility and the Victor Valley Wastewater Reclamation Authority (VWRA).

Wastewater for the Project Site and the City of Hesperia is treated at WRP-1 and at the Main VWRA plant.¹² WRP-1 currently treats over 1 mgd; capacity is planned to expand to 4.0 mgd. Solids from this subregional plant are returned to the sewer system and conveyed to the main VWRA plant in Victorville for treatment.

The Proposed Project is anticipated to generate wastewater flows of 9,900 gallons per day which accounts for 0.25 percent of the future planned 4.0 mgd capacity of the Hesperia Subregional Water Recycling facility and 0.093 percent of the current 10.7 mgd flow treated at the VWRA's main plant. The Proposed Project is an allowable use within the CIBP General Plan land use

¹¹ <https://ceqanet.opr.ca.gov/2019110418/3>

¹² <https://www.cityofhesperia.us/1384/Recycled-Water>

designation and therefore the anticipated wastewater demand is already accounted for in the City's and VVWRA's Master Plans. The Proposed Project would adequately be served by the Hesperia Subregional Water Recycling facility and VVWRA. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

Mitigation Measures:

No mitigation measures are recommended.

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?

Impact US-4: The Proposed Project includes new employees and solid waste demands which could 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.

Sanitary solid waste would be generated at the Project Site primarily from employees. The estimated solid waste generated by the Proposed Project would be approximately 14,864.12 lbs (7.43206 tons/day) based on a total of 1,046,768 square-feet of building at the rate of 1.42 lbs/100 square feet/day.¹³ In the vicinity of the Project Site, solid waste collection is provided by Advance Disposal. The company operates a Materials Recovery Facility (MRF), which has a capacity of 600 tons per day. Waste is hauled for disposal at the Victorville Sanitary Landfill. The Victorville Sanitary Landfill has a permitted maximum throughput of 3,000 tons per day, an expected operational life through 2047, and a remaining capacity of 81,510,000 cubic yards.¹⁴ The Proposed Project would account for 0.25 percent of the daily permitted maximum tonnage accepted at the Victorville Sanitary Landfill. Solid waste generated by the Proposed Project can be handled by the existing solid waste collection and disposal system. Therefore, impacts to solid waste in excess of State or local standards or in excess of the capacity of local infrastructure or solid waste reduction goals is considered less than significant. No significant adverse impacts are identified or anticipated and no mitigation measures are required.

Mitigation Measures:

No mitigation measures are recommended.

¹³ <https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates>. Manufacturing/warehouse generation rates. Accessed October 22, 2020.

¹⁴ San Bernardino Countywide Integrate Waste Management Plan. Table SE 4-16. Page 46. <http://cms.sbcounty.gov/Portals/50/solidwaste/SWAT/Engineering/SB-County-Final-Draft-Siting-Element-SE-07-2018r.pdf?ver=2018-07-10-135822-030>

Would the Project not comply with Federal, State, and local management and reduction statutes and regulations related to solid waste?

Impact US-5: The Proposed Project would generate solid waste and compliance with applicable federal, state, and local management and reduction statutes and regulations related to solid waste should be evaluated.

The Proposed Project will be required to comply with Section 15.12.010 Solid Waste Compliance of the City of Hesperia's Municipal Code and would work with Advance Disposal as the Proposed Project's refuse hauler. Additionally, in accordance with the California Solid Waste Reuse and Recycling Act of 1991 (CA Pub Res. Code § 42911), the Proposed Project is required to provide adequate areas for collecting and loading recyclable materials where solid waste is collected. The collection areas are required to be shown on construction drawings and be in place before occupancy permits are issued. Implementation of these programs would reduce the amount of solid waste generated by the Proposed Project and diverted to landfills. The Proposed Project would comply with all applicable solid waste statutes and regulations. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Mitigation Measures:

No mitigation measures are recommended.

Would the Project result in cumulatively considerable impacts related to utilities and service systems?

Cumulative projects that could exacerbate the Project's impacts include any project that could place a demand on utilities and service systems within the region. However, the Proposed Project would not result in excess demands exceeding existing systems ability to provide service, nor would it require the construction or relocation of new or expanded facilities. Furthermore, the Project would include Project design features which include reductions in energy demand. Therefore, the Project would have less than significant impacts with regards to cumulative impacts on utilities or service systems and no mitigation measures are required.

4.13 WILDFIRE

4.13.1 Introduction

This section of the EIR discusses potential wildfire impacts associated with the Proposed Project during project construction or operations. Information about existing conditions was derived from the State of California Fire Hazard Severity Zones Map, the City of Hesperia General Plan and the Biological Resources Assessment prepared for the Proposed Project.

4.13.2 Environmental Setting

The Project Site is located within the boundaries of the County of San Bernardino Fire District and the City of Hesperia. The area in which the City is located is associated with designations of both a “Moderate” fire threat and a “Very High” fire threat to people. Because of climate change, the danger of wildfires is between 0.4 and 1.6 times more than in the historical period.¹ Hesperia comprises rural, suburban, agricultural, commercial and industrial land uses, and contains a variety of slope conditions, soil types, plant communities and other physical characteristics. The City is located in the lower Mojave section of the Southeastern Deserts Bioregion. This area consists primarily of desert shrub, creosote bush shrub and succulent shrub vegetation assemblages. Other vegetation types include Joshua Tree woodland, shad-scale scrub, blackbrush scrub, and desert scrub-steppe. About one-third of the desert floor in the Mojave section is devoid of vegetation, limiting the amount of surface fuel loads available to burn. Fires in the Hesperia area typically start in the mountains or foothills to the south. If the prevailing winds fan a fire so that it moves north and into the urban-wildland fire interface, then evacuation of the potentially affected communities may be required. In general, evacuees would take roads leading north, toward the more developed areas of the city. Those roads that cross the Aqueduct are obviously preferable to expedite the evacuation process.²

CALFire is mandated by Public Resources Code 4201-4204 and Govt. Code 51175-89 to identify fire hazard severity zones (FHSZ) for all communities in California.³ A Fire Hazard Severity Zone (FHSZ) is a mapped area that designates zones (based on factors such as fuel, slope, and fire weather) with varying degrees of fire hazard (i.e., Moderate, high, and Very High). FHSZ maps evaluate wildfire hazards, which are physical conditions that create a likelihood that an area will burn over a 30- to 50-year period. They do not take into account modifications such as fuel reduction efforts. While FHSZs do not predict when or where a wildfire will occur, they do identify areas where wildfire hazards could be more severe and therefore are of greater concern.⁴ CAL FIRE has a legal responsibility to provide fire protection on all State Responsibility Area (SRA) lands, which are defined based on land ownership, population density and land use.⁵ Moderate,

¹ City of Hesperia Climate Action Plan. <http://www.cityofhesperia.us/DocumentCenter/View/1587/Climate-Action-Plan-7210?bidId=>. Page 69.

² City General Plan. Page SF-47.

³ CalFire. Fire Hazard Severity Zones Maps. <https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/>

⁴ California State Geoportal. Fire Hazard Severity Zone Viewer. <https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414>. Accessed October 27, 2020.

⁵ CalFire Enterprise GIS Portal. State Responsibility Areas. <https://egis.fire.ca.gov/portal/home/item.html?id=f35d2f86ab8c4bf4947f0a9b29134715>.

high, and Very High FHSZs are found in areas where the State has financial responsibility for fire protection and prevention. Local Responsibility Areas (LRAs) are the areas of California where local governments have financial responsibility for wildland fire protection. Only Very High FHSZs are found in LRAs.⁶

The area west of Maple Avenue, which includes the Project Site, is where the majority of new development is occurring. As shown on Figure 4.8-1, the Project Site is located within a LRA, and outside of a SRA and lands classified as Very High FHSZ. The Project Site has been subject to historic human disturbances and shows signs of off-road vehicle use and dumping. The habitat on-site consists of a mix of *Atriplex canescens* Shrubland Alliance (fourwing saltbush scrub), *Amsinckia (menziesii, tessellata) - Phacelia* spp. Herbaceous Alliance (fiddleneck – phacelia fields), with scattered Joshua trees (*Yucca brevifolia*). The fourwing saltbush scrub community consists of Joshua trees (*Yucca brevifolia*), fourwing saltbush (*Atriplex canescens*), and a mix of ruderal non-native vegetation such as ripgut (*Bromus diandrus*) and common storksbill (*Erodium cicutarium*). The fiddleneck – phacelia fields consist primarily of bristly fiddleneck (*Amsinckia tessellata*) and a mix of ruderal non-native vegetation.

4.13.3 Applicable Plans, Policies, and Regulations

Federal

Federal Fire Prevention and Control Act of 1974.⁷ The Federal Fire Prevention and Control Act of 1974 was passed by Congress in response to the high per capita rate of death and property loss from fire. The law calls for improved professional training and education oriented toward improving the effectiveness of fire services. This Act also established the United States Fire Administration and the National Academy for Fire Prevention and Control.

State

California Fire Code. The California Fire Code (CFC) is Part 9 of the California Code of Regulations, Title 24 (California Building Standards Code). The California Building Standards Code is updated every three years by order of the California legislature, and the current 2019 CFC went into effect January 1, 2020.⁸ The CFC incorporates the International Fire Code of the International Code Council. The California legislature delegated authority to various state agencies, boards, commissions, and departments to create building regulations to implement the State's statutes. A city, county, or city and county may establish more restrictive building standards reasonably necessary because of local climatic, geological, or topographical conditions. The purpose of this code is to establish the minimum requirements consistent with nationally recognized good practices to safeguard the public health, safety, and general welfare from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures, and

⁶ California Department of Forestry and Fire Protection. May 2007. California's Fire Hazard Severity Zones Fact Sheet. https://www.sccgov.org/sites/dpd/DocsForms/Documents/Fire_Hazard_Zone_Fact_Sheet.pdf.

⁷ Public Law. Federal Prevention and Control. <https://www.govinfo.gov/content/pkg/STATUTE-88/pdf/STATUTE-88-Pg1535.pdf>. Accessed August 5, 2020.

⁸ California Buildings Standards Commission. 2010. California Fire Code. <http://www.stanoes.com/pdf/fpb/california-fire-code.pdf>

premises, and to provide safety and assistance to fire fighters and emergency responders during emergency operations.

California Building Code.⁹ The California Building Code (CBC) is Part 2 of the California Buildings Standards Code. The purpose of the CBC is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, access to persons with disabilities, sanitation, adequate lighting and ventilation and energy conservation; safety to life and property from fire and other hazards attributed to the built environment; and to provide safety to fire fighters and emergency responders during emergency operations. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures throughout the State of California. Chapter 7A requires new buildings in VHFHSZ to use ignition-resistant construction methods and materials.

California Public Resources Code (PRC) 4130. The Board of Forestry and Fire Protection (Board) shall classify all lands within state responsibility areas into types of land based on cover, beneficial use of water from watersheds, probable damage from erosion, and fire risks and hazards, and shall determine the intensity of protection to be given to each such type of land. A plan for adequate statewide fire protection of state responsibility areas shall be prepared by the board in which all land of each type shall be assigned the same intensity of protection, and the estimated cost of such intensity of protection shall be determined.¹⁰

California Public Resources Code (PRC) 4291. This code is part of the overall State Fire Regulation and enforces defensible space codes. It requires a person who owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining a mountainous area, forest-covered lands, brush-covered lands, grass-covered lands, or land that is covered with flammable material to implement measures to reduce the likelihood of a wildfire occurring, such as maintaining defensible space of 100 feet from each side of the structure.¹¹

2018 Strategic Fire Plan for California. The Strategic Fire Plan is one of the Board's preeminent policies. The Board adopted these Plans in the 1930s and periodically updates them to reflect current and anticipated needs. Over time, as the environmental, social, and economic landscape of California's wildlands has changed, the Board has evolved the Strategic Fire Plan to better respond to these changes and to provide the Department of Forestry and Fire Protection (CAL FIRE) with appropriate guidance "...for adequate statewide fire protection of state responsibility areas" (PRC § 4130).¹² This 2018 Plan reflects CAL FIRE's focus on (1) fire prevention and suppression activities to protect lives, property, and ecosystem services, and (2) natural resource management

⁹ California Administration. California Building Codes. <https://up.codes/viewer/california/ibc-2018/chapter/1/scope-and-administration#1>.

¹⁰ California Legislative Information. City of Hesperia Municipal Code. https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=4130.&lawCode=PRC

¹¹ ¹¹ California Legislative Information. City of Hesperia Municipal Code. http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC§ionNum=4291.

¹² Board of Forestry and Fire Protection. 2018 Strategic Fire Plan for California. https://osfm.fire.ca.gov/media/5590/2018-strategic-fire-plan-approved-08_22_18.pdf.

to maintain the state's forests as a resilient carbon sink to meet California's climate change goals and to serve as important habitat for adaptation and mitigation.

State Fire Regulations. Fire regulations for California are established in Section 13000 et seq. of the California Health and Safety Code, which includes regulations for structural standards (similar to those identified in the California Building Code), fire protection and public notification systems, fire protection devices such as extinguishers and smoke alarms, standards for high-rise structures and childcare facilities, and fire suppression training. The State Fire Marshal is responsible for enforcement of these established regulations and building standards for all state-owned buildings, state-occupied buildings, and state institutions in California.¹³

Local

City General Plan

The following policies identified in the Safety element of the City General Plan are relevant to this analysis:

Goal SF-3: Reduce the risk of death, injury, property damage and economic loss due to vegetation and structure fires.

Policy SF-3.2: The City will continue to conduct regular inspections of parcels throughout the city, and will direct property owners to bring their property into compliance with fire inspection standards. This includes enforcing the weed abatement and notification program, to reduce the potential for vegetation fires to occur in vacant or poorly maintained lots, and encouraging homeowners to follow fire-safe practices, including maintaining a fire-safe landscape, and keeping combustibles (such as firewood) a safe distance away from all structures.

Policy SF-3.3: Select City staff will coordinate with the San Bernardino County Fire Department and train in NIMS-compliant emergency response procedures to provide assistance as needed during emergency situations. This includes conducting emergency response exercises, including mock earthquake-induced fire-scenario exercises, to evaluate and improve, as needed, the City's ability to respond to the multiple ignitions that an earthquake is likely to generate.

Policy SF-3.5: The City, in cooperation with the San Bernardino County Fire Department, will evaluate public notification systems (such as a reverse 911 system) that can be used to warn residents of an approaching wildfire and to provide evacuation instructions.

Policy SF-3.6: The City will encourage owners of non-sprinklered high occupancy structures to retrofit their buildings to include internal sprinklers.

Policy SF-3.7: The City, in cooperation with the San Bernardino County Fire Department, will ensure, to the maximum extent possible, that fire services, such as firefighting equipment and personnel, infrastructure, and response times, are adequate for all sections of the City. To that end, the City will continue to regularly evaluate specific fire hazard areas, and adopt reasonable

¹³California Legislative Information. City of Hesperia Municipal Code.
https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=HSC&division=12.&title=&part=1.&chapter=1.&article=

safety standards, such as adequacy of nearby water supplies, fire-retardant roofing materials, fire-equipment accessible routes, clarity of addresses, street signage, and street maintenance.

Policy SF-3.8: The City, in cooperation with the San Bernardino County Fire Department, will ensure that the Hesperia Water District conducts annual fire flow tests and addresses any deficiencies found as soon as possible.

Policy SF-3.9: The City, in cooperation with the San Bernardino County Fire Department, will develop and hold regular training exercises that involve residents as much as possible, such as through the City's Community Emergency Response Team (CERT) program, to empower individuals and neighborhoods to be self-reliant in the aftermath of a natural or man-made disaster.

Policy SF-3.10: The City will adopt the most recent version of the Wildland-Urban Interface Code and Chapter 7A of the California Building Code for use in the City where the Insurance Services Offices (ISO) number exceeds 5 (greater than 5).

Municipal Development Code

The following regulations identified in the Hesperia Municipal Code are relevant to this analysis:

Chapter 15.04: Building Codes

This section establishes state building regulations adopted by the City, such as the 2019 California Building Code, Volumes 1 and 2, the 2019 California Residential Code, the 2019 California Electrical Code, the 2019 California Mechanical Code, the 2019 California Plumbing Code, the 2019 California Fire Code, the 2019 California Green Building Standards Code, and the 2019 California Referenced Standards Code. It also highlights additional building codes applicable to construction projects, such as installation of an automatic fire extinguishing system.

Chapter 16.20 General Regulations

The purpose of Article XII – Landscape Regulations is to provide water conservation and landscape development standards and guidelines that will promote the general welfare of city of Hesperia residents through creating responsible outdoor environment. All projects that require approval of a new or revised site plan review, conditional use permit, variance, tentative tract map or other discretionary approval after the effective date of this ordinance are required to provide and maintain landscaping in compliance with the provisions of this chapter.

4.13.4 Thresholds of Significance

The Initial Study Checklist for the Proposed Project was utilized to identify the primary thresholds of significance relating to CEQA issues. As such, the Proposed Project would have a significant effect associated with Wildfire if it would:

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

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

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

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

4.13.5 Project Impact Analysis and Mitigation Measures

In addition to the CEQA Appendix G analyses, a review as to whether the Proposed Project would result in any conflict with goals and policies pertaining to wildfire as identified in either the City's General Plan, Main Street Corridor Specific Plan, or Development Code was undertaken. Based on the description of the Proposed Project (refer to Chapter 3) and the analyses provided herein, no conflicts would occur because:

- The Proposed Project has been designed to comply with all State and City requirements related to on-site fire prevention and suppression systems.
- The Proposed Project's design includes appropriate landscaping to provide for a buffer around structures meeting City requirements.
- The Proposed Project's design provides for fire-retardant roofing materials and fire-equipment accessible routes.

4.13.5.1 Issues Identified to Have No Impact or Less Than Significant Impact

The Initial Study Checklist for the Proposed Project that was circulated with a Notice of Preparation (NOP) identified that there were no threshold areas where no impacts or less than significant impacts would occur as a result of the Proposed Project. Therefore, all threshold areas have been evaluated in this EIR to determine any potentially significant impacts and recommend mitigation measures if required. These are presented below.

4.13.5.2 Issues Determined to Have Potentially Significant Impacts

As a result of the analysis conducted for the Draft EIR, it was determined that the following issues associated with Wildfire had the potential for resulting in significant impacts.

If located in or near state responsibility areas or lands classified as Very High fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

Impact WIL-1: The Proposed Project would have regional access from Highway 395 and Interstate 15 and could therefore impair an adopted evacuation plan.

The Project Site is located within a LRA and outside of a Very High FHSZ. SRA lands classified as Moderate fire hazard severity zone are located approximately 0.66 miles west of the Project Site and SRA lands classified as high fire hazard severity zone are located approximately 1.15 miles southwest of the Project Site.¹⁴

The Proposed Project includes a 50' access driveway on the south side of the Project Site from Yucca Terrace Drive and a 50' access driveway on the north side from Avenal Street. There are two proposed exit-only/fire access driveways: one on the north side approximately 1,200 feet from the main access driveway from Avenal Street and one on the south side of the property approximately 1,164 feet east of the main access drive from Yucca Terrace Drive. During construction, the contractors would be required to maintain adequate access for emergency vehicles. During operations, employees would be required to keep the driveways open for ingress and egress.

The Project Site does not contain any emergency facilities. As stated above, roads that cross the California Aqueduct are preferable to expedite the evacuation process. Highway 395 transects the California Aqueduct. According to the City General Plan Safety Element Exhibit 4, "Potential Emergency Shelters and Evacuation Routes," Highway 395 is identified as a potential evacuation route. The County identifies Highway 395 and I-15 as potential evacuation routes. Implementation of Mitigation Measures T-1 to T-12 would ensure that an acceptable circulation system under proposed conditions can be maintained. With implementation of these mitigation measures, the Proposed Project would not interfere with emergency evacuation via Highway 395 and I-15. Therefore, no significant impacts are identified or anticipated, and no additional mitigation measures are recommended.

Mitigation Measures:

No additional mitigation measures are recommended.

If located in or near state responsibility areas or lands classified as Very High fire hazard severity zones, would the Proposed Project exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds and other factors?

Impact WIL-2: The Proposed Project is located near State Responsibility Areas (SRAs) classified as Moderate or High Fire Hazard Safety Zone and therefore could have risks associated with wildfires.

The Project Site is located within a LRA and outside of a Very High FHSZ. SRA lands classified as Moderate FHSZ are located approximately 0.66 miles west of the Project Site and SRA lands classified as High FHSZ are located approximately 1.15 miles southwest of the Project Site.¹⁵ The Project Site is currently undeveloped and consists of a desert scrub community. It is also adjacent to Highway 395 to the west and the California Aqueduct to the northeast. Implementation of the

¹⁴ City General Plan. Exhibit SF-3 "State and Fire Responsibility Areas." Page SF-21.

¹⁵ City General Plan. Exhibit SF-3 "State and Fire Responsibility Areas." Page SF-21.

Proposed Project would eliminate most existing vegetation on-site and would provide additional drought tolerant landscape materials. The Proposed Project includes the addition of impervious surface, landscape and paving of surrounding roads to the north and south of the property. These improvements would not exacerbate wildfire risks over conditions currently existing at the Project Site. The southeastern corner of the Project Site slopes down significantly. No development is proposed on this natural slope.

Proposed construction projects in the City are reviewed by the Hesperia Building and Safety Division and the San Bernardino County Fire District for compliance with the current California Building and Fire Codes, adopted by the City.¹⁶ Furthermore, per the landscape regulations outlined in the City's Development Code, the Proposed Project would be required to incorporate materials and plants that are appropriate to the high-desert climate and are water-efficient. All plant materials would be consistent with Hesperia's approved plant list. With adherence to the City development standards intended to address the threat of wildfires, the Proposed Project would not significantly exacerbate wildfire risks. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Mitigation Measures:

No mitigation measures are recommended.

If located in or near state responsibility areas or lands classified as Very High fire hazard severity zones, would the Proposed 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?

Impact WIL-3: The Proposed Project would require the installation of infrastructure (such as roads and utilities) that could potentially exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

The Project Site is located within a LRA and outside of a Very High FHSZ. It is currently vacant and undeveloped. The vegetation on the site is described as a desert scrub community. The Proposed Project is the development of a cold storage warehouse facility that includes a retention basin, roads and a solar array field (or roof-top solar). It would connect to an existing water line to be extended to the Project Site from Main Street. Implementation of the Proposed Project would eliminate most existing vegetation on-site and would include new landscaping materials. Water-efficient landscaping to meet City requirements is proposed for all property perimeters. The Project Applicant would be required to use plants that are appropriate to the high desert climate.

The Proposed Project also includes the paving of the currently unimproved Yucca Terrace Drive and Avenal Street adjacent to the Project Site, potentially reducing the risk of wildfires. Hesperia Building and Safety Division and the San Bernardino County Fire District would ensure that the Proposed Project is in compliance with the most recent version of the California Building and Fire

¹⁶ City of Hesperia. Climate Action Plan. <http://www.cityofhesperia.us/DocumentCenter/View/1587/Climate-Action-Plan-7210?bidId=>. Page 69.

codes. By complying with City standards and the California Building and Fire Codes, the Proposed Project would not exacerbate fire risk. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Mitigation Measures:

No mitigation measures are recommended.

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?

Impact WIL-4: The Proposed Project includes new structures as well as a solar array field (if not roof-top) as well as employees working 24/7 and may potentially 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.

As stated above, the Project Site is located within a LRA and outside of both a SRA and lands classified as Very High FHSZ. As shown on Exhibit SF-2 of the City General Plan, the Project Site is located within Zone Z, which corresponds to areas outside of the 100-year flood or areas protected from the 100-year flood by levees. Currently, the southeastern corner of the Project Site slopes down significantly. No structures are proposed to be developed on this natural slope. Moreover, the area surrounding the Project Site is relatively flat. No post-fire slope instability is anticipated.

Implementation of project Best Management Practices (BMPs) would ensure that stormwater is conveyed and treated to minimize water quality and drainage impacts to the extent feasible. As shown in the preliminary WQMP (see Appendix H), stormwater would flow from the southwest corner of the Project Site and be conveyed northerly between the north and south buildings to the retention basin in the northeast corner of the Project Site. The retention basin is anticipated to capture 100% of design capture volume. The Project Site is not immediately adjacent to any landforms that could create a significant exposure to flooding or landslides resulting from any post-fire instability. The California Aqueduct is a relatively stable infrastructure that would not be susceptible to downstream flooding or landslides. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Mitigation Measures:

No mitigation measures are recommended.

Would the Project result in cumulatively considerable impacts related to wildfires?

The cumulative context considered for wildfire impacts includes the adjacent areas within the City and due to the regional nature of wildfires, the High Desert Region. As discussed in Section 4.13.2, CAL FIRE has mapped areas of fire hazards in the state based on fuels, terrain, weather, and other

relevant factors. The Project Site is located within a LRA and outside of a Very High FHSZ. SRA lands classified as Moderate FHSZ are located approximately 0.66 miles west of the Project Site and SRA lands classified as High FHSZ are located approximately 1.15 miles southwest of the Project Site. The Proposed Project, combined with other projects in the City and region, would increase the population and/or activities that could increase the potential of a wildfire and increase the number of people and structures exposed to risk of loss, injury, or death from wildfires. Individual projects located within the City would be required to comply with applicable fire and building codes. The fire and building codes include fire prevention and protection features that reduce the likelihood of a fire. Further, any related projects located in fire hazard areas would be required to comply with vegetation clearance requirements, as outlined in the applicable fire and building codes. These codes also protect projects from wildfires that may occur in the area through implementation of brush management and fuel management zones, ensuring adequate water supply, preparation of fire protection plans, and other measures.

The Project Site and surrounding area is relatively flat, and it is not anticipated that related projects would combine to result in significant wildfire impacts related to slope, prevailing winds, downstream flooding or landslide, slope instability, or drainage changes. Further, projects would be required to avoid conflict with the City's Emergency Preparedness Plan and potential emergency evacuation routes in the area. The applicable Fire and Building Codes, along with Project -specific needs assessments and fire prevention plan requirements, ensure that every project approved for construction includes adequate emergency access. Roads for all proposed projects are required to meet minimum widths, have all-weather surfaces, and be capable of supporting the imposed loads of responding emergency apparatus. The Project and all other future development projects in the service area would be subject to review by the SBCFD and would be required to comply with the County Fire Code and other relevant County Code requirements and other applicable local codes (e.g., City of Hesperia Municipal Code) and regulations related to fire safety, building construction, access, fire flow, and fuel modification. Therefore, because all projects are required to comply with these requirements, cumulative impacts related to increased wildfire hazards and emergency response and access would be less than significant.

Mitigation Measures:

No mitigation measures are recommended.

5.0 OTHER CEQA REQUIRED ANALYSIS

5.1 INTRODUCTION

This section discusses other project-related impacts that must be evaluated in an EIR as described in CEQA Guidelines section 15126 and section 15130. As described in CEQA Guidelines Section 15126, all phases of a project must be considered when evaluating its impact on the environment: planning, acquisition, development, and operation. The subjects listed below shall be discussed as directed in CEQA Sections 15126.2, 15126.4 and 15126.6, preferably in separate sections or paragraphs of the EIR. The following topics are discussed separately within this EIR and include:

- Significant Environmental Effects of the Proposed Project. Chapter 4.0 of this EIR includes a discussion of the significant environmental effects of the Project.
- Significant Environmental Effects Which Cannot be Avoided if the Proposed Project is Implemented. This topic is discussed within this Chapter of the EIR.
- Significant Irreversible Environmental Changes Which Would be Involved in the Proposed Project Should it be Implemented. This topic is discussed within this Chapter of this EIR.
- Growth-Inducing Impact of the Proposed Project. This topic is discussed within this Chapter of the EIR.
- The Mitigation Measures Proposed to Minimize the Significant Effects. This topic is discussed within the analysis provided in Chapter 4.0 of this EIR and in Chapter 2.0 Summary Table 2-1.
- Alternatives to the Proposed Project. This topic is discussed in Chapter 6.0 of this EIR.

According to CEQA Guidelines Section 15126.2. Consideration and Discussion of Significant Environmental Impacts, an EIR shall include a review of the following:

- (a) The Significant Environmental Effects of the Proposed Project. Chapter 4.0 of this EIR includes a discussion of the significant environmental effects of the Project.
- (b) Energy Impacts. If analysis of the project's energy use reveals that the project may result in significant environmental effects due to wasteful, inefficient, or unnecessary use of energy, or wasteful use of energy resources, the EIR shall mitigate that energy use. This analysis should include the project's energy use for all project phases and components, including transportation-related energy, during construction and operation. In addition to building code compliance, other relevant considerations may include, among others, the project's size, location, orientation, equipment use and any renewable energy features that could be incorporated into the project. The analysis is subject to the rule of reason and shall focus on energy use that is caused by the project. The analysis may be included in related analyses of air quality, greenhouse gas emissions, transportation, or utilities at the discretion of the lead

agency. An analysis of the Project potential impacts to Energy is provided in Section 4.5 of this EIR.

- (c) Significant Environmental Effects Which Cannot be Avoided if the Proposed Project is implemented. CEQA requires discussion of any significant impacts, including those which can be mitigated but not reduced to a level of insignificance. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect, should be described. An analysis of this topic is provided in Section 5.2 of this EIR.
- (d) Significant Irreversible Environmental Changes Which Would be Caused by the Proposed Project Should it be Implemented. Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvements which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irrecoverable commitments of resources should be evaluated to assure that such current consumption is justified. An analysis of this topic is provided in Section 5.3 of this EIR.
- (e) Growth-Inducing Impact of the Proposed Project. CEQA requires discussion of the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a wastewater treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also required is discussion of the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment. An analysis of this topic is provided in Section 5.4 of this EIR.

In accordance with CEQA Guidelines Section 15130 Discussion of Cumulative Impacts, and EIR shall include:

- (a) A discuss of cumulative impacts of a project when the project's incremental effect is cumulatively considerable, as defined in section 15065(a)(3). Where a lead agency is examining a project with an incremental effect that is not "cumulatively considerable," a lead agency need not consider that effect significant but shall briefly describe its basis for concluding that the incremental effect is not cumulatively considerable.
 - (1) As defined in Section 15355, a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. An EIR should not discuss impacts which do not result in part from the project evaluated in the EIR.

(2) When the combined cumulative impact associated with the project's incremental effect and the effects of other projects is not significant, the EIR shall briefly indicate why the cumulative impact is not significant and is not discussed in further detail in the EIR. A lead agency shall identify facts and analysis supporting the lead agency's conclusion that the cumulative impact is less than significant.

(3) An EIR may determine that a project's contribution to a significant cumulative impact will be rendered less than cumulatively considerable and thus is not significant. A project's contribution is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact. The lead agency shall identify facts and analysis supporting its conclusion that the contribution will be rendered less than cumulatively considerable.

(b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great of detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact. The following elements are necessary to an adequate discussion of significant cumulative impacts:

(1) Either:

(A) A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or

(B) A summary of projections contained in an adopted local, regional or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect. Such plans may include: a general plan, regional transportation plan, or plans for the reduction of greenhouse gas emissions. A summary of projections may also be contained in an adopted or certified prior environmental document for such a plan. Such projections may be supplemented with additional information such as a regional modeling program. Any such document shall be referenced and made available to the public at a location specified by the lead agency.

(2) When utilizing a list, as suggested in paragraph (1) of subdivision (b), factors to consider when determining whether to include a related project should include the nature of each environmental resource being examined, the location of the project and its type. Location may be important, for example, when water quality impacts are at issue since projects outside the watershed would probably not contribute to a cumulative effect. Project type may be important, for example, when the impact is specialized, such as a particular air pollutant or mode of traffic.

(3) Lead agencies should define the geographic scope of the area affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used.

- (4) A summary of the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available, and
 - (5) A reasonable analysis of the cumulative impacts of the relevant projects. An EIR shall examine reasonable, feasible options for mitigating or avoiding the project's contribution to any significant cumulative effects.
- (c) With some projects, the only feasible mitigation for cumulative impacts may involve the adoption of ordinances or regulations rather than the imposition of conditions on a project-by-project basis.
- (d) Previously approved land use documents, including, but not limited to, general plans, specific plans, regional transportation plans, plans for the reduction of greenhouse gas emissions, and local coastal plans may be used in cumulative impact analysis. A pertinent discussion of cumulative impacts contained in one or more previously certified EIRs may be incorporated by reference pursuant to the provisions for tiering and program EIRs. No further cumulative impacts analysis is required when a project is consistent with a general, specific, master, or comparable programmatic plan where the lead agency determines that the regional or areawide cumulative impacts of the proposed project have already been adequately addressed, as defined in section 15152(f), in a certified EIR for that plan.
- (e) If a cumulative impact was adequately addressed in a prior EIR for a community plan, zoning action, or general plan, and the project is consistent with that plan or action, then an EIR for such a project should not further analyze that cumulative impact, as provided in Section 15183(j).

5.2 SIGNIFICANT AND UNAVOIDABLE IMPACTS

Chapter 4 of the Draft EIR includes an assessment of the Proposed Project's potential to impact environmental resources in the areas of: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gases, Hazards and Hazardous Materials, Hydrology and Water Quality, Traffic and Circulation, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire. The analyses presented in Chapter 4 of the Draft EIR concluded that the Proposed Project's impacts determined to be potentially significant before mitigation measures are implemented would occur in the areas of Aesthetics, Biological Resources, Cultural Resources, Geology and Soils, Traffic and Circulation, and Tribal Cultural Resources. All potentially significant impacts with the exception of Vehicle Miles Traveled are reduced to levels of less than significant with the implementation of mitigation measures.

Pursuant to CEQA Guidelines Section 15126.2(b), an EIR must address any significant environmental impacts, including those that can be mitigated but not reduced to less than significant as a result of implementation of a project. As discussed throughout Chapter 4, Environmental Analysis, of this Draft EIR, at the project and cumulative levels, the Project would result in significant and unavoidable impacts related to Traffic and Circulation (Vehicle Miles

Traveled). For all other environmental issue areas, the Project would result in either less-than-significant impacts or no impact.

5.3 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES WHICH WOULD BE CAUSED BY THE PROPOSED PROJECT SHOULD IT BE IMPLEMENTED

CEQA Guidelines Section 15126.2(c) states significant irreversible environmental changes to nonrenewable resources which would be caused by the Proposed Project should it be implemented must be addressed.

In the case of the Proposed Project, implementation would include construction activities that would entail the commitment of nonrenewable and/or slowly renewable energy resources; human resources; and/or natural resources including but not limited to lumber and other forest products, sand and gravel, asphalt, steel, copper, lead, other metal, and water. The Proposed Project would also entail an increased commitment of public maintenance services (e.g., sewer, water, solid waste, and natural gas services) that would also be required. The energy commitments would be long-term obligations.

From a large-scale perspective, the Proposed Project is considered a long-term irreversible commitment of the use of land. After the 50- to 75-year structural lifespan of new building construction is reached however, it is improbable that the project area would revert to its current condition due to the large capital investment that would already have been committed.

An increased commitment of public maintenance services (e.g., sewer and water services) would also be required. The public maintenance and social service commitments would be considered a long-term obligation in view of the low likelihood of returning the land to its current condition once it has been redeveloped.

In addition, long term emissions associated with vehicle trips would continue to contribute to the Mojave Air Basin's nonattainment designation for ozone. Given the low likelihood that the land would revert to lower intensity uses or to its current form, the Proposed Project would generally commit future generations to these environmental changes.

There are no secondary resource impacts expected to result from growth and development associated with the Proposed Project. Utilities and services are provided throughout the City. The Project Site is within the service areas of Southwest Gas Corporation¹ (SGC) and Southern California Edison² (SCE). The City's water supply is provided by the Hesperia Water District and sewer collection is provided by the City. The nearest sewer lines and water lines occur along Main Street, south of the Project Site.

As concluded in Section 4.12 Utilities and Service Systems of this EIR, the Proposed Project would not 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,

¹ <https://www.swgas.com/>

² <https://www.sce.com/about-us/who-we-are/leadership/our-service-territory>

the construction or relocation of which could cause significant environmental effects. No significant irreversible environmental changes have been identified or anticipated and no mitigation measures are required.

5.4 GROWTH INDUCING IMPACTS

Section 15126.2(e) of the California Environmental Quality Act (CEQA) Guidelines requires that an EIR include a discussion of a project's growth inducing effects. The State CEQA Guidelines generally describe such effects as follows: (1) economic growth, population growth, or additional housing in the surrounding environment; (2) removal of obstacles to population growth (e.g., a major expansion of a wastewater treatment facility that allows for more construction in the service area); (3) increases in population that tax existing services requiring construction of new facilities that could cause significant environmental effects; and (4) characteristics of a project that would encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

The Proposed Project is described in detail in Chapter 3.0 of this EIR. In summary, the Proposed Project entails the construction and operation of a cold storage warehouse for frozen and refrigerated food trucks on a 78.7-acre property. The Proposed Project is anticipated to require approximately 165 employees, which are anticipated to come from the local labor pool. As concluded in the Initial Study (see Appendix A) the Project is not expected to draw new residents to the region and therefore would not result in an increase in police, fire, school, park or library services. Construction activities would be temporary and would not attract new employees to the area. The Project Site is part of the Main Street and Freeway Corridor Specific Plan. According to the City's General Plan and Specific Plan, the Project Site has a current land use and zoning designation of Commercial/Industrial Business Park (CIBP). The CIBP land use designation allows for service commercial, light industrial, light manufacturing, and industrial support uses. With the approval of the CUP, the Proposed Project would be consistent with the City General Plan and the Specific Plan. Therefore, any population growth resulting from the implementation of the Proposed Project would be accounted for in the City General Plan and Specific Plan. According to the City's General Plan, the population of the City was estimated to be 102,600 residents in 2010 and is anticipated to grow to more than 243,000 residents at build-out. The number of employees under the Proposed Project would be an insignificant percentage of the currently anticipated population growth.

Although the Proposed Project would generate additional jobs during the construction and operation periods, it is expected that those jobs can be filled by the existing labor force in the area. The Proposed Project is intended to include either a solar array field or roof top solar to provide a portion of the Proposed Project's electricity demand and on-site energy generated would not be extended to areas outside the Project boundary. As demonstrated in Section 4.12 of this EIR, the Proposed Project does not provide for additional infrastructure such as water systems, energy generation, sewer systems, schools, public services, or transportation improvements that could potentially support increased growth in the region that has not been planned for in the General Plan or Specific Plan. In addition, no housing is included as a part of the Proposed Project.

5.5 CUMULATIVE IMPACTS

As provided by Section 15130(b) of the CEQA Guidelines, the following elements are necessary to an adequate discussion of cumulative impacts:

- Either: (A) a list of past, present, and reasonably anticipated future projects producing related or cumulative impacts, including those projects outside the control of the agency; or (B) a summary of projections contained in an adopted general plan or related planning document that is designed to evaluate regional or area wide conditions. Any such planning document shall be referenced and made available to the public at a location specified by the lead agency.
- A summary of the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available.
- A reasonable analysis of the cumulative impacts of the relevant projects. An EIR shall examine reasonable options for mitigating or avoiding any significant cumulative effects of the proposed projects.

For the analysis of cumulative impacts associated with the Project, a cumulative project list was developed through consultation with planning and engineering staff from the City of Hesperia during the traffic scoping process for the Traffic Impact Analysis prepared for the Project (Appendix I of this Draft EIR) (the cumulative projects list is included as Table 4-3 of the Traffic Impact Analysis). This cumulative list is consistent with other traffic studies and environmental documents for recently approved projects in the City of Hesperia, and also includes additional cumulative projects provided by the City of Hesperia and the County of San Bernardino in the vicinity of the study area.

5.5.1 Standards of Significance

CEQA Guidelines Section 15355 defines cumulative impacts as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” The Guidelines further state:

- a. The individual effects may be changes resulting from a single project or a number of separate projects.
- b. The cumulative impact from several projects is the change in the environment, which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

Chapter 4 of the Draft EIR includes an assessment of the Proposed Project’s potential to impact environmental resources in the areas of: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gases, Hazards and Hazardous Materials, Hydrology and Water Quality, Traffic and Circulation, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire. The analyses presented in Chapter 4 of the Draft EIR concluded

that the Proposed Project's impacts determined to be potentially significant before mitigation measures are implemented would occur in the areas of Aesthetics, Biological Resources, Cultural Resources, Geology and Soils, Traffic and Circulation and Tribal Cultural Resources. All potentially significant impacts, except for impacts to Traffic and Circulation, would be reduced to levels of less than significant with the implementation of mitigation measures.

5.5.2 Cumulative Impacts Considered to Have No Impact

As identified in Section 1.0 of this EIR, the Proposed Project is anticipated to have no impact to the following CEQA Resource Areas:

- Agricultural and Forestry Resources
- Hazards and Hazardous Materials
- Noise
- Population/Housing
- Public Services
- Recreation
- Utilities and Service Systems

Therefore, these resources are therefore excluded from the Cumulative Impact Evaluation.

5.5.3 Cumulative Impact Evaluation

Aesthetics. The Project is located within the Main Street and Freeway Corridor Specific Plan area, and thus, would be designed and constructed according to the design guidelines and standards outlined in the Specific Plan for the CIBP Zone and industrial development and as required in Mitigation Measure AES-1. Guidelines and standards aim to protect the Specific Plan area's high desert setting and panoramic mountain views. All related projects located within the Specific Plan area would be subject to these design guidelines and standards, which include recommendations for the architectural character of new buildings to maximize views of the landscape while taking inspiration from surrounding natural elements.

The development and design standards provide the framework for the desired aesthetic and visual environment. Other development projects in the area will incorporate development standards, design guidelines, and other strategies outlined in the Specific Plan. In addition, with implementation of Mitigation Measure AES-1, the Project's proposed building colors would be reviewed to incorporate the colors and tones that complement the natural desert environment. Thus, cumulative impacts related to the visual quality and character of the Project area would not be cumulatively considerable, assuming related Projects would implement the same mandatory design standards set forth in the Specific Plan to which the Project must adhere.

Related development in the Specific Plan area and surrounding areas would introduce new sources of light in a setting that includes large areas of undeveloped land. However, Project lighting would comply with existing requirements (i.e., lighting would be directed downward, shielded, and focused on the Project Site) to ensure lighting has a minimal effect on the overall night sky and reduce the potential for glare. Other projects located throughout the Specific Plan area would similarly be required to comply with these regulations. Therefore, compliance with these regulations would ensure that lighting and glare impacts would be less than significant with mitigation incorporated. With implementation of Mitigation Measure AES-1, the Project would not result in cumulatively considerable aesthetic impacts.

Air Quality. Air pollution is largely a cumulative impact as the nonattainment status of regional pollutants is a result of past and present development, and the MDAQMD develops and implements plans for future attainment of ambient air quality standards. Based on these considerations, project-level thresholds of significance for criteria pollutants are relevant in the determination of whether a project's individual emissions would have a cumulatively significant impact on air quality. Individual projects that do not generate operational or construction emissions that exceed the MDAQMD's recommended daily thresholds for project-specific impacts would also not cause a cumulatively considerable increase in emissions for those pollutants for which the MDAB is in nonattainment, and, therefore, would not be considered to have a significant, adverse air quality impact.

The area of the MDAB in which the Proposed Project is located is a nonattainment area for O₃ and PM₁₀ under the NAAQS and/or CAAQS. The poor air quality in the MDAB is the result of cumulative emissions from motor vehicles, off-road equipment, commercial and industrial facilities, and other emission sources. Projects that emit these pollutants or their precursors (i.e., VOC and NO_x for O₃) potentially contribute to poor air quality. As indicated in Tables 4.2-7 and 4.2-8, daily construction emissions associated with the Project would not exceed the MDAQMD significance thresholds after implementation of mitigation. Project operational-source air pollutant emissions would not exceed regional thresholds and therefore are not cumulatively considerable; no additional mitigation measures are required.

Biological Resources The Project would result in potentially cumulatively considerable impacts to Joshua trees which are locally protected by the City of Hesperia and by the Desert Native Plant Act and are listed as a candidate endangered species by the CDFW. As required in Mitigation Measure BIO-1, an Incidental Take Permit will be required from CDFW. Impacts would be less than significant with mitigation. In addition, the Applicant may be required to apply for a permit from the City prior to the removal of any Joshua trees on the Project site and comply with the City's permit conditions. Chapter 16.24 of the City Development Code lists the requirements for a project to receive a tree removal permit. With implementation of the City's requirements, the PPPP prepared for the Project, and compliance with a required CDFW Incidental Take Permit, potential impacts would be reduced to a less than significant level and would reduce the potential for a cumulative considerable impact to Joshua trees.

Potential impacts to the BUOW and nesting birds would be reduced to a less than significant level through implementation of Mitigation Measures BIO-1 and BIO-2. Implementing these mitigation measures would reduce potential impacts to a less than significant level and would significantly reduce the potential for direct or indirect take of any special-status species. Therefore, there would not be a cumulatively considerable impact on any special-status species. Additionally, the Project would not result in a significant impact to jurisdictional waters, wildlife corridors and linkages, local policies and regional conservation plans, and the Project would not contribute to a cumulative impact on these resources and no mitigation measures are required.

Cultural Resources. Ongoing development and growth in the High Desert area may result in a cumulatively significant impact to cultural resources due to the continuing disturbance of undeveloped areas, which could potentially contain significant, buried cultural resources. However, individual, Project-level impacts associated with cultural resources were found to be

less than significant with incorporation of mitigation measures. The Proposed Project would be required by law to comply with all applicable federal, state, and local requirements related to historical, archaeological, and cultural resources. Other related cumulative projects would similarly be required to comply with all such requirements and regulations, to be consistent with the provisions set forth by CEQA and the CEQA Guidelines, and to implement all feasible mitigation measures in the event a significant project-related and/or cumulative impact be identified. As such, cumulative impacts would be less than significant with mitigation incorporated. No additional mitigation measures are required.

Energy. Cumulative projects that could exacerbate the Project's impacts include any project that could result in wasteful, inefficient, or unnecessary use of energy within the region. However, the Proposed Project would not result in wasteful, inefficient, or unnecessary use of energy in part due to the short-term and temporary nature of the construction period. In addition, operation of the Project would not result in a wasteful, inefficient or unnecessary use of energy or conflict with an applicable plan. Furthermore, the Project would include Project design features which include reductions in energy demand. Therefore, the Project would have less than significant impacts with regards to cumulative energy impacts and no mitigation measures are required.

Geology and Soils. The geographic scope of the cumulative geology and soils analysis includes adjacent areas surrounding the Project Site. Ongoing development and growth in the Project area may result in a cumulatively significant impact related to geology and soils. However, the individual, Project-level impacts associated with geology and soils were found to be less than significant with incorporation of Mitigation Measure GEO-1. In addition, the Proposed Project would be required to comply with the California Building Code, policies identified in the Conservation and Safety Elements of the Hesperia General Plan, and Chapter 15.04, Buildings and Construction of the City's Municipal Code. Other related cumulative projects would be required to comply with all necessary requirements and regulations, to be consistent with the provisions set forth by CEQA and the CEQA Guidelines, and to implement all feasible mitigation measures should a significant project-related and/or cumulative impact be identified. As such, cumulative impacts would be less than significant with mitigation incorporated.

Greenhouse Gas Emissions – Climate Change. As previously discussed, GHG emissions impacts are inherently cumulative in nature. As shown in Table 4.7-4, the Project would not result in GHG emissions in exceedance of the MDAQMD significance threshold. Therefore, cumulatively, Project GHG emissions would be less than significant and no mitigation measures are required.

Hazards and Hazardous Materials. The geographic scope of the cumulative hazards and hazardous materials analysis includes the immediate Project area, including surrounding land uses and other nearby properties. Adverse effects of hazards and hazardous materials tend to be localized; therefore, impacts from nearby projects would be limited, if any, and the Project Site would be primarily affected by project activities.

During construction, hazardous materials such as fuels and lubricants would be transported to and used on site for construction vehicles and equipment. These materials, if improperly handled, could expose the public environment to pollutants. However, water quality enhancement components of the Project, including the implementation of an Erosion and Sediment Control Plan, a SWPPP, and

stormwater BMPs would minimize the potential release of construction-related pollutants on and off site.

Operation of the Project would include the use of various hazardous materials, including chemical reagents, solvents, fuels, paints, and cleansers. These materials would be used for day-to-day operations as well as building and landscaping maintenance. However, compliance with applicable regulations would ensure that any use of hazardous materials are transported, used, stored, and disposed of in a manner that minimizes the potential for upset and accident release into the environment. In addition, the owner/operator must complete and submit a Hazardous Materials Business Plan to the California Environmental Reporting System to ensure that in the event that an emergency spill response and containment plan is in place in the event of hazardous spills. Similarly, similar projects in the City would be required to comply with applicable regulations involving the use of hazardous materials. Therefore, it is not anticipated that the Project would create a significant hazard to the public or the environment through routine operations or reasonably foreseeable upset and accident conditions or result in the release or exposure of hazardous materials into the environment. Therefore, cumulative hazards and hazardous materials impacts would be less than significant.

Hydrology and Water Quality. Cumulative projects that could exacerbate the Project's impacts include any project that could result in a decrease of groundwater supplies, violate any applicable water quality standards, impair any beneficial uses, or alter the drainage patterns within the region. However, the Proposed Project would not result in any significant impacts to the regional or local water quality or hydrology. Furthermore, the Project would include Project design features to protect water quality and groundwater resources and prevent off-site changes to drainage patterns. Therefore, the Project would have less than significant impacts and would not contribute to cumulative hydrology or water quality impacts and no mitigation measures are required.

Traffic and Circulation. Other reasonably foreseeable development projects which are either approved or being processed concurrently in the study area are included as part of a cumulative analysis scenario for traffic. A cumulative project list was developed for the purposes of this analysis through consultation with planning and engineering staff from the City of Hesperia, City of Victorville, and County of San Bernardino. The cumulative project list includes known and foreseeable projects that are anticipated to contribute traffic to the study area intersections.

If the improvements needed to address the cumulative deficiencies identified under E+P, Opening Year Cumulative (2022), and Horizon Year (2040) traffic conditions are not constructed as part of the Proposed Project, the Applicant's responsibility for the Proposed Project's contributions towards deficient intersections is fulfilled through payment of fair share that would be assigned to construction of the identified recommended improvements. The Project Applicant would be required to pay fair share fees and DIF consistent with the City's requirements. However, cumulative impacts to LOS are not analyzed under CEQA. Therefore, the Proposed Project's cumulative impacts to LOS is not considered significant. However, the cumulative project VMT per service population would exceed the City's adopted impact threshold. Therefore, this cumulative impact is significant and unavoidable.

The Proposed Project's fair-share contribution would address queuing deficiencies resulting from project implementation. However, the City does not have jurisdiction over some of these facilities, therefore these improvements cannot be assumed to be in place prior to Project's occupancy. Therefore, Caltrans will be involved in approving the project design related to Highway 395 access and the project will be required to obtain a Caltrans encroachment permit.

Mitigation Measures:

Mitigation Measure T-1

The southeast corner of the intersection of Highway 395 and Yucca Terrace Drive should have a 40-foot curb radius.

Mitigation Measure T-2

Traffic signals shall be installed at the following intersections:

*US Highway 395 at Avenal Street
US Highway 395 & Yucca Terrace Drive*

Mitigation Measure T-3

A second southbound left turn lane and a second northbound left turn lane at Highway 395 and Phelan Road/Main Street will be required.

Level of Significance After Implementation

Less than significant for circulation related impacts; significant and unavoidable for Vehicle Miles Travelled.

Tribal Cultural Resources. Ongoing development and growth in the City may result in a cumulatively significant impact to tribal cultural resources due to the continuing disturbance of undeveloped areas, which could potentially contain significant, buried cultural resources. However, individual, Project-level impacts associated with tribal cultural resources were found to be less than significant with incorporation of mitigation measures. The Project would be required by law to comply with all applicable federal, State, and local requirements related to historical, archaeological, and cultural resources. Other related cumulative projects would similarly be required to comply with all such requirements and regulations, to be consistent with the provisions set forth by CEQA and the CEQA Guidelines, and to implement all feasible mitigation measures in the event a significant project-related and/or cumulative impact be identified. As such, cumulative impacts would be less than significant and no additional mitigation is required.

Utilities and Service Systems. Cumulative projects that could exacerbate the Project's impacts include any project that could place a demand on utilities and service systems within the region. However, the Proposed Project would not result in excess demands exceeding existing systems ability to provide service, nor would it require the construction or relocation of new or expanded

facilities. Furthermore, the Project would include Project design features which include reductions in energy demand. Therefore, the Project would have less than significant impacts with regards to cumulative impacts on utilities or service systems and no mitigation measures are required.

Wildfire. The Project Site and surrounding area is relatively flat, and it is not anticipated that related projects would combine to result in significant wildfire impacts related to slope, prevailing winds, downstream flooding or landslide, slope instability, or drainage changes. Further, projects would be required to avoid conflict with the City's Emergency Preparedness Plan and potential emergency evacuation routes in the area. The applicable Fire and Building Codes, along with Project -specific needs assessments and fire prevention plan requirements, ensure that every project approved for construction includes adequate emergency access. Roads for all proposed projects are required to meet minimum widths, have all-weather surfaces, and be capable of supporting the imposed loads of responding emergency apparatus. The Project and all other future development projects in the service area would be subject to review by the SBCFD and would be required to comply with the County Fire Code and other relevant County Code requirements and other applicable local codes (e.g., City of Hesperia Municipal Code) and regulations related to fire safety, building construction, access, fire flow, and fuel modification. Therefore, because all projects are required to comply with these requirements, cumulative impacts related to increased wildfire hazards and emergency response and access would be less than significant.

When considering the Proposed Project, in conjunction with the other proposed or reasonably foreseeable projects as identified in Table 5-1, the level of significance of projected-related impacts would incrementally increase for Vehicles Miles Traveled. Therefore, implementation of the Proposed Project would result in a cumulatively significant impact for VMT.

**Table 5-1
Cumulative Development Land Use Summary**

Case No.	Land Use	Quantity	Units ¹
CUP12-10189: SEC of Outpost Rd. & Joshua St.	Travel Center	12.271	TSF
CUP15-00009: SWC of US-395 & Three Flags Rd.	Gas Station w/ Convenience Market and Car Wash	12	VFP
	High-Turnover Sit-Down Restaurant	1.300	TSF
	Fast Food w/ Drive Thru	3.000	TSF
CUP16-00007: SEC of Mariposa Rd. & Ranchero Rd.	Gas Station w/ Convenience Market and Car Wash	8	VFP
	Fast Food w/ Drive Thru	2.546	TSF
CUPE16-00002: SEC of Verbena Rd. & Rodeo St.	Hotel	212	RM
	Quality Restaurant	11.600	TSF
	Golf Course	9	Holes
SPR16-00016: south of Muscatel St., west of Caliente Rd.	Manufacturing	75.000	TSF
CUP18-00003	Gas Station	9	VFP
	High-Turnover Sit-Down Restaurant	4.188	TSF
Hesperia Commerce Center	High-Cube Fulfillment Center	4382.800	TSF
TTE 19-00007 (TT 17916)	Single Family Detached Residential	177	DU
TPM 19-00001	Shopping Center	13.0	Acres
TTE 16-00002 (TT 17243)	Single Family Detached Residential	125	DU
SPR 19-00005	Shopping Center	4.889	TSF
Kaiser Medical Office	Medical Office	54.168	TSF
Hesperia West	Shopping Center	34.675	TSF
	Department Store	40.400	TSF
	Furniture Store	38.000	TSF
	Walk in Bank	4.500	TSF
	High-Turnover Sit-Down Restaurant	5.926	TSF
	Fast Food w/ Drive Thru	3.260	TSF
Hesperia Walmart Shopping Center	Fast Food w/ Drive Thru (vacant pad)	2.500	TSF
SPR 16-00011	Shopping Center	4.377	TSF
CUP 16-00011	Shopping Center	5.423	TSF
High Desert Gateway West I & II	Shopping Center	3.000	TSF
	Shopping Center	9.450	TSF
SPRE16-00004 ext	Senior Adult Housing - Detached	96	DU
SPR18-00002	Medical Office	8.400	TSF
Hesperia Commerce Center II	High-Cube Fulfillment Center	2361.648	TSF
	Shopping Center	1383.781	TSF
P201400514/RMC PM 19030	Gasoline/Service Station w/Conven. Mkt.	8	VFP
	High Turnover (Sit-Down) Restaurant	2.700	TSF
P201600125/TT	Assisted Living	12	BEDS
P201800466/CUP	Church	17.355	TSF
	Recreation Area with Restroom	0.5850	TSF
P201200482/CUP	General Office/Retail	20.4500	TSF
	Fast Food w/ Drive Thru	2.850	TSF
P201400478/CUP	Church	3.996	TSF
P201400342/PREAPPDR PM 19590	Commercial Retail	881.285	TSF
P201600418/CUP	Church	1.440	TSF
P201400220/CUP	Church	2.3	Acres

Case No.	Land Use	Quantity	Units¹
P201300184/PREAPPDR	Commercial Retail	70.000	TSF
P201500257/PREAPPDR	Commercial Retail	9.100	TSF
ADMN19-00068	Shopping Center	4.300	TSF
ADMN19-00058	Church	2.800	TSF
PLAN19-00023	Medical Office	16.500	TSF
PLAN19-00020	Single Family Detached Residential	168	DU

6.0 ALTERNATIVES

6.1 INTRODUCTION

This Chapter of the EIR contains an evaluation of alternatives to the US Cold Storage Hesperia Proposed Project. CEQA Guidelines Section 15126.6 describes the consideration and discussion of alternatives to a proposed project. The Guidelines state that an EIR shall describe a range of reasonable alternatives to the project, or the location of the project, which would feasibly obtain most of the basic objectives of the project, but avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives.

6.1.1 Project Description

The Proposed Project includes a facility for the warehousing and distribution of frozen and refrigerated foods to areas throughout the Southwest. The facility would include one building on the northern portion of the Project Site that is proposed to be no more than 520,000 square-feet. The building would include low-bay and high bay warehousing areas and an office space of up to 32,000 square-feet. The second building on the southern portion of the property is proposed to be no more than 525,000 feet and would include high bay warehousing areas as well as an office space the is no more than 32,000 square-feet. The maximum height of the two warehouse buildings is proposed to be no more than 150' to top of the highest point, which includes mechanical equipment. Each building would also include a loading dock for truck trailers that is approximately 72,000 square feet and includes an area for driver services that is no more than 25,000 square feet. There would be 60 dock spaces at each building for a facility total of 120 dock spaces (refer to Figure 3-3 Site Plan).

Food products would arrive at the Barstow intermodal and be trucked to the warehouse buildings. Food products would then leave the warehouse buildings and be trucked to multiple food retailers in the Los Angeles, Las Vegas, and Phoenix areas. The facility is intended to operate 24 hours per day Monday through Friday and eight hours per day Saturday and Sunday. Employees would likely work in three shifts Monday through Friday and one shift each Saturday and Sunday. Total employment is estimated at 165.

Although not required, a solar array field is proposed to be constructed in the eastern portion of the Project Site. To meet California Energy Code requirements, the warehouse building design will provide for structural capacity to accommodate roof-top solar panels which would be operational in addition to the solar array field at build-out. The total on-site solar to be generated would be approximately 2.35 MW to serve the facility so that it would not be 100% reliant on the grid.

6.1.2 Project Objectives

In order to evaluate alternatives, they must be compared to the project as proposed and the Applicant's and City's objectives for implementing the project.

Applicant Objectives

The specific Project Objectives stated below are provided by the Applicant and are intended to be consistent with City goals for implementing the General Plan, and include the following:

- To establish an industrial development that provides an economically viable addition to the City of Hesperia and that conforms to existing General Plan and zoning designations;
- To develop a distribution warehouse in a location that is not heavily populated nor within a primarily residential area.
- To locate in the High Desert near Barstow where majority of product to be warehoused arrives intermodally.
- To locate near Highway 395 and Interstate 15 to provide direct highway and freeway access for transportation of products to markets in Las Vegas, Los Angeles, and Phoenix.
- To take advantage of an existing local labor pool that may currently commutes to other regions for employment.
- To provide an energy efficient industrial development that is not 100% reliant on the electrical grid while providing a low carbon footprint and low utilization of water.

City of Hesperia General Plan Goals and Policies

The following are the goals and policies of the Hesperia General Plan that would apply to the Proposed Project:

Goal LU-4: Promote industrial development within the City which will expand its tax base and provide a range of employment activities, while not adversely impacting the community or environment.

Implementation Policy LU-4.3: Discourage the re-zoning of industrial land to other uses as sufficient industrial land should be maintained to provide a full range of industrial businesses to the community and surrounding areas.

Implementation Policy LU-4.4: Require the separation or buffering of residentially designated areas from industrial businesses which produce noise, odors, high traffic volumes, light and/or glare, and parking through the use of landscaping, setbacks, and other techniques. Existing residential areas should not limit the potential uses within industrial areas.

Main Street and Freeway Corridor Specific Plan Goals and Policies

The following goals and policies established for the Main Street and Freeway Corridor Specific Plan are applicable to the Proposed Project:

Land Use

Goal LU-2: Create a jobs/housing balance in the City

Policy LU-2.1: Designate land near Interstate-15 and Highway 395 for freeway-oriented commercial and industrial/business park development.

Policy LU-2.2: Add to the City's industrial land base where logically and physically possible to do so.

Policy LU-2.3: Maximize the economic impact of available industrial land by careful use of industrial properties, giving priority to clean enterprises that yield large numbers of highly-skilled high-paying jobs relative to site size.

Economic Development

Goal ED-1: Encourage commercial and industrial development in the Specific Plan area to assist with long-term financial stability and ensure fiscal viability for the City.

Policy ED-1.1: Attract and recruit new businesses that are appropriate to each land use district as defined in the Specific Plan.

Policy ED-1.3: Guide the establishment of a diversified local business base that provides growing sales and property tax revenues to the City to pay for municipal operations.

6.2 ALTERNATIVES CONSIDERED AND REJECTED

6.2.1 Alternative Site Within Hesperia Main Street and Freeway Corridor Specific Plan

The Project Site lies within the Hesperia Main Street and Freeway Corridor Specific Plan which was adopted by the City as an amendment to the General Plan on October 16, 2008 and amended January 24, 2020. The Specific Plan area consists of two corridors, I-15 and Main Street, approximately 18 miles in length and with a total area of over 16 square miles. The Main Street corridor extends from I Avenue on the east to about a mile west of the interchange with I-15. The Freeway corridor extends between the northern and southern City limits. Existing land uses in the Specific Plan area are diverse, ranging from industrial uses at the eastern end of the Main Street corridor, to several single family planned developments near the California Aqueduct and rural estates (large lot residential development) in the Oak Hills area at the southern end of the Freeway corridor. Other land uses include multi-family residential, commercial, public facilities, schools and parks. Undeveloped land is a major component of the Specific Plan area, especially along the Freeway corridor.

According to the 2008 Specific Plan, the area is approximately 80% vacant or underdeveloped. The Main Street corridor has vacant or underdeveloped land estimated at 55% of its area while the Freeway corridor has development on approximately 15% of its area. The two corridors have been further subdivided into eight districts.

The Project Site lies within the Highway 395/Interstate15 District which has 1,469.67 acres which at the time of publishing the Specific Plan were mostly vacant. Table 6-1 shows the acreage of land within each of the Districts identified in the Specific Plan. The Project Site is within the Highway 395/Interstate15 District.

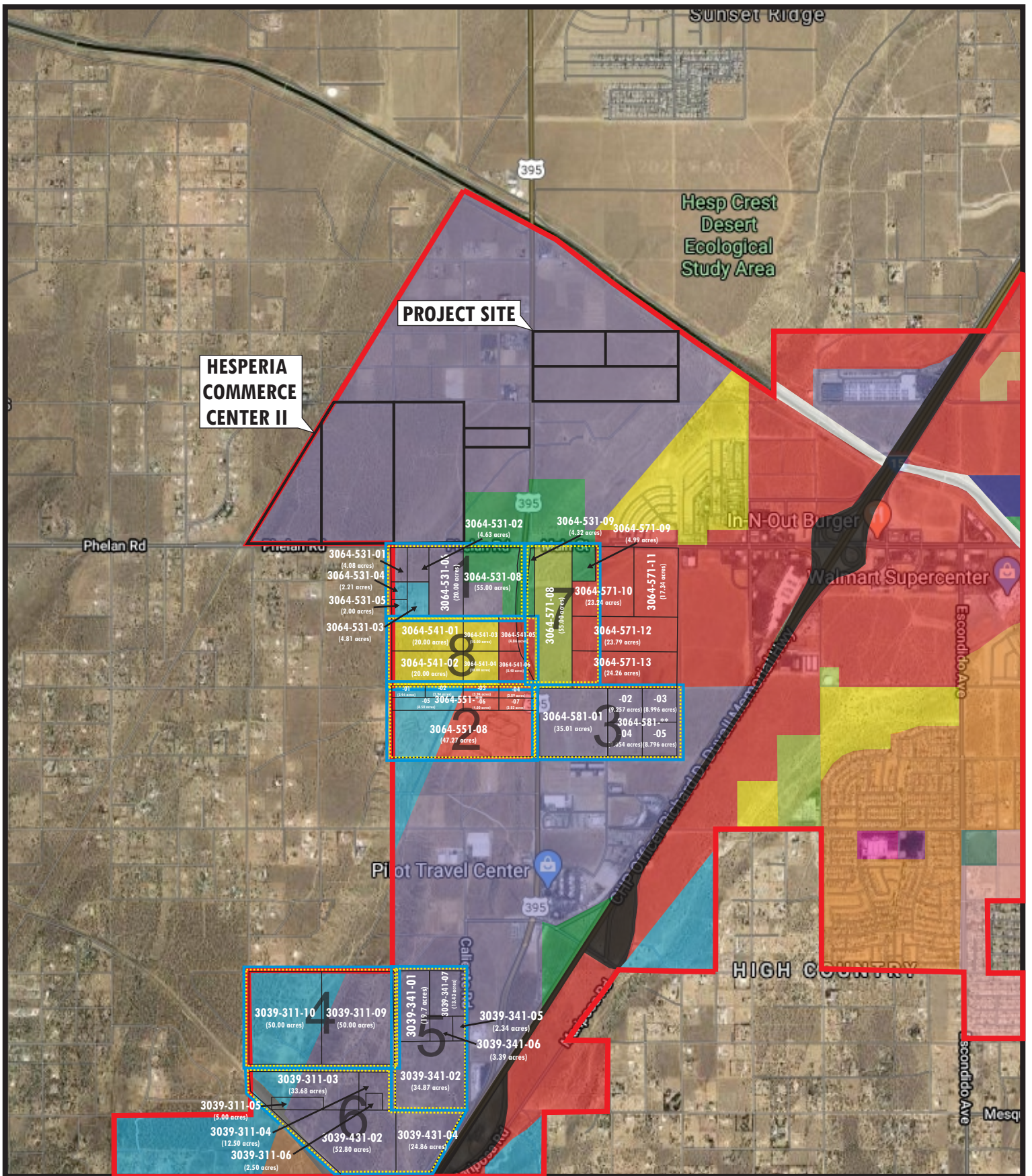
The Highway 395/Interstate 15 District is intended to provide enhanced vehicular, truck and rail accessibility for commercial/industrial business park uses by taking advantage of its location along the Interstate 15 (I-15) corridor with its connection to Highway 395, and its linkage to Southern California Logistics Airport in Victorville. The recommended district land uses build upon the presence of a major truck stop and other existing and planned light industrial uses. The purpose of this district is to create employment-generating uses in a business park setting. The kind of industrial uses envisioned in this district include light industrial, light manufacturing and industrial support uses, mainly conducted in enclosed buildings, with minimal environmental impact.

Table 6-1
Specific Plan Land Area (Gross Acres)

District	Area (acres)
<i>Freeway Corridor</i>	
1. South District	1,620.76
2. Highway 395/Interstate-15 District	1,469.67
3. Main Street/Interstate-15 District	2,740.18
4. North District	965.23
<i>Subtotal</i>	<i>6,795.84</i>
<i>Main Street Corridor</i>	
5. West District	730.27
6. City Center District	1,208.67
7. Industrial District	1,090.24
8. Neighborhood District	816.75
<i>Subtotal</i>	<i>3,840.93</i>
Total Area	10,636.77

Several large (e.g. 50 – 100 acres) vacant properties exist within the Highway 395/Interstate-15 District with direct access to Highway 395 or I-15. These parcels are identified on Figure 6-1 and were considered but rejected for the following reasons:

Alternative Site #1 (71.11 acres): The City of Hesperia did not support an industrial building at the size and scope proposed in a commercial zone close to the intersection of Main Street and Phelan Road. The City intends to add more retail support on that corner to meet demands of the growing industrial base. Additionally, the building height and set-back restrictions associated with this site resulted in net lot dimensions that were less than desired for the Proposed Project. Approximately 20 percent of the site's configuration (APNs 3064-



**HESPERIA
COMMERCE
CENTER II**

PROJECT SITE

Sunset Ridge

Hesp Crest
Desert
Ecological
Study Area

Phelan Rd

3064-531-02 (4.63 acres) 3064-531-09 (4.32 acres) 3064-571-09 (4.99 acres)

3064-531-01 (4.08 acres) 3064-531-04 (2.21 acres) 3064-531-05 (2.00 acres) 3064-531-03 (4.81 acres) 3064-531-04 (20.00 acres) 3064-531-08 (55.00 acres) 3064-571-08 (85.88 acres) 3064-571-10 (23.24 acres) 3064-571-11 (17.34 acres) 3064-541-01 (20.00 acres) 3064-541-03 (19.88 acres) 3064-541-05 (4.48 acres) 3064-541-02 (20.00 acres) 3064-541-04 (14.88 acres) 3064-541-06 (4.48 acres) 3064-571-12 (23.79 acres) 3064-571-13 (24.26 acres) 3064-551-08 (47.27 acres) 3064-581-01 (35.01 acres) 3064-581-02 (8.257 acres) 3064-581-03 (8.996 acres) 3064-581-04 (8.796 acres) 3064-581-05 (8.796 acres)

In-N-Out Burger
Walmart Supercenter

Pilot Travel Center

HIGH COUNTRY

3039-311-10 (50.00 acres) 3039-311-09 (50.00 acres) 3039-311-03 (33.68 acres) 3039-341-01 (19.7 acres) 3039-341-07 (13.18 acres) 3039-341-05 (2.34 acres) 3039-341-06 (3.39 acres) 3039-311-05 (5.00 acres) 3039-311-04 (12.50 acres) 3039-311-06 (2.50 acres) 3039-431-02 (52.80 acres) 3039-431-04 (24.86 acres)

LEGEND

- AQ-Aqueduct
- NC-Neighborhood Commercial
- RER-Rural Estate Residential
- LDR-Low Density Residential
- RC-Regional Commercial
- CIBP-Com/Ind Business Park
- PIO-Public/Institutional Overlay
- RRC-Railroad Corridor
- C1-Convenience Commercial
- R1-4500 (Residential)
- P-School-Public School
- R1 (Residential)
- TC-Transportation Corridor
- ASC-Auto Sales Commercial
- P-Park/Rec-Park & Recreation
- HDR-High Density Residential
- Potential Alternate Sites
- Specific Plan District Boundary

**LILBURN
CORPORATION**

ALTERNATIVE SITES
United States Cold Storage Hesperia
Hesperia, California

FIGURE 6-1

531-01 through 3064-531-05) are parcels owned by a local church and low income housing is adjacent.

Alternative Site #2: This site is owned by City of Hesperia and was a former dirt bike track (see Figure 6-2). The cost to import sufficient fill material to raise the grade as well as the cost to extend utility laterals exceeded the target development costs.

Alternative Site #3 (92.73 acres): United States Cold Storage was in escrow on the 35-acre portion of this site and attempted to assemble with other parcels. One of the other property owners would not sell due to the property being proximate to the freeway. The owner desired an industrial or retail use such as equipment rental, tile yard, or RV sales and service to take advantage of freeway visibility at that location.

Alternative Site #4 (100.00 acres): Access to this site was provided through a shared driveway of the existing Hesperia Commerce Center development and truck delivery would not have been efficient or safe with truck staging on Highway 395.

Alternative Site #5 (73.73 acres): As United States Cold Storage was considering this site escrow was opened by a competing buyer who intended to develop a large e-commerce warehouse operation across Highway 395 from the Hesperia Commerce Center.

Alternative Site #6 (131.34): This is the site of the *Hesperia Commerce Center I* which was entitled in 2015. The approved development building sizes and construction types were not consistent with the goals of the United States Cold Storage proposed development.

Alternative Site #7 (approximately 81.31 acres): This site contains all of APN 3064-571-08 and a and 3064-571-09, and portions of APNs 3064-571-10, -12, and -13. A lot line adjustment would be required for the latter three parcels. APN 3064-571-08 of this site is owned by the Hesperia Community College District and owners would consider selling a portion since this property is adjacent to Site #3. However, lot dimensions varied from Site #3 and would not accommodate the preferred project size. In addition to the same topographic challenges as Site #2, the City indicated a reluctance to approve a warehousing project that was at the intersection of Phelan Road and Highway 395, and zoned commercial.

Alternative Site #8 (73.26 acres): This site is adjacent to the former dirt bike track (Site #2) and has the same topographic challenges regarding the import of fill material. Displacement of adjacent low income housing was also a concern.

None of the identified significant and unavoidable impacts associated with the Proposed Project would be lessened if a different site were selected. A property anywhere within the Specific Plan area would still generate the same level of adverse traffic impacts. Most vacant properties within the Specific Plan area support Joshua trees.



LEGEND
 Existing Motocross track

ALTERNATIVE SITE NO. 2
 United States Cold Storage Hesperia
 Hesperia, California

6.3 ALTERNATIVES CONSIDERED FOR EVALUATION

The alternatives considered for evaluation include the following:

- Alternative #1 - No Project – No Development
- Alternative #2 - Non-Cold Storage Warehouse
- Alternative #3 - Reduced Footprint
- Alternative #4 – Reduced Footprint with Phasing

Certain environmental topics considered in the Initial Study were determined to have no impact or would remain unchanged with implementation of the Proposed Project, and therefore were not evaluated within this EIR. The following CEQA Resource Areas including: Agricultural and Forestry Resources, Mineral Resources, and Recreation were not considered within this EIR and are therefore excluded from the alternatives evaluation.

As discussed within Section 4 of the EIR, impacts that were either considered less than significant, or could be reduced to less than significant with mitigation measures were in the areas of aesthetics, biological resources, cultural resources, energy, geology and soils, hazards and hazardous materials, hydrology and water quality, tribal cultural resources, utilities and services, and wildfire. Impacts that could not be reduced to less than significant levels even with mitigation were in the area of traffic Vehicle Miles Travelled (VMT).

Alternatives to the Proposed Project are evaluated for their ability to avoid or substantially lessen the identified potentially significant resource area impacts.

6.4 EVALUATION OF ALTERNATIVES

6.4.1 Alternative 1: No Project – No Development Alternative

The discussion and evaluation of a “No Project Alternative” is required by the CEQA Guidelines. This alternative compares the environmental impacts of the Project with the environmental impacts of not approving the Project. (Guidelines § 15126.6(e)(1). According to the CEQA Guidelines:

The “no project” analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be *reasonably expected to occur in the foreseeable future if the project were not approved*, based on current plans and consistent with available infrastructure and community services. (Guidelines § 15126.6(e)(2) [emphasis added].)

The “no project” analysis differs depending on the Proposed Project. For development projects on identifiable property, such as the current Proposed Project:

[T]he “no project” alternative is the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the

property remaining in its existing state against environmental effects which would occur if the project is approved. If disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, this “no project” consequence should be discussed. However, where failure to proceed with the project will not result in preservation of existing environmental conditions, the analysis should identify the practical result of the project’s non-approval and not create and analyze a set of artificial assumptions that would be required to preserve the existing physical environment. (Guidelines § 15126.6(e)(3)(B))

Because the Project is a development project on identifiable property, this “no project” analysis compares the environmental effects of the property remaining in its existing state against environmental effects which would occur if the Proposed Project is approved. If the Proposed Project is not approved, the existing conditions are reasonably expected to occur into the foreseeable future, as there are currently no other development plans for the Project Site. The currently predictable consequence of Project disapproval is the continuation of the existing environment at the Project Site.

The Project Site has a current land use and zoning designation of Commercial/Industrial Business Park (CIBP). The CIBP land use designation allows for service commercial, light industrial, light manufacturing, and industrial support uses. Although the Project Site may remain undeveloped in the near term, it is not designated as Open Space, Floodway, Resource Conservation or other designation that would keep the property in an undeveloped state. This alternative would not meet the objectives of United States Cold Storage to develop a centralized distribution/warehouse facility to serve the southwestern United States. Likewise, this alternative would not meet the City’s objectives to create jobs for local residents, and thus allow a number of residents to work close to home. This alternative would also not act as a catalyst to development of other industrial uses within the Main Street and Freeway Corridor Specific Plan area.

Aesthetics and Visual Resources: Since the Project Site is currently undeveloped, the No Project Alternative would result in no change with respect to impacts on aesthetic and visual resources. No views or vistas would be impacted. The visual character of the site would remain the same as it is currently. Impacts would be less than significant for both the project and this alternative.

Air Quality: Since no construction activity would occur, the No Project Alternative would generate no short-term construction emissions. Further, no new long-term operational emissions would result from increased traffic and increased use of energy resources (e.g. fuel and natural gas). Due to the avoidance of short-term and long-term criteria pollutant emissions, the No Project Alternative’s air quality impacts although less than significant, would be avoided compared to the impacts associated with the Proposed Project.

Biological Resources: Since no site preparation or construction activity would occur, the No Project Alternative would not result in a change to the existing biology of the Project site. Existing and potential biological species would continue to utilize the Project Site (including breeding and/or seasonal foraging habitat, desert wood rats, night lizards) and no Joshua trees would be removed or relocated. Thus, impacts would be avoided compared to the proposed Project and

impacts associated with the No Project Alternative would be less than that of those associated with the Proposed Project. However, under both Alternative and the Proposed Project, impacts would be less than significant with implementation of mitigation.

Cultural Resources: The No Project Alternative would retain the Project Site's existing conditions. Because there would be no site preparation, grading, or construction, there would be no potential to disturb cultural resources. Thus, impacts would be less than that of the Proposed Project. Since no site preparation, grading, or construction activities would occur under the No Project Alternative, and operation of the Project would not occur, impacts related to cultural resources will be less than that of the Proposed Project.

Energy: The Project Site is currently vacant and has no infrastructure near it for the provision of electricity or natural gas. The No Project Alternative would retain the Project Site's existing conditions. Because there would be no construction or operational activities, there would be no demand for energy resources. Thus, impacts would be less than that of the Proposed Project, however impacts would be less than significant for both the Proposed Project and this alternative.

Geology and Soils/Paleontology: The No Project Alternative would retain the Project Site's existing conditions. Therefore, people would not be exposed to potential ground shaking, liquefaction, lateral spreading, expansive soils, subsidence, and differential settlement hazards associated with geologic and soils conditions on the Project site. There would be no potential to discover unknown paleontological resources. Therefore, impacts associated with the No Project Alternative would be less than that of the Proposed Project. However, impacts would be less than significant for both the Proposed Project and this alternative.

Greenhouse Gas Emissions: With the Project Site remaining in its current condition, short-term and long-term GHG emissions would be avoided. The No Project Alternative's impacts with regard to GHG emissions would be less than that of the Proposed Project. However, impacts would be less than significant for both the Proposed Project and this alternative.

Hazards and Hazardous Materials: Impacts under the No Project Alternative would be less than the Proposed Project because the No Project alternative would not expose any people and properties to potential hazards and hazardous materials compared to the Proposed Project. Therefore, impacts associated with the No Project Alternative would be less than those associated with the Project. However, impacts would be less than significant for both the Proposed Project and this alternative.

Hydrology and Water Quality: The No Project Alternative would retain the Project site's existing conditions. Under the No Project Alternative the existing hydrologic conditions would continue and the storm flow patterns would remain. Therefore, impacts associated with the No Project Alternative would be less than those associated with the Project. However, impacts would be less than significant for both the Proposed Project and this alternative.

Transportation: Under the No Project Alternative, no additional traffic would be generated from the Project site and there would be no impact on the local or regional circulation system. As a result, the No Project Alternative would avoid all significant and unavoidable traffic impacts.

Specifically, the No Project Alternative would have no impact compared to the significant and unavoidable vehicle miles travelled Project-related impacts.

Tribal Cultural Resources: The No Project Alternative would retain the Project site's existing conditions. Because there would be no site preparation, grading, or construction, there would be no potential to disturb cultural resources. Thus, impacts would be less than the Project.

Utilities and Service Systems: The No Project Alternative would retain the Project site's existing condition and no utility and service system improvements would occur. Furthermore, there would be no additional demands on water, wastewater, solid waste disposal, storm water or dry utilities (electricity, natural gas, cable/phone service). Therefore, the No Project Alternative impacts to utilities and service systems would be considered less than that of the Project.

Wildfire: The Project site is not located in a mapped Fire Hazard Area. Therefore, impacts under both the No Project Alternative and the proposed Project would be less than significant.

Relationship of the No Project Alternative to Project Objectives: The No Project Alternative does not meet any of the Project Objectives. The No Project Alternative is identified as the environmentally superior alternative. However, when the No Project Alternative is the environmentally superior alternative, CEQA requires that an EIR further identify an alternative other than the No Project Alternative as the environmentally superior alternative.

6.4.2 Alternative 2: Non-Cold Storage Type of Warehouse Alternative

With the intent of further reducing potential environmental impacts from the Proposed Project, the City has considered a warehouse facility that would not involve cold storage and therefore no mobile (trailers) or stationary (warehouses) refrigeration units would be used. In this Alternative, development of the Project Site would remain the same square-footage of buildings, parking, landscaping, detention basins, and include a solar array.

Aesthetics: Impacts would be similar under this Alternative compared to the Project since this Alternative would have a similar design quality and type as the Project and would include similar streetscape enhancements. These enhancements would help to improve the aesthetic and visual quality of the Project site and surrounding area. Impacts would be less than significant for both the Proposed Project and this Alternative.

Air Quality: The Type of Warehouse Alternative would result in a reduction in air quality emissions over the Proposed Project due to greenhouse gas emission reduction from a non-cold storage facility. The Proposed Project was evaluated for emissions and there is no exceedance of thresholds. Additionally, health risks (which are already less than significant) associated with diesel exhaust would be similar compared to the proposed Project related to impacts of toxic air contaminants. This impact would be less than that of the proposed Project. Because this Alternative would be required to comply with the same construction-related mitigation measure as the Proposed Project (AQ-1), impacts would be less than significant for both the Proposed Project and this Alternative.

Biological Resources: This Alternative would have a site lay out and building footprint the same as the Proposed Project. Therefore, this Alternative would result in the same level of impacts to biological resources as would the Proposed Project. The Type of Warehouse Alternative would result in the removal of Joshua trees and adverse and unavoidable impacts would occur for both the Project and this Alternative.

Cultural Resources: The Type of Warehouse Alternative would encompass the same footprint as would the Proposed Project, and therefore impacts to cultural resources would be the same as compared to the Project. Because this Alternative would be required to comply with the same mitigation measures as the Proposed Project (CR-1 and CR-2), impacts would be less than significant for both the Proposed Project and this Alternative.

Energy: Under the Type of Warehouse Alternative, energy use during construction and long-term operation would be reduced by approximately 70 percent compared to the Proposed Project. Therefore, impacts related to energy would be less than the Proposed Project and less than significant under both this Alternative and the Proposed Project.

Geology and Soils/Paleontology: The Type of Warehouse Alternative would result in the same level of impacts when compared to the Proposed Project. Consequently, potential impacts with respect to ground shaking, liquefaction, lateral spreading, expansive soils, subsidence, and differential settlement hazards associated with geologic and soils conditions would be less than significant under this Alternative as they would be for the Proposed Project. Impacts to paleontological resources would be the same for the Proposed Project and this Alternative; mitigation measure (GEO-1) to reduce impacts to less than significant levels would be required under either scenario.

Greenhouse Gas Emissions: The Type of Warehouse Alternative would result in a reduction in greenhouse gas emissions due to the warehouse and truck trailers not providing for cold storage. Because emissions do not exceed thresholds for the Proposed Project, impacts would be less than significant for both the Proposed Project and this Alternative.

Hazards and Hazardous Materials: The Type of Warehouse Alternative would result in similar impacts as would the Proposed Project which were determined to be less than significant. The Proponent would submit verification of compliance with all applicable federal, state, and local regulations including the Certified Unified Program Agency (CUPA) with Hazardous Materials Division of the San Bernardino County Fire Department for either type of warehouse. Exposure of people and property to potential hazards and hazardous materials would be similar to those identified for the Proposed Project under this Alternative to the Proposed Project. Impacts would be less than significant under either scenario.

Hydrology and Water Quality: The Type of Warehouse Alternative would include on-site water quality and detention basins the same as those proposed for the Proposed Project. Potential impacts are the same as the Proposed Project and would also be less than significant.

Transportation: Development of the Type of Warehouse Alternative would result in similar truck traffic and therefore impacts would be similar to those determined for the Proposed Project.

Vehicle Miles Travelled impacts from this Alternative would also be similar to those of the Proposed Project. Impacts would be significant adverse and unavoidable under either scenario.

Tribal Cultural Resources: The Type of Warehouse Alternative would encompass the same footprint compared to the Proposed Project, and therefore impacts to tribal cultural resources would remain same. Mitigation would be applied to both the Proposed Project and the Type of Warehouse Alternative and impacts would be less than significant under both scenarios.

Utilities and Service Systems: Since the Type of Warehouse Alternative has similar building area of the Proposed Project, demand for utilities and service would be also be similar. Energy use would be less under this Alternative, however the same infrastructure requirements would exist for either scenario. Utilities and service system impacts would be less than significant for both the Proposed Project and the Type of Warehouse Alternative.

Wildfire: The Project Site is not located in a mapped Fire Hazard Area. Therefore, impacts under both this Alternative and the Proposed Project would be less than significant.

Relationship of the Type of Warehouse Alternative to Project Objectives: The Non-Cold Storage Type of Warehouse Alternative would not meet the Applicant's objective of developing a cold storage and distribution warehouse in a location that is not heavily populated nor within a primarily residential area. Many of the products that would be shipped to the warehouse and distributed to a southwestern market come from the California Central Valley. Fresh produce (fruits and vegetables) and dairy products (cheese and ice cream) produced in and distributed from the Central Valley require cold storage. United States Cold Storage has numerous warehouse facilities in its Western Region located in the Central Valley. The two nearest facilities to Hesperia are located in Tulare and Bakersfield.

6.4.3 Alternative 3: Reduced Footprint Alternative

With the intent of reducing environmental impacts from the Proposed Project to air quality, biological resources, and transportation, the City has considered a reduction in facility size option referred to as "Reduced Footprint Alternative". The analysis conducted for the Proposed Project finds that adverse and unavoidable impacts would occur only in the areas of Vehicle Miles Traveled. This Alternative would not reduce those adverse and unavoidable impacts but would result in some level of impact reduction to other impacts that were determined Less Than Significant with Implementation of Mitigation. An estimated 50% reduction in warehouse square-footage and operations would be required and is briefly evaluated herein.

In this case, one of the two warehouse buildings would not be developed; the warehouse and office building proposed to be located on the southern portion of the Project Site would be eliminated. The facilities on the northern portion of the Project Site, proposed to be a total of 515,334 square-foot of warehouse facility and 31,594 square-foot of office space would be constructed. The southerly access point at Yucca Terrace Drive would be eliminated. There would be a proportional decrease in the number of dock doors, trailer parking stalls, automobile parking stalls, and ADA-compliant parking stalls.

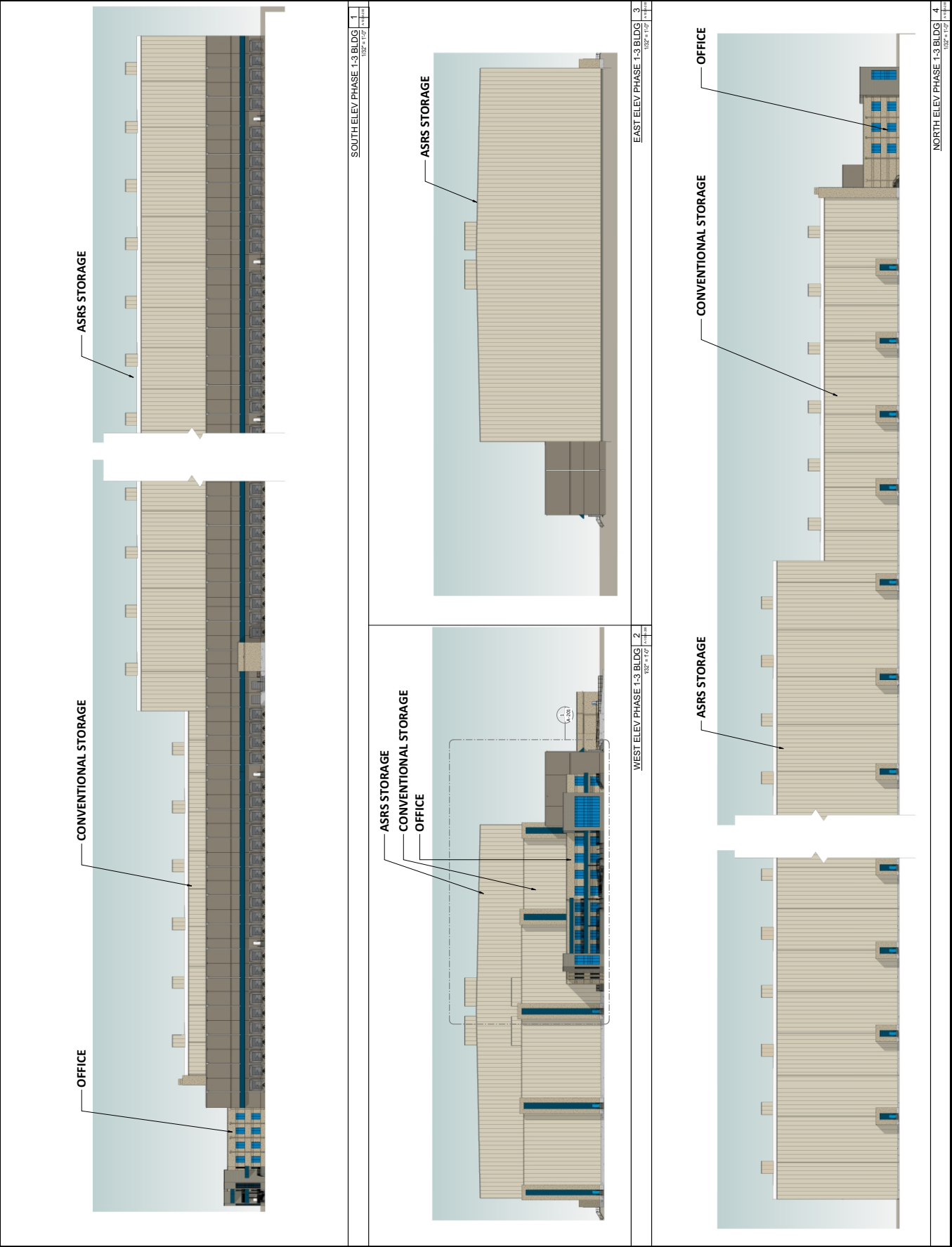
On-site features such as the water quality basin would also be reduced in size. Highway 395 intercepts most of the off-site flows and the remainder of off-site flows would be contained in an earthen swale along the southern perimeter of the site and discharged in a manner to maintain the historical drainage pattern. This alternative would include approximately 1,040,491 square-feet of hardscape/impervious surfaces and would alter existing drainage patterns on-site. The 1,607,205 square-foot drainage area would be anticipated to generate approximately 16.34 acre-feet of stormwater flow during 100-year storm event. Under post-construction conditions, storm water would flow northeast into a retention basin proposed to be located on the northeast corner of the Project Site with a design capture volume of 16.34 acre-feet. As such, surface flow from a 100-year storm event would be captured and mitigated within the proposed retention basin and discharged at a rate less than the pre-development flow rates in accordance with the San Bernardino County Hydrology Manual requirements; any flows from larger storm events would flow towards the California Aqueduct maintaining the existing drainage pattern.

Impacts to the California candidate endangered Joshua trees would be limited to those trees located on the northern portion of the Project Site (portions of 39.1-acre Assessor's Parcel Nos. 3064-421-01 and -02). This would reduce the total number of trees impacted from 135 trees to 72 trees, or a 47% reduction (see Figure 6-3).

Aesthetics: Views of the warehouse from Highway 395 would be similar, but there would be less square-footage of structures within the viewshed (see Figures 6.4a and 6.4b). Overall, the significance of impacts may be slightly reduced under this Alternative compared to the Proposed Project. However, impacts under either scenario would be less than significant.

Air Quality: The Reduced Footprint Alternative would result in approximately 50 percent less building square footage and a reduction in truck traffic by approximately 50 percent, which in turn reduces air quality emissions by a similar amount. The long-term air quality impacts resulting from mobile sources would be reduced due to the reduction of building size and dock door count, and localized emissions of criteria pollutants would decrease due to the decrease in total truck trips accessing the site. Additionally, health risks (which are already less than significant) associated with diesel exhaust would be reduced compared to the Proposed Project because daily truck trips will decrease as a result of building size, thus decreasing impacts of toxic air contaminants. This impact would be less than that of the proposed Project. Operational NO_x emissions would also be reduced by approximately 50 percent under Alternative 3, which means that maximum operational NO_x emissions reported in Table 5.1-G would decrease from approximately 91.40 lbs/day to approximately 45.2 lbs/day, which is less than the SCAQMD significance threshold for NO_x of 55 lbs/day. Impacts to air quality would be less than the Proposed Project which would result in less than significant impacts.

Biological Resources: This Alternative would have a smaller building footprint, create less land disturbance, and therefore have less impacts on biological resources. Elimination of the southern buildings would eliminate impacts to approximately 63 of the 135 Joshua trees on-site. Because the Reduced Footprint Alternative would result in the need for the same mitigation measures as the Project, impacts would remain less than significant with mitigation for both the Project and this Alternative.



ALTERNATIVE 4 ELEVATIONS

United States Cold Storage Hesperia
 Hesperia, California

FIGURE 6-4a

NO.	DATE
1	10/20/2015
2	11/10/2015
3	11/10/2015
4	11/10/2015
5	11/10/2015
6	11/10/2015
7	11/10/2015
8	11/10/2015
9	11/10/2015
10	11/10/2015
11	11/10/2015
12	11/10/2015
13	11/10/2015
14	11/10/2015
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17	11/10/2015
18	11/10/2015
19	11/10/2015
20	11/10/2015

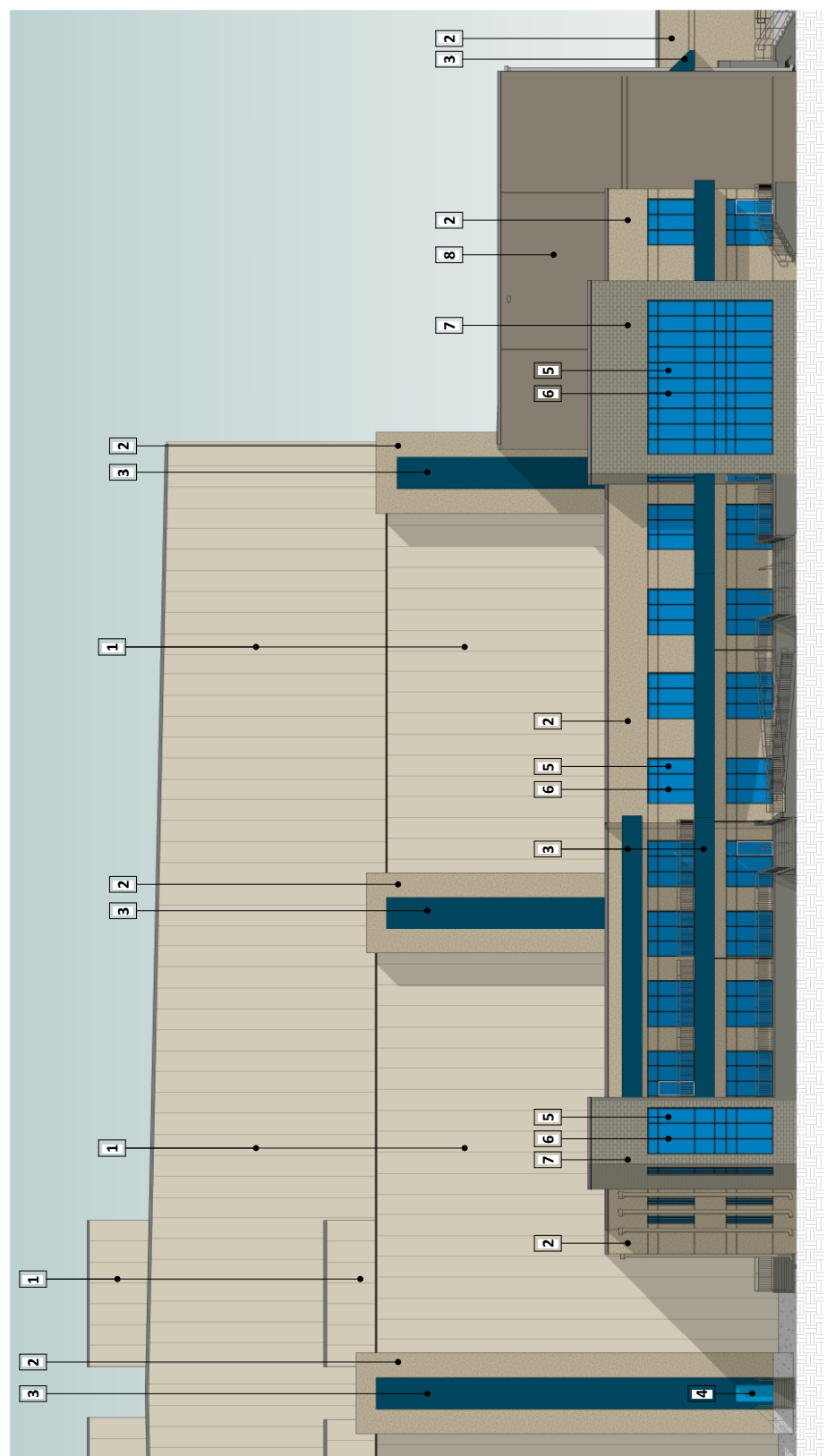
PROJECT: PROPOSED HESPERIA PLANT
 LOCATION: HESPERIA, CALIFORNIA
 DRAWING NO.: A-201
 DATE: 11/10/2015

BUILDING ELEVATIONS - ENLARGED

A-201

BUILDING MATERIALS
 1/4" = 1'-0"

- 1** INSULATED METAL WALL PANELS - SAND TON COLOR
- 2** STUCCO WALL FINISH - CHARLESTON BEIGE
- 3** US COLD STORAGE BLUE (SW 6520)
- 4** US COLD STORAGE BLUE (SW 6598)
- 5** BLUE REFLECTIVE GLAZING
- 6** BRUSHED BRONZE ANODIZED ALUMINUM
- 7** LIMESTONE WALL OR SILE FACE MASONRY
- 8** CONCRETE FLAT PANEL ADAPTIVE (SAME SW 7013)



ENLARGED VIEW WEST ELEVATION 1/4" = 1'-0"

ALTERNATIVE 4 ELEVATIONS
 United States Cold Storage Hesperia
 Hesperia, California
FIGURE 6-4b

Cultural Resources: The Reduced Footprint Alternative would encompass a smaller footprint compared to the Project, impacts to cultural resources and tribal cultural resources would be slightly less compared to the Project. Because this Alternative would be required to comply with the same mitigation measures as the Project, impacts would be less than significant for both the Project and this Alternative.

Energy: Under the Reduced Footprint Alternative, energy use during construction and long-term operation would be reduced by approximately 50 percent compared to the Project. Therefore, impacts related to energy would be less than the Proposed Project and less than significant under both this Alternative and the Proposed Project.

Geology and Soils/Paleontology: The Reduced Footprint Alternative would result in less impacts when compared to the Project since development would not occur on the entire site. Consequently, potential impacts with respect to ground shaking, liquefaction, lateral spreading, expansive soils, subsidence, and differential settlement hazards associated with geologic and soils conditions would be less under this Alternative. Additionally, potential impacts to paleontological resources would be less than under the Proposed Project. Impacts would be less than significant under both the Reduced Footprint Alternative and the Project.

Greenhouse Gas Emissions: The Reduced Footprint Alternative would result in disturbance of a smaller footprint compared to the Proposed Project. Thus, the one-time construction-related GHG emissions from Alternative 2 would be less than the Proposed Project. This Alternative would also comply with all present and future regulatory measures developed in accordance with AB 32 and CARB's Scoping Plan, and incorporate a number of Proposed Project design features that would further minimize GHG emissions. The Reduced Footprint Alternative would result in approximately 50 percent fewer trip ends than the Proposed Project, and with the square footage reduced by 50 percent, would likely generate approximately 50 percent less GHG emissions. Since the Proposed Project emissions are less than the SCAQMD threshold, the Reduced Footprint Alternative with an approximate 50 percent reduction in GHG emissions would also be below the SCAQMD screening threshold. Therefore, GHG impacts associated with the Reduced Footprint Alternative would be less than the Proposed Project.

Hazards and Hazardous Materials: The Reduced Footprint Alternative would result in impacts less than the Proposed Project since it would have less floor area, the area would be smaller, and it would generate less vehicle trips. Potential exposure of people and property to potential hazards and hazardous materials would be less compared to the Proposed Project. However, impacts would be less than significant for both the Proposed Project and this Alternative.

Hydrology and Water Quality: The Reduced Footprint Alternative would include on-site water quality and detention basins although, due to the smaller site area, these facilities would likely be somewhat smaller compared to the Proposed Project. Under this Alternative, runoff would also be collected and conveyed to the on-site basin before being discharged to the local municipal stormwater system. Under the Reduced Footprint Alternative, there would be urban runoff from the paved areas of the site. This potential impact is the same as the Proposed Project and would also be reduced to less than significant levels through compliance with mandatory regulatory

requirements. Therefore, hydrology and water quality impacts associated with this Alternative would be similar to the Proposed Project.

Transportation: Development of the Reduced Footprint Alternative would result in approximately 50 percent fewer passenger car equivalent (PCE) trip ends than those associated with the Proposed Project (see Table 4.10-1). Although overall impacts for this Alternative would be less than the Proposed Project and LOS could be reduced to acceptable levels at study area intersections with implementation of applicable mitigation measures, the Applicant would be required to pay fair share fees for off-site improvements. VMT would still remain a significant and unavoidable impact (*Supplemental VMT Analysis for Reduced Footprint Alternative included as Appendix J.*)

Tribal Cultural Resources: The Reduced Footprint Alternative would encompass a smaller footprint compared to the Proposed Project, and therefore impacts to tribal cultural resources would remain same. Mitigation would be applied to both the Proposed Project and the Reduced Footprint Alternative and impacts would be less than significant under both scenarios.

Utilities and Service Systems: Since the Reduced Footprint Alternative has less building area and would be constructed on a smaller site compared to the project demand for utilities and service would be also be smaller. Nonetheless, utilities and service system impacts would be less than significant for both the Proposed Project and the Reduced Footprint Alternative.

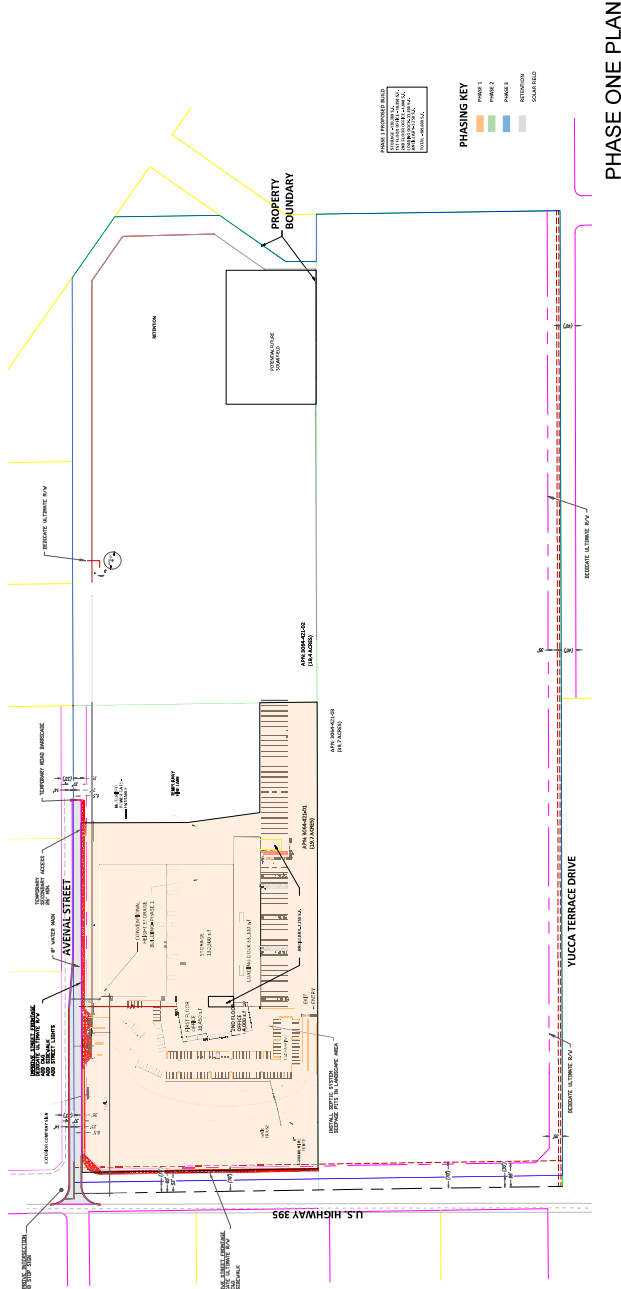
Wildfire: The Project Site is not located in a mapped Fire Hazard Area. Therefore, impacts under both this Alternative and the Proposed Project would be less than significant.

Relationship of the Reduced Footprint Alternative to Project Objectives The Reduced Project Size Alternative would develop the site as a similar operation, but at 50% of the size and operating capacity. The proposed warehouses and offices would be smaller, but the street improvements and water quality treatment would be realized. Significant and unavoidable impacts would still result to biological resources and vehicle miles traveled with this Alternative.

6.4.4 Alternative 4: Reduced Footprint with Phasing Alternative

With the intent of reducing significant environmental impacts from the Proposed Project to transportation, specifically related to required off-site improvements associated with the Proposed Project's truck trip contribution to intersections currently operating a deficient levels of service, the City has considered both a reduction in facility size combined with a construction phasing plan. In this case, only the northerly warehouse building would be developed in three phases to a maximum total of 515,334 square-feet (see Figures 6.5a, 6.5b, and 6.5c). This Alternative would also provide for an on-site septic system in lieu of connecting to a public sewer system at the onset of constructing the second phase.

Similar to Alternative 3, there would be a proportional decrease from the Proposed Project over phased increments in the number of dock doors, trailer parking stalls, automobile parking stalls, and ADA-compliant parking stalls.



PHASE ONE PLAN

ALTERNATIVE 4 SITE PLAN PHASE 1

United States Cold Storage Hesperia
Hesperia, California

FIGURE 6-5a

Should this Alternative be selected as the approved Project, all mitigation measures provided in Table 2-1 will be applicable with the exception of the two Traffic and Circulation measures provided below as Mitigation Measure T-1 Alternative 4 and Mitigation Measure T-2 Alternative 4.

On-site features such as the water quality basin would also be reduced in size, not relative to each phase but to the overall building. Highway 395 intercepts most of the off-site flows and the remainder of off-site flows would be contained in an earthen swale along the southern perimeter of the site and discharged in a manner to maintain the historical drainage pattern. This alternative would include approximately 1,040,491 square-feet of hardscape/impervious surfaces and would alter existing drainage patterns on-site. The 1,607,205 square-foot drainage area would be anticipated to generate approximately 16.34 acre-feet of stormwater flow during 100-year storm event. Under post-construction conditions, storm water would flow northeast into a retention basin proposed to be located on the northeast corner of the Project Site with a design capture volume of 16.34 acre-feet. As such, surface flow from a 100-year storm event would be captured and mitigated within the proposed retention basin and discharged at a rate less than the pre-development flow rates in accordance with the San Bernardino County Hydrology Manual requirements; any flows from larger storm events would flow towards the California Aqueduct maintaining the existing drainage pattern.

Impacts to the California candidate endangered Joshua trees would be reduced as they would in Alternative 3 (from 135 to 72, or a 47% reduction). The entire northern property would be subject to a 2081 Permit to be issued prior to initial grading of the first phase of development.

Aesthetics: At buildout of the northern parcel, views of the warehouse from Highway 395 would be similar, but there would be less square-footage of structures within the viewshed (refer to Figures 6-4a and 6-4b). Overall, the significance of impacts may be slightly reduced under this Alternative compared to the Proposed Project. However, impacts under either scenario would be less than significant.

Air Quality: The Reduced Footprint with Phasing Alternative would result in approximately 50 percent less building square footage and a reduction in truck traffic by approximately 50 percent, which in turn reduces air quality emissions by a similar amount. The long-term air quality impacts resulting from mobile sources would be reduced due to the reduction of building size and dock door count, and localized emissions of criteria pollutants would decrease due to the decrease in total truck trips accessing the site. Additionally, health risks (which are already less than significant) associated with diesel exhaust would be reduced compared to the Proposed Project because daily truck trips will decrease as a result of building size, thus decreasing impacts of toxic air contaminants. This impact would be less than that of the proposed Project. Operational NO_x emissions would also be reduced by approximately 50 percent under Alternative 3, which means that maximum operational NO_x emissions reported in Table 5.1-G would decrease from approximately 91.40 lbs/day to approximately 45.2 lbs/day, which is less than the SCAQMD significance threshold for NO_x of 55 lbs/day. Impacts to air quality would be less than the Proposed Project which would result in less than significant impacts.

Biological Resources: This Alternative would have a smaller building footprint, create less land disturbance, and therefore have less impacts on biological resources. Elimination of the southern buildings would eliminate impacts to approximately 63 of the 135 Joshua trees on-site (refer to Figure 6-3). Because the Reduced Footprint Alternative would result in the need for the same mitigation measures as the Proposed Project (e.g. issuance of a Section 2081 permit for buildout conditions would be required), impacts would remain less than significant with mitigation for both the Project and this Alternative.

Cultural Resources: The Reduced Footprint Alternative would encompass a smaller footprint compared to the Project, impacts to cultural resources and tribal cultural resources would be slightly less compared to the Project. Because this Alternative would be required to comply with the same mitigation measures as the Project, impacts would be less than significant for both the Project and this Alternative.

Energy: Under the Reduced Footprint Alternative, energy use during construction and long-term operation would be reduced by approximately 50 percent compared to the Project. Therefore, impacts related to energy would be less than the Proposed Project and less than significant under both this Alternative and the Proposed Project.

Geology and Soils/Paleontology: The Reduced Footprint Alternative would result in less impacts when compared to the Project since development would not occur on the entire site. Consequently, potential impacts with respect to ground shaking, liquefaction, lateral spreading, expansive soils, subsidence, and differential settlement hazards associated with geologic and soils conditions would be less under this Alternative. Additionally, potential impacts to paleontological resources would be less than under the Proposed Project. Impacts would be less than significant under both the Reduced Footprint Alternative and the Project.

Greenhouse Gas Emissions: The Reduced Footprint Alternative would result in disturbance of a smaller footprint compared to the Proposed Project. Thus, the one-time construction-related GHG emissions from Alternative 4 would be less than the Proposed Project. This Alternative would also comply with all present and future regulatory measures developed in accordance with AB 32 and CARB's Scoping Plan and incorporate a number of Proposed Project design features that would further minimize GHG emissions. The Reduced Footprint Alternative would result in approximately 50 percent fewer trip ends than the Proposed Project, and with the square footage reduced by 50 percent, would likely generate approximately 50 percent less GHG emissions. Since the Proposed Project emissions are less than the SCAQMD threshold, the Reduced Footprint Alternative with an approximate 50 percent reduction in GHG emissions would also be below the SCAQMD screening threshold. Therefore, GHG impacts associated with the Reduced Footprint Alternative would be less than the Proposed Project.

Hazards and Hazardous Materials: The Reduced Footprint Alternative would result in impacts less than the Proposed Project since it would have less floor area, the area would be smaller, and it would generate less vehicle trips. Potential exposure of people and property to potential hazards and hazardous materials would be less compared to the Proposed Project. However, impacts would be less than significant for both the Proposed Project and this Alternative.

Hydrology and Water Quality: The Reduced Footprint Alternative would include on-site water quality and detention basins although, due to the smaller site area, these facilities would likely be somewhat smaller compared to the Proposed Project. Under this Alternative, runoff would also be collected and conveyed to the on-site basin before being discharged to the local municipal stormwater system. Under the Reduced Footprint Alternative, there would be urban runoff from the paved areas of the site. This potential impact is the same as the Proposed Project and would also be reduced to less than significant levels through compliance with mandatory regulatory requirements. Therefore, hydrology and water quality impacts associated with this Alternative would be similar to the Proposed Project.

Transportation: A Transportation Phasing Plan for development of the northern parcel was prepared by Urban Crossroads and dated February 18, 2021 and is included as Appendix J. The purpose of this Transportation Phasing Plan was to determine the maximum square footage that could be developed prior to requiring the implementation of the three off-site intersection improvement construct obligations (identified in the Traffic Analysis) would be triggered. Specifically, construct obligations were identified at the following intersections for the Proposed Project which included buildout of both the northern and southern buildings (1,046,768 square-feet of high-cube cold storage warehouse use):

- Highway 395 at Avenal Street – Install a traffic signal, construct a southbound left turn lane, and construct westbound shared left-right turn lane.
- Highway 395 at Yucca Terrace Drive – Install a traffic signal, construct a southbound left turn lane, construct westbound left turn lane, and westbound shared through right-turn lane.
- Highway 395 at Phelan Road/Main Street – Add a 2nd northbound left turn lane, and a 2nd southbound left turn lane.

The northern building was evaluated by establishing the first development phase as 189,600 square-feet. As the remainder of the 515,334 square-feet would be built-out in phases controlled by market demand, the following transportation phasing plan would apply:

- Transportation Improvement Phase 1 = 189,600 square-feet of high-cube cold storage warehouse use. This portion of the total 515,334 square-foot northern building could be developed before necessitating the signalization of the Highway 395 at Avenal Street intersection in conjunction with the southbound left turn lane which would be required before the implementation of the next phase. The northern building is anticipated to take all ingress and egress access via Avenal Street to Highway 395. The northern building would only contribute northbound and southbound through traffic to the intersection of Highway 395 at Yucca Terrace Drive.

It is anticipated that a traffic signal and additional turn lanes needed to serve a future cumulative project on the southwest corner of Highway 395 and Yucca Terrace Drive would be needed under cumulative traffic conditions. There is an existing deficiency at this intersection but is associated with existing traffic and not the result of Project traffic. As such, the Project should contribute its fairshare towards improvements needed at this intersection to maintain acceptable levels of service (LOS) during the peak hours.

Mitigation Measure T-1 Alternative 4

- Transportation Improvement Phase 2 = up to a total building square footage of 335,600 of high-cube cold storage warehouse use would not trigger any additional off-site improvements.

Transportation Improvement Phase 3 (Buildout) = total of 515,334 square-feet of high-cube cold storage warehouse use. After completion of 335,600 square-feet of total construction and prior to buildout of the northern property, the construction of a 2nd southbound left turn lane at Highway 395 and Phelan Road/Main Street would be required.

Mitigation Measure T-2 Alternative 4

The Horizon Year (2040) With Project traffic conditions were also evaluated to determine the fair share contribution associated with the northern building only. In addition to the changes to the construct obligations, the fair share contribution for Northern Building is \$107,405 as compared to the \$156,515 identified in the Traffic Study.

Peak hour volume-based and planning level (average daily traffic/ADT) traffic signal warrants have been conducted for the intersection of Highway 395 at Avenal Street for all phase and also for Horizon Year (2040) traffic conditions. The intersection of Highway 395 at Avenal Street is not anticipated to warrant a traffic signal; however, high delays are anticipated for side-street traffic (on Avenal Street) starting with the 2nd phase of Northern Building without the installation of a traffic signal. A traffic signal warrant has not been run for the purposes of this assessment at Highway 395 at Yucca Terrace Drive as this location is anticipated to warrant a traffic signal under Opening Year Cumulative traffic conditions (as disclosed in the Traffic Study). Similar to Avenal Street, Yucca Terrace Drive is currently operating at a deficient LOS due to high delays experienced by side-street traffic (no delays to Highway 395 traffic). These high delays are anticipated to continue until a traffic signal is installed at this intersection. Traffic signal warrant analysis worksheets are included in Appendix I for each applicable phase.

Improvement needs for the 3 deficient study area intersections are shown on Table 8 along with the applicable fair share percentages calculated previously in Table 7 and rough order of magnitude fair share cost estimates. In addition to the changes to the construct obligations identified through the E+P operations analyses, the fair share contribution for Northern Building has been calculated at \$107,405 for all cumulative improvements as compared to the \$156,515 identified in the Traffic Study.

VMT would still remain a significant and unavoidable impact as with the Proposed Project.

Tribal Cultural Resources: The Reduced Footprint Alternative would encompass a smaller footprint compared to the Proposed Project, and therefore impacts to tribal cultural resources would remain same. Mitigation would be applied to both the Proposed Project and the Reduced Footprint Alternative and impacts would be less than significant under both scenarios.

Utilities and Service Systems: Since the Reduced Footprint Alternative has less building area and would be constructed on a smaller site compared to the project demand for utilities and service would be also be smaller. However, This Alternative would provide for an on-site septic system

in lieu of connecting to a public sewer system at the on-set of constructing the second phase. Therefore, there would be less of an impact on the public sewer collection system and wastewater treatment facilities during the first phase on construction, but upon completion of the northern property building, impacts would continue to remain less than significant. Utilities and service system impacts would be less than significant for both the Proposed Project and the Reduced Footprint Alternative.

Wildfire: The Project Site is not located in a mapped Fire Hazard Area. Therefore, impacts under both this Alternative and the Proposed Project would be less than significant.

Relationship of the Reduced Footprint Alternative to Project Objectives The Reduced Project Size Alternative would develop the site as a similar operation, but at 50% of the size and operating capacity. The proposed warehouses and offices would be smaller, but the street improvements and water quality treatment would be realized. Significant and unavoidable impacts would still result to biological resources and vehicle miles traveled with this Alternative.

6.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Table 6-2 shows the impact levels of the alternatives as compared to those impacts determined for the Proposed Project. The three alternatives have impact levels similar to or greater than the Proposed Project and a few impacts levels are less than the Proposed Project.

Table 6-2
Alternative Impact Analysis Summary

Issue	Project Impacts	No Project Alternative	Type of Warehouse Alternative	Reduced Footprint Alternative	Reduced Footprint With Phasing
Aesthetics	Less than Significant	L	E	E	E
Air Quality	Less than Significant	L	E	E	E
Biology	Adverse and Unavoidable	L	E	E	E
Cultural Resources	Less than Significant with Mitigation	L	E	E	E
Energy	Less than Significant	L	E	E	E
Geology and Soils	Less than Significant	L	E	E	E
Greenhouse Gas Emissions	Less than Significant	L	E	E	E
Hazards and Hazardous Materials	Less than Significant	L	E	E	E
Hydrology and Water Quality	Less than Significant	L	E	E	E
Transportation	Adverse and Unavoidable	E	E	E	L

6.0 Alternatives

Issue	Project Impacts	No Project Alternative	Type of Warehouse Alternative	Reduced Footprint Alternative	Reduced Footprint With Phasing
Tribal Cultural Resources	Less than Significant with Mitigation	L	E	E	E
Utilities and Service Systems	Less than Significant	L	E	E	E
Wildfire	Less than Significant	L	E	E	E

E - Impact is Equivalent to impact of Proposed Project (neither environmentally superior nor inferior).

L - Impact is potentially Less than impact of Proposed Project.

G - Impact is potentially Greater than impact of Proposed Project.

Based on the evaluation of the three alternatives in this section, the No Project Alternative evaluated would result in an environmentally superior project to the Proposed Project. However, in accordance with CEQA requirements, the Reduced Footprint with Phasing Alternative would be considered the Preferred Alternative as it would result in similar impacts to those associated with the Proposed Project and result in a short-term deferral of off-site infrastructure impact fees to be borne by the Applicant. The Alternative would also result in less employment and less revenue for the City.

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7.1 LIST OF PREPARERS

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